

Tenth Annual Anticorruption Policy Forum
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Center for the Study of Democracy

Remarks by Ambassador Nancy McEldowney

Thank you Ognian. Thank you to all of you for joining us here. Ladies and gentlemen, we need to be very honest with each other. Our task today is a difficult one. We are here to discuss an issue of critical importance and we must speak to each other and to society about some unpleasant truths. We must use our deliberations today to catalyze action that takes this country forward – in concrete and meaningful ways – in its struggle against corruption. If we do so, we will have accomplished something profoundly positive.

As others have mentioned, this is the 10th conference of its sort. I am struck by the fact that for ten years now American Ambassadors have been joining you at this forum. A lot has changed in those ten years. Bulgaria has become a NATO ally and an EU member. It forged through a banking and economic crisis and built a reputation for fiscal stability and prudence even in times of global financial uncertainty. And Bulgaria has been a stable and reliable partner in a region that has seen dramatic instability. Each of these is significant; taken together they are breathtaking. And they prove that when this country makes up its mind to do something, it can do it.

So why is it that in the 10th year of this conference we are gathering together to talk about “crime without punishment?” Why is it that Bulgaria – a country that has proven itself to be capable of achieving so much – is still struggling to end corruption and organized crime? I think those are very key questions we need to search together for the answers.

As we do so I’d like to begin by accentuating the positive. And there is no doubt that there have been positive steps. In the area of judiciary reform, there are now 32 Model Courts that are implementing improved procedures. There is solid new legislation including some that has very recently been passed on conflict of interest, public procurement, and political party financing. Private businesses have indeed reported a reduction in pressure from government officials in administrative positions. And, just last year, the Bulgarian government stood up to entrenched interests and closed duty free shops operating on Bulgaria’s land borders. These are important steps. They took tremendous courage to achieve and the people who fought for them should be commended.

But there are also troubling gaps. Troubling gaps that we need to focus on.

- Bulgarians are still waiting for a groundbreaking conviction of a major organized crime figure, and for a judge to receive a truly meaningful sanction by the Supreme Judicial Council.
- Bulgarians are still waiting to see the shattering of ties between shady businessmen and politicians, and for politicians who have abused the public trust to spend time in jail.

Some have attempted to explain or even excuse these gaps by pointing to the complex nature of most corruption cases. But the inability to come to terms with organized crime – and to grapple with the obvious influence of those criminal organizations over the very institutions that should be acting against them – is clearly evident in the lack of judicial action against contract killings. As you know better than I, in the last five years alone, there have been over 75 contract killings in this country. Of these, four cases have gone to trial and one has resulted in conviction.

It is time for this to change. At this moment of global economic crisis, none of us, no one of us can afford the staggering costs of crime and corruption. And at this moment, after two decades of sacrifice and painful transition, no one can tolerate the misappropriation of even the smallest amount of EU assistance monies. And after all the good and positive things that have been achieved here in this country, none of us will deny that it is time for the negative images that have appeared in headlines and satirical artwork to be replaced with clear evidence of problems solved and of a better future being built.

The government of the United States is without a doubt a friend and ally and dedicated partner of this country. We want Bulgaria to be strong and we know that corruption breeds weakness. And we continue to stand ready to work together in collaboration with Bulgarian government officials, civil society, and private citizens.

And we believe that the time to act, to take decisive action, is right now. Our new President Barack Obama has issued a call to Americans for Americans to face up to the nation's problems. And I believe that in the same way, Bulgarians must come together to deal with the challenge of corruption and organized crime. In the words of Barack Obama, he said "the time of standing pat, of protecting narrow interests and putting off unpleasant decisions, that time has surely passed." And I think we can agree those words apply here.

What is needed is a concerted campaign against corruption and organized crime. Not new laws, not new bureaucratic structures, but concrete practical steps that bring criminals to justice and put them behind bars.

In the first instance, that means that the judiciary of this country must be called to account. Extensive delays and unjustified dismissals must end. The Supreme Judicial Council must impose discipline – and deadlines – to ensure that the most important cases are brought to trial in a timely fashion, are effectively adjudicated, and the guilty are appropriately punished. In particular, the trials of those accused of stealing EU assistance money should be accelerated and concluded, not further delayed. Only in this way will it be possible to turn the tide of public mistrust and to reverse polling data which shows that Bulgarians give their police, prosecutors, and judges the lowest marks in the EU.

Second, the public procurement process needs to become a showcase of transparency and clarity – rather than a source of controversy and criticism. Beginning initially with procurements deriving from EU assistance monies, this country can and must implement world class standards of oversight and control through the [National Audit Office](#) with the assistance of private experts. It is also possible – and easily achievable – for the government to put the details of all public procurement tenders on the internet. It is a very simple step. And it would provide the citizens of this country the information that they need and the information they deserve to be able to evaluate government performance and to participate in the shaping of this nation's priorities.

Third, as we approach the election season, we should look for and find a process that is clean, transparent, and focused on the issues. Last week, 18 political parties signed an Integrity Pact, a document prepared by the Civilian Coalition for Free and Democratic Elections. This Integrity Pact includes measures to clarify party financing and end vote buying. It is the most ambitious attempt ever by Bulgarian civil society to explicitly curb the role of dirty money in politics and to ensure a fair and transparent election process. I urge all Bulgarian parties to faithfully act upon their pledges in the Integrity Pact. Those who signed with caveats should drop them and all should commit to implement the provisions fully and voluntarily – even if Parliament fails to pass related implementing legislation. Political parties have the opportunity and the capacity to make a significant difference in the conduct of this election – and they should do so.

These three steps – accelerated action by the judiciary, putting public procurements on the internet, and implementing the Integrity Pact for elections – they are not perfect. Nor are they the totality of a solution. But each of them would represent a positive step forward on the problems we are looking at today, and taken together they have the potential to make a genuine, meaningful, and concrete difference.

As a friend and a partner of this country, as someone who believes in the people of this nation, and as someone who has seen first-hand the tremendous things that have been accomplished here, I know that these problems can be resolved, and I know that they ultimately will be resolved. And I can assure you that the United States is committed to doing everything possible to work together with Bulgaria to make that happen. We do not stand as disinterested observers or outside critics. We care about this country and we want the very best for it. I very much hope that our deliberations and discussions here today will take us in that direction.

Thank you very much.