

# Law Program

In 2018, the Law Program worked in the areas of crime and justice, victims of crime, integration and social inclusion, and fundamental rights and ethics.

- **Crime and justice.** CSD's activities in the area of crime and justice focused on the prevention of and fight against organised crime, terrorism (including radicalisation and violent extremism in prison) and money laundering, and on enhancing the presumption of innocence of suspects and accused. The relations between trafficking in human beings (THB) and various economic activities were also explored. Other research areas included legal aid and EU financial support to national justice systems.
- **Victims of crime.** CSD continued to explore numerous aspects of the protection of victims of crime, and specifically women victims and victims of trafficking, and the related legal aid, referral and cooperation between public institutions and NGOs. Transposition of relevant EU legislation was assessed, while awareness events explored avenues to overcoming difficulties on normative and practical level.
- **Integration and social inclusion.** Based on its long policy experience in the area of migration, CSD continued to promote integration and social orientation of foreigners as a tool to empower them against racism and xenophobia. Work started on developing pan-European ICT tools to facilitate interaction between migrants, institutions and service providers.
- **Fundamental rights, equality and ethics.** As a member of the FRANET network of the EU Fundamental Rights Agency, CSD collected data and information for the Agency's comparative studies. Research topics included, among others, asylum and migration, drivers and barriers for independent living of persons with disabilities, detention conditions and procedural rights of detainees. Work on ethics aims to build upon earlier activities in the area of promoting a trust-based policy and self-regulation with a focus on professional responsibility and integrity.

## I. Crime and justice

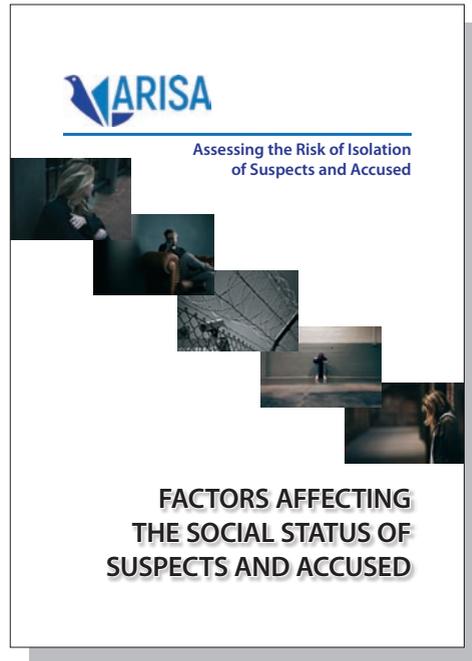
Work in this area focused on the prevention of and fight against organised crime and terrorism (including radicalisation and violent extremism), on the protection of the rights of suspects and accused, as well as on exploring the links between human trafficking and different sectors of the economy.

Across Europe, organised crime and terrorism represent a major challenge for public security and safety, while at the same time there is an increasing need for multidimensional approaches to better understand and address these phenomena. To respond to this need, public institutions, research institutes and private companies from 13 countries have launched the international

initiative [Understanding the Dimensions of Organised Crime and Terrorist Networks for Developing Effective and Efficient Security Solutions for First-Line Practitioners and Professionals](#). In 2018, CSD contributed to the provision of content for two platforms. One of them will be targeting first-line practitioners, the research community, and the wider public, while the other will be designed for law-enforcement agencies and providers of (digital) security solutions.

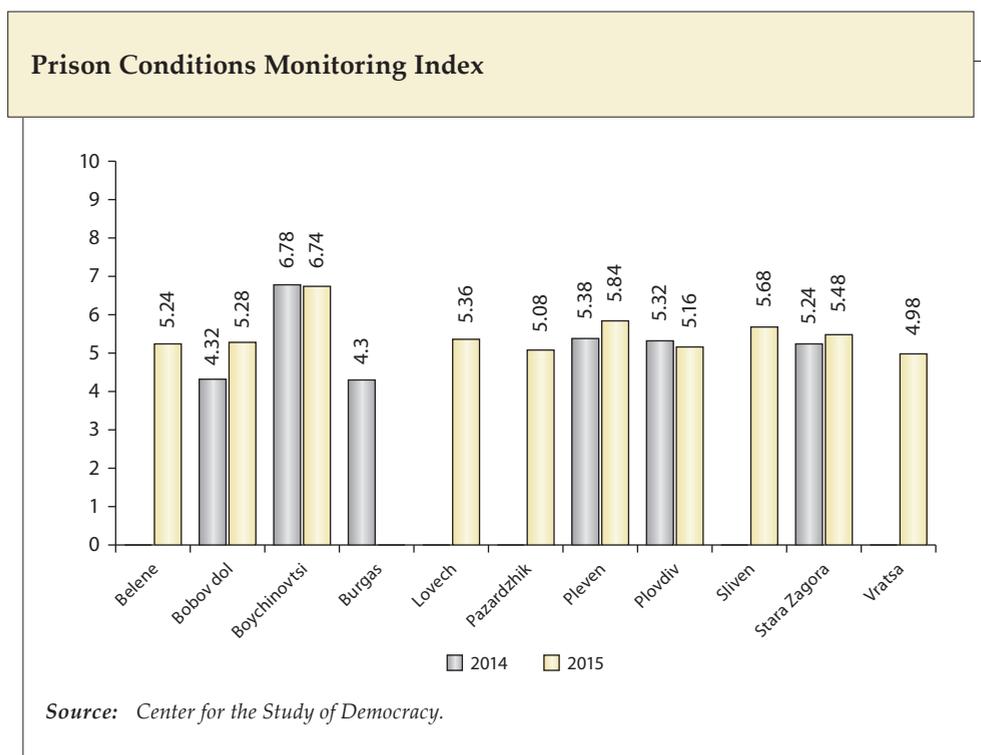
CSD is also actively contributing to the [Judicial Strategy against All Forms of Violent Extremism in Prison](#) which aims at promoting and enhancing capacities among judicial services to counter all forms of violent extremism in prison. More specifically, it seeks to facilitate informed policy-making on cases of radicalisation at all stages of judicial proceedings, and to support prison and probation staff in the execution of sentences through a coherent set of programmes and an integrated flow of information among stakeholders. Within the framework of this pan-European effort, CSD is collaborating with public institutions and research institutes from seven EU countries, as well as relevant national stakeholders.

The **rights of persons suspected or accused of committing a crime was another key subtopic**. As part of the international initiative [Assessing the Risks of Isolation of Suspects and Accused](#), an analytical report titled *Factors Affecting the Social Status of Suspects and Accused* was published. The report examines the factors that affect the social status of suspects and accused drawing upon the prevalent legal practices in four EU Member States: Belgium, Bulgaria, Greece, and Italy. Each of the [four national case studies](#) is structured along the following key aspects: legal status of suspects and



accused, custodial and non-custodial measures during proceedings, disclosure of information, legal and practical impact of proceedings on suspects and accused, and assessment of the impact of proceedings by competent authorities. Further work on the initiative entails the development of a methodology for assessing the risk of social isolation of suspects and accused, which is intended to assist judicial and law-enforcement bodies in making informed decisions about the potential consequences of their investigative actions for the suspects and accused, and in undertaking measures to reduce any harmful effects without hindering the investigation.

In October 2018, work on the identification, needs assessment and equal treatment of offenders with psycho-social and intellectual disabilities was started with the aim of upholding the criminal procedural rights of suspects and accused with such disabilities by strength-



ening the implementation of relevant EU criminal law.

The results of the second round of implementation of the *Prison Conditions Monitoring Index* (PCMI) were presented. The PCMI, developed by the Law Program team, was piloted in 2015 and then applied again in 2016. The comparative data were presented for the first time at an international conference in Bucharest (Romania) in late 2017 and published several months later. This PCMI is an innovative prison monitoring tool aimed at providing a more operational and managerial perspective than the already existing instruments, which are rather critical and hostile toward prison administrations.

Another topic under analysis was the **nexus between human trafficking and different economic sectors** such as tour-

ism. Research was undertaken on the various aspects of those links, based on which a practical kit will be developed for businesses on how to counteract this criminal phenomenon and co-operate with other anti-trafficking actors.

Back in 2017, CSD was commissioned by the National Legal Aid Bureau to **assess the effectiveness of the Bulgarian legal aid system**. The assessment was carried out in the beginning of 2018 and included an evaluation of the implementation of the *Legal Aid Act* combined with a national survey on the public awareness and needs of legal aid.

CSD also contributed to the **evaluation of the EU support to the national justice systems**. The objective of the study was to review the extent and the way in which Bulgaria and fifteen other Member States used the European Social

Fund and the European Regional Development Fund in the programming periods 2007 – 2013 and 2014 – 2020 to support their justice systems. The work included collection of specific and comprehensive factual information on the extent and the way in which programming documents were set out to support justice systems, on ex-ante assessment conducted by the Member States concerning the needs in the justice systems, and on planned, ongoing and finalised projects supporting the justice systems.

## II. Victims of crime

CSD continued to work towards the improvement of the situation of victims of crime through improving multidisciplinary work in their protection, especially of women victims and victims of human trafficking, and through enhancing stakeholder cooperation.

In the area of protection of THB victims, a strategic paper on the provision of legal aid in national and transnational cases was developed. The paper, together with the preceding handbook for lawyers, social workers and health professionals, was presented at an [awareness event](#) for the representatives of relevant institutions and NGOs.

Following a scoping of institutions and organisations involved in protecting victims of crimes for a new web platform, allowing access to all citizens in case of need, CSD experts together with law-enforcement officials took part in developing a victim referral paper and a victims' rights brochure, which was sent out to major victim support institutions to be used by victims themselves. A new mobile app was promoted, where victims could find contacts of all major institutions as well as a short description of the procedures for



*Protection of the Rights of Victims of Trafficking Round Table,  
Sofia, 16 October 2018*

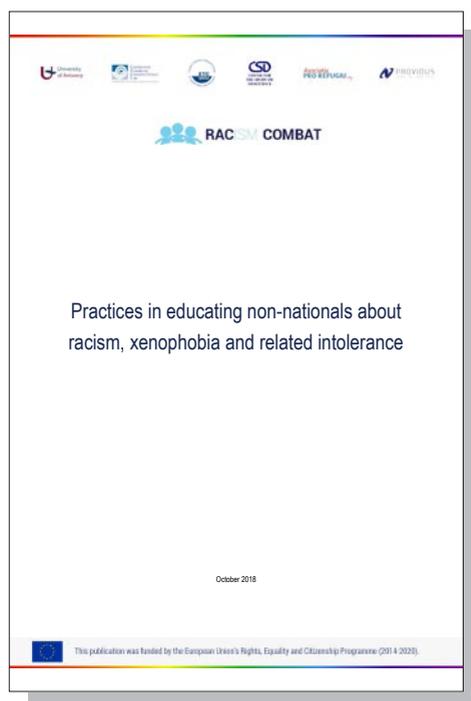
reporting a crime and taking part in proceedings.

Based on CSD's long-term engagement with women's rights, an initiative promoting the rights of women victims of crime and seeking ways to improve their situation was launched to scope reasons for underreporting of crimes and review the process of financial compensation of victims' damage.

The CSD team also took part in a major study on the completeness and conformity of transposition of *Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA*, including comprehensive desk research and interviews with relevant stakeholders.

### III. Integration and social inclusion

CSD, together with universities and organisations from Austria, Belgium, Romania, Latvia and Greece, continued working on an [initiative to prevent and combat racism and xenophobia through social orientation of non-nationals](#). With the aim of introducing an innovative approach to non-nationals' language tuition and social orientation as part of integration to incorporate a rule of law education element, CSD managed the mapping of existing integration frameworks in twelve Member States and an analysis of integration courses and curricula in the six partner countries. Fifteen promising practices were collected and presented online with rich illustrative material, including video testimonials. The Center's team coordinated two stakeholder workshops and study visits in Antwerp, Belgium, and Graz,



Austria, where partners and stakeholders engaged into an in-depth discussion on the challenges to migrant integration and migrants' pathway towards citizenship.

Responding to the need to alleviate migrants' situation and facilitate their interaction with institution and service providers, CSD, together with 14 other research institutes, government agencies and private companies from all over Europe, started work on the issue of **ICT enabled public services for migration**. Following a rigorous research, ethical and practical approach and using test locations in Cyprus, Italy and Spain, the partnership will develop a comprehensive platform out of which specific end-user applications will help portray migrant skills and needs and match them with institutions' capacities and employers' demands.

#### IV. Fundamental rights

As a member of the FRANET multidisciplinary network of the **EU Agency for Fundamental Rights (FRA)**, CSD continued to monitor the protection of fundamental rights in Bulgaria. In addition to its regular contribution to FRA's annual *Fundamental Rights Report*, CSD delivered reports on academic institutions and human rights, access to remedy in the context of business and human rights, constitutional provisions implementing the *Charter of Fundamental Rights of the EU*, and legal instruments regulating detention conditions. The periodic reporting on the migration situation in Bulgaria, which started back in late 2015, continued for a third consecutive year (the full collection of monthly reports is published on the [FRA website](#)).

The in-depth research on the drivers and barriers related to the transition from institutional care to community-based support of persons with disabilities initiated in 2016 was completed in early 2018. The results were presented at a national event in Sofia on 1 – 2 February 2018, which brought together all relevant stakeholders including FRA, the Bulgarian Ministry of Labour and Social Policy, local authorities and NGOs.

Within the framework of FRANET, in 2018 CSD produced two more comprehensive studies on issues related to fundamental rights. The first one explored the effectiveness of fundamental rights of arrested persons and the situation of fundamental rights of suspects and accused who have not been arrested in relation to their right of access to a lawyer.

The study was based on legal research and in-depth interviews with practitioners (judges, lawyers and police officers) and defendants (including detainees). The second study explored, through a series of focus group discussions, the views of the general population on fundamental rights related issues such as security and safety, equality and non-discrimination, and personal data protection.

In October 2018, activities were undertaken to promote diversity management in Bulgaria by, *inter alia*, developing and launching a national [Diversity Charter](#).

In the area of ethics, CSD has continued earlier policy research activities regarding the development and promotion of trust-based policy and effective self-regulation, focusing on the governance of technology through scientist engagement. In June 2018, CSD took part in a joint initiative of the US National Academy of Sciences, the Interacademy Partnership (IAP) and the Croatian Society for Biosafety and Biosecurity titled *Governance of Dual Use Research in the Life Sciences: An International Workshop*. At the 13<sup>th</sup> Annual Conference of the [Asia-Pacific Biosafety Association](#) in Beijing, China, in August 2018, CSD delivered specialised continued professional development training on *Dual-Use Bioethics Education for Effective Biosecurity*. CSD contributed a chapter titled "Role of the Non-Governmental Life Science Community in Combatting the Development, Proliferation and Use of Chemical Weapons" to the UK Royal Society of Chemistry's edited volume *Preventing Chemical Weapons: Arms Control and Disarmament as the Sciences Converge*.