



**Konrad Adenauer Foundation
Rule of Law Program South East Europe**

Executive Summary of the Project

Name of applying entity:	Justice Development Foundation
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Project title:	RULE OF LAW IN RESPONSE TO ECONOMIC AND FINANCIAL CRIME
(Provisional) date of the project/Duration:	January-December 2013 (12 months)
(Provisional) Location:	Bulgaria
The specific project objectives:	Goal: Improvement of the knowledge and integrity capacity of the Bulgarian judiciary to enforce rule of law and resist corruption in its response to economic and financial crime. Objectives: 1. Identification of regulative gaps allowing forms of economic and financial crime to develop unrecognized as illegal by judiciary 2. Strengthening judicial recognition of and responsiveness to economic and financial crime 3. Enhancement of the public recognition of criminal businesses and intolerance towards their practicing
Target Group	- Members of professional communities administering justice (judges, prosecutors, investigators, investigating police officers) - Members of the Legislative and their expert teams - Members of academia and legal practice involved in legal education - Investigating journalists and researchers - Civil society as a whole
Project description (summary):	The project aims to contribute to the corruption resistance and rule-of-law enforcement capacity of the Bulgarian judiciary by strengthening its capacity to recognize and respond to financial and economic crime. To that end the project strives to identify the regulative gaps and faults which allow such crime to run disguised as a legal business practice. The project will also improve both the professional qualification and skills of judiciary agents to investigate, prosecute and penalize financial and economic crime and the public intolerance against it. To fulfil these objectives the project team will conduct: 1. A comprehensive multidisciplinary study of the relevant civil, commercial, administrative and criminal law which has been enforced since 2004 and the relevant criminal case law focused especially on interpretative judicial acts and procedures terminated on no-crime and no-evidence grounds or which have been initiated on economic and financial crime statements but end with minor crime convictions. Thus the study will demonstrate legal gaps and law-practice failures in judiciary response to economic and financial criminal acts as well as the impact of judiciary failures on financial and economic crime development (patterns, trends and dynamics). The study will be supplemented by a comparative research on the legislative responses to similar and international economic crime in neighbour and EU states and

on the relevant issues of international cooperation on criminal cases. Crucial issues will be further targeted by a minimum of 4 in-depth analyses focusing on specific topics. Additionally, media publications and police, prosecution and court statistical reports on financial and economic crime will be analysed. The study will outline recommendations for improvement of legislation, negative and best judiciary and international-cooperation practices, the training needs of the judiciary-related target groups, as well as detailed description of criminal practices and mechanisms for their escaping justice. The case collection will be developed in an electronic data-base appendix to the study main text. This activity is conducted as a preliminary step to the basic project activities:

2. Capacity-building activities: a training methodology will be developed based on training needs of judiciary-related target groups. The needs will be established via questionnaire-based research according to a methodology traditionally used by the JDF. The training methodology will be tested in two pilot trainings on focus target subgroups (a total of 40 criminal judges and 40 prosecutors of the 5 appellate regions specialized in cases related to economic and financial crime). Participants' feedback and a post-training monitoring of participants' professional performance will be used to finalise the methodology for future implementation in the National Institute of Justice and specialized trainings of judges and prosecutors.

3. Publicity activities:

- the final study report will be published as an on-line book in Bulgarian and English with French and German summaries and will be available via web-pages of JDF, its partners and representatives of target groups;

- the final study report will be published in Bulgarian as a hard-copy book and distributed among all target groups and relevant educational institutions;

- a minimum of 4 in-depth analyses will be published in legal periodicals popular among the target groups and general media;

- study outcomes will be discussed among the target groups at a national conference and base its conclusive recommendations to state institutions.