

THE PRESIDENT OF VERIFICATION COMMISSION

Antoni MACIEREWICZ

REPORT

on the actions of soldiers and employees of the Military Intelligence Services (WSI) and military organizational entities performing military intelligence and counter-intelligence activity before coming into the force of the Act July 9, 2006 on Military Intelligence Services to the extent determined in Art. 67 subpar. 1 p. 1 through 10 of the Act of June 9, 2006 “Regulations Implementing the Military Counter-intelligence Service and the Military Intelligence Service Act and the Duties of the Military Counter-intelligence Service and Military Intelligence Service Officers Act” and other actions going beyond the issues of the State defense and safety of the Polish Army.

Table of contents:

<u>Introduction</u>	3
<u>1. Power of the Services – the Map of Research Problems</u>	12
<u>2. WSI Finances</u>	25
<u>3. Russian Penetration: the Threats for Internal and External Safety of the State</u>	28
<u>4. WSI Use of Security Service Apparatus – Case Study</u>	65
<u>5. Surveillance of Political Environment by the WSI</u>	71
<u>6. Impact of the WSI on the Forming of the Public Opinion</u>	92
<u>7. Illegal Arms Trade</u>	106
<u>8. Irregularities Related to the Protection of the Tender for Wheeled APC</u>	119
<u>9. Interference of the WSI on the Fuel and Energy Market</u>	128
<u>10. Activities of the WSI Officers in the Military Technical Academy</u>	136
<u>11. Other Irregularities in the WSI Operations</u>	144
<u>12. Operation ZEN</u>	153
<u>Conclusion</u>	162

Introduction

Legal basis

The Act of amending the Act – the **Regulations Implementing the Military Counter-intelligence Service and the Military Information Service Act and the Duties of the Military Counter-intelligence Service and Military Intelligence Service Officers Act** (the Journal of Laws of 2007, No. 7, item 49), passed on December 14, 2006, imposed on the President of the Republic of Poland a duty of announcing to the public the Report on the actions of soldiers and employees of the Military Intelligence Service (the WSI) and military organizational entities performing military intelligence and counter-intelligence duties, going beyond the area of such activities and services, as determined by the law, issued by the President of Verification Commission.

The scope of information included in the Report

According to Art. 70a of the Act of December 14, 2006, the Report comprises information about the activity of soldiers and employees of special services (and the persons co-operating with them) concerning:

- disclosure or use of the information making the State secret or;
- omission to notify the prosecution agencies of criminal acts;
- obstruction and disconcerting penal proceedings;
- use of violence and illegal threats;
- exerting illegal affect on decisions made by the public authorities;
- keeping secret cooperation with entrepreneurs and persons acting in public media;
- falsifying information in order to exercise or extend penal proceedings against specific persons;
- taking financial or personal benefits from the above mentioned actions;

- and any other actions going beyond the matters of State defense and safety of the Polish Army.

As set forth in the Act, the Report also includes information about the persons co-operating with soldiers and employees of special military services, who performed the above mentioned actions, and the persons, who induced them to perform such actions or facilitated their commitment.

It was also the Parliament's will to disclose the information about the persons occupying leading state positions, who knowing about the activities of the military special services going beyond the prevailing regulations of the law, did not undertake any actions aiming at discontinuation of such actions in the Report.

Legal basis of the actions of Military Intelligence Services (the WSI) and their predecessors after 1989.

Military Intelligence Services (the WSI) and their legal predecessors – military organizational entities executing the military intelligence and counter-intelligence tasks constituted an integral part of the Polish Army. The tasks of the Armed Forces were determined in the constitutional regulation prevailing from December 31, 1989 and in the Act of November 21, 1967 on General Duty of Defense of Polish People's Republic, according to which the Armed Forces safeguarded the sovereignty and independence of the Polish nation, its safety and peace. As part of the Polish Army, the military special services could act exclusively within the scope of State defense and safety. Amendment to the Constitution of December 29, 1989 imposed on the governmental agencies the order to act exclusively on the grounds of the regulations of the law, and made the observance of the law of the Republic of Poland their fundamental duty.

Statutory legal bases for intelligence and counter-intelligence activity were introduced by the Act of October 25, 1991 on amendment of the Act on General Duty of Defense of the Polish People's Republic and certain other acts. This Act has strictly determined the obligations of Military Intelligence Services (the WSI), indicating that they include only the tasks relating to identification and counteracting the threats being detrimental to State defense and breach of the State secret relating to defense. This Act used for the first time the name of Military Information Services (the WSI) in relation to military special services. Up to 2003 there was no

comprehensive regulations relating to the WSI. The Act of July 9, 2003 on Military Intelligence Service (the WSI) set forth the details of the tasks assigned to these services, restricting them explicitly to counteracting the threats being detrimental to the Armed Forces safety and to interdependence of the State, to its territory and boundaries. The Act on Military Intelligence Services (the WSI) of July 9, 2003 determined allowable forms of operating activity, binding them in each case with realization of statutory tasks of these services.

It is beyond any doubt, that according to the law prevailing after 1989, the intelligence and counter-intelligence services, and then, from December 1992 the Military Information Services, could interfere – in the forms permissible by law – in social and economic life only in such situations, in which it was directly linked with State defense or safety. In the remaining scope such interference was possible in the event in which the law permitted it – only through the actions of special civil services of the State Security Office ('Urząd Ochrony Państwa' – UOP), and then Agencja Bezpieczeństwa Wewnętrznego ('Internal Security Agency').

Every action of military special services going beyond the above mentioned areas, independent from the period in which it took place, made a breach of prevailing regulations of the law and violation of an oath binding the soldiers of Military Information Services (the WSI), which imposed on them a duty to protect the Constitution.

The object of examination and the legal ground of Commission work

The object of the examinations making the basis for this Report, issued by the Verification Commission, were the actions and acts of soldiers and other persons to the extent indicated in Art. 70 a subpar. 1 through 3 of the Act "Regulations Implementing the Military Counter-intelligence Service and the Military Intelligence Service Act and the Duties of the Military Counter-intelligence Service and Military Intelligence Service Officers Act". They have been established by the Verification Commission appointed by the President of Republic of Poland and the Prime Minister according to Art. 63 subpar. 1 of the Act and the Prime Minister's Decree of July 26, 2006 on the course of action of the Verification Commission appointed in connection with liquidation of the Military Information Services (the WSI) (the Journal of Laws No. 135, item 953). The Commission, working based on the Act and Decree of the Prime Minister was collecting and analyzing materials originating from the hearings of the soldiers of the WSI and third persons, and from the archive files and files of pending matters, being at the disposal of the WSI (Military Information Services, SKW (Military Counter-intelligence

Service), SWW (Military Intelligence Service), IPN (The Institute of National Remembrance), CAW (Central Military Archives).

Legal regulations relating to hearings

The Verification Commission started its works on August 2, 2006. By September 30, 2006 the needs of the Commissions were fulfilled by the proxy responsible for Military Counter-intelligence Service organization, at present they are fulfilled by the Chief of this organization. As regards access to the WSI source materials, until September 30 the Commission took advantage of the access authorized thanks to the WSI management vested in Deputy Minister of Defense. From September 30th, the access to archive materials is realized through the Minister of National Defense within the scope of the access to the qualified collection of the Institute of National Remembrance (IPN) and Central Military Archive (CAW), the Chief of Military Intelligence to Services (as regards the access to the files of the 2nd Directorate of the General Staff of Polish People's Army and the 2nd Directorate WSI) and Chief of Military Counter-intelligence Services (as regards access to the files of Internal Military Services (WSW) and the 3rd Directorate of Military Information Services (the WSI). Full description of the issues associated with Commission activity shall be provided in the final report from the works of the Commission, in compliance with Art. 70 subpar. 1 and 2 of the Act.

Legal considerations and the value of the hearings of the WSI soldiers

In addition to materials originating from the archived files (operating files, personal files ("teczka"), files of verification proceedings), the Commission has also used the files of clearance proceedings, established on the grounds of oral and written statements of the WSI soldiers and third persons, and from materials produced in result of their hearings before the Commission pursuant to regulations of Art. 67, 68, 69, 76 subpar. 2 and 6 and Art. 79 of the Act. It should be underlined in this point that while the written statements were submitted in compliance with Art. 79 – "One, who (...) stated untruth shall be subject to a penalty of i No. 31/Sztab imprisonment from 6 months to 8 years" – the relations given during the hearings did not fall within such rigor. On the contrary, the legislator released the person heard before the Commission from responsibility, if he/she conceded to the untruth contained in his/her statement. The party submitting the statement did not have an obligation to respond to the questions, either. Third

persons (including e.g. the former soldiers of Military Intelligence Service and the 2nd Directorate of General Staff, and in general all the soldiers who did not apply for employment in new services) did not have an obligation to appear before the commission, and to testify in the matters related to State secret, they had to obtain the consent of Minister of National Defense. These regulations were changed under the amendment to the Act of January 17, 2007, which came into force on February 1, 2007.

The role and importance of hearings is considerable. In many events the information received this way makes a first important signal enabling seeking further sources as regards a given problem. It was so e.g. in the event of the system of training in the Soviet Union and in other the socialistic camp countries, and particularly in the "GWIAZDA" case, managed by the WSI

The same situation is in the event of the case relating to organized group known under the Polish name "Rolowisko" [rather untranslatable, in English would be: a field of fools, from Polish slang: 'rolować' meaning approximately 'cheating'. Translator's notes are in [brackets]], binding politicians of SLD (Democratic Left Alliance) and higher-rank military men. Though first information on this subject obtained by Commission referred to "Zwałowisko" [a heap or so], but they precisely described the same group of people, mechanisms and subject of activity, which is called "Rolowisko" in the WSI files, discovered at a later date.

This matter would most probably not have been detected for a long period, if it had not been for the information received during the hearings before the Commission. It could not be found in the archives or in the unit competent *ratione loci* for the case, it was not shown on the list of wildcat ventures, to which the Minister of National Defense obliged the then Chief of the WSI Jan Żukowski. The soldiers notifying of this had only fragmentary knowledge, as they were bound by the prohibition to carry this case. But it was just this knowledge, which enabled the Commission finding the files kept by the unit located more than 300 km away.

A similar situation took place in the matters relating to fuel, connected to the 'Orlen' affair ['Orlen' = state-controlled oil company in contemporary Poland]. The Verification Commission obtained information from operating officers that field WSI branches were dealing with this affair, but the information gathered by them was blocked at a central level. The WSI Command inhibited the actions at operating level, and it did not communicate the information on this subject to other governmental agencies. The same situation was in the event of politicians' so-called 'invigilation' (or surveillance) and "Pro Civili" Fund affairs, and in result with the affair

relating to action of group of the WSI soldiers and international adventurers extracting money to the detriment of the WAT ('Wojskowa Akademia Techniczna' - Military University of Technology. Precise indication of the place of search of the files and persons would not be possible without information obtained from the soldiers making statements before the Commission.

Also in the matter of illegal trade in arms, and particularly connection with this activity of some WSI officers, the information received during the hearings played very important role. But it is beyond any doubt that this type of sources was most important for reconstruction of the relations reigning inside the services, for establishing the personal relations and for common crime identification for investigation of phenomena, having material affect on the shape and quality of the WSI activity.

The considerations and value of the sources originating from the WSI archives

The basic sources for Commission examinations are the files of the Military Information, Internal Military Services (WSW), 2nd Directorate of General Staff of Polish People's Army and Military Information Services (the WSI) – i.e. successive mutations of military organizational structures in the communist period and in the years 1991-2006, dealing formally with the defense of the Armed Forces and widely understood safety of defense-related areas. These files were many times destroyed and taken over, together with their ownership title, by successive teams managing the services. The action of destroying the WSI files, performed in the years 1988-1989 under the leadership of the then chief of the WSI Edmund Buła is well known. The report of 1991, discussing these actions, prepared by the Parliamentary sub commission presided by the representative Janusz Okrzesik, indicated several guilty persons and part of the events accompanying these events. The political restrictions existing at that time prevented the full analysis of this effect. First, the activity of Okrzesik's sub-commission was limited to the matters relating to the WSI actions, hence they did not relate to the 2nd Directorate of the General Staff. In this way, Okrzesik's Report became one of the tools facilitating taking over the management of Military Information Services (the WSI), which were created at that time by the officers of the 2nd Directorate of the General Staff.

As for the rest, this Report has never been published and it is not available in unclassified Parliament materials, and the only copy known to the Commission is kept in Parliamentary archives. It is characteristic that this Report does not contain any information, which would be

key for the evaluation of archives' status – which was otherwise confirmed in numerous verbal communications, including this confirmed in the files of “GWIAZDA” case, stating namely that prior to the first scheduled destruction of files, the Chief of WSI General Buła instructed to have them screened and then transferred them to USSR services, i.e. GRU.

Destruction of files and the system of hiding the files after 1989

The specifics of transformations performed in the army after 1989, consisting in maintaining the basic structures and the old cadre of the special forces and in subordinating them to the management of the officers originating from the 2nd Directorate of the Staff General, confirmed that no conclusions were drawn from the image of the situation outlined in Okrzesik's Report, and particularly the possibility of manipulating the files in the future was not prevented.

As it can be seen from data delivered by the Liquidation Commission to the Deputy Minister of Defense and from the statements made before Verification Commission, the files of former military services or files produced by individual WSI units on an on-going basis, were systematically destroyed and hidden. This is also proved by the report of Parliamentary Commission for Special Services of September 2003, containing among others reports of the to public prosecutor's office of the crime of falsifying the files (“teczka”) of the operational case “BELFER” [beak understood as a teacher]. Identical practices were stated by the Verification Commission during the analysis of files of among others the 4th Directorate of the WSI, i.e. the later Internal Security Office. It relates particularly to the files of the investigation of right wing politicians and investigations of the Russian human source networks, run by the 2nd and 3rd Directorates.

In turn, as it relates from the report prepared by Wojciech Sawicki from the Liquidation Commission, starting from 1992, the process of establishing of a new system, aimed at hiding material information before the lustration-related [vetting-related, screening-related] legislation coming into force, was initiated. Part of this system was establishment of two quasi-archival sections; section 26 in the Intelligence Directorate and Section 35 in the Counter-Intelligence Directorate, named for hiding their actual functions – “non permanent stores of non-archival data” These sections gathered operational cases of special importance, relating to politicians, business activists and media representatives, updated but not managed on an on-ongoing basis. “Non permanent stores of non-archival data” were the place to which the files were referred prior

to their possible transfer to the Institute of Remembrance. The advantage of this structure was the fact that in the case of a question about archives or archive files one could reply that it did not relate to the materials placed in the “stores”, as from the organizational structure point of view “stores” were not the archives, and the files kept there were not archival – it provided the excuse for not revealing them to the organs of the Spokesman for Public Interest and the Institute of National Remembrance. At the same time, it was a place in which the basic aids for keeping the filing system were kept, enabling orientation in the files transferred to the Institute of National Remembrance.

Also after the Act of the Institute of National Remembrance come into effect, the realization of the plan of the files' destruction and hiding was continued. It is proved, among others, by an attempt of destroying the personal data by deleting them with the use of a marker in “Book No. 12”, containing the register of agents from ‘Wybrzeże Gdańskie’ [Three-Cities: Gdańsk-Sopot-Gdynia Region] from the 70’ies and 80’ies. Thanks to the work of the Verification Commission and the Liquidation Commission, over 1000 files hidden in WSI premises were found, which should have been transferred to the Institute of National Remembrance many years ago. In addition, the facts of carrying unregistered cooperation were stated, including storing the labor files and personal files of agents in a way suggesting an intention to hide them (this concerns among others the personal files "M" connected with the “ZEN” case, and stored in separate premises without the knowledge of the responsible officer).

All this makes the examined files far incomplete (it relates first of all to files stored in the command, the resources kept in the agencies and ‘inspectorates’ (inspection /field/ offices) i.e. in field units, which are in much better condition).

In conclusion it should be stated, what follows: the Commission started its works focusing on the identification of irregularities resulting from the actions of the soldiers of former WSI to the extent indicated in the Act of June 9, 2006. The Report presented below refers to the works of the Verification Commission, which are still not completed. The Act of December 14, 2006 on Amendment to the Act – Regulations Implementing Military Counter-intelligence Service and Military Intelligence Service Act, enable the presentation of further publications, together with the appearance of new materials.

The Verification Commission provided the Public Prosecutor’s Office information on committing crimes in the following cases:

- in the case of the Russian penetration of Military Information Services (the WSI) and omission to undertake appropriate actions aiming at the neutralization of the threat;
- in the case of abasement of powers and taking over State assets in order to illegally acquire funds for financing special services;
- in the case of illegal trade in arms, and hiding documents;
- in the case of acting to the detriment of the State Treasury and State safety through preferential treatment of the Company SILTEC in tenders organized for the Polish Armed Forces;
- in the case of establishing a residency, whose agents undertook illegal actions with the participation of former, non verified employees of the [Communist] Security Service (Służba Bezpieczeństwa - SB);
- in the case of irregularities relating to the management of operational funds in the Krakow WSI branch and alienation of operational premises;
- in the case of misleading Polish State authorities by providing false information being of material importance for the Republic of Poland and failure in fulfillment of obligations;
- in the case of irregularities relating to tender for wheeled APC;
- in the case of illegal surveillance of political parties;
- in the case of carrying investigative activity against the interest of defense of the Republic of Poland and its Armed Forces;
- in the case of disclosing, for financial benefit – confidential information by the employees of the Polish ministries and non communication by the WSI the information about State energy threats to appropriate authorities;
- in the case of disclosing the state secret and using illegal threats;

The Report contains 24 documentary annexes, in which the problems referred to above are discussed in more detail.

1. Power of the Services - the map of research problems

In the eighties two structures composed the military services of the People's Republic of Poland. These were: the 2nd Directorate of the General Staff of the Polish People's Army (*Zarząd II Sztabu Generalnego Ludowego Wojska Polskiego*, established at least in this form in 1951 foreign intelligence) and the Military Internal Services (*Wojskowe Służby Wewnętrzne*) established from the Military Information (*Informacja Wojskowa*), acting simultaneously as C.I. as well as 'gendarmerie' (military police), but in reality being merely a kind of military political police). In 1990 the gendarmerie was excluded from the WSW but the rest was included into the 2nd Directorate of the General Staff. Newly established in the autumn of 1991, the structure was named the Military Intelligence Services [in Polish: *Wojskowe Służby Informacyjne*, thus the WSI]. In 1991 WSI as a separate 'Inspectorate' (Polish: 'Inspektorat') was put under the command of the Minister of National Defense. In 1994 WSI returned under the subordination of the General Staff finally under the Ministry once again. In 2006 the Parliament's [the Sejm, Poland's Lower Chamber] Act dissolved the WSI and in its place established two separated services: *the Military Counter Intelligence Service - MCIS* and *the Military Intelligence Service - MIS* (SKW and SWW [in Polish: *Służba Kontrwywiadu Wojskowego* and *Służba Wywiadu Wojskowego*]). They are both the State's central administration organs.

Organizational changes made in the end of eighties and in the beginning of nineties did not have a crucial impact. [Military] Service(s) have played a function of political apparatus continuously. The present work of the Verification Commission helped to uncover the picture of the real structure of the military services: amongst almost 10 thousand collaborators of the military services acting inside the country as well as abroad in the year 1990, at least 2500 consisted of people being placed in central administrative and economic institutions of the country. Just the enumeration of this institution and then the people acting in their structures as WSI collaborators presented the real scope and size of the problem, facing Poland after re-gaining its independence

after 1989. This problem is illustrated below presenting a list encompassing of as many as 2457 WSI collaborators being placed in WSI 'assets' in civil institutions of the [so-called] People's Republic of Poland.

Central State Offices (Urzędy centralne):

- Council of Ministers Office - 6
- Sejm's Chancellery - 1
- MFA - 108
- State Institute for International Relations [connected or in some years part of MFA] - 7
- Foreign Commerce Ministry (Ministerstwo Handlu Zagranicznego) - 32
- Ministry of Internal Commerce (Ministerstwo Handlu Wewnętrznego) - 1
- Labor Ministry (Ministerstwo Pracy) - 1
- the other ministries - 13
- Office for Religious Denomination (Urząd ds. Wyznań) - 1

Other of state administration offices:

- Central Statistical Office - 3
- District Mining Office - 1
- State Committee for Normalization - 2
- Air Traffic Board (Zarząd Ruchu Lotniczego) - 3
- Maritime Economy Office (Seared Gospodarki Morskiej) - 3
- Telecommunication Office - 2
- Customs Office - 1
- Social Security Office (Zakład Ubezpieczeń Społecznych) - 1
- Courts and Prosecutor's Offices - 4
- Territorial 'self-government offices' (Samorząd terytorialny, rady narodowe, rady gmin, urzędy wojewódzkie) - 14
- Political and social organizations (central bodies):
- Central Committee of PZPR (Communist Party) (Komitet Centralny Polskiej Zjednoczonej Partii Robotniczej) - 2
- Communist Trade-unions (Ogólnopolskie Porozumienie Związków Zawodowych) - 1

- Polish-Soviet Friendship Association (Towarzystwo Przyjaźni Polsko-Radzieckiej) - 2
- 'People's Party' (Zjednoczone Stronnictwo Ludowe) [Communists' Ally] - 1
- Socialist Youth Union (Związek Młodzieży Socjalistycznej) - 1
- Country Youth Union (Związek Młodzieży Wiejskiej) - 1
- Socialist Polish Youth Union (Związek Socjalistycznej Młodzieży Polskiej) - 1
- Polish Students Association (Zrzeszenie Studentów Polskich) - 4
- 'Democratic Party Central Committee (Centralny Komitet Stronnictwa Demokratycznego) [Communists' Ally] - 1
- Trade Unions Central Council (Centralna Rada Związków Zawodowych) - 1
- All-Poland Labor Battalions (Ogólnopolskie Hufce Pracy) - 5
- Association 'Polonia' (Towarzystwo Polonia) [for expatriates, Poles abroad] - 3
- Agriculture Circles Union (Związek Kółek Rolniczych) - 1

Academies, Universities, etc.:

- Mining-Metallurgical Academy (Academia Górniczo-Hutnicza) - 7
- Agriculture university-level schools - 17
- Medical university-level schools (akademie medyczne) - 10
- Technical University in Gdańsk - 8
- Technical University in Krakow (Politechnika Krakowska) - 4
- Technical University in Szczecin (Politechnika Szczecińska) - 18
- Technical University in Katowice (Politechnika Śląska) - 5
- Technical University in Warsaw (Politechnika Warszawska) - 22
- Technical University in Wrocław (Politechnika Wroclawska) - 20
- the other technical universities- 9
- 'Main School for Planning and Statics' (Szkoła Główna Planowania i Statystyki) [so-called 'Polish Harvard'] - 10
- University of Poznan (Uniwersytet Adama Mickiewicza w Poznaniu) - 7
- University of Krakow (Uniwersytet Jagielloński) - 6
- University of Lodz (Uniwersytet Łódzki) - 4
- University of Lublin (Uniwersytet Marii Curie-Skłodowskiej w Lublinie) - 3
- University of Wrocław (Uniwersytet Wrocławski) - 6

- University of Warsaw (Uniwersytet Warszawski) - 20
- Physical Education Academy (Academia Wychowania Fizycznego) - 3
- Pedagogical academies (wyższe szkoły pedagogiczne) - 3
- Professional academies (wyższe szkoły zawodowe) - 7
- Other universities in Poland (inne szkoły wyższe) - 18

Students

- 342 students in the registry as collaborators of military services; the highest number (106) in the years 1987-1990

Polish Academy of Sciences (Polska Akademia Nauk) – 38

- Research Institute (Instytuty naukowe) - 41

Schools:

- high-schools, technical and professional high-schools (licea, technika i szkoły zawodowe) - 21
- elementary schools - 4

Journalists in TV, Radio and Press – editorial offices (Redakcje telewizyjne, radiowe i prasowe) - 67, including:

- TV and radio - 28
- Polish Press Agency (Polska Agencja Prasowa) - 10
- "Rzeczpospolita" daily - 3
- "Trybuna Ludu" daily - 4
- "Sztandar Młodych" daily - 3
- "ITD" students' weekly - 2
- as well as following titles: "Chłopska Droga", "Przegląd Techniczny", "Sportowiec", "Głos Szczeciński",
- "Wieczór", "Tygodnik Polski", "Radar" and the other (i inne redakcje) -
- Holding RSW "Prasa, Książka, Ruch" ['Press, Book & Movement' – state monopoly for press distribution] - 7

Artistic and cultural institutions, publishers and printing offices (Instytucje artystyczne i kulturalno-oświatowe, wydawnictwa i drukarnie) - 21

- Hospitals and medical institutions (Szpitale i zakłady opieki zdrowotnej) - 34

- Banks:
- Bank Handlowy - 5
- Pekao SA - 4
- 'Narodowy Bank Polski' [National Bank] - 3
- Other - 2
- Insurance companies – 3
- International Commerce Centrals (Centrale Handlu Zagranicznego):
- Agros - 9
- Animex - 9
- Baltona - 12
- Budimex - 6
- Chemitex - 3
- Ciech - 22
- Coopexim - 6
- DAL - 12
- Dromex - 2
- Elektrim - 24
- Hortex - 11
- Impexmetal - 35
- Kolmex - 3
- Megadex - 3
- Metalexport - 33
- Metronex - 14
- Minex - 15
- Paged - 6
- Pewex - 1
- Polcoop - 7
- Polimex (Polimex Cekop) - 25
- Polservice - 19
- Rolimpex - 5

- Skórimpex - 12
- Stalexport - 8
- Textilimpex - 7
- Universal - 19
- Varimex - 33
- the other - 23

as well as:

- Polish Intl. Commerce Chamber (Polska Izba Handlu Zagranicznego) - 2
- companies established by expatriates ([called:] 'firmy polonijne') - 25
- 'International Poznan Fairs' Międzynarodowe Targi Poznańskie - 2
- Commercial establishments (Przedsiębiorstwa handlowe):
- Agromet - 17
- Centrozap - 19
- Centromor - 15
- the other - 7

Military Production Companies (Przedsiębiorstwa branży zbrojeniowej):

- Bumar - 12
- Cenzin - 1
- CZInż - 3
- Inter Vis - 1
- Steo - 1
- Vis - 1

Fuel & Energy Companies (Przedsiębiorstwa sektora paliwowo-energetycznego):

- CPN - 3
- Gdańskie Zakłady Rafineryjne - 1
- Naftobudowa - 1
- the other of this kind - 32

Metalurgical and mining establishments (Huty i kopalnie, sektor górniczy):

- mines - 11
- foundry, ironworks - 9

- commercial establishment 'Węglkokoks - 14
- another mining establishments (inne przedsiębiorstwa górnicze) - 3

Industrial conglomerates, holdings (Zjednoczenia przemysłowe) - 7

Transport companies (Przedsiębiorstwa transportowe i spedycyjne):

- LOT Airlines - 143
- PKP Railways - 5
- PKS Bus Long-distance Company- 15
- Hartwig Spedition- 15
- Polskie Linie Oceaniczne, Ship Company - 36
- Polska Żegluga Berałtycka Ship Company- 32
- Polska Żegluga Morska Ship Company - 26

Maritime sector Companies [besides above mentioned] (Przedsiębiorstwa związane z gospodarką morską):

- Dalmor, ocean fishery company - 9
- Nawimor - 3
- Polcargo - 10
- Polfracht - 8
- the other sea transport companies - 6
- shipyards - 41
- the other companies connected with the shipyards - 14
- port authorities - 10

Electronic sector (Zakłady branży elektronicznej) - 32

- TV- and Radiostations (Nadawcze Stacje Radiowo-Telewizyjne) - 3
- ośrodki ZETO centers- 5

Pharmaceutical branch companies, production and commerce (Zakłady branży farmaceutycznej - produkcyjne i handlowe) - 4

Aviation branch companies (Zakłady branży lotniczej) - 8

Automotive branch companies (Przedsiębiorstwa produkcyjne i handlowe branży motoryzacyjnej) - 15

Production companies - the others branches (Zakłady produkcyjne różnych branż) - 189

Construction companies (Przedsiębiorstwa budowlane) - 60

- Communal companies (Przedsiębiorstwa komunalne) - 23

R&D centers for industry, project bureaus, etc. (Ośrodki badawczo-rozwojowe związane z różnymi gałęziami przemysłu, biura projektowe i konstrukcyjne) - 49

Tourist sector (Biura turystyczne i biura podróży):

- Orbis - 22
- Almatour - 3
- Gromada - 3
- Juwentur - 5
- the other firms - 4, except
- hotels - 2

Building administrations and dwelling-cooperatives, cooperatives at large (Spółdzielczość i spółdzielczość mieszkaniowa oraz administracje mieszkaniowe) - 38

Single collaborators were placed also in::

- Central arrest (areszt śledczy)
- Work office (biuro zatrudnienia) - 1
- Treasury Printinghouse (Drukarnia Skarbowa) - 1
- taxi-cab firms (firmy taksówkarskie) - 5
- Meteorology Institute (Instytut Meteorologii) - 1
- sport clubs (kluby sportowe) - 3
- 'Folk Riding Team' ('Ludowy Zespół Jeździecki') - 1
- State Mint (Mennica Państwowa) - 1
- astronomy observatory (obserwatorium astronomiczne) - 1
- training centers (ośrodki szkoleniowe) - 3
- State Radio Inspectorate (Państwowa Inspekcja Radiowa) - 1
- State Agricultural Establishment (Państwowe Gospodarstwo Rolne) - 1
- State Pedagogical Establishment (Państwowy Zakład Wychowawczy) - 1
- Private Foreign Language School (Prywatna Szkoła Języków Obcych) - 1
- Materiel Management Council (Rada Gospodarki Materiałowej) - 1
- Regional Technical Authority (Rejonowy Dozór Techniczny) - 1

- restaurants - 3
- Quarantine and Plant Security Station (Stacja Kwarantanny i Ochrony Roślin) - 1
- Fire-fighters (straż pożarna) - 1
- Vacation Establishments for Military (Wojskowy Dom Wypoczynkowy) - 1
- Communication Club in Wrocław (Wrocławski Klub Łączności) - 1
- Hunters' Union [of Poland](Związek Łowiecki) – 1

Origins of the WSI

In 1980, Communist authorities being well-informed as far as to the scope and size of socioeconomic and political crisis in Poland amount, forecasted main deterioration of the situation of Communist countries. They expected the narrowing of chances for the possibility of influencing the external world. Communists expected the worsening of the military-political situation with the reality of war coming into effect. In connection with this, special aims were put for operational detachments of military intelligence as formulating a concept of secure communications between the Central and agency sources working in the West. The plan, which was ultimately chosen, set up establishing a network of companies on the territory of the neutral countries - from Scandinavia to the Mediterranean. The plan was based on already existing expatriate companies ('spółki polonijne') but also planned to establish new companies and to take over already existing purely foreign (not expatriates') companies. These firms, working legally as regular commercial establishments were supposed to be secret branch offices for communist military intelligence and had to concentrate their works on transferring information from 'agentura' sources in the West to the Soviet Center. The system was expected to be made fully operational in 10 years. The plan took for granted that the whole system would require a huge amount of financial resources, since the firms had to be in healthy condition on western markets. It was expected that the whole scheme would utilize firms sending parcels consisting of western goods on commercial basis to Poland for populations as a part of liaison system. In addition for the same aim the international TIR connection was studied by military intelligence. The Verification Commission identified at least four sources of financing for networks of firms made by People's Republic of Poland (PRL) military intelligence during its work. These four sources were started already in the Eighties and then were in continuity by the WSI:

1. This was income from computer parts smuggled from the West, which were protected in

the eighties by COCOM by an export embargo to communist countries and necessary for the Soviet's arms race. The commission has documented at least two cases in which the PRL army intelligence had been involved. The first concerned a network of intermediaries organized by Grzegorz Żemek and Piotr Kuczyński during 1983-1985, which was according to the prosecuting organs of that time, consisted of approximately 100 persons receiving packages containing computer parts from the West. These packages were then sold with much profit to the company IMPOL and the transactions were organized by Żemek and lead by an agent penetrating the trade union NSZZ "S" in that company. In turn IMPOL then sold the goods to army firms belonging to the Ministry of the Interior (MSW). This operation was possible due to the cooperation of [PRL – abbreviation in Polish: ‘People’s Republic of Poland’] army intelligence and the western companies connected with it. Żemek chose for these operations, along with the Swiss company Akerman Electronics, the company BATAx belonging to Wiktor Kubiak; he also cooperated with companies noted by the cofounder of IMPOL – Piotr Kuczyński's "Capitami" from Belgium and ICL from the United Kingdom and Jerzy Pilch-Kowalczyk's firm from the USA.

2. Enormous profits from the illegal trade of computer parts were also attained by the 4th and 8th departments of the Central Board of Engineering (Centralny Zarząd Inżynierii) which was managed in the late eighties by Jerzy Dembowski active as a secret collaborator "WIRAKOCZA". The computer parts sold to the USSR and to the Republic of South Korea brought profits of approximately 500 – 600 thousand US Dollars per single delivery. This was income from computer parts smuggled from the West, which were protected in the eighties by COCOM by an export embargo to communist countries and necessary for the Soviet's arms race. The commission has documented at least two cases in which the PRL army intelligence had been involved. The first concerned a network of intermediaries organized by Grzegorz Żemek and Piotr Kuczyński during 1983-1985, which was according to the prosecuting organs of that time, consisted of approximately 100 persons receiving packages containing computer parts from the West. These packages were then sold with much profit to the company IMPOL and the transactions were organized by Żemek and lead by an agent penetrating the trade union NSZZ "S" in that company. In turn IMPOL then sold

the goods to army firms belonging to the Ministry of the Interior (MSW). This operation was possible due to the cooperation of [PRL] army intelligence and the western companies connected with it. Żemek chose for these operations, along with the Swiss company Akerman Electronics, the company BATAx belonging to Wiktor Kubiak; he also cooperated with companies noted by the cofounder of IMPOL – Piotr Kuczyński's "Capitami" from Belgium and ICL from the United Kingdom and Jerzy Pilch-Kowalczyk's firm from the USA.

Enormous profits from the illegal trade of computer parts were also attained by the 4th and 8th departments of the Central Board of Engineering (Centralnego Zarządu Inżynierii) which was managed in the late eighties by Jerzy Dembowski active as "WIRAKOCZA" [cryptic name for secret collaborator]. The computer parts sold to the USSR and to the Republic of South Korea brought profits of approximately 500 – 600 thousand US Dollars per single delivery.

Army intelligence was also involved in illegal financial operations consisting of:

a. foreign bank transaction of the "PORTFOLIO" and "LETTERS OF CREDIT" yielded approximately 40% profit yearly. Sources of financing were among others the funds of the Foreign Trade Central (Central Handlu Zagranicznego); the course of some of these operations is known due to the human source-originated material concerning Grzegorz Żemek.

One of them (not fully explained to this day) was an operation consisting of granting credit amounting to 32 million US Dollars Wiktor Kubiak's company BATAx by Żemek acting in the name of BHI (a branch of the Bank Handlowy, [Warsaw]) in Luxembourg where he fulfilled the role of the director of the Credit Commission; in any case Żemek claimed that this loan was never carried out and only a promise of the loan was issued. BATAx, it seems, carried out an important strategic role in the PRL army intelligence;

b. repurchase of Polish debt through Foreign Debt Administration Fund (FOZZ – 'Fundusz Obsługi Zadłużenia Zagranicznego'), lead by a co-worker, secret collaborator of the Intelligence i.e. DIK [cryptic name for secret collaborator] (Mr. Grzegorz Żemek). Mr. Żemek included among others ABI in his activities; Żemek became the director general of FOZZ after consultations carried out by army and civil intelligence. In a report written after these consultations, he claimed that the "profits that could additionally be 'milked' from these operations amounted to the sum of 500 million US Dollars per year";

c. Taking over inheritances of deceased abroad former Polish citizens. Documented profits of such operations surpass millions of dollars;

d. Arms trade with Arab terrorists. Plans and intentions for the year 1990 of Department 'Y' (more on its activity and origin follows) included written information that arms trade should be an important source of "financing outside the service". Janusz Onyszkiewicz as Minister of National Defense published a directive approving "outside financing" of the army. [Gen.] Bolesław Izydorczyk issued approval for operations in the sale of arms to Sudan and Latvia, which was supposed to bring profits of around 200 000 – 400 000 USD to the service.

3. Intelligence had been establishing on the territory of Poland, through their secret collaborators acting at Polish firms - common ventures ([called even in Polish: 'joint venture']), expected to bring in return really huge profits. The example of such business was among the others a scheme of a joint establishment made by [Polish national airline] LOT as well as started in Chicago a firm by the name of 'ABI'. Both partners made a casino for hazard games located in the Hotel Marriott in Warsaw. Middleman for this operation, in whose 'ABI' transferred a million dollars was a company BATAKX belonging to Mr. Wiktor Kubiak.

4. The Foreign Intelligence tried also very hard to start with TV company. Original thinking for such activities was to make easy to place secret collaborators on the West. Mr. Grzegorz Żemek, who in behalf of Intelligence started his talks with firm called 'ITI' and its representatives Mr. Jan Wejchert and Mr. Mariusz Walter, in such a way explained the beginning of those undertakings. The very important role was played by a source working in [the state-controlled movie-industry firm called] 'Film Polski', however matters were much more complicated since also important role in the FOZZ operations played certain Mr. Weinfeld, a German citizen of Polish ancestry living in California. Mr. Weinfeld was the owner of media industry company. Both Mr. Weinfeld and Mr. Żemek made strong involvement in a take-over of the Dutch media-industry company called SEPP and for this reason Mr. Żemek in behalf of FOZZ transferred his powers to the firm 'Biccarco' belonged to Mr. Andrzej Kuna. 'Biccarco' bought out shares of the SEPP company. In the nineties military services built-up around old [from the communist period] Intelligence, around the 2nd Directorate of the General Staff (Zarząd II SG), concentrated its efforts on building home apparatus as well as making firms acting under cover. The consequences of this practice were

to gain by the Services extraordinary influence on national economy and many aspects of social situation of the country. Secret services put also attention on gaining extra-budget financial means. As early as 1983 the Intelligence started to transform itself thoroughly, in consequence of this central role gained in this process a special detachment established on the 1st of November, 1983 so-called 'Y' Department. This unit, whose most personnel was trained in the Soviet Union, got very special aims for realization as a kind of re-orienting intelligence activities and making network of firm being secret branch offices for communist secret services.

2. WSI finances

From November 1985 the cashier's of the Financial Section of the 2nd Directorate received funds for so called operating deposit of Department 'Y', which was to finance the operating activity in the event of any threat and period of war. As it can be seen from the book of Department 'Y', in 1985 "An amount of 9,000.00 USD was gathered, of which over 6,000.00 USD was paid to the cash desk of the Directorate". This money originated from off-budgetary income gathered on Department 'Y' operational activity. The income was acquired from "additional commissions, donations and extra remuneration earned by the under cover officers and co-workers acting in foreign companies and income from banking operations and illegal taking over of foreign legacies". Getting such funds was possible due to decision of the Chief of the General Staff No. POR/01643/74.

The funds originating from Department 'Y' operational deposit were never transferred to banking accounts and they were the source of financing the operations, in which their strict documentation was undesirable.

In the files relating to current currency deposit of Department 'Y' of the 2nd Directorate you may find many financial operations, which the Verification Commission can not explain up to now as regards their destination. However, there remained some documents, which indicated the placements of individual amounts.

In 1988 Department 'Y' granted to its employee a.k.a. **"MER"** [cryptic name for secret collaborator] (Jan Załuska) a loan amounting to USD 50,000.00 bearing 20% interest p.a. Załuska was recruited in 1986 and was used for purchasing devices on which an embargo was imposed (which usually meant electronic parts with prohibition of export to communist countries, to which the USA and other Western states wanted to hinder their participation in the arms race. At the beginning of the 90-ies, he was the owner of two companies registered in Poland ("Carpatia" and "Agaricus") and an Austrian Company "Riedrich". Granting the loan, Department Y obliged Załuska to employ the persons indicated to him and to transfer to them 5% of profits from domestic companies and 3% from Austrian Company. It may be supposed that the real purpose of the loan were illegal financial operations, though in the documentation the purpose of this loan was presented quite differently: "The objective of the loan was to establish a strict relation between "MERC" and command and securing the conditions to place our people in his company.

"MERC" returned the loan together with interest to the command in January 1991.

Pursuant to decision of the Chief of Intelligence, in January 1991 all financial obligations of the employee towards the Head Office were annulled”.

On October 9, 1990 the amount of 7,000.00 USD was delivered from the cashier’s of Department ‘Y’ to Col. Konstanty Malejczyk, based on the letter of Col. Zdzisław Żyłowski. There is no evidence confirming return of this amount, nor any explanation of the purpose of its disbursement.

Another example of use of financial funds by Department Y was granting a loan amounting to 15 thousand US Dollars for undetermined investment purposes to consultant a.k.a. "YUGO" [cryptic name for secret collaborator, etc.]

Available documentation does not allow in many cases to determine the purpose and the financial operation for which the WSI officers used the funds taken from current currency deposit of Department Y, which is exemplified by a memo dated January 25, 1991 in which confirmed the receipt of the amount of 30 thousand US Dollars from Col. Żyłowski, constituting return of expenditure for investment realized in accordance with decision contained in the letter of Department Y No. 0213/PO-Y90. In addition, this document contains a handwritten annotation stating that "the benefits expected in a/m memo have not been achieved"

The 3rd Directorate also took advantage of Department ‘Y’ deposits. Among others Col. Eugeniusz Lendzion received, on April 14, 1992, with consent of B. Izydorczyk, an advance payment amounting to 100 thousand US Dollars. This amount was to be a security of “the objectives indicated in the plan of April 13, 1992 realized in the Military Counter-intelligence Services code name Contract No. 0110/92”.

Financial documentation contains also acceptance for disbursement of the amount 100 thousand US Dollars from Department ‘Y’ deposit in favor Marek Mackiewicz. B. Izydorczyk gave such consent on June 3, 1992 .

The funds of Department Y deposit were also raised by the funds originating from various operational undertakings realized in the country (the payments amounting to 1 thousand US Dollars, 500 USD etc. are noted.) and abroad by e.g. 3rd Department of WSI 3rd Directorate (the receipt of amount of DM 1,500.00) was noted.

The above financial operations, though noted in the "Current currency deposit of Department Y", have not been noted anywhere else. Particularly there is no mention of them in

the files relating to WSI banking accounts, kept by the Chief of Financial Section. The Verification Commission did not establish what the further history of these funds was. Recent entry relates to the operation run out by Col. Malejczyk and Col. Dukaczewski, who on February 5, 1993 delivered to deposit of Financial Section the amount of FFr (French francs) 552,160.00 and PLN 43,700.00. Certain trace is also the record from 1991, which ordered to cease receiving additional off-budget funds under military intelligence operating activity until the moment in which the activity of military intelligence shall become legally sanctioned. At the same time a decision was made about opening a banking account in three independent Swiss banks, and depositing the amount of 500 thousand US Dollars in each of them.

This amount – USD 1.5 million taken out from Poland by intelligence, made a minimum resource, with which this structure started its activity in the 3rd Republic of Poland. This amount has never been accounted for. We do not know, how it was disbursed, what profits it brought, as it never has been balanced.

In the light of the above-cited facts the performance of the following persons fulfils the instruction in Art. 70 a subpar. 1 and 2 of the Act of June 9, 2006 Regulations Implementing the Military Counter-intelligence Service and the Military Intelligence Service Act and the Duties of the Military Counter-intelligence Service and Military Intelligence Service Officers Act Brig General Marek Dukaczewski, Major – General Bolesław Izydorczyk, Col. Zdzisław Żyłowski, Col. Konstanty Malejczyk, Col. Eugeniusz Lenzion. The activity of Jan Załuska fulfils instruction of Art. 70 a subpar. 2 p. 1 of the above cited Act.

In the described period the Chief of WIS was Rear Admiral Czesław Wawrzyniak.

3. Russian penetration: the threats for internal and external safety of the State

The Soviet special services (KGB and GRU) established and fully controlled military special forces of the Polish People's Republic. It was so in 40-ies and it did not fundamentally change before 1989. In 2nd Directorate of General Staff and in Internal Military Services (the WSW), Soviet services had their permanent representations, in which GRU and KGB residents were placed. Also on the level of the field structures level of the WSW the contacts with GRU officers, who protected individual units of the Soviet army, were established. They had free access to military counter-intelligence and intelligence cadre of Polish People's Republic and to their operating base, in this to operational documents, computational premises, HUMINT sources and information about other collaborators.

Military Information Services (the WSI) cadre

The WSI were established in October 1991 as result of joining Internal Military Services (the WSW) with 2nd Directorate of the General Staff. Notwithstanding the new name and new management, the WSI maintained the fundamental feature of special services of the countries subordinated to the USSR: their cadre was composed of selected and trusted people, who underwent special training guarantying their loyalty, whereby in the communist period the Soviet services had decisive impact on personnel policy in the 2nd Directorate of the General Staff, in the WSW and in the entire Polish People's Army. Only the persons indicated by them were anticipated to exercise commanding functions in military special forces of the Polish People's Republic and in military diplomacy, particularly in the NATO states. It was so called "perspective cadre" i.e. the officers who were expected to take commanding functions in the future. The persons being qualified to this group were directed to GRU or KGB training in the Soviet Union or in any other countries of the communist block.

The analysis of representations submitted before the Verification Commission and selected operational cases confirmed that training in the Soviet Union or in military schools of other countries of this camp had great weight for the services of the persons, who underwent such training. It can be seen from collected information that beginning of Seventies was the time of initiating the action of cyclical training of Polish officers in KGB and GRU schools.

These were master degree studies (full-time or part-time), post-graduate studies (lasting six or nine months) or three-month courses, which were organized in special, closed facilities.. We still do not know the actual number of the graduates and the type of schools they had completed.

For example, only in one school year 1973/74 127 Polish students from special services were staying in the USSR and studying at its universities and academies. The dynamics of changes is confirmed by the fact that, as we may read in the report of the Deputy Military Attaché at the Embassy of Polish People's Republic in Moscow – "the number of students trained within one year increased over recent three years almost three times". According to other materials gathered so far by the Commission, from the beginning of 70-es to 1989 at least 800 officers from Poland were studying in the USSR schools.

Classification to training in the USSR was treated as the award for ideological attitude, effects of work and loyalty. The candidates to such training had to fulfill the following eligibility criteria:

- unobjectionable ideological attitude;
- loyalty to the system, confirmed and verified on regular basis;
- predisposition to realize operating tasks;
- unquestioning fulfillment of superiors' instructions.
- training in the USSR was a precondition for occupying managerial positions in special service of the Polish People's Republic. Such cadre policy ensured the control and interference level of special services of the People's Polish Republic with Russian services, expected by the Russians.

On the grounds of the relations between the courses participants it is known that during the courses the details and procedures of operating actions run by the Polish People's Republic services were revealed. The officers were under permanent surveillance of the Soviet special services. As It can be seen from their relations, the bugs were planted in their dormitories and in lecture halls, and each time the officers were leaving their facilities, they were always accompanied by a "tail" ("ogon" in Polish). It is also probable that the KGB recruited Polish soldiers. During the courses the officers were asked detailed questions relating to operational method used in Poland and the lecturers provided to their students only out of date, book knowledge

The courses organized by the GRU and the KGB for soldiers from the Eastern block countries were oriented to gathering knowledge about their participants, their addictions and habits, to creation of their psychological profiles and to extension of knowledge about composition of the cadres employed by the services.

"Perspective cadre" was directed from Poland also to the Soviet higher military and civil schools and to diplomatic academies kept under strict control of the Soviet special services. The training in the Soviet Union underwent among other WSI chiefs (Rear Admiral Kazimierz Głowacki and Gen. Marek Dukaczewski), successive chiefs of intelligence, in this Col. Waldemar Żak and recent of them, Col. Krzysztof Surdyk. The training in the Soviet Union underwent also the chiefs of the WSI Security Department of the WSI Col. Marek Witkowski (GRU course) and Col. Andrzej Ziętkiewicz (KGB course). Also the officers under cover from Department Y underwent training (later Department 22 of the 2nd Directorate). The persons delegated to training were medium-aged, having command of foreign languages and achieving good results in operating activity. Recent training were carried by the KGB and GRU as late as on the turn of the Eighties and Nineties, when the dissolution of communist bloc was inevitable. According to data possessed by the Verification Commission, the officers sent to the Soviet courses were the officers expected to take managerial positions in the new service in the period following the political changes (together with the agency of the influence).

For certain participants it was already the second such training.

The events of the WSI officers' training in Russia were noted as late as in 1992 and 1993, 36. *The fact that until 2006 several dozen graduates from the Russian training and courses served in the WSI structures confirms the situation that up to that time none fundamental changes were carried in special services of the Republic of Poland.*

This situation is illustrated by the specification of functions, which were fulfilled in individual organizational entities of the WSI by some of the officers trained in the Soviet Union.

The Chiefs of Military Information Services (the WSI)

1. Brig. Gen. Dukaczewski Marek [in this list the first are last names of the persons] (2001-2006)
2. Rear Adm. Głowacki Kazimierz (1996-1997)
3. Gen. Izydorzyc Bolesław (1992-1994)

The Deputies of the WSI Chief

1. Col. Januchta Roman (1996-1998)
2. Col. Janus Stefan (1996-1997)
3. Col. Puchta Janusz (1991-1992)

Source Operating Intelligence (Agenturalny Wywiad Operacyjny - AWO)

1. Col. Czyżyk Julian (1975-1988)
2. Lt. Col. Głowicki Marek (1975)
3. Col. Krużel Andrzej (1979-1983)
4. Col. Ludwichowski Stanisław (1975-1977;1980-1982;1990)
5. Col. Mąka Dobrosław (1976; 1977-1980; 1984-1987)
6. Col. Pieniak Janusz (1975; 1976-1981; 1984-1986)
7. Comd. Russjan Jerzy (1987-1990)
8. Lt. Col. Smaza Stefan (1975; 1976-1985; 1986-1990)
9. Col. Staluszka Władysław (1983-1989)
10. Col. Woróżbit Zbigniew (1977-1979)
11. Col. Wysocki Marek (1976-1980; 1981-1983)

Department Y (Department 22)

1. Col. Bekier Maciej (no data)
2. Col. Biernat Zygmunt (1983-1984)
3. Lt. Col. Bobek Janusz (no data)
4. Maj. Bolewski Ryszard (no data)
5. Lt. Col. Cibulla Jan (no data)
6. Col. Dunal Henryk (1983-1986)
7. Rear Adm. Głowacki Kazimierz (1983-1986)
8. Lt. Col. Głowicki Marek (1985-1986)
9. Col. Lipert Cezary (1983-1989)
10. Comdr. Lewicki Ryszard (1990)
11. Col. Michalski Grzegorz (1987-1989, the Chief of 'Unit 'Y')

12. Cpt. Romański Kazimierz (no data)
13. Lt. Col. Siwanowicz Ryszard (no data)
14. Col. Sosnowski Ryszard (1983-1987)
15. Col. Surdyk Krzysztof (no data)
16. Lt. Col. Szuba Tadeusz (1983-1984)
17. Col. Witkowski Marek (1985-1988)
18. Col. Woróżbit Zbigniew (1987)
19. Col. Żyłowski Zdzisław (1984-1991)

Office/Directorate for Studies and Analyses

1. Lt. Col. Adamczyk Krzysztof – specialist (1995-1999; ZSiA – 1999-2004)
2. Col. Arczyński Janusz – senior specialist (1991-1994)
3. Col. Bartkowiak Henryk – chief of section (1993-1996)
4. Col. Bekier Maciej – chief of section (1998-1999, ZSiA 1999-2001)
5. Col. Biernat Zygmunt – deputy chief of Office for Studies and Analyses (1997-1999)
6. Col. Błaszczak Marian – chief of section (1996-1997)
7. Col. Budzik Zdzisław – chief of section (1998-1999, ZSiA 1999-2005)
8. Maj. Doroz Marek – specialist (ZSiA 2002-2004)
9. Comdr. Dziubiński Ryszard – chief specialist (1996-1997)
10. Maj. Ferenz Arkadiusz – senior designer (1996-1999)
11. Col. Gajewski Bonifacy – chief of the office for studies and analyses (1995-1997)
12. Col. Kendziorek Zdzisław – chief of section (1991-1992)
13. Lt. Col. Kłoczewski Marek – senior specialist (1995-1999)
14. Col. Kośla Piotr – chief of section (1991-1994)
15. Maj. Lis Jerzy – officer (1993-1995)
16. Col. Lisiak Marek - chief of section (2002-2003)
17. Col. Mazurkiewicz Artur – deputy chief of directorate (ZSiA 1999-2001)
18. Col. Nowak Marek - senior specialist (1993-1996; ZSiA 2000-2003)
19. Lt. Col. Obolewicz Zbigniew - senior specialist (1996-1999, ZSiA 1999)
20. Lt. Col. Piars Stanisław – specialist (1996-1998; ZSiA 2001-2003)
21. Lt. Comdr. Rygiel Jacek - senior officer (1997)

22. Col. Sabak Zbigniew - chief specialist (ZSiA 2004-2005)
23. Lt. Col. Stocki Jerzy - senior officer (1991-1994)
24. Col. Szubert Jerzy – chief of section (2000-2002)
25. Col. Tratkiewicz Andrzej - deputy chief of section (ZSiA 2004-2005)
26. Col. Twardowski Wiesław – deputy chief of section (1993-1999)
27. Col. Wolak Jan - senior specialist (ZSiA 2001-2002)
28. Col. Woźniak Maciej - chief of section (1996-1999)
29. Col. Wysocki Marek - deputy chief of section (1996-1999)
30. Col. Zawiliński Kazimierz - chief specialist (1995-1996)

2nd Directorate

1. Col. Bazylak Stanisław - chief of section (1999-2003)
2. Col. Borysczyk Romuald- chief of section (1996-1998)
3. Col. Broda Krzysztof - senior specialist (1997-1999)
4. Col. Bury Władysław - senior officer (1996-2000)
5. Col. Czyżyk Julian - chief of branch (1998-2003)
6. Brig. Gen. Dukaczewski Marek - chief specialist (1992-1997)
7. Col. Gajewski Bonifacy – chief of directorate (1997)
8. Col. Gapys Władysław - deputy chief of directorate (2004-2005)
9. Lt. Col. Głowicki Marek – senior officer (1991-1999)
10. Lt. Col. Goszczycki Tomasz - chief of branch (1998-2000)
11. Lt. Col. Gryss Wojciech - chief of branch (1994-1998)
12. Brig Gen. Izydorczyk Bolesław - chief of intelligence directorate (1991-1992)
13. Lt. Col. Jesionowski Janusz - deputy chief of section – chief of department (1998-1999)
- 14.. Col. Jurgielewicz Stanisław - senior officer (1991-1995)
15. Comdr. Karczewski Czesław - chief specialist (1997-1998)
16. Col. Kastelik Marian – deputy chief of branch (1996-1999)
17. Lt. Col. Kozłowski Andrzej - senior specialist (1991-1992; 1997)
18. Col. Krajewski Zbigniew - chief of branch (1998-1999)
19. Col. Leśniowski Tadeusz – chief of branch (1993-1997)
20. Col. Lipert Cezary - chief of directorate (1996-1997)

21. Col. Lisiak Marek – chief of section (2003)
22. Col. Ludwichowski Stanisław – chief of branch (1996-1999)
23. Col. Łączyński Wit - chief of section (1992-1995)
24. Col. Łuczkiewicz Robert – chief of branch (1995-1999)
25. Col. Marzęda Włodzimierz - deputy chief of section (1996-1999)
26. Maj. Moskała Jerzy - senior officer (1997)
27. Col. Paciorek Wojciech - deputy chief of section (1995-1999)
28. Col. Paraszczuk Józef - senior officer (1991-1996)
29. Col. Pater Jerzy - chief of branch (1996-1999)
30. Col. Pieniak Janusz - chief specialist (2001-2004)
31. Lt. Col. Przelaskowski Witold – chief of branch (2003-2004)
32. Col. Puchała Zygmunt – chief of directorate (2001)
33. Col. Rosowski Jan – chief of department (1993-1999)
34. Lt. Col. Rudziński Zbigniew – deputy chief of section (1999-2001)
35. Comdr. Russjan Jerzy - chief of branch (1996-1999)
36. Comdr. Rygiel Jacek – deputy chief of branch (1997-1999)
37. Col. Sosnowski Ryszard - chief of section (1992-1995)
38. Col. Staluszka Władysław - chief of branch (1993-1996)
39. Lt. Col. Staniszewski Andrzej – deputy chief of branch (1996-1999)
40. Lt. Col. Stocki Jerzy - senior officer (1994-1995)
41. Col. Surdyk Krzysztof - chief of command (2003-2006)
42. Lt. Col. Szlakowski Wojciech - senior officer of section (1992)
43. Col. Szolucha Michał – deputy chief of command (1998-2000)
44. Col. Szubert Jerzy - senior officer (1996-1998)
45. Col. Ubych Tadeusz – chief of section (1998-1999)
46. Col. Witaszczyk Kazimierz - chief of branch (1997-2002)
47. Col. Woróżbit Zbigniew - chief of section (1991-1995)
48. Col. Woźniak Ryszard - chief of branch (1996-1997)
49. Lt. Col. Wysokowicz Marek – chief of branch (1992-1997; 1998-2001)
50. Col. Zadora Jerzy - chief of section (1998-1999)
51. Col. Żyłowski Zdzisław - chief specialist (1991-1992)

3rd Directorate

1. Col. Białek Adam - senior officer (1996-1999)
2. Col. Bocianowski Ryszard - chief of section (1992-1995)
3. Col. Boczek Waldemar - chief of section (2002)
4. Col. Bortnowski Andrzej - senior officer (1991-1993)
5. Col. Broda Krzysztof - deputy chief of the office (1999-2002)
6. Col. Czaplński Marek - chief of section (1996-1999)
7. Col. Kalina Lech - deputy chief of directorate (1993-1995)
8. Col. Koczkowski Mieczysław - senior specialist (1998-2000)
9. Lt. Col. Kowalski Wiesław - senior specialist (1998-2001)
10. Lt. Col. Kuczyński Zygmunt - deputy chief of section (1999-2000)
11. Col. Kulita Mieczysław - chief specialist (1995-1996)
12. Col. Lendzion Eugeniusz - deputy chief of office (2002-2003)
13. Col. Lipert Cezary - chief of section (1993-1994)
14. Col. Lisak Krzysztof - deputy chief of section (1999-2001)
15. Lt. Col. Listowski Jerzy - senior officer (1998-1999)
16. Col. Mikołajczyk Czesław - chief of section (2001-2004)
17. Lt. Col. Nabożny Stanisław - senior specialist (1996-1999)
18. Col. Nowakowski Marek - chief of section (1991-1998)
19. Lt. Col. Packo Wiesław - deputy chief of section (1992-1997)
20. Col. Paraszczuk Józef - senior specialist (1996-1998)
21. Lt. Col. Piars Stanisław - senior specialist (2004)
22. Col. Przepiórka Marian - senior specialist (1997)
23. Lt. Col. Radzewicz Edmund - senior specialist (1997-1998)
24. Col. Rzepecki Jerzy - chief of directorate (1997-1999)
25. Col. Sadowski Romuald - senior specialist (1996-1998)
26. Lt. Col. Szałaciński Zbigniew - deputy chief of section (2005)
27. Lt. Col. Szlakowski Wojciech - senior specialist (2000-2003)
28. Col. Wiluś Jerzy - senior specialist (1994-1995; chief of section 1995-1999)
29. Col. Witkowski Marek - senior specialist (1991-1993)

30. Col. Wołoszyk Maciej - senior specialist (1993-1996)
31. Col. Ziętkiewicz Andrzej - senior specialist (no data)
32. Col. Żyrek Emil - senior officer of section (1981-1990)

Military Information Services (WSI) Training Center

1. Col. Dąbroś Lucjan – deputy commanding officer of the Center, chief of section (2001-2002)
2. Comdr. Karczewski Czesław – head of cycle (1998-2002)
3. Col. Kobacki Jerzy –head of cycle (1996-1998)
4. Lt. Col. Kozłowski Andrzej – senior lecturer (1997-1998)
5. Comdr. Lewicki Ryszard – deputy commanding officer of the center, commanding officer of the center (1992-1996)
6. Lt. Col. Krajewski Tadeusz – lecturer (1990-1996)
7. Col. Pierzak Zbigniew – deputy commanding officer (2000-2005)
8. Col. Przepiórka Marian – head of cycle (1997-1998)
9. Lt. Col. Szlakowski Wojciech – foreign languages lecturer at foreign languages course (1991-1992)
10. Col. Targiński Edward – senior lecturer (1995-1998)

Technical Support Unit

1. Col. Andrzejewski Michał - deputy chief of section (1995-1998)
2. Col. Kożuchowski Andrzej - chief of section (1990-1997)
3. Lt. Col. Kujawa Bogdan - senior officer responsible for organization and human resources (1992)
4. Col. Lorek Kazimierz - chief of section (1995-1995)
5. Col. Pieniak Janusz – head of the unit (1992-1995)
6. Lt. Col. Rak Piotr - chief of section (1994-2000)
7. Col. Winnicki Ryszard – deputy head of unit (1992-1996)
8. Col. Żyrek Emil - chief of section (1996-1999 expert

Center of Teleinformatics Security

1. Col. Kasperek Jan – Director (1999)
2. Col. Mąka Dobrosław - Chief of the Center (2001-2003)

3. Col. Polkowski Krzysztof – Chief of the Center (2004-2006)
4. Col. Rembacz Bogdan –Chief of Department (2000-2001)

Counter-intelligence Section of Air Force

1. Col. Bocianowski Ryszard - chief of section (1990-1997)
2. Col. Bugajny Jacek – deputy chief of department (1992-1997)
3. Lt. Col. Choptowy Kazimierz – deputy chief of department (1994-1997)
4. Lt. Col. Dudys Henryk – specialist (2001-2004)
5. Lt. Col. Karski Tadeusz - chief of department (1992-1997)
6. Lt. Col. Walczak Lech - chief of department (1992-1996)

Counter-intelligence Section of Pomeranian Military District

1. Col. Białek Adam – chief of department (1990-1996)
2. Lt. Col. Cichocki Marek - deputy chief of section (1993-1996)
3. Lt. Col. Domagalski Andrzej - senior officer (1990-1997)
4. Lt Col Kiepas Bogdan - senior officer (1990)
5. Lt Col Kowalik Ryszard – chief of department (1993-2001)
6. Lt Col ppłk Kowalski Wiesław - chief of department (1990-1995)
7. Lt Col Kuwik Stanisław - chief of department (1995-1996)
8. Lt Col Musiałek Tadeusz - chief of section (1995-1997)
9. Lt Col Pasternak Zenon - chief of department (1992-2001)

Counter-intelligence Section of Navy

1. Col. Bałuch Adam - chief of section (1990-1997)
2. Lt. Col. Domagalski Andrzej - chief of department (1997)
3. Lt. Col. Haryszyn Jan - chief of department (1998-2001)
4. Lt. Col. Jarosławski Andrzej - chief of section (1990-1997)
5. Lt. Col. Nawieśniak Jacek - senior officer (1990)
6. Lt. Col. Snarski Krzysztof - chief of department (1996-1998)

Counter-intelligence Section of Silesian Military District

1. Lt. Col. Basiński Paweł - deputy chief of department (1992-1996)
2. Lt. Col. Bisaga Jan - deputy chief of department (1993-1996)
3. Col. Cieślak Ireneusz - chief of department (1990)
4. Lt. Col. Jankowski Wiesław - chief of department (1990-1996)
5. Col. Popławski Jerzy - chief of department (1990-1993)
6. Lt. Col. Szajerka Wiesław – chief of department (1990-1997)
7. Lt. Col. Świder Józef - senior officer (1990-1997)
8. Col. Wojtczak Tadeusz - chief of department (1990-1998)

Counter-intelligence Section of Warsaw Military District

1. Col. Dąbroś Lucjan - chief of department (1992-1997)
2. Col. Gwizdała Władysław - chief of department (1990-1993)
3. Col. Jankowski Jerzy - chief of department (1990-1996)
4. Col. Pierzak Zbigniew- deputy chief of section (1995-2000)
5. Col. Śliwiński Tadeusz - chief of department (1992-1996)
6. Lt. Col. Zawadzki Krzysztof – deputy chief of department (1996-1997)
7. Col. Zieliński Władysław - chief of department (1990)

Counter-intelligence Department of Central Institution of the Ministry of National Defense

1. Col. Dolata Władysław - chief of section (1990)
2. Col. Szostek Józef – senior specialist (1990-1992)

Bureau of Military Attaché's Offices

1. Col. Biegański Stanisław – chief of the office (1996)
2. Col. Demski Zbigniew - chief of section (1998-2000)
3. Col. Goszczycki Tomasz - deputy chief of section (2001-2004)
4. Col. Klimek Tomasz – deputy chief of the office (1996-1999, 2002-2005)
5. Col. Kolasa Kazimierz - chief of the office (1997-1999)
6. Col. Pelczar Władysław - chief of section (1991-1992)
7. Lt. Col. Szlakowski Wojciech – senior officer (1996-1997)
8. Col. Woźniak Ryszard - chief of section (2003-2004)

Military Attaché's Offices

1. Col. Henryk Bartkowiak - 1994 attaché in Yugoslavia; 1992 attaché in Syria
2. Col. Bekier Maciej - 1997 attaché in Austria; 2003 attaché in Germany; 2006 Transferred to the Bureau of Military Attaché's Office
3. Col. Biegański Stanisław - 1977-1980 deputy attaché in the USA; 1987-1990 attaché in West Berlin.
4. Cpt. Bobek Janusz - 1988-1992 attaché in Sweden; 1993-1997 attaché in Russia
5. Col. Bortnowski Andrzej - 1993-1996 attaché in Belarus
6. Col. Boryszczyk Romuald - 1992-1995 attaché in Egypt; 1999 attaché in Croatia
7. Col. Bury Władysław - from 2002 attaché in Yugoslavia
8. Lt. Col. Cibulla Jan – 1989-1992 attaché in France; 1995 attaché in Belgium
9. Col. Cukierski Kazimierz - 1974-1978 deputy attaché in Great Britain; 1990-1993 attaché in Great Britain
10. Col. Czerwonka Władysław - 1975-1978 deputy attaché in Belgium
11. Col. Czyżyk Julian - 1993-1997 deputy attaché in Great Britain; 2003-2006 attaché in Malaysia; 2006 transferred to Bureau of Military Attaché's Offices
12. Col. Demski Zbigniew - 1993-1996 deputy attaché in Israel; 2000-2003 attaché in Greece
13. Col. Edward Duda - 1982-1986 z-ca attaché in Lebanon
14. Brig Gen. Dukaczewski Marek - 1990-1992 attaché in Norway
15. Comdr. Dziubiński Ryszard - 1984-1988 deputy attaché in Great Britain; 1992-1995 attaché in Denmark; 1997-1999 attaché in Sweden
16. Col. Cempa Eugeniusz - 1999-2002 attaché in France
17. Col. Ferenz Bogdan - 1978-1982 attaché in Sweden; 1990-1992 attaché in Germany
18. Maj. Ferenz Arkadiusz - 1990-1991 deputy attaché in Norway
19. Col. Gajewski Bonifacy - 1974-1978 expert in the Attaché's Office in West Berlin; 1983-1986 attaché in Switzerland; 1991-1994 attaché in Romania
20. Col. Gapys Władysław - 1979-1981 expert in the Attaché's Office in Denmark; 1989-1992 attaché in Denmark
21. Comm Adm. Głowacki Kazimierz - 1979-1983 deputy attaché in Canada; 1986-1990 attaché

in Great Britain

22. Comdr. Góreczny Ireneusz - 1996-1999 attaché in Great Britain; 2002-2004 attaché in France; 2006 transferred to Bureau of Military Attaché's Offices
23. Col. Grodzki Paweł - 1991-1994 attaché in Japan
24. Col. Gryz Jerzy - 1979 expert in the Attaché's Office in Norway; 1982-1986 expert of attaché in Sweden; 1993-1996 attaché in France;
25. Brig Gen. Izydorczyk Bolesław - 1982-1984 deputy attaché in the USA; 1994-1995 attaché the USA; 1995-1997 attaché in Canada
26. Col. Januchta Roman - 2004-2006 attaché in Kazakhstan
27. Col. Janus Andrzej - 1991-1992 and 1994-1997 attaché in Bulgaria
28. Col. Janus Stefan - 1981-1984 deputy attaché in Austria; 1992-1995 attaché in Germany; 1999 attaché in Switzerland
29. Comdr. Karczewski Czesław - 1983-1985 officer of Attaché's Office in the GDR; 1985-1986 deputy attaché in West Berlin; 1992-1996 attaché in Ukraine; 2004-2006 attaché in Lithuania
30. Col. Kędziorek Zdzisław - 1986-1989 attaché in Switzerland
31. Col. Klimek Tomasz - 1989-1992 attaché in Great Britain; 1999-2002 attaché in Japan
32. Col. Klisowski Zbigniew - 1978-1983 expert in the Attaché's Office 1998-2002 attaché in Estonia
33. Col. Kobacki Jerzy - 1986-1988 deputy attaché in Italy; 1998-2001 attaché in Italy
34. Col. Kolasa Kazimierz - 1979-1981 attaché in Turkey; 1986-1989 attaché in Turkey; 1999-2000 attaché in Slovakia
35. Col. Kośła Piotr - 1978-1980 expert in the Attaché's Office in France; 1994-1996 deputy attaché in Russia
36. Lt Col Kozłowski Andrzej - 1993-1996 deputy attaché in Bulgaria
37. Col. Kružel Andrzej - 1976-1979 attaché in Finland; 1993-1997 attaché in Czech Republic
38. Col. Lendzion Eugeniusz - 1997-2000 deputy attaché in Russia; 2003-2004 attaché in Latvia
39. Col. Lesiński Jan - 1974-1977 expert in the Attaché's Office in Great Britain; 1994-1996 attaché in Japan
40. Col. Leśniowski Tadeusz - 1990-1993 attaché in Austria; 1997-2000 attaché in Romania
41. Brig Gen. Lewandowski Andrzej - from 2004 attaché in Russia
42. Comdr. Lewicki Ryszard - 1973-1976 expert in the Attaché's Office in Denmark; 1982-1984

attaché in Sweden

43. Col. Lipert Cezary - 1978-1981 expert in West Berlin; 1989-1992 attaché in Switzerland; 1997-2001 attaché in Austria; from 2004 attaché of defense in Czechs

44. Maj. Lis Jerzy - 1995-1998 deputy attaché in Hungary

45. Col. Lisak Marek - 1997-2000 attaché in Hungary; 2003-2004 attaché in Great Britain

46. Col. Łączyński Wit - 1972-1975 expert in Attaché's Office in Cuba; 1983-1987 attaché in Italy; 1995-1999 attaché in Croatia

47. Col. Marzęda Włodzimierz - 1999-2003 attaché in Lithuania

48. Col. Matuszak Tadeusz - 1986-1988 deputy attaché in Austria; 1994-1997 attaché in Romania

49. Col. Mazurkiewicz Artur - 1986-1989 attaché in Denmark; 1994-1997 attaché in Sweden 2002-2004 attaché in Denmark

50. Col. Mąka Dobrosław - 1980-1983 expert of the Attaché's Office in France; 1990-1993 attaché in Sweden; from 2003 attaché in Canada (w 2004, 3 months at Ministry of National Defense disposal;

51. Col. Michalski Grzegorz - 1990-1995 attaché in Turkey

52. Brig Gen. Mika Henryk - 1997-1999 attaché in China

53. Brig Gen. Mikrut Czesław - 1997-1999 attaché in India

54. Col. Nowak Marek - 1990 deputy attaché in GDR; 1996-2000 attaché in GDR; 2003-2004 attaché in the Netherlands

55. Lt Col Obolewicz Zbigniew - 1993-1996 deputy attaché in Czechs

56. Brig Gen. Olesiak Marian - 1997-2000 attaché in Russia

57. Col. Pelczar Władysław - 1983-1987 attaché in Finland; 1993-1997 attaché in Hungary

58. Lt Col Piars Stanisław - 1998-2001 attaché in Hungary; 2003-2004 deputy attaché in Hungary; from 2004 attaché in Hungary

59. Col. Pieniak Janusz - 1981-1984 deputy attaché in Belgium

60. Col. Polkowski Krzysztof - 1996-1999 deputy attaché in the USA; 1999-2003 chief of section IHQ CENTRE GERMANY – NATO Staff Command

61. Col. Puchta Janusz - 1973-1976 deputy attaché in China; 1979-1982 attaché in Egypt; 1987-1990 attaché in China

62. Col. Romański Kazimierz - 1989-1984 attaché in Egypt; 1995-1996 attaché in Latvia

63. Col. Rudnicki Edward - 1972-1974 expert in Attaché's Office in Norway; 1994-1996 attaché

in Yugoslavia

64. Comdr. Russjan Jerzy - 1990-1993 expert in Attaché's Office in Germany
65. Gen. Sadzonek Władysław - 1999-2000 attaché in Canada
66. Maj. Gen. Słowiński Jerzy - 1995-1999 attaché in Egypt
67. Lt Col Smaza Stefan - 1996-1999 deputy attaché in the Czechs
68. Col. Sobkowski Jan - 1979-1982 attaché in Austria
69. Lt Col Solak Janusz - 1999-2002 deputy attaché in Romania
70. Col. Sosnowski Ryszard - 1977-1979 expert in the Attaché's Office in France; 1987-1991 attaché in Syria; 1995-1998 attaché in Israel
71. Col. Staluszka Władysław - 1979-1982 expert in Attaché's Office in the USA; 1989-1992 attaché in Finland; 1997-1999 attaché in Japan
72. Lt Col Stocki Jerzy - 1995 deputy attaché in Romania
73. Col. Surdyk Krzysztof - 1999-2002 attaché in Finland
74. Lt Col Szlakowski Wojciech - 1997-2000 deputy defense attaché in Great Britain; 2002-2003 attaché in Kuwait; 2003-2006 MONS Belgium - NATO
75. Col. Szołucha Michał - 1990-1993 attaché in Germany; 2000-2003 attaché in Austria; candidate to attaché in Germany
76. Col. Szubert Jerzy - 1990-1993 deputy attaché in Great Britain; 2003-2006 attaché in Greece
77. Lt Col Szulik Władysław - 1982-1983 senior. officer in Syria; 1987-1989 attaché in the Netherlands
78. Comdr. Tomaszewicz Ryszard - 1973-1977 expert of Attaché's Office in Great Britain; 1982-1985 attaché in Egypt; 1992-1995 attaché in Israel
79. Brig Gen. Tyszkiewicz Andrzej - 1995-1998 attaché in Turkey
80. Brig Gen. Ubych Tadeusz - 1992-1995 deputy attaché in Hungary; 2000-2004 attaché in Hungary
81. Col. Witaszczyk Kazimierz - 1993-1996 deputy attaché in Austria; 2002-2003 in military staff in Brussels; 2003-2004 attaché in Belarus
82. Col. Wolak Jan - from 2004 attaché in Kuwait
83. Col. Wołoszyk Jerzy - 1996-2000 attaché in Belarus
84. Col. Woróżbit Zbigniew - 1982-1985 attaché in Austria
85. Col. Woźniak Maciej - 1990-1994 deputy attaché in Russia; 2000-2003 attaché in Belarus

86. Col. Woźniak Ryszard - 1997-2000 deputy attaché in the USA; 2004 attaché in Iran; from 2004 attaché in Iraq
87. Lt Col Zabłocki Marek - 1990-1993 attaché in Australia
88. Col. Zadora Jerzy - 1988-1990 deputy attaché in Austria; 1999-2004 attaché in Switzerland
89. Col. Zawiliński Kazimierz - 1984-1987 attaché in Norway; 1996-1998 attaché in Yugoslavia
90. Col. Żyłowski Zdzisław - 1969-1972 expert in the Attaché's Office in Italy; 1979-1984 deputy attaché in Italy

The above list confirms the thesis that Military Information Services (WSI) were established on the grounds of the cadre selected from the group of officers educated in the Soviet Union. They occupied managerial positions in the WSI, hence they were able to decide about the policy of these services.

Russian penetration: threats for the Polish Armed Forces

In the recent years, in which the Russian Army was based in Poland, GRU and KGB intensively recruited the agents and operationally gathered information about the citizens of the Republic of Poland. In each of the Russian military facilities there were full-time posts for special forces (branches, divisions or KGB and GRU sections), which run operating activity in the circle of Polish Armed Forces officers and Polish civil citizens living in the neighborhood of the facilities occupied by the Soviet Army or Polish Armed Forces units. The main objective of this activity was to create the information base, i.e. so called "frozen net of agents", which could be activated in the future by the Soviet or post-Soviet services, when no entities of the Russian Army shall be based within the territory of the Republic of Poland. In pursue of these objectives, in the years 1994-1996 GRU and KGB undertook actions aimed at repeated undertaking the contacts with persons, who were recruited earlier or at recruitment of new agents from among the citizens of the Republic of Poland.

We should identify two information channels, on which Russian special services based their activity in Poland.

The first one was based on officers of the Polish Armed Forces, graduates from military high schools and specialist courses in the Soviet Union, while the other was based on contacts

renewed in 90-ies.

Another information channels were the contacts with Polish citizens, whom the officers of post-Soviet special forces established in the second half of the 90-ies. The contacts were established in military and civil circles, they were not however entirely new contracts. Their origin should be sought in the period, in which the units of the Soviet Army were based in the Republic of Poland. The officers of KGB and GRU units operating under these corps were “defreezing” the network of the agents recruited years ago or located a new network of agents and intensively gathered all type of information about citizens of the Republic of Poland. These actions were very often run under the cover of commercial or economic activity, and special role was played there by the companies with participation of Russian capital. Part of these companies was oriented to various forms of cooperation with military units and institutions and with companies providing services for the Polish Armed Forces. In addition to typifying and recruiting activity, run in the military and civil environment, the Russian services were carried in-depth investigation of the process of Polish Armed Forces integration with NATO structures and the WSI areas of activity, particularly their activity on so called “Eastern” direction. An important element of the WSI activity investigation was typifying the former citizens of the USSR by the Russian intelligence, which intended to come to Poland on business-related matters. It was assumed, the persons typified by Russian intelligence may become the objects of the WSI interest in connection with their activity on so called “Eastern” direction and that due to this the Russian party might gain the possibility of misinforming the WSI.

It can be seen from gathered materials, that the following have arisen active interest of the Russian Federation special services:

- Polish Army cadre keeping in the past business or social relations with the soldiers of the Soviet Army, including the graduates from the courses in the Soviet Union and the graduates from Central Unit of Signal Troops in Legnica from the years 1990-1991;
- Professional soldiers and their families from so called mixed marriages;
- Soldiers and employees of the army, keeping business contacts with citizens of the post-Soviet states being the members of CIS, in this the persons taking part in official contacts within the territory of Poland or third states, e.g. during peace missions of UNO, CFE inspections etc.;
- The persons contemplated to serve or already serving in the NATO structures;

- Persons directed to studies, courses, workshop or conferences in the EU and NATO states; managerial staff of safeguarded military units and institutions;
- The employees of defense industry, in this of the companies co-operating or collaborating with various NATO entities.

The effect of information base extension in Poland was taking up by the Russian services the actions aimed at identifying and neutralizing offensive actions on so called “Eastern” direction, carried by Polish services.

Counter-intelligence omissions: Russian-Polish companies

Reliable information about intensified activity of the Soviet special services was obtained, among others during carrying the case of operating explanation BZ, which was run in 1993-1995 by Counter-intelligence Section of Silesian Military District. It confirmed that in the recent period in which the units of the Soviet Army were based in Poland, i.e. in the years 1993-1994, this activity was intensified. Frequent contacts of Soviet Army representatives with the representatives of Polish governmental administration, which were due to the necessity of delivering assets and real estates to the Polish party, were conducive to intensified actions of the Soviet services.

Such a situation was e.g. in the Gorzowskie Province, in which the Signal Brigade of the Soviet Army was based in Kęszyce and radiotelephone intelligence unit of the Soviet Army in Bukowiec. KGB units were operating under these corps and their employees, having the occasion to establish official business contacts with the representatives of the Polish party gathered information very intensively about the officer cadre of the 17 Mechanized Regiment from Miedzyrzecz, about Provincial Inspectorate of Civil Defense in Gorzów Wielkopolski and about other Polish Armed Forces units, which were based in that region. The investigation carried out at that time by KGB officers was not only limited to military circles, but it also covered self-governmental administration, customs offices and private companies. Parallel to this type of activity, the companies carrying business activity were established in Western Poland on the initiative of Soviet Army officers, e.g. "TE" Sp. z o.o. [Ltd. Co.], which temporarily took out a lease of certain facilities delivered to Poland by the Russian party. The Company "TE" had headquarters in Wrocław and had branches in other states e.g. in Latvia.

In addition to management of the facilities belonging previously to the Soviet Army, the Company was also dealing with oil exportation.

Following the withdrawal of the Soviet Army units from the Gorzowskie Province, intensified contacts of the Soviet Army officers with the citizens of Republic of Poland were noted after 1994, which usually were of apparently commercial or tourist character. Intensification of contacts of the Polish Armed Forces cadre with the Soviet Army officers was also confirmed in the problematic case Military Intelligence Section of Silesian Military District and Military Intelligence Section of Pomeranian Military District, under code name "B". The information obtained under this case indicated, among others, that the officers of Silesian Military District (among others Col. A. K., – Chief of Signal Troops of the Silesian Military District, Lt Col A.J, - commander of the 10 regiment of Silesian Military District command) maintained contacts with officers of the Soviet Army, who were previously staying in Poland. Such meetings with the Soviet Army officers were organized by Col. A.K. in his villa in Walim. The contacts of Col. A.K, and A.J. with Soviet officers resulted also from the fact that both of them studied at the USSR high schools and on this account they were known to many officers of the Soviet Army, who decided to renew this acquaintance in half of the 90-ies. Also Lt. Col. J.D. and Col. S.P. from Silesian Military District maintained contacts with Soviet Army officers. According to the information obtained in this matter, they maintained familiar contacts with the former commander of the Soviet Army unit based in Wrocław and the former employee of the Military Mission at the North Group of the Soviet Army in Poland. They also maintained close relations with the Company "A", operating in Wrocław, established in middle of the 90-ies by a citizen of the Russian Federation, who was the owner of the restaurant "AR", in which the meetings with the officer cadre of Wrocław garrison of the Polish Armed Forces were held.. In the meetings in "AR's" restaurant, organized by the Russians, the representatives of sports club "S", commanding cadre of Wrocław garrison and many other persons representing military and politician circles participated. The "meetings" in this restaurant were organized in a trusted circle, with participation of women from escort agencies and at the costs of the restaurants' owners. According to the opinion of the employees managing this case, during these "meetings" so called "pressure" materials were gathered against the participants.

The employees carrying the case code-named "BK" drew attention to the fact that many such contacts were established by the former officers of the Soviet Army under the cover of

business activity, what was defined as follows: "A material threat from the part of Eastern special services is trade expansions of the persons originating from CIS countries to the territories in which the units of the Northern Group of the Soviet Army were based in the past. It relates mostly to Wrocław and Strzegom garrisons. We estimate that among the persons dealing with trade activity, the majority were professional soldiers, civil employees of these units, who under the cover of the business activity may also execute the tasks of investigation character.

In addition to individual business activity organized in Poland after 1990, several thousand companies with participation of Russian capital were established. For example, only on the territory of Poznan, 35 such companies were incorporated in the years 1990-1998, and few of them were incorporated by the officers of the Russian Army. Most of these companies were established in these cities and town of the western Poland, in which the Soviet garrisons were based.

In Warsaw, three exceptionally attractive plots of land located in the city center are still managed by the Soviet companies. One of these companies is Avtoexport, whose representative in Poland is the Company 'Abexim', having been servicing the WSI vehicles up to the autumn 2006.

Counter-intelligence omissions: espionage tolerating

Problematic cases "B", "BK" and "BZ", being *de facto* the analysis of espionage threats, were completed in 2001 and 2002, making entirely no use of the gathered information. Correct diagnosing of the threats relating to the safety of the Polish Armed Forces and Polish armaments industry was not followed by any further actions, and failure in finding a solution for described problems of the WSI cadres themselves, in which most officers keeping managerial positions underwent training in the USSR academies, should be regarded as giving origin to this status.

Like in other cases of this type, also in the event of control of the problematic case "B" files, the traces of removing documents are visible. This is confirmed by:

- changed pagination, from which It can be seen that files contained 234 cards at the minimum (presently 76).
- there is no annotation stating when the missing documentation was removed and by whom; between the memo dated November 30, 2000 (cards 59-64) and information of November 30, 2001 (cards 65-70) there are none other documents. Upon analyzing the

documents collected in the files you can not regard as true the thesis that for so many months none actions, which should be confirmed with documents, were performed.

A real discredit for the WSI – in the aspect of the threats as discussed above – was case "Z" carried from 1996. It was taken up after the signals attesting to establishment of foreign intelligence residency in Poland. The object of the case was establishing the character of informal contacts of the command of one of the military units with A.B., born in Poland and a citizen of the German Federal Republic..

This most probably former STASI co-worker is the owner of three companies; two seated in Berlin, and third in Poland dealing with forwarding business, through the intermediary of which he runs business in Poland and in the countries of the former USSR. Most of the employees of one of his Berlin companies are former National People's Army officers, STASI employees and the graduates from Russian military schools (including the participants of KGB and GRU courses).

Through the intermediary of S.K. (the former employee of Security Service, from 1992 the policeman of Criminal Section of 'Poviat' (County) Police Headquarters, the owner of safeguard agency "CT" and M.M. (warrant officer of the Polish Army reserve) A.B. established contact with the cadre of the military unit.. The meetings were held under the cover story of official contacts, whose purpose was making use by him of military facilities: mess and shooting range.

A.B. very quickly established familiar relations with the military unit cadre, and wishing to make them dependent on him he was very open-handed in granting loans against confirmation of their receipt, covered the costs of their visits in escort agencies, being his property and often invited them to his villa for drinking bouts with the participation of prostitutes. Those meetings were documented with use of cameras and video, and A.B. carried these materials abroad.

A.B. was also often invited to events with participation of officers. E.g. during the event organized by Col. M. G. and Major M.R. in the district of so called "generals' villas" A.B., together with his wife F.Z. were parading in [German] Bundeswehr uniforms during, as it was noted in the files "ordinary drinking bout", in the presence of completely drunk officers of the Polish Armed Forces.

A.B. has also organized a trip to a shooting competition in National People's Army facility in Germany, in which the cadre of the military unit represented by Col. G., Lt Col W. and

major P., W. Officer S. from the Military Police (Żandarmeria Wojskowa – ŻW) participated without consent of their superiors, accompanied by sub-inspector of police T. The organizer insisted that they should come in their field uniforms, which was then documented on photos. The Chief of the Staff of Military Unit recognized in one of the participants of the event the lecturer of German Group from Military Academy in Moscow in 1986. The above maintains close contacts with H. J.C., the friend of A.B, and STASI officer and with M.P. the officer of the Soviet Army and the agent of special services.

The person of A.B. passes as suspected in the case of robbery of a large quantity of fuel from the Military Unit. As it can be seen from the files, another friend of his was to be implicated in the robbery – Lt Col G.Ł, transport engineer, deputy commander of the Military Unit. He was also the accused in the case of fuel robbery from another military unit.

When establishing new contacts, A.B. always focused his attention on prospectus persons, occupying managerial positions in the structures of military units and other military institutions, or on such whom could fulfil such function in the near future. Another criterion of equal value in making acquaintance by him was participation in the courses in the USSR, which made a natural recruitment base.

The soldiers, with whom A.B. maintained contacts were, among others.:

- Lt Col A.G. (Chief of Military Unit Staff, graduate from KGB course in Moscow),
- Lt Col G. Ł.. (transport engineer, deputy commander of the Military Unit),
- Lt Col Z.G. (Chief of Training Department of the Military Unit 1),
- Maj. M.R. (commander of the Military Unit),
- Maj. R.O. (chief of training, deputy commander of the Military Unit), On similar principle A.B. established contacts with Military Police cadre: Col. M.G. (at present deputy of District Commander of Military Police (ŻW), graduate from KGB course, earlier chief of the Military Intelligence Department, deputy chief of Military Police Branch, deputy chief of Military Police had close contacts with KGB during the period, in which the Russian Army based in Poland, friend of another student from Moscow – K.W. (WSI officer),
- Lt Col J.W. (deputy of District Command Chief of ŻW),
- Senior Staff Warrant Officer W.S. (commander of ŻW, previous Military Internal Services, close co-worker of Captain M.N – officer of Military Counter-intelligence

Department and A.B. friend),

- Lt Col W. S. (commander of ŻW Section),
 - Lt Col W.R. (commander of ŻW Section)
- and with 'Poviat' (County) Police Commanders:
- Younger Inspector E. K.
 - Younger Inspector Z. T.

and officers from the Border Guard and soldiers from GROM ('THUNDER') Unit – among others with A.M. (in 1996 and 1999 A. B. was invited to GROM exercises).

A.B. functioning in the circle of the Polish Armed Forces cadre was a great threat for guarded entities. He obtained information about defense and data of personal character, in these exact characteristics of the persons being of interest for him (disposition, addictions, customs, views, and sexual preferences). Due to gathered information he could easily control the persons being of interest for him through blackmail, financial dependence or through taking advantage of very familiar contacts.

A.B. statement, that he had a partner in Ethiopia, with whom he run business in that part of the globe was interesting in the context of suspected cooperation with foreign intelligence. He disclosed also that he had acquaintances dispersed all over the world (Lebanon, Libya, Nicaragua) and that these were the persons met by him at the courses in the USSR. A.B. also runs business with the company "A.I. S.I." in Berlin, whose representatives are suspected of illegal trade and smuggling of strategic elements. The representative of this Company for Moscow is a person named Ałganow. The cover of this illegal activity is among others a Night Club M., whose owner is A.B. As It can be seen from the reports of Border Guard, this club is guarded, among others by former soldiers of SPECNAZ and KGB. In addition to the above Club, A.B. owns a villa (the buildings are adjacent), in which he often arranges events with participation of servicemen and prostitutes. At present this building is adapted for the needs of hotel and dormitory base for managerial staff and lecturers of one of the higher schools. A friend of A.B. colonel of National People's Army, living in Berlin and being a real property broker of unknown name is reported to act as an agent in this transaction. It is without any doubts that the investment adjacent to escort agency may facilitate to A. B the access to staff working in this high school and its recruitment.

It can be seen from the obtained information, that he confirmed keeping contacts with

Minister of Justice Grzegorz Kurczuk. He stated that he visited the Chancellery of President A. Kwaśniewski, and he also referred to his acquaintances in the Ministry of Foreign Affairs in Warsaw. In spite of this, those institution have never been inquired in this matter in order to fix any dates and establish the persons meeting with A.B. in their territory. It does not result from the files, either that counter-intelligence of the WSI warned the representatives of the Republic of Poland authorities of the threats resulting from acquaintance with former STASI co-worker, suspected presently of acting in favor of intelligence of some of the former USSR states.

The actions undertaken in this matter are characterized by inefficacy – from the lowest level of the WSI through the Minister of National Defense. For 11 years of carrying the case none operational advantages were obtained. On the contrary, it seems that all the actions were intentionally carried in such way “not to disturb” the suspected person. A.B. acted entirely unfettered, extending every year the circle of people dependent on him. It was never established for whom he worked, who received the information from him, how many people he managed to recruit. For the first 6 years of this procedure, the officers of the Counter-intelligence Department at the WSI did not even check who was officially running the escort agency, in which all his interest intersected on behalf of A.B.

In order to assess this matter the fact that tests of state-of-the-art military technologies were tested on Military Unit territory during A.B. activity, is not unimportant. It is also worth repeating in this place that during the recent period of the Soviet Army units stay in Poland (1992-1993), acting in the area in which the Signal Brigade of the Soviet Army and Radioelectronic intelligence units were based in this region, the KGB also intensively collected information about the officer cadre of the military units. These two elements, fundamental for estimation of the matter, are not even mentioned in the files.

The successes of A. B. (actually a man having only elementary education, earlier a digger operator) does not confirm any of his extraordinary or exceptional abilities, but they are rather the effect of the preparations made by the KGB almost 15 years ago and a lack of appropriate counteractions on the Polish counter-intelligence part. The thing is that already several years ago the entire cadre of Military Unit was investigated, including the cadre safeguarding the Military Counter-intelligence Section in the Military Internal Services. It was not incidental that A.B., typified two KGB trainees from Moscow: Lt Col A.G. – Chief of the Staff of Military Unit and Col. M.G. – deputy commander of Military Police (ŻW) district, who remained in close relations

with the chief and officers of local KGB Department as his informants

It can be seen from documents gathered in the files, that the case was managed from the level of the WSI Headquarters by Lt Col Krzysztof Kłosiński (Chief of the 3rd Directorate WSI), Col. Marek Słoń (chief of Section 32 of the 3rd Directorate WSI) and Col. Zenon Klamecki (deputy chief of the 3rd Directorate), and the case was also known to Gen. Marek Dukaczewski.

Having analyzed the actions undertaken in the described case, it should be stated that the responsibility for improper carrying out of "K" procedure at the level of the WSI Command should be borne by the following persons:

1. Gen. Marek Dukaczewski, Chief of the WSI
2. Lt Col Krzysztof Kłosiński, Chief of the 3rd Directorate WSI
3. Col. Zenon Klamecki, Deputy Chief of the 3rd Directorate WSI
4. Col. Marek Słoń, Chief of Section 32 of the 3rd Directorate WSI
5. Col. Waldemar Dzięgielewski, Chief of Military Counter-intelligence Directorate WSI

Operational case “GWIAZDA” (“STAR”): origins and facts

The WSI have never undertaken a comprehensive operational investigation of officers and soldiers, who underwent training in the USSR and favored them in their service and in the Polish Army. Gen. Konstanty Malejczyk states that "the WSI analyses the contacts of officers trained formerly in the USSR, since it is always possible that they may be recruited now. But so far no such event was noted" is not a truth

Only certain former trainees were handed specially prepared questionnaires, but their detailed filling out was not exacted. Some persons who received them gave only general or laconic responses, often hiding behind oblivion. The general character of response decreases any operational value. Also during carried verification proceedings resulting from the Act on restricted information, no reference was made to the records of these points in the questionnaire on public safety, which concern international contacts and training abroad.

The graduates from the training courses were not subject to any comprehensive polygraph tests, which could serve as confirmation of their loyalty and bona fides. No systematic polygraph tests were run in order to explain any possible relations of the persons trained in the Soviet Union with special services of the East. No active operating actions were undertaken in order to establish whether such persons give a warranty of keeping secrecy. None active investigation

actions were undertaken, either, in order to verify their honesty and loyalty and to find possible symptoms of intelligence-related threat.

Only in the second half of the 90-ies a decision was made on initiating problematic control under code name "GWIAZDA". Undertaking the problem was a reason for which some persons trained by the KGB and GRU decided to quit the service. The cadre, who remained in the services hindered conducting investigations of the issue. No response was given to the set of questions relating to training asked to the officer, hiding behind the oblivion or lapse of time or filling in laconic "no" in reply to questions requiring more extensive presentation of their subject.

The "GWIAZDA" procedure (relating to shielding and verification of the WSI officers trained at the academies and specialist courses of KGB and GRU in the former USSR) was formally initiated on January 14, 1998 and approved by the Chief of Safety Section Col. Andrzej Ziętkiewicz, participant of the course in KGB Higher School completed in June 1983. A similar situation occurred in the past. In the files of the case, single documents from the middle of the 90-ies remained, from which It can be seen that the WSI gathered information about officers studying in the USSR. In a memo dated December 1995 Col. T. Koczkowski aptly pointed out the indications resulting from improper human resources policy towards the former trainees of GRU/KGB and developed an action plan aimed at the neutralization of the threats resulting from this fact. The assumptions presented by Col. T. Koczkowski were approved by Col. Stefan Janus – a participant of GRU course completed in August 1987. He instructed Col. Mieczysław Kulita, a participant of the course in KGB Higher School, completed in March 1983 to exercise the supervision of carrying the matter under consideration. From then, the proceeding was under control of the persons to whom it could be detrimental, eliminate them from service in the Polish Armed Forces or even commit for trial. It is no wonder that none actions were made in order to bring the matter to a close.

The files of the case include e.g. the information that "Safety Section I of the WSI is in possession of information evidencing that certain persons were the object of interest of the Soviet special forces". There is no information, however, that any actions have been made under "GWIAZDA" procedure in order to deepen or verify this information.

Only on January 14, 1998 the Chief of Safety Section of the WSI Inspectorate in a "Memo relating to threats and relations between special services of People's Polish Republic and the USSR" indicated that there is a need to carry operating and shielding actions aimed at

establishing whether the cadre related with the East guarantees keeping the secrecy. WIS did not possess exact information about the number of officers, who underwent such training. The Safety Section of the WSI understated these figures and did not indicate all the participants of the courses, known to them.

It was estimated in the special services centers and in military academies of the USSR and other socialistic camp countries ca 300 officers of Military Internal Services (WSW) and the 2nd Directorate of the Staff General were trained, who served in the WSI at the moment of establishment of these services. In 1998 over half of them were in service (i.e. 153 persons) and most of them (ca 75%) occupied prominent and managerial positions.

The "GWIAZDA" case: procedure bona fides

It should be underlined that various figures are cited in the "GWIAZDA" case, in the WSI materials from 1998, only 153 officers are mentioned, while in one of the earlier documents it is stated that in 1980-1992 ca 800 officers from military services of Polish People's Republic were studying in high schools, and ca 3 thousand soldiers graduated from various courses and training. The files do not contain full and uniform list of the participants of such training, and new names appear in subsequent versions..

It is characteristic that the name of General Marek Dukaczewski, who underwent a course in Moscow in 1989, was placed on the trainees list issued only in October 2005, though the information about his training is contained in his personal files, kept currently at the National Remembrance Institute. In a computer database of the WSI, made by default a comprehensive source of knowledge about every WSI soldier, there is no information concerning the professional career of general Dukaczewski prior to 1990. This circumstance allows for advancing a thesis about the intentional manipulation of previously developed materials in the "GWIAZDA" case. Absence of comprehensive list of Polish Armed Forces soldiers trained in the Soviet block countries means that a fundamental document, which should make a starting point for making any shielding actions, was not issued for several years. Maybe the works undertaken under the "GWIAZDA" case were only apparent.

This analysis is confirmed by the information that Verification Commission received from the soldiers giving evidence before the Commission that the "GWIAZDA" case "was run very unreliably" and this was "collecting and not content-related conduct of this case"; as it was

enough to "select the persons and carry an operational investigation against them under counter-intelligence shielding files (TOK) or operational case".

Improper management of both procedures of the "GWIAZDA" case was not an ordinary omission, but the effect of actions of subsequent chiefs of individual WSI units. In the years 1990-2006 the persons trained in the USSR were located practically in all WSI units, mainly on managerial posts in: the WSI command, the 2nd Directorate, the 3rd Directorate, Internal Safety Office, Department 'Y' (later Department 22), military attaché's offices, Department 24, Department 'Y' of Technical Infrastructure Center, Teleinformatics Safety Center and many others important organizational units of the WSI. The officers trained in the Soviet academies have also been delegated as officers under cover (OPP) – to serve outside the WSI in state-owned firms and institutions in Poland and abroad. By virtue of occupied positions, the persons trained in the USSR, in the years 1989-2005, had access to WSI information that was secret intelligence and counter-intelligence, in this, information originating from international exchange. This constituted a threat for the state and had negative bearing on the bona fides of military special services for NATO. However, the WSI treated any critics of this status quo as an attack to State safety. At the beginning of the 90-ies raising such issue in the public was even a reason of initiating operational investigation of politicians, newspapers and even foundations..

The "GWIAZDA" case : consequences

The effect of such state of affairs was insulation of the Polish safety services in NATO, which was expressed, among others in rejecting by Germany the candidature of Col. C.L., former soldier of 'Department Y' and participant of GRU course in 1985, for the service in Attaché's Office in Cologne (instead of this he was entrusted a function of Deputy Chief of the 2nd Directorate of the WSI in 1994-1997; then attaché in Vienna in the years 1997-2000 and Deputy Chief of the WSI responsible for operational affairs in the years 2001-2004, lately has fulfilled the duties of attaché in Prague).

As it can be seen from the report of April 20, 1998 the information about threats resulting from persons serving in the WSI who were trained by GRU and KGB was communicated to the then Minister of National Defense Janusz Onyszkiewicz.

When M. Dukaczewski was the Chief of the WSI (2002-2005), running the "GWIAZDA" procedure was discontinued, even in this restricted dimension. The schedule of operating

activities was only issued on October 12, 2005. The case, resumed at the turn of 2005/2006, was still carried in very narrow scope; neither appropriate forces nor sufficient funds were destined for this purpose, which remained at counter-intelligence disposition. In consequence, at the beginning of 2006 there were still 38 officers identified as graduates from Russian special courses, who served in the WSI. Only then was the action of checking the incoming and outgoing calls in their phones initiated, but this time these actions were once again paralyzed - of 8 applications for telephone billings, four numbers of stationery phone and 1 number of mobile phone were established, in other cases none actions were undertaken, explaining it by the impossibility to establish a phone number.

The case "GWIAZDA" was the only attempt of the WSI of facing the issue of infiltration by the Russian services of Polish special services after 1989. In view of the method of carrying the case, GWIAZDA procedure did not bring any measurable effects.

The analysis performed by the Verification Commission confirms that WSI knowingly tolerated and conducted hiding connections of their soldiers and officers with communist and Soviet services:

1. The verification procedure, which using the provisions of the Act on Secrecy could cause not granting safety certificates to these persons, as not giving the warranty of credibility, has never been developed and deployed in the WSI.

It would be the simplest way of clearing the services from these people, but undertaken actions were just the opposite. The Verification Commission found numerous cases of giving instructions to the officers under cover not to confess to the fact of work in favor of communist special forces..

An example of such performance is the action undertaken in the case of collaborator "R", a diplomat with long experience, in this in the Embassy in Minsk, whom the WSI officers had instructed that he might confirm falsehoods in p. 11 of the Personal Safety Questionnaire (this point relates to secret cooperation with special services of Polish People's Republic).

Such an instruction was given by::

- On June 10, 1999 by Col. Józef Wąsik – the following persons put their signatures on documents as persons approving the action: Cpt. Wojciech Resiak and Maj. Krzysztof Rola. The direct decision relating to this action was made by the then Chief of ZWW (Union of Struggle for Liberation)

- On February 18, 2005 Lt Col Bogusław Świątek and Col. Kazimierz Kolasa – document bears the signature of Col. Grzegorz Sobecki.

2. Another example of hiding the truth about the stay at courses in the USSR is the action of Lt Col Ryszard Piwoński, officer of Military Counter-intelligence, who being delegated in 1999 to work in the Chancellery of Prime Minister, undertook the trial to "clear" his personal files from the elements discreditable for him. He applied to the active officer of the division to change the text of Ministry of National Defense decision on transferring him to the reserve in such a way that it would not result from it that he was the officer of Military Internal Services (WSW). He also asked to return the certificate of finishing the KGB course in Moscow (written in Cyrillic alphabet) kept in his personal files to him. After obtaining a negative reply from active officer, Lt Col Piwoński stated that "in this situation he shall attain his goal in another way".

After retirement (military pension) he was reported to take a managerial position in the human resources department in the Ministry of Foreign Affairs.

3. A commonly known effect of failure in undertaking any actions in the described matter was enabling carrying intelligence activity to Lt Col Czesław Wojtkun, the ex-chief of Military Internal Services counter-intelligence (then WSI) in Łódź. In February 1986 he finished the KGB course and in all probability he was already at that time recruited by the Soviet services. He was sentenced to degradation and four years of imprisonment for delivering the documents of Polish intelligence to the Russians.

A thesis was also advanced that Lt Col Wojtkun was disclosed out of revenge by KGB agents, with whom he had common dealings and whom he stole of one billion of "old" Polish zlotys, withdrawing such amount from a banking account. It is a fact, that even at the beginning of the 90-ies, KGB agents visited him in the counter-intelligence offices. The feature characteristic for the situation prevailing in the WSI is the fact that the investigation and arrest of Wojtkun was possible due to the action of the State Security Office (UOP) and not the WSI actions, which did not undertake any activity in this matter.

4. A similar situation may be observed in counter-intelligence matters aimed, from a formal point of view, at counteracting the Russian penetration. For example the case "K" was established in order to develop a recruitment situation towards the officer of the Russian Federation, but in result of scandalous conduct of the case, as a result its none effects, all the

actions were directed to the figurehead, a senior officer of military counter-intelligence, in order to hide the real state of the affair. However, no clues of the matter, among others involvement in the matter of KGB officer and Cpt. J.S., the participant of the course in Moscow in the years 1985-86, were undertaken. It was never explained whether this entire matter was not a result of KGB provocation and whether Cpt. J.S. was not the collaborator of foreign services. The entire procedure was oriented only to secondary issues

Procedure "S" was established against the officer of the Polish Armed Forces, Lt Col J. J. ("S") and was conducted by military counter-intelligence, aiming at investigation of his possible activity in favor of Russian intelligence. The key issues in this matter was lack of information flow between Military Intelligence Directorate (ZWW) and military intelligence, resulting first of all from protection of not precisely determined interest of Intelligence. The realization of planned operating actions was ceased, which could bring counter-intelligence advantages. The "S" investigation was carried superficially, the clues of the matter were not continued. In 1980-1983 "S" stayed in the Academy in Kiev. It can be seen from obtained information that during this stay he informed one of the lecturers, co-operating most probably with the KGB about the student environment. "S" also declared his readiness to serve in the former Soviet Army. He kept social and commercial contacts with a Russian woman, who had been for several years in close relations with Polish officers studying in the USSR. In September 1989 r. "S" started studies at the Commanding and Staff Academy of State Air Defense Forces in Tver. It is not known, who the inspirer of his return to Moscow 10 years later for annual studies was, but in the same year shielding actions against J. J. were undertaken. It was done by ZWW officer Maj. Jan Szczyński, formerly trained in the USSR.

After returning from studies in Moscow, "S" became the acting Chief of Staff I of Rocket Brigade of Air Defense in August 1999. During the procedure, the following facts were established, among other, confirming the justified suspicions of "S" contacts with foreign intelligence:

- between 1992 (stay of "S" in Tver), and 1999 (stay in Moscow) two attempts of establishing contact with "S" by persons having relations with Russian special forces were made;
- "S" was hiding his contacts, including the contacts with citizens of the Russian Federation;

- "S" demonstrated special initiative in establishing contacts with the cadre of NATO states;
- "S" solicited contacts with Air Defense Army and the General Staff of the Polish Armed Forces staff in order to promote his person in Air Defense Army and General Staff of the Polish Armed Forces command;
- during run verifying proceeding "S" did not disclose contact with foreigners;
- during his stay abroad "S" realized telephone connections with the Russian Federation;
- without his superiors' consent "S" invited military attaché of the Embassy of France in Warsaw for military exercises;
- "S" was keeping contacts with unknown man visiting him in his military unit;
- "S" had negative result of polygraph test – a strong reaction to questions relating to his cooperation with foreign special services, in spite of this no securing actions have been undertaken;
- in February 2002 "S" went to the Baltic Coast under the pretext of inspection in rocket commands ; he did not inform his closest circle about it, he took two heavy suitcases and his service laptop, from which he sent correspondence, whose content and addressee were not established; the actual stay of the figurehead at the Coast has never been established, either;
- the trial of handing money to "S" in the form of a bribe was stated, to the order of Russian special forces (payment to the account was to be effected after his retirement).

In spite of so much expressed signals, the thesis that "S" is a collaborator of foreign services was consistently rejected and the procedure was conducted in a way, which simply shielded his suspected actions. Probably in 2005 his case was placed in the archives. In the same year "S" quit the service and was employed in Bank Gospodarki Żywnościowej ('Bank for Sustenance Economy').

The case under code name "K" relates to cooperation of Col. Marian Kastelik (graduate of GRU course in the USSR), recalled by way of punishment from post in Norway for alcohol abuse with lieutenant colonel of the Soviet military intelligence Kozyrev and disclosing the information which could be detrimental for the Republic of Poland to him. During his stay on the post in Democratic Republic of Korea Col. Kastelik disclosed the data of the WSI officer under cover

and the scope of the activity carried by him in the Russian Federation. He did not either inform the Command of the attempt of recruitment by intelligence services of the Democratic People's Republic of Korea and Russia of the officers subordinated to him – Lt. Col. J. and Lt. K.

During his stay on above mentioned post Col. Kastelik:

- contrary to Command instruction remained in very friendly contacts with employees of the Russian Federation Embassy, including GRU soldiers (Kozyrev) and had numerous intimate contacts with Russian women dangled to him by GRU;
- during his entire stay he bought deficit objects for the Embassy of the Russian Federation (because of the embargo), and leaving the post he instructed his successors to continue these actions;
- he was running correspondence through the intermediary of Americans between Lt Col J. and a former employee (women) of the Embassy of the Russian Federation in Pyongyang, neglecting the official communication channel;
- he acquainted Gen. K.O. with GRU residents in Korea (Kozyrev and his chief Smirnof). As It can be seen from the files of the case, Gen. K.O. provided to Russian Federation diplomats, in this GRU and KGB officers, information he received by virtue of his position, including also information obtained from the chiefs of other missions;
- many times he spent the time in the Polish Embassy in Moscow in the company of a Russian women dangled to him by Kozyrev;
- he participated in the scandal relating to the purchase and service of computer hardware for the Embassy of the Polish Republic in Pyongyang through a Russian Company, which enabled insight to the computer data by the service technician – a Russian citizen.

The case against Col. Marian Kastelik was established no earlier than a year after his coming back from the post. No individual cases were carried out, which would investigate the events of contacts of other WSI officers on the Mission in Korea with the Russians, no action was undertaken, either, which could lead either documenting the contacts of Col. Kastelik with representative of Russian special forces after this return to Poland.

In spite of admitting that Col. Kastelik "does not guarantee by his behavior the honesty and loyalty, he is unreliable as intelligence officer and may make a threat for the safety of operating tasks realized by the Institution for safety of the Republic of Poland", the only action that was

suggested was transferring above mentioned person to reserve.

The following persons, knowing the case as described above, did not undertake any action relevant to the scale of the involved threat:

1. Lt Col Ryszard Niedziałkowski (conducting the case)
2. Col. Janusz Bogusz
3. Col. Andrzej Ziętkiewicz (participant of course in the USSR)
4. Col. Stanisław Mańczyński
5. Col. Marek Witkowski

Another example of lack of appropriate reaction to the connections of the WSI officers with Eastern special services was the case of operating shielding (SOZ) under code name "P", in which the figurehead was Comdr. Piotr Gawliczek from Division 2 of the 2nd Directorate (earlier the officer of 'Division Y' and expert of Attaché's Office in Norway). In the course of conducting the case, the figurehead did not avow his acquaintance with GRU officer, which was established in 80-ies in the Brigade of Soviet Army, which was based in Świnoujście. As it was established, GRU officer, appearing in the role of the interpreter of this unit, was performing in fact investigation and intelligence tasks. At the beginning of the 90-ies he considerably intensified his activity in the environment of the Polish Armed Forces and among civil persons from the circle of the Military Navy in Świnoujście and Polish Armed Forces Units in the region of Western Pomerania. In the following years, the officer of GRU has come many times to Poland under the cover story of commercial activity, re-establishing his contacts with Polish citizens, whom he met earlier. His actions in Poland after 1994 were aimed at penetrating the officer cadre and the closest environment of military units due to his contacts established during earlier stay in Poland.. In spite of serious and unexplained suspicions Gen. M. Dukaczewski made a decision on directing Comdr. Gawliczek to work in the analytical unit of the WSI, in which his access to confidential information was extended (and in 1999 he was promoted to the position of Chief of Command of Studies and Analyses (ZSiA).

The files of this case include an internal note of Maj. Jan Żukowski to Col. Tadeusz Rusak, in which the first states that though it could not be excluded that above mentioned rear admiral undertook cooperation with GRU, no actions should be initiated against him, since "it would impinge negatively on bona fides of Polish military special services before alliances from NATO".

The conclusion which resulted from above described case was not used for planning and organizing the operating work of the WSI, the result of which was the WSI abandonment of deepening its knowledge about the activity of special services of the former USSR states in Poland, particularly in the areas, in which the Soviet Army was based in the past. Because of this the conviction that the cooperation through the network of agents with the USSR services was tolerated, if not approved, became established.

Russian penetration: resume

The above analysis of selected operational cases indicates that the WSI were incapable to carry effective counter-intelligence work to that extent. During the entire period of their existence they did not detain even one Russian spy. All success in this field was the result of civil services actions. Even the representatives of the WSI themselves disputed the bona fides of this services. In one of "GWIAZDA" documents it was stated: "I state with full responsibility that these services are not reliable, which is mainly due to their cadre, involved in unexplained contacts with the East".

In turn, in an internal note dated March 24, 1999 it was indicated that the graduates from KGB and GRU courses "made a natural recruitment base for Eastern special services". According to another document, military counter-intelligence and intelligence obtained many interesting information" on this subject, but they did not bring any effects. It was aptly noted that one of the reasons of this situation "was and is the WSI infiltration by special services of the East, for whom the officers trained in the East could make a recruitment and information basis".. The assessment of the WSI operating actions both in intelligence and anti-espionage area, must be negative. For several recent years the military special services have not been in condition to build any operating structure, which could carry intelligence reconnaissance and provide counter-intelligence security, unexposed to the Soviet infiltration.

It should be also considered that the main actions undertaken in the case under code-name "GWIAZDA" were both apparent and ineffective by default, or they were doomed to failure because they were supervised by the officers trained by GRU and KGB. It should be taken into consideration in that place, that the pragmatics resulting from the regulations on registration of procedures in special services records, provided a guarantee that each interest in this subject or appearance of any additional information or suspect ions must be co-ordinated – which is equal to

referring them to the unit, which conducted the case "GWIAZDA".

In the light of the above cited facts, the proceeding of the following persons fulfils the instruction contained in Art. 70a subpar. 2 of the Act of June 9, 2006 Regulations Implementing the Military Counter-intelligence Service and Military Intelligence Service Act and of the Act on Duties of the Officers of Military Intelligence Service and Military Intelligence Service: Brig Gen. Jan Żukowski, Gen. Marek Dukaczewski, Col. Marek Słoń, Col. Zenon Klamecki, Col. Andrzej Ziętkiewicz, Col. Stanisław Mańczyński, Col. Marek Witkowski, Col. Waldemar Dzięgielewski, Col. Mieczysław Kulita, Col. Kazimierz Kolasa, Col. Grzegorz Sobecki, Col. Stefan Janus, Col. Józef Wąsik, Col. Marian Kastelik, Col. Janusz Bogusz, Lt Col Krzysztof Kłosiński, Lt Col Jerzy Rzepecki, Comdr. Piotr Gawliczek, Lt Col Bogusław Świątek, Lt Col Czesław Wojtkun, Lt Col Ryszard Piwoński, Lt Col Ryszard Niedziałkowski, Lt Col Paweł Selwet, Lt Col Krzysztof Gardian, Lt Col Andrzej Goczał, Lt Col Janusz Łuszcz, Maj. Grzegorz Wilczewski, Maj. Piotr Jaskólski, Maj. Marek Kwasek, Maj. Jacek Popławski, Maj. Marek Orzeł, Maj. Maciej Antczak, Maj. Krzysztof Rola, Cpt. Wojciech Resiak.

In the light of Art. 70a subpar. 3 of the Act cited in the introduction, the persons occupying lead governmental positions, which learnt about the actions inconsistent with the law and did not undertake any actions aimed at ceasing such actions was the Minister of National Defense Janusz Onyszkiewicz. In the above-described period the Chief of the WSI was Brig. Gen. Marek Dukaczewski. In Art. 5 subpar. 1 of the Act of December 14, 1994 on the Office of Minister of National Defense a regulation is contained, that Military Information Services (WSI) were subordinated directly to the above Minister. More precise information on this regulation was brought by § 1 p. 16 of the Decree of Council of Minister of July 9, 1995 on detailed scope of Minister of National Defense activity. It imposed on the Minister of National Defense a duty of exercising supervision of Military Information Services (WSI) activity, particularly of their operational and investigation activity. According to the Act of July 9, 2003 on Military Information Services (WSI), the supervision of activity of these services was a duty of Minister of National Defense, who appointed persons to this position and dismissed WSI Chief.

Pursuant to Art. 9 subpar. 1 of this Act the chief of the WSI was directly subordinated to Minister of National Defense. The Ministers of National Defense in that period were: Stanisław Dobrzański, Bronisław Komorowski and Jerzy Szmajdziński.

The facts cited in this Chapter give rise to objections as to the lawfulness of the WSI

soldiers' proceeding, in connection with the above the Verification Commission submitted a notice of suspicion of committing a crime to the Chief Military Prosecutor's Office pursuant to Art. 304 § 2 of the code of criminal proceeding.

4. WSI use of the 'Security Service' apparatus – case study

The WSI used negatively verified apparatus of communist Security Service (Służba Bezpieczeństwa – SB) for the organization of its non-central structures. An example of such illegal action was establishing in Bielsko-Biała in half 90-ies a secret field residency under the case code-named "O".

This case was run from October 10, 1994 to September 25, 1996. Dynamically developed in the first period (autumn 1994 – spring 1995), it was later inhibited, which probably may be appropriated to the changes in the cadre employed in the WSI.

Two documents remained from this period. The first one (dated November 30, 1995) is a collection of opinions expressed in military circles, and as M. Wolny added, this was realization of the WSI Chief task. Another (dated April 16, 2004 related to business environment invited to "Bal Orła Białego" ['White Eagle Ball; the white eagle is located on Polish flag] in Vienna. In this information such names as Kuna, Żagiel and Wiatr are mentioned, representing among others the companies BILLA or SLAVIK. The fact of involvement of these persons in the trade in arms with the states of former Yugoslavia was also noted. Information came from Piotr Wawrzyczek (the partner of S. Zasada [former racing car driver, industrialist in automotive industry in Poland]) and it was received indirectly by source code-named "GRAŻYNA". This signals the tendency of keeping the activity of established informants' structure.

The plan initiating the files under code name "O" indicates to the necessity of building a counter-intelligence security system in the area of Bielsko-Biała Province with use of negatively verified former officers of SB [Communist's Security Service in Poland] and their human sources. This activity was to be carried under cover as guard security Company by the name: "Komandos" ['Special Service Soldier', Commando]. The residency was to be composed of three former SB agents, who were expected to re-recruit the former agents and secret SB collaborators in the circles being of interest for the WSI, in Poland and abroad. It was planned to re-establish contacts with former employees placed in journalists' circles, being officers of governmental administration, acting in business, occupying management positions and persons associated with special services and the army. It was also planned to recruit 8-10 former secret collaborates per

one residency member. In addition, the plans assumed that the chief of residency (negatively verified), the former employee of SB shall be provided with recommending document addressed to Police and Border Guard authorities, inducing the chiefs of the local Ministry of Internal Affairs authorities to render their assistance. The remuneration for the residents was to be PLN 4-5 mln (in "old" PLN; [10,000 zlotys = 1 US Dollar]) per month. Col. Marek Wolny and Lt Col Jan Węgierski were appointed as liaison officers for the residency. The contacts of residency with open field procedures of the WSI Counter-intelligence were excluded. It was a procedure enabling conspiracy of actions, causing at the same time that the structure was not subordinated to any supervision, neither content-related, nor financial one.

Three former SB agents were engaged to the actions, which were recruited to cooperation as residents with the following pseudonyms "RYSZARD JAWORSKI", "WŁADYSŁAW KWOCZAK" and "JAN MICHNA"

Most probably they were the former agents from Section III and V of SB from the District Internal Affairs Office (RUSW) in Cieszyn [on the border with the Czech Republic]. Detailed relation about personal information sources, carried in the area under their control in the 80-ies were taken from them. A list of over 100 names were issued (though in the files it is incomplete, which is confirmed by the selection of documents included in the files). It can not be excluded that the persons who were not found in the files of the case have later realized undertakings breaching the law to such extent that the persons carrying the matter did not take a risk to document them.

Then, double-track actions were carried. Typified names were checked in the operating records of UOP getting the confirmation, which reminded registration and the possibility of insight into the materials. Certain persons were subject to investigation through carrying interviews with people from their close environment, and the interviews with the persons concerned were undertaken.

On the grounds of documents kept in files "O" it is possible to reproduce the eligibility criteria for the agents. The persons sought by the services:

- had to pass the verification (in case of agents) and
- should have negative attitude to the governments of the Republic of Poland after 1989,
- should be interested in joining newly established services,

- should evaluate the reality before 1989 as organized and see the reason for growth in criminality and various social pathologies in democracy.

Therefore the sought persons should be truly dedicated to communistic state structures, and in view of their placement should be ready to co-operate and at the same time be prone to manipulation.

An example of such approach is the activity of former SB agent aka, "JANUSZ OKRZESIK" [cryptic name for secret collaborator], who before his recruitment had disclosed, that he possessed hidden materials from the case run in the time, when he served in SB (the case had code name "PALESTRA" [= 'BAR', understood as a corporation of lawyers], and it may be concluded from the orientation of the functionary that it could be bound with juridical circles from Bielsko-Biała region). He delivered approximately 300 pages of these materials to the WSI. They contained among others the facts discrediting the persons from juridical circles, indicated to secret collaborators in this environment (e.g. prosecutor, judge, and notary). M. Wolny and K. Głowacki were informed about hiding the material and about their contents. Another SB agent aka "WLADYSŁAW KORCZAK" indicated to his sources, which were recruited in order to investigate the structures of NSZZ "Solidarność". The Commission did not yet establish what happened to these materials. From the way of the WSI activity, analyzed so far it may be concluded that they were used either for blackmailing of the persons appearing therein, or as a pretext for their re-investigation and re-recruitment. Meanwhile, it was the WSI's duty to transfer the files of the "PALESTRA" case to the Institute of National Remembrance.

Information gathered by the residency related to:

- Foundation "V", whose secretary is the former employee of the apparatus of Polish United Worker's Party (PZPR) and SB agent (until the moment of liquidation of these services).
- Russian Company "N" trading in lentex;
- Plant "W" processing the scrap non-iron metals;
- The Company "I", trading in agricultural and food products, non-ferrous metals and offering consultancy services in the field of fire protection.

This makes it possible to explain why the residency activity could not bring any intelligence or counter-intelligence effects. It is difficult to find in the activity of the above-mentioned

companies any elements associated with State safety in the sphere of defense. The fundamental objective of this residency action was different, therefore it is no wonder that it was not expressed in the documentation outright. This fact is confirmed by:

1. the tendency in typifying and verification of agents – persons typified for in-depth verifications in the State Security Office (UOP) had neither the competencies related to state safety, particularly in the aspect of armed forces (actor, politician, tradesman), nor the required possibilities (e.g. year of birth 1920);
2. absence of any presumptions which could indicate to running the work in order to secure the State safety;
3. typifying for further development prior to recruitment as collaborator, the persons, whose knowledge or professional career were not bound with statutory WSI tasks:
 - economist A.W., he was supposed in the WSI opinion to have knowledge of Art.-B affair and of business relations of politicians' group – in this about carrying out from Poland the equivalent of 800 billion "old" Polish zlotys (WSI were also interested in political friends of W.)
 - lawyer B. involved in cooperation with SB;
 - former secret collaborator aka "KRZEMIŃSKI" [cryptic name for secret collaborator], a criminal and smuggler, having established contacts with international criminal groups, trading in drugs;
4. looking for the possibilities of obtaining information from banking environment (such possibilities were deciding in case of typifying for recruitment of former and negatively verified operating agent of SB, Stanisław Bajda), which was explained with the fact that the close co-workers of Bogusław Bagsik were two employees of Section V of SB in Regional Office for Internal Affairs on Cieszyn.
5. accepting these actions by the Chief of Counter-intelligence Services of the WSI Comdr. Kazimierz Głowacki, which may indicated to the fact that scheduled verification of business and juridical circles in Bielsko-Biała Province was carried, with visible interest in getting such knowledge, which would enable blackmailing of selected persons.

The material in the case "O" was produced by the 3rd Directorate WSI, but after its completion it was sent to Safety Section at the WSI. The records of the case run by main specialist of the 3rd Directorate WSI Col. Marek Wolny with consent of the Chief of Counter-intelligence Services WSI Comdr. K. Głowacki was referred to Safety Section, which was aimed

at hiding it before the employees of the 3rd Directorate WSI. Carried actions were going beyond the WSI counter-intelligence competencies since they were oriented to region of Bielsko-Biała and were typical of intelligence. The planned activities were executed in strictly selected location and time, which could be connect with the smuggling activity of the “Vienna” businessmen environment. These actions could have twofold dimension: on the one hand they served for investigation status of shielding by special services of certain circles and persons, on the other hand they could be a prelude for planned actions, for which it was necessary for investigation of political and juridical environment. Looking from this perspective, you may admit that we could have here to do with shielding actions associated with planned business activity, for which the region of Bielsko-Biała was of special importance. Such an intention of the authors of this undertaking may be confirmed by the fact, that the WSI residents – with the consent of the services command – made a decision to give to their informants the pseudonyms being the real names of publicly known persons, playing an important role in Bielsko-Biała society (e.g. "JANUSZ OKRZESIK" or "JAN MICHNA", [cryptic names for secret collaborator(s)]). In this place we have to do with masking criminal actions, which in case of instituting a criminal proceeding have to cast suspicions to non guilty persons and to discredit such persons by the same in the public opinion eyes.

The case of "non-public residency O" is a good example of special services pathology in the 90-ies, when depraved and criminal elements were used in order to obtain information able to discredit politicians and be used to control them. Such intentions of the authors and organizers of "O" residency are confirmed not only by fact that it did not bring any operating advantages, but that none of identified criminals was held liable. Selection of persons securing flow of information and constituting potential shielding apparatus in case of conflict with law, supports the assumption that establishing such secret branch of Military Counter-intelligence WSI in Bielsko-Biała had nothing to do with military services tasks and assignments.

In the light of the above facts, the performance of the following persons fulfils the instruction in Art. 70a subpar. 1 and 2 p. 2 of the Act of June 9, 2006 Regulations introducing the Act on Military Counter-intelligence Service and Military Intelligence Service: Comdr. Kazimierz Głowacki, Col. Marek Wolny, Lt Col. Jan Węgiński.

In described period the Chief of the WSI was Brig.Gen. Konstanty Malejczyk.

Up to 1995 the supervision of the WSI's activities on the principle of general

responsibility of subordinated department was exercised by the Minister of National Defense. In the described period this office was held by: Zbigniew Okoński and Stanisław Dobrzański.

The facts cited in the Chapter hereof raise objections as to legitimacy of the WSI soldiers proceeding, in connection with the above the Verification Commission sent to the Chief Military Prosecutor's Office a notification of suspected commitment of crime pursuant to Art. 304 § 2 of Code of criminal proceeding.

5. Surveillance of political environment by the WSI

WSI actively penetrated the political circles, first of all the politicians of the right wing. In spite of manipulating by the WSI the archive documents and falsification of the contents of files of run operational cases, it may be decidedly stated that certain right wing parties were methodically put under surveillance. These were the circles creating or sympathizing with among other Center Agreement, Movement for the Republic of Poland, Movement for Third Republic of Poland and Polish Liberation Party..

The operating actions were organized, oriented to Jarosław and Lech Kaczyński. The objective of these actions was splitting of the Center Agreement, involving its leaders and disintegration of this party. The operation was run from 1990 up to as late as 2001. Already in 1990 Grzegorz Żemek was directed to investigate J. and L. Kaczynski, and particularly intense actions against Centrum Agreement circles were run in 2000-2001, when public TV managed by Robert Kwiatkowski broadcasted the film “Drama in three acts” (WSI officers engaged in surveillance of political party the ‘Porozumienie Centrum’ /’Agreement of the Center’/ at the beginning of the 90-ies, among others Zenon Klamecki, kept the command of the WSI currently informed about their contacts with the authors of the film "Drama in three acts”).

Continuation of practices from the People’s Polish Republic period

The actions relating to these circles prove that the WSI behaved like communist Military Internal Services (WSW), which being so called "political police" in the army, controlled the political views of soldiers and commanding cadre and were fighting their “ideological enemies”.. The activity of this formation was evaluated already at the beginning of the 90-ies by Extraordinary Subcommission for Examination of the Activity of the former Military Internal Services (WSW) of the representative Janusz Okrzesik, After completion of the works in April 1991, this Commission prepared a special Report, in which it indicated, among others, to carrying by Military Internal Services the actions against political opposition. In all the instructions of this service there was a record on fighting hostile political activity.

The tasks of Military Internal Services (WSW) included, among others control of

participation of the soldiers in religious practices and listening to Western broadcasting stations and detecting in the army the offences of political character.

WSI acted like Military Police in Polish People's Republic times

Soldiers being under surveillance

The WSI actions against military associations, postulating the necessity of introducing changes in the army were correlated with the actions against civil persons; there occurred fundamental convergence of operating actions. The actions against the soldiers may be regarded as justified to the extent in which they were carried under statutory frames. The fact that the actions against the soldiers were only a pretext for political parties' investigation is a characteristic feature of discussed cases. In their active search for information about relations functioning between the Polish Armed Forces officers (e.g. 'Association of Officers for Changes in the Army', Association 'Facta Non Verba', Association "VIRITIM", the WSI assumed as their operating foundation a thesis that "VIRITIM" is an organization inspired by political circles concentrated around politician representing the government of Jan Olszewski. It leads to the conclusion that the actions of the WSI described herein were aimed at fighting political opponents of the system represented by the WSI. The WSI actions to this extent were carried on supra-ministerial level. After June 4, 1992 the then WSI Chief Bolesław Izydorczyk was regularly sending the findings (including those operational one) relating to military associations, their sympathizers and the former management of the Ministry of Defense, to other governmental authorities. The WSI undertakings were coordinated with the Counter-intelligence Section of the State Security Office (UOP), and the Chief of this department Konstanty Miodowicz applied to the WSI for its assistance in investigation of informal groups acting in the army and their relations with the sections subordinated to Ministry of Internal Affairs.

In handwritten instruction to handle the case dated July 17, 1992 it was ordered "not to establish contact with UOP until the moment of official regulation of cooperation Military Counter-intelligence WSI with UOP". However, it is beyond any doubts, that cooperation between the WSI with Konstanty Miodowicz department was established. It was indicated by the WSI Chief in the letters to the Chief of the National Security Office (BBN) Jerzy Milewski of July 8, 1992 and to Minister of Internal Affairs Andrzej Milczanowski of July 17, 1992.

WSI informed also the Chief Military Prosecutor about the necessity of taking into consideration

the fact, that press and radio indicated that the leaflets of the Association "are produced and sent at least with the knowledge of J. PARYS, R. SZEREMIETIEW and R. SIKORSKI".

Political opponent doctrine

There is a wide-ranging convergence in the actions of so called Jan Lesiak (UOP) group with the WSI actions, whereby the military special services have more precisely determined their operating actions and indicated outright whom they perceive as the main opponent for the State structures. This opponent was to be the environment with expressly determined anti-Communist program, both military and civil. According to the WSI, all the circles criticizing the power centers or military special services should be strictly controlled.

These actions were carried from the beginning of system transformations in Poland, and the WSI have worked out a specific doctrine of political opponent, which should be fought, since it is dangerous for State structures. Under the pretext of gathering information on articles appearing in the press, interviews in radio and leaflets critical for the Ministry of National Defense, Polish Armed Forces and the WSI, the information about journalists and politicians was gathered. The object of surveillance were first of all groups, political parties and persons, who demanded carrying de-Communistation and 'lustration' (vetting) in the army, dissolution of Warsaw Pact, accession to NATO etc. Taking issue with the persons disclosing irregularities or remainders of the patronage system of the Polish People's Republic (called nomenclature) in the army, the WSI acted in favor of keeping communistic influence in the armed forces.

It was regarded that the persons and circles, whose purpose is, among other:

- presentation of the WSI as discredited organization,
- proving that the WSI are related with special services of the former USSR states,
- accuse the WSI of serving in favor of the President and taking issue with the government;

provide information about personal and organizational changes in the WSI should be subject to surveillance

At the beginning of the 90-ies the WSI carried investigation of the circles of officers demanding changes in the Armed Forces, verification of higher commanding cadre, and withdrawal of discredited persons and making the persons liable for political purges from the years of martial law being in force.

Up to now not all of documents were found, and the found files of "Association of Junior

Officers. Counter-intelligence Prevention" proved manipulation of the file contents

On March 29, 1991 the Chief of Counter-intelligence Section of Central Institutions at the Ministry of National Defense in internal note to the Deputy Chief of Directorate II of General Staff described the activity of Association in Favor of Transitions in the Army in Warsaw garrison. It contained, among others, the following statements: "Notwithstanding declared lofty purposes, for whose realization the association was established, e.g. promoting patriotism, officer's honor, the way of recruitment of the members bears the features of conspiracy".

During next months the WSI undertook in-depth operating actions towards these circles. Among others the issue of the authorship of the letters with leaflets sent to military units was explained. The WSI has subject to analysis the leaflet peddled in July 1991 in WAT Military University of Technology, signed by Association 'Facta', 'Non Verba'.

Right-wing parties surveillance

The WSI also carried out operating activities against civil circles. It can be seen from materials being in possession of the Verification Commission that at the beginning of 1990, Col. Henryk Dunal from Directorate II of General Staff instructed Grzegorz Żemek to enter the environment of Kaczynski's brothers and undertake their investigation. According to these materials the actions undertaken further towards Kaczynski's brothers and their co-operators have operational character and made an attempt of realization of the task". The officers related with Żemek were Łada, Żyłowski and Klamecki . This information is important insomuch that the names of the same officers appear at the beginning of the 90-ies in connection with investigation of the 'Agreement of the Center' by the WSI. It means that the meetings of the group of officers from the 2nd Directorate of the General Staff carrying the case of Grzegorz Żemek with Maciej Zalewski made part of considerably bigger WSI operation, in connection with Center Agreement surveillance, In summer 1991, Col. Zenon Klamecki initiated a meeting of Lt Col Jerzy Klemba with M. Zaleski. The meeting was held in the cafe at the Grójecka Street. Col. Klemba stated that M. Zalewski had an intention to typify the officers from military special services, who would work in the Office of National Safety. It is reported that two further meetings with M, Zalewski took place soon, first in the Office of National Safety seat, second in the Company "Klif" near Marsa St. After resignation of M. Zalewski from the Office for National Safety these contacts ceased. One of the participants of these meeting, Col. Jerzy Zadora was reported to inform Lt Col

Żyłowski about meeting with M. Zalewski. In addition, Col. Zadora stated that about these meeting were informed other higher officers of military special services: "The knowledge of these meeting was not closed in the narrow circle of the 2nd Directorate officers. The interlocutor stated that 'all chefs knew about them'".

According to explanations of Col. Zadora "contacts of the 2nd Directorate officers with persons from ministers, and Mr. Zalewski as such a person, were at that time frequent and natural".. It can be seen from the relation of Col. Klamecki that he had never met Jaroslaw Kaczyński and Adam Glapiński from the 'Centre Agreement', personally.

It is worth mentioning that Col. Klemba was carrying out intensive business activity from the middle of the 80-ies. In the department under his management the repair services of electronic equipment, in this of radio receivers, were performed, it was also the place in which "Jowisz" TV sets were assembled, and they were two times cheaper compared to prices in shops and the majority of this production was destined to private homes of the chiefs of the 2nd Directorate. At that time, Col. Klemba started to build a house and incurred subsequent credits for this purpose. In order to cover his expenditures he was to establish a commercial company dealing from import of goods from duty-free zones. After leaving the service "he started to move in the then financial circles, having connections with FOZZ (Foreign Debt Service Fund). One of his acquaintances reported at the beginning of the 90-ies that Klemba "works for Prime Minister [Tadeusz] Mazowiecki and shall be in the team dealing with Polish debt".

More or less at the same time two young WSI officers, Lt. Piotr Polaszczyk and Comdr. K.[name in the files of Verification Commission], established contacts with the circle of civilian politics. In second half 1991 they established contacts with politicians from right wing parties (among others Jan Parys and Jan Olszewski). These contacts might fulfil their role, aiming at determination of attitude of these politicians to any possible changes in the army and in the WSI. The superiors of both officers knew about these meetings. K. submitted reports on meetings with politicians of the right wing to his superior Col. M. Czapliński.

For the first time K. contacted the right wing politicians in autumn 1991, when Lt. Polaszczyk suggested to him participation in the meeting at a social with lawyer Jan Olszewski and doctor Wojciech Włodarczyk. This meeting was a beginning for many other meetings with persons of right political orientation and with church dignitaries. The meeting with J. Parys was held in private flat, but in order to talk with him they went for a walk to park.

Besides J. Parys the following persons participated in the meeting, among others Józef Szaniawski, bishop [of the Roman Catholic Church, and the Chaplain of the Polish Armed Forces] Sławoj Leszek Głódź, Col. Franciszek Sznajder (in K. opinion he was the person who could be the intermediary in establishing contacts with J. Parys), Col. Józef Pawelec (representative to Parliament of the Republic of Poland in the years 1991-1993 and one of the founders of "Viritim" association) and Leszek Moczulski (the meeting with him was organized after election in 1991, in which he was mentioned as a candidate to the position of Minister of National Defense, the initiator of the meeting was Col. Pawelec, and the meeting was held in his house in the place called Nadarzyn [30 kilometers south of Warsaw]).

The object of the conversation were the changes taking place in the country and in the armed forces (including the WSI), the attitude of younger officer cadre to these changes and the atmosphere prevailing among the cadre. K. estimated that contacts of Lt. Polaszczyk with right wing politicians could be inspired by high officers of Military Police command: Col.. Aleksander Lichocki (last chief of Directorate I of Military Police Command) and Col.. Marek Wolny (last chief of Section 2 in 3rd Directorate, and earlier the Chief of Section 3 in 1st Directorate I of Military Internal Services command).

According to K. Lt. Polaszczyk kept at that time frequent contacts with these officers. In September 1992 K. was called for an inquiry to the officer of the then to Safety Section. Col.. Krzysztof Kucharski, to whom he explained and described the details of history of his participation in the meetings with these politicians.

Surveillance of political life in 1992

The WSI noted the cases of sending to military units the letters containing leaflets on enfranchisement of the nomenclature (communist patronage system) in the army and decrepitude of Ministry of National Defense chiefs (J. Onyszkiewicz and B. Komorowski). They wanted to find the authors of the leaflets and organizers of associations presented as acting in the army.

WSI performed among others the analysis of post stamps, run criminal biological examinations of post stamps for presence of saliva of the persons sending the letters, the writing patterns of various typewriters were compared. The copies of documents issued by the servicemen typified as the persons who could participate in the action of sending the letters, were obtained. Also the examples of their handwriting were subject to graphology tests (a decision was

made on obtaining the samples of such persons' handwriting – without their knowledge). A wire-tapping was used for selected numbers. However, none actions were undertaken aimed at explanation of the information presented in the leaflets as regards economic irregularities.

In the memo of June 3, 1992 the Chief of Section of Military Counter-intelligence of Polish Air Forces Col. Andrzej Firewicz wrote that the authors of the leaflets were rather the senior officers from General Staff or from Education Department of the Ministry of National Defense, dissatisfied with their career path in the army, The informants from Military Counter-intelligence indicated that the authors could originate from Pomeranian Military District. A week later Col. Firewicz stated that the letter of the Association of Junior Officers in Favor of Transformations in the Army could “be an attempt of interference of certain political parties into military circles”.. The interlocutor of Col. Firewicz indicated that it could be done by such parties as Confederation of Independent Poland (KPN) Polish National Party (PPN), Center Agreement (PC), but "he did not give any hard fact, making a reservation that it is his private estimation, backed however by the declaration of support for Parys and dislike to Komorowski and Onyszkiewicz".

More detailed information was in the possession of the Warsaw WSI Section. The Chief of Capital City WSI Section Lt Col Jerzy Drag informed that the inspirers of the action of sending the letters were typified in result of operation and that they were expected to be subject to operational control . Another part of this memo proves that the Ministry of National Defense management from the times of J. Olszewski government was surveillanced: “On the grounds of possessed operating data the following persons are named, among others, as the inspirers of political actions in the matter under consideration: Jan Parys, Romuald Szeremietiew, Radosław Sikorski, gen. Marian Sobolewski and other officers of the Polish Army directly related or sympathizing mainly with the Association "VIRITIM", KPN, PPN”

A decision was made on using special undertakings towards typified persons, and their "control of HUMINT source" was organized”. However, there are no reports issued by the WSI informants in the files. We should take notice of the fact that the actions aimed at identifying the organizers were carried by various groups of the WSI, which did not exchange their findings between them.

In that time the WSI monitored also the activity of other civil circles, In "monthly information relating to aspects forming the counter-intelligence situation" for May 1992, Section 4 WSI draw

attention to the mass meeting of the Independent Alliance of Małopolska ('Niepodległościowy Sojusz Małopolski'), Fighting Youth Federation ('Federacja Młodzieży Walczącej'), "Solidarność '80" and 'Liberty Party' (Partia Wolności) taking place in Krakow on the occasion of the anniversary of 3rd May Constitution passage. During the meeting, the establishment of National Guard was announced among other, "an independent military organization, composed of young people, not having relations with the former Polish United Workers' Party (PZPR)", The initiator of this undertaking was Krzysztof Kopeć from KPN. WSI received information about the organizational meeting of this formation, which were held on May 15 and 18 in the seat of Fighting Youth Federation. The WSI suspected that the organizers were recruiting volunteers to fights in Yugoslavia (according to the WSI in April 1992. Krzysztof Kopeć and Wojciech Polaczek placed the posters in Krakow, on which they informed about the fights of so called "Legion Polski" (Polish Legion) in the former Yugoslavia and postulated the fights "with the remainders of communism in Poland"), but both activists denied to have run the recruitment posts.

In June the WSI did not hide their disquiet with publishing an article in "Gazeta Krakowska" ('Gazette of Krakow'), which was a briefing for the persons refusing to undergo the military service. The churches in Nowa Huta (close to Krakow) and posts of Krakow anarchistic organizations rendered their assistance in writing applications for military service postponing. One month later an event of distribution of leaflets of "Wolność i Pokój" ('Freedom and Peace') organization was noted in Warsaw.

The Investigation of Bronisław Komorowski

Surveillance of the Mass Media

Most operational cases related to opposition politicians were always run by the same group of the WSI (Military Information Services – MIS) officers. In other words, in the military secret service's structures there was a specialized group of officers whose task was to collect information about the WSI soldiers' contacts with the journalists, publishers and politicians' circles. Those cases were under personal supervision of Col. Lucjan Jaworski, then the Chief of the Third Directorate of the WSI. The group of people who run or approved the actions undertaken in those cases included *inter alia*: Lt Col Ryszard Lonca, Col. Janusz Bogusz, Col. R. Bocianowski, Col. Krzysztof Kucharski and Maj. Niedziałkowski. The person who was the most engaged in running the cases related to politicians (or carried out those cases directly himself) was ppłk Lt Col Ryszard Lonca. The decisions of instigation in cases then started were supposedly taken by the WSI Chief, gen. Bolesław Izydorczyk.

Under the pretences of cover for specific institutions or people, information was collected that was intended to harm and compromise them. As early as August 11, 1992, the case code-named “WYDAWCA” (PUBLISHER) was instigated. Here the case officer was ppłk Ryszard Lonca as well. The main goal was to identify the true authors of press articles of 1992, which contained critical information about the WSI. Determining the information sources of those authors was also included. In particular, the following articles were indicated: “Telepatia w wojskowej dyplomacji (Telepathy in Military Diplomacy)” (“Nowy Świat”, [‘New World’, daily] of April 24, 1992), “Oficerowie Dwójki odchodzą z pracy (Officers of the 2nd Directorate Leave Their Jobs)” (“Ekspres Wieczorny”, [‘Evening Express’, daily] of June 20, 1992) and “Wojskowy wywiad PRL (Military Intelligence in People’s Republic of Poland)” (“Honor i Ojczyzna” [‘Honor and Fatherland’ magazine]).

In the opinion of Col. Lonca, those texts slandered the WSI and proved that their authors may have information sources within the WSI.

Col. R. Lonca made an interesting conclusion, stating that by creating a dark picture of the WSI, the authors “demand changes using the slogan of de-communization of the service”. He assessed that the information for “the extreme rightist groups” should be cut off. He ordered operating

activities to be undertaken in order, *inter alia*, to identify “magazines’ editorial teams and political groups which try to obtain restricted information about the WSI with the aim of compromising this service”. His operational interest focused mostly on the circles associated with “MYŚL” (THOUGHT) Foundation and its publication, “Honor i Ojczyzna” as well as on the circles around “VIRITIM”.

Among the people about who the WSI was actively collection information were, *inter alia*, Janusz Szpotański as well as Janina Łukasik-Mikłasz and Paweł Mikłasz from the “Myśl” ['Thoughts'] Foundation, Józef (sometimes incorrectly named in the files as Jerzy) Szaniawski and Lt. Col. (Reserve) Stanisław Dronicz. The WSI’s sphere of interest extended also to the supporters and members of “VIRITIM” (among them: Czesław Bielecki, Wojciech Bogaczyk, Henryk Czarnecki, Col. (Reserve) Ryszard Dorf, Cpt. Damian Jakubowski, Romuald Szeremietiew [in the future Deputy Minister of Defense] and Piotr Woyciechowski). This interest went beyond the usual framework of counter-intelligence cover of the Polish Army. In the case of Paweł Mikłasz and Janusz Szpotański, the case files preserved the inquiries of Unit 4 of the WSI (the so-called E-15) addressed to Section 2 of the Registry and Archive Office of UOP (State Security Office). The indicated reason of inquiry was “before investigation”.. The measures taken in the course of the case were aimed at operational access to those people.

In the course of further actions, the person of Col. Jan Bąk from the 15th Directorate of the General Staff was selected as a person, who being associated with Minister J. Parys team could provide information about the WSI. According to the case officers, Col. Bąk, who served in the past in a radio-electronic surveillance unit in the town of Przasnysz, knew about that unit’s participation in the investigation of political opposition circles before 1989, and as a person associated with the “Honor i Ojczyzna” editorial team, could be interested in providing such information to those circles. This information, however, has not been confirmed in the course of the case. Next, the authorship of the articles about the WSI was attributed to Jerzy [correctly: Józef] Szaniawski who, according to the case officers, was associated with J. Parys and had contacts with military circles gathered in “VIRITIM” (among them with the editor-in-chief of “Honor Ojczyzna” Lt. Col. S. Dronicz, Lt. Col. Grudniewski and Col. Mańka). In order to verify this, an active investigation was launched with respect to the editorial team of “Honor i Ojczyzna” magazine. The “WYDAWCA” case files preserved the notes about, the “Myśl” Foundation – its economic profile, organization chart, local branches and accommodation

conditions were described; there were also mentions of financial problems, information about the local space plan and the facts that the editorial office was equipped with telephones, an alarm system and hardware, that the secretary had a notepad (this was indicated to be an important piece of information) and that there was some financing from the veterans resident in the UK.

Despite the evident manipulation with the content of “WYDAWCA” file, there is still proof that the WSI conducted covert (inspirational) actions. On one of the notes, Col. J. Bogusz made a hand-written annotation: “On Oct. 3, 1992, I informed the WSI Chief about the interest of Mr. Krzemień, a journalist, in the attaches’ offices. Col. Izydorczyk agreed to the proposed concept of dangling Mr. "K" a WSI officer. The details are to be discussed.”

Case Code-named “SZPAK” [‘STARLING’]

In 1992 - in the framework of Operational Investigation Case (SOR) code-named “SZPAK” [a bird name, Sikorski’s last name is made of ‘sikorka’, a blue tit] – a detailed investigation of the Deputy Minister of National Defense, Radoslaw Sikorski, started as well. The exact date of commencement of SOR “SZPAK” is not known. The adopted reason for the commencement of SOR “SZPAK” was the fact that R. Sikorski was “engaged in political activities of groups which were aimed at weakening the structure and cohesion of the military and erosion of the authority of the Supreme Commander and the MOD leadership. In the perspective of subordination of the Army to the specific political goals, “Szpak” [i.e. Radoslaw Sikorski] is particularly fierce in his attacks at the Military Information Services, questioning their goals and tasks; he wanted to paralyze the WSI activities.”

The SOR “SZPAK” was also assigned to Col. Lonca to run; he was supervised by Col. Lucjan Jaworski and Col. Janusz Bogusz. According to Col. Lonca’s explanations, he was supposedly ordered to run SOR “SZPAK” by the WSI Chief himself, Gen. Izydorczyk, besides Col. Lonca was supposedly only continuing a case that had already been in progress.

In the course of the case, actions were taken to “inspire” the press articles which would show Sikorski in a negative light, in particular in his capacity of the Deputy Minister of National Defense in Jan Olszewski’s cabinet. One of the persons inspired by the WSI, was a journalist of “Gazeta Wyborcza” [biggest daily in Poland, left-wing, post-Communist, anti-vetting], Edward Krzemień. It is possible that in the course of SOR “SZPAK” the WSI themselves could have created the negative image of the figurehead (i.e. Deputy Minister Sikorski) by disclosing and

publicizing some discrediting events he had participated in.

Case Code-named “PACZKA” (PARCEL)

At the beginning of March 1993, the case code-named “PACZKA” was started, where the main figurehead was Cpt. Piotr Polaszczyk (the same who in 1991 was establishing contacts with right-wing politicians). At the turn of 1992 and 1993, he started operating in car business, where he co-operated *inter alia* with 'Polmot Trading' Company.

In the course of this case, the WSI also dealt with the “Pro Civili” Foundation (established with the participation of *inter alia* Austria’s citizens: Manfred Hollestscheck and Anton Kasco), which was to support former state officials and officers. Among those associated with the foundation was also Cpt. P. Polaszczyk whose wife held the function of the Director General of the Foundation. The members of the Foundation’s Council were [sic – so in the original, this lapsus made a lot of comments in part of Polish Press], among others, Janusz Maksymiuk. The Foundation was ultimately taken over by the WSI officers (among them Col. Marek Wolny) and became part of the network of companies, which exploited the Military Technical Academy (WAT).

With the lapse of time, the investigation of “economic activities” of Cpt. P. Polaszczyk ceased to be the fundamental purpose of the case. The case officer became interested mainly in the figurehead’s contacts with political circles, in particular with the politicians from J. Olszewski’s cabinet. Among others, the operational investigation has been conducted with respect to the contacts of Cpt. Polaszczyk with the former minister J. Parys, who at that time was the head of the “Mercury” Hotel in Warsaw and gathered a group of right-wing politicians around him, organizing political meetings at his place. The politician’s meetings in the “Mercury” Hotel were under operational monitoring (static surveillance). Information was also actively gathered about E. Małecki (former mayor of Warszawa-Praga District and later the Chairman of “Pro Civili” Foundation), Member of Parliament Mariusz Marasek, Witold Nieduszyński (one of the creators of Christian Social Movement), Józef Szaniawski and Paweł Rabiej, the last two being journalists. In the course of further actions, the links of Cpt. Polaszczyk with the right-wing circles were investigated through HUMINT sources (“PACZKA-2” and “PACZKA-3”). At the end of the case, the thread related to Cpt. Polaszczyk’s contacts with right-wing circles and investigation of those circles constituted the dominant thread. The documentation of “PACZKA” case is, however, incomplete as it contains almost exclusively the documents produced in 1995,

though, as it has been mentioned, the case was supposedly conducted till February 2000.

Surveillance of the Critics of Post-Communists and Russia

The WSI was also investigated the journalists' circles in connection with the "Odezwa" (Appeal) of January 1995, where the authors alarmed the public opinion in writing about the political exploitation of Polish Armed Forces and military secret services by the President of the Republic of Poland at that time, Lech Wałęsa, with the purpose of the alleged coup d'état he had been supposedly preparing for. In order to find the authors of "Odezwa", the styles of the articles about the WSI, published in the press, and the leaflet of Stowarzyszenie Oficerów Młodszych na Rzecz Przemian w Wojsku ('Association of Junior Officers for Changes in the Military'), distributed in May 1992, were compared. Lt. Col. Lonca assessed that the style of "Odezwa" ['Proclamation'] indicated:

- hostility to the 'Belweder' [Palace; then site of President Lech Walesa],
- the authors are associated with the right-wing groups, hostile against UOP which was surveilling them,
- they have negative attitude to the post-communist groups, are hostile to Russia,
- negative attitude to the clergy, that they indoctrinate the faithful,
- the authors indicated that they represented the WSI.

On that basis, R. Lonca marked out that the authors of the aforementioned "Odezwa" should be sought in the circles tied to the former Minister Jan Parys. In his memo, Lonca also pointed to specific individuals ("a part of that group, known to us, consists of"), including, next to J. Parys, Col. Władysław correct name Franciszek – Verification Commission's note] Sznajder from the Central Planning Office (CUP), Józef Szaniawski, Paweł Rabiej and Cpt. Piotr Polaszczyk, the latter characterized with the words "our officer" (it should be reminded here that at the beginning of 1991, P. Polaszczyk established contact with J. Parys, J. Olszewski and L. Kaczyński).

The alleged authors of "Odezwa" were to be verified operationally (also in the context of their contacts with Cpt. Polaszczyk – Lt. Col. Lonca's memo). The case was given "urgent priority", such an instruction was signed by Col. R. Bocianowski, and the alleged authors were covered by the operational activities. Aside from the active gathering of information, the active penetration of the authors' circles was conducted with the use of HUMINT sources, among whom there was a source named "REDAKTOR" (EDITOR) who had direct contact with Józef [sometimes

erroneously referred to in the WSI documents as Jerzy] Szaniawski.

Investigation of Bronisław Komorowski

The WSI have also investigated the political circles around Bronisław Komorowski. The pretext for this kind of interference was his contact with Janusz Paluch. However, the military services collected information that decidedly goes beyond the scope of their competence. The pretext for this type of activities supposedly consisted of the prevention of interference of foreign intelligence, but the obtained information could have been used to exert pressure on the aforementioned people.

In 1993, the WSI counter-intelligence obtained, through a collaborator named "TOMASZEWSKI" [cryptic name for secret collaborator], the information that a French citizen Julien Demol tried to reach people from the state administration (Deputy Minister Bronisław Komorowski, Maciej Rayzacher, Jerzy Milewski) and senior officers of the Polish Armed Forces (Gen. Leon Komornicki, Gen. Zalewski, Gen. Roman Pusiak, Gen. Zenon Bryk). The WSI and the UOP assessed that there were clues pointing to J. Demol's connections with foreign intelligence. The documents do not give evidence whether the representatives of the administration and the military were warned about the possibility that J. Demol worked for foreign intelligence. This situation was used by the WSI as the pretext to start investigation of Bronisław Komorowski and Maciej Rayzacher. In the course of the operation, the WSI gathered *inter alia* Rayzacher's profile and information about Komorowski's stay in the internment camp in Oleszno. In the course of that investigation Cpt. Piotr Lenart questioned the collaborator "TOMASZEWSKI" *inter alia* about the circumstances in which he had met Komorowski and about the events from the internment times. Those actions were undertaken even though the collaborator "TOMASZEWSKI" emphasized that he did not want to take part in investigating the politicians. The services were also interested in the financial contacts of Komorowski and Rayzacher with Janusz Paluch, who conducted so-called "para-banking activities". Komorowski, Rayzacher and Benedyk supposedly invested 260 thousand DEMs in Paluch's undertaking. Col. Janusz Paluch operated among officers and one of his intermediaries in deposits was Lt. Col. Janusz Rudziński. After Paluch went bankrupt (in the spring 1992), the collaborator "TOMASZEWSKI", Bronisław Komorowski and Maciej Rayzacher wanted to recover the invested money through the investigation agencies they hired, but those agencies quickly

withdrew from the contract, in fear of Paluch's political connections. It was suggested to Komorowski that the WSI's counter-intelligence could help in recovering the money as they helped other senior officers of the Polish Armed Forces who had been deceived. "TOMASZEWSKI" maintained that the funds collected unofficially by Paluch could have been used to finance the election office of Lech Wałęsa or a candidate he supported. During the period of his problems with the police, Paluch hid in the flat of Wachowski's [friend of L. Walesa; former car driver and minister] sister in the town of Bydgoszcz and in November 1994 he offered joint business to "TOMASZEWSKI".

Only on May 22, 1995, the Chief of the WSI, Gen. Konstanty Malejczyk, notified the Chief of General Staff, Gen. Tadeusz Wilecki, that J. Demol operations posed a threat to the defensive capabilities and the State Treasury of the Republic of Poland. Following this, it was decided to notify the senior commanders about J. Demol's activities and warn them against keeping contact with him. We do not know anything about the fate of the criminal operations of J. Paluch and the officers of Polish Armed Forces who were associated with him and were identified by the WSI.

Radio Surveillance of the "Drawsko Dinner"

The WSI controlled the activities of senior representatives of the administration to the extent of eavesdropping their conversations. A clear example is the so-called Drawsko Dinner.

On September 30, 1994, the soldiers of the Radioelectronic Unit of the WSI recorded the conversations held by Gen. Tadeusz Wilecki and gen. Konstanty Malejczyk with the UOP Chief Gen. Gromosław Czempiński and the conversation of the Deputy Minister of National Defense Jan Kuriata with Gen. Henryk Mika. The conversations concerned the performed contract of the sale of 62 APCs BWP-2 to Angola. The observers immediately reported the course of those conversations to their superiors.. At the superiors' order, the tape with the recording was secured and the content was written down, but it did not receive the required secret clause. The Chief of Radioelectronic Unit of the WSI conveyed the tape with the recording to the Deputy Chief of Counter-Intelligence Directorate, who in turn conveyed it to his superior, Comdr. Kazimierz Głowacki. The latter presented the materials to the then chief of MOD, Piotr Kołodziejczyk. The minister returned the document to Comdr. Głowacki, who in undetermined circumstances, lost it.

On June 16, 1995, the Chief of the National Security Office (BBN), Henryk Goryszewski,

turned to the Minister of Justice with a request to instigate penal proceedings against persons responsible for eavesdropping the telephone calls made by senior state officials at the military training and proving grounds in Drawsko Pomorskie. In August 1995, the Prosecutor's Office of the Warsaw Military District refused to instigate the initial proceedings in this case. As the grounds for its decisions, the Prosecutor's Office stated that the WSI did not violate the law because they conducted open "radio surveillance", and not "eavesdropping".

The Matter of Contacts with "NIE" Weekly

Compared to the broad operational activities against the right-wing politicians and the officers who postulated changes in the military, the reaction of the WSI command to the information about leaks to "NIE" weekly was modest. At the beginning of 1992, the Counter-Intelligence Directorate of UOP notified the Chief of Counter-Intelligence Directorate of the WSI, Col. Lt Jaworski, about the contacts some soldiers had with "NIE" [post-Communist, pro-China & pro-Russian] weekly magazine. Those were: Col. J.Cz., Warrant Officer Z.G., Lt. Col. Z.K. from the military communications services command, Lt. Col. M.S., Col. W.R. (member of the editorial teams of military broadcasts in Polskie Radio /'Polish Radio', public/), Mjr (Reserve) C.R. and Lt. Col. L.Z.

The actions taken by the WSI prove that those soldiers were under protection of their superiors. Despite the information indicating the possible leak, no standard action was taken. There were only some simulated actions, but even that limited undertaking was abandoned later. The manual notes on the documents show that Col. Lt Jaworski ordered to determine the sources of information leak to "NIE". On the report, the Deputy Chief of the WSI, Comdr. Kazimierz Głowacki, requested that the legal state be verified (whether a soldier's contact with "NIE", as described by UOP, is forbidden?), the conveyed facts confirmed and the report on conclusions made. The files also preserved a report for minister Jan Parys, signed by the WSI Chief Czesław Wawrzyniak, about the soldiers' contacts with "NIE" weekly. The handwritten note at the end of the document shows that the copy No. 1 was destroyed, and the report itself was made against the position taken by the 3rd Directorate. It was probably never presented to the MOD chief. The files are missing the motions for instigation of operational case, there are only pages with inquiry to the Records of the 3rd Directorate of the WSI.

Contrary to the operational cases conducted against the members of the military who

postulated the need to conduct the “de-communization”, the WSI took an indulgent and tolerant stand towards the soldiers who had contacts with Jerzy Urban’s weekly, which proves that the actions in this case were simulated.

The WSI Operations against Left-Wing Politicians

A similarly dismissive approach was adopted by the WSI with respect to the signals about possible crimes committed by the post-communists. Although such information about the politicians from these circles was gathered, but in these cases the military services were very abstemious. That information was never used by the WSI to start any operational cases. There were also no documents preserved which would prove that the signals about possible crimes were conveyed to those persons’ superiors or to the prosecutor’s office, to civil special services or to the ministers in charge of a given domain. Contrary to the cases involving right-wing politicians, here the occurrence of an event was only recorded. This could mean that either the military services were directed to investigate and only gather information about one political group, which posed a serious threat to the existing post-communist line-up, or the WSI were in fact an autonomous entity striving for control over social, economic and political reality regardless of underlying ideas.

There is a fact that speaks in favor of the second option, namely the fact that the WSI undertook the operational activities and investigations against SLD politicians as well. According to the information contained in the memo from the meeting with secret collaborator Wojciech M., numerous left-wing politicians were also involved in the illegal trade in arms and fissile materials at the beginning.

The WSI tried to gather materials against the President of the Republic of Poland, Aleksander Kwaśniewski. The Verification Commission found the documents discussing the case of alleged acceptance of a one million USD check for Jolanta Kwaśniewska’s Foundation. The operations of the WSI against President Kwaśniewski resulted from the involvement of some WSI officers in the competition of foreign companies on the Polish alcohol market. Lt Col M. Tryliński supported the interests of a French company EURO-AGRO (his brother companies), which tried to take over the profits from production and the sale of products of Zakłady POLMOS in Żyrardów.. The competitor of the French company was the American company Philips Millenium Beverage, owned by G. Philips; the representative of that company had ties

with UOP. In 1996, the American company took over the distribution of the products of Żyrardów-based POLMOS on the world alcohol market and could have earned great profits on this activity. Obviously there was a conflict between the WSI and UOP, based on their support of the companies, which competed to take over Żyrardów-based POLMOS: EURO-AGRO and Philips Millennium Beverage. The conflict of interest between UOP and WSI was called by the Polish media “the alcohol war”.

The Case of Jerzy Szmajdziński

The asymmetry in the approach to the assessment of intelligence threats related to the activities of the political world is visible also in yet another example.

The WSI received information about the Polish visits of a certain Russian, Valerij Topalov, and his contacts with the MOD, Jerzy Szmajdziński. In the 80-ties, Topalov was the head of 'Komsomol' in the Northern Army Group of the Russian Army and (according to the WSI's sources) a special service agent, probably in GRU. He stayed, among others, in Świdnica, where he officially occupied himself with youth's affairs. After his return to the USSR, he supposedly headed the security of the nuclear power plant in Chernobyl. After retirement to the reserve, he established contact with a youth activist from the National People's Army (of the former East Germany - NAL), Manfred Marko, a graduate from an academy in the USSR and later an employee of the Main Political Directorate in NAL and military special services. They were to set up a company, which would intermediate in medicine trade.

On this occasion, the WSI gathered information about other Russians, among them a certain A. Oskin. It was a general opinion that Topalov and Oskin worked for the Soviet special services. Both Russians often visited the Main Political Directorate of the Polish People's Armed Forces, where they could review the documents concerning the situation and moods in the Polish Armed Forces. They used those documents in a separate room, which they locked for the time of their work. Their guardian was Col. Tadeusz Rzepecki who also organized similar meetings with Gen. Jaruzelski. The WSI also obtained information that during his stay in Poland around 2000/2001, Topalov paid a visit in the Sejm [Poland's Lower Chamber of Parliament], where he talked to several MPs about economic undertakings. Oskin stayed in Poland several times as well and supposedly contacted Leszek Miller's “people” at that time. Oskin's known contacts included, among others, Jarosław Pachowski, head of Polkomtel Company and Waldemar

Świgoń, former Secretary of the Central Committee of the Communist Party in Poland - PZPR.

On the basis of the collected information, the WSI officer stated that:

1. The Russian are using their contacts in the Republic of Poland to carry out economic undertakings.
2. The economic activities are only the 'legend' for intelligence activities, which at their current state can consist of restoration of "old contacts" with people who presently occupy prominent political and administrative positions."

After subsequent information about Topalov's Polish contacts, the WSI officer again pointed to the existence of a real intelligence danger: "For the present findings it shows that the Russians, in the past identified as members of KGB staff, use the contacts established in the youth activists circles to conduct business activities. Considering the conclusions from the investigation of Russian intelligence activity, it cannot be ruled out that the business is only a cover for their special services."

Those conclusions are important in the light of other documents. Namely, the WSI obtained the information that Topalov arrived to Poland at the invitation of Jan Chaładaj, vice-president of the company called 'Kolmex'.. One of the objectives of the Russian's visit in Poland was to prepare the contracts for the delivery of railway cars to Afghanistan, which was to be carried out by the 'Kolmex'.. In Poland the Russian inquired about the officers he met during his stay in Poland, among them, about Col. Tadeusz Rzepecki. According to the information obtained by the WSI, Topalov was a guest of minister Szmajdziński during the celebration of his 50th birthday. During the party, Minister Szmajdziński supposedly talked to Topalov "face to face" for a dozen minutes. The entry to the Sejm Topalov owned to Chaładaj; later he moved around the building on his own. The WSI also obtained detailed information about Topalov's business intentions. News reached the WSI about the planned visit of the 'Machinoexport' Company delegation in Poland. The Russians were probably to meet the Mr. Janas, MP: "The subject of the talks will be the matter of business activities in the territory of the Republic of Poland, also with regard to the military. The current project involves the purchase of the 'ZNTK' plant in the town Jelenia Góra and production of railway tank cars (about 6 thousand pieces for the Eastern market, also including Afghanistan). The foregoing enterprise is to be carried out with the participation of: Kolmex, Manfred Marko, the 'ZASTA' company from Słupsk, for the inclusion of which the MP Sieńko from SLD [post-Communist, strong party in present-day

Poland], Deputy Chairman of the Sejm's Committee of National Defense, strongly opts – Machinoexport". The WSI obtained the information that "the organizers of the undertaking (Pertek, Ciereszko and MP Sieńko) are to receive about 5% commission on the value of the concluded contract".

According to another document, "the undertaking was accepted by the Minister of National Defense who supposedly has personal contact with Valerij Topalov (meeting during the celebration of 50th birthday of J. Szmajdziński)". The fact that next to that text was a note that read "inf. 100%" proves that the WSI deemed that information as very reliable. In addition, the WSI were aware of the fact that contacts with Topalov create a "serious threat" for Minister Szmajdziński: "It cannot be ruled out that the activity of the Russians in the territory of Poland is unofficially inspired by the Russian special service. This is indicated *inter alia* by the interest Valerij T. has in military circles. This creates a serious threat both for the Minister of National Defense (possible use against him in propaganda) and for the foreign affairs of the Republic of Poland."

Despite drawing such far-reaching conclusions from the possessed information, no action was taken in this case to provide effective counter-intelligence guard for the people who, as the WSI pointed out, "occupied prominent political and administrative positions".

To recapitulate: in the WSI's assessment, the right-wing circles were considered the extreme part of the Polish political scene. The services suggested that this was the direction from which the threats for the state security should be expected. Creation of such a diagnosis by the WSI resulted in fact from the intention to protect the WSI's own interests and had no relation whatsoever to the real security of the State and the Polish Army.

The basic goal of such misinformation was that the WSI obtained "the political consent" for more active investigation of right-wing circles that had been deemed "hostile".. As the reason for commencement of the aforementioned operational cases ("APEL", "PACZKA", "SZPAK", "WYDAWCA") the critical approach of then oppositionist circles to the WSI, their negative attitude to post-communist groups and Russia and their aversion to the Belweder's policy were indicated. At the same time, the WSI officers who were trained in GRU or KGB could work in the service would any major obstacles, even more – it was them who headed the service and indicated the directions of its operations. In this context, the leniency that the WSI showed to post-communist circles and to the soldiers who contacted those circles is even more striking.

Although such information was gathered, but generally speaking, it did not incline the WSI to start operational cases. The information about crimes was not conveyed to other state authorities either. Thus, a thesis can be proposed with a considerable certainty that the military services were directed to investigate the pro-independence right-wing circles.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Brig.Gen. Bolesław Izydorzycy, Col. Zenon Klamecki, Col. Lucjan Jaworski, Col. Ryszard Lonca, Col. Henryk Dunal, Col. Zdzisław Żyłowski, Col. Jerzy Zadora, Col. Marek Czaplński, Col. Aleksander Lichocki, Col. Marek Wolny, Col. Krzysztof Kucharski, Col. Andrzej Firewicz, Col. Janusz Bogusz, Col. Ryszard Bocianowski, Comdr. Kazimierz Głowacki, Lt. Col. Jerzy Klemba, Lt. Col. Mieczysław Tryliński, Maj. Niedziałkowski, Lt. Piotr Polaszczyk.

The WSI Chiefs in the described period were: Counter-Admiral. Czesław Wawrzyniak, Brig. Gen. Bolesław Izydorzycy, Brig. Gen. Konstanty Malejczyk.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. This regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated directly to the Minister of Defense. The Ministers of National Defense in the described period were: Janusz Onyszkiewicz, Piotr Kołodziejczyk, Zbigniew Okoński and Stanisław Dobrzański.

The facts cited in this chapter bring doubts as to the legality of conduct of the WSI soldiers; thus, the Verification Commission sent a notification of suspected crime to the Supreme Military Prosecutor's Office, in compliance with Article 304 § 2 of the Code of Penal Procedure.

6. The Impact of the WSI on the Forming of the Public Opinion

The WSI influenced the mass media through the recruitment of journalists and members of management of television stations, owing to which they could have indirect impact on the publishing policy and program line of the publications or broadcasters.

At the beginning of the 90-ties, the operational activities were conducted both in public and in private media, leading to the achievement of such a position by the WSI where they could control all TV stations and most nationwide press. The WSI's operations in public media were conducted, among others, by the informers of those services or by the so-called Under Cover Officers (OPP).

The example of an OPP is Janusz Brodniewicz aka "BURSKI" [cryptic name for secret collaborator] or "GRZEGORZ" [cryptic name for secret collaborator]. The headquarters strictly steered the activities of "BURSKI". This is proved by the notes about indicating appropriate business associations or foundations which that officer's company should join (e.g. Fundacja Kultury /Culture Foundation/, Dom Polski /'Polish House'/, TVP /Public TV/, TV 'POLSAT').

In 1994, "BURSKI" was put in TVP, at the position of deputy director in the then organized Prasowa Agencja Telewizyjna (Television Press Agency – PAT) where he formally was in charge of verification of TVP's contracts with its partners, drafting of such contracts etc. "BURSKI" aimed at gaining influence over TVP and in 1994 he proposed the WSI HQ a project related to the control of information flow. The project was about using the so-called dissemination stations to transfer information gathered by all regional TV stations in Poland. The WSI planned to have early access to that information and intended to gather it through the then existing TVP Defense Office. The use of that information transfer system by the WSI was supposed to involve benefits for the services, *inter alia* by way of:

- generation of additional funds for HQ from the distribution of equipment to receiving machines,
- transfer of data and open and coded information in Poland and abroad to the HQ and archiving such data and information,
- possibility to control all recipients and information sent by them (network repair service provided by a company or institutions where the HQ have or could put its representatives and technicians).

Furthermore, "the production of decoders and network repair service by a business entity dependent on WSI but not related to MOD. Such solution would allow to transfer profits to the

HQ with the omission of MOD”.. This was because the legal regulations then in force provided that the finds obtained on the external market had to be transferred to the state budget.

The main purpose of this undertaking was to consist in the possibility to control the information flow of all regional TV stations in Poland and generate additional funds for the WSI. It seems justified to advance a thesis that the efforts of “BURSKI” [cryptic name for secret collaborator] constituted a part of operation aimed at control not only over the journalists’ circles or media environment. All plans and actions of “BURSKI” were every time analyzed and approved by his superiors before implementation.

“BURSKI” was also involved in establishing and taking over the institutions and companies that dealt with information flow and processing. His most spectacular action was the take-over of the culture and information centers of the Ministry of Foreign Affairs for the intelligence. As early as in December 1991, “BURSKI”, through the support of his acquaintance, then Deputy Minister of Culture Maciej J. Ramus, became the office director of Fundacja Kultury. In 1993, “BURSKI” also became the member of the Executive Board of that Foundation. The “Fundacja Kultury” was established at the end of 1990 and had “a license within the EEC quota to conduct business and commercial activities with the partners in the USSR”.. This was probably what made it so interesting for the intelligence, which decided to take over the Foundation. The decision to attempt the take-over of the foundation (after examination of the report by “BURSKI”) was made by the then chiefs of ‘Units Y’ and ‘A’, Col. Konstanty Malejczyk and Col. Zdzisław Żyłowski. Shortly after that, the organizational and legal transformation within the Foundation, suggested by “BURSKI”, gave the military intelligence a decisive influence on the directions of expansion of the foundation.

The intelligentsia took over the Foundation’s management and used it to appropriate, organizationally and financially – the Culture and Information Centers Abroad. This was made through establishment (by the Foundation and a state financial enterprises) of the company “Dom Polski”.. This company was given, by Minister [for Foreign Affairs] Krzysztof Skubiszewski, the Information and Culture Centers, where the existing materials show that the take-over most certainly applied to the centers in Berlin, Minsk, Prague, Vienna and Düsseldorf (in the latter case, real property was also obtained, formerly owned by “Ars Polona”).

The company “Dom Polski – Towarzystwo Handlu Międzynarodowego” (‘Polish House - Intl. Commerce Co.]) was set up on October 23, 1992, at the initiative of “BURSKI” [cryptic name for

secret collaborator] and an experienced collaborator of the WSI known as “SAS”. The project was prepared in close cooperation with the Ministry of Foreign Affairs (the activities were supported *inter alia* by minister Skubiszewski, who supposedly pressed for quick completion of this matter, Director General in the Ministry of Foreign Affairs Tomasz Drzewosowski and Undersecretary of State in the Ministry of Culture and Art Piotr Łukasiewicz).. The foundation deed was signed by the representatives of National Chamber of Commerce (KIG) (in agreement with minister Andrzej Arendarski and at his knowledge) and Business Foundation, among them Izabela Cywińska, Bogdan Chojna, Andrzej Sadkowski and Andrzej Voigt.

The objective of the company was “to generate funds for the promotion of the Polish culture abroad and to conduct business, commercial and promotional activities with regard to all things Polish (using the mark and emblem “Teraz Polska” [‘Poland, now!’]). However, the most important thing was the take one word over of the Institutes and Centers of Polish Culture abroad and “exit to the East and making profits on the transit business between Germany and the former USSR countries”.

The company documents were made so that the foundation of the Executive Board had direct impact (through the president of the company) on the company’s staff selection and its directions of operation. Owing to the efforts of “BURSKI” [cryptic name for secret collaborator], the president of the company was the aforementioned collaborator of the WSI, “SAS”. “BURSKI” conducted talks in this matter in the Ministry of Culture and Art (with the Minister Professor Andrzej Siciński) and the Ministry of Foreign Affairs as well as with the aforesaid Executive Board of the Foundation which had a decisive impact on the appointment of the president of the new company. In his report to the HQ, “BURSKI” proudly stated that “the competencies of the Ministry of Foreign Affairs were limited to the right to supervise that part of the institutes which had diplomatic status, by way of appointment of directors (on the existing terms). Those directors, however, did not have any impact on the company’s operation in the commercial part of the institutes”.

Attention should be paid to the participation of “Ars Polona” in this enterprise; the company transferred, free of charge, the real property in Düsseldorf to the Ministry of Foreign Affairs, though in theory it had no legal title to that property (it housed the Institute of Polish Culture). The go-between was the liquidator of RSW Prasa [Press holding from the Communist times] and consent was given by the Ministry of Culture and Art, and the Ministry of Foreign

Affairs also transferred, the property to Fundacja Kultury free of charge, which in turn transferred it to “Dom Polski”.. The Center, probably already used by the intelligence before, returned to the services, this time with the legal title of ownership. The talks with “Ars Polona” on behalf of the Foundation were conducted by “SAS”.

This way, the WSI gained a network of companies all over the world and focused on organizing their own economic structure at the expense of the Polish State, instead of the information acquisition. These activities were accepted by Col. Konstanty Malejczyk, Col. Zdzisław Żyłowski and Ryszard Sosnowski (on June 30, 1992, Col. K. Malejczyk personally decided to put “SAS” at the head of “Dom Polski”).

In 1993, at the initiative of “BURSKI” [cryptic name for secret collaborator], Fundacja Kultury started talks with the central authorities of the Republic of Poland in order to organize the Central Information Bank (CBI). The WSI wanted to use that bank and its data for information and operational work. CBI was to be established in the framework of then prepared “Centrum Informacji i Kierowania” [‘Center for Information & Management’] (“at the witting or unwitting consent of the BBN”, as the intelligence stated). The Bank was to improve the information transfer, co-ordination of activities between the authorities, control of border traffic and the work of business intelligence. The staff employed in the CBI were to have direct access to the gathered data and decide to a certain extent about the scope of information to be sent to the addressees. Burski believed that the Ministry of Interior (MSW) would fill the posts in CBI with “their” people and therefore suggested the HQ to become involved in the project through MOD. Also Marian Zacharski as the vice-president of “InterArms”, IBM distributor for Eastern Europe, participated in the MSW work on computerization and improvement of information flow. All works were to be co-ordinated by BBN in the framework of then developed “Krajowe Centrum Informacji i Kierowania” (‘National Center for Information and Management). It should be noted that, next to BBN, Ministry of Finance (MF), Fiscal Control Office (UKS), MSW, Main Statistical Office (GUS), CUS and Telekomunikacja Polska, a not very well know Swiss company PDT was also engaged in this enterprise. The consent for these activities was given by Col. Konstanty Malejczyk.

Another initiative of “BURSKI” [cryptic name for secret collaborator] were the efforts to establish a company that would deal in business intelligence. “BURSKI” wrote about that possible company: “properly guided with regard to the organization, it would allow to transfer

selected operational HQ units under cover”.

During the work of the Verification Commission, many cases were also revealed where the WSI soldiers exerted influence on the journalists’ circles. The WSI officers undertook covert actions against the journalists, with the basic goal being the creation of a specific image of a given event or phenomenon. This usually happened when the WSI interests or WSI-related matters were involved. The method usually applied in the kind of actions where the WSI officers talked to the journalists who were given specific information or the information materials prepared by the WSI officers were passed to the journalists, usually with inter-mediation of third parties.

An example of such covert actions of the WSI in the media was a set of articles by the services’ collaborators known as “SKRYBA” [cryptic name for secret collaborator] and “DROMADER” [cryptic name for secret collaborator]. In the articles published in military press, they engaged in the promotion of Patria Vehicles Oy’s offer for the wheeled APCs. When writing his article, “SKRYBA” emphasized only the positive results of the APCs tests, he did not take into account the technical defects of the equipment, and he further strongly stressed that the conducted trials of the APCs were positive. He stated even that: “So far, everything is on the schedule”.

The case officer gave “SKRYBA” the task of obtaining the image documentation and information about AMV [‘Armored Military Vehicle’] ‘PATRIA’. Meanwhile, “SKRYBA”, during a meeting with the case officer, criticized a female journalist who published in the military press (and also was a WSI collaborator, only she was known [in WSI] as “SARIS” [cryptic name for secret collaborator]). In his opinion that female journalist showed “a complete lack of even rudimentary knowledge in the field of military sciences and the presented equipment. When snacks were offered, she caused a commotion strongly criticizing one of the guests, for, in her opinion, improper behavior.” In the assessment of “SKRYBA”, the conduct of the person criticized by “SARIS” gave no grounds to such reaction.

Meanwhile, “DROMADER” published an article praising the contracts made with Patria Vehicles Oy. He stated that the contract saved “Wojskowe Zakłady” (Military Plant) in Siemianowice. He minimized the tender problems. “In accordance with the tender structure, the issues of conformity with tactical and technical assumptions (about 100 parameters) were treated marginally”.. He also wrote, only in superlatives, about the selected vehicle. “As the

representative of Patria Vehicles emphasize, AMV was the only vehicles among those offered to Poland where the need to reduce the thermal, electromagnetic and acoustic image, which has serious importance for its survival on the future battlefield, was taken into account as early as at the planning stage”.. Meanwhile, reliable information existed already that AMV “PATRIA” did not meet a number of parameters (e.g. weight with load, range and water speed). In the experts’ opinion, the vehicle was a prototype, which was not in regular production, or in the equipment of any army.

Another type of this type of covert actions were the actions taken by mjr Mieczysław Tryliński with respect to the so-called “alcohol war” which involved, among others, the WSI. In August 1998, mjr Tryliński held a meeting *inter alia* with journalists Piotr Najsztab and Maciej Gorzeliński, to who he gave strictly directed information about the investors’ operations on the Polish alcohol market, as a result of which these two journalists published an article “Belvedere wojna” [‘Belvedere War’; ‘Belvedere = brand of vodka] in the Internet. The article by Michał Matys “Czyja wódka” [‘Whose vodka?’] (in “Gazeta Wyborcza”) and the article by Henryk Schulz “Wódka Marsyliankę śpiewa” [‘Vodka sings “Marseilles”’ /French Anthem/] (in “Nie” [weekly owned by former Communist high-ranking official Jerzy Urban]) were inspired by Maj. Tryliński. The purpose of those actions was to support the French company EURO-AGRO, which wanted to invest on the Polish alcohol market and belonged to K. Tryliński, Mjr Tryliński’s brother.

The WSI files show that there were many secret collaborators in the media circles whose services have been used by the WSI. Among those who are known the best were: Krzysztof Mroziewicz aka “SENGI” [cryptic name for secret collaborator, etc.] (journalist of PAP, “Polityka” [prominent (post-)Communist weekly] and TVP); Maciej Górski aka “GUSTAW” [cryptic name for secret collaborator] (vice-president of PAI S.A.); Andrzej Nierychło aka “SAŚSIAD” [cryptic name for secret collaborator] (journalist of “Kurier Polski” and editor-in-chief of “Przegląd Tygodniowy” [Communist weekly]); Jerzy Tepli aka “EUREKO” [cryptic name for secret collaborator] (journalist and correspondent of “Polsat” in Germany); Piotr Nurowski aka “TUR” (vice-president of “Polsat”; the WSI officers counted that Nurowski would help them to establish cooperation with “Polsat” owner Zygmunt Solorz); Rafał Steffen aka “JERICHO” [cryptic name for secret collaborator] (president of PAI S.A.); Milan Subotić aka “MILAN” [cryptic name for secret collaborator] (journalist of TVP, later Program Vice director

in TVN; the officer who investigated and recruited M. Subotić to collaborate with the WSI, served as an attaché in Korea where he had cordial relations with a staff officer of GRU, Col. Sergey Kozyrev, and in 1982-83 was trained in Moscow); A. Bilik, aka “GORDON” [cryptic name for secret collaborator] (editor-in-chief of ‘Dziennik Telewizyjny’ [main news program] of TVP [Public TV]).

The archive resources of the WSI contain a personal file pertaining to cooperation of Andrzej Madera aka “CHARON” [cryptic name for secret collaborator], a journalist of “Nowiny” daily in Rzeszów and “Ład” weekly in Warsaw, with the Intelligence Directorate of the WSI in 1994-2000. Andrzej Madera was recruited for cooperation with The Intelligence Directorate of the WSI in 1994 in Rzeszów, by Cpt. Leszek Piotr. “CHARON” was mostly given tasks concerning the selection of candidates for collaboration with the WSI. The cooperation with “CHARON” was formally terminated in September 1999, due to his “engagement in political activities within the structures of one of the right-wing parties, gathered around the former President of the Republic of Poland” and “loss of intelligence opportunities”.. There is no information in the materials that the termination of cooperation has ever been formally notified to this collaborator.

Through well-placed HUMINT sources, the WSI had a current review of staff in media and interesting political contacts. The WSI tried to recruit such people from the media who guaranteed the control over journalists’ circles for cooperation. Also gen. Konstanty Malejczyk was personally engaged in handling the agents in the public and commercial media. He personally handled, among others, Sławomir Prząda aka “TEKLA” [cryptic name for secret collaborator] (chief of “Teleexpress” [popular news program] in TVP 1, who provided the WSI with written analysis of the press market in Poland, their capital situation after the liquidation of RSW “Ruch” and the level of foreign investments on the press market in Poland). K. Malejczyk was also interested in the form of the Press Law Act. Here he availed himself of extensive analyses written by “TEKLA”.. When S. Prząda aka “TEKLA” lost his job with TVP, gen. Malejczyk promised to find him a job with “one of the newspapers”.

Another informer of the WSI was Andrzej Ledwoch. he was selected as a candidate for cooperation when he was just a graduate of the Management Faculty of the Warsaw University (UW) and Postgraduate Journalism Studies UW and a student at the Institute of Developing Countries in the Faculty of Geography UW. On October 6, 1989, Mjr Zbigniew Demski (later to

become the case officer) decided that the education of A. Ledwoch and the fact that he planned to start a job with Polska Agencja Prasowa soon spoke in favor of the recruitment. After a meeting with the candidate on January 30, 1991, Lt. Col. Zbigniew Demski moved for using the candidate by the Military Intelligence. Since then, A. Ledwoch was known in his operational work as “ALF” [cryptic name for a secret collaborator, undercover officer, etc.] At the time of recruitment, Ledwoch worked in “Trybuna” [Communist daily] and later in “Nowa Europa”, edited by Krzysztof T. Toeplitz, where he joined the parliamentary service team. The collaboration with “ALF” proved promising enough to cause a meeting between “ALF”, his case officer and Lt. Col. Gryza (known as “Grymski”), the chief of HQ Unit of the Military Intelligence. One of the topics was the way the WSI are described “in the Polish daily press”. After such “inspiration”, “ALF” obligated to publish an article based on the materials delivered to him by ppłk. Gryza and ppłk. Lt. Col. Demski in “Nowa Europa”, which were to show [the WSI] in a positive light. During a meeting on September 3, 1992, Ledwoch obligated to prepare a synopsis of two articles: one about the affair in “Łucznik” Company, the other discussing the arms trade issues. After the consultation, those texts were to be published in the press.

The documents preserved the consultation materials related to the preparation of the aforementioned articles. They include “Thesis for article about WSI”, prepared by Cpt. Chymkowski on October 2, 1992; suggestions regarding the presentation of “history of intelligence services” and information about WSI structure, prepared by Rear Adm. (Reserve) Cz. Wawrzyniak.

Next consultations of “ALFA” [or “ALF” - cryptic name for a secret collaborator] (on October 9 and 14, 1992) brought the fruit in form of the preparation and discussion of a text on reorganization of special services. Already in the first sentence we find a suggestion that the reorganization of services is harmful, because it would allegedly cause the intelligence’s involvement in “political games”. We can also find a complete, consulted and printed article “Tajne puzzle” [‘Secret puzzles’], signed by Andrzej Ledwoch and published in “Nowa Europa” [journal] in October 22-23, 1992 in the files.

In recognition of his merits, Andrzej Ledwoch became a secret collaborator released from the obligation to draw his “signature under the cooperation statement”. As early as November 3, 1992, Ledwoch has also been known as “LANED”. Since July 1994, Ledwoch has also worked in the editorial team of “Teraz” magazine, edited by Andrzej Bilik. He belonged to the 7-member

Program Council, which met in the building of “Polskie Nagrania”. There he also worked there after the ownership changes, when the company changed its name to “Super Ekspres”. On May 1, 1995, he left the magazine at his own request. Soon he started working in the editorial team of “Gazeta Bankowa” [‘Banking Gazette’], which he assessed as the most prestigious and the best paid Polish weekly.

“LANED” was considerably active in selecting candidates for collaborators. With this purpose he pointed Ms. Maria Kulczycka (his female colleague from “Nowa Europa”), Ms. Dorota Bardzińska (from “Sztandar Młodych” daily), Ms. Maria Graczyk (a female journalist in “Wprost” weekly) and Mr. Jarosław Sroka from “Gazeta Bankowa”. Since 1996, “LANED” has worked as the press officer of the president of BGŻ. He continued his selection work there as well as collected information about economic entities. “LANED” documentation contains a mention of the planned remuneration of a tangible gift to the amount of up to 500,000 old Polish zlotys from the operational funds of ‘Unit IV’ in November 1992.

An example of the active role of the services in the media domain was the matter related to “Przegląd Międzynarodowy” (‘International Revue’), an insert to “Trybuna Śląska”, which was established by the WSI in the mid-90ties. Among those involved in this initiative were Gen. K. Malejczyk and Gen. M. Dukaczewski. One of the persons engaged in the completion of this undertaking was Grzegorz Woźniak aka “CEZAR”, a well-known and experienced journalist who specialized in international issues. On March 3, 1994, Woźniak met with ppłk. Lt. Col. Jerzy Gajewski and Comdr. S.T. as a candidate for a collaborator known as “CEZAR”. It was decided that Woźniak will operate in the framework of Grupa Wywiadowcza (‘Intelligence Group’) “GROT” (ARROWHEAD), operating under cover as a monthly magazine “Przegląd Międzynarodowy”. The magazine’s editorial office was in Warsaw at Koszykowa Street.

“CEZAR” was accepted by “EUREKA”, the organizer of ‘Grupa Wywiadowcza’ “GROT”, and by the publisher of “Przegląd Międzynarodowy” /‘International Revue’/ magazine (and at the same time the editor-in-chief of “Trybuna Śląska”). Woźniak agreed to be the secretary of the editorial team of “Przegląd Międzynarodowy” and its manager in Warsaw, which would suggest a plan to organize a field branch of “Przegląd”. The intelligence reserved the right to all information and to review the articles, including their possible suspension from publication (while observing the author’s right to the fee). “Przegląd” was to order studies from well-known journalists, politicians and experts. One of the arguments in favor of recruitment of Woźniak was

his “easy access to the leading politicians, both in Poland and abroad”. The secret collaborator “CEZAR” [cryptic name for secret collaborator] was approved by Comdr. Jerzy Żak (April 11, 1994) and Col. Konstanty Malejczyk. The monthly fees of “CEZAR” amounted to 1200 DEM, and the documentation contains 18 receipts for such an amount, signed with the collaborator’s name.

A interruption in the work of “CEZAR” occurred on April 12, 1995, when he informed his case officer (ppłk Lt. Col. Jerzy Gajewski) about his intention to conduct the TV election campaign of Aleksander Kwaśniewski, candidate for the President of the Republic of Poland (he earlier worked at the SdRP [‘Social-democrats of the Polish Republic’, in fact: (Post-)Communists] campaign for elections to the Sejm and Senate of the Republic of Poland). The officer decided that the WSI expected “more commitment” from Woźniak, even before the start of the election campaign. As a consequence it was decided to cut his earnings by half. The collaboration of “CEZAR” with the WSI lasted about 9 months. It was, however, assessed critically. As a consequence of such an assessment of “CEZAR”, at the request of his case officer, it was decided to resign from his cooperation. The preserved documentation does not allow to confront those assessments with the documents.

Another collaborator of the WSI was Krzysztof Marcin Krzyszycha. He studied at the Moscow Institute of International Relations [MGiMO], from where he moved after two years to Minsk, where he completed studies at the ‘Radio and TV Journalism’ Faculty. His investigation by the military intelligence started on February 25, 1993, on the basis of direct conservation.

When selected for collaboration with the intelligence, Krzyszycha worked as a journalist in a Lublin-based daily “Ekspress Fakty”. He was selected for collaboration by ppłk Lt. Col. Robert Łuczkiwicz. On August 24, 1993, he signed the statement of collaboration with the intelligence, thus obtaining the status of a secret collaborator aka “TERON” [cryptic name for secret collaborator]. In the opinion of an intelligence officer, “working as a journalist, Krzyszycha has the opportunities to collect materials and information”. He may “constitute a (...) source leading to interesting people” and “has possibility to go abroad under cover”. Another important argument was the knowledge of other countries and languages.

From November 2, 1993 to April 30, 1995, Krzyszycha worked as a civil senior expert in Army Unit 3362. Next, from September 1994 to April 1995, he was employed under a contract for a specifically rendered service [in Polish: ‘*umowa-zlecenie*’] by [Governmental]

Stowarzyszenie “Wspólnota Polska” [Association “The Polish Commonwealth”, working for expatriates, Poles living abroad]. His files were kept without due care, thus not stating his status clearly and explicitly, but it is beyond doubt that he was a secret collaborator.

During his intelligence training, Krzyszycha was persuaded to continue his journalist career (among the persuaders there most surely was Col. Marek Dukaczewski). He was also referred to “Kurier Polski”, “under the care” of a journalist Andrzej Nierychło (now the publisher of “Puls Biznesu” [‘Pulse of Business’]), but Krzyszycha did not show any serious interest in this kind of work. From August to October 31, 1993, he worked in the Warsaw-based company “Public Relations Center”.

In May 1997, Krzyszycha started working in the Office of the Senate of the Republic of Poland, initially as an expert in the Studies and Analyses Section, and later in the Information and Senate Documentation Office. “TERON” established contact with Krakowski Ośrodek Myśli Politycznej /‘The Center of Political Thoughts in Cracow’/, which he notified to his case officer.

Krzyszycha’s files contain incomplete expense statements incurred as his fees and the bills paid during meetings in restaurants. In the period from March 8 to July 24, 1993, he was paid over 1.8 million zlotys, out of which 422.2 thousand zlotys was for investigation of various people (including the costs of meals). Other titles for his fees included the preparation of various kinds of studies and translation of foreign texts as well as provision of materials. Two “TERON” receipts were preserved, for the total amount of 650 thousand old Polish zlotys, signed with the collaborator’s name.

During the course, “TERON” was assessed critically: as emotional. Finally, on January 14, 2003, Mjr Ryszard Sztorc ordered to cease any further collaboration.

The WSI focused their activities also on recruiting well-known columnists, who derived from the “Solidarność” opposition and had a direct or indirect impact on Poland’s political life, as they were often hired as consultants: Andrzej Grajewski aka “MUZYK” [cryptic name for secret collaborator, etc.] (journalist, later to become a member of IPN College and deputy editor-in-chief of [the Roman Catholic Church’s weekly] “Gość Niedzielny” /‘The Sunday Guest/’) and Jerzy Marek Nowakowski aka “FALKOWSKI” [cryptic name for secret collaborator, etc.] (journalist of [weekly] “Wprost”, columnist and a TV commentator, [also former under-secretary of State in Prime Minister J. Buzek’s Chancellery]).

The analysis of archive materials concerning Andrzej Grajewski shows that on September 7,

1992, Col. Z. Jachniak established contact with “MUZYK” [cryptic name for secret collaborator, etc.] at his place of residence. “MUZYK” was given a list of topics the WSI were interested in and the request to collect and information materials and studies. The date of that meeting is not, however, the starting point in “MUZYK” contacts with WSI officers, because from the file content we learn that such meetings – *inter alia* with the then WSI Chief, Col. Izydorczyk and with the Chief of the WSI’s BSIA [Analytic Bureau] Col. Woźniak, had place before. It is certain that on September 7, 1992, during the meeting with the officer of the Military Intelligence Directorate (ZWW) WSI, “MUZYK” agreed to provide information materials and studies about the situation in Central and Eastern Europe. As the reason for commencement of cooperation, “MUZYK” stated the fact of earlier relations with WSI, supposedly inspired by the deputy minister B. Komorowski. According to the WSI officers’ records, during the next meeting, on December 2, 1992, “MUZYK” was to make an offer of assistance in activities aimed at publication of press articles favorable to WSI as well as commencement of misinformation actions in the press to the WSI representatives (Col. Woźniak, Col. Pałowski and Col. Łączyński). As the important circumstances for the assistance offered to the WSI, he supposedly pointed at the fact that being the liquidator of RSW in past, he had influence upon filling the posts of editor-in-chief in many press titles and for this reason he had the opportunity to influence the selection of subjects of many press publications, among them in [dailies:] “Życie Warszawy” and “Dziennik Zachodni”.. Grajewski denies this relation, maintaining that it is a fake and that his role was limited to that of a consultant. He also questions some of the signatures under the proof of receipt of money, deeming them falsified.

During the next meeting, on December 10, 1992, Grajewski was formally given (due to the fact that next to the tasks of the consultant, he performed also operational tasks) the name “MUZYK” [cryptic name for secret collaborator, etc.], which he used since then to confirm the receipt of money. The main result of that meeting was that Col. Łączyński and Col. Jachniak set the direction of “MUZYK” work to, as it was stressed – “informational and operational matters”. Among the operational tasks assigned to “MUZYK” there was “the selection and suggestions of possible candidates from among the journalists, including those who – like “Muzyk” (‘Musician’) – could conduct informational activities”. Due to the further increase of the operational tasks for “MUZYK”, he was given operational training. In the memo from the meeting with “MUZYK” on January 21, 1993, it was stated: “with respect to unofficial activities, “Muzyk” will select and

preliminarily investigate people employed in the center with respect to the purposefulness and opportunity of using them in unofficial activities as well as select candidates for consultants and informers from among the experts co-operating with the center”.. Grajewski questions this information, maintaining that his cooperation was limited to the role of a consultant. The clarification of this matter will be undertaken by the Verification Commission.

Jerzy Marek Nowakowski aka “FALKOWSKI” [cryptic name for secret collaborator, etc.], when working as a consultant of the Military Intelligence WSI, in 2002 reported *inter alia* his involvement in the activities of right-wing political organizations, including the group headed by Kazimierz M. Ujazdowski (SKL [‘Popular-Conservative Party’]). He named as is political protectors Czesław Bielecki from “Ruch 100” [‘Movement of One Hundred’] and Agnieszka Miszewska, who worked with the Prime Minister Jerzy Buzek. “FALKOWSKI” also reported his activities in PiS [presently co-governing party in Poland, right-to-center ‘Law and Justice’] and the meetings of representatives of PO [presently main opposition party in Poland, ‘liberally-oriented’ ‘Citizen Platform’] and PiS in connection with the local government elections in 2002. He forecast then, that cooperation between PiS and PO would not last long.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Brig. Gen. Konstanty Malejczyk, Brig. Gen. Marek Dukaczewski, Col. Zdzisław Żyłowski, Col. Ryszard Sosnowski, Col. Mirosław Kosierkiewicz, Col. Ryszard Niecypor, Col. Z. Jachniak, Col. Woźniak, Col. Pałowski, Col. Łączyński, Lt. Col. Zbigniew Demski, Lt. Col. Jerzy Gajewski, Comdr. Jerzy Żak, Lt. Col. Gryz, Lt.Col. Robert Łuczkiewicz, Mjr Mieczysław Tryliński.

The WSI Chiefs in the described period were: Counter-Adm. Czesław Wawrzyniak, Brig Gen. Bolesław Izydorczyk, Brig Gen. Marek Dukaczewski.

Until 1995, supervision over the activities of the Military Information Services [WSI] on the general terms of responsibility for subordinated Ministry rested with the Minister of National Defense. In the described period, this office was held by: Janusz Onyszkiewicz, Piotr Kołodziejczyk, Zbigniew Okoński.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December

14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated to the Minister of Defense directly. The Ministers of National Defense in the described period were: Stanisław Dobrzański, Bronisław Komorowski i Jerzy Szmajdziński.

The facts cited in this chapter bring doubt as to the legality of conduct of the WSI soldiers; thus, the Verification Commission sent to the Supreme Military Prosecutor's Office a notification of suspected crime, in compliance with Article 304 § 2 of the Code of Penal Procedure.

7. Illegal Arms Trade

Until 1989, the monopoly for arms trade rested with the 'Central Engineering Board' (CZInż) within the Ministry of Foreign Trade and later within the Ministry of Foreign Economic Cooperation. After the Economic Business Act entered into force in 1989, the competencies of CZInż were changed and the commercial activities related to international arms trade were taken up by commercial companies "CENZIN" and "CENREX".

At the turn of 1991 and 1992, the WSI developed the so-called concept of organization of counter-intelligence protection for arms production and of monitoring of special trade conducted by the Polish companies. It was decided that there was "a provocation threat for the safe arms trade carried out by Polish institutions". The real purpose was to create a mechanism of illegal arms trade. This was one of the goals for which a special unit was created to handle these issues – 'Unit 6' (later: 36) of Armaments Industry Guard, composed of 14 military men. Marek Słoń served in this Unit from the start and the Unit was headed, among others, by the officers deriving from 'Unit Y' and trained in the USSR: Eugeniusz Lendzion and Cezary Lipert. The actions of 'Unit 6 (36)', the 3rd Directorate, were in a way to secure interests of the 2nd Directorate (intelligence) of the WSI.

Reasons for Monitoring

As a matter of fact, instead of monitoring, the authors of this concept, K. Malejczyk and K. Głowacki (both were at some point officers of 'Unit Y' in the 2nd Directorate), at the consent of Gen. Izydorzyc (participant of a GRU training course), aimed at gaining a share in that market and controlling it through the military special services. The profits from the operation were to constitute "off-budget sources of financing of the activities of military special services". The main base was to be constituted by companies established by the 2nd Directorate of the General Staff of the People's Polish Armed Forces or controlled by officers under cover and agents of the 2nd Directorate. This was the nature of the companies selected for the operations, which dealt in arms trade: 'Cenrex', 'Steo', 'Falcon'.. According to Gen. Malejczyk, this undertaking was a reproduction of similar actions carried out by UOP with respect to the company called "Nat".. One can see here the direct continuity of the concept and actions

developed yet in the 80-ties, when the profits from illegal arms trade were one of the sources of financing of the military special services.

The actions, which were expected to bring off-budget profits from arms trade, were, according to the WSI officers, conducted at MOD's consent. The WSI counter-intelligence claimed that the legal grounds for those actions were constituted in the Directive concerning the operational actions and investigations, issued by the Minister of National Defense J. Onyszkiewicz, dated December 3, 1992. In that Directive, Minister Onyszkiewicz allowed that the counter-intelligence's operational fund be provided with the funds obtained as a result of operational actions. Minister Onyszkiewicz also decided that the operational fund shall be excluded from the control exerted by other state authorities (e.g. NIK, ['National Chamber of Controlling', controlling body in Poland, especially concerned with finance spending of budget money]), which gave the counter-intelligence a privileged position.

As a result of the engagement of civil and military services in the special trade practices, there were many cases of Polish-Polish competition, which led to the exclusion of the rivals from commercial negotiations, while the desire of profits caused that the trade partners included some representatives of terrorist groups.

In order to obtain tangible benefits, the WSI were using their powers and facilitated the process of obtaining of relevant permits for activities in this domain. In order to receive the relevant documents, the WSI officers often used officers under cover or collaborators employed in the relevant units of the state authorities.

The Steo Company

Under the pretext of fulfillment of operational objectives of the 2nd Directorate, concerning the collection of opinions about military and political situation in Latvia and in the Russian Federation as well as about the Latvian-Russian relations, gen. Malejczyk decided to carry out a contract of arms sale to Latvia. To this end, he used the Cenrex company (then headed, among other, by an officer under cover "WIRAKOCZA", i.e. Col. Jerzy Dembowski) and Steo (set up for the secret collaborator Edward Ochnio aka "TYTUS" [cryptic name for secret collaborator, etc.], who was been used by the 'Unit Y' of the 2nd Directorate before). The transaction was to bring the WSI a commission worth about 150-200 thousand US Dollars. These intentions was approved by the then WSI Chief, Gen. Izydorczyk. He informed the Chief of General Staff of

Polish Armed Forces, T. Wilecki, about this enterprise. A written consent of the Chief of General Staff of Polish Armed Forces has not been found in the available documentation.

Lt. Col. Jerzy Dembowski (officer under cover aka “WIRAKOCZA” [cryptic name for secret collaborator or undercover officer]) conducted, as the intelligence representative, arms trade operations with Arab terrorists in mid-Eighties and at the end of the Eighties he directed the operations aimed at illegal import of IT technologies to the territory of Soviet states, to be later delivered to the USSR (to Ukraine) and to North Korea. In 1989, at the order of Gen. Władysław Seweryński, Dembowski established the Cenrex company taking over for this purpose the property of the State-owned CZInż.

In 1992, Dembowski, then still a representative of “Cenrex”, sold arms to the People’s Democratic Republic of Yemen, represented by “Mezner Galion”, i.e. in fact a Syrian terrorist Monzer Al-Kassar. That man was involved in terrorist attacks in which over 400 people died. His name showed up on the occasion of the jumbo-jet explosion over the Scottish town of Lockerby. J. Dembowski met him and at the order of the military intelligence of People’s Republic of Poland conducted negotiations regarding arms trade, when in 1982-1987 he held the function of trade attaché in Tripoli (Libya).

The transactions between Dembowski and Al.-Kassar were finalized in 1992 with the sale of arms to Croatia and Somalia (the latter was then covered by the international embargo on arms and military equipment deliveries, imposed by the Security Council UN). To carry out those transactions, Jerzy Dembowski used the company registered in Panama, “Scorpion Int. Services” S.A. with its seat in Vienna. These activities were of criminal nature and in 2000 charges were brought by the public prosecution. The Regional Public Prosecutor’s Office in Gdańsk charged among others J. Dembowski with issuance of untrue documents with regard to the destination point of the arms and ammunition sold. Instead to Latvia, the arms went an undetermined recipient in Somalia.

These activities and the previous period of operation in arms trade gave Col. K. Malejczyk the grounds for selection of Dembowski in 1992 for the operation of illegal arms trade. It is also important that for protection of this operation Edward Ochnio (“TYTUS”, [cryptic name for secret collaborator]) was used, who has been a collaborator of Unit Y of the 2nd Directorate since the 80-ties.

As early 1991, the WSI had information that the decision-makers in the Ministry of

Foreign Economic Cooperation obtained tangible benefits in the course of issue of the permits for arms trade. In this case, the permits were to be issued by Jan Suwiński from that Ministry. The practice's mechanism, according to the saved internal note, looked as follows: "The submitted documents were photocopied and sent to MSW for verification, which took about 6 months. Suwiński received a specific percentage (up to 50%) of profits for speeding up the decision up. This was handled by Jerzy Dembowski (...). Suwiński was allegedly accepting bribes in return, to the amount of 20 – 50 thousand US Dollars. According to the collaborator Wojciech W., the permit for a company called 'Net' (he probably meant NAT, it was established by UOP [civilian security agency in Poland] officers) cost its president Cichocki 20,000 USD. Other people who were allegedly involved in these practices were: Leszek Grot, Leszek Gaj, Col. Moraczewski and Andrzej Gluza. An important role was supposedly played also by a high official who in December 1991 was to accept up to 50,000 USD for issuing the permit for transporting arms abroad.".. None of the aforementioned people have ever been held liable. To the contrary, the WSI tried to conceal the matter and to better organize the illegal arms trade. The only consequence of this affair was that Dembowski left 'Cenrex' and started working in Steo and that the burden of illegal arms trade was shifted exactly to 'Steo'.

In November 1993, Malejczyk asked Głowacki in writing for his assistance in obtaining the concession for Steo. In that letter, Malejczyk informed that "In accordance with the decision of the Minister of National Defense, Mr. Piotr Kołodziejczyk (note No. 078/W/93), the Intelligence Directorate of the Military Information Services carries out a transaction of sale of used military equipment and ammunition to Latvia". K. Głowacki referred the case to the Chief of 'Unit 6' of the 3rd Directorate, E. Lenzion, who ordered M. Słoń: "to urgently take actions aimed at obtaining an export permit. Mr. Spis is aware of this matter. For further details, please contact Col. K. Malejczyk directly". When watching over the affairs of 'Steo', Col. Słoń stressed to the decision-makers in the Ministry of Foreign Economic Cooperation, that the WSI very much wanted the formalities to taken care of be fast and positively. All permits and concession for Steo were dealt with on the spot (the applications were fulfilled on the day of submission). Despite that the arms were in fact prepared for illegal trade. It was smuggled on the pretext of export of various goods to the East.

In May 1994, the Estonian police intercepted a large number of TT guns, including 2420 pieces from Poland. This situation did not put E. Ochnio and J. Dembowski off and they

continued their cooperation with Estonian criminals. Two years later, the Estonian customs officers reveal another case of smuggling arms from Poland – this time it was 1600 TT guns in the containers with pasta belonging to “Danuta” SA from the city of Malbork. J. Dembowski and E. Ochnio knew that those goods were to be received by an Estonian crime group headed by Railo Riis and Rain Raimo. This way, the limitations on export and use of goods were violated as the arms, being subject to strict export restrictions, again left the Polish customs area, and that with the exporters being aware that it was going to be received by unauthorized persons, namely the members of a crime group in Estonia. In spite of the two instances of smuggling operations to Baltic countries with participation of Steo being blown, the operational contact with Steo’s owner was continued as evidenced by the memos from the meetings with E. Ochnio, made by Mjr M. Słoń.

The unsuccessful delivery in 1996 put an end to the criminal activities of PHZ [PHZ (abbreviation in Polish) = ‘Establishment for Foreign Commerce’] ‘Steo’ with respect to the trade in arms and ammunition.

When the affair of smuggling arms to Estonia was revealed in 1996, the WSI consciously misinformed the then Prime Minister Włodzimierz Cimoszewicz, who was notified, through UOP, that the WSI had no information about any collaboration of E. Ochnio with the military special services. Meanwhile, it was exactly in the framework of this operation that Ochnio, who remained the WSI collaborator the whole time, co-organized the illegal arms trade with the Russian Mafia and Arab terrorist groups. When replying to the Deputy Chief of UOP, Col. Jerzy Nóżka, Comdr. Głowacki omitted the fact of relations between the WSI and the ‘Steo’ owner (Ochnio) and its representative in Latvia, and earlier a director in Cenrex, Lt. Col. Dembowski.

The WSI chiefs did not inform any other state authorities (Prime Minister, President) about the activities in illegal arms trade either, while the profits generated by those companies were to be used as additional source of financing for the WSI activities not disclosed to the authorities.

All transactions performed by ‘Steo’ and ‘Cenrex’ with Latvia consisted of the fact that the arms and ammunition exported from Poland were intended for other recipients than indicated in the applications for permit and the Permits for Export of Arms and Ammunition. Ochnio and Dembowski intentionally gave untrue destination points of the arms to avoid giving the names of states covered by the SC UN embargo.

Despite the engagement of such large efforts and means, many times there was no success in winning valuable commercial contracts, which would be of defense benefit to the country.

The Falcon Company

Another of the WSI's business undertaking of this kind was the establishment of "Falcon" Sp. z o.o. [Ltd. Co] with its seat in the city of Szczecin. It can be seen from the notes of officer Marek Słoń that the owner of that company was a collaborator acting as a reliable asset (RA) aka "MATUS", i.e. Col. (Reserve) Witold Wąsikowski. The establishment of that company and its operations involved from the start the illegal participation of the WSI in business activities and their use of state machine for this purpose. In March 1993, Marek Słoń presented to his superiors (E. Lendzion, C. Lipert and K. Głowacki) the following project: "RA Matus would be useful as someone heading a company which would specialize in special equipment transactions in order to perform the task in the field of detection of illegal arms transactions, prevention of possible provocations against Polish manufacturers and traders of special equipment. Furthermore, I suggest concluding with him, a legally valid commercial agreement through a dangle. The grounds for the agreement could consist of a loan to be given to Matus by the HQ, which should provide funds for buying out the controlling block in the company that is to be established with his participation, and in exchange for that loan Matus would obligate to provide data and documents related to each transaction as well as to transfer to the agreed account a certain percent of profits on each commercial operation. The value of the extended loan could be 10 thousand US Dollars. Out of which 2,5 thousand US Dollars in cash and 7,5 thousand US Dollars as non-cash value; 'HQ support' in awarding the relevant concessions of MSW and Ministry of Foreign Economic Cooperation to Matus' company. However, a receipt for the amount of 10 thousand US Dollars would be received with obligation to refund in case of non-performance of the concluded agreement".. "Falcon" was also to transfer to the WSI a part of the profit on each completed order. The project of the undertaking devised by officer Marek Słoń was accepted by the Deputy Chief of 'Unit 6', the 3rd Directorate of the WSI, Lt. Col. Eugeniusz Lendzion, and the Chief of 'Unit 6', the 3rd Directorate of the WSI, Lt. Col. Cezary Lipert. The described actions were, as results from the WSI records, performed, with the WSI decisions aiming at taking over the arms trade, *inter alia* to gain profits. In the scope of operations of "Falcon", there were instances of use of the state machine to support illegally operating companies. The support

of the commercial activities of "Falcon" is shown by the correspondence between the WSI and the Special Trade Department in the Ministry of Foreign Economic Cooperation. On February 14, 1995, Andrzej Spis, Deputy Director of the Special Trade Department in the Ministry of Foreign Economic Cooperation, turned to the WSI with a request for an opinion in awarding "Falcon" a one-off concession for the export of equipment to Peru. On February 23, 1995, the chief of Military Counter-Intelligence, Comdr. Kazimierz Głowacki gave a positive reply, where we can read, among others, that: "We hold the view that the companies which participate in the special trade with the participation of the MOD, need – aside from meeting the statutory formal criteria – give a guarantee of loyalty to the political and defense-related interest of the state. We assess that these criteria are met by "Falcon" Sp. z o.o."

In the case of "Falcon" (and other companies discussed here) the guarantee meant that the companies were owned by the services, i.e. that the company owner *de facto* confirmed his own reliability.

Money Laundering

The WSI protected its collaborator "WOLFGANG FRANKL" [cryptic name for secret collaborator] and his illegal operations, not only those related to the arms trade, but also with money laundering together with the Italian Mafia. To this end, specific operational actions were taken against the Police. On February 27, 1995, the Chief of 'Unit 6', the 3rd Directorate WSI, received a letter from the Head of Organized Economic Crime Section in Regional Police Department in Szczecin, notifying that it planned to take operational actions against Witold Wąsikowski, because the Police obtained information that points to joint actions of the collaborator "WOLFGANG FRANKL" with T. M. from Warsaw, related to money laundering, and possible relation of this operation to the international arms trader Monzer Al Kassar from a reliable source,. The amount of the transaction was supposedly about 100 million USD. The WSI waived the Police information about its collaborator and suggested incompetence of the Organized Economic Crime Section in Regional Police Department in Szczecin. On July 31, 1995, the Chief of 'Unit 6', the 3rd Directorate of the WSI, received another letter from the Organized Economic Crime Section in the National Police Department, where, after the analysis of materials from Szczecin, the previous findings about Witold Wąsikowski were confirmed; the letter stated further that: "All relevant information about the course of operation and people

involved therein come from the operational technique means used with respect to T. M. in the form of telephone line eavesdropping and as such is credible.” The Police were not able to determine whether the "money laundering" operation was actually put into effect. On August 11, 1995, the Deputy Chief of Counter-Intelligence Directorate of the WSI, Col. Jan Maria Oczkowski, ordered the Chief of Counter-Intelligence in the Pomorze Military District to contact the Organized Economic Crime Section in Regional Police Department in Szczecin in order to arrange the cooperation terms. However, no action against Wąsikowski was taken, and Oczkowski did not demand any. In November 1995, the superior of officer Marek Słoń forbid to document any non-military activities of the collaborator “WOLFGANG FRANKL” [cryptic name for secret collaborator]: I have made a point several times in the past that you should avoid any engagement of the collaborator in the matters not in the scope of interest and competencies of the WSI. Please direct the collaborator “Frankel” to the problems strictly related to the military and exactly such problems should be documented”.

The protection over illegal actions of a WSI collaborator also lead to suggestions to lie to other state authorities. In February 2002, the collaborator “GUSTAW” (= “WOLFGANG FRANKL”) had a meeting with the Chief Director of UOP/ABW Branch Office, Col. Wiesław Kowalski, who headed that post in 2002-2005 (earlier he was a WSI soldier). In connection with that conversation, officer Marek Słoń told the collaborator “GUSTAW” to give UOP only such information as is generally known and available. He also ordered not to reveal, under any circumstances, the nature of contacts with the WSI.

The WSI not only protected their people from the Police and UOP, but also sought assistance in solving problems by way of informal contacts with the justice, in criminal cases etc.

This kind of engagement had place in case of support for Stanisław Wyrożemski (collaborator "MARIA", "MAX", "MAKSYMILIAN" [all - cryptic names for secret collaborators]). Wyrożemski was an employee of the 2nd Directorate of General Staff of the People's Polish Armed Forces and since 1985 had worked as a resident in the CENZIN representative office in Austria. He also met other officers dealing with special trade there, among them: Stanisław Terlecki, Zbigniew Tarka and Tadeusz Koperwas.

After he left the professional military service, Wyrożemski began to work as go-between in special trade. He ran two companies: "Arespo" and "Kunat". He was the cause of the conclusion of a commercial transaction between BHZ Bumar-Łabędy and Myanmar (formerly

known as Burma). The collaborator "MAKSYMILIAN" [cryptic name for secret collaborator] used that contract to take out over 8 million USD from Poland and transfer it to a non-existent company Paladion in Geneva. In this matter, the Prosecutor's Office in Katowice has been conducting an investigation since 1992, as a result of which Wyrożemski ("MAKSYMILIAN") was arrested in 1993. The WSI intervened then with the General Prosecutor of the Republic of Poland to have him released from detention. In 1995, the case of 'MAKSYMILIAN' became discontinued. Knowing that it could be resumed, he turned to the WSI for assistance in "earlier achievement of a stand, which he could present in case that the penal proceedings are resumed".. He kept the WSI informed about his legal situation related to the contract with Myanmar. In December 2002, the District Court for Warszawa-Praga discontinued the proceedings against the collaborator "MAKSYMILIAN" [cryptic name for secret collaborator], who upon positive settlement of the criminal case, terminated his cooperation with the WSI. The analysis of this case shows that a WSI collaborator was willing to help the military special services as long as those services were helpful in the penal proceedings conducted against him.

Terrorists

Many times the result of involvement of both (civil and military) services in the special trade practices was Polish-Polish competition on foreign markets and reaching for support of the Russian side. Meanwhile, the arms trade operations led to establishing contacts with terrorist groups. An example of ties with terrorists is the participation of Al Kasser in the Egyptian transaction. Al Kasser was well known for his international operations and punished for arms trade; he was also the partner of Edmund Ochnio aka "TYTUS" [cryptic name for secret collaborator] and Jerzy Dembowski aka "WIRAKOCZA" [cryptic name for secret collaborator]. The role of Al Kasser in the transaction was concealed and known only to a very limited number of people from Cenrex and the Counter-Intelligence Directorate of the WSI. The line of procedure, adopted by the WSI towards Al.-Kasser, envisaged that the meetings would be held abroad in previously agreed places, and the negotiations would be carried out by authorized entities, covered by the WSI counter-intelligence service. Special caution and concealment of contacts with Al-Kasser resulted, according to the WSI, from the situation assessment and the information that could be associated with terrorist organizations operating in Middle East. It was known that at the request of some governments he was to organize arms deliveries for those

organizations. It was also known that before 1989 he was used by the special services of the People's Republic of Poland as a helper who organized arms deliveries for the PLO from the countries at war with Israel and pursuing anti-American policy. After 1989, contacts with this man were resumed by the 1st Directorate of UOP [civilian security service agency in Poland]. The contact died at the turn of 1993/1994, when Al.-Kasser was detained in Spain in connection with the process of the terrorists who assaulted the ship 'Achille Laura'.

Nonetheless, Col. Słoń tried to maintain the contacts with Al-Kasser. In the framework of the modernization program for the air protection system NEWA in June 1997, the collaborator "WOLFGANG FRANKL" [cryptic name for secret collaborator] started, at the knowledge and consent of the WSI, talks with Al-Kasser's group, which was to obtain about 400 million USD from Saudi Arabia to finance the modernization of that system by Egypt's armed forces. This was probably the reason why Col. Słoń proposed, as early as in March 1989, to notify the Prime Minister's cabinet and the Ministry of Foreign Affairs. This proposal was not accepted by his superiors. The Chief of Unit 36, Jerzy Marszałik, wrote, "I assess these proposals as pointless". Instead, the WSI decided to carry out, in concealment from the Polish political authorities, joint operations with Al.-Kasser. The WSI accepted Al-Kasser's participation in the Egyptian contract, and the instruction prepared in July 1999 by ppłk Lt. Col. Słoń for the collaborator "WOLFGANG FRANKL" stated, "please negotiate the participation in the transaction according to Al-Kasser's proposals (without specifying your own ties that will actually be used). (...) Maximize the price of the provided service by making Al-Kasser aware of the consequences if the participation of your company in the arrangement of the transaction was revealed, consisting in the possible revocation of special trade concession by the Export Control Department.".. The WSI did not prevent the operations of Al-Kasser in the Republic of Poland, did not warn the politicians and businessmen, to the contrary, they facilitated the arms trade for someone who was suspected of terrorist contacts.

Another example of the WSI operations in arms trade was the operation "H", run by the 2nd Directorate. The objective of that operation was to put Polish agents in the Russian ship-building industry, but in fact it was the other way around; the Russian services placed their man in the Polish ship-building industry, at the same time corrupting the command of the Navy. When the company 'Pertron' (then controlled by WSI Counter-Intelligence) appeared in the case, it dealt in special equipment trade and its financial settlements gave rise to justified doubts, for example,

large sums of money were transferred to the account of an Italian company 'Fiatagri', which had no relation to Pertron. The settlements were run through a branch of the Kredyt ('Credit') Bank in port town of Gdynia where the director was Lt. Col. Leszek Fiertek, senior officer of the 2nd Directorate of the WSI (1993-1997 serving as an under cover officer). The branch of Kredyt Bank in Gdynia was created by Adam Kisler, then the director of the branch of Kredyt Bank in Gdańsk (earlier an employee of the Kredyt Bank in Kaliningrad, next an employee of a company Enamor which dealt in special trade and ran its settlements through the Gdynia-based branch of Kredyt Bank, still headed by the aforesaid L. Fiertek). Adam Kisler, former collaborator of the 2nd Directorate of General Staff, was taken over by the WSI Counter-Intelligence after 1991 to conduct the Pertron operation on behalf of the intelligence. Kisler, associated by the WSI with the Russian Mafia, maintained contacts, among others, with Naum Isakovitch Slucki, a FSB [present Russia's replacement for KGB] agent, and Comm. Adm. (Reserve) Nikolai Kachanovitch, a former Deputy Commander of the Russian Federation's Baltic Fleet, who dealt in special trade. The transfers of large sums of money between 'Pertron' and 'Fiatagri' companies were the result of settlements made by the representatives of criminal circles from the former USSR countries. Kisler's Mafia activities were possible only due to intelligence protection.

In the scope of operational actions run against Pertron, Col. Marek Nowakowski of the WSI could have reproduce the information about an alleged spy in the Navy structures, only to justify the operational interest in Andrzej Fornalski, the president of PHZ [Intl. Commerce Co.] 'Pertron'.. The interest in that company was to provide some kind of cover against the actions of other services (including UOP) during the performance of the criminal practices consisting in bribing the Navy officers and taking out money from MOD's budget.

In 2002-2003, the Control Department Team from the MOD, headed by Gen. Józef Flis, controlled all tenders in the Navy. The result of that control was a report, which contained a number of observations regarding irregularities in the performed tenders. The report was classified and never made available to law enforcement institutions, at the consent and approval of the Minister of National Defense, Jerzy Szmajdziński.

The engagement of the WSI officers in operations of companies which dealt in special trade could have helped to transfer the obtained funds out to the party accounts, foundation accounts or abroad.

When analyzing the aforementioned case, information was revealed regarding the abuse of power

and failure to fulfil duties in connection with the protection of state secrets by the Commander of the Polish Navy, Adm. Ryszard Łukasik. He did not respect the WSI's refusals to issue clearance certificates for Comm. Adm. Popek and Comdr.. Kaszubowski. Admiral Łukasik delayed the handing of the clearance certificate document to Comm Adm. Popek and kept him as the Chief of Logistics of the Navy for a long time. Holding this function without a clearance certificate is not possible and Comm Adm. Popek should have been dismissed from that post immediately. However, he was only dismissed 3 years later, after the well-known case of the theft of grenades and ammunition from the warehouses of the Military Port in Gdynia.

The reoccurring violation of law by the owner of 'Pertron', Andrzej Fornalski, consisting of bribing Comm Adm. Popek many times (about 200 thousand Polish zlotys) caused no reaction on the part of M. Dukaczewski. He was informed about the bribes with letter No. 00-45 of February 2002, which he did not register in the classified office before May 2005, not to mention taking any actions he was obligated to take as a state officer.

The decisions made by the Navy officers, WSI officers and the Military Policy officers as well as the prosecutors from the Military Prosecutor's Offices led to the information about actions incompliant with applicable law being blocked. The source of irregularities related to the arms trade conducted by the WSI can be linked with a fact that the concept of organization of the so-called counter-intelligence protection for arms production and of monitoring of special trade did not give any operational results. The intelligence played the initiatory and leading role here, while the counter-intelligence secured its operations so that the civil services or other state authorities did not threaten the intelligence's monopoly. To recapitulate: most operational actions were a way to conceal the participation of military services in special trade through the companies they created (among them: 'Steo', 'Cenrex', 'Falcon'). The companies, which dealt in special trade, together with people who supervised them at the WSI level, in fact, created an organized crime group and supported criminal activities.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Brig.Gen. Konstanty Malejczyk, Gen. Bolesław Izydorczyk, Gen. Marek Dukaczewski, Comdr. Kazimierz Głowacki, Col. Jerzy Dembowski, Col. Marek Słoń, Col. Cezary Lipert, Col.

Jan Oczkowski, Col. Witold Wąsikowski, Lt. Col. Wiesław Kowalski, Lt. Col. Leszek Fiertek, Adm. Ryszard Łukasik, Adm. Zbigniew Popek.

The activities of Edward Ochnio, Jacek Merkel and Andrzej Spis meet the disposition of Article 70a.2.1 of the aforesaid Act.

The WSI Chiefs in the described period were: Brig. Gen. Bolesław Izydorczyk, Brig. Gen. Konstanty Malejczyk, Gen. Marek Dukaczewski, Counter-Adm. Kazimierz Głowacki.

Until 1995, the supervision over the activities of the Military Information Services on the general terms of responsibility for subordinated Ministry rested with the Minister of National Defense. In the described period, this office was held by: Janusz Onyszkiewicz, Piotr Kołodziejczyk, Zbigniew Okoński.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was directly subordinated to the Minister of Defense. The Ministers of National Defense in the described period were: Stanisław Dobrzański, Bronisław Komorowski and Jerzy Szmajdziński.

With respect to some issues described herein, the public prosecution conducts or conducted penal proceedings, however, due to the new circumstances revealed in the course of hearings and the documentation obtained by the Verification Commission, the public prosecution's interest as to the object and the subject of these cases may be extended or new proceedings may be instigated. Thus, the Verification Commission sent to the Supreme Military Prosecutor's Office a notification of suspected crime, in compliance with Article 304 § 2 of the Code of Penal Procedure.

8. Irregularities Related to the Protection of the Tender for Wheeled APC.

The WSI actions, focused on profits earned in special trade, did allow the services to react properly to the irregularities related to the conducted tenders for army weaponry. An example of such a situation is the counter-intelligence protection of the tender for APC. Gen. Marek Dukaczewski publicly said that the WSI had no objections to the tender. The WSI Chief convinced that the objections regarding the technological requirements applied not only to the selected bid, but also to other wheeled APCs offered. These statements are contradictory to the contents of preserved documents.

The tender commission was appointed on August 2, 2001, and on August 13th the invitation to bid was sent to the manufacturers of military equipment. The application for the start of the operational procedure regarding the tender for the Wheeled APC [‘Armored Personnel Carrier’] was approved on November 14, 2001. Bids were made by the following companies: Austrian ‘Steyer’, Swiss ‘Mowag’, Finnish ‘Patria Vehicles Oy’.

On November 15-16, 2001, a delegation from the Finnish Company ‘Patria Vehicle Oy’ paid a visit to “Wojskowe Zakłady Mechaniczne” [‘Military Mechanical Plant’] (WZM) in Siemianowice Śląskie. The visit took place at the incentive of WZM, who were interested in cooperation with the Finnish side in implementation and production of the Wheeled APC (WAPC). The purpose of the meeting consisted of consultations about special equipment, the production of which the Polish side tried to win by entering the announced tender. In the course of the visit, the cooperation terms between Patria Vehicles Oy and WZM in Siemianowice Śląskie were agreed.

Since January 2002, the representatives of Patria have intensified their lobbying activities with respect to the management of WZM in Siemianowice Śl. [town Siemianowice in Silesia] *inter alia* by frequent contacts in Poland, including in the WZM’s headquarters.

Furthermore, in the last quarter of 2002, increased activity of the official and economic Finnish circles towards the Embassy of the Republic of Poland in Helsinki was observed with

regard to Patria's bid for the WAPC. The Embassy of the Republic of Poland in Helsinki, in a dispatch sent to Poland, expressed its positive opinion about the Finnish offer. In the Embassy's assessment, such a large contract would strengthen the improving tendency in bilateral trade turnover and would become an important stimulus for the increase of Finnish investments in the Republic of Poland.

As early as at the beginning of the 90-ties, the WSI, through their representatives in Finland, started talks with SISU [Finish military service]. Later, during the visit of Deputy Minister Janusz Zemke in Finland on March 2-4, 2003, talks were held both in the Patria's seat and in the Finnish MOD, during which Patria management promised that by the end of 2003, the first vehicle "meeting the criteria set for it by the Polish side" would be ready. The analysis of the materials concerning WAPC Patria shows that this promise had not been kept. The data contained in the case "S" run by the WSI show that the economic side of this tender was treated by the MOD Tender Commission as secondary, even though the financial matters and the offset should be the most important factors having impact on the results of the tender.

According to the Ministry of Economy, the Finnish offer was too weak. This was why the Ministry of Economy suggested the MOD to give up on Patria's bid by excluding that company from further stages of the tender procedure. In a document addressed to Minister Jerzy Szmajdziński, the Ministry of Economy warned that Patria understands its share in the offset only as compensation for the delivered sub-assemblies and does not want to assume the offset-related liability for delivery of other sub-assemblies that were parts of the vehicle (e.g. engine, gearbox), which the Polish manufacturer would have to import for the APC supplied to the MOD. This situation, in the opinion of the Ministry of Economy, was unfavorable from the point of view of the Polish economy's interest. The threat was even greater due to the fact that the Tender Commission, which handled the selection of the APC, did not take the offset into account in the purchase attractiveness criterion. According to the Ministry of Economy, it was advisable to give the foreign supplier a condition in the Terms of Reference (TOR) to assume the obligation to fulfil the role of offset co-ordinator and to conclude a comprehensive offset contract. In the opinion of the Ministry of Economy, the lack of such declaration should constitute grounds for exclusion of the Polish company (WZM) from the tender if its strategic partner will be its foreign supplier who did not accept that condition. Despite that, the Minister of National Defense did not see his role in this matter, shifting the responsibility to the Ministry of Economy.

Soon after that, the First Deputy Minister of National Defense, Janusz Zemke, conveyed to the Commander of the Army, Gen. Edward Pietrzyk, a memo written by the Chairman of MOD Tender Commission, Col. Paweł Nowak, which demonstrated the Chairman's very positive opinion about Patria. A similar opinion was presented by J. Zemke in his letter to Minister Szmajdziński. In the correspondence sent to gen. Pietrzyk and Minister Szmajdziński, J. Zemke stated that the WAPC Patria was the only carrier, which met the requirements, and it should be included in the equipment of the Polish Army.

Considerable doubts as to the profitability of purchase of Patria WAPC were caused by the minor defects, which prevent the fulfillment of the technical and tactical conditions. During the vehicle's tests conducted on March 1-15, 2003, it sank and its engine was completely destroyed. The companies' representatives who participated in that event obligated (probably under the pressure of the persons who lobbied for Patria WAPC) not to reveal the occurrence to the mass media. The letter of the Chief of Counter-Intelligence Unit of the Army to the Chief of 'Unit 36', 3rd Directorate WSI, devoted to that fact, was dated as late as July 2003, which could mean that the WSI learnt about such an important event, which took place in March, only several months later.

When the tender was still in progress, the defense attaché at the Embassy of the Republic of Poland in Vienna sent information wherefrom it resulted that Patria's WAPC did not meet the technical requirements contained in the tender documents. That carrier corresponded neither to the tactical and technical premises of the announced tender nor the Polish standard. For this reasons, charges were to be raised against the MOD that the WAPC tender was conducted for the benefit of 'Patria'. In March 2003, gen. Dukaczewski conveyed those data to the Minister of National Defense and his First Deputy.

Furthermore, in March 2003, the ABW Chief informed the WSI Chief that the ABW obtained a number of pieces of information indicating that there could have been some irregularities in the process of selection of the WAPC from the Finnish company Patria, resulting from imprecise TOR provisions and the decisions made by the MOD Tender Commission. One of the comments related to the structural dimensions of the carrier. The ABW stressed that they do not meet the requirement for air transport as well as the requirement of forward buoyancy at 10 km/h. Due to the fact that the WAPC delivery contract could be signed soon and also due to the need for the ABW to present the opinion on offset, the agency asked the WSI Chief to

consider this matter a priority and take a stand with regard to the doubts raised. Gen. Dukaczewski informed the Ministers Szmajdziński and Zemke about that letter, suggesting at the same time that MOD did not provide the ABW with detailed information, because that was an internal matter of the Ministry. Meanwhile, in a reply to the ABW Chief, gen. Dukaczewski wrote that the WSI “did not notice” any irregularities in the tender procedure. At the same time, he assured the ABW that he had kept MOD chiefs informed about all minor defects.

In spite of such unfavorable information, the tender procedure was completed in April 2003 and the contract for delivery of WAPC for the Polish Army was signed with Patria.

The decisive factors were: price (60%), ‘polonisation’ [meant as a possibility of producing parts in Poland’s factories] (25%) and warranty period (15%). Patria’s bid was the least expensive (its value was in Polish zloty: PLN 4.925.248.449 [almost 5 billions PLN, well over 1,5 billion US dollars]), but it contained the smallest participation of Polish plants in the production. The director of WZM in Siemianowice Śl. signed the contract with Patria for delivery of WAPC.

On behalf of the MOD, the contract of purchase of the WAPC for the Polish Army with the director of WZM was signed by the Head of Procurement Department of MOD, Col. Paweł Nowak. The decisive impact on the selection of Patria rested with the Tender Commission (TC MOD), appointed yet in August 2001 by the decision of Minister B. Komorowski. The chairman of the Commission was Col. Paweł Nowak, the deputy chairman – Gen. Krzysztof Karbowski (appointed by Minister Szmajdziński after Gen. Waldemar Skrzypek resigned), the secretary – co-ordinator – Col. Władysław A. Grębowski. Among the Commission members there were also: Col. Tadeusz Pyrcak, Maj. Robert Jamka, Lt. Col. Włodzimierz Kościak, Lt. Col. Zbigniew Tomasik (WSI), Col. Janusz Groskrejc, Lt. Col. Zbigniew Kowalczyk and Cpt. Mariusz Soczyński. The Commission was advised by a group of experts headed by Col. Krzysztof Szymaniak and his deputy Col. Jerzy Zatoński. The experts’ group included also Lt. Col. ppłk Andrzej Durka, Lt. Col. Grzegorz Nowak, Col. Jerzy Cymbaluk, Col. Wiesław Korczyk, Mr. Leszek Orłowski, Mr. Tadeusz Kuśnierz and Col. Jan Renc (appointed on October 5, 2001, at the request of Gen. E. Pietrzyk). The observers were Bronisław Komorowski and Zbigniew Zaborowski (from the Sejm’s Committee of National Defense) and the representatives of the Ministry of Economy. Selecting the carrier, before it was tested in detail, caused the members of testing teams and the commission to work under pressure in order to complete the tests

positively. In many cases, the MOD representatives who took part in the tests together with the Finnish manufacturer were able to provide a way to remove the minor defects stated during the tests, even though their role should have been limited only to the statement of the existence of those defects. The final record of the delivery and acceptance tests for WAPC 'Rosomak' (Wolverine – Polish name of Patria) was changed many times before the ultimate version was ready: taking an unambiguous stand with regard to the actual fulfillment of the requirements contained in the tactical and technical requirements was rather avoided. This could have been caused by the wish to meet the expectations of the decision-makers, responsible for the selection of the carrier from Finland, and by the awareness of possible consequences if the carrier would not be accepted as equipment for the Polish Army. On the basis of the aforementioned final record (approved by gen. E. Pietrzyk), the Statement on the delivery and acceptance tests of the first specimens of WAPC 'Rosomak' was prepared and then signed by the Head of Public Procurement Department MOD, Gen. Roman Iwaszkiewicz. The statement showed that the tactical and technical requirements were adjusted to the carrier only after it came into possession of the Polish Army (December 31, 2004). Since the desire to meet those parameters cannot be held against the Polish MOD, the price should have been re-negotiated. Failing to make such a request, with a simultaneous waiver of the obligation that the technical and tactical parameters are met, was an incomprehensible action and exposed Poland to financial losses.

The Trade Union of Engineers and Technicians (Executive Board of the National Section of Military Industry Enterprises) informed the President of the Republic of Poland that the WAPC (AMV) Patria was pronounced the winner of the tender against its failure to meet a number of conditions contained in the tender specification, among them those regarding the full load weight, operation range, speed in water and dimensions. The experts found the price offer to be unreliable. Entrusting such an important product to WZM, in turn, was regarded as a several billion PLN risk, as WZM has neither the required technological condition nor the R&D support section. (In order to meet the delivery dates, the Finnish company would produce also those elements of the WAPC that initially fell to WZM).

All this information reached gen. Dukaczewski, and the irregularities concerning the WAPC were formulated in the final report of the Delivery and Acceptance Commission and were known to the MOD chiefs (the data reached the Chief of the 3rd Directorate WSI, Chief of 'Unit 36', 3rd Directorate WSI, and through them, the WSI Chief). In October 2004, Gen.

Dukaczewski, in his letter to Minister Zemke, stated that the data in possession of the WSI show that the charges against ROSOMAK carrier were groundless. Earlier, gen. Dukaczewski presented a similar opinion to Minister Szmajdziński. Gen. Dukaczewski has also warned the Minister of National Defense that there will be more information in the media that would be unambiguously critical to the selection of WAPC Patria as the equipment of the Polish Army and would present the negative role of the Ministry chiefs in this matter. This proves that the WSI had HUMINT sources in the mass media and used those sources to protect the interest of the MOD chiefs with regard to the WAPC Rosomak.

In another letter to Minister Zemke, gen. Dukaczewski stated *inter alia* that:

- the AMV (WAPC) from Patria Vehicles Oy, due to the highest price and the test results, has little chances of winning the tender in Portugal and no chances at all in the Czech Republic,
- issuing a statement for Polish Press Agency (PAP) that MOD made the optimal selection of the carrier is premature,
- an important element in the possible process of implementation of WAPC Rosomak in the Polish Army is, among others, the inability to equip the carrier in accordance with the signed contract with some systems and devices of Polish production.

In a letter dated March 18, 2005, gen. Dukaczewski informed Minister Szmajdziński that it was possible that the WAPC Rosomak was accepted as the equipment of the Polish Army with violation of the Polish law. Only Minister Zemke acquainted himself with the text of that document and took a critical stand to the comments contained therein.

Additional examples proving the unsuitability of WAPC Rosomak for the Polish Army were:

- participation of malfunctioning carrier in the shows in Czech Republic on June 16-19, 2005,; short circuits in two WAPCs; during the repair two employees of WZM in Siemianowice Śląskie suffered burns in April 2005.

The information provided to the WSI was not used in any manner as they were contained neither in case "S" nor "B". This could mean that the Counter-Intelligence Unit of the Army did not send this data to the 3rd Directorate WSI at all, deciding that there were not of great relevance in such an important undertaking. Meanwhile, the information obtained by the WSI additionally confirmed the data, which showed that the WAPC Patria did not meet the basic tactical and technical parameters. Still, the carrier was the winner of the tender procedure.

By 2006, the Polish Army had several dozens of WAPC, practically useless in battle as they were not equipped. The carriers were not delivered on the agreed dates and in agreed quantities, and the Malfunction Report, signed in October 2006 by the commander of 17th Wielkopolska MdBde [‘Mechanized Brigade’], Brig. Gen. Mirosław Różański, showed that those carriers had many structural defects, that could not be repaired at all.

The WSI, as the authority obligated to provide count-intelligence guard for the Polish Army, were responsible for the WAPC tender procedure, however, the WSI officers practically acquired information only by “official means”.. They did not confirm the data obtained by HUMINT sources and other operational means, nor did they assess or analyze the gathered materials (also those from the ABW). They were satisfied with the information coming from the meetings of MOD Tender Commission and from the conversations they held, mostly with the Commission members. The superiors of those officers did not require them to do anything else. It cannot be ruled out that this was an intentional action.

To recapitulate, the officers, from the chiefs of the WSI Units in the Army to the Chief of the 3rd Directorate WSI, to the chief of Unit 36, to the WSI Chief, did not take any actions which would aim at the neutralization of dangers occurring in the case of WAPC Patria already in the initial stages of this undertaking, i.e. mostly 2002-2003. They were aware of the importance of the existing dangers, yet they did not want to fall into disfavor with the Ministry chiefs who almost at the start of their term of office made the decision to accept WAPC Patria as the equipment of units of the Polish Armed Forces.

The investigation of the Military Police regarding the WAPC tender was supervised by Col. Edward Jaroszuk (chief of the Investigation and Inquiry Section in the Investigation and Inquiry Directorate of the Main Headquarters of the Military Police), who from August 1988 to June 1989 was trained in the KGB school in Moscow (another participant of that KGB training was Col. Eugeniusz Lenzion).

After receiving yet other information from the ABW (including information about the intention to notify the state top officials about the selection of WAPC being incompliant with the tactical and technical requirements and not suitable for the purposes of the Polish Army), gen. Dukaczewski as the WSI Chief started showing concern that he could be held liable for the lack of reaction to the irregularities in the WAPC tender procedure. Therefore, at his order, the ABW was sent a document that was supposed to show, among others, that the WSI started obtaining

negative data as well. Despite being provided with the information that the WAPC Patria did not meet the basic technical and tactical parameters, the MOD chiefs were supposedly determined to include the Finnish carrier in the Polish Army's equipment, and the selection of WAPC Patria could not have been made without the knowledge and consent of the Ministry chiefs. In the report for the Minister of National Defense, gen. Dukaczewski reminded Minister Szmajdziński that he regularly provided the Minister with the opinions which contained doubts and objections regarding the WAPC selection. Nonetheless, the Ministry chiefs disregarded the objections concerning the Finnish WAPC.

Minister Szmajdziński maintained that the implementation of Rosomak would be one of the main successes of the Ministry under his management. At the knowledge and consent of the MOD chiefs, the aforesaid undertaking was carried out by the Minister's subordinated officers, led by the Directors of Weaponry Policy Department, the Procurement Department and the commander of the Army. They performed the tasks they were given (with respect to WAPC 'ROSOMAK') through their own subordinates.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Brig.Gen. Marek Dukaczewski.

The WSI Chief in the described period was Brig.Gen. Marek Dukaczewski.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated to the Minister of Defense directly. The Ministers of the National Defense in the described period were: Bronisław

Komorowski, Jerzy Szmajdziński.

From the information in the Verification Commission's possession it can be seen that so far no penal proceedings have been commenced in this case with respect to the WSI soldiers who failed their duty; also the MOD chiefs have not been held liable as appropriate. Thus, the Verification Commission sent a notification of suspicion of a crime to the Supreme Military Prosecutor's Office, in compliance with Article 304 § 2 of the Code of Penal Procedure. Furthermore, the materials obtained by the Verification Commission can be useful in the penal proceedings already in progress.

9. Interference of the WSI on the Fuel and Energy Market

In the scope of their business activities, the WSI carried out operational and investigation activities in the area of fuel management in the units of all types of armed forces.

Till the end of 1990, the provisions of fuel to the military units were carried out centrally. Since 1991, in order to adjust the logistics management to new market conditions, works were started on the "Concept of Restructuring of the Institutions in the Main Logistics Department of the Polish Armed Forces", which assumed, among others, the complete switch to direct purchases from private producers of fuels and lubricants (F&L), as well as, from the representatives of Western companies (omitting the intermediation of foreign trade companies, e.g. CIECH) in order to reduce the expenses on purchase of F&L, by eliminating the trade intermediation, including CPN [Polish down-stream oil company]. This argument requires the contrast of the situation on the USSR fuel market, which was the main source of fuels during communist times and so it remained until now. The changes made by the General Staff did not lead to the independence of the Polish Armed Forces from the Russian suppliers, but created a new structure of intermediation and profit-sharing in the fuel trade. Until 1990, the profits went to the state enterprise CIECH; after the change, the benefits began to flow to those businessmen who had contacts with the commanders of military districts and garrisons, where the fuel bases, used as the mixing plants, were located. The greatest profits, however, were made by the Russian go-betweens (e.g. the company J&S) and those senior military people who supervised that trade (e.g. Romuald Waga, long time chief of the Navy's logistics and later a shareholder in one of the fuel companies, brother of Jan Waga who was the president of the Kulczyk Holding and later the Chairman of the Supervisory Board in "Orlen").

An example of such activities was the monitoring of the situation related to the contracts made in 1992-2001 by the Military Port Authority in Gdynia with civil entities operating in trans-shipment and lease of fuel infrastructure (PHU "Arion", PUM "Ship Service", "SOG Energy Polska Ltd", "Oktan Energy V/L Service S.C.", "BMG Petrotrade Poland").

Those contracts concerned the manner and terms of trans-shipment of fuels from the oil tankers, which delivered to the companies leasing the fuel warehouses. As can be seen from the counter-intelligence reports: Trans-shipments were made using the Navy's pipeline, which belonged to the 35 Fuel and Lubricant Storehouse in the place called Dębogórze. Furthermore,

the fuels were mixed with other products in that storehouse in order to improve their chemical properties. The tankers delivered furnace oil, while airplane fuel was added to the leased tanks, which after mixing with furnace oil, achieved the parameters close to those of the diesel oil. It was probably the representatives of 'Rafineria [Oil Refinery] Czechowice' who gave that product the "class" (in accordance with applicable standards), approved the lab tests and gave consent for the distribution. The fuel was then transferred to railway tank cars and distributed to the contractors (distributors) of the refinery. During one of the last trans-shipments carried out on the grounds protected by military units, a coloring agent was probably added to the furnace oil, to make it more difficult to distinguish between furnace oil and diesel oil by sight. This raw material was distributed all over Poland."

Thus, the WSI were fully aware of the participation of the officers of Polish Armed Forces in those practices and the fact that the military infrastructure was used for that purpose. It could not have been different considering that one of the main figures in those activities was Admiral Romuald Waga. These facts were, however, concealed from the state authorities, including the Sejm's Committee for Orlen Affair, which was not provided, *inter alia*, with the materials proving that Col. Kruczkowski had been investigated since 1991 under the suspicion of contacts with criminal circles. The documents of that investigation are missing. The only trace of those actions is the operational report addressed to the WSI Chief B. Izydorzycyk dated August 1992.

In his letter dated March 18, 2005, the WSI Chief Gen. Marek Dukaczewski assured the Prime Minister Marek Belka that the WSI did not use any assistance of people employed in the fuel industry. That statement was clearly untrue because – if nothing else – the Vice-president of Orlen from October 1992 to 2005 was Andrzej Macenowicz, a WSI collaborator aka "PARYS" [cryptic name for secret collaborator]. Dukaczewski was perfectly aware of that and "PARYS" himself referred to the acquaintance with the WSI Chief in his conversations with the case officer.

In the course of cooperation, "PARYS" declared full loyalty and willingness to collaborate with military intelligence, stressing that he had full access to "all information discussed at the meeting of Management Board and Supervisory Board". He also made an extensive account of the ongoing negotiations regarding the prepared contract with Russia: "Soon the decision will be made regarding the diversification of Orlen's supply sources; instead of one

go-between – the company DGC - there will be several, probably five suppliers. This is compliant with the guidelines of the Government of the Republic of Poland as well as with Russia's expectations, where Russia pointed out the possible candidates, including 'Lukoil' and 'Yukos'. Decisions in this matter will be made in the next few days, so if we want to have any impact on how the situation develops, it would be necessary to take appropriate actions as soon as possible. This is even more important considering that it is planned to sign contracts for the next five years. The collaborator asked what were our preferences in that respect...”, noted Waldemar Żak of former ‘Unit Y’ in regards to Macenowicz’s statement.

Obviously, "PARYS" not only provided information, but was also ready to take actions specified by the WSI with respect to Orlen, regardless of his duties to the shareholders and the Government of the Republic of Poland that he represented in the Management Board. "PARYS" also declared that he was ready to "put someone in the company's structures, if needed". He criticized other collaborators of the military intelligence and informed that UOP had a great number of "their people" in place: “there are WSI people in Orlen, who forgot what should motivate them” (among them, he named a certain man by the name Praksmajer). During the meeting, Parys revealed his acquaintance with gen. Dukaczewski. In the summary of the meeting, Col. Żak stressed the value of "PARYS". "It can soon be expected that the Russians' interest in Orlen will increase tremendously, and after a failed attempt to take over Refinery Gdansk they will strive to enter the Polish fuel market by participation in PKN Orlen”.

The "Parys" case was also handled by Col. Roman Karaś (‘Unit Y’) and Col. Krzysztof Łada (also ‘Unit Y’). The latter, when he already was the Chief of Operations in the 3rd Directorate, decided that "in the further contacts, the following should be done:

- determine the current intelligence capabilities of Parys and use them efficiently,
- stimulate the collaborator,
- establish the cooperation base and successively investigate the collaborator”.

On December 2, 2003, during a meeting known from the work file, held by Maj. Krzysztof Rengel from the 2nd Directorate and approved by Krzysztof Surdyk, Chief of the 2nd Directorate, the focus was on the profile of Krzysztof Kluzek, another vice-president of Orlen. This was probably related to the meeting that Kluzek had earlier with gen. Dukaczewski, during which he offered to collaborate. Rengel stressed that both the Kluzek case and the assessment of the ABW's role in Orlen are the matters of great importance to the intelligence. "PARYS" gave a

very thorough and positive profile of Krzysztof Kluzek, describing him as an honest man who diligently fought all malfeasances in Orlen. He also referred to the positive opinion that Gen. Petelicki held about Kluzek, and indicated also that Kluzek refused an offered bribe in the amount of 1,2 million zlotys. Macenowicz also revealed that between Orlen and ABW “there is an agreement under which 23 designated people were employed in the company. (...) They occupy positions which allow access to the information needed by their parent institution”.. The memo from the meeting was read by Col. Marek Szlenk and Col. Roman Karaś from the 2nd Directorate, and the latter wrote: "Suggested monitoring of the situation in the discussed case – the Chief's decision dated December 10, 2003." (Among the officers of the 2nd Directorate of General Staff was the president of the ‘Ciech’ [chemical] Company, Zdzisław Monkiewicz, who advocated for the participation of subsidiaries in the oil trade with Russia. Dukaczewski must have known about his ties with military services).

The WSI and the Russian Expansion

At least since October 2003, the WSI counter-intelligence was perfectly aware of the Russia's endeavors to take control over the Polish energy sector. Such information was received from the Cracow-based unit of the WSI in the course of operational and investigation actions. It was determined then that the company X from Poznań, owned by an Ukraine citizen A.W., in May 2002 made an economic analysis of Rafineria Gdansk before privatization for the Russian company ‘Q’ from Moscow, owned by the former KGB Chief, Gen. F. J. Bondarenko, nicknamed “Little Kremlin”, which took into account various aspects of its take-over by fuel consortia from former USSR countries.

The acquired documents presented the Russians' plans to cause the bankruptcy of the Polish energy sector in order to take it over. The analysis contained long-term and strategic plans of operation in the territory of Poland after it joined the UE. In projects of the hostile take-over of the energy sector, A.W. referred to "'action' opportunities, i.e. direct access to the Minister of Economy, Mr. Jacek Piechota, Minister of State Treasury, Mr. W. Kaczmarek, Minister of Infrastructure and Deputy Prime Minister, Marek Pol, and, naturally, the Prime Minister himself (in accordance with the preliminary agreement with Mr. A. Zukowy, Paris, the Merrill Lynch and Glave International Inc. group, talks have been conducted with the aforementioned officials regarding the postponement of the decision to who to sell the controlling block of shares of the

Refinery: W. Alikpier or A. Chodorkowski; we wait for your [F. J. Bondarenko – Verification Commission’s note] instructions)”.

The full documentation of that case was sent to the Chief of Staff of the Army, Col. Jerzy Skwarc, and next to the Chief of the 3rd Directorate WSI, K. Kłosiński. It took over a year before the information, acquired and sent in October 2003, was noticed in Warsaw, in December 2004. Col. Kłosiński did not present a written report to the WSI Chief, Gen. Dukaczewski, he only made it orally and together they were to decide about notifying the whole matter to the Special Service Committee and the Prime Minister. We do not know why the Committee was informed not in the framework of the report of the WSI Chief, but two weeks later by a separate letter, which no one in the Committee read anyway. The WSI have also failed to provide that information to the Sejm’s Committee for the Orlen Affair, and the letter to the Prime Minister did not have the main informative enclosures. Efforts have been made to precisely block any further flow of information. The Chief of General Staff of the Army, at the initiative of Col. Kłosiński, ordered the unit in Cracow to drop the operational case in the scope of which the information about intentions to make the Polish energy sector go bankrupt were acquired. This was because the WSI chiefs decided that the informer was inspired by the Russian services. The order was also to stop the collaboration, cease any contacts and start investigation of the former collaborator as a figurehead.

Gen. Dukaczewski, in turn, decided in January 2005 that the possessed information relative to the threat to the State’s economic interest was not in his competence and informed Prime Minister Belka that “all materials” have been conveyed to the ABW. From the existing documentation we only know for certain that those materials were conveyed to the ABW’s branch office in Cracow. Simultaneously, the same materials were sent to the attention of the Chairman of Special Service Committee, Andrzej Grzesik, MP. The analyses made by A. W. for the former KGB Chief have, however, never been presented to the Investigation Committee for PKN Orlen Affair; it has never received them in spite of numerous demands for full information. It remains to be explained how the classification of that information was organized. We know that Col. Kłosiński, when preparing the thesis for Gen. Dukaczewski for his statement during the briefing in MOD, included the information about the Russian materials. He wrote that those files were sent to Gruszka, MP from the Orlen Committee, however, the MP never received those materials. It is shocking that being in possession of information so critical to the security of the

Polish State, the WSI did not make any attempt to verify that information, acquire additional sources and control the existing ones, confront those news with other information.. To the contrary, all efforts were directed at blocking that information and protecting Russian interest. The WSI did not check or verify the acquired information, which posed a danger to the State security, while the person who provided important information was treated as an enemy.

Russian activities did not end on developing and implementing the plan to take over 'Rafineria Gdansk'. In 2006, Russia started collecting information about the Polish brown and bituminous coal mining, in order to implement the plan of taking over 12 strategic mines.

In turn, the important information about the German plans to eliminate Poland from the world brown and bituminous coal market is contained in the work files of a collaborator of 'Unit 22', aka "W" [cryptic name for secret collaborator], (run by Maj. Grzegorz Sobiecki). That information shows that concealing important information from the state authorities was a widely accepted practice in the WSI. In 2002, the above-mentioned collaborator, employed by one of the Polish banks, delivered to his case officer a document concerning the forecast of the absorption capacities of the bituminous coal market till 2010. That report presented on several hundred pages the experts' forecasts of demand for bituminous coal, based on the research on coal consumption in previous years and on the anticipated consumption, defined on the basis of macroeconomic scenarios of economic growth. It also presented alternative sources of energy and the perspectives for their use in the national industry. It also discussed the benefits and threats for the natural environment, caused by the possible switch of the national economy to other energy sources. The second part of the report presented also, *inter alia*, the perspectives for the coke industry development and the situation of several major power consumers (heat production plants as well as heavy industry, sugar industry and concrete industry plants).

The study treated of the strategic branch of the Polish economy and the German plans to eliminate Poland from that market, so "W" was right in pointing that it would be purposeful for the top officials in the Ministry of Economy to read those materials. However, those materials were never conveyed to the appropriate state authorities. In 2002, at the request of Lt. Col. Tomasz Korpak, they were sent to 3rd Directorate WSI and in 2006 the same officer sent them back to the 2nd Directorate without taking any action. It was only in 2006 that the first memo in this case was made.

The work file of collaborator "W" also shows that the discussed document was prepared

by a team of experts appointed by a foreign consulting company at the order from one of the banks. That team included the employees of Polish ministries who stole confidential information to sell it later to the consulting companies. Such actions constitute the crime of disclosure of confidential corporate information or information acquired in the course of work duties, the disclosure of which may expose a legally protected interest to danger, to unauthorized parties. The WSI did not provide that information to the law enforcement authorities, thus allowing the practices that were detrimental to the security of Poland to continue. In the collaborator's files there is no information that any attempt was made to identify the members of the "team of experts".

Similar to the Russian attempt to take over the Polish fuel sector, also in the discussed situation, there is a risk that the report was the first step for similar actions of the German side with respect to the Polish bituminous coal market. A lack of Polish activities in this case have not only exposed Poland's energy security to danger, but also allowed foreign entities to analyze the strategic sectors of our economy (heat production plants as well as heavy industry, sugar industry and concrete industry plants). Due to the fact that those plants base their production on the consumption of bituminous coal, those data allow to predict, with rather high probability, their financial condition in the next few years. The foreign investors in possession of such analyses have an opportunity to steer individual branches of Polish economy.

The fuel Mafia case is one of the most grave charges against the WSI. Not only did the services know about illegal activities and tolerate them, but its soldiers were the main chain links in the Mafia and, as the fate of the 'Little Kremlin' report shows, the WSI protected the criminal activities of Russian services and Mafia, aimed at the destruction and take-over of the Polish energy sector.

The materials showing the WSI's activities in the framework of control over the fuel market till 2000 are often incomplete, because they were destroyed to a great extent or concealed. The materials concerning the fuel cases kept being "sanitized" as late as on June 30, 2006, when it was already known that the WSI were going to be dissolved.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Brig.

Gen. Marek Dukaczewski, Col. Waldemar Żak, Col. Roman Karaś, Col. Krzysztof Łada, Col. Krzysztof Surdyk, Col. Marek Szlenk, Col. Krzysztof Kłosiński, Lt. Col. Tomasz Korpak, Maj. Krzysztof Rengel, Maj. Grzegorz Sobecki.

The activities of Andrzej Macenowicz, Krzysztof Kluzek and Andrzej Grzesik meet the disposition of Article 70a.2.1 of the aforesaid Act.

The WSI Chief in the described period was Brig Gen. Marek Dukaczewski.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated to the Minister of Defense directly. The Ministers of National Defense in the described period were: Bronisław Komorowski and Jerzy Szmajdziński.

10. Activities of the WSI Officers in the Military Technical Academy

The activities of the WSI officers often took on the properties of economic crime at a large scale as a result of which the State Treasury lost millions of zlotys. Very often the funds belonging to the economic entities or institutions connected to the military were transferred out or embezzled via companies, foundations or other institutions established at the initiative of the WSI officers or closely linked to them.

An example of this type of activities of the WSI officers were their business activities focused around the Military Technical Academy (WAT) in 1996 - 2000. The trace of these criminal activities of the WSI officers was found in mid-1999, during a financial audit conducted in WAT by the Fiscal Control Office. The audit concerned the performance of the academy's budget assumptions. Fabricated financial documents were revealed then, evidencing criminal practices in WAT. Following the findings of the Fiscal Control Office, in July 1999, the District Prosecutor's Office in Warsaw, with the participation of the Economic Interest Guard Directorate of UOP, instigated the investigation in the course of which the existence of crime mechanism in WAT was confirmed; the amount of PLN 381,962,568 was illegally transferred out of the academy through a number of business entities. According to the findings, that money was taken out the WAT's budget by "Centrum Usługowo-Produkcyjne WAT" (CUP WAT), established in 1996, which was to handle the commercial and marketing service of WAT.

The practice consisted of CUP WAT signing long-term contracts for the delivery of goods or provisions of services to WAT with various companies. A large number of those companies had close ties to Fundacja "Pro Civili". The mechanism of those contracts consisted of fictional appointment of WAT as the recipient of goods or the party ordering the services, for which WAT was obligated to pay considerable amounts of money to the contractors.

An important role in this practice was played by Fundacja "Pro Civili", but also related companies "Olbart", "Kiumar", "Glicor", "Sicura" and others. Fundacja "Pro Civili" was established on July 5, 1994, with the capital of 300 thousand old Polish zlotys. It was supposed to protect the employees and officers of government and local government services as well as public and trade union activists, but also assist people who suffered a loss or health impairment when defending security and legal order of the Republic of Poland. The main founders were Anton

Wolfgang Kasco and Patryk Manfred Holletschek (creator of the first financial pyramid in Poland: "Global System"). The President of the Foundation Board was Krzysztof Werlich, and the Director General – Elżbieta Polaszczyk. The Foundation Council composed of: chairman Piotr Polaszczyk (a WSI officer till August 1995), Beata Werlich, Krzysztof Kostrzewski, gen. Stanisław Świtalski and Marek Olifierczuk (collaborator run by Piotr Polaszczyk). One of the employees of the Foundation was an officer of the 3rd Directorate WSI, Marek Wolny. In 1994, the Foundation Council also included Janusz Maksymiuk and Tomasz Lis.

At least several dozens of various service and trade undertakings were revealed between CUP WAT and Fundacja "Pro Civili" and the above-mentioned companies. A large number of transactions with the participation of WAT and Fundacja "Pro Civili" consisted of business operations of sham nature. Their only purpose was to con millions of zlotys in VAT refunds, obtain bank loans and sell the banks the debt claims under leasing contracts. On the part of WAT, the signatory in those transactions was CUP WAT. An example of actions undertaken by "Pro Civili" was the purchase of a document security system "Axis" for WAT (that system was to be used to protect documents against forging and to enable quick, faultless verification of reliability of a document, but the findings made during the investigation questioned the existence of that program).

It was also determined that Fundacja "Pro Civili", closely tied to CUP WAT, and the companies associated with the Foundation were also a "money laundry" for funds which might have also derived from illegal operations of crime groups. Such thesis is confirmed by contracts, revealed by the prosecution, which CUP WAT made with Fundacja "Pro Civili" and other companies in 1996 – 2000 on behalf of WAT. One of them was a contract for leasing of a motor yacht by Korporacja Adar S.A. for WAT. The first contract was made for the amount of app. 36 million PLN, the second – 20 million PLN. The yacht all the time remained the property of a Cyprus-based company Parsley Co. Ltd. Leasing fees were paid to the account of the Bank of Cyprus. The purpose of those contracts was to transfer the money abroad.

The purpose of another contract made between WAT and Korporacja Adar was to consist in joint financing of purchase and sale of real property at 4 Konduktorska Street in Warsaw. The value of the object of transaction was defined as 4.5 million PLN and WAT's share was 2.5 million PLN. Valuation of the real property was 1.2 million PLN. WAT's share greatly exceeded the value of real property. These activities were aimed at "cheap and quick" loan to the Adar

Company, extended by WAT representatives. The President of Management Board of Korporacja ADAR was a foreign citizen who used three different sets of personal data (citizen of Lithuania Valerijus Baskowas, Igor Kapylov from Belarus and Konstantinos Pelivanidis, representative of Parsley Company Limited from Cyprus).

Many undertakings with WAT's participation were doomed to generate losses from the start and yet the academy participated in the costs. For example: in 1997, WAT signed a contract with "Pol-Bot" concerning the exploitation of sand and gravel deposits, a transaction, which brought WAT a 750 thousand PLN loss. Losses were also generated by the establishment of "Zakład Usług Reklamowych WAT" and its location in Łódź (in 1999, Col. Janusz Łada, without due authorizations, signed a lease contract for real property at 89 Piotrkowska Street in Łódź on behalf of ZUR WAT; the contract was made with the company 'Secesja 89 Piotrkowska Centrum Biurowo-Apartamentowe", owned by Krzysztof A.).

Cooperation between WAT and Szkoła Wyższa Warszawska (SzWW), formally organized by the Foundation for Development of Education and Technology, created at the WAT's incentive and financed – theoretically – from public funds, made it possible for WAT to create an Office for Cooperation with Non-Public University in 2000. The costs of that Office were financed from the subsidy the WAT received from MOD for educational purposes. In 2003, SzWW owed WAT a debt for the lease of premises to the amount of nearly 1.5 million PLN.

Another source of WAT's financial problems was the signing, at the consent of the then Commander of WAT, Gen. A. Ameljańczyk, another lease contract of a "Hunting House" with Mariusz Krawczyk, even though the academy authorities knew that Krawczyk failed to perform the previous contract with WAT. The conclusion of another contract with Krawczyk was influenced by the personal recommendation from Col. Romuald Miernik (WSI officer, Deputy Commander of WAT for Economic and Organizational Affairs). The result of the contract with Krawczyk was that the "Hunting House" was completely devastated in 18 months and the construction alterations made to it caused as a consequence that the construction supervision authorities could not accept the building. Krawczyk's debts in the lease rent (at least 100 thousand zlotys) and the costs related to the re-adaptation of the building owned by WAT added up to a considerable financial loss (at least several hundred thousand zlotys) in a seemingly small undertaking.

In spite of a bad financial situation, the WAT command did not take any remedies. It has

shown no initiative for the WAT to rid itself of the shares in those commercial companies the operations of which were unprofitable or generated loss. Not much attention was paid to the fact that the object of business of those companies was often completely divergent from the tasks of a military university (insurance services, oil trade, hotel industry...). The people in the WAT command often grossly exceeded their authorizations when signing contracts. Usually, the contracts signed by them brought the academy financial loss of a great extent.

The disastrous financial situation of the WAT became even worse when the function of the WAT Commander was held by Maj. Gen. Andrzej Ameljańczyk. It was gen. Ameljańczyk who assented to signing loan contract with private investors on behalf of WAT or giving loans to private investors, invest in business undertakings which were to bring loss from the start. The financial policy of WAT pursued during his term of office was grossly violating the provisions, which govern the financial management of budget entities. WAT transactions did not take any account the partners' reliability. Neither the WAT command nor CUP WAT, which represented the academy, checked the credibility of their contractors or the past of the people who represented them in contacts with WAT. It was not infrequent that the people who were CUP WAT shareholders simultaneously represented the interest of other companies with which the academy made contracts. For example, contracts were made and transactions conducted with:

- Roman Puderecki – owner of "Budimex" (co-shareholder of CUP WAT) against who court proceedings were pending for financial embezzlement,
- Karol Gilski – former Security Police (SB) officer and shareholder of "Sicura" (co-shareholder of CUP WAT),
- Leszek Grot,
- Krzysztof Osuch and Francesco Belloni – representatives of "Korporacja Bemowo",
- Andrzej Góralczyk – plenipotentiary of "Pol-Bot", sentenced in the past for participation in criminal association, theft, fraud, conning and forgery of documents.

Leading roles in the described practices were played by WSI officers. They were usually the *spiritus movens* of those transactions. Some of them, when they were still active WSI officers, were responsible in the past for the so-called counter-intelligence guard of WAT, just to become employees of that academy later – quite often in prominent positions. If they did not work in WAT, then they usually represented business entities, which were the academy's partners in commercial transactions.

One of such people was Cpt. (Reserve) Piotr Polaszczyk, who was a WSI officer till 1995, in charge of the WAT target guard and for this reason he had extensive knowledge about the way the WAT functioned, he also knew people from WAT who used to be his HUMINT sources in the past. Since 1996, he has been the Chairman of Council in Fundacja "Pro Civili" and then the originator of many transactions with WAT participation (through CUP WAT). Col. (Reserve) Marek Wolny, former officer of the 3rd Directorate WSI, became an employee of "Pro Civili". Very important role was played by Janusz Łada, Deputy Commander of WAT for Economic and Organizational Affairs, who personally approved many undertakings with WAT's participation and Col. Roman Miernik - a WSI officer, later also a Deputy Commander of WAT for Economic and Organizational Affairs.

Those officers did not act alone. They had known each other for years, they trusted each other, they jointly planned or initiated criminal undertakings where the WAT budget was the base. And even the fact that they represented the opposite parties in those undertakings and were obligated to act to the benefit of those parties, did not hinder them in carrying out the planned undertakings. Such WSI officers as Deputy Commander of WAT Col. J. Łada and Deputy Commander of WAT Col. R. Miernik. It was them who took up various ideas to do "business together" with Fundacja "Pro Civili" where the brain was Cpt. (Reserve) P. Polaszczyk. It was a specific type of collusion of the WSI officers for criminal business based on WAT. And it was not only an interim collusion, but as the practices developed, an organized criminal group, steered by WSI officers. The fact that the WSI name was accepted in those circles is evidenced also by this minor thing that P. Werlich from Fundacja "Pro Civili" claimed to be a WSI officer, though he never was, but the WSI name was to make him more credible to the Foundation's contractors.

When in mid-1999 the WAT financial policy came into the focus of the Fiscal Control Office, the Regional Prosecutor's Office in Warsaw and the Warsaw Unit of the WSI Counter-Intelligence as well as the WAT command made a number of organizational and personal changes in the academy with the primary aim to attempt to cover the traces that could lead law enforcement to pick up the trail of criminal practices with the participation of WAT command. The initiator of those changes was Deputy Commander Col. Łada. CUP WAT was dissolved and CUP WAT S.A. was established in its place with the formal founders in persons of: Col. J. Łada, K. Gilski and R. Puderski, while the plenipotentiary was Col. Krzysztof Bernat. It was probably at that time that many documents related to the transactions conducted with WAT's participation

were destroyed.

At the end of 2000, the Military Regional Prosecutor's Office in Warsaw brought charges *inter alia* against: Deputy Commander of WAT for General Affairs Brig Gen. Aleksander Boronowski, Deputy Commander of WAT for Economic and Organizational Affairs Col. (Reserve) Janusz Łada, the Head of Fire Training Department of WAT Col. Tomasz Kwiecień, legal counselors of WAT: Marek Gniewaszewski and Janusz Wojciechowski, director of the Publishing House of WAT Wojciech Pogonowski, Bursar of WAT Col. (Reserve) Tadeusz Kudłaczek and Col. (Reserve) Andrzej Spychała.

The separate investigations conducted by the civil and military prosecution included also the people associated with Fundacja "Pro Civili" – Cpt. P. Polaszczyk and Col. (Reserve) M. Wolny. As a result of criminal practices, exemplified by the discussed cases, WAT lost at least 381,962,568 zlotys. Most sums lost by WAT were transferred outside the Polish banking system. The existence of criminal practices in WAT was confirmed within three independent procedures:

- the audit by the Fiscal Control Office,
- the proceedings conducted by the District Prosecutor's Office and Military Regional Prosecutor's Office in Warsaw,
- problem case run by WSI, code-named "K", and operational clearance work case, code-named "KA".

In all control and investigation bases, the participation of the WSI officers or people who used to be WSI officers was confirmed. Those people either used to provide counter-intelligence guard for WAT or as former soldiers occupied various functions in WAT command. The participation of the WSI soldiers in the criminal practices was not even. It cannot be ruled out that the activities of some of them were directed by the WSI chiefs. Such situation could have existed in spite of the fact that the WSI conducted problem case "K" and operational clearance work case "K", the purpose of which was to investigate and then investigate the criminal practices in WAT. We know that the Deputy Commander of WAT ppłk R. Miernik was sent to WAT in 2002 to set the situation in order and he was in regular contact with the Chief of the 3rd Directorate Col. Kazimierz Mochol as well as the chiefs of Special Operations Office in that Directorate: Col. Eugeniusz Lendzion and Col. Józef Łangowski. This fact could point to the direct supervision of the WSI over the activities of many of its former soldiers who developed business activities with WAT's participation. It cannot be ruled out that the huge budget of WAT,

resulting from the needs to conduct research work, could have been an interesting target for the WSI and WSI, with the engagement of various business entities, could have wanted to transfer it out of WAT and deposit safely outside the Polish fiscal area.

From the counter-intelligence's point of view, special attention should be paid to the disclosed fact that many foreigners, in particular citizens of former USSR countries, participated in the criminal practices, which posed a great threat to the complete transparency of WAT as a military university. The situation was inasmuch alarming as the contracts concluded with WAT often gave the contractors a possible access to the information which was a state and business secret. This applied in particular to the information related to the financing of the WAT's research and implementation works for the Polish Armed Forces. Some transactions with WAT's participation were investigated by the public prosecution in Warsaw, as a result of which charges were brought against several dozen people.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Col. Marek Wolny, Col. Roman Miernik, Col. Janusz Łada, Col. Kazimierz Mochol, Col. Eugeniusz Lendzion, Cpt Piotr Polaszczyk.

The activities of: Brig Gen. Aleksander Bortonowski, Maj. Gen. Andrzej Ameljańczyk, Anton Wolfgang Kasco, Patryk Manfred Holletschek, Krzysztof Werlich, Beata Werelich, Krzysztof Kostrzewski, Gen. Stanisław Świtalski, Col. Tomasz Kwiecień, Col. Józef Łangowski, Col. Krzysztof Bernat, Marek Olifierczuk and Mariusz Krawczyk meets the disposition of Article 70a.2.1 of the aforementioned Act.

The WSI Chiefs in the described period were: Brig.Gen. Konstanty Malejczyk and Comm Adm. Kazimierz Głowacki.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information

Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated to the Minister of Defense directly. The Ministers of National Defense in the described period were: Stanisław Dobrzański, Janusz Onyszkiewicz and Bronisław Komorowski.

11. Other Irregularities in the WSI Operations

There were many other irregularities in the WSI. They related both to basic requirements in appointments for duty and, for example, the performance of tender procedures concerning the purchase of specialized equipment. There were also gross irregularities regarding the counter-intelligence guard for institutions and military units.

Because the WSI structures were based on the graduates of Soviet courses, barriers were created for candidates from outside those circles. As a consequence, the staff policy aimed at preserving the old grid.

Staff-related Irregularities

The selection of new candidates for duty was not conducted on the basis of correct criteria. The negative premises acquired about the candidates for duty and WSI soldiers did not have any impact on staff-related decisions.

The documentation of procedures related to the selection of candidates for duty indicates that in many cases, in spite of negative opinions about the candidate (e.g. negative psychological profile, alcohol abuse, information about lack of guarantee that secrets will be observed, important counter-indications for operational work), positive decisions were made regarding the acceptance for service in the WSI. There were also situations where the officers tried to influence their subordinates to hide unfavorable facts in their CV.

The negative information collected by the Internal Security Office (BBW) (e.g. about alcohol abuse and detox treatment, crimes and offences) did not have any major impact on the further career of a given soldier, his promotions, place in the service, access to state secrets or delegation to foreign posts.

There were scandalous situations where soldiers were sent abroad in spite of negative premises.

In many cases, the obtained information indicated lack of warranty that secrets would be observed, but in almost every such case those people received security clearance for access to information with top-secret clause. There were even case when someone occupied a commanding position in spite of lack of access to classified information.

Due to the use of feigned recruitment and vetting procedures, the abuse of alcohol by many WSI officers became a serious problem. This practice was common and widely accepted. It became a norm to drink at work.

The described practices did not only constitute a violation of internal regulations or negligence of duties. They also caused many instances of misappropriation, e.g. in connection with fund "O" management. From the information obtained by the Verification Commission It can be seen that the WSI operational funds were often treated as an additional source of income, some kind of additional pay. At the slightest excuse money was paid out to private pockets of the soldiers and their HUMINT sources.

In 1999-2001, the WSI soldiers from Counter-Intelligence Section in Cracow committed forgery of settlement documents related to the costs of their operational undertakings.

From the documents collected by BBW WSI it can be seen that the Safehouse (SH) in the Counter-Intelligence Section in Cracow was uncovered; there were also the instances where the benefits of sexual nature were obtained. In February 2004, BBW WSI received information about improper behavior of the Deputy Chief of the WSI Unit in Cracow, Lt. Col. W. Wójcik. This information was confirmed by the officer covering the WSI Cracow Unit (it is interesting that his memo – dated January 30, 2004 – was probably antedated).

As a result of the conducted verification, that information found confirmation in the accounts of three secret collaborators of BBW (RA "W", RA "BI", RA "B"), obtained in June 2004. From the collected materials it resulted that ppłk Wójcik led to uncovering of the SHs he was responsible for ("L", which he used as his second flat, "M" – used for sexual contacts as well as "R" in Zakopane and "G" in Krynica), letting unauthorized people in there; he also used the operational car and the driver for his private needs (the driver was, among others, doing the shopping for his superior's needs and at the superior's consent used the SH "R" in Zakopane during his holiday with the family) and abused his position to obtain benefits of sexual nature (by employing M. M. in the WSI financial division on the terms "job in exchange for sex" and finding a job for D. M. in military hospital on the same terms (both persons were let in the SH for sexual purposes)). Aside from that, ppłk W. let a former WSI officer enter the premises of the unit under W.'s command, for that officer to prepare the Unit's financial statements in W.'s place. There was also information that ppłk Lt. Col. Wójcik took psychotropic drugs.

On similar terms the operational premises were used illegally as accommodation for

people who held commanding posts in the units to which the premises belonged. This was the case, among others, with the Safehouse "T", built in 1997-1998. It was to be used for training agents and officers under cover in the eastern direction. This undertaking was doomed to be unsuccessful from the start since among the people familiar with the case were at least several officers trained in the USSR and the Safehouse itself was used by the WSI officers for holiday purposes, often together with their families. An example of this practice is the memo dated July 22, 2003, where ppłk Bogdan Świątek writes to his superior: "In order to ensure the natural concealment of [Safety House] "TARAS", I apply for the consent for my stay there with my family from August 1 to August 15, 2003. The stay in the premises will be shown as a summer holiday in the framework of my holiday leave". The costs of stay were paid from the operational fund. The construction of SH "T" cost 220 thousand zlotys, and the maintenance costs in 1998-2001 amounted to over 30 thousand zlotys. All expenses were covered from the WSI budget. The liability for those irregularities rests with the chiefs of units 24 and 34, chiefs of counter-intelligence and intelligence and finally the WSI Chiefs: gen. Dukaczewski and Gen. Zukowski.

Irregularities in the Organization of Purchases

An important field for misappropriations in the WSI were the purchases of specialized equipment for the divisions handling the technical side of operational actions.

It has become an unwritten rule that the entities dealing in the distribution and service of special technique equipment employed former soldiers of the WSI and the Polish Armed Forces. This situation caused that those companies run a market surveillance through their employees coming from the WSI who had contacts with their former colleagues in the WSI and thus obtained from them in advance the information about planned purchases of necessary equipment. In many cases, only one company, which had information about the purchases planned by the WSI, entered the tender. The information about tenders for equipment for WSI often did not reach at all any other interested companies, operating on the market. This situation could indicate the existence of a collusion between the parties, where both sides derived unlawful benefits.

Company SILTEC was established in 1982, probably as a cover company for the 2nd Directorate of General Staff of the People's Polish Armed Forces. In agreement with the company DGT-System, they informally divided the market of IT and telecommunications supplies for the Polish Armed Forces between themselves, winning all major tenders (some worth

a dozen million zlotys each). Such action allowed them to considerably (by app. 30-40%) overprice in relation to the market conditions.

In 2000, in the tender for TEMPEST-class computers, SIEMENS made a bid next to SILTEC, offering the workstations about 20,000 zlotys/pc cheaper than the competition. The tender was, however, won by SILTEC. This was possible primarily owing to the support of Gen. Wojciech Wojciechowski from the General Directorate of Command and Communications, General Staff, Polish Armed Forces, a college friend of Andrzej Pokrzewnicki – one of the co-owners of SILTEC. It was not the first time that gen. Wojciechowski actively supported and favored SILTEC, indicating it as the sole supplier of IT equipment to the Polish Armed Forces.

When analyzing the actions aimed at the purchase of specialized equipment from predetermined companies, it is worth citing the behavior aimed not only at evading the law, but in particular the possible attempts to influence the text of statutory provisions.

The first efforts aimed at purchasing SILTEC's cryptographic equipment were taken as early as in 2001. The legal regulations in force then did not allow for purchase and admission to use of any equipment which did not pass the appropriate certification process. In 2005, the provisions of the Act on Access to Restricted Information were amended. There was a deep change in the text of Article 60 and subsequent articles. From the possessed information it can be seen that the WSI counted on the enactment of the regulation in such a form that would allow the Chief of relevant service to give consent for use of cryptographic equipment for a "confidential" clause, without conducting the appropriate certification tests. However, such editing of the provision met the firm protest of the Sejm's experts. They pointed *inter alia* to corruptive nature of the aforesaid provision. In the end, a provision was adopted that allowed for admission of the discussed equipment to use conditionally, for the period of 2 years. The services' representatives assured that such solution could be used only in exceptional situations, e.g. lack of proper equipment, in field conditions, during foreign missions. The above-mentioned assurances, in the light of efforts taken since 2001 with the aim to purchase cryptographic equipment from a specific company, which was known from the start not to have met and never to meet the statutory requirements, may raise serious doubts. The author of the memo on interpretation of the Article 60.7 of the discussed Act, gen. Dukaczewski must have been fully aware of the violation of the law which followed the enactment of the Act amendment. The sad end of the described, not fully effective, efforts, was the signing of the "Annex to the Concept of Cryptographic

Protection System Development in the Ministry of National Defense” by Minister Jerzy Szmajdziński, WSI Chief Gen. Marek Dukaczewski and the Chief General of Command and Communications Directorate Gen. Stanisław Krysiński in May 2005. In that document, they *de facto* approved the plan to disregard the existing regulations in the accreditation procedure related to the cryptographic equipment offered by SILTEC. This is an example of completely instrumental use of the law to secure someone’s particularistic interest with obvious harm to the level of state secret security, which by the law should be been protected exactly by the WSI.

The described unexceptional actions caused measurable losses for the State budget. They also constituted a great danger to the State security by accrediting cryptographic equipment without required tests. The equipment admitted to use that way is or was used by the people who hold the highest state offices, including the President of the Republic of Poland, BBN Chief, Minister of National Defense, Chief of MOD Secretarial Office, Secretary of the State – First Deputy Minister of National Defense, Chief of General Staff of Polish Armed Forces, WSI Chief or Chief Commander of the Military Police. It is also worth noting that if it was decided to develop services’ own solutions instead of spending many years making efforts to purchase third party equipment, it would have been probably implemented in the same timeframe.

The lack of control and arbitrary use of state money were nearly an every-day occurrence in the WSI. There were situations where no tender principles were applied whatsoever and specialized equipment was purchased without any procedures. In one of the revealed cases, a Polish diplomatic post took part in it.

In this context, the information provided to the Verification Commission that there was an informal group within the WSI, associated with Gen. Dukaczewski, is crucial. That group, owing to the staff appointed according to its own principles and used as a some type of a lobbying group or pressure group when needed, supposedly had opportunities to carry out any task, not necessarily legal and related to the services operation. A “circle” of people who supported and covered their actions for each other was created and remained beyond any control.

The irregularities in tender procedures, which occurred in the WSI, were also recorded in the case "P", run since 2005. When conducting that case, the WSI officers determined that the tender procedures were usually badly organized. The "sole source contract" procedure was used too frequently, with the detriment to the WSI; similarly, the tenders were divided into smaller procedures in order to go around the law. Usually, there was no announcement published in the

“Public Procurement Bulletin” and invitations to bid were only sent to several friendly companies, without confronting their offers on a broader market. In 2004, for example, a company INSAM was selected that was entered into the National Court Register 8 days after having won the tender. The culmination of case "P" was the notification of the military prosecution about suspected crime. It is also interesting in this case that the entire proceedings were limited to relatively low-ranking officers. The most senior officer among them held the rank of "major".

Irregularities Related to Counter-Intelligence Guard

It was interesting how the proper counter-intelligence guard of institutions and military units on the part of the WSI, which were obligated to run surveillance on those entities, was missing. The WSI should have controlled, among others, whether the civil business entities that co-operate with military institutions do not conduct any criminal activities – in this respect, however, lack of proper reaction of the WSI was observed. There were obvious instances of informal ties between senior officers of the Polish Armed Forces and the representatives of business and state machine. The WSI operatives acquired information about irregularities and provided that information to their superiors, however the latter did not draw proper conclusions from those reports.

The lack of proper counter-intelligence guard took place for example in relation to the activities of Fundacja Pilotów i Spadochroniarzy “Gloria Victis Aeronauticus”, headed by Maj. pilot. Andrzej Wydrych. By the order of the Minister of National Defense, Wydrych was delegated to work in the Ministry of Labor and Social Policy. Since the early 90-ties, his foundation has been renting six buildings of the Modlin Garrison Command, located in the area of the airport of 45 Air TES. After several years, it turned out that the Foundation’s premises were used to store smuggled spirit.

The Verification Commission has also took notice of a pathological grid related to the construction investments and services carried out by the Polish Armed Forces. The information acquired by the WSI unit in Bydgoszcz pointed that there were regular meeting held in that area, with the participation of senior officers of the Polish Armed Forces, politicians, representatives of local business and authorities. Those meetings were referred to as “ROLOWISKO” (with the year of occurrence added). The meetings have their own internal rules and anthem. The name

derives from the surname of one of the previous Chiefs of Accommodation and Construction Service of Pomorze Military District, Anatol Rola. During those meetings, agreements were made and specific investments or performance services were opted for, on preference terms. The purchase orders went to the companies associated with "ROLOWISKO", while the completion costs significantly exceeded the cost estimate value. In the next year, carefully selected companies, belonging to "ROLOWISKO", were invited to bid.

The potential profits were to be shared among all those who opted. Some of those investments were carried out for military purposes with active participation of senior officers of the Polish Armed Forces. All was supposedly taking place with seeming observance of tender regulations. This practice applies to the projects carried out by the Rejonowe Zakłady Infrastruktury (Regional Infrastructural Plants – RZI) and Zakład Inwestycji i Organizacji Traktatu Północnoatlantyckiego (NATO Investment and Organization Plant – ZIOTP). That goal was achieved by carrying out the tenders under special procedure, referring to the State security interest. ZIOTP applied to the minister competent for military infrastructure matters for the consent to this procedure and then selected companies were invited to bid.

The main architect of this informal structure was Gen. (Reserve) Tadeusz Głowacki who held various positions in the Accommodation and Construction Service divisions of the Ministry of National Defense. Through his contacts *inter alia* with the former ZIOTP Director, Jan Antoniuk, and the Director of Military Office of Construction Projects in Poznań (Pikulik), he influenced the authorities' decisions.

Głowacki was associated with the owner of Przedsiębiorstwo Wielobranżowe "LECH". That limited liability company gained the greatest benefits from "ROLOWISKO". Głowacki also had close contacts with Tomasz Woźniak, owner of the company "MEGA" (and a former SLD councilman in Bydgoszcz). "MEGA" was a sub-contractor of "LECH". On behalf of the MOD Infrastructure Department, the investment was supervised by Col. Andrzej Erdman, former subordinate of Col. Głowacki from RZI in Bydgoszcz.

An important role in this undertaking was played by the former Director of MOD Infrastructure Department, Maj Henryk Grobelny. MOD considered him the "right hand" of Deputy Minister Janusz Zemke. From the obtained information It can be seen that H. Grobelny was the initiator of the MOD's takeover of a palace and park complex in Samostrzele, on the pretext of placing the JFTC headquarters there. That complex was later brought by the Military

Property Agency (AMW) into company GROMADA AMW as a contribution in kind; H. Grobelny, who in his capacity of a ministry official decided to award the contract for construction of the Bydgoszcz JFTC hotel to Gromada AMW, became a member of Supervisory Board of that company.

The Verification Commission was informed that H. Grobelny “had internal information in advance”. Together with another former officer of the Security Service, he set up a company GROMADA sp. z o.o. which planned to build, together with AMW, a hotel in Bydgoszcz, at the NATO Joint Force Training Center. In accordance with the information provided to the VC, “the AMW brought as a contribution in kind the real property located in the Centro of Bydgoszcz at 2 Szubińska Street. However, the company went bankrupt, because no bank agreed to credit that investment”.

The decision of the transfer of the palace in Samostrzele was made by the Deputy Minister of National Defense, J. Zemke. Also T. Głowacki, the initiator of “ROLOWISKO”, and J. Antoniuk, former Director of ZIOTP, were associated with Deputy Minister J. Zemke. The Deputy Minister J. Zemke maintained contacts also with the owner of the company "M".

The WSI received information about those irregularities and strange HR rules in the institutions responsible for investments, among others, in ZIOTP, but they did not use it. The Verification Commission learnt that the operatives acquired “information indicating the commitment of crime and tort”. Such information was conveyed to the superiors, but no proceedings were ever instigated. According to the information obtained by the Verification Commission, all memos made about that investment “were not used” by the superior, ppłk Waldemar Siatkowski. The irregularities around the constructions in Bydgoszcz were notified to the WSI chiefs in the Army.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Brig. Gen. Marek Dukaczewski, Brig. Gen. Jan Żukowski, Col. Głonek, Col. Dobrosław Mąka, Col. Jerzy Cichosz, Col. Andrzej Dańczak, Col. Krzysztof Polkowski, Lt. Col. Bogdan Grenich, Lt. Col. Wojciech Wójcik, Lt. Col. Janusz Adamkiewicz, Lt. Col. Bogdan Świątek, Maj. Werchner, Maj. Paweł Grabon, Maj. Krawiec, Maj. Pawuła, Maj. Andrzej Wydrych, Cpt. Wierzbicki, Cpt.

Burliga.

The activities of Gen. Wojciech Wojciechowski, Gen. Henryk Tacik, Gen. Stanisław Krysiński, Gen. Henryk Szumski, Maj. Gen. Wojciech Kubiak and Col. Marek Sobczek meet the disposition of Article 70a.2.1 of the aforesaid Act.

The WSI Chief in the described period was Brig Gen. Marek Dukaczewski.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated to the Minister of Defense directly. The Ministers of National Defense in the described period were: Stanisław Dobrzański, Janusz Onyszkiewicz, Bronisław Komorowski, Jerzy Szmajdziński.

The facts cited in this chapter bring doubts as to the legality of conduct of the WSI soldiers; thus, the Verification Commission sent to the Supreme Military Prosecutor's Office a notification of suspected crime, in compliance with Article 304 § 2 of the Code of Penal Procedure.

12. Operation ZEN

In late December 2001, in one of the special services' safehouses in Warsaw, there was a meeting of Minister of National Defense Jerzy Szmajdziński, Acting Chief Of UOP Zbigniew Siemiątkowski, WSI Chief [then] Col. [later General] Marek Dukaczewski and Vice-president of the 'Konsalnet Company' [Konsalnet = one of the private security company in nowadays Poland] (and former Head of Section 9, Department 1, Security Service MSW) Aleksander Makowski. The subject of the meeting was the mission in "Z", and in particular the role that Aleksander Makowski was to play in that mission.

As Zbigniew Siemiątkowski during the hearing before the Verification Commission, the Minister of National Defense Jerzy Szmajdziński "tried to verify Makowski's abilities in (...), it was about his operational abilities." I did not believe in his abilities, that was vetted. (...) Some wanted very much for Makowski to stay (...). He was walking on slippery ground between business and services. We were convinced back then that Makowski's sources of information should be treated very carefully. The whole matter started with operational testing by one of the allied services that raised lot of doubts. (...) As the UOP Chief, I had an inner belief that we should proceed very carefully because we were dealing with the most important case from the point of view of the security of our State and our allies (...). I relayed my doubts regarding Makowski to Minister Szmajdziński and the WSI Chief. (...) Also Rudolf Skowroński had business in (...). Our vetting for Makowski, his information and operational abilities was not too good for him. This is why he went with his ideas to the WSI. We assumed that Makowski could be a confabulator and his sources could be inspired."

The fact that the meeting was held and the general content of the conversation are confirmed also by Minister Szmajdziński and WSI Chief Dukaczewski, though they present the stand of Minister Siemiątkowski differently. According to their accounts, he supposedly agreed that Makowski passes under the military intelligence's wing and did not warn about the allies' doubts and unreliability of Makowski's information. This is why Minister Szmajdziński made the decision to use Aleksander Makowski and ordered Gen. Dukaczewski to take appropriate action. Dukaczewski ordered the case to be run by Col. Oziębala who allegedly knew Makowski from the time they both served at the post in Rome in the 80-ties. Oziębala ran Makowski as the

source called "HAMID" and at the beginning of 2004 transferred the case to Col. Surdyk, with partly unregistered documentation.

The WSI Chief Col. Dukaczewski gave Surdyk the instruction to handle the case, stressing that it was done at the personal order of Minister Jerzy Szmajdziński.

Individual reports are initialed by Dukaczewski, sometimes they are addressed to Szmajdziński. The latter, during the hearing before the Commission, did not question his participation in the decision to use Makowski. He only stressed the uniqueness of the situation in which the military intelligence was, not having any sources on the eve of dispatch of the military units to "Z". Wanting to acquire information, he supposedly did not go into details of the applicable legal procedure. The former Minister of National Defense refused answering the question whether he was familiar with the content of the Ordinance of the Council of Ministers of 1996, whereby special liability was imposed on the Minister of National Defense for operational and investigation work of the WSI.

Makowski's case was run by the WSI in the scope of two investigations, one of which, the initial investigation in 2001-2004 code-named "HAMID", turned up after the Verification Commission has been analyzing the case for a month. The case file was not found, there is only the source case, started on May 14, 2002.

A second case – code-named "ZEN" – was started as a problem case only in December 2003 and the first document in the file is dated around that time (it has no signature or any information as to its producer).. The first report signed by the case officer, describing the case, is dated on September 15, 2004. Similar to the "HAMID" file, "ZEN" is incomplete as well: there is no case start sheet, the page numbers have been changed and some documents which come from the initial period of the case were put into the file at the end. The file also has the traces of attempted destruction of documents by covering some information (attempt was made to prevent the identification of Makowski's personal data as well as the information about his past, including the work for the 1st Department of MSW [Ministry of Internal Affairs] of People's Republic of Poland and his work in 'Konsalnet'). Along with those efforts goes the fact that some WSI soldiers and politicians who made the decision that Makowski should be used by the intelligence denied knowing about his place of employment and his ties to Konsalnet).

The records in "HAMID" file give no doubts: Makowski is described as the WSI intelligence source and remunerated for the same. Also the file "Z" contains documentation

which shows the fact that Makowski was a source who was to provide information (also from three other sources placed in "Z"). For his services, Makowski collected – starting from 2002, in 17 installments – 31.44 thousand zlotys and 108.616 thousand US Dollars. He delivered at least 75 memos and reports, held 15 registered operational meetings and several trips to "Z" at WSI's cost. The intelligence soldiers met several times one of the sources indicated by Makowski, once in Poland and twice in "Z". Every time Makowski was also present at the meetings and the soldiers who carried out intelligence tasks stressed before the Commission that he never agreed for independent meetings between the sources and the intelligence. A meeting with the other two sources never had place and it is not clear if they existed at all. Ending this stage of collaboration, Makowski caused the conclusion of an informal agreement with the intelligence, according to which he demanded 40 thousand USD a month to secure his needs and the needs of the sources he run. This was probably connected with the talks he held with the intelligence since autumn 2005, the purpose of which was to organize a “zone of influence”, “build the in-place post (residential)” and develop “a business network as a cover institution”.

From the materials contained in available written sources and from the hearings of the soldiers who took part in operation “ZEN” as well as from the hearings of politicians responsible for the security of the Polish State, It can be seen that the concept of such cover or zone was to consist in establishment of a commercial company (or a network of companies) which would deliver supplies to the military units in “ZEN”.. Those companies were on one hand supposed to form the base for surveillance and intelligence work, on the other hand, to satisfy the financial needs of the circles co-operating with Polish forces in “ZEN” country. Aleksander Makowski was supposed to have share in these activities, and it cannot be ruled out that some share would fall to other Konsalnet owners or even the whole company. Whichever the case, another co-owner and founder of Konsalnet, Wiesław Bednarz, traveled to “ZEN” with Makowski and Minister Szmajdziński as early as in February 2002, i.e. at the very beginning of the operation.

After the elections in 2005, the case of Makowski and his operation of misinformation of the authorities of the Republic of Poland was kept secret from the highest authorities: the President and the Prime Minister. After Radosław Sikorski took the office of the Minister of National Defense, he was informed about the general framework of the operation and at the beginning of 2006, Minister Sikorski was given the details. As Col. Surdyk explained, Radosław Sikorski arrived then to the intelligence's seat and was acquainted with the whole “ZEN”

documentation. The case officer Col. Surdyk, Gen. Dukaczewski and the documentation keeper were present during the reading in order to provide further clarifications. They both confirmed in their explanations before the Commission that Minister Sikorski read the documentation.

Later, the President and the Prime Minister were informed, however, they were presented only the version complaint with the point of view of the "ZEN" source.

In the note dated September 11, 2006, a day before the Polish delegation was to leave for the US, the WSI Chief informed in turn that the Minister Sikorski proposed the President L. Kaczyński to notify the whole case to the allies and take joint actions. Minister Sikorski was said to have supported the whole initiative during his talks in the US. Surdyk stated: I informed Minister Sikorski about the role played by Aleksander Makowski in this case at the beginning of 2006, when an article was published in the press about Mr. Skowroński, where his ties to Makowski in Inter Commerce were mentioned".

The cases "ZEN" and "HAMID" cause a few basic questions to arise. Firstly, what was it all really about? Secondly, how it could have happened that the authorities of the Republic of Poland, in a matter of key importance for the State security, were deceived by a former, negatively vetted officer of the 1st Department of the MSW of the People's Republic of Poland, a businessman suspected of swindle, an informer who was negatively assessed by the most important special services of the world for nearly 4 years?

In accordance with the first preserved report concerning the "ZEN" case, dated September 15, 2004, the case's objective was: "to counteract the threat posed to Poland and her citizens as well as to other entities of international law by the terrorist organizations as well as to attempt to lead to the capture of the main organizers and leaders "X" and "Y". An operation's objective so outlined surely must have required the highest *bona fides* of people involved, absolutely certain information and particular efforts aimed at verification of the sources. Meanwhile, in the operation "ZEN" – in the "HAMID" operation too, for that matter – the situation is exactly the opposite. Although Makowski is described in the documentation as a source, he signs the receipts for money and the special instruction as the source or HUMINT source – in fact, as the officers maintain, he was never treated as a source. He was supposed to be, as Minister Szmajdziński put it and M. Dukaczewski and other case officers, such as Col. Surdyk, Col. W. and Col. Z. confirmed, "a bridge agent", a "contact with the source", "a contact". The operational instruction does not contain such categories of collaboration. Disregarding the operational instruction means

violating the law, exposing human life and success of the entire operation to an extreme danger. And, as a consequence, brings the risk of misinformation of the State authorities, including the President.

The assessment of the *bona fides* of Makowski and his sources is thus of key importance to the whole matter. This is because the military intelligence entrusted him with the task of creation of the intelligence guard for the Polish presence in "ZEN" and, with the lapse of time, it was Makowski who, to a gradually greater extent, decided on the undertakings of the Polish intelligence and State in the matters related to "ZEN".

Meanwhile, Makowski has never been vetted as a source. His *bona fides* has not been screened, he has not been controlled, even his place of employment and his surroundings have not been checked. Even more, his sources in "ZEN" have never been vetted and Makowski himself did not agree to disclose their personal data to the intelligence. The intelligence officers also did not have a chance to meet these sources personally, without Makowski's company. When asked for this unusual procedure, contradictory to the legal norms applicable in operational actions, the people responsible for this excused themselves with various circumstances. Minister Szmajdziński pointed primarily to the need for immediate action due to the approaching date of action in "ZEN". The WSI Chief emphasized the merits and efficiency that Makowski had in the time of his work for the Security Service. Officers Surdyk, W. and Z. pointed to the orders received from their superiors, including the Ministers of National Defense, who pointed Makowski to them as a source.

These explanations are not credible. It seems even that the operation "Z" was some type of cover for completely different actions, aimed at deriving personal benefits for Makowski and people related to him. This is indicated by the fact that the warnings about Makowski being an unreliable person, a confabulator, a person who conceals his true intentions and aims, were systematically ignored. Special emphasis should be put here on the fact that this opinion about Makowski was known to the Minister of National Defense and the WSI Chief as they had been warned by the UOP Chief, Zbigniew Siemiątkowski. The fact that the UOP Chief pointed both to UOP findings and to the information coming from the allies is of great importance. In this perspective, it becomes of special significance that there were the attempts to repropagate the operational documentation, both by covering Makowski's personal data and by describing him as a source which he in fact was not, as a person not subjected to normal operational procedures and

thus not delivering the information reliable for the intelligence. It must be also stressed that this fact has been pointed out at least twice by the intelligence officers: Col. Hermel and Col. Szlenk. The former, in his analysis of October 2004, pointed that Makowski's information is of general nature, they do not find confirmation and, first of all, are consequent, not beforehand.

"In the assessment of the sources' work we see that the provided information is superficial, which gives the grounds for assumptions that:

- the source makes up the story for a hearsay information, but has no direct access to it, or
- it is delivered through a chain of people, losing this way many important details and ending contorted or incomplete".

Even a more far-reaching diagnosis was contained by Col. Szlenk and Col. Hermel in the conclusion of the current analysis, put at the end of Case "Z" (vol. IV, pp. 256, 257): They write there that:

"(...) Lack of details and vagueness of the information causes it to be of little value.

2. The source confuses the data of people associated with X, Y, group Z, W, etc.
3. A great majority of information is superficial and pertains to matters, which had already taken place.
4. The presented data are imprecise, impossible to verify or even untrue. The current verifiability rate of the delivered information is drastically low.

In the conclusion it is stated point-blank:

- "1. The provided information did not meet the operational results declared by the contact,
2. Our contact has limited abilities to obtain reliable, and thus verifiable information from his alleged human sources,
3. It cannot be ruled out that the contact purposefully plays a game with the WSI in order to gain personal (e.g. financial) benefits."

In spite of such a crushing diagnosis, not only was the case continued, but also huge amounts were spent on keeping the alleged "source" or "contact". First of all, however, there was a conscious misinformation of the State authorities, primarily the President of the Republic of Poland, and the relevant allied institutions. The case files preserved at least three reports addressed to the highest State authorities, where it was stated that the WSI is in possession of information pointing to an opportunity to capture the terrorist leaders from group X. An arrangement with the allies was suggested in order to undertake a joint operation aimed at

liquidation of the terrorists, the highest authorities were persuaded to start appropriate international talks, false reports were delivered to other competent domestic services, the Deputy Minister of National Defense in charge of the WSI and to the Prime Minister and the President of the Republic of Poland. On the basis, among others, of the alleged reports of Makowski and his sources, in winter 2005, M. Dukaczewski suggested the State authorities to implement extraordinary measures in the whole country in protection against a terrorist attack. If his had been followed, it would have meant exposing the social peace to considerable threat.

Undoubtedly, however, the most grave consequences derived from the attempt to misinform the President of the Republic of Poland, the highest authorities of the State and the Poland's allies when, as a result of misinformation, the intelligence started an operation that was aimed at conning the allies out of multi-million award under the pretences of elimination of the terrorists. At the same time, the allies were accused by the intelligence officers of ill will, or even a politically inspired unwillingness to capture the terrorists, because they pointed out the fictionality of the information. We should particularly stress the suggestion contained here, among others, in the report of July 24, 2006, which indicated that the policy of power, pursued by the US, was the reason for unwillingness to capture the terrorists and for the rejection of proposals coming from the Intelligence Directorate of the WSI. All those arguments were a camouflage for the true objectives, which motivated Aleksander Makowski, the true author of the entire operation and actual instigator of the activities of the WSI intelligence.

We do not know all the circumstances and reasons for collaboration of the military intelligence with Aleksander Makowski. Certainly not without importance are the issues raised by the soldiers and politicians in their statements made before the Verification Commission, where they pointed to the confidence the intelligence had in Makowski due to his long-term work in the Security Service. Also the acquaintance of Makowski with Marek Oziembała, who he supposedly met during his stay at the post in Rome in the 80-ties, dated at that time. Oziembała was also Makowski's first case officer. Also the business experience Makowski had could have some impact on the decisions on Minister Jerzy Szmajdziński. Szmajdziński denies knowing what that experience was, but it is hard to believe; a detailed account of financial relations between Makowski and the inhabitants of "Z" was given to the Commission by the testifying soldiers of the WSI. The financial conflict between Makowski and the UOP intelligence was mentioned by Minister Siemiątkowski, while the settlements made in precious stones were

reported by the soldiers heard out in this case by the Commission. These accounts create a picture of large-scale, sometimes illegal operations conducted by Waldemar [supposed to be: Aleksander] Makowski, Skowroński and their domestic and foreign partners with the use of the Polish State machine. The third factor which was probably taken into account were Makowski's relations and acquaintance with some of the "ZEN" commanders. These close ties are confirmed in his explanations by Minister Szmajdziński who supposedly observed them on site during the visit in "ZEN" in 2002, but also by other soldiers who stayed there in the framework of activities of the WSI intelligence.

This is why, aside from financial matters, we should also take political conditions into account. Such a suggestion is contained in the reports which stressed that the Western allies, due to their "great power" political game were not interested in the liquidation of terrorists and that this was the exact reason – not the lack of Aleksander Makowski's *bona fides* – for the lack of confidence in the information from Polish sources. But such premises result also from the stand taken by some soldiers during the hearings, when they stated that they do not see anything wrong in co-operating with groups infiltrated by the US enemies and they did not see it as a threat to the Polish mission.

The cases "ZEN" and "HAMID" thus appear as a specific summary of the negative consequences arising from the fact that the Polish military special services were based on human teams, concepts and patterns of actions inherited from People's Republic of Poland. Here met almost all pathologies described in this report: services' reliance on the teams trained in the USSR, use of former Security Service people (organized in the so-called business intelligence agencies, which in fact were teams aspiring to steer Polish services), building in-place posts and conducting intelligence activities based on the network of business enterprises and finally complete disregard of the State authorities and their control over special services as well as readiness to cheat on those people's own State. The alleged professionalism, effectiveness and indispensability of those services proved to be just the opposite. In the case "ZEN", the services, acting at the orders of a swindler, robbed the Polish state and were ready to expose Polish soldiers and commanders of armed forces to the highest danger and international embarrassment. We need to ask here what was the inspiration for such activities, remembering that it all happened so because for many years the services which grew up on Soviet background were given complete impunity and except for a few months of rules by Jan Olszewski's cabinet no one has

ever tried to force those services to serve the interest of the Polish State and Nation. Looking from this perspective, the liquidation of the WSI and creation of new military special services appears as the only possible solution.

In the light of the cited facts, the conduct of the following people meets the disposition contained in Article 70a.1 and 70a.2.2 of the Act on Provisions Implementing the Act on Military Counter-Intelligence Service and Military Intelligence Service and the Act on the service of the officers of Military Counter-Intelligence Service and Military Intelligence Service, dated June 9, 2006: Col. Jerzy Surdyk, Col. Dariusz Sobala and Col. Waldemar Żak.

The activities of Andrzej Makowski meet the disposition of Article 70a.2.1 of the aforesaid Act.

The WSI Chiefs in the described period were: Brig. Gen. Marek Dukaczewski and Brig. Gen. Jan Żukowski.

Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating that the Military Information Services are subordinated directly to that Minister. That regulation was specified in a greater detail in § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. This regulation imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations.. Pursuant to the Military Information Services Act of July 9, 2003, the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. By virtue of Article 9.1 of this Act, the WSI Chief was subordinated to the Minister of Defense directly. The Minister of the National Defense in the described period was Jerzy Szmajdziński.

The facts cited in this chapter bring doubts as to the legality of conduct of the WSI soldiers; thus, the Verification Commission sent to the Supreme Military Prosecutor's Office a notification of suspected crime, in compliance with Article 304 § 2 of the Code of Penal Procedure.

Conclusion

The Military Information Services was headed by the Chief, to whom all chiefs of individual directorates, offices, units, sections etc. were subordinated. It was the WSI Chief, holding the highest office in the WSI organizational structure, who was responsible for actions of all soldiers, officers and employees of the WSI.

Until 1995, the responsibility for actions of the Military Information Services was not regulated *expressis verbis* by any Act or even an Ordinance. This could cause a mistaken belief that there was not anyone who, as the supervisor of the service's actions, together with that service's Chief, would be jointly and severally responsible with the officers who committed acts incompliant with the legal order in force. By virtue of Article 35.1 of the so-called "Minor Constitution" of 1992, it was the President who was the supreme commander of the Polish Army. The next section provides that it is the President who, in agreement with the Minister of National Defense, appoints and dismissed the Chief of General Staff of the Polish Army, and at the request of the Minister of National Defense appoints and dismisses Deputy Chiefs of General Staff, commanders of individual types of Armed Forces and commanders of military districts. Those provisions mean that at the time of peace the responsibility for activities of the Polish Army rests both with the President and the Minister of National Defense. This signifies their special responsibility for the actions of the WSI.

A similar solution was implemented in the Constitution of the Republic of Poland of April 2, 1997. Article 134 of the Constitution states that at the time of peace it is the President of the Republic of Poland who exercises the command over the Armed Forces, through the Minister of National Defense.

In both legal situations, a greater burden of responsibility rests with the President of the Republic of Poland who exercises his prerogatives through the Minister of National Defense.

Only Article 5.1 of the Act on the Office of the Minister of National Defense, dated December 14, 1995, contained the regulation stating precisely that the Military Information Services are subordinated directly to that Minister. Naturally, this does not exclude in any manner the responsibility of subsequent Ministers of National Defense for the WSI actions before the entry of that Act into force, because every Minister is liable for his or her ministry on general terms.

The key regulation is § 1.16 of the Ordinance of the Council of Ministers on the Detailed Scope of Competencies of the Minister of National Defense, dated July 9, 1996. It imposed on the Minister of National Defense the obligation to exercise supervision over the activities of the Military Information Services, including in particular their operational actions and investigations.

A uniformed provision was included later in the Military Information Services Act of July 9, 2003, whereby the supervision over the activities of those services rested with the Minister of National Defense who appointed and dismissed the WSI Chief. Pursuant to Article 9.1 of this Act, the WSI Chief, until the Act of June 9, 2006, was subordinated to the Minister of Defense directly.

This legal situation indicates that the special responsibility for irregularities and omissions pointed out in the report rests with:

- the President of the Republic of Poland Lech Wałęsa
- the President of the Republic of Poland Aleksander Kwaśniewski
- the Chief of General Staff of the Polish Army, Lt. Gen. Tadeusz Wilecki (in the period of subordination of the WSI to the General Staff of the Polish Army)
- the Minister of National Defense Piotr Kołodziejczyk
- the Minister of National Defense Janusz Onyszkiewicz
- the Minister of National Defense Zbigniew Okoński
- the Minister of National Defense Stanisław Dobrzański
- the Minister of National Defense Bronisław Komorowski
- the Minister of National Defense Jerzy Szmajdziński

and the following Chiefs of the WSI:

- Counter-Adm. Czesław Wawrzyniak
- Gen. Bolesław Izydorzyc
- Gen. Konstanty Malejczyk
- Gen. Kazimierz Głowacki
- Gen. Marek Dukaczewski

Antoni Macierewicz

Chairman of the Verification Commission

