

**CONFERENCE ON ACCESSION  
TO THE EUROPEAN UNION  
- BULGARIA -**

**Brussels, 5 November 2002**

**CONF-BG 55/02  
ADD 31**

**Document provided by Bulgaria**

---

Subject : Additional information (Appendix X.2)

Chapter 24 – Cooperation in the Fields of Justice and Home Affairs

---

## ACTION PLAN

### for implementation of the National Anti-Corruption Strategy

2002 - 2003

The Government programme has been developed in pursuance of the national anti-corruption strategy adopted by Decision of the Council of Ministers No. 671 of October/2001. It represents a basic organizational and management instrument for the strategy's implementation and as such is an integral part thereof. The programme takes into account the national experience gained and the conclusions, evaluations and recommendations of the competent bodies of the European Union, the World Bank, the International Monetary Fund, national and international non-government organizations, as well as the experience and the recommendations of the international anti-corruption organizations within the United Nations Organization, OECD, the Council of Europe (EAC).

The time space prospected by the programme covers the period of 2002-2003, during which the legal, organizational and public conditions necessary for achieving the main objectives of the national strategy are to be established. By the end of such period the country should have adopted the principles and great part of the European Community standards of corruption counteraction, the framework of the institutional and information environment should have been established, significant participation of nongovernment organizations in the regulation of the processes generating corruption should be in place, as well as the required public climate of intolerance should have been created.

As an organizational and management instrument the programme features openness within the frames outlined by the national anti-corruption strategy and specified by the programme itself. It shall be subject of updating in accordance with the changes in the public environment, in the concepts for the methods and means for achieving the objectives envisaged, in the financial, organizational and other possibilities for fulfilling the tasks set up.

#### I. Reasons for the programme

The Government anti-corruption programme takes into account the evaluations and conclusions of the national anti-corruption strategy on:

- the fact that in the last years corruption became a global threat not only for the economic development and the international relations between individual countries, but also for the world economy and policy as a whole;

- the great topical interest and particular importance of the various forms of misuse of power intended for deriving personal and collective benefits to the detriment of the public interest for the countries in transition, which are compelled to establish their new democratic institutions and at the same time to create the required prerequisites for the development of market economic relations;
- perceiving the corruption as a complex phenomenon, a negation of the fair competition in the economic sector, a factor that demotivates the entrepreneurship, boosts the grey economy and economic crime, deteriorates public services and aggravates the social burden of the population;
- the role of corruption in increasing the gap between poor and rich during the transition to market economy and rendering it a direct threat to the democratic mainstays of society.

The programme takes into account the situation with the problem for the last several years during which the Bulgarian society focused on the corruption related matters. It is based on the results from the public debate held in the period of 1997-2000 further to which the guidelines on corruption limitation and its putting under control by means of strengthening the law enforcement and regulatory functions of the state, ensuring transparency and publicity of the administrative and government processes, strengthening of civil control and moral principles such as honesty and ethics in public relations have been outlined.

The programme objectives and tasks take into account the elements with anti-corruptive potential that have been introduced in the social practice through the ongoing reform of the administrative system of Republic of Bulgaria, as well as the contribution of such steps, in combination with the achieved restraint of the activities of semi-criminal groups, to achieving some stabilization of the corruption situation in the country.

The programme is based on the priority importance given by the Government to the fight against corruption, as well as on the engagement undertaken with respect to the society for significant and efficient measures against all forms of corruption, whereas a stress has been put on the prevention measures, as well as on the understanding that the overcoming of corruption is an important political condition for Bulgaria's accession to EU.

The programme assumes as an important indication the improved rating of Republic of Bulgaria within the comparative index of the international non-government organization Transparency International, according to which from 66<sup>th</sup> place in 1998 (having the worst rating in 1999) it has moved up to 49<sup>th</sup> place in 2000, and under that index Bulgaria has brought itself closer to the

countries from Central Europe. The programme is aiming to preserve and accelerate such positive trend.

In order to achieve lasting effect in overcoming the factors and conditions giving rise to corruption, the programme organizes the efforts in the main trends of work to be done, as defined by the national anti-corruption strategy - establishment of common institutional and legal environment for putting the corruption under control, improving the legislation and the operation of the judicial system, creating conditions for restricting corruption in the economy sector and increasing the public intolerance and immunity to corruption by means of anti-corruptive cooperation between state institutions, non-government organizations and mass media.

Within the framework of these trends the Government shall organize the achievement of the following objectives and tasks of the fight against corruption:

1. In regard with the establishment of common institutional and legal environment for putting the corruption under control.
  - 1.1. Establishment of efficient state administration able to implement both the Bulgarian and the EU legislation.

#### PROGRAMME OBJECTIVES:

- Improving the organization of the activities of the administrative structures;
- Transfer of public functions to the private sector and recognizing civil and economic operators as a public responsible sector in the market of services;
- Ensuring transparency of the activities of the administration;
- Strengthening the status and professional performance of the administration.
- Strengthening the civil control on the activities performed by the administration.

#### Main programme tasks

- 1.1.1. Elaboration of assessments on the sources of corruption in the central structures of the Executive and proposals for measures for their elimination through functional, structural and organizational development. (The assessments should form part of the execution of the task concerning the evaluation of the situation in the central structures)

Under the responsibility of: The Ministers  
Time limit: February, 28, 2002



1.1.2. Elaboration of projects on, amendments of the statutes of the ministries and other central structures intended to improve the functioning and coordination between the units within individual administrations.

Under the responsibility of: The Ministers  
Time limit: February 28, 2002

1.1.3. Implementation of measures intended to optimize and reduce the number of staff employed in the central and regional administrations.

Under the responsibility of: The Ministers and the Regional  
Governors  
Time limit: April 30, 2002

1.1.4. Adoption of an Act amending the Administration Act, which is to create conditions for greater flexibility and improvement of the internal structuring of administrations, as well as shall enable clear distinction to be made between political appointments in the administration and those based on carrier development.

Under the responsibility of: The Minister of Justice  
Time limit: February 28, 2002

1.1.5. Setting up a standing commission within the Council of Ministers, presided by the Minister of Justice, for coordination of the anti-corruption activities performed by ministries and administrations.

Under the responsibility of: The Minister of Justice  
Time limit: February 28, 2002

1.1.6. Overall review of the implementation of the Strategy on the establishment of modern administrative system in Republic of Bulgaria, which is to form the grounds for the elaboration of a new Strategy on modernization of public administration.

Under the responsibility of: The Minister of Public Administration  
Time limit: March 31, 2002

1.1.7. Institutional building and creation of conditions for active operation of a Council for coordination of the activities related to the integrated administrative service, which is to ensure more efficient coordination of the activities related to the use of modern information and communication technologies in the work of the administrative structures.

Under the responsibility of: The Minister of Public  
Administration

Time limit: February 28, 2002

1.1.8. Elaboration and implementation of specific measures for the implementation of the developed Concept of amendments in the Public Servants Act, including:

- elaboration of clear criteria and mechanisms for assessment of the professional knowledge and skills of public servants as a base for carrier development;
- extension of the possibilities for differentiation in remuneration, taking account of the individual contribution and merits of a particular public servant;
- changes in the requirements for appointment in certain administration, which shall enable highly qualified specialists with knowledge and experience gained not only within the state budget. sector, but elsewhere too to be attracted to work in the administration;
- introduction of mandatory competition procedure in regard with all appointments within the administration;
- consistent application of the principle of stability based on clear regulations on the exceptional cases, where a fixed term of the employment relationship with respect to public servants shall be admissible; safeguarding provisions with respect to public servants in the event of transformation of the relevant administration;
- improvement of the arrangements on termination of the employment relationship with-respect to public servants.

Under the responsibility of: The Minister of Public Administration

Time limit for elaboration: June 30, 2002

Time limit for implementation: December 31, 2003

1.1.9. Implementation of a project financed by the British Ministry of International Development on the system for assessing the individual performance, remuneration and career development, including improvement of the existing job descriptions; elaboration and introduction of an appropriate system for assessment of the individual performance, depending on the purposes of the relevant ministry and unit; training using analytic techniques, performance management and system for assessment of the performance.

Under the responsibility of: The Minister of Public  
Administration

Time limit: December 31, 2002

1.1.10. Elaboration and adoption of a national strategy for training the employees in public administration.

Under the responsibility of: The Minister of Public Administration

Time limit: February 28, 2002

1.1.11. Implementation of special anti-corruption programmes in the training of public administration staff members.

Under the responsibility of: The Minister of Public Administration

Time limit: Annually, until 2003

Time limit for adoption: February 28, 2002

1.1.12. Implementation of a project financed by the British Ministry of International Development for improving the service provision on behalf of the public administration using "one-stop shop" system of service provision.

Under the responsibility of: The Minister of Public Administration

Time limit: February 28, 2002

1.1.13. Creation of organizational conditions for strengthening the participation of the Council of Ministers in the project under the Stability Pact for transfer of know-how in the field of public administration.

Under the responsibility of: The Minister of Public Administration  
Time limit: February 28, 2002

- 1.1.14. Development of an uniform system for information exchange between the structures of the judiciary, the Ministry of Interior, the tax administration, the customs, the Financial Intelligence Bureau, the Government Collections Agency, the Directorate of State Financial Control and the National Institute for Statistics.

Under the responsibility of: The Minister of Public Administration  
Time limit: By the end of 2002

- 1.1.15. Further development and implementation of the Uniform information system for crime counteraction.

Under the responsibility of: The Ministers of Justice and Interior  
Time limit: February 28, 2002

- 1.1.16. Introduction of "post boxes" (including the use of electronic media) in all ministries, administration's and other state and municipal organizations, through which citizens may inform the relevant institutions of acts of corruption on behalf of their employees.

Under the responsibility of: The Ministers  
The heads of administrations  
Time limit: February 28, 2002

- 1.1.17. Updating and supplementing the Letters, Signals, Complaints and Petitions Act governing the terms and conditions for the exercise of citizens' rights under Art. 45 of the Constitution of Republic of Bulgaria.

Under the responsibility of: The Minister of Public Administration  
Time limit: July 31, 2002

- 1.1.18. Establishment of the required legal, organizational and technical prerequisites for ensuring an efficient access to public information.

Under the responsibility of: The Minister of Public Administration  
Time limit: June 30, 2003

1.1.19. Development of new document archive system with an extremely high level of security protection, providing access only in cases of requests on behalf of the judicial authorities or foreign official body.

Under the responsibility of: The Minister of Public Administration  
Time limit: December 31, 2002

1.1.20. Updating the Public Servant's Code of Ethics in view of bringing it in compliance with the European standards.

Under the responsibility of: The Minister of Public  
Administration  
Time limit: April 30, 2002

1.1.21. Elaboration of codes of ethics for the various categories of servants within the public administration.

Under the responsibility of: The Minister of Public Administration  
The Ministers  
The heads of administrations  
Time limit: June 30, 2002

1.1.22. Alteration the project in the frame of the FAR Programme "Improvement of the administrative judicature on the base of the fight against corruption"

Under the responsibility of: The Minister of Justice  
Time limit: to the end of 2004

1.2. In regard with the improvement of tax and financial control.

## PROGRAMME OBJECTIVES

- Harmonization of the tax strategy and policy with the tax policy in the Single Market of the European Union;
- Reduction of inconsistencies between the effectively applied system and the legal one through development of processes and systems able to foster an improved observance of tax liabilities;
- Improvement of taxpayers' service and increased transparency of the activities performed by the tax administration;

- Improvement of the efficiency of the state internal financial control in preventing, detecting and compensating damages, as well as its role in establishing and proving corruptive behaviour.

#### Main activities and tasks

##### 1.2.1. Review and preparation of proposals for:

- Review and further development of proposals for amending laws containing elements generating risk of corruption (Value Added Tax Act, Corporate Income Tax Act, Customs Law, Taxation of the Income of Natural Persons Act, Public Procurement Act, State Internal Financial Control Act, Administrative Violations and Sanctions Act, etc.); In the Value Added Tax Act and the Excise Duty Act the text giving rights to the inspection authorities to use as a proof before the judicial institutions documents that have been officially requested from neighbour countries should be synchronized.
- In the Value Added Tax Act and the Excise Duty Act the text giving rights to the inspection authorities to use as a proof before the judicial institutions documents that have been officially requested from neighbour countries should be synchronized.
- Proposal for amendment of the Judicial System Act in regard with the proceedings for deficiency in accounts, whereby a fixed term should be specified for solving court cases related to the execution of statements of deficiency in accounts. Severe sanctions should be provided for cases of lost documents pertaining to court files and cases, which influence the solving thereof:

Under the responsibility of: The Minister of Finance

The Minister of Public Administration

Time limit:

July 31, 2002

##### 1.2.2. Design and implementation of measures for:

- the establishment of such organization of the inspection activities that shall restrict the possibilities and conditions for corruption among the employees of the State Internal Financial Control;
- the improvement of the mechanisms for realization of the audit materials is one of the important factors for the prevention of damages, as well as for the prevention, to a considerable extent, of financial violations and corruption in the entities subject of inspection;

- larger application of the principle of unexpected inspections, which in some cases of detected damages and financial violations shall prevent the creation of bureaucratic conditions that would enable the "concealment" of violations.

Under the responsibility of: The Minister of Finance  
Time limit: July 31, 2002

1.2.3. Attached to the Minister of Finance a Board of the Heads of Inspectorate Departments should be set up as a body coordinating the anti-corruption and anti-fraud activities performed by the agencies and directorates under its authority.

- common criteria for corruption and financial fraud identification should be established, as well as the actions against them should be defined and implement by all agencies and directorates.

Under the responsibility of: The Minister of Finance  
Time limit: December 31, 2002

1.2.4. The subordination and the structure of the Inspectorate departments, which currently are under the authority of the General Tax Directorate, are to be changed:

- Establishment of one single Inspectorate structure attached to the General Tax Directorate.

Under the responsibility of: The Minister of Finance  
Time limit: March 31, 2002

1.2.5. Modernization of the system of additional incentives, performance assessment, remuneration, training, qualification and carrier development of tax officers.

Under the responsibility of: The Minister of Finance  
Time limit: June 31, 2002

1.2.6. Review of the possibilities for simplification of the tax proceedings related procedures and adoption of criteria for transparency of the activities of the tax authorities. Laying down rules of alternative current control on the activities of the tax authorities yet at the stage of procedure.

Under the responsibility of: The Minister of Finance  
Time limit: December 31, 2002

1.2.7. Introduction of register of the property status of tax officers, the access to which shall be restricted.

Under the responsibility of: The Minister of Finance  
Time limit: December 31, 2002

1.2.8. Elaboration of special rules ensuring the safety of tax officers in conflict situations, arising from the performance of their official duties.

- the tax authority should inspire respect and consideration;
- disruptive conduct with respect to a tax authority when discharging his/her official duties should be sanctioned;
- the tax authority shall be subject of sanctions for incorrect conduct with respect to the taxpayers

Under the responsibility of: The Minister of Finance  
Time limit: August 31, 2002

1.2.9. Rules for payment of bonuses to tax inspectors and auditors, who have executed statements of deficiency in accounts that have been successfully maintained in court proceedings, should be adopted.

Under the responsibility of: The Minister of Finance  
Time limit: February 28, 2002

### 1.3. Anti-corruptive reform in the customs

#### PROGRAMME OBJECTIVES

Improvement of the customs related legislation, thereby achieving the European standards in the fight against corruption and strengthening the internal control within the customs administration;

Application of technological models of customs processing and control, which shall significantly reduce the role of the subjective factor;

Reducing the time necessary for customs processing and inspection, without thereby reducing the efficiency of the fight against smuggling, corruption and other violations of customs laws;

Increase of the professional qualification of customs officers;

Improvement of the interaction with the court authorities, the public prosecution and the investigation authorities, as well as with other state authorities;

Opening of the Bulgarian Customs Agency to the general public.  
Transparency of the activities performed by the customs administration.

#### Main programme tasks

- 1.3.1. Drafting a new and/or amending the existing legislation of level III (regulations, orders on customs and accounting procedures, internal control) in order to comply both with the EU legislation in these fields and the recommendations contained in the Declaration of the International Customs Organization of Arusha in 1993, as well as the Second International Forum on Combating Corruption (held in the Netherlands in 2001).

Under the responsibility of:      The Minister of Finance  
Time limit:                              December 31, 2002

- 1.3.2. Studying the European experience in the organization of the customs system and activities and implementation of a set of measures for improving the organizational status and the organization of the system of customs control in the country.

Under the responsibility of:      The Minister of Finance  
Time limit:                              December 31, 2002

1.3.3. Development and introduction of the modules of the new customs information system concerning:

- the transit;
- the customs liabilities;
- the decisions of customs authorities'
- the Inspectorate

Under the responsibility of:           The Minister of Finance  
Time limit:                               December 31, 2002

1.3.4. Development and introduction of the modules of the new customs information system concerning:

- the transit at national level;
- regulations module - integrated tariff management system;
- human resources system.

Under the responsibility of:           The Minister of Finance  
Time limit:                               December 31, 2003

1.3.5. Design and implementation of measures intended:

- to improve the technology of control and the implementation of the risk analysis systems;
- to strengthen the role of customs intelligence in combating customs and foreign-exchange violations;
- to implement an information exchange in real time between customs offices;
- to improve the information exchange between the customs administration and other institutions.

Under the responsibility of:           The Minister of Finance  
Time limit:                               June 30, 2002

1.3.6. Improvement of the system of internal control in view of increasing its efficiency. Ensuring the required subordination, as follows:

- internal control carried out by the Inspectorate;
- internal control carried out by the heads of customs offices;
- subsequent control

Under the responsibility of:           The Minister of Finance  
Time limit:                               December 31, 2003

1.3.7. Optimization of the content of the annual inspections' programme in conformity with the recommendations of the EU experts.

Under the responsibility of: The Minister of Finance  
Time limit: December 31, 2001

1.3.8. Implementation of a set of measures intended to increase the professional qualification of customs officers.  
Improvement of the training forms and activities performed by the national and regional training centers within the customs administration.  
Conduct of training on the customs ethics and the fight against corruption and other unlawful actions on behalf of customs officers.

Under the responsibility of: The Minister of Finance  
Time limit for development and adoption: February 28, 2002

1.3.9. Creation of conditions for ensuring transparency of the staff selection procedures within the customs administration. Development of a system for the selection of applicants for employment in the Customs Agency based on the competition principle.

Under the responsibility of: The Minister of Finance  
Time limit: April 30, 2002

1.3.10. Improvement of the system based on the rotation principle with respect to customs officers.

Under the responsibility of: The Minister of Finance  
Time limit: February 28, 2003

1.3.11. Development and introduction of a system of attestation of customs officers as a prerequisite for promotion.

Under the responsibility of: The Minister of Finance  
Time limit: June 30, 2002

1.3.12. Development of relations with the customs administrations of neighbour countries and extension of the possibilities for obtaining from the latter backup information on imports and exports.

Under the responsibility of: The Minister of Finance  
Time limit: June 30, 2002

## 1.4. Measures for combating corruption within the Ministry of Interior

### PROGRAMME OBJECTIVES

- creation of conditions for restricting corruption through efficient mechanisms for rising the status of the units involved in the fight against corruption;
- improvement of the intradepartmental control, improvement of the interaction with the mass media, as well as the provision of information to the executive authorities and the National Assembly on detected significant cases of corruption;
- updating the staff training programmes on the fight against corruption;
- strengthening the professional stability and realization of the officers within the Ministry of Interior.

### Main programme activities and tasks

1.4.1. Improvement of the entire work organization of the Ministry of Interior in the field of prevention and detection of corruptive acts. Updating the intradepartmental regulations governing the anti-corruption activities.

Under the responsibility of:      The Minister of Interior  
Time limit:                              February 28, 2002

1.4.2. Improvement of the interaction between the various structures of the Ministry of Interior involved in the fight against corruption. Establishment of normative conditions for upgrading the work on the receipt, transmission and investigating signals for corruption in the Ministry of Interior and performance of control on the handling thereof.

Under the responsibility of:      The Minister of Interior  
Time limit:                              February 28, 2002

1.4.3. Studying the experience of EU Member States in establishing national mechanisms for coordination of the anti-corruption actions. Use of the possibilities for institutional and financial support provided by a project under the Phare Programme 2002 for increasing the capacity of the services within the Ministry of Interior, which are specialized in combating corruption and improvement of the internal departmental coordination mechanisms.

Under the responsibility of:      The Minister of Interior  
Time limit:                              September 30, 2002

1.4.4. Setting up an Intradepartmental Coordination Council on combating corruption within the Ministry of Interior, which is to define a strategy and organize the activities designed for prevention and detection of corruptive acts.

Under the responsibility of: The Minister of Interior  
Time limit: December 31, 2001

1.4.5. Improvement of the structures involved in corruption prevention within the Ministry of Interior at the level of the national services directorates, Capital Directorate of Interior and Regional Directorates of Interior. Setting up an organization for staff, operative and information strengthening of the regional anti-corruption units.

Under the responsibility of: The Minister of Interior  
Time limit: March 31, 2002

1.4.6. Development of a special unit within the ministry, which shall coordinate the information and operative interaction and shall see for the control over the fight against corruption within the Ministry of Interior.

Under the responsibility of: The Minister of Interior  
Time limit: December 31, 2002

1.4.7. Implementation of a set of measures designed:

- to improve the cooperation between the Ministry of Interior and the mass media for the purpose of conducting an anti-corruption campaign;
- to ensure an information interaction, through the ministry's Press Center and Public Relations Department, with the mass media in view of providing information on corruption related law infringements and of any results from the activities performed by the Ministry of Interior, which the general public is to be aware of;
- to enable broadcasts on national and local media on topical issues concerning the fight against corruption in cases of wide public interest.

Under the responsibility of: The Minister of Interior  
Time limit: November 30, 2002

1.4.8. Updating the training curricula and programmes for officers attending courses for initial training, qualification and re-qualification, as well as the training courses at the higher education schools in view of including the issue of the fight against corruption. Bringing the training and R&D work on the problems of the fight against corruption in compliance with the criteria and requirements of the European Union.

Under the responsibility of:                      The Minister of Interior  
Time limit:    December 31, 2002

1.4.9. Elaboration of an uniform system of selection, training and professional development of human resources and strengthening the guarantees for social security, professional realization and carrier stability of the officers within the Ministry of Interior.

Under the responsibility of:                      The Minister of Interior  
Time limit:    September 30, 2002

1.4.10. Elaboration and adoption of Rules of selection, training and professional development of the human resources within the Ministry of Interior.

Under the responsibility of:                      The Minister of Interior  
Time limit:    September 30, 2002

1.4.11. Development of a strategy on introducing a new model of carrier development for the police officers.

Under the responsibility of:                      The Minister of Interior  
Time limit:    September 30, 2002

2. Anti-corruptive measures within the judiciary and relevant provisions in the penal law

2.1. Amendments of law

#### PROGRAMME OBJECTIVES

- Increasing the capacity of law enforcement agencies for prevention, detection and sanctioning the various forms of corruption;
- Establishment of adequate conditions for efficient international police and judicial cooperation in combating corruption;

- Fulfillment of the obligations undertaken under the Penal Convention of the Council of Europe against corruption, the Convention of the Organization for Economic Cooperation and Development for combating bribery of foreign officials in international transactions and the UN Convention against transnational organized crime;
- Bringing the national legislation in compliance with the standards, as set forth in the anti-corruption instruments of the European Union - Convention for combating corruption which officials of the European Communities or the Member States are involved in, Convention for the protection of the financial interests of the European Communities and the Protocol of 1996 thereto;
- Bringing the national standards in compliance with the recommendations addressed to Bulgaria by the European Commission (during the legislation screening), the Council of Europe (within the framework of Octopus II Programme) and the Organization for Economic Cooperation and Development (OECD) - under the monitoring performed by the working group on matters related to corruption in international trade.

#### Main activities and tasks

##### 2.1.1. Elaboration of a draft law on amending the Penal Code in view of:

- extending the notion of "foreign official";
- including non-property services as an element of bribery;
- criminalizing the passive bribery of foreign officials;
- criminalizing the bribery of arbitrators;
- criminalizing the trade in influence (exercise of influence with the purpose of deriving benefits);
- restricting the safeguards providing for immunity from punishment in certain cases of active bribery;
- providing for new sanctions for bribery, i.e. fines;
- introducing an adequate regulations on sanctioning the bribery in the private sector.

Under the responsibility of: The Minister of Justice

Time limit: March 31, 2002

##### 2.1.2. Elaboration of a draft law on the introduction of administrative responsibility (property sanctions) for legal persons for corruption crimes committed in their interest on behalf of their officials holding manager positions.

Under the responsibility of: The Minister of Justice

Time limit: June 30, 2002

2.1.3. Introduction of special training courses for officers from the Ministry of Interior, investigators, public prosecutors and judges on the implementation of the new penal anti-corruption legislation.

Under the responsibility of: The Minister of Justice  
The Minister of Interior  
Time limit: June 30, 2002

2.1.4. To develop projects for changes:

- In the Law for property publicity of persons on higher state positions, stipulating mechanisms for verification and control of the data put in the declarations, as well as sanctions for those who have not presented their property declarations on time or have applied in declarations with incomplete or false information;
- In the election laws, stipulating mechanisms for verification and control of data provided in the reports of the parties and the initiative committees participating with candidates.

Under the responsibility of: The Minister of Justice  
The Minister of Interior  
Time limit: July 31, 2002

2.1.5. Elaboration of a draft law on the protection of witnesses.

Under the responsibility of: The Minister of Justice  
Time limit: August 31, 2002

2.1.6 Introduction of a differentiated police and court statistics on corruption related cases.

Under the responsibility of: The Minister of Justice and Interior  
Time limit: March 31, 2002

2.2. Reform in the organization of the activities within the judiciary.

#### PROGRAMME OBJECTIVES

- Elimination of the conditions creating possibilities for corruption in the judiciary;
- Ensuring quick and efficient operation of the judicial system;
- Creation of conditions for an accurate selection of magistrates;
- Institutionalization of the system of training and qualification of judges, public prosecutors and investigators;

- Modernization of the method of operation of courts, prosecutor offices and investigation services.

### Main activities and tasks

2.2.1. Elaboration of a draft law on amending the Judicial System Act in view of:

- introducing competition rules for newly appointed magistrates;
- institutionalizing a state vocational school for magistrates financed by the state budget.
- introducing obligation to declare property for the magistrates.

Under the responsibility of: The Minister of Justice

Time limit: January 31, 2003

2.2.2. Introduction in the curriculum of the school for magistrates of a special course on professional ethics of judges, public prosecutors and investigators.

Under the responsibility of: The Minister of Justice

Time limit: August 31, 2002

2.2.3. Development of a system of case distribution among various magistrates based on objective criteria excluding the possibility for selection of particular magistrates for specific cases.

Under the responsibility of: The Minister of Justice

Time limit: December 31, 2002

2.2.4. Development and introduction of automated systems of records keeping, which shall ensure quick and safe handling of cases and shall provide quick and easy access of citizens to the information needed.

Under the responsibility of: The Minister of Justice

Time limit: December 31, 2000

2.2.5. Elaboration of Ethic Codes for judges, public prosecutors, investigators and officials in the judicial administration.

Under the responsibility of: The Minister of Justice

Time limit: June, 2003

3. Limitation of corruption in the economy sector

## PROGRAMME OBJECTIVES

- Intensification of the tendency to liberate business from the state guardianship;
- Recognizing the market mechanisms as a primary condition for counteracting corruption. Focusing on the development of organized markets;
- Introduction of modern forms of interaction between the state and private sectors;
- Ensuring transparency, publicity and accountability in activities, where both public and private interests are involved.

### Main activities and tasks

- 3.1. Design and implementation of measures for full and efficient realization of the envisaged modifications of the privatization mechanisms and procedures by amending the Transformation and Privatization of State-Owned and Municipal Enterprises Act.

Under the responsibility of:           The Ministers  
Time limit:                               28 February, 2002

- 3.2. Drafting instructions for the introduction in the organization of privatization transactions of the requirement for design, implementation and taking into account of special measures intended to prevent corruption, including ensuring transparency and publicity at all transaction stages.

Under the responsibility of:           The Minister of Economy  
Time limit:                               January 30, 2002

- 3.3 To develop a system for effective control of the execution of all the privatization acts and at not withstanding the terms and conditions of the privatization contract sanctions to be applied accordingly.

Under the responsibility of:           The Minister of Economy  
  The Ministers  
  The Executive Director  
  of the Privatization Agency  
  The Regional Governors  
Time limit:                               February 28, 2002

- 3.4. Development and implementation of a set of measures for reforming the corporate management in view of ensuring protection of the interests of shareholders and establishing legal, organizational, technological and

information conditions for containing the occurrence of acts of corruption.

Under the responsibility of:       The Minister of Economy  
  The Minister of Finance  
  The Ministers  
Time limit:                               February 28, 2002

- 3.5. On the basis of a research and according to the practice of the countries of EU, to be developed measures for:
- a) restriction of the license regimes, improvement of the organization and providing transparency of the activities of granting licenses and the gradual transmission from license and permission regime for execution of economical activity to registration and notification regime, when the government institutions are being directed to the control, including the rejections to issue permissions and licenses;
  - б) improvement of the organization and decreasing the bureaucratic procedures and obstacles in the field of concessions;

Under the responsibility of:       The Minister of Economy  
  The Ministers  
Time limit for development:       March 31, 2002  
Time limit for implementation:     December 31, 2003

- 3.6. Studying the administrative technologies involving interference in business on behalf of state structures and development of schemes minimizing the necessity of approval on behalf of a state authority, as well as the avoidance of an "as appropriate" decision making.

Under the responsibility of:       The Ministers  
  The heads of administrations and  
  other state structures  
Time limit:                               Under separate schemes agreed  
  with the Ministry of Public  
  Administration  
Time limit for adoption of the schemes: February 28, 2002

- 3.7. Review of the relations between state structures and professional, craft and special-purpose associations of economic operators and subsequent development and proposal of measures for extension of their participation in the control and formation of anti-corruptive climate through their influence and specific regulatory functions and mechanisms (codes of ethics and structures designated to see for their observance, rights of information, forms of transparency provision, etc.).

Under the responsibility of: The Minister of Economy

The Minister of Public Administration

Time limit: December 31, 2002 - under a separate scheme

February 28, 2002 - for R&D work and scheme's adoption

3.8. Drafting of and strict compliance with regulations forming the economic relations between state and private economic operators (with respect to the system of public procurement, liabilities and claims, control on the contractual relations, the system of state control on the activities of state economic operators).

Under the responsibility of: The Minister of Economy

The Minister of Public Administration

Time limit: December 31, 2003 - under a separate scheme

March 31, 2002 - for R&D work and scheme's adoption

3.9. Providing economic information on national level about the industrial sectors in the Ministry of Economy in order to stop corruption activities in the field of industry and commerce.

Under the responsibility of: The Minister of Economy

Time limit: May 31, 2002

4. Anti-corruptive cooperation between state institutions, non-government organizations and mass media

#### PROGRAMME OBJECTIVES

- Formation of public climate of intolerance with respect to acts of corruption and with respect to the conditions giving rise to such acts;
- Formation of anti-corruption education and culture among the society;
- Development of a national anti-corruption movement integrating the efforts of the state and civil structures;
- Conduct of policy of active support of non-government organizations;
- Establishment of mechanisms and successful practices of partnership between state institutions, non-government organizations and private mass media.

## Main programme activities and tasks

- 4.1. Development of joint schemes for the implementation of an extensive cooperation and assistance on behalf of the state organizations committed with combating corruption, such as Coalition 2000, Transparency Without Frontiers, Center for the Study of Democracy, etc.

Under the responsibility of: The Minister of Public Administration  
Time limit: February 28, 2002

- 4.2. Development of special programmes for assistance of state and private media in view of launching anti-corruptive explanatory and educational activities, creation of publicity and transparency, as well as initiating an independent monitoring of the fight against corruption.

Under the responsibility of: The Ministers  
The heads of administrations Time limit: March 31, 2002

- 4.3. Setting up conditions for maximum lawful openness of the information on established cases of corruption, as well as on proved factors and conditions generating corruption. Giving publicity of the internal reports, produced within each separate administration, on the problems faced in counteracting corruption

Under the responsibility of: All Government members  
Time limit: Regularly

- 4.4. Implementation of a set of measures intended for:
- the creation of favourable environment and conditions for extensive commitment of the civil society against corruptive acts, making an active use of public reception rooms, "hot lines" and other forms giving possibility to public organizations, non-government structures and citizens to provide information on cases of corruption under the conditions of guaranteed anonymity. Ensuring publicity for all cases detected and sanctions imposed;
  - keeping the executive authorities and the National Assembly informed of the results from the activities performed within the framework of the fight against corruption in accordance with the laws and regulations currently in force.

Under the responsibility of: The Ministers  
Time limit: November 30, 2002

- 4.5. Preparation of a methodological guide on the problems of the fight

against corruption and assisting the introduction of anti-corruption training in all kinds of schools.

Under the responsibility of: The Minister of Education in cooperation  
with the Ministers of Interior and Justice

Time limit: June 30, 2002

- 4.6. Preparation of a guide for the protection, of citizens against corruption and assistance to civil and independent educational programmes of the mass media.

Under the responsibility of: The Ministers of Justice and Interior

Time limit: January 31, 2002

5. International cooperation

#### PROGRAMME OBJECTIVES

- implementation of active cooperation and integration in the common public and information space with the EU Member States, development of active international cooperation on all anti-corruption matters with all other countries concerned, as well as national and international non-government organizations;
- intensification of the cooperation with international economic, financial and trade institutions and organizations (the Organization for Economic Cooperation and Development, the International Monetary Fund, the World Bank, etc.);
- attraction of additional financial support for improvement of the efficiency and for ensuring transparency of the state government;
- priority development of the regional cooperation.

#### Main activities and tasks

- 5.1. Review of the projects implemented under the country's preparation for accession to the European Union and making representations for the planning of new projects focused on the problems related to corruption counteraction.

Under the responsibility of: The Ministers  
The heads of administrations

Time limit: January 31, 2002

- 5.2. Setting up organizational forms of regular joint (horizontal) work with the competent bodies of the European Union and the individual Member States on the problems of combating corruption.

Under the responsibility of: The Ministers

Time limit:

The heads of administrations  
January 31, 2002

- 5.3. Intensification of Bulgaria's participation in monitoring the anti-corruptive measures performed by the working group of the OECD on matters related to bribery in international trade transactions and by the group of countries against corruption.

Under the responsibility of: The Minister of Finance  
The Minister of Economy  
Time limit: October 31, 2002

- 5.4. Analysis of the results of the international and supranational organizations (EAC of the Council of Europe, Coordination Anti-Fraud Service of the European Commission, Interpol, UN, Transparency Without Frontiers, IMF, the World Bank, OECD). Ensuring an exchange of information on these activities between the local authorities. Active participation in the fight against corruption conducted by the above, as well as other institutions.

Under the responsibility of: The Ministers  
The heads of administrations  
Time limit: March 31, 2002

- 5.5. Keeping track of the activities undertaken in the fight against corruption (including against serious economic and organized crime) abroad and preparation of an annual report on the newly adopted approaches and measures.

Under the responsibility of: The Ministers  
The heads of administrations  
Time limit: Regularly

- 5.6. To publish on a regular basis on the Internet sites of the ministries information about the possibilities of Bulgarian companies to participate in competitions for funding projects of the programs for bilateral international economic cooperation.

Under the responsibility of: The Minister of Economy;  
The Minister of Transport  
Time limit: March 31, 2002

6. Organizational, financial and resource procurement of the programme

6.1. The ministries, administrations and other state structures involved in the programme should develop and approve organizational schemes for the implementation of the programme activities and tasks. In cases, where the tasks and activities require coordinated efforts on a specific task, joint schemes should be developed. The possibilities for assistance in fulfilling the tasks on behalf of the EU pre-accession programmes should be as much as possible taken into account. The schemes should be implemented as an integral part of the programme.

Under the responsibility of: The Ministers  
The heads of administrations  
Time limit: January 31, 2002

6.2. Based on the working group, which is responsible for the preparation of the anti-corruption strategy and programme, provisional coordination group should be set up by an act of the Council of Ministers, which shall assume the organizational, coordinating and control functions until the establishment of a special committee.

Under the responsibility of: The Minister of Public Administration  
Time limit: December 15, 2002

6.3. Organization should be made for the preparation, every six months, of an evaluation of the progress of programme's implementation. At the end of each year the said evaluation should form part of an annual report on the results from the national anti-corruption programme's implementation, which shall be examined and adopted by the Council of Ministers. The greatest possible publicity of the conclusions and evaluations of the reports should be ensured.

Under the responsibility of: The Minister of Public Administration  
Time limit: June 30, 2002  
December 31, 2002  
June 30, 2003  
December 31, 2003

6.4. A report on the performance of the tasks should be submitted to the group for organization, coordination and control within one month after expiration of the relevant time limit, as laid down in the programme.

Under the responsibility of: The Minister of Public Administration  
The Ministers  
Time limit: Regularly

6.5. The ministries and administrations should present to the group for organization, coordination and control the relevant bills of quantities for the required financial procurement and for any additional- funds necessary, as well as proposals for the procurement thereof.

Under the responsibility of: The Ministers  
Time limit: January 31, 2002

6.6. Separate financing should be provided for each individual task. The financial bills of quantities should be based on the use of funds from the current budgets allocated to the ministries and administrations, the funds provided under programmes of the European Union, as well as aids from various international organizations.

Under the responsibility of: The Ministers  
Time limit: January 31, 2002

---