Strengthening of the process of implementation of the anticorruption activities in Poland

1. **Basic Information**
   1.1 CRIS Number: **2004/016-829.05.02** Twinning No: **PL2004/IB/JH/02**
   1.2 Title: **Strengthening of the process of implementation of the anticorruption activities in Poland**
   1.3 Sector: Administration
   1.4 Location: Poland

2. **Objectives**

   2.1 Overall Objective(s)

   Combating and preventing corruption.

   2.2 Project purposes

   - further strengthening of institutional and administrative capacity to prevent and combat corruption;
   - overview of the evaluation of the legal regulations and the mechanisms favouring the acts of corruption;
   - adjusting of the methods of preventing corruption to the EU Member States standards;
   - continuation of works related to enhancing public awareness and promoting ethical standards of conduct in the areas of public life, particularly exposed to corruption, as well as among the high-level public officials.

   2.3 Justification

   The Comprehensive Monitoring Report of the European Commission of 5 November 2003 on the preparations of Poland to the membership in the European Union puts a stress on the further increase in number of the acts of corruption, the level of which was even before regarded as relatively high within all the areas of public life. The progress in the activities oriented at combating this problem has been rather insignificant.

   The conclusions contained in the Report show that fighting corruption should be considered as a priority task, which should be possible to observe in the process of strengthening the structures of co-ordination, as well as administrative support necessary to the effective realisation of the Anticorruption Strategy objectives: effective identification of the corruption offences, implementing the effective mechanisms of combating corruption within the public administration and enhancing the public awareness and promoting ethical standards of conduct, which constitutes a direct purpose of the project.

   Priorities were also defined in Anti-corruption Action Plan adopted by Border Guard in June 2002.

   Present project follows up the Phare 2003 project “Strengthening the implementation of the Anticorruption Strategy”, which focuses on preventive and informative activities dedicated mainly to the representatives of the local government.

   It is necessary to stress that the present fiche includes as well preventive activities for high level officials of the public administration as initiatives for law enforcement institution, which were already initiated in the frame of the previous Phare programs.

   With regard to the realization of the Phare 2003 project “Strengthening the implementation of the Anticorruption Strategy” and its achievements some of the activities of the present
project, as the needs arises, can be emphasised or modified during the preparation of the
twinning Contract.

3. Description

3.1. Background and justification

The corruption in the countries acceding to the European Union, including Poland, is a
reason for concern of the present Member States and the realisation of the anticorruption
policy has been an important political criterion required by the European Commission for
years.

On September 17, 2002, the Council of Ministers of the Republic of Poland has adopted the
Program for Combating Corruption – Anticorruption Strategy, which is a collection of
oriented solutions and measures taken by the government administration in order to fight
corruption. Realising the Anticorruption Strategy is among the priority tasks carried out by
the Government of the Republic of Poland. By June 2004, as a continuation of
Anticorruption Strategy, MIA planes to prepare the second packet of legislation,
organisation, educational and information activities. The referenced project, which complies
with the objective of the Strategy, will effectively support its implementation and evaluation
before the second phase of the Anticorruption Strategy. The Strategy indicates the areas of
public activity which are particularly exposed to the acts of corruption. The participation in
the projects of the representatives of these areas will contribute to indicating the legal
regulations and mechanisms, which favour corruption to the greatest extent. Furthermore,
this kind of co-operation will result in disseminating information, enhancing the awareness
of the threats of corruption and promoting the ethical standards of conduct among the most
adequate addressees. This will be realised on the basis of experiences and effective methods
of preventing corruption in the Member States of the EU, as well as the closer co-operation
with the non-governmental organisations and other Polish institutions. Moreover,
experiences from already completed twinning projects (1998-2001) as well as EU experts
recommendations will be used in implementation of the project. The interagency cooperation
will be achieved thanks to participation of representatives of different institutions involved in
combating and preventing corruption.

Within the recent years, a series of important changes aimed at strengthening the
anticorruption legislation has been introduced into the Polish legal system. They are, among
others: the law on countering the introduction to the financial circulation of the assets
coming from illegal or undisclosed sources, new public procurement law, the law on the
access to the public information, new electoral law and the law on political parties, law on
responsibility of corporate entities as well as several important amendments and new anti-
corruption provisions introduced to the penal code. Moreover, Poland has ratified the most
important international agreements concerning combating corruption: Criminal Law
Convention on Corruption, Civil Law Convention on Corruption, OECD Convention on
Combating Bribery of Foreign Public Officials in International Business Transactions.
A series of legal changes has also been introduced in order to enable international co-
operation and legal assistance in combating corruption.

Despite the introduction of numerous legal regulations, the problem of corruption still
persists and it concerns the majority of areas of public life.
So far, the MIA, the Ministry of Justice, the Civil Service Office, the Ministry of Finance, the Public Procurement Office and the Ministry of Health has realised the following tasks within the framework of the Anticorruption Strategy:

The Civil Service Office
- The Civil Service Ethics Code – on 11 October 2002, the Prime Minister issued the Regulation no 114, imposing the Civil Service Ethics Code on the Civil Service Corps. In December 2002, the Code was distributed to all government administration offices and it was to be submitted to each member of the Civil Service Corps.

At the moment of the project elaboration, the works under the following tasks were taking place:
- Draft amendments to the Civil Service Act – the Chief of the Civil Service prepared and submitted the draft amendments to the Civil Service Act. Following the interdepartmental arrangements, the draft amendments to the Civil Service Act were submitted to the Permanent Committee of the Council of Ministers;
- The programme of training courses on ethics in the Civil Service – tender procedure completed; following the acceptance of the EC Delegation and the Office of the Committee for European Integration, the contract was submitted by the Financing and Contracting Unit to be signed by the Contracting Party.

The Public Procurement Office
- Division responsible for monitoring of the public procurement system- since 1 August 2002 Department of Analysis and Supervision was established in PPO. Department is responsible for conducting monitoring of the public procurement system especially areas endangered by the corruption;
- Analysis of the system of appeal;
- Co-operation between PPO and the National Chamber of Control and the National Council of Regional Chambers of Auditors- on 17 October 2002 the agreement between PPO and NCRCA was signed and on 9 January 2003 between PPO and NCC. Based on this agreement, both contracting parties committed themselves, among other things, to information exchange in cases regarding important irregularities in functioning of the system of public procurement and to inspiring activities of educational and information character in scope of public procurement;
- Ethical Code of Conduct for arbiters;
- Long-term Action Plan of educational and information character- completed, implementation in action;
- Plan for small and medium enterprises participating in the public procurement market- implementation in action;
- Regulation of the Prime Minister from 7 April 2004 on the specimen of the protocol of procedure for public procurement, as well as on the additional requirements the protocol must meet;
- In 2002 agreement was signed between the World Bank and the Public Procurement Office concerning implementation of the project on preparation specimen documentation for tender as well as the specimen of agreements for public procurements.

There is the new public procurement law of 29 January 2004, which had entered into force on 2 March 2004. In the matters concerning prevention of pathological cases, such law includes, among other things:
- Supervision of public procurement – ex ante and ex post control proceedings;
- Observer’s institution;
- Electronic auction;
- System of appeal;
- Responsibility for the violation of the provisions of the act.
- Implementation of the information system which assists procuring entities in conducting tender’s procedure.

**The Ministry of Justice**

Since adopting of the Government Programme on 17 September 2002, the Ministry of Justice has realised the following tasks:

- Draft amendments to the Act on public prosecutor’s office;
- Drafts of the implementing acts to the Act of 28 October 2002 regulating the liability of the collective entities;
- Complete programme of the specialised training courses for judges and public prosecutors dealing with corruption;
- The Professional Ethics Code for judges and public prosecutors. The National Judicial Council on 19 February 2003 passed the “Set of principles of the professional ethics for judges”. It deals with the standards of ethical conduct for judges and the evaluation criteria of their behaviour.

**The Ministry of Finance and Customs**

- Proposals of the legislative amendments of the relevant legal acts concerning remunerating entrepreneurs. The Act entered into force on 1 January 2004;
- Regulations and circulars addressed to the permanent control units conducting local fiscal control;
- Proposals of the legislative amendments enabling to realise the packet of the Chief of the Civil Service. The Act on amending the act – customs code – and on amending the Customs Service Act, including also the proposal concerning limiting of the possibility of corruption, was signed by the President of the Republic of Poland on 18 June 2003 and it entered into force on 9 August 2003;
- Implementing the Code of Ethics of the Civil Service Official and monitoring its violations.
- Implementing the Ethics Code of the Customs officers which was adopted on 21st September 2000.

At the moment of the project elaboration, the works under the following tasks were taking place:

- Implementing arranged mechanisms concerning the control of managing public finance;
- Accepting the draft submitted by the Chief of the Civil Service on establishing and implementing the uniform procedures minimising corruption in organisational units of the Customs Service.

**Implementation in progress:**

- Accelerating the realisation of the Strategy of Informatisation of the Customs Service;
- Draft Act on public finance and proposals of legislative amendments relating to the functioning of the National Appropriation Funds.

Effective fighting against corruption requires searching for new system solutions and regular preventive actions, therefore it was justified to establish a permanent Anticorruption Unit for Counteracting Corruption within the Ministry of Finance (Decision of the Minister of Finance no 1/PR/2003 of 5 November 2003). The Unit is composed of 11 persons and it is responsible for analysing and preparing legislative and organisational proposals relating to counteracting
corruption in the organisational units of the Ministry of Finance and the units subordinate and supervised by the Ministry of Finance, as well as working out conclusions concerning improvement of activities dealing with the effectiveness of fighting corruption.

The Ministry of Health
- Widening the rights of the national and local consultants (voivodship level) in the process of professional training of doctors, dentists, nurses and midwives and people of other medical professions in the matters concerning opinions and counselling as well as the right to participate in committees and units, which are responsible for implementation of the health policy of the state, especially in regard to the quality of training for the medical staff;
- Implementation of the necessary programs for the area of ethics in the various medical studies.

Implementation in progress:
- Draft amendments to the act on medical chambers;
- Draft amendments to the act on health care institutes,
- Draft amendments to the issues concerning the Register of Medical Services of the Minister of Health (in co-operation with the Minister of Education and Informatisation and the Minister of the Interior and Administration), who is responsible for monitoring of the process of health care benefits in the matter that could provide economic success and equality in the citizens’ access to the health care benefits by introducing uniform registration procedure in the country;
- Monitoring of implementation of the Protection Activity and Restructuring in the Health Care Programme and the proposal of prevention of incorrect use of means, which come from appropriation reserve for the programme- introducing detailed principles to clear the account of financial subsidies and monitoring its implementation.

The Police Headquarters
- creation of the Central Examination Unit in order to provide uniform standard of examination within the country;
- presentation of the Ethical Code for Functionaries, organisation of the relevant training and the proposal to include anticorruption issues into the school curricula;
- internal regulation on realisation of the public procurements, the use of the professional rooms and buildings, the access to equipment and official armaments- task included in the rules of supervision used in giving public procurements was realised by the Office for Protection of the Classified Information and Inspection PQ;
- analysis of the evaluation process and acceptance of the candidates into Police force and proposals for necessary amendments- draft amendments to the bill on Police.

At the moment of the project elaboration, the works under the following tasks were taking place:
- tasks aiming at elimination of corruption in the road traffic. Proposition of amendments in order to introduce transparent criteria for removing vehicles involved in collision and road accidents (works on the draft amendments to the act on law in the road traffic);
- implementation of mechanism to increase superiors’ documented supervision over preliminary proceedings, including analysis of the trial and supervision documentation.
The Border Guard Headquarters
- internal regulation on realisation of the public procurements, the use of the professional rooms and buildings, the access to equipment and official armaments;
- increased supervision over realisation of procedures within the scope of the current legal regulations;
- increased number and more detailed supervision of the incited procedures and implemented public procurements in BGH and BG units.

GRECO recommendations
According to the Group of States Against Corruption (GRECO) evaluation group GET, The Polish society is generally convinced that corruption is quite a widespread phenomenon. The statistics put at the GET’s disposal show that in recent years, with levels of corruption comparable to those of previous years, there has been an increase in the number of disclosed and prosecuted corruption-related cases. The Polish authorities are fully aware of the danger that corruption represents for the further development of the country and have adopted different kind of measures to reduce opportunities for corruption and to increase the efficiency of the public response against this form criminality. While acknowledging the lucidity and the efforts made by the Polish authorities in this area the GET considered in the report from 8th March 2002 that there were still a large number of measures which could be taken and implemented to put in place a comprehensive approach to this problem and an efficient prevention, detection investigation and punishment of corrupt practices in the country.

The fulfilment of the following recommendations have direct connection with the project:
- taking up activities aimed at working out an effective and clear government strategy for fighting corruption, including developing all the elements (legislative, administrative and judicial authorities), necessary for reducing the possibility of corruption in a way relevant to the growing number of the incidents of corruption detected, as well as providing a clear definition of the priorities of each body involved in the process of fighting corruption;

The referenced project, i.e. Strengthening of the process of implementation of anticorruption activities in Poland is oriented at strengthening the implementation of the Anticorruption Strategy, worked out and adopted on 17 September 2002 by the Council of Ministers. The Strategy contains a range of legislative, organisational, educational and informational activities in the areas of public life that have been considered the most exposed to the process of corruption.

- establishing the National Consultation Council or other similar body or appointing one of the existing institutions responsible for gathering the management representatives of the relevant high-level public bodies interested in fighting corruption and co-ordinating the work of all the bodies directly involved in this sphere;

In March 2002, pursuant to the Decision of the Prime Minister, the Interdepartmental Anticorruption Unit in the Ministry of the Interior and Administration was established. The basic task of the above-mentioned Unit was to work out the Programme for fighting corruption, the consequence of which was establishing the first packet of the Anticorruption Strategy. The above-mentioned Unit is responsible for working out the second packet of activities (by June 2004) that will constitute the continuation of the Anticorruption Strategy. It is the strengthening of the implementation of the Strategy that is regarded as the objective of the project. Moreover, pursuant to the Decision no 36 of the Director General of the Ministry of the Interior and Administration of 29 September 2003, the Unit for Co-ordination of the Anticorruption Strategy has been established.
- organising the regular exchange of information with the NGOs in order to discuss the activities and initiatives of the Government oriented against corruption, aimed at strengthening the co-operation in this area;

The project applied for, similarly to the Anticorruption Strategy, is aimed at enhancing the public awareness and promoting the ethical standards of conduct. The above-mentioned objective will be realised in co-operation with the NGOs. So far, the exchange of information with the NGOs is carried out mainly on the working level. Moreover, the recognition of the areas particularly exposed to corruption and working out the instruments of preventing corruption in public life are carried out during the seminars, training courses and conferences.

- introducing the general training programme aimed at increasing the level of awareness among the public officials of all levels;

The project provides for a number of training courses concerning the field of anticorruption for individual professional groups, that is judges, public prosecutors, Police and Border Guard officials and the Civil Service. The content and character of training courses have been adjusted to the type of tasks carried out by individual groups and they have been arranged in order to suit the particular responsibilities a public official carries out at a given moment. Moreover, in the frame of Phare 2003, creation of the system of training the administration by the trainers-ethical advisors is planned.

- taking up the activities aimed at gradual reduction of the level of discretion of officials working in administration, enhancing the transparency of procedures and eliminating, as far as possible, the procedures of issuing licences and permits;

In order to improve the effectiveness of the public administration’s activities and to reduce the level of discretion to the greatest possible extent, the project being the object of application, strengthening the Anticorruption Strategy provides for a number of legislative, organisational and educational activities in this respect. The above is a continuation of activities of Phare 2003 project which contain inter alia the training program for a group of officials from MIA and central administration responsible for the implementation of the Anticorruption Strategy, as well as organising a conference on the anticorruption issues, addressed to the public administration.

The key activities from the Anticorruption Strategy include:
- the Act on control in public administration, the purpose of which is to regulate in a uniform way the rules and procedures of conducting control in the government administration and the bodies of local administration, offices constituting the auxiliary apparatus of these bodies and the organisational units subordinate to or supervised by the government administration or established by the bodies of the local administration;
- the programme “Friendly office” oriented at introducing the standards of functioning of public administration, particularly in respect to the organisation of receiving clients, control of receiving and dealing with petitions, citizens’ applications and complaints, as well as standards for minimising the costs of the administrative procedure;
- amendments to the Act on local administration employees.

The project takes also into consideration the previsions of the Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee on Comprehensive European Union Policy against Corruption, focussing on Ten Principles for Improving the Fight against Corruption in Acceding, Candidate and other Third Countries.
The authors of the project paid attention to the building up an anti-corruption culture and reducing corruption at all levels of the Polish public administration by using preventing tools, inter alia national - comprehensive - anti-corruption strategy, trainings for civil servants, codes of ethics, informative and advertising campaign for the civil society.

3.2. Linked activities:

**Phare Twinning 1998**

PL9804.02 (PL/98/IB/JH/02): *Eastern Border Management and Infrastructure II* (Border Guard and Police) – programme has been completed. The project included inter alia activities focused on internal control of bodies (anti-corruption countermeasures)

**Phare Twinning 1999**

PL9404.04 (PL/99/IB/JH/01b): *Reinforcement of home affairs administration and border management* – the project has been completed. The project included inter alia activities focused on advice on the development of counter-measures in the case of corruption.

PL/99/IB/JH/01a: *Fight against organised crime* (Police) – the project has been completed. The project included inter alia activities focused on major financial crimes investigations (money laundering and corruption) and internal control of bodies in perspective to combat potential corruption.

**Phare Twinning 2000**

PL0005.07 (PL/2000/IB/JH/03): *Twinning for the police services* – the project has been completed. The project included inter alia activities focused on combating organised crime among others: corruption, money laundering.

**Phare Twinning 2001**

PL0103.02 (PL/2001/IB/JH/01a): *Twinning for border services* – project during realisation. The project includes inter alia activities focused on training on combating organised crime within the responsibilities of the Border Guard, combating corruption and illegal migration.

PL0101.15: *Twinning for civil service corps*. Project last from March 2004. Twinning project focused on ethical standards in the civil service corps

**Phare Twinning 2003**

PL2003/005-710.03.01 (PL/2003/IB/JH/02): *Twinning for Border Services* – the project is currently in the preparation phase. The project includes inter alia activities focused on: collecting and analysing data and evaluation of situation in the field of corruption; application of legal and operational tools used for preventing corruption among functionaries (practical aspects): operational control, controlled delivery and secret surveillance of producing, transportation, storing and trading of products of crime; methods and manners of disclosing possession and addiction to drugs among functionaries and civil employees in its Component III: Anti-corruption measures.

PL2003/005-710.01.03 (PL/2003/IB/OT/05): *Strengthening the implementation of the Anticorruption Strategy* (MIA) – the project is currently in the preparation phase. The project includes inter alia activities focused on: 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 monitoring system of the implementation effects of Anticorruption Strategy; straightening co-operation with MIA and national self-government organisations, on advisement proposals for self-government regarding ethics; training system for the trainers-“ethical advisors”, group of officials from MIA, central administration responsible for implementation of Anticorruption Strategy and trainers- prosecutors and people responsible for
public procurement in government and self-government offices; 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; preparing and producing a short educational film on recognition conflict of interests; developing and printing brochures and leaflets on anticorruption issues for citizens.

**Civil Service Office**: “Friendly Administration” Programme – carried out by the Chief of the Civil Service since 2000, aimed mainly at: shaping attitudes and promoting behaviour oriented at meeting the citizens’ needs in accordance with the rule of law, in an honest way and basing on a high level of professional, interpersonal and ethical competence; improving knowledge and skills of officials that deal with the professional client service and building friendly relations with clients.

3.3. Results

The activities carried out within the project are aimed at strengthening the administrative capacity of Polish agencies responsible for fighting against crime and combating corruption. The training and assistance provided in the framework of twinning aims at increasing the knowledge of solutions applied by the EU MS law enforcement bodies.

**Results of contract 1: Twinning**

**Trainings for high level officials – prevention initiatives:**
- training among the high level officials completed;
- complete information on regulations and mechanisms favourable to corruption and functioning in the various areas of public life recognized;
- information on ethical and corruption issues among high level officials in self-governmental institutions disseminated.

**Results in particular institutions involved in the project:**
- database of organisations, including NGOs, required to realise the project prepared;
- realization and coordination of the activities of the Unit for Co-ordination of Anticorruption Strategy strengthened;
- the detection of pathologies increased and the number of irregularities in term of corruption in the area of public contract award proceedings decreased;
- effectiveness of fiscal and Customs staff responsible for internal audit and combating corruption increased;
- the staff from 9 Voivod offices familiarised with the “educational package”.
- training among Police, Border Guard, Customs and prosecutors completed;
- an expertise of the automatic data gathering and analysing process for police control purposes elaborated;

**Corruption issues in EU Member States:**
- internal procedures of fiscal service in the area of potential corruption improved.
- knowledge, skills and practical solutions in corruption combating process expanded among high level officials and adjusted to the EU standards;
- the European co-operation strengthened as well as standards of social and legal conduct relating to the question of combating corruption among the officials disseminated;
- presentation of the legal and operational tools for preventing and combating corruption continued;
Results of contract 2 – TA
- “Methodology of the research of the public procurement market” prepared;
- better use of human resources of the Public Procurement Office and rational planning of thematic control of the public procurement market created.

Results of contract 3 – TA
- awareness of anticorruption issues together with the specimen of ethical behaviour among recipients of the nation wide media campaign increased;
- website created;
- free access to information on corruption issues provided.

Results of contract 4 – TA
- strategy, rules and legislation changes regarding the management system of awaiting lists and awaiting period for the health care services elaborated;
- the staff from the Ministry of Health and subordinated units trained.

3.4. Activities

1. Contract 1 - Twinning

The Program for fighting corruption – Anti-corruption Strategy – in the majority of its provisions proposes the actions aimed at preventing corruptive behaviour and situations in these areas of social life particularly exposed to corruption. The project fiches, both those worked out within the framework of the Phare 2003 program and the present one, specify as their basic goal promoting ethical, moral, free of corruption behaviours in society. Therefore, the totality of actions specified in the fiche, as well as Program for fighting corruption – Anti-corruption Strategy adopted by the Council of Ministers on 17 September 2002, constitute a set of preventive initiatives.

The realisation of the project will be coordinated by the Unit for Co-ordination of Anti-corruption Strategy in the Minister’s Office of the Ministry of the Interior and Administration. In relation to the above-mentioned, the Unit will actively co-operate with the Resident Twinning Advisor on working and official levels. The every-day work will consist of joint consultations, contacts and co-operation on every stage of the project realisation. The whole project is devoted to the strengthening Anti-corruption Strategy of the Polish government.

The activities will be realized by different means included study visits financed by beneficiaries. Detailed description of activities will be elaborated in the process of the Twinning Contract preparation.

Training for high level officials - prevention initiatives:
- a series of training courses enhancing the public awareness relating to corruption and promoting ethical standards of conduct among the high level officials (topics: a wide-range of concepts of ethics in business and public administration, internal ethical regulations, conflicts of interests, lobbying, mechanisms of corruption - for approximately 60 representatives of high level officials (target group: Directors General) from governmental administration proposed by Civil Service Office;
- a series of workshops aimed at identifying the real sources of the acts of corruption (additional information on legislation and mechanisms favouring the acts of corruption) - for approximately 60 representatives of high level officials (target group: Directors General) from governmental administration proposed by Civil Service Office;
- training for high level officials from 9 Voivod offices aimed at enhancing ethical standards, solving the ethical dilemmas and disseminating the Civil Service Ethics Code standards - seminars for approximately 450 high level officials (Directors of Departments) from 9 Voivod offices. The seminars will be conducted in accordance with the programmes elaborated within Phare 2001 project (PL0101.15).

All the other civil service corps members employed in those offices (ca. 7000 people) will take part in a "distance learning" training which means they will study by themselves with the help of “educational package”, i.e. the set of materials (consisting of film, manual and exercise book) elaborated for the use of 7 (out of 16) Voivod offices in the framework of the project PL0101.15. In order to provide the rest 9 Voivod offices with the referenced package, its multiplication (about 7000 pieces) will be financed from the state budget.

Activities which will be carried out in particular institutions involved in the project:
- elaborating a database of the project addressees (multiplicators - NGO) by Unit for Anticorruption Strategy Co-ordination within the Secretariat of the Minister of the Ministry of the Interior and Administration;
- advisory of RTA addressed to the Unit for Co-ordination of Anticorruption Strategy;
- using anti-corruption techniques and methods in the area of public contract award proceedings - trainings for approximately 20–30 employees of the Public Procurement Office;
- acquainting with standards and procedures concerning counteracting of corruption and planning of prevention activities to minimize the risk of corruption - for fiscal staff - series of trainings and seminars for approximately 255 persons (including approximately 120 high level officials-Management level) from the Ministry of Finance and Customs,
- analysis of the Phenomenon of corruption on duty – prevention and countermeasures-series of seminars, trainings for approximately: 10 Border Guard officers, 20 Police officers, 10 prosecutors; 5 Customs officers
- combating corruption in public administration and private economy (the sources of information in corruption cases, using of offensive methods of operational work in disclosing and combating corruption, anti-corruptive legal solutions in the EU, tactics of preparatory proceedings in corruption matters) - seminar for approximately 40 Polish Police officers;
- the automatic data gathering and analysing process related to the realised inspections - realisation of the expertise for the Police regarding the use of specialised software and hardware equipment for analysing gathered information;

Corruption issues in EU Member States:
- trainings for fiscal and customs staff responsible for internal audit and combating of corruption in the scope of forms and methods of disclosures and combating corruption crimes among employees of EU states administration – series of trainings and seminars for approximately 255 persons (including approximately 120 high level officials – Management level) from the Ministry of Finance and Customs;
- familiarising with forms and methods disclosing and fighting with corruption among officers and employees EU services - series of seminars and trainings for approximately: 10 Border Guard officers, 20 Police officers, 10 prosecutors; 5 Customs officers.
- presentation of co-operation between anti-corruption services and other services like tax, audit and inspection authorities in fighting against corruption phenomenon in the EU Member States – series of seminars and trainings for approximately: 10 Border Guard officers, 20 Police officers, 10 prosecutors; 5 Customs officers.
- screening of law concerning anti-corruption issues and anti-corruption strategies in EU member states – series of seminars, trainings for approximately: 10 Border Guard officers and 20 Police officers; 5 Customs officers.

The **RTA** post is expected in the framework of twinning for 15 month period. The successful candidate for RTA 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 RTA will be involved in:
- securing the effective co-ordination and implementation of the twinning project’s objectives and the delivery of planned outputs by day to day management of the project,
- consultation with relevant representatives of the Polish authorities and the twinning partners looking to secure necessary support and back-up required to implement the project,
- assisting as well the Polish Ministry of Interior and Administration as the Unit for Co-ordination of *Anticorruption Strategy* 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).

The RTA will be placed in the MIA (Department of International Co-operation). 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.

To realise the project it is necessary to reserve financial means for: conference room, materials, accommodation, transport. The profile of the experts needed:
- civil servants specialised in the corruption combating and anticorruption campaigns,
- expert or a team of experts who on a daily basis deal both with the theoretical and practical aspects of the corruption in governmental and non governmental organisations.
- police and border guard officers,

**Contract 2** - Technical Assistance for Public Procurement Office
Preparing the study titled „*Methodology of the research of the public procurement market*”. Preparation of a study containing a set of research tools (for example: methods of selection of the target group for the purposes of control proceedings, composition of questionnaires, methodology of the analysis of questionnaires) in order to present:
- how to evaluate the range of corruption in public contract award proceedings;
- how to state areas exposed to corruption and indicate its sources;
- how to identify possible signs which may indicate pathology in contract award proceedings.

The Public Procurement Office wants to create the system of public procurement, which actually will restrict the number of pathological phenomena. In this perspective, the Public
Procurement Office carries out training courses, issues publications and conducts controls of procurement procedures. In order to ensure the effectiveness of the above-mentioned Office’s activities, they must be addressed to the appropriate areas. That means that the Public Procurement Office must be familiar with the public procurement market and realise which areas are exposed to corruption. In relation to the above-mentioned, it is necessary to work out the methodology of market research.

**Contract 3 - Technical Assistance for MIA**
- working out an information and advertising campaign carried out in the media in cooperation with the non-governmental organisations and RTA, which includes radio, leaflets attached to newspapers, billboards, the Internet banners, brochures etc. containing information on the *Anticorruption Strategy*, the stages of its implementation, anticorruption programmes, progress in the implementation of the *acquis communautaire*, contact data of the international, European and non-governmental organisations involved in combating corruption, as well as the acts of corruption;
- creating the website together with a two years administration (technical service connected with the website – introducing information of the website, monitoring the function of the website) on preventing the corruption, containing reports, statistical data, opinion polls on corruption, information on training courses, conferences and other related events organised by both the government administration and the Polish and international organisations as well as reports prepared within the Project Phare 2001 for Civil Service Office.

**Contract 4 – Technical Assistance for Ministry of Health**
“Creation of the management system oriented on the Health Service List Expectants in Poland”
Creation of the system correspond with the health service and management of the list of expectants and global awaiting period for services in health care system (approved by the Ministers Committee on 30 September, 1998, during 681 meeting (session) of the Ministers Committee), including the Recommendation No R (97) of the 17teen Ministers Committee concerning study and implementation of the system of improvement in health care service system.
In the meantime the Ministry of Health prepared among others: the regulation on public funds transmission, the report “Access to health services in Poles opinion”. Moreover, the Ministry of Health takes part in other anti-corruption programmes and international conferences organised in order to exchange the opinion on methods of fighting the corruption in the health sector.
In the Recommendation No R (97) is mentioned that the frequency of the list of expectants and awaiting period should be treated as an indicators of the availability of the health care system services and the general efficiency of health care system, and public access to the health care. The most important aim of the health care system should be elimination of the excessive delay to the accessibility of health care services as well as eliminating the artificial queues.

Planned activities:
- problem analysis based on the preliminary recognition, testing of the results;
- preparing of the general and common management strategy of the awaiting lists and awaiting period for the health care services, including the criteria mentioned in Recommendation and the principle of the equal rights in the health care services accessibility;
- elaborating principles of awaiting lists and waiting period in the health care services  
  including criteria described in this Recommendation and the principles of the equal  
  accessibility to the medical services;  
- preparing outlines for legislation changes regarding to awaiting list in Poland;  
- training for approximately 100 representatives of the Ministry of Health, Subordinated  
  Units (Patient Rights Office, Management Information System in Health Care – Social  
  Analysis Unit, The National Health Fund), Providers of Health Care Services, Patient  
  Representative and Non Government Organisations.

Beneficiaries, RTA and the TA contract’s experts (services providers) will have to closely co- 
operate with each other and, where appropriate, with the authorities implementing, managing,  
controlling and auditing programmes and projects under the EU Cohesion Fund or under the  
EU Structural Funds.

3.5. Lessons learned

This project is based on the results achieved by the prior and present twinning projects and  
initiatives financed from the state’s budget and co-ordinated by the Civil Service Office.  
Project takes into consideration obligations and recommendations stated as well as in former  
Evaluation reports and the Final Report of the Twinning Projects 98’, 99’and especially of the  
Twinning 2000 which underlined a necessity of further trainings in the corruption combating  
area.

4. Institutional Framework

Beneficiaries of the project are as follows:  
**Contract 1 Twinning** (co-ordinated by the Ministry of Interior and Administration –  
Department of International Co-operation): Ministry of Justice - Department of International  
Co-operation and European Law; Headquarters of the Border Guard Services - the Office of  
Internal Affairs; The Public Procurement Office - Department of Analysis and Supervision;  
Civil Service Office - Department of Training and Development of the Civil Service; The  
Police Headquarters - Division for European Integration and International Co-  
operation of the Office for International Police Co-operation; Protection of Classified Information and  
Inspection Bureau; Ministry of Finance - Law Department; Non Governmental Organisations.

For adequate co-ordination of the project a Steering Committee with representatives from all  
Institution will be created.

**Contract 2 TA**: The Public Procurement Office - Department of Analysis and Supervision  
**Contract 3 TA**: Unit responsible for co-ordination of implementation of Anticorruption  
Strategy within MIA  
**Contract 4 TA**: Ministry of Health, Subordinated Units (Patient Rights Office, Management  
Information System in Health Care – Social Analysis Unit, The National Health Fund),  
Providers of Health Care Services, Patient Representative and Non Government  
Organisations.

Information on the unit responsible for co-ordination of implementation of Anticorruption  
Strategy within MIA
Based on the Decision no 36 of the Director General of MIA from 29 September 2003, in the Ministry of the Interior and Administration, the Unit for Co-ordination of Anticorruption Strategy was established. The works of the unit are oriented at co-ordination and monitoring of the realisation of the governmental programme for fighting corruption Anticorruption Strategy, preparing quartile reports on realisation of the programme, preparing analysis and evaluation of the corruption in the public life, presenting opinions and conclusions on the subject, issuing opinions on normative acts and other documents concerning the issues of fighting corruption and on co-operation with NGOs and E.U bodies in realisation of the tasks linked withfighting corruption. There are 4 people in the unit.
No institutional changes are assumed.

5. Detailed Budget

<table>
<thead>
<tr>
<th>Transition Facility</th>
<th>Support</th>
<th>National Co-financing*</th>
<th>IFI*</th>
<th>TOTAL</th>
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<td></td>
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<td>Building</td>
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<td>1,5</td>
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<td>0,01647</td>
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<td>0,1891</td>
<td>0,00976</td>
<td>0,19886</td>
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<tr>
<td>Contract 4: “Creation of the management system oriented on the Health Service List Expectants in Poland”</td>
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<td>0,1098</td>
<td>0,0122</td>
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<tr>
<td>Total</td>
<td></td>
<td>1,81537</td>
<td>1,81537</td>
<td>0,172814</td>
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</table>

* In cases of co-financing only
The co-financing funds for the 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 Warsaw; phone +48 22 455 52 41, fax +48 22 455 52 43
CFCU: Foundation “Co-operation Fund”, Górnośląska Street, Warsaw; phone: +48 22 450 99 00, fax: +48 22 622 75 65
The CFCU is responsible for handling tendering, contracting and payments of contracts on behalf of the MIA.

6.2. Twinning
RTA: The Ministry of Interior and Administration (Department International Co-operation)
Contact person: Elżbieta Sidorkiewicz, senior expert in the Department of International Co-operation (MIA); tel.: +4822 6014305; fax: +4822 6014107
Contact person: Unit responsible for co-ordination of implementation of Anticorruption Strategy within MIA; tel. +4822 6017211; fax: +4822 8450020

The CFCU will be in charge of the financial management.

6.3. Non-standard aspects
Provision of the Twinning Manual will be followed and Polish law on public procurement.

6.4. Contracts
Contract 1: Twinning for 1,5 MEUR. Co-financing of 0,15 MEUR covers direct and indirect cost of the beneficiary administration in compliance with the Twinning Manual.
Contract 2: 0,017324 MEUR – gross value (including 0,01647 MEUR of TF funds and 0,000854 MEUR of joint co-financing);
Contract 3: 0,19886 MEUR – gross value (including 0,1891 MEUR of TF funds and 0,00976 MEUR of joint co-financing);
Contract 4: 0,122 MEUR – gross value (including 0,1098 MEUR of TF funds and 0,0122 MEUR of joint co-financing);

7. Implementation Schedule

7.1 Start of tendering/call for proposals– I Q 2005
7.2 Start of project activity – II Q 2005
7.3 Project Completion – I Q 2007

8 Sustainability
Human and financial resources assured. Project will be co-financed from the budgets of beneficiaries for years 2005 and 2006. The training participants will put the knowledge and skills gained from the training in their everyday work.

9 Conditionality and sequencing

Conditionalities:
The Twinning Contract is planned to be signed in the 4th quarter of 2005.
The evaluation will provide proper use of twinning budget and improvement of services. The Steering Committee will also evaluate results of completed activities with regard to achievement of goals, improvement of fight against organized crime and adoption of the EU requirements in this area.

Sequencing
Due to the fact that the twinning activities are continuation of Phare 2003 project, the Technical Assistance contracts will be realised in the first place, under condition that no tendering procedures delays occur.

Annex 1
Modern ethical codes
Training in ethics
### Annexes to project Fiche

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>- combating and preventing corruption</td>
<td>- EU member states norms and standards applied</td>
<td>- reports of the EU experts; - reports of beneficiaries; - statistic data.</td>
<td>- Polish authorities commitment in fight against corruption maintained.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>- further strengthening of institutional and administrative capacity to prevent and combat corruption; - overview of the evaluation of the legal regulations and the mechanisms favouring the acts of corruption; - adjusting of the methods of preventing corruption to the EU Member States standards; - continuation of works related to enhancing public awareness and promoting ethical standards of conduct in the areas of public life, particularly exposed to corruption, as well as among the high-level public officials.</td>
<td>- organisational structures and working methods of corruption services adapted to EU standards; - co-operation between EU member states corruption services established and intensified; - increase of disclosed crimes related to corruption.</td>
<td>- reports of the EU experts; - reports of beneficiaries; - statistic data.</td>
<td>- Polish authorities commitment in fight against corruption maintained.</td>
</tr>
</tbody>
</table>

### Results

<table>
<thead>
<tr>
<th>Results of contract 1: Twinning</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Trainings for high level officials:</strong></td>
<td>- knowledge gained by c.a. 60 representatives of high level officials disseminated among employees; - rate of corruption in 9 Voivod offices decreased;</td>
<td>- reports of contractors; - reports of the EU experts; - reports of beneficiaries; - statistical materials; - internal documents of the PPO; - the new Statute of the PPO.</td>
<td>- financial obligations by the Polish government and EC kept in time; - services involved in the implementation of the project professionally prepared; - trained personnel remain in the service</td>
</tr>
<tr>
<td><strong>Results in particular institutions involved in the project:</strong></td>
<td>- database of organisations, including NGOs, required to realise the project prepared; - realization and coordination of the activities of the Unit for Co-ordination of Anticorruption Strategy strengthened;</td>
<td>- not less than 100 ex ante control proceedings conducted; - approximately 200 ex post control proceedings conducted; - number of claims to the court, related to</td>
<td>- financial obligations by the Polish government and EC kept in time; - services involved in the implementation of the project professionally prepared; - trained personnel remain in the service</td>
</tr>
</tbody>
</table>
- the detection of pathologies increased and the number of irregularities in term of corruption in the area of public contract award proceedings decreased;
- effectiveness of fiscal and custom staff responsible for internal audit and combating corruption increased;
- the staff from 9 Voivod offices familiarised with the “educational package”;
- training among Police, Border Guard, custom and prosecutors completed;
- an expertise of the automatic data gathering and analysing process for police control purposes elaborated;

Corruption issues in EU Member States:
- internal procedures of fiscal service in the area of potential corruption improved.
- knowledge, skills and practical solutions in corruption combating process expanded among high level officials and adjusted to the EU standards;
- the European co-operation strengthened as well as standards of social and legal conduct relating to the question of combating corruption among the officials disseminated;
- presentation of the legal and operational tools for preventing and combating corruption continued;

Results of contract 2 – TA
- “Methodology of the research of the public procurement market” prepared;
- better use of human resources of the Public Procurement Office and rational planning of thematic control of the public procurement market created.

Results of contract 3 – TA
- awareness of anticorruption issues together with the specimen of ethical behaviour among recipients of the nation wide media campaign increased;
- website created;
- free access to information on corruption irregularities in the biggest public contracts award proceedings (where the contract value - for works exceeds the expressed in PLN equivalent of EUR 10 mln, - for supplies and services - exceeds the expressed in PLN equivalent of EUR 5 mln) decreased;
- 40 trained and certified participants from the Polish Police by the end of the project, using acquired knowledge in the field of combating corruption in police services;
- Police officers form Protection of Classified Information and Inspection Bureau of the Police General Headquarters acquainted with the expertise regarding the automatic data gathering and analysing process;
- EU procedures and regulations introduced in training programmes in BG, Police and Ministry of Justice;
- approximately 255 staff from Ministry of Finance are trained;
- corruption rate lowered.

| Strengthening of the process of implementation of the anticorruption activities in Poland |
|---|---|
| | |
Strengthening of the process of implementation of the anticorruption activities in Poland

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contract 1 - Twinning</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training for high level officials - prevention initiatives;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- a series of training courses enhancing the public awareness relating to corruption and promoting ethical standards of conduct among the high level officials (topics: a wide-range of concepts of ethics in business and public administration, internal ethical regulations, conflicts of interests, lobbying, mechanisms of corruption) - for approximately 60 representatives of high level officials (target group: Directors General) from governmental administration proposed by Civil Service Office;</td>
<td></td>
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</tr>
<tr>
<td>- a series of workshops aimed at identifying the real sources of the acts of corruption (additional information on legislation and mechanisms favouring the acts of corruption) - for approximately 60 representatives of high level officials (target group: Directors General) from governmental administration proposed by Civil Service Office;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- training for high level officials from 9 Voivod offices aimed at enhancing ethical standards, solving the ethical dilemmas and disseminating the Civil Service Ethics Code standards - seminars for approximately 450 high level officials (Directors of Departments) from 9 Voivod offices. The seminars will be conducted in accordance with the programmes elaborated within training materials provided, training carried out, translated documents handed over, European best practices in the area of control proceedings implemented;</td>
<td></td>
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<tr>
<td></td>
<td>mechanisms of co-operation and exchange of experiences in term of detection of corruption implemented;</td>
<td></td>
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<tr>
<td></td>
<td>European models of activity directed to detection of the contractors plots implemented;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>methodology of research of conduct of procuring entities and contractors prepared and implemented.</td>
<td></td>
</tr>
</tbody>
</table>
Phare 2001 project (PL0101.15).

All the other civil service corps members employed in those offices (ca. 7000 people) will take part in a “distance learning” training which means they will study by themselves with the help of “educational package”, i.e. the set of materials (consisting of film, manual and exercise book) elaborated for the use of 7 (out of 16) Voivod offices in the framework of the project PL0101.15. In order to provide the rest 9 Voivod offices with the referenced package, its multiplication (about 7000 pieces) will be financed from the state budget.

Activities which will be carried out in particular institutions involved in the project:
- elaborating a database of the project addressees (multipliers - NGO) by Unit for Anticorruption Strategy Co-ordination within the Secretariat of the Minister of the Ministry of the Interior and Administration;
- advisory of RTA addressed to the Unit for Co-ordination of Anticorruption Strategy;
- using anti-corruption techniques and methods in the area of public contract award proceedings - trainings for approximately 20–30 employees of the Public Procurement Office;
- acquainting with standards and procedures concerning counteracting of corruption and planning of prevention activities to minimize the risk of corruption - for fiscal staff - series of trainings and seminars for approximately 255 persons (including approximately 120 high level officials-Management level) from the Ministry of Finance and Customs,
- analysis of the Phenomenon of corruption on duty – prevention and countermeasures - series of seminars, trainings for approximately: 10 Border Guard officers, 20 Police officers, 10 prosecutors, 5 Customs
officers;
- combating corruption in public administration and private economy (the sources of information in corruption cases, using of offensive methods of operational work in disclosing and combating corruption, anti-corruptive legal solutions in the EU, tactics of preparatory proceedings in corruption matters) - seminar for approximately 40 Polish Police officers;
- the automatic data gathering and analysing process related to the realised inspections - realisation of the expertise for the Police regarding the use of specialised software and hardware equipment for analysing gathered information;

Corruption issues in EU Member States:
- trainings for fiscal staff responsible for internal audit and combating of corruption in the scope of forms and methods of disclosures and combating corruption crimes among employees of EU states administration – series of trainings and seminars for approximately 255 persons (including approximately 120 high level officials – Management level) from the Ministry of Finance and Customs;
- familiarising with forms and methods disclosing and fighting with corruption among officers and employees EU services - series of seminars and trainings for approximately: 10 Border Guard officers, 20 Police officers, 10 prosecutors, 5 Customs officers;
- presentation of co-operation between anti-corruption services and other services like tax, audit and inspection authorities in fighting against corruption phenomenon in the EU Member States – series of seminars and trainings for approximately: 10 Border Guard officers, 20 Police officers, 10 prosecutors, 5 Customs officers
- screening of law concerning anti-corruption issues and anti-corruption strategies in EU member states – series of seminars, trainings for approximately: 10 Border Guard officers and 20 Police officers, 5 Customs Officers;

Contract 2 - Technical Assistance for Public Procurement Office
Preparing the study titled „Methodology of the research of the public procurement market”.
Preparation of a study containing a set of research tools (for example: methods of selection of the target group for the purposes of control proceedings, composition of questionnaires, methodology of the analysis of questionnaires) in order to present:
- how to evaluate the range of corruption in public contract award proceedings;
- how to state areas exposed to corruption and indicate its sources;
- how to identify possible signs which may indicate pathology in contract award proceedings.

Contract 3 - Technical Assistance for MIA
- working out an information and advertising campaign carried out in the media in co-operation with the non-governmental organisations and RTA, which includes radio, leaflets attached to newspapers, billboards, the Internet banners, brochures etc. containing information on the Anticorruption Strategy, the stages of its implementation, anticorruption programmes, progress in the implementation of the acquis communautaire, contact data of the international, European and non-governmental organisations involved in combating corruption, as well as the acts of corruption;
- creating the website together with a two years administration (technical service connected with the website – introducing information of the website, monitoring the
Strengthening of the process of implementation of the anticorruption activities in Poland

function of the website) on preventing the corruption, containing reports, statistical data, opinion polls on corruption, information on training courses, conferences and other related events organised by both the government administration and the Polish and international organisations as well as reports prepared within the Project Phare 2001 for Civil Service Office.

**Contract 4 – Technical Assistance for Ministry of Health**
- problem analysis based on the preliminary recognition, testing of the results;
- preparing of the general and common management strategy of the awaiting lists and awaiting period for the health care services, including the criteria mentioned in Recommendation and the principle of the equal rights in the health care services accessibility;
- elaborating principles of awaiting lists and waiting period in the health care services including criteria described in this Recommendation and the principles of the equal accessibility to the medical services;
- preparing outlines for legislation changes regarding to awaiting list in Poland;
- training for approximately 100 representatives of the Ministry of Health, Subordinated Units (Patient Rights Office, Management Information System in Health Care – Social Analysis Unit, The National Health Fund), Providers of Health Care Services, Patient Representative and Non Government Organisations.
### Annex 2-3 Implementation, contracting and disbursement schedule for the Project – Strengthening of the process of implementation of anticorruption activities in Poland

**Date of Drafting:** February 2004  
**Planning Period:** 2005-2007

#### PLANNED IMPLEMENTATION SCHEDULE (QUARTERS)

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</tbody>
</table>

**Legend:** D – designing; C - Contract signing; I - Contract implementation and payment

**Budget Allocation**  
**Estimated Cost**  
1,81537 (M€)
Modern ethical codes
Training in ethics

The Ethical Codes were developed in sectors mostly exposed to the corruption. Training in ethics is being conducted. The conclusions contained in the summary mentioned below show that the development of the different ethical codes is emphasised by the Polish government.

1. The Public Procurement Office
In 2003 the Public Procurement Office had developed the *Arbiter’s Ethical Code*. The new solution includes an arbiter’s obligation to behave accordingly to the principals of the arbiter’s ethics and the prohibition to conduct any working activity, consisting of giving legal assistance or counselling in matters concerning the public procurement, during his term in the office.

2. The Civil Service
On October 11th 2002 the Prime Minister had granted to the Civil Service Corpus, based on the Regulation no 114, the *Ethical Code of the Civil Service*. The Code was passed on to every member of the Civil Service Corps.

Moreover, in the Civil Service the training programme in ethics is currently realised. The programme is suppose to conduct 10 seminars for the managers from the Civil Service Corps (approximately 970 people), carry out the conference for a 100 members of the political corpus and media representatives- the conference will summarise all completed activities (seminars, distance learning etc.), and also organise the distance learning for a 1000 members of the Civil Service Corps (lower level posts). In scope of this training the participants will have the chance to watch an educational movie called “Dilemmas” and familiarise with a guide, containing a manual and a set of exercises to the movie. 10 per cent of a 1000 participants of the distance training will take part in a chat-room discussion and an exchange of ideas with the experienced experts.

3. The Ministry of the Interior and Administration
The training programme in ethics for the self-government officials on various levels of administration is being realised.

4. The Ministry of Justice
On February 19th 2003 the National Judiciary Council passed “*the Set of Professional Ethics Principles for Judges*”. It contains norms of ethical conduct for judges and evaluation criteria of their behaviour, at work as well as in unofficial circumstances, outside the court room. The principals are as follows:

- Judge abides by the highest moral standards at work and outside of it;
- Judge cannot allow anybody or any circumstances, directly or indirectly, to influence his conduct or judgement;
- Judge is immune to the public pressure and his does not fear criticism;
• Judge cannot use his status or the prestige of his post to support his own or other people’s interests. A judge is not supposed to abuse his immunity;
• Judge is not allowed to accept any benefits, which seem to be an attempt to influence him in any matter. A judge is also supposed to assure that the members of his family aren’t receiving such benefits.

Similarly, the Ethical Code for Prosecutors titled “the Set of Professional Ethics Principles for Prosecutors” was published and binding to all prosecutors. The Ethical Code for Prosecutors contains a number of conduct principals on performing professional duties, relations with other bodies involved in a legal pursue, court room appearances, relations with parties, media appearances etc. The professional ethics orders to the prosecutor, among other things, to conduct his tasks impartially and objectively, and to consider the important circumstances of the case, especially in regard to the victim and the suspect, and also to pay attention to the pursuit of crimes (especially corruption, abuse of power, serious violation of the human rights) committed by the public officials. The Ethics also order to the prosecutor, while performing professional duties, to avoid any inappropriate influences and pressures. The prosecutor’s immunity cannot, in any way, justify unlawful behaviour.

Moreover, the complex professional training programme for judges and prosecutors working on corruption cases had been completed. It consisted of a series of 4 training for judges and prosecutors on issues connected to corruption and its counterfeit. The titles of such training included for example:

• The Public Procurement Act- problems of the preliminary proceedings;
• Amendments to anticorruption law (Amendments to the Anticorruption Act, June 13th 2003);
• Corruption threat in Poland in comparison with other European countries;
• Use of specialised techniques, the methods of gathering and preserving evidences in cases concerning corruption crime;
• International anti-corruption instruments;
• Symptoms of corruptive behaviour in legal circles;
• Governmental Anti-Corruption Strategy and its realisation;
• Group entities responsibility accordingly to the Act from October 28th 2002 (O.J 2002, No 197, item 1661).

This year the subject matter for the prosecutors, especially form the department responsible for the organised crime counterfeit, will include issues connected with the corruption crime.

5. The Ministry of Health
In 2002, a recommendation was addressed to the Chancellors of Medical Schools stating that the appropriate elements of the curricula connected with individual majors of medical studies as for teaching ethics should be oriented at shaping anti-corruptive attitudes and behaviours. Such curricula aim at preparing the medical staff to the proper performance of their professional duties.

The Minister of Health applied in the above-mentioned matter to the Minister of National Education and Sport; moreover, the presidents of the medical profession self-governments were presented a proposal to submit suggestions concerning the contents of the curricula as for ethics.
The fundamental curricula worked out for the 16 professions, for which the competent minister is Minister of Health, contain elements aimed at shaping the anti-corruptive attitudes; the above-mentioned documents constitute annexes to the draft regulation of the Minister of National Education and Sport on Fundamental Curricula Applied in Teaching the Medical Professions.

6. The Ministry of Finance
In 2000, the Polish Customs Administration took up works related to shaping the proper ethical attitudes. Currently, the results of these works are:

- working out and issuing the Ethical Code of the Customs Officials of the Customs Service;
- distributing the Ethical Code in all the organisational divisions of the Customs Service together with a guide accompanying it;
- working out the training module concerning the professional ethics in the Customs Service;
- preparing the co-ordinators to conduct training courses in ethics;
- training all the Customs Service Officials within the framework of internal training courses;
- imposing a compulsory training course on ethics on all the customs officials participating in the preparatory service.

In mid-2003, the Head of the Customs Service accepted and referred to implementation the document entitled “Action Plan on professional ethics in the Customs Service for the years 2003 – 2004”. The result of the Action Plan adopted was the appointment of the co-ordinators for ethical matters in the Customs Service pursuant to the Decision no. 38 of the Head of the Civil Service of 16 October 2003. The 18 co-ordinators function on the level of customs chambers and one co-ordinator functions on the central level.

7. The Police
On December 31st 2003 the Commander-in-Chief of Police had signed the Regulation no 805 on Professional Ethics Principles for Police Officials, which entered in force on January 1st 2004. The Police Officials were trained on ethical norms and principles. The officers form the Internal Affairs Bureau conduct a season training on corruption threats in Police—according to the timetable recruitment to the Police force—on every Police Academy. The issues of professional ethics had been expanded in the training programmes for the Police Officials.

8. The Border Guard
In 2002, the works on the draft version of the Ethical Code for the Border Guard Officials have been carried out and in 2003 the Commander-in Chief of the Border Guard issued Regulation no. 11 on Introducing the Rules of the Professional Ethics for the Border Guard Officials. These rules are introduced into the system of training courses in the training centres of the Border Guard and they are applied to the current training courses carried out in all the units and organisational divisions of the Border Guard.