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**INSTITUTIONS AUTHORIZED TO PREVENT AND COMBAT
PHENOMENON OF CORRUPTION IN POLAND****Introduction**

Corruption is a common and extremely dangerous phenomenon. It is a threat to the prevailing order¹ and unrestrained and proper functioning of the state². It is one of the elements contributing to the social pathology in the existential, political, institutional and legal aspects. Corruption deepens the gap between social strata. It makes it impossible to meet the needs in a legal manner, consistent with applicable law³. It contributes to the collapse of public values in a society⁴. It limits human rights that are enjoyed by every individual and the observance of which should be state-guaranteed. Moreover, it takes away citizens' sense of security and it violates the principle of market freedom. Citizens begin to doubt effectiveness of the legal system in their country. Corruption deprives them of the faith that they are protected by clear and transparent legal rules that are followed by all⁵. Corruption strikes the most important principles of the functioning of the state, inhibiting its economic growth, as well as reducing citizens' sense of security and standard of living⁶. Corruption undermines the foundations of democracy and threatens its core values, is contrary to the principle of social equality⁷. It causes destruction of social life which

¹ A.M. Szelest-Woźny, *Korupcja – analiza dysfunkcji państwa na przykładzie Polski (1989–2007)*, Toruń 2012, p. 26, 28.

² P. Chodak, *Czy korupcja zagraża jednostce? Wpływ i ocena przestępczości korupcyjnej na prawidłowe funkcjonowanie i rozwój Polski i jej obywateli [in:] Korupcja a bezpieczeństwo narodowe Rzeczypospolitej Polskiej*, ed. P. Chodak, Józefów 2013, p. 92.

³ A.M. Szelest-Woźny, *Korupcja – analiza...*, p. 26.

⁴ R. Dębowski, M. Flis, A. Kamiński, A. Zielińska, *Czy można budować bez korupcji?*, „Przegląd Antykorupcyjny” 2011, nr 1, p. 10.

⁵ A.M. Szelest-Woźny, *Korupcja – analiza...*, p. 38.

⁶ CBA *Mapa korupcji. Zwalczanie przestępczości korupcyjnej w Polsce w 2016 r.*, Warszawa 2017, p. 6.

⁷ CBA, *Mapa korupcji. Zwalczanie przestępczości korupcyjnej w Polsce w 2015 r.*, Warszawa 2016, p. 7.

reduces citizens' trust in the state and its institutions. The most dangerous threat to the democratic system and actual security of citizens, but also to the economy, can be seen in the non-economic costs of corruption. These include exceeding of powers, failure to comply with duties, bribery, clerical venality, influence peddling, paid favouritism, electoral fraud and economic crime⁸. Corruption poses a serious challenge for state institutions and is one of the greatest social issues⁹.

The fight against corruption is undoubtedly a demanding task. Therefore, co-operation between all public administrative bodies and a high level of involvement in anti-corruption activities are essential. There are institutions in Poland that play a crucial role in preventing corruption. These include the Central Anticorruption Bureau (CBA), the Internal Security Agency (ABW), the Police and the Public Prosecutor's Office. Anti-corruption efforts are also undertaken by other entities like, for instance, The Supreme Audit Office, Customs Service or the Public Procurement Office. There are also entities that propose legislative initiatives, implement government programs and conduct preventive and educational activities regarding corruption. These are, for example, the Chancellery of the Prime Minister, the Ministry of Interior and Administration and the Commissioner for Human Rights¹⁰.

1. The CBA was established under the Act of 9 June 2006¹¹ which came into force on 1 July of the same year¹². It is a special service, established to combat corruption both in the public and economic sphere, primarily in public and local government institutions, as well as to fight against a devastating impact on the national economic interests (Article 1, paragraph 1 on the Act on the Central Anticorruption Bureau). This service is headed by the head of the Central Anticorruption Bureau that in turn is a central government administration body supervised by the Prime Minister and whose activities are controlled by the Sejm. The head of the CBA is appointed for a four-year term and dismissed by the Prime Minister. However, it is possible only after consulting the President of the Republic of Poland, the Special Services Committee and the Council for Special Services (Article 6 paragraph 2 on the Act on the Central Anticorruption Bureau)¹³.

Tasks performed by the CBA are divided into operational and reconnaissance, investigative, control, analytical and informative¹⁴.

By carrying out operational and reconnaissance activities, the Bureau aims to prevent, recognize and detect crimes. These tasks are also undertaken in order to

⁸ CBA, *Mapa korupcji. Stan przestępczości korupcyjnej w Polsce w 2013 r.*, Warszawa 2014, p. 5.

⁹ CBA, *Mapa korupcji. Zwalczanie przestępczości korupcyjnej w Polsce w 2015 r.*, p. 7.

¹⁰ CBA, *Poradnik antykorupcyjny dla urzędników*, Warszawa 2011, pp. 62–63.

¹¹ The Act of 9 June 2006 on the Central Anticorruption Bureau (Dz.U. 2021, Item 1671).

¹² For more, see: J. Potulski, *Korupcja w ujęciu normatywnym. Odpowiedzialność karna i jej wyłączenie*, Sopot 2018, pp. 69–72.

¹³ CBA, *Informator*, Warszawa 2019, p. 5, https://cba.gov.pl/ftp/dokumenty_pdf/Informator%20o%20CBA_2019%20PL.pdf (18.01.2021).

¹⁴ *Ibidem*, p. 6.

obtain and process information important in terms of combating corruption in state institutions and local self-government entities, as well as activity directed against the economic interests of the state. In a situation where there is a justified suspicion that a crime has been committed, the CBA officers conduct investigative activities¹⁵ stated in the Criminal Procedure Code¹⁶ (including actions performed in accordance with instructions of the court and the prosecutor)¹⁷.

The CBA is the only special service allowed to control decisions in the areas of economy and asset declarations. The officers of the anti-corruption service conduct control activities in order to reveal corruption cases occurring in the national public institutions. It all leads to the disclosure of detrimental activities against the economic interests of the country and malpractice of public figures and officials. The basis for inspection is the annual plan approved by the Head of the CBA. If required, controls are executed on an ad hoc basis¹⁸.

The analytical and information operations carried out by the CBA officers lead to the threat detection in terms of the economic interests of the state and informing the state authorities, as early as possible, about the threat. The purpose of these operations is also to develop preventive action plans. Analytical and informative projects support operational and reconnaissance tasks together with the investigative and control activities¹⁹.

An important part of the functioning of the CBA is also performing preventive actions. The CBA conducts educational and preventive activities. At the same time, it cooperates with other institutions and non-governmental organizations whose area of activity is focused on the phenomenon of corruption as well²⁰. Taking up educational activities is one of the methods of reducing corruption. The educational activity of the CBA is based primarily on conducting trainings and publishing information materials²¹.

When discussing the Central Anticorruption Bureau, it is worth to mention the research carried out in March 2019 by the Public Opinion Research Center (CBOS). It shows that 47 per cent of respondents positively assess the activity of the CBA. So far, this is the best result in CBOS measurements. The fact that more and more citizens assess the CBA in a positive way is reflected by the number of signals reported to the Bureau about potential corruption offences²².

2. Corruption prevention is a tedious task and undoubtedly requires a lot of shared effort. The commitment and cooperation between all public administration

¹⁵ *Ibidem*, pp. 8–9.

¹⁶ The Act of 6 June 1997 – Criminal Code (Dz.U. 2021, Item 534).

¹⁷ CBA, *Informator*, pp. 8–9.

¹⁸ *Ibidem*, p. 10.

¹⁹ *Ibidem*, p. 12.

²⁰ *Zadania*, <https://cba.gov.pl/pl/o-cba/zadania/350,zadania.html> (18.01.2021).

²¹ CBA, *Wskazówki antykorupcyjne dla urzędników*, Warszawa 2014, p. 5. See also N. Iyer, M. Samociuk, *Defraudacja i korupcja. Zapobieganie i wykrywanie*, Warszawa 2007, p. 77.

²² CBA, *Informator*, p. 12.

bodies is particularly noticeable. It cannot be the case that all duties and all responsibility for the fight against corruption lies with only one, even such a highly specialized unit, like the CBA²³.

The Internal Security Agency (ABW) is one of the institutions entitled to undertake and conduct activities in regards to counteracting and combating corruption²⁴. The ABW tasks and powers are regulated by the Internal Security Agency and Foreign Intelligence Agency Act of 24 May 2002²⁵. According to Article 5 paragraph 1, point 2, letter c of the indicated legal act, the tasks of the Internal Security Agency include identification, prevention and detection of corruption offences committed by people holding public office, discussed in Article 1 and 2 of the Act of 21 August 1997 on the restriction of economic activity of individuals who perform public functions²⁶, if there is a risk that it will pose a national security threat. At this point, reference should also be made to other provisions of the Act, namely Article 27 and 29. Article 27 paragraph 1, point 1 of the Internal Security Agency Act states that the ABW, while performing operational and reconnaissance activities to identify, prevent and detect crimes, may conduct (in case of ineffectiveness or uselessness of other measures) operational control based on a court order²⁷.

Referring once again to Article 5 paragraph 1, point 2, letter c of the ABW and AW Act, it should be emphasized that this law enables the Agency to carry out tasks leading to identifying and prosecuting the perpetrators of corruption. At the same time, the Act introduces considerable restrictions in the context of the activities conducted by the Internal Security Agency, especially when it comes to a range of people against whom those tasks are performed by the Agency. It refers to people whose duties are of a public nature, but only those who are listed in the catalogue in Article 1 and 2 of the Act on the restriction of economic activity by persons with public functions. The above-mentioned includes also another required premise, i.e. "if it may be dangerous to the security of the state"²⁸.

The duties of the Internal Security Agency related to combating corruption include:

- detecting irregularities in public procurement,
- conducting inquiries and investigations based on materials obtained in the course of operational and exploratory work or provided by the prosecutor's offices in cases related to privatized entities,

²³ K. Bondaryk, *Wystąpienie szefa Agencji Bezpieczeństwa Wewnętrznego* [in:] *I Międzynarodowa Konferencja Antykorupcyjna (Warszawa 9 grudnia 2010). Materiały Pokonferencyjne*, CBA, Warszawa 2011, pp. 21–22.

²⁴ A. Gradowski, *Rola Agencji Bezpieczeństwa Wewnętrznego* [in:] *I Międzynarodowa Konferencja Antykorupcyjna (Warszawa 9 grudnia 2010). Materiały Pokonferencyjne*, CBA, Warszawa 2011, p. 80.

²⁵ The Internal Security Agency and Foreign Intelligence Agency Act of 24 May 2002 (Dz.U. 2020, Item 27).

²⁶ The Act of 21 August 1997 on the restriction of economic activity by persons holding public functions (Dz.U. 2019, Item 2399).

²⁷ A. Gradowski, *Rola Agencji...*, p. 81.

²⁸ *Ibidem*, pp. 80–81.

- monitoring public procurement and privatization procedures defined by the Prime Minister,
- transferring information on threats regarding public procurement and the privatization process to the recipients indicated in Article 18 of the Act of 24 May 2002 on the Internal Security Agency and the AW (i.e., to the President of the Republic of Poland and the Prime Minister),
- conducting anti-corruption prevention actions²⁹.

Actions realized by the Internal Security Agency in the area of combating corruption are divided into operational and reconnaissance activities and investigative activities.

The Agency deals also with preventive activities, conducting specialized trainings, presenting information concerning threats to privatization and, in general, sharing knowledge and experience acquired³⁰. The ABW also controls government officials by investigating tax settlements and property declarations. It is a part of the security screening process when applying for a security certification which grants access to state secrets³¹.

The Head of the Internal Security Agency. The head of the ABW is appointed and dismissed by the Prime Minister after prior consultation with the President of the Republic of Poland, the Council and the Special Services Committee (Article 14(1) of the Act on the Internal Security Agency and the AW).

The Internal Security Agency is extremely valuable for the state system in the context of preventing corruption. This is reflected in the high level of the ABW officers' commitment in performing anti-corruption activities³².

3. The Police also play a significant role. The primary duty of the Police is to combat crimes, including corruption-related ones³³. Extremely important in this aspect is the provision of Article 19 of the Act of the Police³⁴ which has transformed due to legislative amendments. They led to broadening the catalogue of crimes for which operational control can be applied. In addition, Article 19a about controlled giving or accepting financial profits was added. It should be noted that incorporating new methods of fighting corruption into the Polish legal system is a very important tool for both the Police and other services. The most known, and equally, the most effective methods in this area are operational control and controlled giving or accepting financial profits³⁵.

²⁹ *Zwalczanie korupcji*, <https://www.abw.gov.pl/pl/zadania/zwalczanie-korupcji/50,Zwalczanie-korupcji.html> (18.01.2021).

³⁰ A. Gradowski, *Rola Agencji...*, p. 82.

³¹ K. Bondaryk, *Wystąpienie szefa...*, p. 22.

³² A. Gradowski, *Rola Agencji...*, p. 83.

³³ Wydział ds. Zwalczania Korupcji Biura Kryminalnego Komendy Głównej Policji, *Policja w walce z korupcją. Opis sposobu działania sprawców w wybranych sprawach*, 9 December 2010, p. 3, https://antykorupcja.gov.pl/ftp/zdjecia/Policja_w_walce_z_korupcja.pdf (18.01.2021).

³⁴ The Act of the Police of 6 April 1990 (Dz.U. 2021, Item 1882).

³⁵ W. Jarczewski, *Wystąpienie Zastępcy Komendanta Głównego Policji [in:] Dobre praktyki w zakresie wspierania transparentności w sektorze publicznym i prywatnym. II Międzynarodowa*

In the context of the fight against corruption, it is worth mentioning the Police Commander in Chief, Superintendent Marek Papała's order of 30 September 1997, imperative establish anti-corruption task teams in the in The Provincial Police Headquarters, that would deal with economic crime. The first Anti-Corruption Unit in Poland was formed on 15 April 2000, at the Provincial Police Headquarters in Katowice. At the beginning of 2002, the General Headquarters of Police together with the Ministry of the Interior and Administration started taking regular actions leading to legislative changes. Their implementation was to enable more effective fight against corruption offences³⁶. In the same year, at the request of the Minister of the Interior and Administration, the Council of Ministers of the Republic of Poland adopted the "Anti-Corruption Strategy". This government document contained a set of directional solutions and measures to be taken by the government administration in the fight against corruption. One of the tasks was to form Anti-Corruption Departments in all Provincial Police Headquarters³⁷.

The National Crime Information Center (KCIK) operates within the structures of the General Police Headquarters. The KCIK database contain information on cases being the subject of operational and investigation activities as well as initiated or completed preparatory proceedings. These materials relate to ongoing criminal proceedings. In addition, the criminal record system contains data about persons that such proceedings are directed against. The information collected by KCIK also relates to items used to commit crimes or items lost as a result of a crime. The activities carried out in the field of identifying and combating corruption should be constantly analyzed³⁸.

4. Addressing the subject of institutions authorized to fight corruption, the Public Prosecutor's Office should also be indicated. In order to discuss the contribution of the Public Prosecutor's Office and its importance in preventing and combating corruption, it is necessary to rely on legal regulations that equip the Prosecutor's Office with appropriate powers in this matter. One of the departments of the National Public Prosecutor's Office is the Department for Organized Crime and Corruption that is based on Article 19 paragraph 2 of the Act of 28 January 2016, Act on the Public Prosecutor's Office³⁹. The task catalogue this authority is responsible for has been defined in the Regulations of the internal operation of the common

Konferencja Antykorupcyjna, Warszawa, 9 grudnia 2011 r. Materiały pokonferencyjne, CBA, Warszawa 2012, pp. 33–34.

³⁶ The amendment to the Act of the Police concerned, inter alia, introducing a simplified process of consenting to the use of operational techniques by the Police and the controlled acceptance or granting of financial profits, which has already been discussed in this section. A novelty in the act was a provision indicating that a controlled buy may also be based on the submission of a proposal to accept or give a financial profit: Wydział ds. Zwalczenia Korupcji Biura Kryminalnego Komendy Głównej Policji, *Policja w walce...*, p. 3.

³⁷ *Ibidem*, pp. 3–4.

³⁸ CBA, *Zwalczanie przestępczości korupcyjnej w Polsce w 2017 r. Raport*, Warszawa 2017, p. 7, 5.

³⁹ The Act of 28 January 2016 on the Public Prosecutor's Office (Dz.U. 2021, Item 66).

organizational units of the General Prosecutor's Office⁴⁰. It should be noted that this catalogue is not closed. Pursuant to the Regulations, the tasks of the Department for Organized Crime and Corruption include, inter alia, conducting and supervising preparatory proceedings in most serious crimes of bribery committed among the legislative authorities, government or local government administrative bodies, inspection bodies and law enforcement agencies (Paragraph 20, point 1, letter c of the Regulations) and "other crimes which, due to the nature and importance of the case, were transferred to the Department by the General Prosecutor or Public Prosecutor" (Paragraph 20, point 1, letter e). The unit is also required to coordinate preparatory proceedings conducted by Branch Divisions (Paragraph 20, point 3), as well as to collect and analyse gathered materials and information on corruption and organized crime. Based on that, the Department was also obliged to develop assessments including the dynamics and directions in which the crime in question is moving (Paragraph 20, point 4). The unit is also in charge of coordinating the activities of the Prosecutor's Office and other state bodies in terms of prosecuting and combating, among other, corruption (Paragraph 20, point 5 of the Regulations). An important mission of the Department is cooperation at the international level to develop a strategy for combating international organized crime and prosecuting perpetrators, as well as cooperation with the Polish representative in EUROJUST on the activities of the Prosecutor's Office. Collaboration in this matter is also established with representatives of other international and supranational organizations on the basis of international treaties ratified by the Republic of Poland in the field of combating crimes such as corruption (Paragraph 20, point 6). The tasks of the unit include exercising official supervision in cases indicated by the Public Prosecutor General Deputy for Organized Crime and Corruption, as well as performing activities under supervision exercised in preparatory proceedings by the General Prosecutor (Paragraph 20, point 7)⁴¹. Other tasks imposed on the Department by the Regulations of the internal operation of common organizational units of the Prosecutor's Office include making a practice of prosecution on the basis of conducted research and analysis (Paragraph 20, point 9), giving opinion on applications that are addressed to the Public Prosecutor General for allowing to admit a crown witness's testimony as evidence in the court (Paragraph 20, point 10) or preparing information on parliamentary interpellation, parliamentary inquiry and on senators' statements and providing explanations and answers requested by the Commissioner for Human Rights (Paragraph 20, point 11) – all within the Department's jurisdiction, of course. Pursuant to Article 20 paragraph 1 of the Public Prosecutor's Office Act,

⁴⁰ Regulation of the Minister of Justice of 7 April 2016 – Regulations of the internal operation of the common organizational units of the General Prosecutor's Office (Dz.U. 2017, Item 1206).

⁴¹ At this point, it is worth quoting Art. 14 paragraph 2 of the the Act on the Public Prosecutor's Office which states that "one of the Public Prosecutor General Deputies is the Public Prosecutor General Deputy for Organized Crime and Corruption". This provision also indicates that the Prosecutor's Office plays an important role in preventing and combating corruption.

the aforementioned Branch Divisions of the Department for Organized Crime and Corruption are established at Regional Prosecutor's Offices.

The Public Prosecutor's Office also plays an important part when it comes to the cooperation with Internal Affairs Bureau of the Police⁴².

5. Apart from the CBA, the ABW, the Police and the Public Prosecutor's Office, there are other entities that play a significant role in counteracting corruption. These are divisions or units which through their activity strive to reduce the level of corruption dangerous for various life areas. One of the most important premises in the entire system of combating such crime should be the reinforcement of public institutions that are on guard of obeying the law and established standards of public life⁴³.

A necessary factor for the proper functioning of the state is appropriate public financial management. It is the Supreme Audit Office (NIK) that plays a fundamental role in this respect. NIK by verifying the state's revenues and expenditures and analyzing its budget each year, it examines the credibility of information and financial transparency. Moreover, the Office controls the level of task implementation in the public space, carrying out a review in this area in terms of legality, efficiency and effectiveness of the activities. In the context of such financial scrutiny, external audit is always beneficial. It is a source of information for the society regarding violating the principles of legality, effectiveness, efficiency, retrenchment and accountability. Additionally, it provides knowledge of the violations of commonly accepted ethical principles⁴⁴. From the viewpoint of anti-corruption activities, the Supreme Audit Office plays a special role in the area of preventive activity. The Office was not equipped with investigative powers, so it does not detect corruption. The responsibility of this institution is to reveal such irregularities in the functioning of other public institutions controlled by the NIK⁴⁵. Being a part of the system that prevents and fights corruption, the NIK functioning and organization are determined both in the Constitution of the Republic of Poland⁴⁶ and the Supreme Audit Office Act of 23 December 1994⁴⁷. The actions of the Supreme Audit Office concentrate on conducting audits and analysis and that enabled the recognition of the main areas where corruption poses

⁴² For more, see: M. Węgliński, M. Pasterny, *Przeciwdziałanie korupcji z perspektywy piętnastoletnich doświadczeń Biura Spraw Wewnętrznych Komendy Głównej Policji* [in:] *Korupcja a bezpieczeństwo narodowe Rzeczypospolitej Polskiej*, ed. P. Chodak, Józefów 2013, p. 81.

⁴³ J. Płoskonka, *Korupcja – zagrożenia i metody jej zwalczania. Empiryczne badania nad poziomem korupcji*, „Służba Cywilna” 2003, nr 6, p. 130.

⁴⁴ *Ibidem*.

⁴⁵ J. Kościelniak, A. Hussein, *Doświadczenia Najwyższej Izby Kontroli w przeciwdziałaniu korupcji* [in:] *I Międzynarodowa Konferencja Antykorupcyjna (Warszawa 9 grudnia 2010). Materiały Pokonferencyjne*, CBA, Warszawa 2011, pp. 48–49.

⁴⁶ See Art. 202–204 of the Constitution of the Republic of Poland 2 April 1997 (Dz.U. 1997, no. 78, Item 483).

⁴⁷ The Supreme Audit Office Act of 23 December 1994 (Dz.U. 2019, Item 489).

a risk and the primary mechanisms fostering corruption. In addition, it allowed of the development of conclusions indicating the necessity to take steps to reduce the level of risk of this type of crime⁴⁸.

The Customs Service is also responsible for preventing and combating corruption. However, the competence scope for the Service regarding the fight against corruption differs from the one that law enforcement agencies have. The Customs Service can only apply administrative measures⁴⁹.

Corrupt practices occur in the area of public procurement as well. The decision-making process and its implementation in this area are controlled by various public institutions which also play an extremely important role. Both the CBA and each authorized institution are responsible for a different aspect in terms of control over public procurement. The Public Procurement Office (UZP) verifies compliance with the procedures, the Regional Accounting Chambers (RIO) examine public procurement for the breach of the provisions of the Public Finance Act. The Office of Competition and Consumer Protection (UOKiK) is responsible for detecting bid rigging, whereas the Supreme Audit Office (NIK) carries out comprehensive inspections in state institutions⁵⁰.

The Ministry of the Interior and Administration, the Chancellery of the Prime Minister and the Commissioner for Human Rights are also entities that propose legislative initiatives, implement government programs and conduct educational and preventive actions in the field of counteracting corruption⁵¹.

Conclusion

Corruption is a long known problem⁵² that exists across all continents and in every culture. It may appear of course with different intensity in individual countries⁵³. As a consequence, the society begin to doubt the entire institutional system of the country and individual organs. It leads to a situation in which the state ceases

⁴⁸ J. Kościelniak, A. Hussein, *Doświadczenia Najwyższej Izby...*, p. 49.

⁴⁹ J. Kapica, *Przeciwdziałanie korupcji w służbie celnej*, „Przegląd Antykorupcyjny” 2011, nr 1, p. 49.

⁵⁰ *Świadomi nadużyć finansowych i korupcji. Podręcznik dla urzędników zajmujących się zamówieniami publicznymi*. The work originally published in 2014 by the World Bank, entitled *Fraud and Corruption Awareness Handbook: A Handbook for Civil Servants Involved in Public Procurement*. The translation into Polish was prepared by the Central Anticorruption Bureau, 2015, pp. 9–10.

⁵¹ CBA, *Poradnik antykorupcyjny...*, p. 63.

⁵² B.E. Szachowicz, *Korupcja a filozoficzna koncepcja odpowiedzialności [in:] Korupcja a bezpieczeństwo narodowe Rzeczypospolitej Polskiej*, ed. P. Chodak, Józefów 2013, p. 120. For more, see: J. Bil, *Korupcja w (prywatnym) sektorze gospodarczym. Bezpieczeństwo ekonomiczne państwa*, Szczytno 2015, pp. 59–62, 69–74. See also A.Z. Kamiński, B. Kamiński, *Korupcja rządów. Państwa pokomunistyczne wobec globalizacji*, Warszawa 2004, pp. 23–24.

⁵³ A.Z. Kamiński, B. Kamiński, *Korupcja rządów...*, p. 15.

to deal effectively with problems, including corruption. State efficiency drops significantly. Citizens are less and less engaged in the country affairs and often adopt a passive attitude⁵⁴.

One of the main tasks of the state is to guarantee the security for the citizens and entities operating on its territory. Ensuring security and growth is necessary for an individual, a social group, the state and international organization⁵⁵. The state must protect its citizens and institutions from corruption.

The phenomenon of corruption can be combated in two basic ways – through repressive and preventive actions. The first method can only be used by the state authorities that are entitled to perform investigative operations. The second type of activities, on the other hand, is carried out by state agencies and services and non-governmental organizations⁵⁶.

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⁵⁴ A.M. Szelest-Woźny, *Korupcja – analiza...*, p. 15.

⁵⁵ K. Ligęza, *Kryteria bezpieczeństwa państwa – aspekty teoretyczne [in:] Nauki społeczne i ekonomiczne – węzłowe zagadnienia*, eds. J. Żylińska, I. Przychocka, Warszawa 2018, p. 30.

⁵⁶ J. Bil, *Korupcja...*, p. 211. As cited in: *idem, Analiza porównawcza systemów zapobiegania korupcji na przykładzie wybranych państw federalnych*, „Journal of Modern Science” 2013, vol. 1(16), p. 375.

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Summary

Corruption is a threat to people, society, the state and the economy. It is a phenomenon that particularly harms the basic principles of the functioning of the country. This article focuses on entities authorized to prevent corruption. Individual bodies, services and institutions obliged to fight corruption and equipped with a number of competences that facilitate the performance of their tasks are discussed. The Central Anticorruption Bureau, the Internal Security Agency, the Police, the Public Prosecutor's Office and other entities forming the system of prevention and combating corruption crime in Poland are presented. To discuss the subject it is necessary to refer to legal acts and the literature.

The aim of this description, however, is not a comprehensive presentation of the subject matter indicated in the title, as it seems impossible to provide an exhaustive study of each entity authorized to prevent corruption in only one article. Due to the limited scope of the article only a synthetic presentation of the subject matter has been presented.

Keywords: corruption, corruption prevention, anti-corruption activities, institutions in the fight against corruption

PODMIOTY UPRAWNIONE DO ZAPOBIEGANIA I ZWALCZANIA ZJAWISKA KORUPCJI W POLSCE

Streszczenie

Korupcja stanowi niebezpieczeństwo dla człowieka, społeczeństwa, państwa, gospodarki. Jest zjawiskiem, które w sposób szczególny godzi w podstawowe zasady funkcjonowania kraju. Przedmiotem rozważań podjętych w niniejszym artykule są podmioty uprawnione do zapobiegania korupcji. Omówiono poszczególne organy, służby i instytucje zobowiązane do walki z procederem korupcji i wyposażone w szereg kompetencji ułatwiających realizowanie nałożonych na nie zadań. Przedstawione zostały Centralne Biuro Antykorupcyjne, Agencja Bezpieczeństwa Wewnętrznego, Policja, Prokuratura i inne podmioty stanowiące część systemu zapobiegania i zwalczania przestępczości korupcyjnej w Polsce. Dla omówienia poruszanego tematu obligatoryjne jest odniesienie się do aktów prawnych oraz korzystanie z literatury.

Celem niniejszego opracowania nie jest jednak kompleksowe przedstawienie wskazanej w tytule tematyki, gdyż niemożliwe wydaje się dokonanie rzetelnego opisu każdego z podmiotów uprawnionych do zapobiegania korupcji tylko w jednym artykule. Artykuł ze względu na ograniczone ramy zawiera jedynie syntetyczne przedstawienie tytułowej problematyki.

Słowa kluczowe: korupcja, zapobieganie korupcji, działania antykorupcyjne, podmioty w walce z korupcją