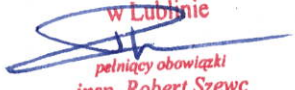


Komendant Wojewódzki Policji
w Lublinie

pełniący obowiązki
insp. Robert Szewc

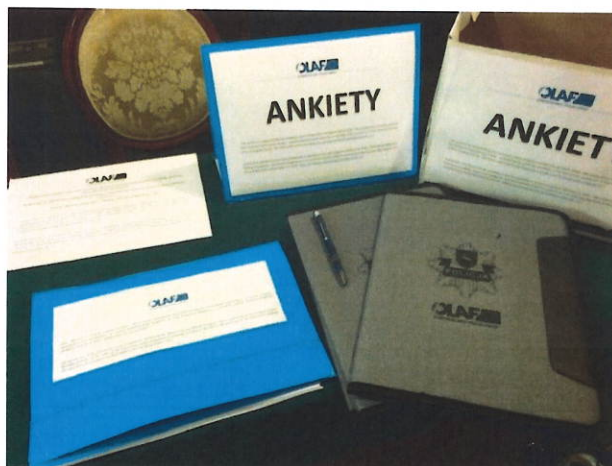
Lublin, 08 GRU 2017 2017

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REPORT ON THE IMPLEMENTATION OF THE PROJECT

"Strengthening the effectiveness of combating corruption offenses committed against the financial interests of the European Union"

implemented under the "Community Program for the Promotion of Activities for the Protection of the Financial Interests of the Communities" (HERCULES III program 2014-2020)



The main objective of the project is to protect the European Union's financial interests by preventing and combating fraud, corruption and any other illegal activity affecting the EU's financial interests by increasing the effectiveness of combating corruption offenses committed using the EU funds.

Specific objectives of the project:

- Strengthening citizens' confidence in the EU institutions through the implementation of anti-corruption measures.
- Improved cooperation between law enforcement agencies and other institutions responsible for combating irregularities related to the use of the EU funds.
- Improvement in the effectiveness of the prevention and prosecution of corruption and other irregularities related to the use of the EU funds.

Partners involved in the implementation of the project:

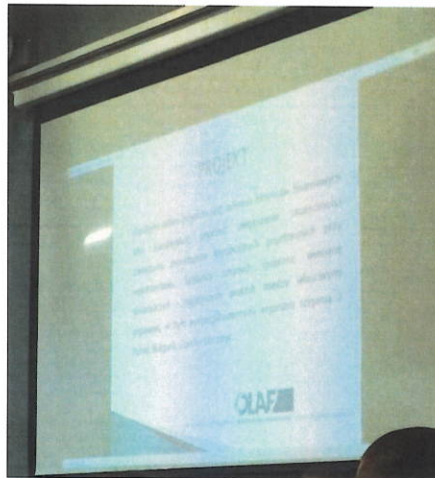
- the Czech Republic Central Police Headquarters for Organized Crime,
- the General Directorate of the National Police in Bulgaria,
- the Department of Economic Protection of the State Police of Ukraine,
- the Marshal's Office of the Lublin Region,
- the Agency for Restructuring and Modernization of Agriculture in Lublin,
- the Criminal Bureau of the Polish General Police Headquarters,
- the Central Anticorruption Bureau,
- the Police Academy in Szczytno,
- the Regional Police Headquarters in Rzeszów, Olsztyn, Białystok, Radom and Kielce.

Activities implemented within the project: a five day seminar for 50 people in Zamość from 18 to 22 September 2017 on strengthening the effectiveness of combating corruption offenses committed against the financial interests of the European Union.

The course of the seminar:

The person responsible for the course and content of the meeting was the Head of the Department for the fight against Corruption at the Regional Police Headquarters in Lublin. The organization of the meeting was the responsibility of the Project Management Team.

The meeting agenda was updated regularly. Participants signed attendance lists each day, filled in a contact list and evaluation questionnaires. There were 20 presentations related both to the theoretical, statistical, legal and practical aspects of corruption, as well as to the practical aspects of exposing and combating corruption to the detriment of the European Union. The "modus operandi" of the perpetrators of the crime, the "way" to obtain information, as well as the problems encountered and their solutions during the preparation for the implementation of individual cases were presented.



The ARMA representatives discussed the structure, objectives and tasks of the ARMA and the recurrent irregularities identified in the aid programs supported by the ARMA. Cases of identified internal and external fraud, procedures related to the payment of the EU funds and disclosure of irregularities were reported. Under the anti-corruption policy, management scrutiny was discussed, as carried out at all organizational levels of the Agency, along with the administrative control of the applications and issues of expert opinion as evidence.



Representatives of the Criminal Bureau of the Polish General Police Headquarters presented a presentation on the effectiveness of the Police in combating crimes against the European Union, the problems related to the disclosure of crimes detrimental to the EU interests. A list of crimes committed to the detriment of the EU financial interests, statistics on the preparatory proceedings initiated against crimes against the EU in Poland in the period 2014 - I-VI 2017, by groups of legal acts, main problems related to the disclosure of crimes detrimental to the EU interests.



A representative of the Central Anticorruption Bureau discussed the organizational structure, objectives and tasks of the CAB. The activities denouncing the economic interests of the state, the main sources of corruption, the most frequent origin of the funds and programs covered by the preparatory proceedings at the CAB Delegation in Lublin, the ways of committing crimes

against the financial interests of the Union and the problems connected with the disclosure of the crimes were presented. Cases of the CAB Delegation in Lublin were discussed with reference to the defrauds of the EU budget. The Government Anti-Corruption Program for 2018-2020 and other strategic actions undertaken by the state, the diagnosis of corruption, taking into account the multifaceted nature of corruption and the scale of corruption in Poland, the areas of social life most threatened with corruption, the recognized mechanisms of corruption and the diagnosis of the system of counteracting fight against corruption were presented.



A representative of the Police Academy in Szczytno discussed the legal aspects of combating corruption, the causes of corruption, the level of corruption control, in particular the procedural and operational aspects of the process of preventing and combating corruption, the source of information about corruption, the institution of the Crown witness. The issue of the clause of the criminal record, the operational control and the controlled acceptance or giving of a financial advantage were presented.



Representatives of the Marshal Office of the Lublin Region in Lublin presented a presentation on the control of projects co-financed by the ROP for the Lublin Region for 2014-2020 as part of the tasks implemented by the Department for the Implementation of the European Regional Development Fund. Institutions related to the control process, types of audits conducted were presented. The project audit system was described with the methodology of the selection of projects for auditing, attention has been paid to the control of project sustainability, examples of irregularities identified during audits. Factors indicating the possibility of fraud and corruption in the European Social Fund projects - procedures, experience, methods of detection – were presented. Attention was paid to the types of audits, areas and scope of the ESF project audits, methods of the verification of the suspicion of fraud and corruption, areas most sensitive to financial fraud or corruption under the ROP for the Lublin Region and the cases of financial fraud or corruption.



Representatives of the Regional Police Headquarters in Bialystok presented a presentation on the strengthening of the effectiveness of fighting corruption offenses committed to the detriment of the EU financial interests. The issue of the disclosure of offenses under Art. 305 of the Code of Criminal Procedure and conducting preparatory proceedings were discussed. The "set up" of the completed tender for the delivery of machines financed by the EU funds was presented.

Representatives of the Regional Police Headquarters in Kielce presented a presentation on corruption offenses related to activities to the detriment of the EU, paying attention to paid protection in obtaining the EU funds. The case of an owner of a consulting firm (writing EU projects) alluding to her influence in the Marshal's Office was referred to. The tactics of carrying out operational activities in cases of corruption offenses to the detriment of EU financial interests were also presented. The case concerning mediation in the procurement for computer hardware for the needs of a self-government institution with public funds in exchange for a financial advantage of 2% of the value of the tender was also discussed.



Representatives of the Regional Police Headquarters in Radom presented a presentation on the operational diagnosis of corrupt behaviors of the District Veterinary Inspectorate, consisting in certifying untruths in the control protocols of meat processing plants through obscuring the disclosed irregularities.

Representatives of the Regional Police Headquarters in Rzeszow presented a case of the abuse of public function during the execution by the municipality office in K. of the task: "Construction of a market ...", implemented within the framework of the Rural Development Program for 2007-2013.

Representatives of the Anti-corruption Unit of the Regional Police Headquarters in Lublin discussed the threat of corruption, corrupt activities, using the example of a specific case concerning irregularities in public tenders funded by the EU funds organized by one of the

Housing Cooperatives in the area of the Lublin Region. There was also a case of a husband who reported his wife having committed a crime of using her position for private purposes.



Representatives of the Department from the Regional Police Headquarters in Lublin discussed the practical aspects related to the identification of property belonging to persons suspected of committing corrupt crimes, the catalogue of corrupt crimes - the threat of penalties and remedies, the legal basis of Police activities related to the determination of assets within operational and exploratory activities, the scope of Police activities in determining the assets. The application form for determining assets abroad was also discussed.



The representatives of the General Directorate of the National Police in Bulgaria discussed the general characteristics of corruption offenses, legal bases and main areas threatened with

corruption. The Anticorruption Strategy for 2015-2020 was presented along with the institutions in which corruption occurred most frequently.



Representatives of the Department of Economic Protection of the State Police of Ukraine presented the organizational structure of this institution and its place in the structures of the State Police of Ukraine. Institutions dealing with the fight against corruption, disclosure and prosecution of corruption and the main areas threatened with corruption in Ukraine were discussed. As exemplified by a specific fraud case against a Ukrainian company dealing with European investments (falsification of documents and unauthorized interference with computer systems), the scheme of perpetrators' actions and the activities carried out by the police were discussed.



A representative of the Czech Republic Central Police Headquarters for Organized Crime was absent at the seminar for health reasons, however, prior to its launch, he provided a presentation for the participants of the project. The presentation presented the organizational structure of the National Agency for Organized Crime and its scope of action. Legal bases for its functioning, a definition of corruption, legal possibilities for detecting corruption, and the ways of preventing corruption were discussed. The seminar was concluded on September 21st, 2017 with a summary of its course, an assessment of the presented content and their usefulness for the particular departments and institutions participating in the workshops. OLAF Assessment Forms were filled out. Participants were given certificates of participation in the seminar. Through the implementation of the project, results have been achieved which are part of the objectives of the Hercules III Program, both in the short-, medium- and long-term perspective.

Conclusions

The seminar was held in accordance with its assumptions. In each case, the appointed representatives of the various departments and institutions carried out the contents of the program. The discussions based on the content presented and the observations and ambiguities related to them were analyzed and, as far as possible, explained on an ongoing basis. The knowledge of the procedures for awarding the EU funds and areas particularly vulnerable to

corruption in Poland and Bulgaria and Ukraine has been extended, as well as the knowledge of the actions that law enforcement bodies can take to ensure compliance, detect irregularities and fraud using the EU funds. Exchanging experiences using the examples presented will avoid future duplication of errors. It will allow the use of the so-called good practice on this subject.

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