



Институт  
за развитие на публичната среда

## **Civic Monitoring of the Implementation of the Action Plan for the Strategy to Fight Corruption in the Judiciary**

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**Recommendations in relation to ensuring publicness,  
openness, accountability and predictability in the SJC  
activities and guaranteeing of conditions of civil control over  
its activities:**

1. The SJC must restore the authority of the Judicial Anti-Corruption Committee to conduct inspections in the event of reports of corruption, including in relation to materials published in the media which contain claims of corruption practices in judicial bodies.
2. The SJC must adopt a Code of Ethics which will provide for the following: avoidance, registration and disclosure of conflicts of interest; declaration of sources of funding of trips abroad, of funds received as per diems, of gifts received – amount and the people who have given them; unauthorized use of official position; relations with third parties, media relations, etc. Set up a standing SJC Ethics Committee which will monitor the implementation of the Code of Ethics, review reports by members of the public and organizations about acts performed by SJC members which do not comply with the Code of Ethics, be an intermediary in the event of conflicts, develop mechanisms of control

over the observance of the rules for professional ethics by judges, prosecutors and investigators.

3. All minutes of SJC meetings (excluding items on the agenda which are closed) must be published in the SJC web site.
4. All meetings of SJC Committees must be open to the public and the media. Their agenda must be posted on the SJC web site in advance.
5. The SJC must make a report to the public once a year. The report must contain information about: number of meetings; number and types of decisions (personnel; related to the judicial budget; approval of forecasts, programs and strategies; adoption of positions and opinions on pieces of legislation, cases before the Constitutional Court, etc.); initiatives taken; summarized practice of the SJC and the Committees in relation to the performance evaluation and personnel policy pursued; opinions on requests of civic structures, etc. The report must be published on the SJC web site.
6. All SJC Committees must make annual reports which will be published on the SJC web site.
7. The SJC Anti-Corruption Committee and the SJC Complaints Committee must prepare analytical six-month reports about the signals and complaints of corruption reviewed and the results of the checks made. The reports must contain an analysis of the reasons and conditions which cause complaints and signals as well as proposals for the elimination of the prerequisites for them. The reports must be published on the SJC web site.
8. The SJC must conduct an annual representative survey of the corruption environment in judicial bodies, of the reasons and prerequisites which cause corruption. The survey must encompass two aggregates – the public being served by the judiciary and the magistrates and court clerks. The purpose of the annual surveys is to allow for tracking of indicators in time and thus evaluate the efficiency of the anti-corruption measures taken.
9. The drafts of program documents on the fight against corruption in the judiciary must be coordinated with the interested professional and civic organizations.

10. The Strategies and Programs to fight corruption in the judiciary must be reported for publicly.
11. A Public Council must be set up with the Committee for Fight against Corruption in the Judiciary with the participation of NGOs and media. The purpose of the Public Council is to ensure dialogue and partnership between the SJC, civil society and the media and provide greater transparency and accountability in the work of the SJC.
12. The SJC Anti-Corruption Committee and the Public Council must summarize and evaluate the anti-corruption practices applied in the various judicial bodies, establish the most efficient ones and, together with the various donor programs, popularize, develop and promote them.
13. Ensure conditions of civil control over the SJC performance evaluation policy and the work of the Nominations and Performance Evaluation Committee by providing the interested professional organizations with an opportunity to get acquainted periodically with random samples of performance evaluation documents.
14. The Nominations and Performance Evaluation Committee must prepare six-month reports consisting of a summary of its practice and information about the number of SJC decisions in relation to the personnel policy and performance evaluation of magistrates which have been challenged before the Supreme Administrative Court; how many have been repealed and why; how many have entered into force, etc. The reports must be published on the SJC web site.
15. When competitions for appointment of magistrates are held, mechanisms must be introduced to allow for civic structures and the media to directly monitor how the competitions are conducted.
16. In the event of appointment to the position of administrative manager in a court, prosecutor's office, investigation, a requirement must be set for the existence of specialized length of service as a judge, investigator, prosecutor. The positions must be announced publicly and be occupied after an open competitive procedure.

17. All applicants for positions of administrative managers and their deputies must be heard by the SJC before a vote for their appointment is held.