



Guidebook

CBA

THE CENTRAL ANTI-CORRUPTION BUREAU



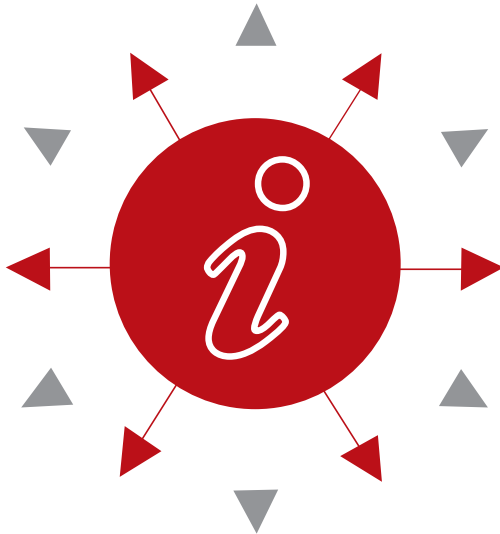
Warsaw 2014



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Warsaw 2014

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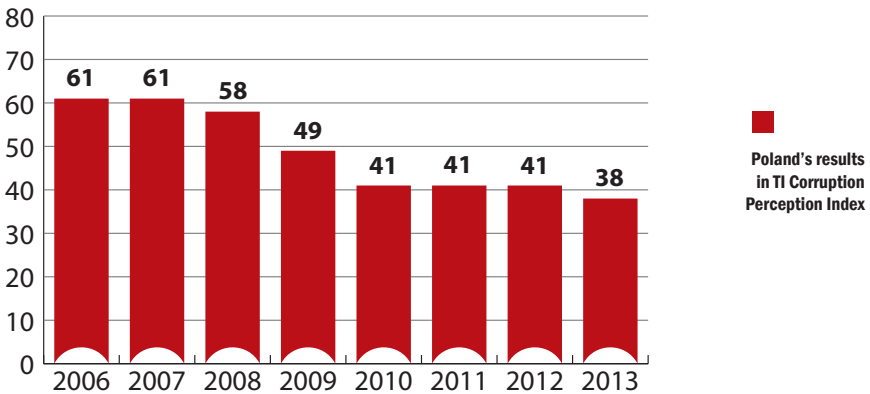
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THE CENTRAL ANTI-CORRUPTION BUREAU

The Central Anti-Corruption Bureau (CBA) is a special service, created to combat corruption in public and economic life, particularly in public and local government institutions as well as to fight against activities detrimental to the State's economic interest. The Bureau conducts its activities under the Act of 9 June 2006 on the Central Anti-Corruption Bureau (Journal of Laws of 2014, item 1411 – consolidated text).

Prepared annually since 1995 by Transparency International (TI), the Corruption Perception Index (CPI) has been a leading indicator of the perception of corruption in the public sector. According to the TI report (end of 2013), Poland was placed 38th out of 177 countries surveyed. Behind Poland are among others: Spain (40th), Lithuania (43rd), Hungary (47th), Czech Republic (57th). As key elements that have contributed to the improvement of corruption perception in Poland in 2009, TI lists, among others, the increase in the number of investigations conducted by the CBA.




A survey conducted by the Public Opinion Research Center (CBOS) shows that an increasing number of people evaluates the actions of the Central Anti-Corruption Bureau as good. More than a third of respondents (36%) positively evaluate the activities of the Bureau. Additionally, there was recorded the lowest percentage of respondents who criticised its performance. Opinions on the CBA are now better than four years ago. (source: CBOS, 6–12 March 2014, no. 36/2014)



HEAD OF THE CBA

The head of the Central Anti-Corruption Bureau is a central organ of government administration, supervised by the Prime Minister. The head of the CBA is appointed for a term of four years and recalled by the Prime Minister, following a consultation with the President of the Republic of Poland, the Special Services Committee and the Parliamentary Committee for Special Services. The head of the CBA may be reappointed only once.



On 13 October 2009, the Prime Minister entrusted the duties of the head of the CBA to Paweł Wojtunik, who was appointed to the position on 30 December 2009. Paweł Wojtunik is a graduate of the Faculty of Law at the University of Białystok. In the years 1992–1996, he served in the Police Headquarters in the field of combating organised crime. After establishment of the Central Investigation Bureau, he performed the following functions: initially, of the head of the Division and then of the Directorate of Special Operations, as well as deputy director of the Central Investigation Bureau. In 2007, he was delegated to serve in Scotland Yard for six months. In October 2007, he was appointed director of the Criminal Bureau of the Police Headquarters, and in December 2007 he was appointed director of the Central Investigation Bureau. He was awarded a bronze (2003) and a silver (2009) “Distinguished Police Officer” badge, the Bronze Cross of Merit (2004), the Golden Medal of Merit for the Police (2012), Golden Medal of Merit for the Customs Service (2012) as well as Golden Medal of Merit for Border Guard (2012). In 2014, he received a special award – Person of the 2013 IT Market granted by the CNR Magazine, Poland. This title was awarded as a result of vote on candidates selected by the magazine readers. On 31 December 2013, Paweł Wojtunik was reappointed to the position of the head of the CBA.

TASKS OF THE CBA

To the tasks of the CBA within the scope of competencies of the Bureau (combating corruption in public and economic life particularly in public and local government institutions as well as to fight against activities detrimental to the State’s economic interest) belong, first of all, identification, prevention and detection of crimes (laid down in art. 2, paragraph 1, item 1 of the Act on the CBA) and prosecution of perpetrators, as well as:

- ▶ disclosure and prevention of cases of non-compliance with the limitation of conducting economic activities by persons performing public functions;
- ▶ documenting the grounds for and initiating implementation of the provisions on the reimbursement of unjustly obtained benefits at the expense of the State Treasury or other state legal persons;

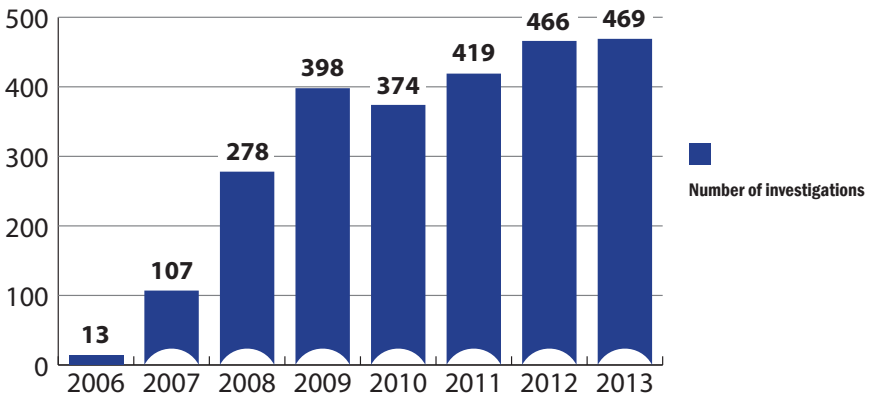
- ▶ disclosure of cases of non-compliance with certain provisions of law-making procedures and implementation of decisions concerning:
 - privatisation and commercialisation,
 - financial support,
 - public procurement,
 - disposal of assets of public finance sector entities, entities receiving public funds, entrepreneurs with State Treasury shareholding or local government units,
 - granting of concessions, permits, subject exemptions, reliefs, preferences, quotas, tariff ceilings, sureties and bank guarantees;
- ▶ control of the correctness and truthfulness of asset declarations or statements on conducting economic activities by persons performing public functions.

Preventive activities also constitute an important part of the CBA performance.

Within the limits of the tasks defined in the Act, the CBA officers perform the following activities:



OPERATIONAL ACTIVITIES AND LITIGATION PROCEEDINGS



Operational intelligence is performed by the officers of the CBA in order to prevent the perpetration of crimes, their recognition and detection as well as to obtain and process information relevant to combating corruption in state institutions and local government and also activities against the economic interest of the State.

In case of a justified suspicion of a crime perpetration, the CBA officers perform investigative activities specified by the provisions of the Code of Criminal Procedure, including activities on command of the court and the prosecutor.

CONTROL ACTIVITIES

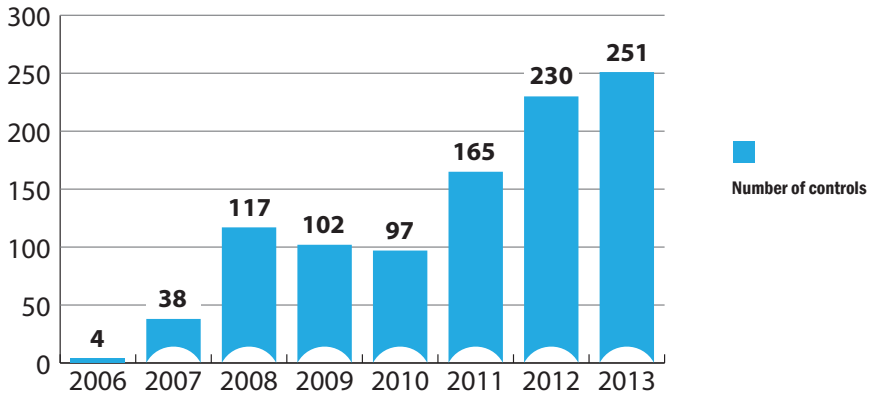
The Bureau is the sole special service having the tool in the form of the control of asset declarations and economic decisions.

The aim of control activities conducted by the CBA officers is the disclosure of corruption cases in public institutions, abuse by persons performing public functions and the activities against the economic interest of the State.

Controls are conducted on the basis of an annual control plan, approved by the Head of the CBA or – if necessary – on an ad hoc basis.

Control activities cover:

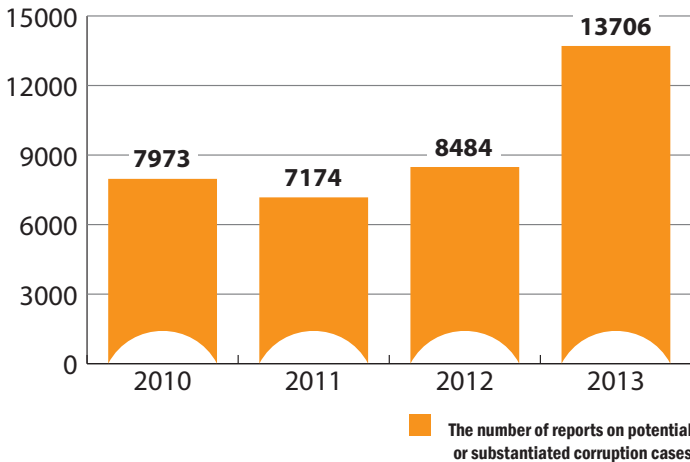
- 1) disclosure and prevention of cases of non-compliance, for example in the scope of issuing economic decisions (among others: privatisation, financial support, disposal of state and municipal assets, public procurement),
- 2) verification of the correctness and veracity of asset declarations or statements on conducting economic activities by persons performing public functions.



ANALYTICAL ACTIVITIES

Identification of threats detrimental to the economic interest of the State as well as appropriately early and possibly predictive communicating them to the state authorities, in addition to the formulation of proposals of remedial actions are the basic objectives of analytical and informative undertakings carried out by the CBA. Moreover, they support operational intelligence, investigative and control activities.

The fact that an increasing number of respondents evaluate the CBA's activity as good is reflected in the number of potential and substantiated corruption cases reported to the Bureau. In 2013, the number of reports increased by 60%.



PREVENTIVE ACTIVITIES

As part of its activity, the CBA also conducts preventive and educational activities. In this regard, it cooperates with other institutions and NGOs dealing with corruption.

The Bureau's tasks include analytical activities referring to the phenomena covered by the CBA's competence as well as the presentation of the information within this scope to the Prime Minister, the President of the Republic of Poland, the Sejm and the Senate.



THE CBA'S WEBSITES

www.cba.gov.pl – the CBA's official website



The site is available also in English. The Bureau also conducts information activities on Facebook, Twitter and Google+.

The CBA's website contains basic information on the activities of the Bureau:

- ▶ news concerning the activities of the CBA,
- ▶ legal grounds for the Bureau's activities,
- ▶ information for candidates for service in the CBA,
- ▶ contact details of the CBA's units.

www.antykorupcja.gov.pl – informative and educational website



Educational content can also be found on the websites and services administered by the CBA – on Facebook, Twitter and YouTube.

The website includes information on educational nature:

- ▶ current media reports on corruption and its prevention,
- ▶ analyses and reports,
- ▶ results of social polls,
- ▶ information on current social initiatives,
- ▶ relevant legal information,
- ▶ information of the activities of Polish and foreign government institutions and NGOs, engaged in fight against corruption.

ANTI-CORRUPTION PREVENTION

Since 2010, on the basis of their experiences in the field of combating and preventing corruption, the CBA officers have conducted training courses for employees of state institutions and business organisations. Training courses have also been conducted in the course of various workshops and conferences on issues of corruption prevention.

The training courses are complemented by manuals issued by the CBA and addressed to civil servants and entrepreneurs. Issues related to the discussion on the most common irregularities and errors in the implementation of public procurement are also an important element of the training courses.



Until the end of 2013, over 560 training courses were carried out in 400 institutions over 30 thousand persons were trained



COOPERATION WITH ORE

Under a bilateral agreement concluded in March 2014, the CBA and the Centre for Education Development (ORE) are preparing pilot educational project *Ethics not only for Kids*, addressed to teachers and pupils from I–III grades of primary schools, to their parents and local communities. The project, which aims to develop ethical attitudes and awareness of anti-corruption education, involves, among other things, conducting training courses and developing a handbook for teachers.

TELEVISION CAMPAIGN

At the turn of 2012 and 2013, the CBA carried out a media campaign *Corruption, how much will YOU pay for it*, transmitted by the Polish Public Television. In the project, there were also involved: Anti-Corruption Coalition of NGOs, the Ministry of the Interior, the Ministry of Sport and Tourism and the Customs Service.



In May 2014, the Central Anti-Corruption Bureau, the Polish Financial Supervision Authority and the Warsaw Stock Exchange signed a joint declaration on taking a substantive patronage over training courses and workshops aimed to improve the compliance culture among economic entities. The CBA officers support the initiative by conducting classes on the identification of risks and corruption prevention.



PUBLICATIONS

In the years 2010–2014, the CBA issued 33 publications, 22 of which are in Polish and English, 8 have been translated to the English language and 3 are in Polish-English version. The publications are available in the form of e-books and audiobooks on websites:

- ▶ www.cba.gov.pl
- ▶ www.antykorupcja.gov.pl



INTERNATIONAL COOPERATION

The CBA cooperates with many international organisations and law enforcement agencies in other countries. The cooperation aims to exchange best practices, extend the knowledge on corruption, solutions and instruments applied abroad as well as to exchange information on current operational and investigative activities conducted by foreign services.

Due to the provisions of the Act on the CBA, in order to undertake cooperation with foreign entities, the Bureau has to obtain the Prime Minister's consent.

So far, the Bureau has obtained the consent to cooperate with 50 countries and 11 international organisations.



International organizations, cooperating with CBA

Additionally, the CBA belongs to international organisations, such as EPAC/EACN – European Partners against Corruption/European Contact-Point Network against Corruption.

The Central Anti-Corruption Bureau has established, among others, cooperation with the World Bank, which resulted in the development of a joint English language publication titled: *Fraud and Corruption Awareness Handbook*. The book is addressed primarily to officials dealing with public procurement.



In 2013, the Bureau in cooperation with the Polish National Police Headquarters organised the 13th Annual International Conference (EPAC/EACN), held in Cracow. 93 Participants attended the conference – heads of law enforcement agencies and anti-corruption institutions from: Poland, Malta, Slovakia, Croatia, Estonia, Luxemburg, Germany, Romania, Sweden, France, Hungary, Ireland, Denmark, Finland, Bulgaria, Lithuania, Kosovo, Latvia, Austria, Portugal, Spain, the Netherlands, and Belgium.

Under the Programme *Prevention of and Fight against Crime*, the European Commission awarded a grant to the CBA for the implementation of the project: *Rising of Anticorruption Training System*. The Lithuanian Special Investigation Service (STT) is the co-beneficiary of the project, and the Latvian Corruption Prevention and Combating Bureau (KNAB) is the project partner. The implementation of the activities has been planned for 36 months, commencing from January 2013. The whole project consists of two components:

- ▶ a series of six international anti-corruption training conferences addressed to representatives of public administration, the scientific community and institutions involved in the fight against corruption; nearly 120 participants attended the first three conferences, from: Poland, Estonia, Lithuania, Latvia, Norway, Croatia, Moldova, Azerbaijan, Montenegro, Denmark, Macedonia, Austria, Slovenia, Bulgaria, and Romania;
- ▶ the launch of an e-learning platform (development of anti-corruption educational tools and communication for public officials, entrepreneurs and the public in the framework of the three components: corruption in public administration, corruption in business, the social impact of corruption).

The e-learning platform is available on the site <https://szkolenia-antykorupcyjne.edu.pl/>. The platform is addressed to broad audience: the central and local government, business community, and also to society.

Due to the wide scope of addressees, the training course is divided into three sections, each of which consists of 20 teaching hours:

- 1) corruption in public administration,
- 2) corruption in business,
- 3) social effects of corruption.

The participants can count on the support of an expert who will answer their

questions through communication tools such as a chat and a forum. To complete the training course, one must go through different lessons, do exercises, test their knowledge and pass the final test. The completion of the training course can be confirmed with a roll call diploma generated upon request of the participant.

The aim of the platform is to raise the level of public awareness of corruption and its prevention. If someone has already basic knowledge, the training course allows to systematise it and expand.

On the occasion of the International Anti-Corruption Day – observed on 9th December – since 2010, in cooperation with other government agencies and NGOs, the CBA has organised annual International Anti-Corruption Conferences. So far, in the meetings organised by the CBA, nearly 1,000 guests from Poland and other countries took part: the United States, Austria, Hungary, Slovakia, Germany, Switzerland, the Czech Republic, Ukraine, Belorussia, Lithuania, Latvia, Denmark, Romania, France, Italy, the United Kingdom, Belgium, Albania, and Morocco.



THE STRUCTURE OF THE BUREAU

The CBA is the smallest and also the youngest special service. The Bureau employs 880 officers and civil servants who are high class professionals in fields related to the completion of the tasks of the service. They are specialists in the field of operational work, investigation, detection, analysis and control activities, direct protective measures, security of telecommunication networks, protection of confidential information and personal data, legal service, logistics and finance, audit and internal security, international cooperation and personnel training. More than one-third of persons employed in the CBA are women. 232 out of 766 officers, and 83 out of 114 civil servants are female.



Total number of officers and civil servants in the CBA in 2014

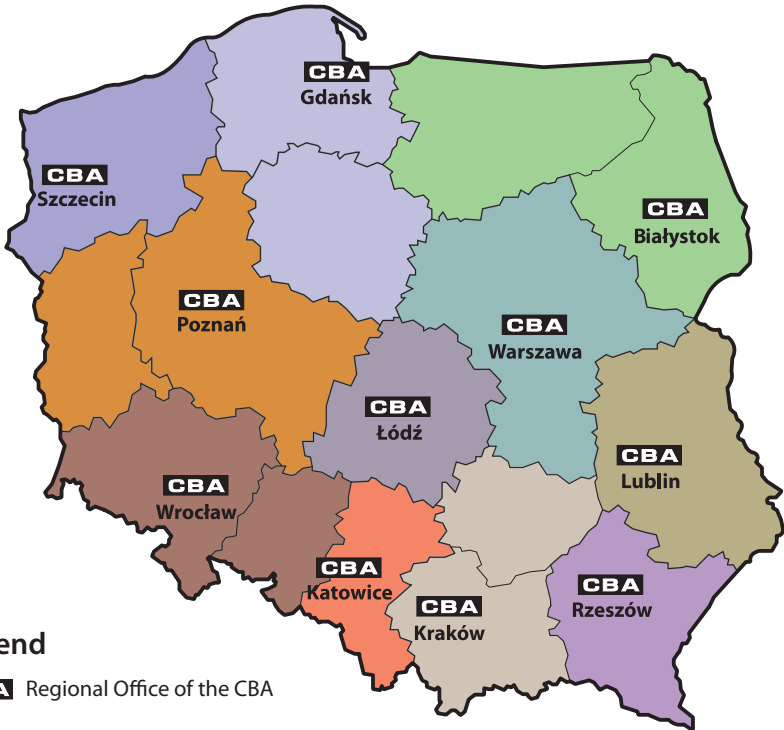
880

315

Number of women in the CBA in 2014

The CBA consists of the following units:

- ▶ Operations and Investigations Department
- ▶ Security Department
- ▶ Control Proceedings Department
- ▶ Analysis Department
- ▶ Operational Techniques Bureau
- ▶ Law Bureau
- ▶ Finance Bureau
- ▶ HR and Training Bureau
- ▶ Logistics Bureau
- ▶ IT Bureau
- ▶ Control and Internal Affairs Bureau
- ▶ Cabinet of the Head
- ▶ Internal Auditor's Unit
- ▶ Regional Office of the CBA in Białystok
- ▶ Regional Office of the CBA in Gdańsk
- ▶ Regional Office of the CBA in Katowice
- ▶ Regional Office of the CBA in Kraków
- ▶ Regional Office of the CBA in Lublin
- ▶ Regional Office of the CBA in Łódź
- ▶ Regional Office of the CBA in Poznań
- ▶ Regional Office of the CBA in Rzeszów
- ▶ Regional Office of the CBA in Szczecin
- ▶ Regional Office of the CBA in Warsaw
- ▶ Regional Office of the CBA in Wrocław



CONTACT

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00-583 Warszawa
e-mail: bip@cba.gov.pl
tel. (22) 437 22 22
fax: (22) 437 22 97

The Pass Office of the CBA and the Registry Office

are located at the entrance of al. J.Ch. Szucha (from Monday to Friday, 8.15–16.15)

Recruitment

tel. (22) 437 15 06

CBA Press Officer

Jacek Dobrzyński
tel. (22) 437 22 11 (office hours: 8.00–16.00)
e-mail: media@cba.gov.pl

REGIONAL OFFICES OF THE CENTRAL ANTI-CORRUPTION BUREAU

Białystok

ul. Antoniukowska 21, 15-740 Białystok,
tel. (85) 876 30 00; (22) 437 30 00

Gdańsk

ul. Kartuska 385 b, 80-125 Gdańsk,
tel. (58) 767 31 00; (22) 437 31 00

Katowice

ul. 1 Maja 123, 40-235 Katowice,
tel. (32) 788 32 00; (22) 437 32 00

Kraków

ul. Raclawicka 58, 30-017 Kraków,
tel. (12) 342 33 00; (22) 437 33 00

Lublin

ul. Gliniana 7, 20-616 Lublin,
tel. (81) 461 34 00; (22) 437 34 00

Łódź

ul. Żeromskiego 87, 90-502 Łódź,
tel. (42) 239 35 00; (22) 437 35 00

Poznań

ul. Wichrowa 20, 60-449 Poznań,
tel. (61) 668 36 00; (22) 437 36 00

Rzeszów

ul. Wspólna 1, 35-205 Rzeszów,
tel. (17) 784 37 00; (22) 437 37 00

Szczecin

ul. Żołnierska 4d, 71-210 Szczecin,
tel. (91) 831 38 00; (22) 437 38 00

Warszawa

ul. Poleczki 3, 02-822 Warszawa,
tel. (22) 437 24 00

Wrocław

ul. Rodakowskiego 6, 51-637 Wrocław,
tel. (71) 757 39 50; (22) 437 39 50



Contact free hotline and report corruption

800 808 808

Direct telephone conversation with a CBA officer is possible
from Monday to Friday, in office hours: 8.15–16.15.

Other hours and non-working days: leave a message on the recording device.

e-mail: kontakt@cba.gov.pl

Fill out the form available on the website www.cba.gov.pl.

Report corruption in person at one of the Regional Offices of the Bureau.