



INCREASE OF THE CONTROL AND THE RESPECT OF THE RULES SET OUT IN THE LEGISLATION PROTECTING THE ENVIRONMENT AND RISK MANAGEMENT



Since its accession to the EU in 2007, challenges related to environmental crime in Bulgaria have been left aside to a large extent. Although the national legislation in this domain is fully harmonized with all European norms, the respective laws are often not enforced in practice due to the limited capacity of prosecutors in cases related to environmental crimes. Alongside with the EU and national strategy, the increase of the capacities of the prosecutors to investigate and handle crimes against the environment shall both support the fight against organized crime and help in the long term to improve the living conditions in Bulgaria and the neighboring countries.

Dealing with environmental issues is a serious and difficult task for law-enforcement units within the EU. Bulgarian Prosecution is no exception to the general trend of recognition of the need to improve its results in the area of combating environmental crime. The lack of working methodology and

broader knowledge of up-to-date practices are among the main obstacles faced by the prosecutors.

Official information from the report of the Prosecutors Office for the period 2009-2010 shows that the total number of the initiated investigations in 2009 sums up to 139.894. Only 24 of these investigations concerned crimes affecting the environment, 11 concerned issues of biodiversity and 10 were related to other crimes associated with harm on the environment. Out of these 45 investigations, only 5 were successfully finished and brought before court. In 2011, only one person was sentenced for an environmental crime in Bulgaria.

Increasing the control and the respect of the rules set out in the legislation protecting the environment and the risk management will contribute to the improvement of the Bulgarian environmental security. The legislation and risk management measurements will reduce environmental crimes such as water, soil and air pollution; poaching; violation of biodiversity and abuse of protected areas. Consequently, this will increase the environmental protection not only in Bulgaria but also in its neighbouring countries.

OBJECTIVE OF THE SWISS SUPPORT

The overall goal of the project is to increase the compliance with environment protection regulations and to ensure efficient prosecution of environmental crime through:

- Increase of the capacity of the Association of Prosecutors of Bulgaria (APB) by providing training, legislative initiatives and information to members in the field of environmental crime as well as strengthened organizational structure;
- Setting up a network of trained, well-informed and prepared prosecutors from APB in the field of investigation and prosecution of environmental crimes and consequently increase the public awareness for the work of prosecutors in the field of environmental protection.

RESULTS AND OUTCOMES

The results of the project include:

- Established online database of EU, national and international best practices;
- Elaborated Manual on tackling and prosecution of environmental crimes;
- Established national network of 60 prosecutors trained, well-informed and prepared on investigation and prosecution of environmental crime;
- Established partnerships with other non-governmental organizations in the environmental protection sector;
- Set up operational expert group of 8 expert prosecutors and Committee on the matters of environmental crime;
- Association of Prosecutors of Bulgaria (APB) equipped as a centre of expertise in environment protection including a strategy for its future development;
- Elaborated proposal for legislative amendments in the field of environmental crime;
- International recognition of the project's efforts by the European Commission in its EU Environmental Implementation Review Country Report;
- Membership of APB in the European Network of Prosecutors for the environment.

ACTIVITIES

In order to reach the project objectives, the following implementation activities have been carried out:

- Constitute a working group of 3 associate professors, 5 experts and 8 prosecutors to conduct research, analysis and evaluation in the field of environmental crimes;
- Organize of a roundtable meeting of 6 members of the expert working group and a press conference to present the project with up to 10 representatives of environmental NGOs;
- Conduct 4 trainings of prosecutors to increase their awareness and professional capacity in tackling environmental crime cases;
- Elaborate and update a database of EU, national and international best practices;
- Draft a manual with guidelines for prosecutors on matters tackling environmental crime;
- Capacity building of the APB and support equipment of the APB office.

KEY INFORMATION ON THE PROJECT

FOCUS AREA

Environment and prosecution of criminal cases

COUNTRY

Bulgaria

GOALS

Efficient prosecution of environmental crime;
Increased compliance with environment protection regulations;

EXPECTED RESULTS

Online Database of national and international best practices;
Trained prosecutors in matters of combating environmental crime;

TARGET GROUP

- Bulgarian prosecutors

EXECUTING AGENCY

Association of Prosecutors in Bulgaria (APB)

BUDGET

CHF 193'333
(Swiss contribution CHF 174'000)

DURATION

2012-2016

CONTACTS

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For further details on the Swiss-Bulgarian Cooperation Programme, please visit:
<http://www.swiss-contribution.bg/>

