

DESCRIPTION OF PRACTICAL EXPERIENCE BASED ON BUDGET ANALYSIS CONDUCTED BY NGO IN THE FRAMEWORK OF EHRA GRANT REALIZATION (CASE-STUDY)

Organization title, country of registration	Center for Humane Policy, Bulgaria
The level of the analyzed budgets (national, local - indicate city or territory)	National
Target group(-s) (community(-s) for which service budgets have been analyzed	People who use drugs
Analyzed period	2014-2019

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The main part of the data is collected through inquiries made under the Access to Public Information Act and represents the official answers of the various institutions. A small part of the data was collected through desk research and also presents the official positions of the institutions, interviews were conducted with experts and representatives of the institutions. In cases where there is a discrepancy in the value of the various official sources of information, we have chosen to use the data specified in our inquiries under the Access to Public Information Act.

Some data were also provided by the Ministry of Health, the Ministry of Interior, the Customs Agency, the Prosecutor's Office of the Republic of Bulgaria, the Ministry of Labor and Social Policy, the Ministry of Education and Regional Departments of Education, the Ministry of Youth and Sports, the Ministry of Labor and Social Policy and the Agency for Social Assistance, the National Center for Public Health and Analysis, the Municipal Councils on Narcotic Substances and their preventive information centers.

The purpose of this study is to answer a simple question - how much does the war against drugs, which the state waged from 2014 to 2019? How and for what are the funds allocated? The assessments we make are based on information we have collected from public sources (statistics of the Ministry of Interior, the Prosecutor's Office, the NSI, budget and reporting documents) and information collected under the Access to Public Information Act with over 60 applications submitted to various structures. The information was requested by the institutions entrusted with the activities outlined in the Action Plan to the National Strategy.

The document which indicates all policy and activities regarding drugs in Bulgaria is the National drug strategy. The considered in the document National Anti-Drug strategy was adopted by the Council of Ministers in 2014, Bulgaria's National Anti-Drug Strategy 2014-18, with its associated action plan and financial plan, addresses issues related to illicit drugs. The strategy is built around the pillars of drug demand and drug supply reduction and has three joint activity areas. Its main demand reduction goals are to improve public health and the health and social functioning of individuals; to protect society from drug markets; and to reduce the demand for illicit drugs. The National Drug strategy 2020-2024 was adopted by the Council of Ministers on the 28th of July 2020. The assessments of the expert community are that it does not differ in its own ideology from the previous one, operating from 2014 to 2018.

The last strategic task of the Strategy (2014-2018) "Carrying out an independent evaluation of the implementation of the strategy and action plan" records activities on "Preparation of an independent evaluation of the implementation of the strategy and Action Plan".

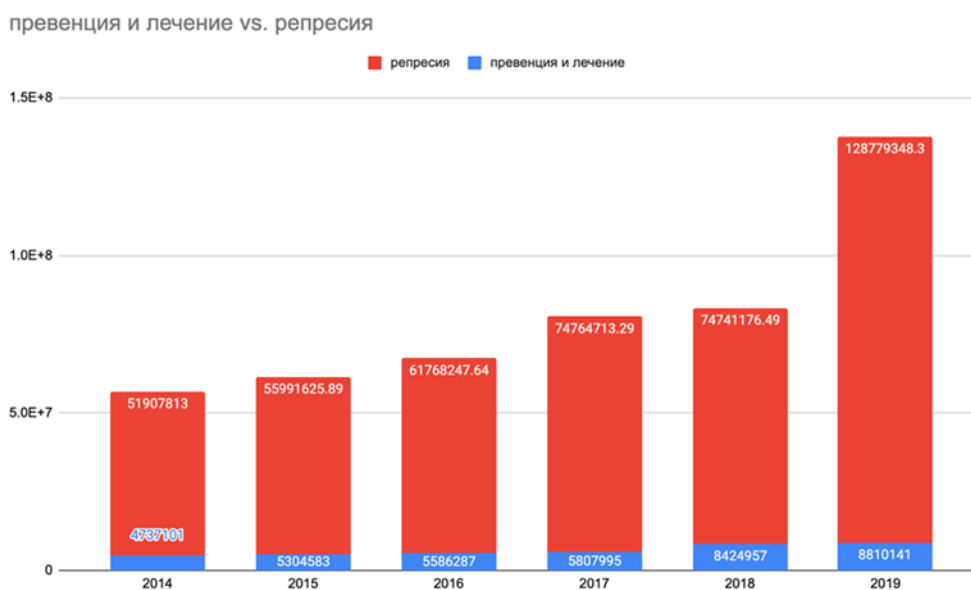
We requested this independent assessment from the Ministry - it was prepared by the National Center for Public Health and Analyses (NCPHA). In it we read: "The implementation of the action plan to the National Strategy is financed from the state budget, within the budgets of the institutions, from the municipal budgets, at the expense of local revenues and programs. Funding is set out in the Action Plan, but no estimates of budgets have been made, which effectively halts its implementation. No mechanism has been set up to control and account for activities and costs. "

The evaluation states that "there is no estimated budget of the Plan, which makes it practically impossible to evaluate the actions under it".

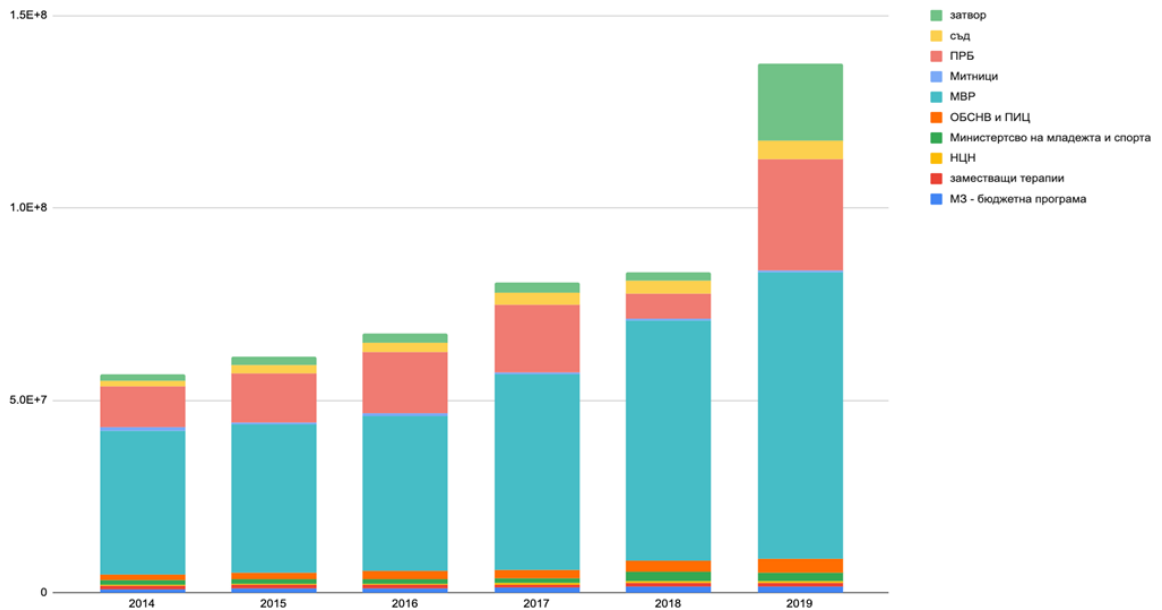
In fact, the National Council on Narcotic Drugs (NCND), which was supposed to coordinate the implementation of the strategic tasks, had to set up an interdepartmental working group to report annually on the reports of all the institutions involved in the implementation of the Action Plan to be adopted from NCND. It is clear from the analysis of the NCPHA that "Although an interdepartmental working group is envisaged, it has not submitted to the NCPHA the annual reports that it is obliged to prepare according to the Strategy."

The assessments of the present analysis show that the majority of the expenditures (over 90%) that the state allocates in relation to the drug problem are directed to law enforcement and law enforcement activities (Ministry of Interior, judiciary, execution of sentences). In this text we have specified all the conventions regarding our assessments and their methods.

Over the years, there has been a steady increase in the funds allocated for this policy, but without much change in the structure of expenditures. The largest share is for salaries of civil servants, ie. the growth is due to the general increase in public sector staff costs, not to a change in priorities and public policy.



Разходи за политика по наркотични вещества по институции



The costs can be divided into four main groups:

- Policies and prevention strategic task 1 and 2

These include the budgets of the National Council on Narcotic Substances, the Municipal Council on Narcotic Substances, the National Center for Drug Addiction (until 2019, then the Addiction Department and the National Focus Center Department at the National Center for Public Health and Analyses), as well as the activity of the Directorate “Health Promotion, Disease and Addiction Prevention” at the Ministry of Health and RHI.

- Treatment of strategic tasks 3, 5, 6,

This includes the expenditures under the budget program "Reducing the demand for narcotic substances", for the implementation of which the Deputy Minister of Health, the Drug Policy Directorate, the Health Promotion, Prevention of Diseases and Addictions Directorate, and the National Center for Drug Addiction are responsible. And the Regional Health Inspectorates), but also the National Health Insurance Fund (NHIF) health pathways for toxicology.

- Harm reduction strategic task 4 and 5

Tasks related to reducing the harm from the use of narcotic substances are set in the Budget Program "Prevention and Surveillance of Infectious Diseases", as far as injecting drug users fall into vulnerable groups according to the National Program for Prevention and Control of HIV and AIDS. The activities under this program are carried out by the Health Control Directorate, the Health Promotion, Disease and Addiction Prevention Directorate, the Regional Health Inspectorates and the National Center for Infectious and Parasitic Diseases, and the part with harm reduction also includes work with NGOs., which are elected by the Public Procurement Law (PPL).

- Repression and control strategic tasks 9, 10

Here are all structures in the chain of criminal repression related to drugs - the various structures of the Ministry of Interior, Customs Agency, Prosecutor's Office, Court, General Directorate "Execution of Sentences", but also the Interdepartmental Commission for Precursor Control under the Minister of Economy.

	2014	2015	2016	2017	2018	2019	
Ministry of Youth and Sports	1037419	1108466	1058712	1035929	2241847	2277774	8760147
Ministry of Health -Budget program "Reducing the demand	785600	1036075	1140446	1338707	1556035	1493706	7350569
National Program (HIV / AIDS + Tuberculosis)	837900	1142574	1753725	1370283	2091886	1223600	8419968
Substitution therapies	941784	931880	885496	808529	1012125	976569	5556383
Municipal Councils on Narcotic Substances and Preventiv	1551380	1882062	2134664	2157862	3107946	3570939	14404853
Central Commision for Combating Anti-Social proceeding	8165415	9402300	10129250	10586200	12028100	13019050	63330315
Ministry of Interior	37309527.9	38429593.13	40312161.86	50854446.2	62347279.11	74446971.78	303699980
Customs Agency	943247.949	562137.3168	626267.8577	542506.585	557491.8801	398694.8906	3630346.479
Prosecution	10549030.7	12806577.18	15996688.01	17734312.8	6367188.791	28997907.3	92451704.82
Prisons	1529389.1	2184426.7	2391401.6	2700378.3	2165727.6	20208501.7	31179825
	63650693.7	69486091.33	76428812.33	89129153.89	93475626.38	146613713.7	



Education system

According to the implementation plan, the Minister of Education is committed to seven of the tasks, which is quite logical given the key role of the prevention and training system on the subject.

However, in response to the Ministry of Education and Science of October 8, 2020, we learn that the Ministry of Education and Science "did not spend funds from the budget of the Ministry under the Action Plan related to the implementation of the National Drug Strategy 2014-2018. The Ministry has provided methodological support to the regional departments of education and institutions in the system of preschool and school education, as well as support to other interested institutions in the organization and implementation of activities related to the implementation of the Drug Control Strategy 2014-2018. "

The responses we received from the 28 regional education departments said that they had no costs in implementing the strategy.

The practice is for the institutions of the system to look for external lecturers in the face of the Local Commissions for Combating Anti-Social Manifestations of Minors, the Children's Pedagogical Room, the Regional Health Inspectorates and the Municipal Councils on Narcotic Substances and PIC.

Social care system

As can be seen from the names of the institutions themselves, the Ministry of Labor and Social Welfare and its structures - the Agency for Social Assistance and the State Agency for Child Protection - logically have an important role to play in policy.

It is therefore not surprising that they have been entrusted with activities under the Action Plan and Implementation of the National Drug Strategy. MLSP and ASA on tasks for improvement of the measures for early interventions on the problems of drugs in the national health system and in the field of social policy and development of programs and services for reduction of the risk behavior and provision of support

The State Agency for Child Protection is committed to nine of the tasks related to prevention among children.

All three institutions deny having planned and spent funds to meet the objectives set out in the strategy.

"Given the functional competencies of the SAA, no funds are planned in the budget of the institution for the implementation of the activities under the Action Plan and the implementation of the national strategy for combating drugs," the Social Assistance Agency said in response.

"The State Agency for Child Protection has no budgeted and spent funds for the implementation of the Action Plan," the SACP wrote.

"In view of the above, I would like to inform you that under the budget of the Ministry of Labor and Social Policy, as a primary budget manager for the period 2014-2019, there is no administered expenditure indicator under the Plan for implementation of the Action Plan to the National Strategy for the fight against drugs" is the answer from the MLSP.

Ministry of Health

Under the auspices of the Ministry of Health is the overall drug policy of the state - the National Council on Narcotic Substances, the National Center for Public Health, which last year took over the National Center for Addictions and Focus Center, the Regional Health Inspectorates, but also funds substitutes. therapies, mental health centers, psychiatric clinics and State psychiatric hospitals involved.

The ministry has a key role in the so-called harm reduction among at-risk groups, including injecting drug users.

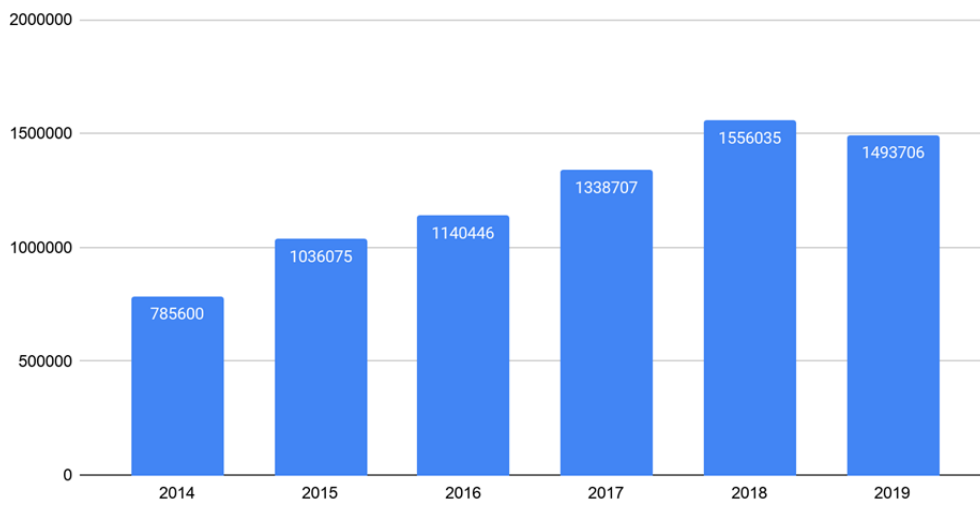
"According to Art. 10, para. 1 and para. 4 of the Narcotic Substances and Precursors Control Act, the National Council on Narcotic Substances (NSNV) was established as a body at the Council of Ministers for conducting the national policy against drug abuse, as well as for combating drug trafficking. The chairman of the council is the Minister of Health, and the deputy chairmen are the Secretary General of the Ministry of Interior, the Deputy Chairman of the State Agency for National Security, the Deputy Minister of Justice. Members of the Council are representatives of the President of the Republic of Bulgaria, the Supreme Court of Cassation, the Supreme Administrative Court, the Supreme Cassation Prosecutor's Office, the National Investigation Service and the interested ministries and departments appointed by the Council of Ministers. Normatively, no budget is envisaged and, accordingly, no budget has been spent for NRN, for activities, remunerations, as well as for attendance meetings for the years 2014, 2015, 2016, 2017, 2018, 2019 and 2020", it is clear from the Ministry's answer to a question about NSNV.

The main expenditures of the Ministry of Health related to narcotic substances go through the budget program "Reducing the demand for narcotic substances".

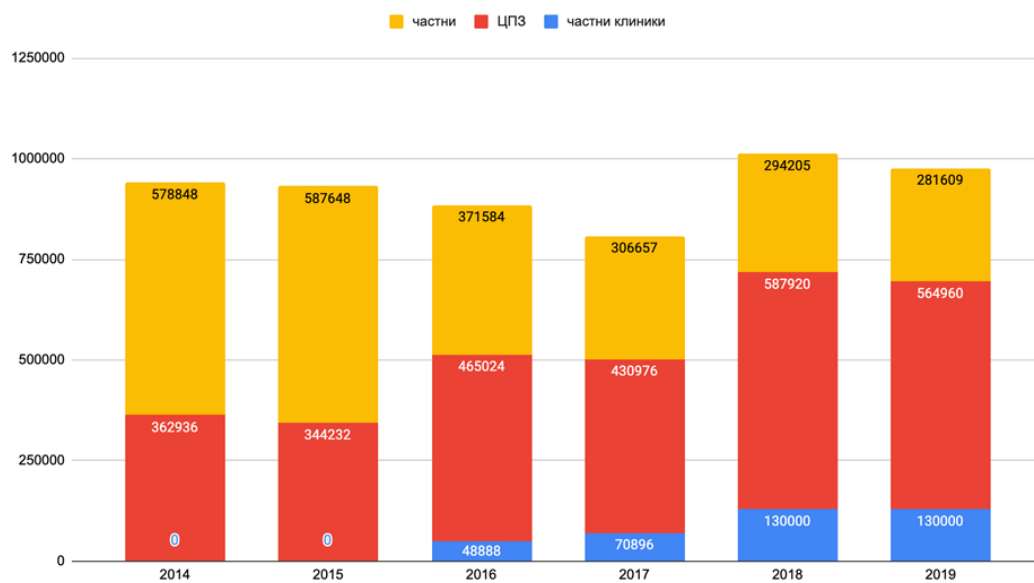
Under its auspices is the financing of the National Center for Drug Addiction (after 2019, the Addictions Department and the National Focus Center Department at the National Center for Public Health), control over the production and trade in medicinal products containing

narcotic substances, licensing activities under LCNSP, substitution therapies, analytical activity, etc. etc.

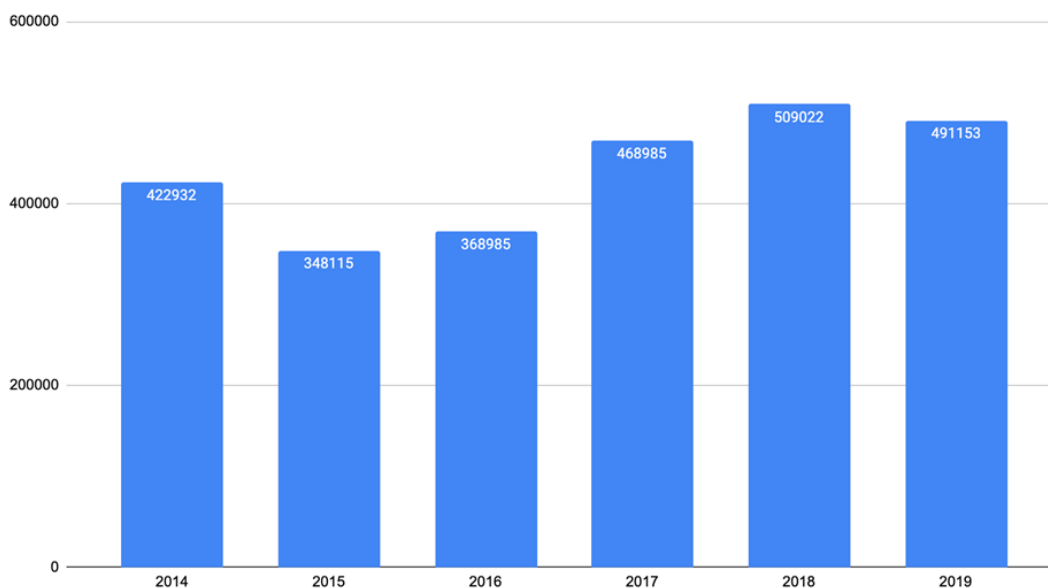
Общ размер на разходите по бюджетна програма „Намаляване на търсенето на наркотични вещества” на Министерство на здравеопазването



Разходи от бюджета на МЗ за заместващи терапии



Бюджет на Национален център по наркомании

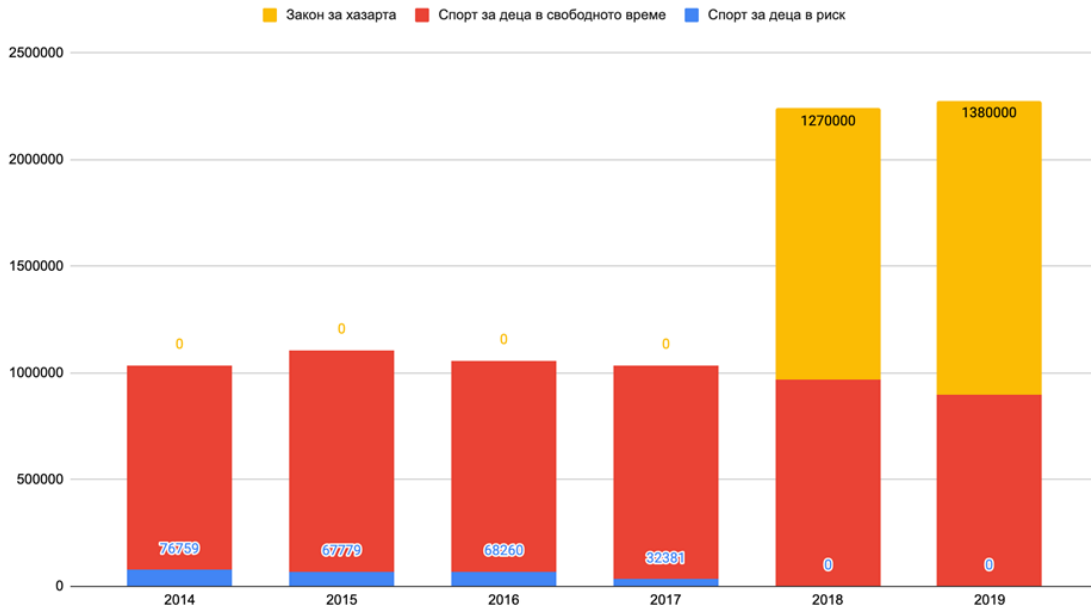


Ministry of Youth and Sports

According to the Action Plan for the implementation of the National Strategy for Combating Drugs (2014-2018), the Ministry of Youth and Sports has a role in the development and implementation of prevention programs and measures to support risk target groups. The main indicator by which this activity is evaluated is “the number of developed and implemented programs for practicing sports and physical activity of children at risk. Number of children's participation in the programs.

In response to the application under the APIA, which we submitted to them by the Ministry of Youth and Sports, they specified that the implementation of the activities assigned by their strategy is funded by three programs - "Sports for children in leisure time", "Sports for children at risk". as well as the National Program for implementation of youth activities under Art. 10a of the Gambling Act. The ministry clarified that "the information provided refers to the funds for projects in the scope of the entire program, as there is no database on the funds for projects specifically aimed at the prevention of drug addiction." A review of the conditions of the program and the approved projects shows that two of the three areas are relevant to the topic, which is why we consider the budget allocated to them.

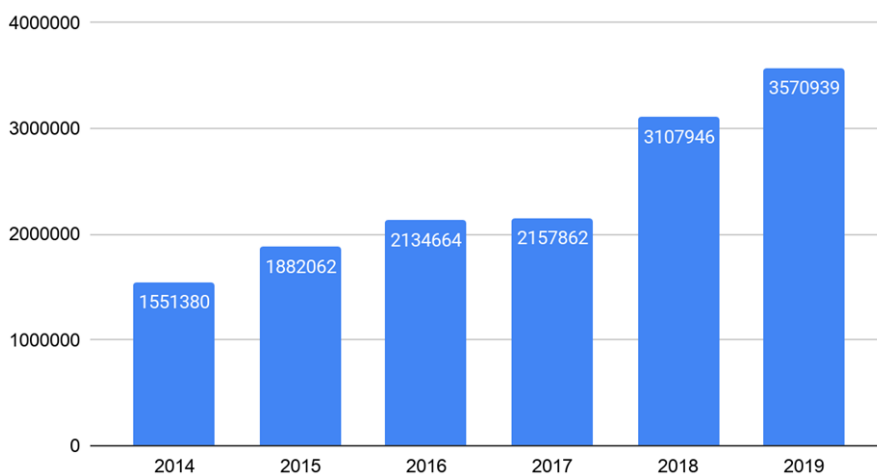
Разходи, разпределяни от министерство на младежта и спорта



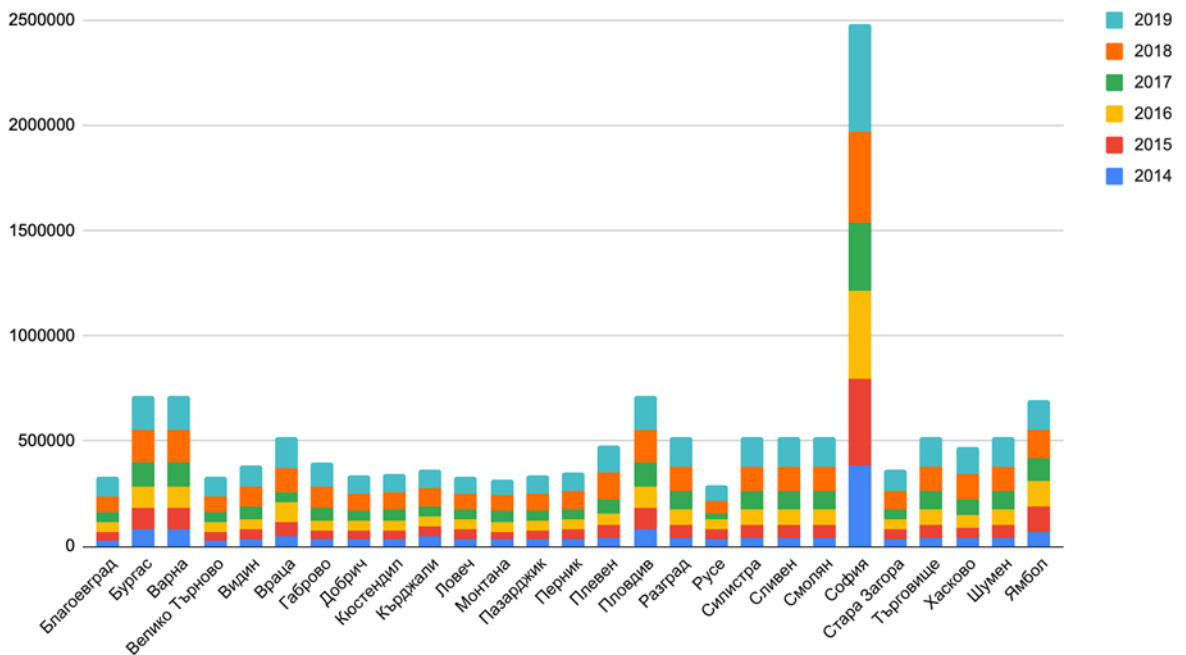
Municipal Councils on Narcotic Substances and Preventive Information Centers (PIC)

The municipal councils for narcotic substances and the preventive information centers to them are 28 in total (to each municipality, which is the administrative center of the district) and develop, ensure and coordinate the implementation of the municipal programs for combating drug abuse, and the PIC carry out preventive activities and programs. The Municipal Councils on Narcotic Substances and the PICs have been assigned a significant number of tasks under the Action Plan for the implementation of the Strategy (20 in number). Their activities are financed by the municipalities through their delegated budgets.

Бюджети за ОБСВ и ПИЦ 2014-2019



Бюджети на ОБСНВ и ПИЦ



Law enforcement institutions

The possession of narcotic substances and their analogues, as well as any dispositional actions with them, constitute a crime of a general nature according to the Bulgarian Penal Code.

For this reason, the Ministry of the Interior, the Customs Agency (for cross-border transport), the prosecutor's office, the courts and the prison system occupy a key place in the system of state institutions implementing drug policy.

- **Ministry of Interior**

Practically all structures with police powers within the Ministry of Interior (MoI) are relevant to the topic of drugs. Security police officers carry out inspections in public places, cars, real estate, where drugs can be found.

The structures "Criminal Police" within the Regional Directorates, SDVR, the police departments carry out operative activity for suppression of the illegal actions related to narcotic substances. Employees of the respective "Investigation" departments carry out actions on the initiated pre-trial proceedings for drug-related crimes. Experts from the National Institute of Forensics carry out expert inquiries into these cases. There is a separate department in the CDCOC that deals with distribution and trafficking. There are also such departments in the General Directorate of the National Police.

In response to the application under the Access to Public Information Act, the Ministry of Interior replied that "it is not required to keep analytical information regarding the implementation of the activities assigned to the Ministry with an Action Plan but the implementation of the national drug strategy."

As can be seen from the program budgets of the Ministry of Interior for the period under study, the activities related to counteracting crimes related to narcotic substances are part of the Budget Program "Countering Crime, Protection of Public Order and Prevention".

The target values for the implementation of this program include a different range of activities (a total of 27 in number), including the number of registered crimes, the rate of increase in detection, the number of wanted persons, the number of neutralized criminal groups. for private security activities, security of mass events, etc.

The methodology we used to determine the estimated value of the financial resources that the structures of the Ministry of Interior allocate on the topic is based on the annual bulletins "Police Statistics", containing data on registered by the Ministry of Interior and detected crimes of various kinds. For the study period, we calculated the shares of detected and registered drug-related crimes in the total number of registered and detected crimes. We referred the obtained result to the general budget of the program "Countering crime, protection of public order and prevention".

In any case, the result obtained is greater than the real cost of counter-narcotics activities, because, as we have noted under this budget program, there are, albeit few, off-topic activities.

Бюджетна програма - общ разход and среден дял на разходите за престъпления свързани с НВ



- **Customs Agency**

The competences of the Customs Agency in the field of narcotic substances are related to the interception of drug trafficking (through border checkpoints) and control of postal and parcel items.

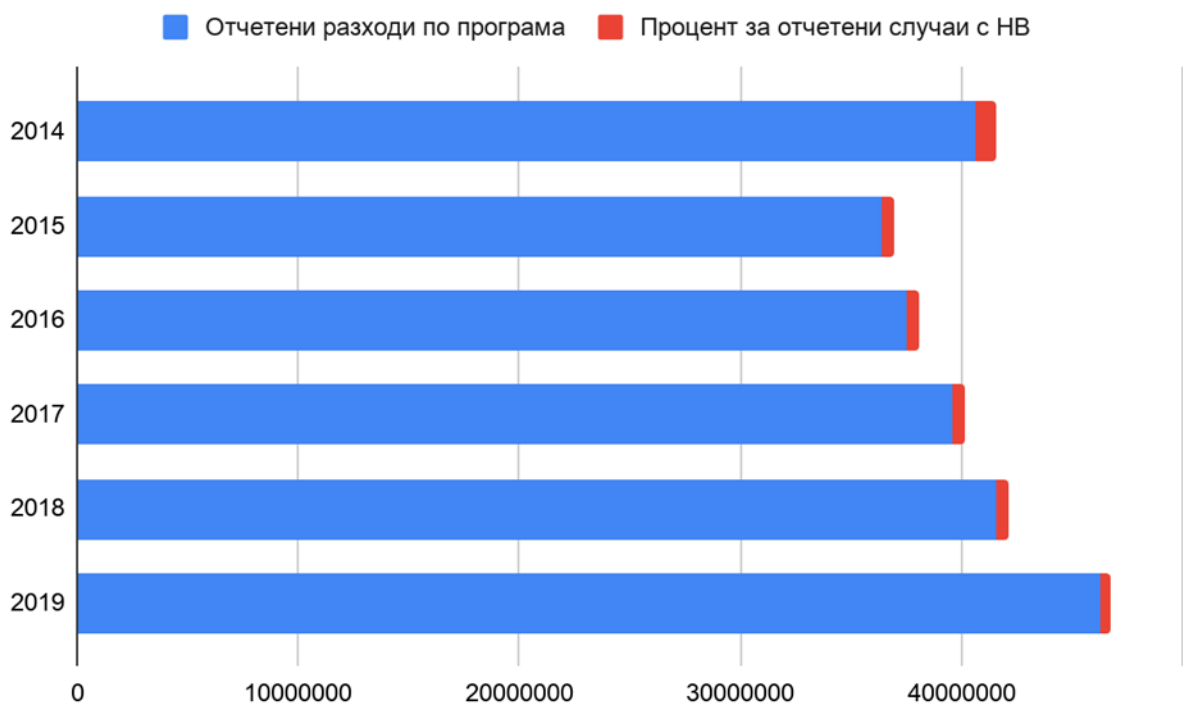
These costs are part of the budget program Customs Control and Supervision (non-fiscal), but as it became clear from the response of the Customs Agency, the specifics of the activities carried out by the Customs Agency and the way they are reported do not allow to separate costs only to combat illegal drug trafficking and distribution, given that this is only one of the activities covered by the Customs Control and Supervision (Non-Fiscal) Program. And more: "the same infrastructure, equipment and employees are engaged both in the fight against drug trafficking and in the prevention of other types of trafficking (eg excise goods, counterfeit goods, etc.)."

In the report on budget programs of the Ministry of Finance under whose auspices the Agency is located, there is indeed no breakdown of the costs associated with countering illicit drug-related activities.

Target values for performance indicators are three indicators, measured in one unit - number of cases. The indicators are:

- Established customs, currency and excise violations, etc.,
- Retained drugs and precursors;
- Applied border measures for protection of intellectual property rights;

For each individual study year, we calculated the total number of reported cases and calculated the proportion of cases of seized drugs. Subsequently, we attributed this ratio to the total reported budget of the program for the respective year.



- **Prosecutor's office**

The Prosecutor's Office of the Republic of Bulgaria is the institution that assesses which of the pre-trial proceedings for narcotic substances conducted by the bodies of pre-trial proceedings in the Ministry of Interior and the Customs Agency should enter the court - through an indictment, agreement and proposal for release from criminal liability.).

In the annual reports on the activity of the prosecutor's office it can be seen that the institution reports its activity on various indicators, including monitored files and pre-trial proceedings, number of court hearings, monitored administrative files, filed indictments.

From data provided by the Prosecutor's Office under the Access to Public Information Act, we received statistical information on the type and number of prosecutorial acts submitted to the Bulgarian courts by type of crime.

The activity of bringing charges and handing over to a court is fundamental for the prosecution according to its constitutional and legal powers. Therefore, we accepted that despite the side activities of the prosecution (participation in administrative and some categories of civil cases, supervision of execution of sentences and involuntary treatment, international cooperation) the number of acts submitted to the court is a relevant criterion through which we can calculate drug-related cases that have been monitored and brought to court by the prosecution.

That is why we calculate the share of acts for crimes related to narcotic substances submitted to the court from the total one and we have attributed this value to the total amount of the expenses for the prosecution, according to the State Budget Act for the respective year. The result obtained is certainly higher than the real one, because in the general budget there are expenditures for structures such as the Supreme Administrative Prosecutor's Office and the Supreme Cassation Prosecutor's Office, which have no or insignificant attitude to the topic.



Court

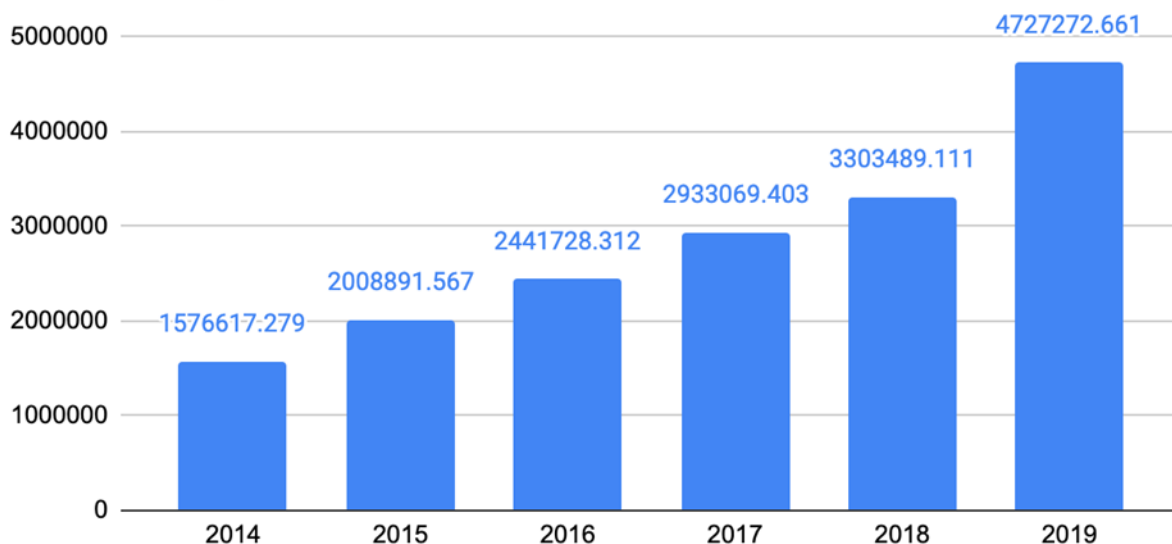
Cases for drug-related crimes, depending on the charges, can be heard at first instance by the district, district, military courts and the Specialized Criminal Court.

According to the data of the National Statistical Institute for 2019, 9.44% of all final court acts issued by the court for the guilt of those brought to court for various crimes are for drug-related crimes.

After analyzing the budgets of the courts for the study period, we deducted from them the salary costs of judges only. Thus, we calculated the average salary cost per judge for the respective year and multiplied it by the number of judges working in the criminal divisions of the district, district and military courts and the judges of the Specialized Criminal Court. On this amount we applied the percentage of drug crime cases.

The attached estimate shows less than the actual amount of the cost, as it does not include the costs of court administration. The bill does not include judges from the district courts outside the district cities, as they do not specialize in the matter and consider both criminal and civil cases.

Разходи на съдилищата за заплати на съдии, разглеждащи дела за наркотични вещества



Разходи на съдилищата за заплати на съдии, разглеждащи дела за наркотични вещества

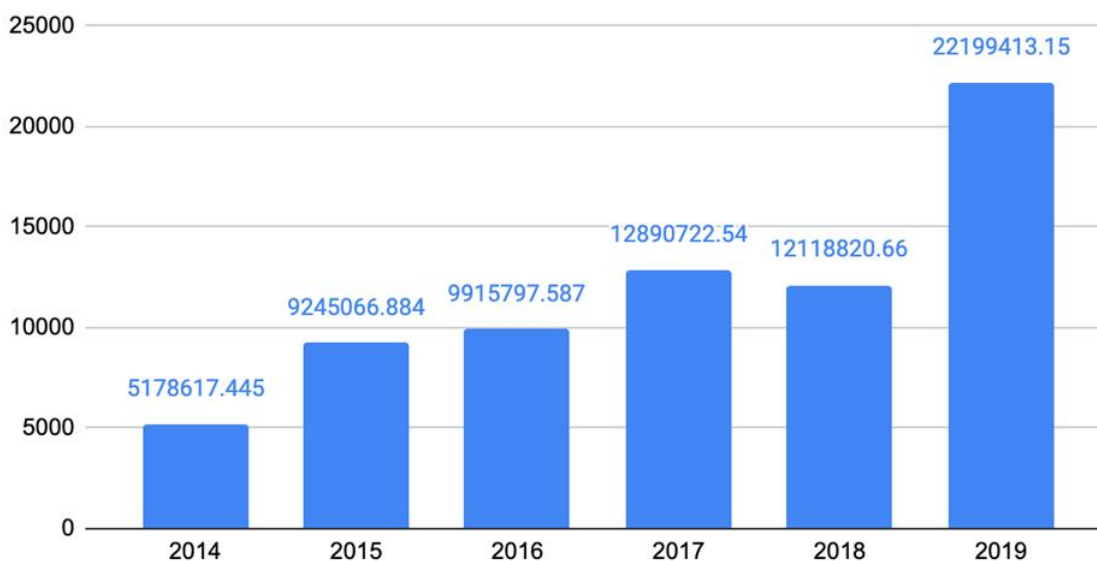
- **Places of imprisonment**

Prisoners serving sentences for drug-related crimes are the fifth largest group in the prison population.

The purpose of the study was to find out what the annual cost of supporting these prisoners was. For this purpose we requested information from the General Directorate of Internal Affairs in accordance with the law on access to public information and used the data of the National Statistical Institute on the amount of effective penalties imposed, thus trying to calculate the estimated total amount (in months) of effective penalties. from freedom for drug-related crimes for each individual year in the study period.

We then multiplied this number by the cost per prisoner, which we form from the data from the annual reports on the Ministry of Justice's "Prison - Isolation of Offenders" budget program - dividing the total program costs by the reported total number of prisoners.

Разходи за лишени от свобода за престъпления свързани с наротици



Conclusions

The assessments of the current analysis show that the majority of the expenditures (over 90%) that the state allocates in relation to the drug problem are directed to law enforcement and law enforcement activities (Ministry of Interior, judiciary, execution of sentences).

Over the years, there has been a steady increase in the funds allocated for this policy, but without much change in the structure of expenditures. The largest share is for salaries of civil servants, ie. the growth is due to the general increase in public sector staff costs, not to a change in priorities and public policy.

The synergy between the different institutions doesn't exist and there is no understanding of their obligations.

There is not an efficiency analysis of the activities and policies and it is absolutely unclear does they works, how works and even if they work at all.

There is no systematic evidence-based drug prevention for the country and every single Prevention information center uses different approaches according the personal vision of their experts.

There is a big gap of the funding of treatment and therapy of drug addictions - the psychiatric clinics are underfunded and suffering of the lack of experts. The therapeutic communities, drug free day centers and almost all treatment facilities are private and need to be paid by the patients.

The HIV prevention is underfunded after the Global Fund withdraw in 2017 and an effective mechanism for funding NGOs is inappropriate. The last HIV strategy expires in the end of 2020, there is no written and adopted new one, which means that there will not have any funding for needles and syringes in foreseeable future.

In the same time the number of the people who starts to use drugs is growing but the number of the services decreased.

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