

Data Sheet

USAID Mission:	Bulgaria
Program Title:	Rule of Law
Pillar:	Democracy, Conflict and Humanitarian Assistance
Strategic Objective:	183-0220
Proposed FY 2004 Obligation:	\$5,844,000 AEEB
Prior Year Unobligated:	\$1,000,000 AEEB
Proposed FY 2005 Obligation:	\$7,050,000 AEEB
Year of Initial Obligation:	1999
Year of Final Obligation:	FY 2007

Summary: Rule of Law is the centerpiece of USAID assistance to Bulgaria and includes: justice sector reform, anti-corruption efforts, and anti-trafficking activities. USAID's program includes training, technical assistance, grants, and information technology (IT) equipment to: improve court administration and case management; improve legal professionalism of magistrates, court staff, and private attorneys; implement legal and policy reform; strengthen the GOB's institutional capacity to prevent corruption and enhance transparency and accountability, especially in government auditing, internal controls, and public procurement; and reduce human trafficking.

Inputs, Outputs, Activities:

FY 2004 Program:

Judicial Reform (\$2,714,000 AEEB, \$800,000 AEEB carryover). A new award will be competed that builds on previous activities with proven impact and on recently identified needs. The new Judicial Strengthening Initiative (JSI) will improve court administration and the capacity of magistrates and court staff, and will promote drafting and implementation of laws and regulations that support effective rule of law. The 11 Model Courts (MCs) identified as major partners will serve as the primary implementing mechanisms to achieve results in court administration. The Courts in Partnership (CIP) initiative launched in 2003 will continue. The CIP pairs each MC with a "sister court" to share best practices, and expand the development of the judicial system. IT will constitute an important component of court administration, especially as the European Union's (EU) IT court administration project is significantly behind schedule. To improve the magistrate capacity, USAID will continue to support the newly established National Justice Institute (NJI), which builds upon the Magistrates Training Center, a private NGO created with USAID assistance. The NJI will offer an increased number of comprehensive courses to target not only court administrative staff, but also prosecutors and judges for continuing education.

Thus far, assistance to the Supreme Judicial Council (SJC) has been limited. In light of the fact that in December 2003 the Parliament and the judiciary appointed an entirely new SJC board, it is now critical that USAID respond with a broad array of technical assistance and training to enable the SJC to undertake court administration functions, including: court budgeting, judicial discipline, merit selection and promotion of judges and court staff, and developing judicial policy. An effective SJC will ensure sustainability and replicability of the judicial reforms developed in the MCs and CIP. The passage of the constitutional amendments necessitates greater emphasis on legal and policy reform issues pertaining to the judiciary. This includes amendments to the Judicial System Act and subsequent implementing regulations, amendments to the Procedure Codes to streamline case processing, and a Judicial Ethics Code. Technical assistance for legal/policy reform will increase significantly by opening a grant window to support legal professional associations, legal advocacy NGOs, and think tanks. Principal contractor: East West Management Institute (prime).

Attorneys Professional Development (\$780,000 AEEB). USAID redesigned the activity in the summer of 2003 to focus on fewer tasks in areas of comparative advantage. USAID identified successful pilot projects and charged the partner with replicating them - primarily in MC and CIP locations. Six Local Bar

Councils and three to four legal clinics will receive assistance. Alternative Dispute Resolution (ADR) will be introduced in targeted MCs and CIP. The Judicial Reform Index (JRI) will be conducted for the second time and the Legal Profession Reform Index (LPRI) will be conducted for the first time. Principal contractor: ABA/CEELI (prime).

Anti-corruption Program (\$2,150,000 AEEB). Within the Open Government Initiative, USAID will continue to provide technical assistance and support to the GOB's Anti-corruption Commission, the National Audit Office, the Public Internal Financial Control Agency, the Public Procurement Directorate, and four Inspectorates. Efforts to elaborate and implement secondary legislation, standard tender documents, and guidelines for public procurement will continue. After the establishment of the new entity that will handle public procurement, USAID will increase assistance for procurement. The work with targeted municipalities on internal controls and procurement will conclude in FY 2004. USAID will reassess its anti-corruption scope of work to define future priorities. Principal contractor: DPK Consulting (prime), Coalition 2000 (sub).

Human Trafficking (\$200,000 AEEB, \$200,000 AEEB carryover). In FY 2004, USAID will continue its program for combating human trafficking. In accordance with new legislation, GOB agencies and NGOs responsible for anti-trafficking will receive technical assistance and training. Principal contractor: IOM (prime).

FY 2005 Program:

Judicial Strengthening Initiative (\$4,000,000 AEEB). USAID will continue and significantly expand this program to at least 10 more courts. Grant support will increase, especially to legal professional organizations. The legal and policy reform component will further increase in light of the parliamentary elections, since judicial reform is a popular issue for Members of Parliament to champion. The NJI curriculum and trainers will continue to be developed. Principal contractor: same as above.

Attorneys Professional Development Initiative (\$700,000 AEEB). All of USAID's program tasks identified in 2004 will continue, except the JRI and LPRI. ADR will be introduced in additional MCs and CIP and an additional two to three legal clinics will receive assistance. The number of hours of continuing legal education will increase. Principal contractor: same as above.

Anti-corruption program (\$2,150,000 AEEB). USAID will continue to provide technical assistance and training to the Anti-corruption Commission with increased assistance to the inspectorates. Principal contractor: same as above.

Human Trafficking (\$200,000 AEEB). USAID will continue its program for combating human trafficking. In accordance with new legislation, GOB agencies and NGOs responsible for anti-trafficking will receive technical assistance and training. Principal contractor: same as above.

Performance and Results: USAID was the first donor to target corruption issues and the deficiencies of the Bulgarian justice system. U.S. technical assistance and training has leveraged assistance by multinational donors, particularly the EU, fostering justice-sector reform and creating replicable model institutions. Significant achievements include constitutional amendments pertaining to the judiciary, the establishment of the National Justice Institute to train magistrates, and the adoption of the electronic case management system. USAID's anti-corruption program resulted in decreased tolerance by the Bulgarian public for corrupt practices. USAID significantly expanded its program to strengthen GOB's institutional capacity to prevent corruption and enhance transparency and accountability. Watch-dog NGOs received grant support to uncover problems with public procurement, government contracts, and municipal property management. By the end of its assistance, USAID expects that Bulgarians will increasingly trust their judicial system and government. Courts will apply laws in a fair and timely manner due to the improved professionalism of magistrates trained by the NJI, and the use of the automated court case management system. Public perception of corruption will decrease as a result of the enactment and enforcement of transparent public procurement law and procedures and the establishment of effective internal control mechanisms in government institutions.