

INTEGRATED STRATEGY TO PREVENT AND COUNTER CORRUPTION AND ORGANISED CRIME

Recognizing that a new public consensus is needed to prevent and radically counter corruption and organized crime and to consolidate the society, businesses, trade unions, NGOs and media around the national priorities, the Government declares that it is determined to take a firm and systemic action against these negative practices.

The crime schemes and corruption practices are intolerable as a major or parallel source of income, mentality and conduct in society. Corruption and organized crime, apart from being detrimental to the economy, discredit the democratic institutions of the State. Corruption and organized crime constitute a threat to the security of the individual and to property; they impede democratic processes and free competition and Bulgaria's beneficial membership in the European Union.

All forms of corruption, particularly the abuse of power for personal or corporate gain, harm the normal operation of the State, damage the efficiency of the redistribution functions of the State, make inferior the quality of public services, violate the principles of social justice and curtail the rights of citizens.

Alongside, organized crime structures increasingly coordinate their efforts to amass capital and exercise influence by diverse corruption practices. The activities related to economic crimes, production of and trafficking in narcotic drugs, trafficking in and exploitation of human beings, counterfeiting and distribution of counterfeit banknotes and documents, cybercrimes, money laundering and terrorism are among the major threats to the security of citizens and to the democratic foundation of society.

Corruption and organized crime escalated in parallel to the political and socio-economic changes related to the transformation of property from the Government to private entities, the transition from a centrally planned to a free market economy while the law-enforcing bodies became increasingly weaker. Frequently the transformation of property was not transparent and not subject to clear rules and in disregard of public interest. Legislation was not timely harmonized to the new social relations nor was it consistently and efficiently enforced, allowing certain individuals and groups to take advantage and illicitly accumulate wealth. Bulgaria fell into an economic, financial and social crisis which was paralleled by replacement of individual and social values. Disregard for State property that had persisted for years gave way to apathy to statehood in general. While the members of society developed a passive disagreement with corruption and organized crime, they were prone to tolerate corrupt practices when they stood to gain from them. These phenomena proliferated due to the high level of tolerance to them which in turn caused problems in state governance and mistrust in the country on the part of European partners.

The absence of consistent political will largely determined the unsatisfactory results in countering corruption and organized crime. Strategy papers were drafted in recent years and certain measures were taken. An effort was made to strengthen the coordination, interaction and teamwork principle and to enhance the efficiency of joint actions. Nonetheless, Bulgaria did not make a tangible progress in fighting these negative practices.

The Government highlights prevention of and counteraction to corruption and organized crime as a top priority. It declared its will, force and ambition to create conditions that would clean the soil on which they feed and regain it for the Bulgarian society.

To meet commitments made the Government is guided by the underlying principles of the Rule of Law and good governance policy – responsibility, transparency, accountability, timeliness, efficiency, cooperation and

coordination between the institutions of the Legislature, the Executive and the Judiciary.

The resolute and effective fight against these two phenomena calls for a complex and consistent governance approach that will mobilize the entire power resource of the State and use all methods and mechanisms of prevention and counteraction – regulatory, administrative, controlling and penal.

A priority policy to implement the strategy is to build long-term cooperation between the Government institutions, civil society, media and businesses.

This Strategy states the objectives, outlines the sub-objectives and sets the lines of how to minimize corruption and organized crime at all levels of government, local administration and businesses and is in tune with the Bulgarian people's desire to live in a safe environment free of crime.

The purpose of the Strategy is to make Bulgarian citizens confident in the rule of law and statehood and European partners and foreign investors confident in Bulgaria through determined, systemic, consistent, decisive and professional actions in all sectors of government so as:

- To prevent high level and local level corruption practices and sever the knot of organized crime, political parties and authorities;
- To achieve tangible results in the fight against widespread corruption practices that harm citizens, impede businesses and undermine statehood;
- To curb organized crime, to prosecute effectively and to forfeit criminal assets;
- To make Bulgaria a reliable partner in the implementation of the policies of freedom, security and justice and a partner that has an input to the protection of the European Union's financial interests;
- To overcome the moral and behavioral crisis in the country, to build confidence and advance values like integrity, morality and solidarity and

to foster a sustainable system of values in society and zero tolerance to corruption and crime.

Prevention is the main tool to counter corruption. Prevention stands for a limitation of the factors that generate corruption and for a clear and uncompromising position on the part of each citizen in fighting corruption, especially the common daily cases. Government institutions, NGOs, media and businesses must employ the full range of prevention tools: from broad discussion to deterrence of individual from corruption practices and persuasion to readily report corruption practices and crimes.

Along with that, it is particularly important for the information about law enforcement operations in specific cases to be provided to the public while striking the balance between transparency and strict protection of confidentiality of investigations. Confidentiality ensures the effectiveness of criminal justice, the safety of active participants in criminal proceedings and guarantees the security and comfort of persons who have the civic courage to report crimes.

Prevention aspects of fight against organized crime require systematic proactive collection and analyses of preliminary information about ongoing preparation of crimes and creation of conditions that will hinder and curb the actions of organized criminal groups.

To achieve the stated objective and sub-objective goals the Strategy sets the following legislative, administrative and organizational actions and international cooperation activities:

Sound and coherent legislation in tune with the objective social practices, international law standards and best practices. Amendments to the legislation must be preceded by an analysis and evaluation of the existing legislation and identification of loopholes that allow for actions detrimental to the State and public interest.

High level of transparency of government and enhanced civil control. Increased transparency in public services delivery, management and disposal of state and

municipal property, public procurement, concessions, EU funds management and absorption. Transparent appointments of officials and strict observation of clearly defined rules of professional conduct, performance appraisal and career development.

Full transparency of the financing of political parties and election campaigns.

Formulation of a new penal policy, accelerating reform of criminal justice, fast, efficient and transparent trials to guarantee the safety of citizens and the protection of European public order.

An efficient system of institutions in place to implement the policy of the State to prevent and counter corruption and organized crime. Stronger cooperation and improved coordination. Continuing training and retraining for civil servants.

Improved efficiency of the operation of control bodies at central and local level and stronger interaction between them and law-enforcement bodies. Generation of conditions to ensure the objectivity, impartiality and high level of professionalism of the work of specialized control bodies within the Executive.

Excellent management of information resources and an integrated approach to IT support. Adjustment of the national information systems to the general standards to ensure integration and compatibility with European databases.

Curbing the possibility for illicit gain and legalizing assets of crime and for financing crime in order to weaken and discourage organized criminal groups.

Improvement of the legal framework to ensure timely identification, tracing, freezing and forfeiture of assets of crime.

Improved mechanisms for cooperation with law-enforcement bodies of our foreign partners for the purpose of efficient exchange of information and joint operations. Encouragement of bilateral, regional and international initiatives aimed to counter transnational organized crime and corruption.

Inculcation of strong attitudes and civic courage to minimize tolerance to corruption and organized crime with the help of education policies and public awareness campaigns.

The integrated strategy to prevent corruption and organized crime and the activities implementing the strategy are a key element of the national policy to guarantee public order and to protect the rights of citizens.

Possible risks in the Strategy implementation: incoherence or vacillation in tasks fulfillment; absence of optimal organization and interaction; apathetic civil society; financial shortages and deficiency of equipment; insufficient administrative capacity; internal resistance by corruption-ridden administrations; inconsistencies in the legislation and frequent reorganization of law-enforcement bodies.

Addressing the risks to the Strategy implementation is the obligation of the entire society, but first and foremost of the authorities and officials.

The achievement depends on the will of each citizen and on the Government institutions acting in compliance with the Bulgarian legislation, the European legal standards and the Universal Declaration of Human Rights. The implementation of the Strategy demonstrates commitment to promote values like freedom, security and justice in the Bulgarian society.