

*Summer school for junior magistrates from South-
Eastern Europe*

Sunny Beach, Bulgaria, June 6-11, 2011

**Description of the functioning of the
Prosecutor`s Office of the Republic of
Bulgaria with focus on the recent
changes regarding the EU accession
process. Presentation on activities
related to asset recovery and
corruption + practical cases**

I. WHAT KIND OF ORGANIZATION IS THE BULGARIAN PROSECUTION (PROSECUTOR'S OFFICE)?

1. History and Tradition.

- Under the Tarnovo Constitution
1879-1947
- Socialist period 1947-1989
- Heritage

1. WHAT KIND OF ORGANIZATION IS THE BULGARIAN PROSECUTION (PROSECUTOR'S OFFICE)?

2. Contemporary constitutional and legal framework

- Where does the Prosecution belong?
- Structure and links
- Tasks
 - a) Why do we act as a legal advisor of the State?
 - b) What type of organization is needed?
 - c) Some important provisions.

II. WHAT ARE THE CHALLENGES FOR THE BULGARIAN PROSECUTION (Prosecutor`s Office) SINCE JOINING THE EU?

1. General remarks

- Whom do we owe better performance?
- The paradox with the trust.
- What are the messages about the need of change towards the prosecution?
 - a) internal
 - b) external

II. WHAT ARE THE CHALLENGES FOR THE BULGARIAN PROSECUTION (Prosecutor`s Office) SINCE JOINING THE EU?

2. Recent challenges

- *Specialization;*
- *International and European cooperation;*
- *Speed of the criminal procedure ;*
- *The ability to concentrate;*
- *Internal cooperation*

*III. WHAT HAS BEEN DONE IN THE ACCESSION-
PROCESS IN ORDER TO MEET THESE CHALLENGES.*

1. Specialization

- On horizontal level
- On top level
- Specialized Jurisdiction

*III. WHAT HAS BEEN DONE IN THE ACCESSION-
PROCESS IN ORDER TO MEET THESE CHALLENGES*

**2. *International and European
cooperation***

- Crucial moments
- The consequence of EAW and Convention 2000
- The Bulgarian approach
- The outcome

*III. WHAT HAS BEEN DONE IN THE ACCESSION-
PROCESS IN ORDER TO MEET THESE CHALLENGES*

3. *Speed of the criminal procedure and cooperation with the investigating police – legislative approach*

- The Court phase
- The pre-trial phase
- The pressure on the prosecution

*III. WHAT HAS BEEN DONE IN THE ACCESSION-
PROCESS IN ORDER TO MEET THESE CHALLENGES*

4. The ability to concentrate on the
most important cases

- The legality principle
 - Distribution of the work-load
 - The instruction for methodological support
- ` 2011

*III. WHAT HAS BEEN DONE IN THE ACCESSION-
PROCESS IN ORDER TO MEET THESE CHALLENGES*

*5. The cooperation with other
authorities from the executive branch*

- Traditions to overcome
- Preliminary Checks Instruction
- Methodology for interaction` 2011

*IV. CORRUPTION AND ASSET RECOVERY –
CROSSING POINT*

- 1. Crossing point of all the above mentioned challenges**
- 2. Legislative and practical problems**
- 3. Interaction with the specialized administration**
 - Seizure of property in the criminal procedure
 - Development of the administrative procedure, cooperation.

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THANK YOU !!!

Sava Petrov

+359 9219 623

+ 359 888 722 886

petrov_sava@abv.bg