

STANDARD PROJECT FICHE

1. Basic Information

1.1 CRIS Number (Year 2): **BG 2005/017-353.07.03**

1.2 Title: **Streamlining the Penitentiary System in Bulgaria**
Two Twinning Contracts BG/04/IB/JH/xx and BG/04/IB/JH/yy

1.3 Sector: Justice and Home Affairs
Sub-Sector: Judicial Reform

1.4 Location: Republic of Bulgaria

1.5 Duration: Multi-annual 2004-2006
2004/Phase 1: Twinning and Technical Assistance
2005/Phase 2: Investment
2006/Phase 3: Investment

2. Objectives

2.1 Overall Objectives:

- To contribute to the preparation process of Bulgaria for membership in the European Union regarding the political criteria and the ability to assume the forthcoming obligations
- To contribute to the successful reform of the Bulgarian Judiciary and to combatting crime

2.2 Project purpose:

Constructive and flexible law enforcement and execution of penalties within the Bulgarian judicial system

2.3 Accession Partnership (AP) and NPAA priority (and implementing measures envisaged by the Action Plan for AP priorities related to strengthening administrative and judicial capacity):

2003 Accession Partnership

Political Criteria in the sphere of democracy and the rule of law

Public Administration: Give more attention when the EC *acquis* is transposed, to how this can be implemented and enforced, including in the court system, at national, regional and local levels, in a way appropriate to the situation in Bulgaria.

Judicial system: Take steps to continue the reform of the judicial system including to continue to implement the National Reform Strategy for the Bulgarian Judicial System and Action Plan and adopt implementing legislation in line with EU practices.

Action Plan for Strengthening Administrative and Judicial Capacity

Obligation of Bulgaria: Entering into force the measures laid down in the Action Plan for Implementation of the Strategy for Reform of the Bulgarian Judiciary with emphasis on the short and medium term priorities /start 01.01.2002, end - 31.12.2006/.

National Programme for the Adoption of the Acquis

Structures for the adoption of the Acquis / Institutional building

The capacity of the Bulgarian administration stays weak. The intergovernmental cooperation often appears weak.

2.4 Contribution to National Development Plan (and/or Structural Funds Development Plan/SDP):

Not Applicable

2.5 Cross Border Impact:

Not Applicable

3. Description

3.1 Background and justification:

The political and social-economic changes in the country raised the necessity of a new system of execution of penalties.

The improvement of the conditions in the places for deprivation of liberty is one of the main tasks concerning the 'Execution of Penalties' General Directorate. On 09.09.2002, a new Entrance Section of the Prison of the city of Sofia was opened and it has functioned since then. The accommodation premises of the newly coming were equipped in accordance with the European standards.

The term of stay of the newly coming deprived from liberty is from 14 days to one month. The main task during the stay of the imprisoned in the Entrance Section are the assessment of risk and anti-criminogenic needs of the sentenced. In that way the initial information is gathered, analysed and summed up. Those data are used for planning the work with each imprisoned.

In the Prison of the city of Sofia was built a new kitchen sector with modern equipment which responds entirely to all sanitary and hygienic requirements. Of the same prison were constructed and have functioned since then the prison hostel and the school in Kremikovtsi.

On 12.12.2002 new prison hostel was constructed of the prison of the town of Bourgas. Such ones in the towns of Pleven and Bobovdol have just been opened too. These institutions fulfil modern requirements and international standards and they are in continuation of the tendency to widen the circle of the sentenced persons who have been taken out of the buildings of the places for deprivation of liberty and who have been accommodated in transitory prison hostels with a semi-free regime.

In order to create better material living conditions 'Kazichene' prison hostel of the Prison of the city of Sofia and 'Sliven' prison hostel of the prison of the town of Sliven are entirely reconstructed and redecorated.

The persons deprived of liberty are treated basically in the stationeries of health centres – hospitals within the places of imprisonment, and when it is necessary for them to be sent to outside medical centres, they have the same rights as the other citizens of Bulgaria, and they are equally insured from the National Health Insurance Fund by the State Budget.

With the purpose of putting the medical service and the medical institutions in the places for detention of liberty in compliance with the carried out health reform and introducing the European standards for medical service of the civil population a Draft Ordinance was drawn up and entered for consideration in the Council of Ministers. After its adoption specific internal rules are to be developed for the medical centres in the system of the 'Execution of Penalties' General Directorate within the Ministry of Justice according to the recommendations stated in the last report dated April 2002 of the Delegation of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of Deprived from Liberty (CPT), Council of Europe.

Moreover, the Rules of Procedure of the State Enterprise Fund 'Prisons' were adopted through Decree No. 106/13.05.2003 of the Council of Ministers. The state enterprise is established by the Law on Execution of Penalties. The managing bodies of the state enterprise are the Minister of Justice, the Managing Board and the Executive Director. Its structure comprises a Head office and territorial divisions. Fund 'Prisons' addresses the labour employment of the persons deprived of liberty. The re-socialization is a priority in front of the achievement of economic and financial results.

Regarding the statute of penitentiary staff the situation in Bulgaria is completely in line with the EU practices. As of 1999 the managerial staff as well as the one in education and production economic units including doctors, social workers, teachers, jurists, psychologists, psychiatrists, engineers, economists, organizers of production are demilitarized. With a military status are only the control and security guard staff in the penitentiary places.

The probation in Bulgaria in the last few years is becoming a very important constraint of the judicial matters and needs strengthening as a part of the Judiciary Reform. Concrete data reveals that the penalty imprisonments have not been modified by type and way of execution since 1968. Up to that moment in Bulgaria there have been adopted 20 laws for amending and supplementing the Penal Code as however they concern imprisonment or its extent. The practice proves that the extent of the penalty does not lead itself to successful achievement of the penalty goal and does not guarantee the positive re-socialization of the convicted.

The abovementioned outlines that the establishment of a probation system in Bulgaria shall contribute significantly to the constructive execution of penalties and the raised effectiveness of the penalty politics and practice. Relevant practice is already performed in Bulgaria – there are several probation centres functioning in the country and respective practices are being aprobed.

Nowadays the probation matter is laid and relates to two acts - the Penal Code and the Law on Execution of Penalties. The texts are amended or going to be amended in order to build a proper legal ground for successful functioning of the probation system in Bulgaria. A specialized Law on Probation is under elaboration.

The easy start of the probation activities in Bulgaria strongly depends on preliminary provision of relevant structures and mechanisms for their cooperation with other state agencies as well as on additional prerequisites like modern office equipment and forming of positive public opinion regarding the execution of probation measures.

Hence, the present project envisages activities that comprise preparation of the legal basis and the structures needed for the functioning of the probation system, enforcement of effective working process and conducting of relevant training. Involvement of civil society regarding the strategic moments in project implementation as well as close mutual cooperation with the established probation centres in the country are provided.

In its heart the project aims at attaining constructive and flexible law enforcement and execution of penalties within the Bulgarian judicial system.

The main normative regulator of the penitentiary system in Bulgaria is the Law on Execution of Penalties. The statute of the penitentiary staff is set in the LEP and in the Law of Ministry of Interior and Law on Administration. Regarding the persons deprived of liberty the regulations are the LEP, the Penal and the Penal Procedures Code. The legal framework of the penitentiary system of Bulgaria has been subject of three inspections from the Council of Europe, Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of Deprived from Liberty – in 1995, 1999 and 2002. In the reports the penitentiary system is cited as praiseworthy. It is emphasized that the legal framework is adequate, envisaging Law amending and supplementing the LEP in 2002, and is in compliance with the European standards for treating persons deprived of liberty. Recommendations for improvement of material basis are given.

The line of the project is guided by the recommendations of the European Commission cited in the Regular Report on Bulgaria's Progress towards Accession as well as by the strategic directions, pointed out in the Roadmap. With regards to the administrative and judicial capacity, the judiciary and Chapter 24 "Justice and Home Affairs" the EU papers recommend acceleration of the reform in Bulgarian judiciary and in particular regarding the judicial capacity needed for its implementation. The national strategic documents in the field of judiciary and combatting crime were cited as sources of guidelines to follow.

General principle of the Strategy for Reform of the Bulgarian Judiciary is establishment of the European standards in jurisdiction and the international legal cooperation. "Harmonization of the Bulgarian legislation with the *Acquis* and the best practices of the EU" is pointed as a main direction of the reform as the elaboration of a new Law on Execution of Penalties is envisaged under a cited sub-objective.

Raising the prevention as a main instrument for limiting the common and specific criminal factors is a main priority cited in the National Strategy for Combatting Crime. Following, tasks pointed are "providing conditions for re-socialization of persons who have served penalty imprisonment, of the criminal contingent, of the juvenile" and "developing a probation system regarding juvenile as well as persons addicted to drugs in cases when the gravity of the offence allows this".

3.2. Sectoral rationale

Not Applicable

3.3. Results:

Results

Component 1. TWINNING - Strengthening the penitentiary system in Bulgaria
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SUB-PROJECT 1. Elaboration of human resources strategy for the penitentiary system in Bulgaria

- Strategy for the human resources working in the penitentiary system elaborated.

Contribution: The staff in the places for deprivation of liberty stabilised and improved, and their professional qualification safeguarded regarding adequate work in high-risky and overloaded penitentiary environment.

SUB-PROJECT 2. Development of the social work in places for deprivation of liberty

- Effective practices for social work towards adaptation and re-socialisation of persons deprived of liberty introduced in the penitentiary system in accordance with the EU standards.

Contribution: Developed programmes, trained staff of places for deprivation of liberty and improved social work towards adaptation and re-socialisation of persons deprived of liberty.

SUB-PROJECT 3. Improvement of work with drug- and alcohol-dependant persons deprived of liberty

- Effective practices for work and treatment of drug- and alcohol-dependent persons deprived of liberty introduced in the penitentiary system in accordance with the EU standards.

Contribution: Developed programmes, trained staff of places for deprivation of liberty and other specialists, multidisciplinary teams and network of specialists set up to work with drug- and alcohol-dependant persons deprived of liberty during and after detention.

SUB-PROJECT 4. Organisation of vocational training in places for deprivation of liberty

- Effective practices for vocational training of persons deprived of liberty introduced in the penitentiary system in accordance with the EU standards.

Contribution: Elaborated individualized socio-educative programmes for various categories of persons deprived of liberty, trained staff of places for deprivation of liberty on socio-educative functions, improved vocational training of persons deprived of liberty.

Component 2. TWINNING - Establishing a probation system in Bulgaria
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SUB-PROJECT 1. Providing a legal basis on establishment of probation system in Bulgaria and its functioning in line with European standards

- Foreign legislation in the field of probation studied
- Positions of different task forces accepted
- A legal ground for functioning of probation system in Bulgaria built in line with European standards

Contribution: The basis for implementing of activities is available and based on a large sustainable informativness of responsible experts

SUB-PROJECT 2. Establishment of a system of state probation bodies in Bulgaria in line with European best practices

- A large set of information on the Bulgarian and European practices in the sphere of probation gathered
- Probation structures on local, regional and central level built
- Methods of work in the framework of probation system prepared
- Scheme for re/socialization of probation persons developed
- Public tolerance regarding the probation persons achieved

Contribution: A structured basis for functioning of probation system is prepared

SUB-PROJECT 3. Recruitment and training of staff in the probation system

- Developed system for initial and on-the-job training of probation system and related staff
- Probation system and related staff trained

Contribution: Administrative capacity for implementing the probation matter provided

Component 3. TECHNICAL ASSISTANCE – Assessment of equipment needs of penitentiary system in Bulgaria

- A comprehensive gaps and needs analysis and identification of the indispensable equipment for ensuring the high level of work of the penitentiary bodies in accordance with the EU standards.

Contribution: Elaboration of neutral technical specifications for the equipment to be tendered under the investment components.

Component 4. INVESTMENT – Equipment support to the penitentiary system in Bulgaria

SUB-PROJECT 1. IT and office equipment for the penitentiary system

- Effective computerized work of the penitentiary bodies in accordance with the EU standards.

Contribution: Creation of a National Database for the Penitentiary system and acceleration and facilitation of the working process in penitentiary system.

SUB-PROJECT 2. Technical equipment for the penitentiary system

- Technically provisioned socio-educative-curative work with persons deprived of liberty in the penitentiary system in accordance with the EU standards.

Contribution: Enhancement of the technical basis for good performance of activities in the penitentiary system.

Objectively Verifiable Indicators

- Set of information /presence/
- Prepared drafts of legal regulations /presence/
- Effectively functioning penitentiary bodies /presence/
- Probation bodies functioning /presence/
- Developed curricula for initial and on-the-job training of penitentiary system and related staff /presence/
- Developed curricula for initial and on-the-job training of probation system and related staff /presence/
- Penitentiary staff trained /number/
- Probation system staff trained /number/
- Public openness regarding the probation procedures /percent/
- Documents elaborated and adopted /presence/
- “Training of trainers” conducted /number/
- Equipment purchased and put in operation /presence/
- Modern techniques provided /presence/

3.4 Activities:

Activities

Component 1. TWINNING – Strengthening the penitentiary system in Bulgaria
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SUB-PROJECT 1. Elaboration of human resources strategy for the penitentiary system

Activity 1.1: Analysis of the current human resources system in the penitentiary system.

Activity 1.2: Study of the stress-generating factors in the respective professional groups.

Activity 1.3: Recommendations for improvement in line with the EU practices regarding identification of risk-generating factors and risk management in the professional activities.

Activity 1.4: Preparation of programmes for prevention of stress and professional failures.

Activity 1.5: Development of materials and methods for recruitment in the penitentiary system.

Activity 1.6: Preparation of a unified strategy for human resources in the penitentiary system and eventual legal proposals.

Activity 1.7: Training of staff in accordance with the new programmes and strategy.

SUB-PROJECT 2. Development of the social work in places for deprivation of liberty

Activity 2.1: Study of the best EU practices for work towards assessment of risk, adaptation and re-socialisation of persons deprived of liberty.

Activity 2.2: Elaboration of programmes for adaptation and re-socialisation of persons deprived of liberty.

Activity 2.3: Development of new criteria, instrumentation and design of psycho-diagnostic examination of persons deprived of liberty.

Activity 2.4: Training of staff in accordance with the new programmes.

SUB-PROJECT 3. Improvement of work with drug- and alcohol-dependant persons deprived of liberty

Activity 3.1: Study of the best EU practices for work with drug- and alcohol-dependant persons deprived of liberty.

Activity 3.2: Development of a concept for work with drug- and alcohol-dependant persons deprived of liberty.

Activity 3.3: Development of a methodology and programmes for medical treatment of drug- and alcohol-dependant persons deprived of liberty.

Activity 3.4: Preparation of programmes for efficient, systematic measures and social care for drug- and alcohol-dependants during the imprisonment.

Activity 3.5: Set up of multidisciplinary teams and network of specialists to work with drug- and alcohol-dependant persons deprived of liberty in post-penitentiary period.

Activity 3.6: Training of staff of places for deprivation of liberty and other specialists for work with drug- and alcohol-dependant persons deprived of liberty during penitentiary and post-penitentiary period.

SUB-PROJECT 4. Organisation of vocational training in places for deprivation of liberty

Activity 4.1: Study of the best EU practices for vocational training in places for deprivation of liberty.

Activity 4.2: Elaboration of a report and evaluation of the socio-educative programmes developed in places for deprivation of liberty in Bulgaria.

Activity 4.3: Drawing up individualized socio-educative programmes for various categories of persons deprived of liberty.

Activity 4.4: Specialized training of trainers – staff of places for deprivation of liberty who execute socio-educative functions.

Component 2. TWINNING - Establishing a probation system in Bulgaria
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SUB-PROJECT 1. Providing a legal basis on establishment of probation system in Bulgaria and its functioning in line with European standards

Activity 1.1: Researching and studying the foreign legislation in the field of probation.

Activity 1.2: Conducting a forum on legislative and practical issues of probation and its application in Bulgaria.

Activity 1.3: Preparing of legal amending and supplementing and/or new acts in the sphere of execution of penalties and probation.

SUB-PROJECT 2. Establishment of a system of state probation bodies in Bulgaria in line with European best practices

Activity 2.1: Researching and studying the Bulgarian experience in the sphere of probation.

Activity 2.2: Researching and studying the foreign experience in the sphere of probation.

Activity 2.3: Elaboration of an organizational structure and staff schedule regarding the probation system.

Activity 2.4: Developing a scheme for mutual cooperation between probation system and related staff.

Activity 2.5: Building a positive public attitude regarding the implementation of probation measures.

SUB-PROJECT 3. Recruitment and training of staff in the probation system

Activity 3.1: Developing of materials and methods for recruitment of probation staff.

Activity 3.2: Training of personnel on recruitment of probation staff.

Activity 3.3: Pilot recruitment of probation staff.

Activity 3.4: Developing curricula for initial training of probation staff.

Activity 3.5: Developing curricula for on-the-job training of probation system related staff.

Activity 3.6: Pilot initial training of probation staff.

Activity 3.7: Pilot on-the-job training of probation system related staff regarding their joint work with probation services.

Component 3. TECHNICAL ASSISTANCE – Assessment of equipment needs of penitentiary system in Bulgaria

Activity 1: Conducting a comprehensive gaps and needs analysis and identification of the indispensable equipment for ensuring the high level of work of the penitentiary bodies in accordance with the EU standards.

Activity 2: Elaboration of neutral technical specifications for the equipment to be tendered under the investment components.

Activity 3: Pilot ‘training of trainers’ on the efficient utilization of the selected types of equipment.

Component 4. INVESTMENT – Equipment support to the penitentiary system in Bulgaria

SUB-PROJECT 1. IT and office equipment for the penitentiary system

Activity 1.1: Tender procedure based on the technical specifications elaborated under Component 3.

Activity 1.2: Supply of hardware and communication equipment.

Activity 1.3: Supply of software including National Database of the Penitentiary System.

Activity 1.4: Supply of the office equipment.

SUB-PROJECT 2. Technical equipment for the penitentiary system

Activity 2.1: Tender procedures based on the technical specifications elaborated under Component 3.

Activity 2.2: Supply of technical equipment supporting the work process in the penitentiary system.

Activity 2.3: Supply of technical equipment for the training of staff and of the persons deprived of liberty.

Means

- Selection of Twinning partner including RTA and other experts
- Elaboration of Twinning Contract
- Signing of Twinning Contract
- Working meetings between Bulgarian and EU short-term experts
- Training seminars
- Study visits in EU Member States
- Study visits in Bulgaria
- Determination of tasks, responsibilities and members
- Selection of the long-term technical adviser
- Training process
- Tender procedure
- Equipment supply and installation

3.5 Linked Activities:

PHARE Programme

PHARE 2003: “Reform of the Civil and Penal Procedures” – it is aimed at development of new Penal Procedural Code and Civil Procedural Code which are to be established through twinning with an EU Member State.

Other donors

United Nations Development Programme: Project BUL/02/008 “Improved Juvenile Justice” (October 2002 - March 2004), Implementing Agency - Ministry of Justice.

Open Society Foundation - Sofia, Legal Programme: Projects for pilot establishment of probation centres and projects for building a positive public image of the alternatives of penalty imprisonment and attaining public support for implementation of probation measures (start 2002).

Republican Institute - Sofia: project on establishing a probation centre in Rousse municipality.

Institute for Modern Social Activities - Sofia: project on establishing a probation centre in the town of Blagoevgrad.

Association for Re-integration of Sentenced Prisoners - Sofia: projects on establishing of probation centres in Rousse and Blagoevgrad.

Centre for the Study of Democracy - Sofia, Judicial Reform Initiative, Legal Programme: Programme for Development of the Reform of the Judiciary (2000).

3.6 Lessons learned:

There is a need for constructive legal basis for developing activities in the penitentiary field.

There is a lack of common system of structures exercising probation and/or related activities as well as of common adequate methods of work, coordination and mutual cooperation.

There is a need to improve the functioning and the organization of the penitentiary system through delivering high quality training to the personnel, methodology, know-how and efficient equipment.

There is a necessity of close collaboration and coordination between the Ministry of Justice and the Central Contracting and Financing Unit within the Ministry of Finance.

Regarding the **penitentiary system** the lessons learned follow the existing system for analysis and report of activities and as a result by running researches and projects.

The lessons learned for the **probation system** are concluded on the basis of studies of experience and practice of six pilot probation centres in district towns established with the support of Open Society Foundation.

The lessons learned **will be used** in this project in the most direct way – they generate its overall objectives and activities.

4. Institutional Framework

Beneficiary institution:

Ministry of Justice

1 Slavyanska Str., Sofia 1040, Bulgaria

Directorate General “Execution of Penalties”

21 Gen.Stoletov Blvd, Sofia 1309, Bulgaria

Project leader:

Deputy Minister of Justice

Director Directorate General "Execution of Penalties"

Project Implementation Unit:

International Legal Cooperation, Eurointegration and International Legal Assistance Directorate,
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5. Detailed Budget

Year 2004/ Phase 1	EU Support			National Co-financing	IFI	TOTAL
In EUR	<i>Investment Support</i>	<i>Institution Building</i>	<i>Total EU (=I+IB)</i>			
Contract 1 Twinning <i>Strengthening the penitentiary system in Bulgaria</i>		800 000	800 000			800 000
Contract 2 Twinning <i>Establishing a probation system in Bulgaria</i>		800 000	800 000			800 000
Contract 3 TA <i>Assessment of equipment needs of penitentiary system in Bulgaria</i>		195 000	195 000			195 000
Total		1 795 000	1 795 000			1 795 000

Year 2005 Phase 2	PHARE/Pre- Accession Instrument support	Co-financing			Total Cost
		National Public Funds (**)	Other Sources (***)	Total Co-financing of Project	
In €M					
Contract 4 Investment IT and office equipment	2.1	0.7		0.7	2.8
Investment support – sub-total	2.1	0.7		0.7	2.8
% of total public fund	75 %	25 %			

In case of parallel co-funding (per exception to the normal rule, see special condition as indicated below: **Not applicable**)

Year 2005 IB support					
Project 1	N/A	N/A	N/A	N/A	N/A
IB support	N/A	N/A	N/A	N/A	N/A

Total project 2005	2,100	0.700	-	0.700	2.800
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(*) contributions from National, Regional, Local, Municipal authorities, FIs loans to public entities, funds from public enterprises.

(**) private funds, FIs loans to private entities.

The national co-financing is provided by the state budget through the National Fund Directorate of the Ministry of Finance in the form of joint co-financing with the PHARE funds. For Twinning the national co-financing is up to 10% of the contracted value.

Year 2006 Phase 3 indicative	PHARE/ Pre- Accession Instrument support	Co-financing			Total Cost
		National Public Funds (*)	Other Sources (**)	Total Co-financing of Project	
€M					
Contract 5 Investment Technical equipment	2.4	0.8		0.8	3.2
Investment support – sub-total	2.4	0.8		0.8	3.2
% of total public fund	max 75 %	min 25 %			

6. Implementation Arrangements

6.1 Implementing Agency

Programme Authorizing Officer is the Secretary General of the Ministry of Finance, Mr. Tencho Popov. Implementing Agency is the Central Financing and Contracting Unit being responsible for tendering, contracting, payments and financial reporting and will be working in close co-operation with the beneficiary.

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Beneficiary institution is the Ministry of Justice, Directorate General “Execution of Penalties”.
Ministry of Justice

1 Slavyanska Str., Sofia 1040, Bulgaria
Directorate General "Execution of Penalties"
21 Gen.Stoletov Blvd, Sofia 1309, Bulgaria

6.2 Twinning

Twining Partner:

The twinning partners have to be well acquainted with the judicial matters and particularly with the execution of penalties. It preferably has to be a state institution working in the field of judiciary.

Resident Twinning Adviser (RTA):

Working place:

Sofia, Ministry of Justice

Responsibility:

Delivering of the abovementioned project results

Position requirements:

- Highly qualified jurist
- Long experience in the judicial system
- Experience in the field of execution of penalties
- Experience in management in the sphere of judicial system will be a plus
- Good knowledge of the Bulgarian judicial system
- Excellent professional managerial and analytical expertise
- Fluency in English
- Computer literacy
- Creativity
- Communicativeness

Other experts:

Responsibility:

Areas not directly covered by the RTA

Tasks:

- Advise in relevant matters
- Methodological support
- Implementation of relevant activities

6.3 Non-standard aspects

The Twinning components are envisaged to the total value of 1 600 000 euro.

6.4 Contracts

<i>Contract 1 (Twining):</i>	<i>800 000 €</i>
<i>Contract 2 (Twining):</i>	<i>800 000 €</i>
<i>Contract 3 (TA):</i>	<i>195 000 €</i>
<i>Contract 4 (Investment):</i>	<i>2 800 000 €</i>
<i>Contract 5 (Investment):</i>	<i>3 200 000 €</i>

7. Implementation Schedule – year/phase 1 & 2

7.1 Start of tendering/call for proposals

Twining

Start of Call for Proposals: 3-4 Q 2004

Elaboration of Twinning Contracts: 4Q 2004 – 1 Q 2005

Technical assistance

Preparation of Terms of Reference: 3-4 Q 2004

Start of Tendering: 4Q 2004

Investment – Contract 4

Start of Tendering: 1 Q 2006

7.2 Start of project activity

2 Q 2005

7.3 Project completion

4 Q 2007

8. Equal Opportunity

The principle of equal opportunity will be integrated into all stages of the project implementation. An open tender procedure on forthcoming contracts will be announced by the Internet and national media. The applications shall be evaluated objectively and non-discriminatively.

9. Environment

Not Applicable

10. Rates of return

Not Applicable

11. Investment criteria

11.1 Catalytic effect: - **N.A.**

11.2 Co-financing:

The degree of national co-financing will be at least 25 % of the total value of investment contracts. The State Budget through the National Fund Directorate within the Ministry of Finance will cover the national co-financing.

12. Conditionality and sequencing

In its essence the project follows the recommendations laid down in the Accession Partnership and in the National Programme for Adoption of the *Acquis*. Therefore, it contributes to the fulfilment of the objectives cited in the Regular Report on Bulgaria's Progress towards Accession and in the Roadmap.

Meanwhile, the project is guided by the priorities stated in the Strategy for Reform of the Bulgarian Judiciary and in the National Strategy for Combatting Crime.

Following the desire for best organisation coordination and effectiveness of project activities a Task Force shall be formed.

The starting of this project remains linked to the presentation on time of a detailed need assessment.

Annexes to Project Fiche

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme
4. Reference list of feasibility / pre-feasibility studies
5. Reference list of relevant laws and regulations
6. Reference list of strategic plans and studies

Annex 1. PHARE Log Frame

LOGFRAME PLANNING MATRIX FOR Project		Programme name and number PHARE 2004 – 2006	04.xx
Streamlining the Penitentiary System in Bulgaria		Contracting period (Year 1) expires: 4Q 2006	Disbursement period (Year 1) expires: 4Q 2007
		Contracting period (Year 2) expires: 30 November 2007	Disbursement period (Year 2) expires: 30 November 2008
		Total budget Year 1: 1 795 000 € Total budget Year 2: 2 800 000 €	PHARE budget Year 1: 1 795 000 € PHARE budget Year 2: 2 100 000 €
Overall objectives	Objectively verifiable indicators	Sources of Verification	
- To contribute to the preparation process of Bulgaria for membership in the European Union regarding the political criteria and the ability to assume the forthcoming obligations - To contribute to the successful reform of the Bulgarian Judiciary and to the combatting crime	- Level of meeting the EU accession criteria increased /complex/ - Judicial system strengthened /complex/ - Pre-conditions for decreasing crime provided /complex/	- Accession Partnership - Regular Report on Bulgaria's Progress towards EU Accession	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
Constructive and flexible law enforcement and execution of penalties within the Bulgarian judicial system	- Regulations updated / newly elaborated /presence/ - Reform of the judiciary in the sphere of execution of penalties accelerated /complex/ - Judicial capacity strengthened /complex/ - Respect and protection of civil rights raised /complex/	- Legal framework - Progress reports on the Bulgarian Judiciary	- Commitment for continuing the reform in the Judiciary - Successful accomplishment of project activities

	• Probation measures established /practice/ • Penitentiary system work process modernized /practice/		
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
Results All Years • Results Year 1 Component 1. TWINNING - Strengthening the penitentiary system in Bulgaria SUB-PROJECT 1. Elaboration of human resources strategy for the penitentiary system in Bulgaria • Strategy for the human resources working in the penitentiary system elaborated. SUB-PROJECT 2. Development of the social work in places for deprivation of liberty • Effective practices for social work towards adaptation and re-socialisation of persons deprived of liberty introduced in the penitentiary system in accordance with the EU standards. SUB-PROJECT 3. Improvement of work with drug- and alcohol-dependant persons deprived of liberty • Effective practices for work and treatment of drug- and alcohol-dependent persons deprived of liberty introduced in the penitentiary system in accordance with the EU standards. SUB-PROJECT 4. Organisation of vocational training in places for deprivation of liberty • Effective practices for vocational training of persons deprived of liberty introduced in the penitentiary system in accordance with the EU standards.	• OVI All Years • OVI Year 1 • Set of information /presence/ • Prepared drafts of legal regulations /presence/ • Effectively functioning penitentiary bodies /presence/ • Developed curricula for initial and on-the-job training of penitentiary system and related staff /presence/ • Penitentiary staff trained /number/	• Project contracts • Project reports • Project documents • Draft regulations	• Good project management • Willingness and active interest of the participants • Cooperation and team work of the different parties

Component 2. TWINNING - Establishing a probation system in Bulgaria

SUB-PROJECT 1. Providing a legal basis on establishment of probation system in Bulgaria and its functioning in line with European standards

- Foreign legislation in the field of probation studied
- Positions of different task forces accepted
- A legal ground for functioning of probation system in Bulgaria built in line with European standards

SUB-PROJECT 2. Establishment of a system of state probation bodies in Bulgaria in line with European best practices

- A large set of information on the Bulgarian and European practices in the sphere of probation gathered
- Probation structures on local, regional and central level built
- Methods of work in the framework of probation system prepared
- Scheme for re/socialization of probation persons developed
- Public tolerance regarding the probation persons achieved

SUB-PROJECT 3. Recruitment and training of staff in the probation system

- Developed system for initial and on-the-job training of probation system and related staff
- Probation system and related staff trained

Component 3. TECHNICAL ASSISTANCE –
Assessment of equipment needs of penitentiary system

- Set of information /presence/
- Prepared drafts of legal regulations /presence/
- Probation bodies functioning /presence/
- Developed curricula for initial and on-the-job training of probation system and related staff /presence/
- Probation system staff trained /number/
- Public openness regarding the probation procedures /percent/

- Documents elaborated and adopted

in Bulgaria - A comprehensive gaps and needs analysis and identification of the indispensable equipment for ensuring the high level of work of the penitentiary bodies in accordance with the EU standards. Results Year 2 Component 4. INVESTMENT – Equipment support to the penitentiary system in Bulgaria SUB-PROJECT 1. IT and office equipment for the penitentiary system - Effective computerized work of the penitentiary bodies in accordance with the EU standards. Results Year 3 SUB-PROJECT 2. Technical equipment for the penitentiary system - Technically provisioned socio-educative-curative work with persons deprived of liberty in the penitentiary system in accordance with the EU standards.	/presence/ • “Training of trainers” conducted /number/ OVI Year 2 • Equipment purchased and put in operation /presence/ OVI Year 3 • Modern technics provided /presence/		
Activities	Means		Assumptions
Activities Year 1 Component 1. TWINNING – Strengthening the penitentiary system in Bulgaria	Means Year 1 • Selection of Twinning partner including TRA and other experts		- Access to information provided - Good organization - Active work of true

SUB-PROJECT 1. Elaboration of human resources strategy for the penitentiary system <u>Activity 1.1:</u> Analysis of the current human resources system in the penitentiary system. <u>Activity 1.2:</u> Study of the stress-generating factors in the respective professional groups. <u>Activity 1.3:</u> Recommendations for improvement in line with the EU practices regarding identification of risk-generating factors and risk management in the professional activities. <u>Activity 1.4:</u> Preparation of programmes for prevention of stress and professional failures. <u>Activity 1.5:</u> Development of materials and methods for recruitment in the penitentiary system. <u>Activity 1.6:</u> Preparation of an unified strategy for human resources in the penitentiary system and eventual legal proposals. <u>Activity 1.7:</u> Training of staff in accordance with the new programmes and strategy. SUB-PROJECT 2. Development of the social work in places for deprivation of liberty <u>Activity 2.1:</u> Study of the best EU practices for work towards assessment of risk, adaptation and re-socialisation of persons deprived of liberty. <u>Activity 2.2:</u> Elaboration of programmes for adaptation and re-socialisation of persons deprived of liberty. <u>Activity 2.3:</u> Development of new criteria, instrumentation and design of psycho-diagnostic examination of persons deprived of liberty. <u>Activity 2.4:</u> Training of staff in accordance with the new programmes. SUB-PROJECT 3. Improvement of work with drug-	• Elaboration of Twinning Contract • Signing of Twinning Contract • Working meetings between Bulgarian and EU short-term experts • Seminars for staff training • Study visits in EU Member States • Study visits in Bulgaria • Determination of tasks, responsibilities and members		professionals • Office premises availability
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and alcohol-dependant persons deprived of liberty <u>Activity 3.1:</u> Study of the best EU practices for work with drug- and alcohol-dependant persons deprived of liberty. <u>Activity 3.2:</u> Development of a concept for work with drug- and alcohol-dependant persons deprived of liberty. <u>Activity 3.3:</u> Development of a methodology and programmes for medical treatment of drug- and alcohol-dependant persons deprived of liberty. <u>Activity 3.4:</u> Preparation of programmes for efficient, systematic measures and social care for drug- and alcohol-dependants during the imprisonment. <u>Activity 3.5:</u> Set up of multidisciplinary teams and network of specialists to work with drug- and alcohol-dependant persons deprived of liberty in post-penitentiary period. <u>Activity 3.6:</u> Training of staff of places for deprivation of liberty and other specialists for work with drug- and alcohol-dependant persons deprived of liberty during penitentiary and post-penitentiary period. SUB-PROJECT 4. Organisation of vocational training in places for deprivation of liberty <u>Activity 4.1:</u> Study of the best EU practices for vocational training in places for deprivation of liberty. <u>Activity 4.2:</u> Elaboration of a report and evaluation of the socio-educative programmes developed in places for deprivation of liberty in Bulgaria. <u>Activity 4.3:</u> Drawing up individualized socio-educative programmes for various categories of persons deprived of liberty. <u>Activity 4.4:</u> Specialized training of trainers – staff of places for deprivation of liberty who execute socio-educative functions.			
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Component 2. TWINNING - Establishing a probation system in Bulgaria SUB-PROJECT 1. Providing a legal basis on establishment of probation system in Bulgaria and its functioning in line with European standards <u>Activity 1.1:</u> Researching and studying the foreign legislation in the field of probation <u>Activity 1.2:</u> Conducting a forum on legislative and practical issues of probation and its application in Bulgaria <u>Activity 1.3:</u> Preparing of legal amending and supplementing and/or new acts in the sphere of execution of penalties and probation SUB-PROJECT 2. Establishment of a system of state probation bodies in Bulgaria in line with European best practices <u>Activity 2.1:</u> Researching and studying the Bulgarian experience in the sphere of probation <u>Activity 2.2:</u> Researching and studying the foreign experience in the sphere of probation <u>Activity 2.3:</u> Elaboration of an organizational structure and staff schedule regarding the probation system <u>Activity 2.4:</u> Developing a scheme for mutual cooperation between probation system and related staff <u>Activity 2.5:</u> Building a positive public attitude regarding the implementation of probation measures SUB-PROJECT 3. Recruitment and training of staff in the probation system <u>Activity 3.1:</u> Developing of materials and methods for recruitment of probation staff <u>Activity 3.2:</u> Training of personnel on recruitment of	• Selection of Twinning partner including TRA and other experts • Elaboration of Twinning Contract • Signing of Twinning Contract • Working meetings between Bulgarian and EU short-term experts • Training seminars • Study visits in EU Member States • Study visits in Bulgaria • Determination of tasks, responsibilities and members		
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probation staff <u>Activity 3.3:</u> Pilot recruitment of probation staff <u>Activity 3.4:</u> Developing curricula for initial training of probation staff <u>Activity 3.5:</u> Developing curricula for on-the-job training of probation system related staff <u>Activity 3.6:</u> Pilot initial training of probation staff <u>Activity 3.7:</u> Pilot on-the-job training of probation system related staff regarding their joint work with probation services Component 3. TECHNICAL ASSISTANCE – Assessment of equipment needs of penitentiary system in Bulgaria <u>Activity 1:</u> Conducting a comprehensive gaps and needs analysis and identification of the indispensable equipment for ensuring the high level of work of the penitentiary bodies in accordance with the EU standards. <u>Activity 2:</u> Elaboration of neutral technical specifications for the equipment to be tendered under the investment components. <u>Activity 3:</u> Pilot ‘training of trainers’ on the efficient utilization of the selected types of equipment. Activities Year 2 Component 4. INVESTMENT – Equipment support to the penitentiary system in Bulgaria SUB-PROJECT 1. IT and office equipment for the penitentiary system <u>Activity 1.1:</u> Tender procedure based on the technical	• Elaboration of Terms of Reference • Selection of Consultant • Training process Means Year 2 • Tender procedure • Equipment supply and installation		
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specifications elaborated under Component 3. <u>Activity 1.2:</u> Supply of hardware and communication equipment. <u>Activity 1.3:</u> Supply of software including National Database of the Penitentiary System. <u>Activity 1.4:</u> Supply of the office equipment. Activities Year 3 SUB-PROJECT 2. Technical equipment for the penitentiary system <u>Activity 2.1:</u> Tender procedures based on the technical specifications elaborated under Component 3. <u>Activity 2.2:</u> Supply of technical equipment supporting the work process in the penitentiary system. <u>Activity 2.3:</u> Supply of technical equipment for the training of staff and of the persons deprived of liberty.	Means Year 3 • Tender procedure • Equipment supply		
			Preconditions

Annex 2. Detailed Implementation Chart – for year/phase 1 & 2

	Sub-projects	2Q 2005	3Q 2005	4Q 2005	1Q 2006	2Q 2006	3Q 2006	4Q 2006	1Q 2007
C o n t r a c t 1	SUB-PROJECT 1. Elaboration of human resources strategy in the penitentiary system								
	SUB-PROJECT 2. Development of the social work in places for deprivation of liberty								
	SUB-PROJECT 3. Improvement of work with drug- and alcohol-dependant persons deprived of liberty								
	SUB-PROJECT 4. Organisation of vocational training in places for deprivation of liberty								
C o n t r a c t 2	SUB-PROJECT 1. Providing a legal basis on establishment of probation system in Bulgaria and its functioning in line with European standards								
	SUB-PROJECT 2. Establishment of a system of state probation bodies								
	SUB-PROJECT 3. Pilot training staff in the probation system								
C o n t r a c t 3	Assessment of equipment needs of penitentiary system in Bulgaria								

		1Q 2006	2Q 2006	3Q 2006	4Q 2006	1Q 2007	2Q 2007	3Q 2007	4Q 2007
C o n t r a c t 4	IT and office equipment for the penitentiary system	Tender Procedure			Contr acting	Supply			

Annex 3. Contracting and Disbursement Schedule by Quarter for Full Duration of Programme – for year/phase 1 & 2 (in EUR)

	2Q 2005	3Q 2005	4Q 2005	1Q 2006	2Q 2006	3Q 2006	4Q 2006	1Q 2007	2Q 2007	3Q 2007	4Q 2007
Contract 1 (Twinning)											
Contracted	800 000	800 000	800 000	800 000	800 000	800 000	800 000	0	0	0	0
Disbursed	300 000	300 000	435 000	435 000	570 000	570 000	640 000	640 000	800 000	800 000	800 000
Contract 2 (Twinning)											
Contracted	800 000	800 000	800 000	800 000	800 000	800 000	800 000	0	0		
Disbursed	300 000	300 000	435 000	435 000	570 000	570 000	640 000	640 000	800 000	800 000	800 000
Contract 3 (Technical assistance)											
Contracted	195 000	195 000	195 000	195 000	195 000	195 000	195 000	0	0	0	0
Disbursed	117 000	117 000	195 000	195 000	195 000	195 000	195 000	195 000	195 000	195 000	300 000

	4 Q 2005	1Q 2006	2Q 2006	3Q 2006	4Q 2006	1Q 2007	2Q 2007	3Q 2007	4Q 2007	1Q 2008	2Q 2008
Contracted	-	-	-	-	2 800 000	2 800 000	2 800 000	2 800 000	2 800 000	2 800 000	
Disbursed	-	-	-	-	1 680 000	1 680 000	2 520 000	2 520 000	2 520 000	2 520 000	2 800 000

Annex 4. Reference List of Feasibility / Pre-feasibility Studies

2005

Component 4. INVESTMENT - Equipment support to the penitentiary system in Bulgaria

Sub-project 1. IT and office equipment for the penitentiary system

The allocated amount is **2,800,000** Euro.

For computerization of the General Directorate “Execution of Penalties”, as well as for prisons and arrests, the necessary sum is 1,524,700 Euro. It will be used for:

- Servers (46)
- Hug/switch (49)
- Router (15)
- UPS (46)
- Hug/switch (49)
- Router (15)
- UPS (46)
- Windows server enterprise (46)
- Win + Office XP Professional (208)
- Work stations (208)
- Net printers (56)
- Laser printers (26)
- Scanners (46)
- Copiers (43)
- Printers (188)

(This list of equipment remains purely indicative and will have to be clarified according to the needs analysis to be done in phase 1).

The planned amount for supplying of software is 45,000 Euro, and for the installing of the network - 28,000 Euro.

The sum of 1,190,300 Euro is needed for renovation of office equipment - desks, chairs, wardrobes, air-conditioners, bookcases, glasses, tables, cabinets.

2006

Sub-project 2. For Technical equipment for the penitentiary system is planned the amount of **3,200,000** Euro. The Technical equipment is necessary to support the work process of the penitentiaries and it is divided in two parts - for the security of penitentiaries and for medical assistance of persons deprived of liberty.

For the security system are needed 1,000,000 Euro for:

- Video-guard equipment for the arrests
- Alarm-guard equipment for the arrests
- Video-systems (7)
- Metal detectors (25)

For medical assistance of persons deprived of liberty are needed 200,000 Euro for:

- Three-channeled ECG (13)
- EEG apparatuses

2005

PHARE Project

Revision – April 11, 2005

- Dental - seating systems (5)
- Blood-pressure-meters (20)
- Disinfection cameras
- Glucose-meters (13)

The technically provisioned socio-educative-curative work with persons deprived of liberty in the penitentiary system needs 1,000,000 Euro for:

- cookery workshops (2)
- mechanic workshops (2)
- cabinet-maker's workshops (2)
- training tractors (4)
- computer training of persons deprived of liberty (6 groups)
- computer training of employees in the General Directorate "Execution of Penalties"

NOTE: A comprehensive gaps and needs analysis and identification of equipment needs for the penitentiary system will be done under Phase 1, Component 3: Technical Assistance.

2005

PHARE Project

Revision – April 11, 2005

Annex 5. Reference List of Relevant Laws and Regulations

- Constitution of Republic of Bulgaria
- Law on Judiciary
- Penal Code
- Law on Execution of Penalties

Annex 6. Reference List of Strategic Plans and Studies

- Updated Strategy for Reform of the Bulgarian Judiciary
- Action Plan to the Updated Strategy for the Reform of the Judiciary
- National Strategy for Combating Crime