STANDARD SUMMARY PROJECT FICHE

1. Basic Information

1.1 CRIS Number: 2005/017-464.03.03
1.2 Title: Continued Support to the Fight against Corruption
1.3 Sector: Justice and Home Affairs
1.4 Location: Slovakia

2. Objectives

2.1 Overall Objective:
Combat corruption in a more efficient and specialized manner

2.2 Project purpose:
- further strengthening of institutional and administrative capacity to prevent and combat corruption
- to ensure that specialized Law Enforcement Agencies dealing with corruption are well qualified and more effective in investigating, revealing and decision-making in cases showing the corrupt behavior.
- ensure adequate access to justice by improving the capacity of the newly created free legal aid centers
- overview of the evaluation of the regulations and the mechanisms favoring the activities in the field of fight against corruption

2.3 Justification
The Comprehensive monitoring report on Slovakia’s preparations for membership issued in November 2003 stated that there is a continuously high public and professional perception of widespread corruption in Slovakia and tackling it should be a priority.

Comprehensive monitoring report 2003 priorities:
“The fight against corruption should continue to receive high priority, in particular as regards strict enforcement of existing rules.”

A GRECO evaluation mission visited Slovakia in September 2003. Several of the recommendations resulting from this expert mission have in the meantime been implemented or are in the process of being implemented. Slovakia is strongly encouraged to continue to follow up these recommendations.

2003 GRECO Evaluation Report on the Slovak Republic recommendations:
“The GET (the GRECO evaluation team) recommended to provide training for judges in order to improve their expertise to impose confiscation (forfeiture and attachment of a thing), where applicable, when it is proved that instrumentalities or proceeds were obtained by virtue of corruption.”
“The GET recommended that the Slovak authorities undertake a comprehensive and sustained program of specialized professional training for judges, prosecutors and police regarding the effective and appropriate use of criminal and administrative laws relating to money laundering, accounting offences, and the use of legal persons to shield corrupt activity.”
Overall assessment:
“The legislation governing the investigation system has already been amended with a view to improving Slovakia’s capacity to fight organized crime and corruption. However, enforcement capacity in these areas still needs to be strengthened. “
“The establishment of the Special Prosecutor’s Unit and the Centralized Court is without doubt an important reform going in the right direction...“

The Slovak Government considers the fight against corruption as its priority, it is therefore of crucial importance to continue on activities tackling corruption.

OECD – Organization for Economic Co-operation and Development
The Slovak Republic is a member of the OECD Working Group on Bribery of Foreign Public Officials and co-operates in carrying out a programme of systematic follow up to monitor and promote the full implementation of the Convention on Combating Bribery of Foreign Public Officials. OECD Document updated in June 2004 shows the steps taken and planned future actions by SR to full implementation of the OECD Anti-Bribery Convention in legislative area.

3. Description

3.1 Background and justification

Corruption has been identified in recent years as a potentially major threat to the stability of democratic institutions, the rule of law, the market economy and the social and economic progress in the candidate countries. As far as on 1 May 2004 Slovakia and other candidate’s countries joined the European Union, it is essential for them to develop legal, institutional and civic frameworks, which will enable them to combat this threat more effectively.

A key document for the Slovak Government in the anti-corruption area is the National Programme for Fight against Corruption, approved by the Government in June 2000. The main objectives outlined in the National Programme are based on the following three main pillars:
• elimination of the situations where corruption can potentially occur,
• increasing the risk resulting from corrupt practices and
• enhancing public sensitivity to corruption

Despite that the co-ordination of anti-corruption measures amongst the ministries and relevant bodies is working, it still seems to be weak. Therefore the present Government, following the elections in September 2002, adopted a new Governmental Decree (1359/2002 from December 11, 2002) by which the Central Co-ordination Unit of the Fight against Corruption and the Steering Committee of Fight against Corruption (as previous bodies involved in anti-corruption struggle) were replaced by the Department of Fight against Corruption at the Office of Government under the direct leadership of the Deputy Prime Minister for Legislation and Minister of Justice of the SR. The new Department took over the agenda of the previous anti-corruption bodies and is responsible for the implementation of anti-corruption policy of the Slovak Republic. The Department reviews the National Programme of Fight against Corruption each year and collects all legislative proposals in one document, which is adopted by Government and monitors the fulfillment of these tasks:
- for the year 2003 it was Government Decree 350/2003 from May 7, 2003
for the year 2004 it was Government Decree 462/2004

However, anti-corruption laws and systematic measures as a preventive part of this struggle are not able to eliminate corruption. There is also a need for strengthening a repressive side. The Slovak Government has changed the approach to the anti-corruption issues and decided to set up specialized Law Enforcement Agencies (hereafter referred to as LEA). The following new specialized agencies were established: the Bureau of Fight against Corruption of the Police Presidency (hereafter referred to as Bureau or BFC), the Special Prosecutor’s Office and the Special Court (on corruption). These new established institutions are expected to work in close cooperation.

**Bureau of Fight against Corruption of the Police Presidency**

In order to increase the efficiency of the fight against corruption and organized crime on the repressive side, the Ministry of Interior of the Slovak Republic prepared a new conception of fight against these negative phenomenons. New Police structure was created on the 1st January 2004. As a result of this new structure the Bureau of the Fight against Corruption of the Police Presidency was created.

The Bureau of the Fight against Corruption of the Police Presidency, as a special body, consists of 5 departments, covering the whole area of the Slovak Republic. Each department is divided into: an analytical, an investigative and an operative section.

**The Special Prosecutor’s Office and the Special Court**

For the proper general regulation of the institutions established to fight the corruption was the existence of highly specialized institutions very important. Not only in the field of police, but also in the prosecution and judicial field. Therefore the Parliament of the Slovak Republic adopted the Law on the Special Court and the Special Prosecutors’ Office. Both are placed in Bratislava and have jurisdiction over the whole territory of the Slovak Republic. The Special Prosecutors’ Office was established and started its work on 1 September 2004. The Special Court should have started the same date, but it is not operational yet. The main problem remains on recruiting of appropriate judges. The next selection of the judge is foreseen in 2Q 2005.

The activities of all specialized LEAs operating in the special field of fight against corruption are as follows:

- to deal with all criminal offences of corruption
- to deal with economic and property crimes (but only those, where there is a damage higher than an amount equal to 10,000x minimum salary/per month in SR) – very often connected with corruption
- to deal with new criminal offence in the Slovak Republic: damaging the European Communities financial interests
- to deal with criminal offences of the state and public officials (e.g. members of Parliament and Government of SR, judges, prosecutors, ombudsman, head of Supreme Audit Office and Slovak Information Service...) in case of suspicion of Commission of a crime related to their authority and accountability.

Since the specialized anti-corruption bodies were created without any tradition in Slovakia, it is necessary to respond to this situation by further training of all involved parties. Such an institutional reform is going to require a special training and transfer of the best practices for
persons dealing with anti-corruption struggle. There is obvious need for a possibility of sharing experiences and learning from more experienced partners coming from the EU having similar legislative background as Slovakia. Results of this project should have a positive impact on functioning of the newly created anti-corruption bodies, thus enabling successful fulfillment of their tasks, execute their authority in a more efficient way and by cooperating and coordinating with other relevant institutions. At the end of the project trained staff should be available.

Proposed project follows-up recommendations of GRECO evaluation mission, which visited Slovakia in September 2003, by suggesting to provide trainings for police from the Bureau of Fight against Corruption of the Police Presidency, prosecutors and judges from the Special Court and the Special Prosecutors’ Office to improve their expertise to impose confiscation (forfeiture). The identified gaps should be improved by the new Criminal Procedure Code. The new draft of Criminal Procedure Code has been prepared, but has not been approved yet; it is currently under discussion in the Parliament (new Code is expected to enter into force in July 2005). This new draft gives an opportunity to use the right of seizing and freezing property in an extended form, with a view to enforce a possible sentence on forfeiture of property in criminal proceedings.

It is completely new area in the Slovak judiciary and therefore it is necessary to train police, prosecutors and judges in this field. The trainings will complement their basic knowledge obtained during previous seminars and trainings as a result of Phare 2003.

To set up a coherent and effective approach to the fight against corruption it is important not only to train state officials related to the governmental administration dealing with corruption, but also support activities and projects coming from non-governmental area. The priorities are to invite public bodies to work in close cooperation with NGOs, to inform them about the possibilities to get Commission support through “Actions in support of civil society in the 10 new Member States” (next call for proposal to be launched this year), to ensure continuity and effective co-operation, which can also contribute to their remarkable efforts in the field of fight against corruption.

As a result of the adoption of the Government Programme on 14th November 2002 the Ministry of Justice of the Slovak Republic has implemented many important changes aimed at strengthening the legal system in SR and providing effective legal services with connection to fulfillment of the obligations of the SR arising from the membership in European Union. The reform of judicial system in Slovakia affects and concerns the entire society. One of the tasks is drafting the law on providing the legal aid. The main aim is to ensure access to justice, to establish adequate legal aid system affordable and accessible for everyone and to ensure full compliance and compatibility with EU countries in this field.

Legal aid is a legal service (free of charge or partly paid) that includes legal counseling, help in extra judicial proceeding, writing applications to the courts, conducting a case in court, ensuring processes connected with function of Free legal aid centers. The centers will be state non-profit organizations established by the Ministry of Justice of Slovak republic. All expenses associated with the establishment, equipment, operational function and salaries of employees as well as the whole function of the centers is under a responsibility of the Ministry of Justice of the SR and will be financed from the state budget.
The draft of the law was approved by the Government and it is going to be discussed in the Parliament in these days. It should come into force on 1st January 2006 when all Legal aid centers in the Slovak Republic will start to operate.

3.2 Linked activities

- Phare project SK 0008.01 “Support to the Implementation of the National Programme of Fight against Corruption” covered both repressive and preventive parts of the anti-corruption struggle under the following sub-projects:
  - Twinning assistance providing support in improving legislative and regulatory measures to fight corruption
  - Technical assistance to implement the monitoring system and to further develop the National Programme
  - Technical assistance to provide surveys and prepare public awareness campaign
  - Technical assistance to increase adherence to ethical principles among journalists and public officials and increase the transparency of their actions
  - Equipment supplies for Law Enforcement Agencies
  - Assistance in assessment and further development of data collection and processing among Law Enforcement Agencies – Ministry of Justice, Ministry of Interior and General Prosecution
  - Training activities and establishment of training centre for Law Enforcement Agencies' staff

The program was aimed at decreasing corruption in state administration and in the society through:
- necessary legislative and regulatory measures to fight corruption;
- monitoring system to detect new areas of corruption
- sensitivity of the population towards corrupt behavior;
- new network among Law Enforcement Agencies

Total budget of the project was 5.5 MEUR and 1.0 MEUR national co-financing.

Final report consisting of results, objectives and recommendations of the project could be find on www.vlada.gov.sk/bojprotikorupcii/.

- Phare project 2003-004-995-01-03 “Fight against Corruption” was proposed as a follow-up of the Phare 2000 project. The following sub-projects will be implemented under this project:
  - Technical assistance to enhance transparency in functioning of State Administration and Public Self-administration – the contract was signed and implementation of this activity started only in April 1st 2005.
  - Technical assistance providing analysis of training of professional journalism in Slovakia (taking into duly account the results achieved through the Phare financed project “Ethical Principles of journalists”) – implementation of the activity was successfully finished.
  - Technical assistance to fine-tune the legislative framework and share EU MS
experience with new anti-corruption institutions in Slovakia – implementation of this activity has not started yet, therefore there are no outcomes of this sub-project.

The total budget of the project is 0.9 MEUR.

Phare project 2003 “Fight against Corruption” which includes technical assistance to Fine-tuning the legislative framework and sharing EU MS experience with new anti-corruption institutions in Slovakia also suggests seminars and trainings for police, prosecutors and judges, but they are focused on other/different areas. The project consists of the series of 3 three-days seminars on subjects related to corruption. Participants of the seminars will be members of institutions involved in fight against corruption. The seminars will cover topics from the following list:

1. Strengthening of investigation procedures and specific methods in corruption cases (specially oriented on cases of so-called „sophistical“ forms of the corruption)

2. Criminal evidence process in corruption cases

3. Amendments of Criminal Procedure Code – Adversarial Proceeding
   - Apart from the above Phare support the World Bank in co-operation with the US AID, on the request of the Slovak Government, carried out a comprehensive study of corruption in 2000. The governmental anti-corruption programme was built on the outcomes of this study.
   - Lastly, the UNDP extended a grant to support the anti-corruption programme in its various aspects. Most particularly the grant was aimed to support the following objectives:
     - To achieve transparency of Foreign Aid Funds and Certification Authorities
     - To amend the Law on Conflict of Interest and prepare new Law on Lobbying
     - To assist the Association of Judges to pursue the judicial reform
     - Civil Monitoring of Courts in Slovakia

- Slovak Republic as a member of OECD Working Group takes part in the programme of systematic follow up to monitor and to promote the full implementation of the Convention on Combating Bribery of Foreign Public Officials.

3.3 Results

Results of Activity 1 (TWL):
- the guidelines and model documents for the policemen and investigators from the Bureau of Fight against Corruption of the Police Presidency, the prosecutors and judges from the Special Court and the Special Prosecutors’ Office developed
- trainings for police, prosecutors from the Special Prosecutors Office and judges from the Special Court on Corruption executed
- staff of specialized Law Enforcement Agencies on corruption trained

Results of Activity 2 (TWL):
trainings for employees of analytical section of the Bureau of the Fight against Corruption of the Police Presidency on how to use analytical software, trainings on elaborating analysis in investigations of criminal offences executed
- analytical sections of Bureau of Fight against Corruption fully operational
- investigation process simplified and shortened

Results of Activity 3 (TA):
- the schedule for the training program and realization of the trainings for lawyers to improve their expertise in providing legal aid in cases with corrupt behavior suspicion prepared
- appropriate communicational training for lawyers and employees of legal aid centers focused on alternative psychological and sociological access to different groups of people executed
- manual as a result of realized training and seminars published
- the activities which have to be done by legal aid centers in future to increase legal awareness in society and continuity of providing free legal aid in the Slovak Republic proposed, informative lists (templates) of all variants of proposals, requests, applications, requisitions, grievances, which can help applicants and will be available in print in the Centers proposed

Results of Activity 4 (TA):
- analysis of the current situation in the field of fight against corruption, identification of the main problems, evaluation of all activities, action performed, strategies and plans provided by all governmental and nongovernmental organizations as well institutions involved in the fight against corruption executed
- evaluation of existing anticorruption legislation and its correlation with the EU acquis, as well as suggesting legislative modifications accordingly performed
- list of recommendations that will be adopted by the Government and followed by the responsible bodies proposed

3.4 Activities

3.4.1 Effective implementation of GRECO recommendation in the field of proceeds of corruption
Taking into account the recommendations provided by the GRECO evaluation team in its Evaluation Report on the Slovak Republic (adopted by GRECO in March 2004), it is obvious that the area of seizure and confiscation of proceeds of corruption and connection between corruption and money laundering/organized crime are not fully in compliance with the Criminal Law Convention on Corruption (ratified by SR on 9 June 2000) and the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ratified by SR on 7 May 2001).

This part of the project (linked to achievement of result 1) should consist of the following two steps:

1. Development of guidelines: (guidelines should contain procedures for the police, investigators, prosecutors and judges how to proceed in the case of forfeiture of
property, which steps have to be taken - model documents for investigator, prosecutor and judges)

- **for the police and investigators** from the Bureau of Fight against Corruption of the Police Presidency (guidelines describing practices in tracking down offenders assets),

- **for the prosecutors** from the Special Prosecutors’ Office (to propose for them a standard applicable measure or punishment for cases of indictment for corruption that enables the forfeiture of illicitly acquired assets (or its corresponding value) or to seek forfeiture of these assets after a conviction or, in appropriate cases, without conviction)

- **for the judges** from the Special Court (developing of applicable guidelines in order to improve their expertise in imposing confiscation, when it is proved that instrumentalities or proceeds were obtained by virtue of corruption).

Model documents for the provisional seizure of e.g. objects, bank deposits, shareholdings, land, ships and the best practices from EU MS should be part of these guidelines.

2. **Provision of appropriate trainings** for police, prosecutors from the Special Prosecutors Office and judges from the Special Court on Corruption on the above mentioned topics to improve their expertise to impose confiscation.

The trainings should focus on the following topics:

- **for the investigators** (introducing experiences and practices in tracking down offenders assets),

- **for the prosecutors** (demonstrations on how to use a standard applicable measure or punishment in cases that show indictment for corruption the forfeiture of illicitly acquired assets (or its corresponding value) or to seek attachment of these assets after a conviction or, in appropriate cases, without conviction)

- **for the judges** (trainings to improve their expertise in imposing confiscation, when it is proved that instrumentalities or proceeds were obtained by virtue of corruption).

The maximum number of training participants per target group is 20. Each training is expected to last for 2 days. Moreover, each training is expected to cover a theoretical and a practical part. Trainings will also try to initiate the necessary communication among the involved participants.

Means:

**Project leader:**

The main tasks of the project leader are as follows:

- together with the Slovak project leader assess current situation and problems regarding cooperation of institutions involved in investigating, revealing and decision-making in proceeds of corruption - courts, prosecutions and police. Together with the Slovak project leader propose measures for improving of this cooperation.

- to coordinate involved foreign experts by preparation of trainings and to coordinate activities.

Project leader will be responsible for overall coordination with experience in the field of anti-corruption work and management of project activities (more than 5 years), law university degree, full working knowledge of spoken and written English (approx. 50 MD)
1 short term expert: responsible for developing of guidelines for police, prosecutors and judges, with relevant experience (at least 5 years) on above mentioned topics, law university degree, full working knowledge of spoken and written English (totaling approx. 100 MD)

1 short term expert: responsible for providing an appropriate training for police, prosecutors and judges, with relevant experience, with relevant experience (at least 5 years), law university degree, full working knowledge of spoken and written English (totaling approx. 100 MD)

The total budget for this activity is: 0.18 MEUR

The activity is to be implemented through Twinning Light.

3.4.2 Trainings and transfer of best practices in EU countries to the analytical section of the Bureau of the Fight against Corruption of the Police Presidency

To make the Bureau of the Fight against Corruption of the Police Presidency completely operational and more effective in the fight against crime it is really needed to ensure that operative and investigative methods are fully in compliance and compatible with other EU countries.

In the process of revealing corruption and its further investigation, success is based on the quality of analytical outcomes. It means that data analyst is able to select important information, indicate what kind of information will be needed for further investigation and prepare versions for investigation. Usage of analytical software is a standard tool used in the EU and leads to simplification, shortening and facilitating of investigation process. This software is able to classify information, find connections, prepare background for investigators, prosecutors and judges and analyze evidence. The Bureau of the Fight against Corruption of the Police Presidency is already equipped with this software, but they require a special training for those who are using it.

This project would require training and transfer of the best practices and experiences on the following topics:
- training on the practical (IT) usage of analytical software in order to ensure entirely compatible analytical section of BFC to the similar analytical sections in the MS,
- training on elaborating analysis in investigations of criminal offences including the practical cases of investigation process with the help of analytical software.

Part of such training should be a transfer of know how on those criminal offences that could arose after accession of the Slovak Republic to EU, e.g. criminal offences related to EU funds and their defraudation, tax criminal offences within EU MS, damaging the EU financial interests and others, which are specific for EU. There is a strong assumption that after accession of the SR to the EU, number of these criminal offences will rapidly increase. Since the corruption offences are a special group of the criminal offences, it is not possible to separate them.

The maximum number of training participants per target group is 20. Each training is expected to last for 2 days. Moreover, each training is expected to cover a theoretical and a practical part. The trainings will also try to initiate the necessary communication among the involved participants.

Means:

Project leader:
The main task of the project leader will be to coordinate involved foreign experts by preparation of trainings and to coordinate activities. He will be responsible for overall coordination and management of project activities (more than 5 years), IT university degree, full working knowledge of spoken and written English (approx. 30 MD)

1 short term expert: responsible for providing trainings on the technical usage of the analytical software (IT training), highly qualified with practical experiences (at least 5 years) with lecturing in the field of using analytical software, IT university degree, full working knowledge of spoken and written English (approx. 60 MD)

1 short term expert: responsible for transfer of the best practices and experiences in the form of practical demonstrations and specific examples of investigations in the field of fight against corruption and crime, highly qualified analytical investigator with lecturing experience and experience with the investigation analysis in the field of organized criminal groups (at least 10 years), university degree, full working knowledge of spoken and written English (60 approx. MD)

The total budget for this activity is: 0.16 MEUR

The activity is to be implemented through Twinning Light.

3.4.3 Special trainings for lawyers focused on providing legal aid in cases showing the corrupt behaviour

One of the results following the ongoing judicial and legal reform in the SR will be the improvement of legal aid and legal service by establishing Free legal aid centres. At present, in the field of anticorruption advisory/counseling, legal aid is partly provided by the Department for the Fight against corruption for six hours per week.

The main idea of the proposed activity is to support the centers by training their employees in providing legal aid in cases signalizing corrupt behavior, in order to help people with suspicion of corrupt behavior, to provide legal anticorruption advisory services, to help in extra judicial proceeding, to help with writing applications to the relevant bodies (police), conduct a case in court, ensure process connected with function of legal aid centers.

The main Center will be placed in Bratislava, but there will be another 8 centers placed near all regional courts in Slovakia.

Legal aid will be provided by professional lawyers and laypersons with legal knowledge. Employees will be divided into two groups: 1. lawyers, 2. office staff - clerical staff; personnel staff; IT employees. All of them will be state servants in public interest. Highly qualified staff has to fulfill special conditions: law university decree, bar admission, or some alternative one and have to have at least 3 years experience in major law.

This part of the project should consist of:

- preparing the schedule for the training program and realization of the trainings for lawyers to improve their expertise in providing legal aid in cases with corrupt behavior suspicion. Focus the training on the issue how to provide legal aid in the best way, effectively, with sensitive approach to different groups of applicants coming from various social classes.
- providing an appropriate communicational training for lawyers and employees of legal aid centers focused on alternative psychological and sociological access to different groups of people. Train them how to explain difficult law issues to non-experts, how to improve quality
and effectiveness of communication, to support the communication with police when appropriate.

- publishing a manual as a result of realized training and seminars. It will include outputs of realized trainings, the most interesting topics of the provided training program, communicational training, templates proposed by experts. It will be helpful in providing free legal aid since it is completely new area in Slovak legal system and there is no literature on this theme accessible.

- proposing of the activities which have to be done by legal aid centers in future to increase legal awareness in society and continuity of providing free legal aid in the Slovak Republic

- proposing informative lists (templates) of all variants of proposals, requests, applications, requisitions, grievances, which can help applicants and will be available in print in the Centers.

The maximum number of trained participants in group is 20. Every training is expected to last for 3 days per each group. Five groups of participants will be created. Moreover, each training is expected to cover a theoretical and a practical part and also the trainings will try to initiate the necessary communication among the involved participants.

Means:

**Project leader:**
The main tasks of the project leader are as follows:

- together with the Slovak project leader assess current situation and problems regarding cooperation of institutions involved in educating and preparing trainings for the lawyers and other employees. Together with national leader propose measures for improvements in this area of free legal aid.

- to coordinate involved foreign experts in preparation of trainings and to coordinate activities associated with publishing the manual, proposing the activities for future, proposing templates which will be available in the centres.

Project leader will be responsible for overall coordination with experience in management of project activities (at least 5 years), law university degree, full working knowledge of spoken and written English (approx. 50 MD)

1 **short term expert**: responsible for creating and providing an appropriate training program for lawyers and other employees of Free legal aid canters, cooperating in preparation of manual, proposing templates and proposing future activities together with the second STE, with relevant experience (at least 5 years), law university degree, full working knowledge of spoken and written English (totaling approx. 100 MD)

1 **short term expert**: responsible for providing an appropriate communicational training for lawyers and employees of Free legal aid canters focused on alternative psychological, sociological access to different groups of people, cooperating in preparation of manual, proposing templates and proposing future activities together with the first STE, with relevant experience (at least 5 years) in psychological and communicational techniques, law university degree, full working knowledge of spoken and written English (totaling approx. 100 MD)

The total budget for this activity is: 0.26 MEUR

The activity is to be implemented through Technical Assistance.
3.4.4 Study on the impact of the anti-corruption activities in the Slovak Republic

The last years brought about the development of an impressive arsenal of legal instruments of transparency, accountability and anticorruption. That had surely positive impact on processes in the Slovak society. Despite that the CPI Index and survey data produced by Transparency International shows improving, corruption is still widespread and citizens of the Slovak Republic can feel it in their everyday life.

The aim of the proposed activity is to assess, whether the objectives of the anticorruption policy set up in the National Program, Action Plan and all related documents was fulfilled, evaluate all previous actions and activities (and their impact) provided by the governmental and non governmental bodies involved in the anticorruption struggle in Slovakia. That could remarkably contribute to the effective and efficient fight against corruption by providing recommendations how to continue in tackling the widespread corruption in Slovakia.

The independent study on the impact of the anticorruption activities in Slovakia should consist of:

- analysis of the current situation in the field of fight against corruption, identifying main problems, evaluation of all activities, action performed, strategies and plans provided by all governmental and nongovernmental organizations as well institutions involved in the fight against corruption (what has been done, by whom, in what way and how did it contribute to transparent function of the society)

- evaluation of existing anticorruption legislation and its correlation with the EU acquis, as well as suggesting legislative modifications accordingly

- list of recommendations that will be adopted by the Government and followed by the responsible bodies.

Means:

1 short term expert:
Main tasks of the STE are as follows:
- analysis of the current situation and problems regarding national anticorruption activities in general, propose measures and identify priorities.
- responsible for overall coordination of the proposed activities with experience in the field of anti-corruption work (more than 5 years), law university degree, full working knowledge of spoken and written English (150 MD)

Activity will be implemented in the form of TA.

Total budget for this activity is: 0.1 MEUR

3.5 Lessons Learned

This project is based on the results achieved by previous and on going PHARE projects and takes into consideration obligations and recommendations stated in the GRECO Evaluation Report, 2003 Peer Review Report and Final Report from the 2000 Twinning, which underlined a necessity of further trainings in the corruption combating area. Activities of the proposed project will complement the outcomes and results of previous Phare projects (2000, 2003).
In general, all proposed projects and activities under PHARE 2003 and Transition Facility 2005 are relevant, clearly addressing identified problems and identified needs of the Justice and Home Affairs sector. The activities undertaken within the sector follow objectives and support official governmental policies/reforms taking place in Slovakia. Upon successful completion all the interventions under review will in the longer term have positive impact on the society as a whole, particularly when tackling national priority areas, such as public administration and judicial reform or the fight against crime.

Phare project 2003 “Fight against Corruption” was proposed as a follow-up of Phare 2000 project. Only one of the proposed tree activities was implemented and successfully finished - Technical assistance providing analysis of training of professional journalism in Slovakia (taking into duly account the results achieved through the Phare financed project “Ethical Principles of journalists”). It was learned that the only way leading to effective and relevant outputs is to specify more precisely requests and expectations on performed activities under each project. The main problem remains with the long periods between programming and implementation of the project.

4. Institutional Framework

The Department of Fight against Corruption at the Office of Government of Slovak Republic will implement the project in close cooperation with the following bodies:

- Bureau of Fight against Corruption of Police Presidency
- Special Court
- Special Prosecutor’s Office
- Ministry of Justice of the Slovak republic

The establishment of a Steering Committee will ensure cooperation among all involved bodies. The Steering Committee will include representatives from all Institutions and the bodies involved in the implementation of the project’s activities (plus representatives designated by the territorial self-governments and the non-governmental organizations) and ensure monitoring and coordinated implementation of all activities. The overall co-ordination of all activities will be ensured by a representative of the Department of the Fight against Corruption at the Office of Government of Slovak Republic.

Project Leader:

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5. Detailed Budget
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6. Implementation Arrangements

6.1 Implementing Agency

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<th>Director of CFCU - Mrs. Silvia Czuczorova</th>
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<tbody>
<tr>
<td>Address:</td>
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<tr>
<td>Slovak Republic e-mail: <a href="mailto:cfcusczuczorova@mfsr.sk">cfcusczuczorova@mfsr.sk</a></td>
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Institutions responsible for technical implementation:

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FAX: +421 2 57 295 574

Mr. Ronald Kakas
Bureau of Fight against Corruption
Police Presidency of SR
Racianska 45
812 72 Bratislava
TEL.: +421 09610 56 200

6.2 Twinning:
There are two twinning light contracts foreseen within this project:

<table>
<thead>
<tr>
<th>Beneficiary</th>
<th>Contact person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twinning light Contract 1</td>
<td>Department of Fight against Corruption at the Office of Government</td>
</tr>
<tr>
<td>Ms. Veronika Kuliková</td>
<td></td>
</tr>
<tr>
<td>Twinning light Contract 2</td>
<td>Bureau of Fight against Corruption of the Police Presidency</td>
</tr>
<tr>
<td>Mr. Ronald Kakas</td>
<td></td>
</tr>
<tr>
<td>Technical Contract 3</td>
<td>Assistance</td>
</tr>
<tr>
<td>Department of Fight against Corruption at the Office of Government</td>
<td></td>
</tr>
<tr>
<td>Ms. Veronika Kuliková</td>
<td></td>
</tr>
<tr>
<td>Technical Contract 4</td>
<td>Assistance</td>
</tr>
<tr>
<td>Department of Fight against Corruption at the Office of Government</td>
<td></td>
</tr>
<tr>
<td>Ms. Veronika Kuliková</td>
<td></td>
</tr>
</tbody>
</table>

National Contract Point for Twining:
Ms. Jana Minarovičová
Office of the Government
Stefanikova 2
813 70 Bratislava
Slovak Republic
TEL: +421 2 57 295 514
FAX: +421 2 54 430 056
jana.minarovicova@vlada.gov.sk

The institutional partner for contract 1, 3 and 4 will be the Department of the Fight against Corruption at the Office of the Government of the Slovak Republic responsible for overall co-ordination of the project. The institution partner for contract 2 will be the Bureau of Fight against Corruption of the Police Presidency.

6.3 Non Standard Aspects:
N/A

6.4 Contracts
Contract 1 refers to Activity 3.4.1. TWL-180 000 EUR
Contract 2 refers to Activity 3.4.2. TWL-160 000 EUR
Contract 3 refers to Activity 3.4.3. TA-260 000 EUR
Contract 4 refers to Activity 3.4.4. TA-100 000 EUR

7. Implementation Schedule

7.1 Call for proposals and Tendering (ToRs and project specifications): 4th Q 2005

7.2 Start of project activities: 1st Q 2006

7.3 Project Completion: 3rd Q 2006
8. **Sustainability**
Beneficiary has foreseen adequate staff to maintain administrative function of the project via related offices.
The continuous fulfilment of the activities and their financing is guaranteed by the state policy in the area of the Fight against corruption, which is realized by the National Programme for Fight against Corruption. Department reviews National Programme of Fight against Corruption each year, puts all legislative tasks in one document, which is adopted by the Government and monitors fulfillment of these tasks.

9. **Conditionality and sequencing**
Efficient implementation of the activities related to education and trainings of specialized anti-corruption bodies is conditioned by proper functioning of these bodies (e.g. staff).

Most important milestones of the project:
- Project fiche approval: 2Q 2005
- Call for proposals: 4Q 2005
- Start of implementation of the project: 1Q 2006
- End of implementation of the project: 3Q 2006
<table>
<thead>
<tr>
<th>LOGICAL FRAMEWORK PLANNING MATRIX FOR:</th>
<th>Programme name and number 2005/017-464.03.03</th>
<th>Sheet no.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continued Support to the Fight against Corruption</td>
<td>Contracting period expires: 15 December 2007</td>
<td>Disbursement period expires: 15 December 2008</td>
</tr>
<tr>
<td></td>
<td>Total budget (MEUR): 0.7</td>
<td>TF budget (MEUR): 0.7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overall objective:</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combat corruption in more efficient and specialized manner</td>
<td>Improvement of the corruption perception index from 4 (year 2004) to 4.5-5</td>
<td>Annual Transparency International CPI Report</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>
</table>
| - further strengthening of institutional and administrative capacity to prevent and combat corruption  
- to ensure that specialized Law Enforcement Agencies dealing with corruption are well qualified and more effective in investigating, revealing and decision-making in cases showing the corrupt behavior.  
- ensure adequate access to justice by improving the capacity of the newly created free legal aid centers  
- overview of the evaluation of the regulations and the mechanisms favoring the activities in the field of fight against corruption | Recommendation of GRECO report fully implemented by the end of project  
Organizational structures and working methods of corruption services improved  
Increase of disclosed crimes related to corruption by the end of project | GRECO Evaluation Report  
Cases in which new anti-corruption tools are used  
Inception, Progress and Final Reports  
Evidence of a cases represented by Free legal aid centers | Members of new anti-corruption bodies are willing to be trained  
Members of newly created Free legal aid centers are willing to be trained |

<table>
<thead>
<tr>
<th>Results:</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
### Results of Contract 1.:
- the guidelines and model documents for the policemen and investigators from the Bureau of Fight against Corruption of the Police Presidency, the prosecutors and judges from the Special Court and the Special Prosecutors’ Office developed, trainings for police, prosecutors from the Special Prosecutors Office and judges from the Special Court on Corruption executed, staff of specialized Law Enforcement Agencies on corruption trained

### Results of Contract 2.:
- trainings for employees of analytical section of the Bureau of the Fight against Corruption of the Police Presidency on how to use analytical software, trainings on elaborating specific and concrete analysis in investigations of criminal offences executed, analytical sections of Bureau of Fight against Corruption fully operational, investigation process simplified and shortened

### Results of Contract 3.:
- the schedule for the training program and realization of the trainings for lawyers to improve their expertise in providing legal aid in cases with corrupt behavior suspicion prepared, appropriate communicational training for lawyers and employees of legal aid centers focused on alternative psychological and sociological access to different groups of people executed, manual as a result of realized training and seminars published, the activities which have to be done by legal aid centers in future to increase legal awareness in society and continuity of providing free legal aid in the Slovak Republic proposed, informative lists (templates) of all variants of proposals, requests, applications, requisitions, grievances, which can help applicants and will be available in print in the Centers proposed

### Results of Contract 4.:
- analysis of the current situation in the field of fight against corruption, identification of the main problems, evaluation of all activities, action performed, strategies and plans provided by all governmental and nongovernmental organizations as well institutions involved in the fight against corruption executed, evaluation of existing anticorruption legislation and its correlation with the EU acquis, as well as suggesting legislative modifications accordingly performed, list of recommendations that will be adopted by the Government and followed by the responsible bodies proposed

<table>
<thead>
<tr>
<th>Programmes name and number</th>
<th>Contracting period expires: 15 December 2007</th>
<th>Disbursement period expires: 15 December 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/017-464.03.03</td>
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</tbody>
</table>

### Notes:
- Guidelines worked up, approx. 60 police officers, prosecutors and judges trained in the field of proceeds of corruption
- Minimum 40 police officers trained in the investigation process and usage of Analytical Software
- Approx. 100 lawyers and office staff of Legal aid centers trained
- Number of recommendations resulting from the analysis accomplished and approved by the Slovak Government
- Evaluations of new anti-corruption tools are used

### Supporting Documents:
- GRECO Evaluation Report
- Cases in which new anti-corruption tools are used
- Inception, Progress and Final Reports
- Evaluation Reports
- Minutes from monthly reports
- NAC Implementation Status Report
- SMSC Monitoring Reports
- Governmental Decree
- New Criminal Procedure Code adopted
- Analytical software in place
- Law on providing free legal aid supported by the Parliament
Continued Support to the Fight against Corruption

**Programme name and number:** 2005/017-464.03.03  
**Sheet no.**  
**Contracting period expires:** 15 December 2007  
**Disbursement period expires:** 15 December 2008  
**Total budget (MEUR): 0.7**  
**TF budget (MEUR): 0.7**

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective implementation of GRECO recommendation in the field of proceeds of corruption</td>
<td>TWL Contract 0.18 MEUR</td>
<td>Cooperation among Department of Fight against Corruption, Bureau of Fight against Corruption of Police Presidency, Special Prosecutor’s Office and Special Court</td>
</tr>
<tr>
<td>Completing the analytical section of Bureau of Fight against Corruption of Police Presidency</td>
<td>TWL Contract 0.16 MEUR</td>
<td>Cooperation among Department of Fight against Corruption, Ministry of Justice of the Slovak Republic, Free legal aid centers</td>
</tr>
<tr>
<td>Special trainings for lawyers focused on providing legal aid in cases showing the corrupt behaviour</td>
<td>TA Contract 0.26 MEUR</td>
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<tr>
<td>Study on the impact of the anticorruption activities in the Slovak Republic</td>
<td>TA Contract 0.10 MEUR</td>
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</tbody>
</table>

**Preconditions**
Political will and support to follow outcomes and recommendations of experts
Annex 2

Detailed implementation chart of the project

Continued Support to the Fight against Corruption

<table>
<thead>
<tr>
<th>Activity</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>J</td>
</tr>
<tr>
<td><strong>Institution Building</strong></td>
<td></td>
</tr>
<tr>
<td>Activity 1.</td>
<td>x</td>
</tr>
<tr>
<td>Activity 2.</td>
<td>x</td>
</tr>
<tr>
<td>Activity 3.</td>
<td>x</td>
</tr>
<tr>
<td>Activity 4.</td>
<td>x</td>
</tr>
</tbody>
</table>
Annex 3

Cumulative Contracting and Disbursement Schedule
Continued Support to the Fight against Corruption

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th></th>
<th></th>
<th></th>
<th>2007</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracted</td>
<td>0.320</td>
<td>0.580</td>
<td>0.700</td>
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</tr>
<tr>
<td>Disbursed</td>
<td>0.320</td>
<td>0.580</td>
<td>0.700</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>