

## MODERNIZATION OF THE PRE-TRIAL PHASE OF CRIMINAL PROCEEDINGS

*Margarit Ganev*<sup>25</sup>

The issue of the pre-trial phase of the criminal process has become a major focus of Bulgaria's public agenda due to its key importance to the country's successful integration into the European Union. Its fundamentality is recognized by our European partners and the Bulgarian institutions directly involved with the problem alike since society critically needs reform in this sphere. The non-governmental sector plays a key role in the discussion of improving the pre-trial phase of the criminal process.

The Ministry of Justice has set clear goals concerning the improvement of the pre-trial phase of criminal proceedings and works actively to implement them. In order to achieve a broad public consensus and formulate the basic reform principles in this field, in December 2004 the ministry adopted a National Concept for the Reform in the Criminal Proceedings in the Republic of Bulgaria. Shortly after that, in recognition of their agreement on the basic priorities, Bulgaria's Prosecutor General Mr. Nikola Filchev, the National Investigation Service Director Mr. Angel Alexandrov and the Minister of Justice Mr. Anton Stankov signed a Joint Declaration on Cooperation in Reforming Criminal Justice. The declaration and the principles employed by the ministry in its work on key legislation in the area are a demonstration of our willingness to achieve consensus over the forthcoming reforms. One such leading principle is to seek the contribution of practicing magistrates in the process of implementing the reform since only through such cooperation and sharing of views the reform can be brought to yield its effects.

It is a fact that all parties recognize the public need for modernizing pre-trial criminal proceedings. This need is emphasized in all EU recommendations to our country as a future member. The modernization of the Bulgarian judiciary is closely monitored and our EU partners regularly share their findings and recommendations. The report of the European Parliament's Committee on Foreign Affairs clearly articulates the problem areas in the section devoted to political criteria. It places special focus on the pre-trial phase of the judicial process and the office of the Prosecutor General which is to be developed so as to ensure the transparent, accountable and efficient running of the investigation services and the prosecution offices. Another recommendation concerns the establishment of a reliable mechanism for the dismissal of corrupt and incompetent magistrates. The report also expresses regrets that the criminal justice reform planned to include a fundamentally amended Criminal Procedure Code cannot be accomplished under the current parliament. The rapporteur for Bulgaria calls for further efforts to follow the promising results already achieved with regard to these issues.

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<sup>25</sup> Mr. Margarit Ganev is Deputy Minister of Justice of Bulgaria. He holds an MA in Law and JSD from Sofia University *St. Kliment Ohridski*. Mr. Ganev teaches International Public Law, Diplomatic and Consular Law, International Organizations and International Humanitarian Law at Bourgas Free University. He has worked as Research Associate at the Institute for Legal Studies at the Bulgarian Academy of Science and was Deputy Dean of the Department of Law at Bourgas Free University. Since 2002 Mr. Ganev is Member of the International Criminal Court Committee at the World Association of Criminal Law. He is also Member of the Permanent International Court of Arbitration in the Hague.