



French Embassy in Bulgaria, Hungary, Slovakia, Romania

SEMINAR / December, 4th and 5th, 2008

INDEPENDENCE OF MAGISTRATES AND FIGHT AGAINST CORRUPTION:

COMPARATIVE ANALYSIS

Simultaneous translation: English, Bulgarian, French

THURSDAY, DECEMBRE 4th

- 9h00 : Registration of participants
- 9h30 : Opening by the Ambassador of France to Bulgaria, Mr. Etienne de Poncins
- 9h40: Introduction : the principle of Independence – training of magistrates
- *M. Pencho Penev, Director of the National Institute of Justice, Bulgaria (1)*

10h00: PARTIE 1 - INDEPENDENCE AND FIGHT AGAINST INTERNAL CORRUPTION

- a. Detracting independence : some practical cases
- Cases of judges
 - Cases of prosecutors
- *10h00: Ms Diana KOVATCHEVA, Director of NGO « Transparency International » Bulgaria (2)*
 - *10h15 : Ms Agnès GALAJDA, judge Supreme Court of Hungary, « Association of Women Judges »*
- b. Independence of magistrates as a guarantee to the State of Law
- The role of « Conseil supérieur de la magistrature » / « Conseil Suprême du Judiciaire »
- *10h30 : M. Jean-Pierre Dréno, Prosecutor TGI Perpignan, representative of the « Conseil Supérieur de la Magistrature », France (1)*
 - *10h45: M. Bojidar SOUKNAROV, representative of the « Supreme Council of Judiciary », Bulgaria (3)*

11h00: Coffee break

- The role of the Cassation Court
- 11h15 : Mr Vincent VIGNEAU, Conseiller référendaire, Cassation Court, France (2)
- 11h30 : M. Florin COSTINIU, Président of civil chamber - High Cassation and Justice Court / Romania (1)
- The role of the Inspectorates
- 11h45: Ms Véronique MALBEC, Magistrate Inspector, "Inspection of Judicial Services", France (3)
- 12h00 : Ms Anita MIHAYLOVA, General inspector to the Inspectorate of the Supreme Council général auprès de l'Inspektorat du Supreme Council of Judiciary , Bulgaria (4)

12h15: Questions - debate

12h30: Lunch break (on site)

14h00 : PARTIE 2 - INDEPENDENCE AND FIGHT AGAINST POLITICAL CORRUPTION

c. Definition of political corruption : some practical cases

- Separation of powers / political nominations / political pressures
- 14h00: representative of civil society / other country (1)
- The role of the Ministry of Justice
- 14h20: Ms Nelly MADANSKA, General inspector to the Inspectorate of the Ministry of Justice, Bulgaria (5)
- 14h40: Ms Dagmar FILLOVA, Ministry of Justice / Slovakia (2)

d. Independence of magistrates as a guarantee to reduce political corruption? limits of the principle (administrative jurisdictions and prosecutors)

- The case of the Administrative justice
- 15h00: representative of Administrative Jurisdiction / other country (3)

15h20: Questions - debate

15h30: Coffee break (on site)

- Specific case of Prosecutors
- 16h00: Evguenii Trifonov, representative of the General Prosecutor Office, Bulgaria (6)
- 16h15 : M. Marius BULANCEA, Prosecutor, Advisor to the General Prosecutor / Romania (2)

16h30: Questions - debate

= Closing of the day =

FRIDAY DECEMBRE, 5th

10h00 : PARTIE 3 - INDEPENDENCE AND FIGHT AGAINST WIDESPREAD CORRUPTION

- e. Manifestations of widespread corruption
- Small daily corruption
 - Economic criminality
 - Central role of Medias
- 10h00: *intervention of a journalist / other country (5)*
- f. Does independence of magistrates has an influence on reducing this type of corruption?
- Justice at work
 - Necessity to adapt the judicial response to the changing types of corruption
- 10h15: *Dragos Calin, Judge, Tribunal of Bucharest, Vice-president of the Union of Judges, Romania (3)*
- Independence and transversal work :
 - Cooperation with police forces
- 10h30: *representative of Ministry of Interior / other country (8)*
- Cooperation with civil society
- 10h45: *Ms Agnès GALAJDA, judge, Supreme Court / Hungary – funder of the “Association of Women Judges”*
- 11h00: *representative of the Union of Bulgarian Jurists (7)*

11h15: Coffee break (on site)

11h30: Conclusion: guarantees to independence (Statutes / deontology / oath / prestige / control)

➤ *intervention of a magistrate / other country (8)*

11h45: Questions – debate

12h00 : Closing by a lunch offered by the French Institute