

# Independent Reporting Mechanism Bulgaria: Progress Report 2012–13

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## EXECUTIVE SUMMARY: BULGARIA

Independent Reporting Mechanism (IRM) Progress Report 2012–13

**Bulgaria’s action plan has some innovative commitments, and the country has made significant progress on several of its measures. While several of the commitments were pre-existing activities, Bulgaria also started some initiatives that have strong potential. Officials should take advantage of the next phase of action plan development to strengthen CSO involvement.**

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

Bulgaria officially began participating in OGP in September 2011, Roumiana Bachvarova, Head of Cabinet of the Prime Minister (PM) and secretary of the Council on Development, declared the government's intent to join.

The OGP in Bulgaria is headed up by Mrs. Bachvarova, with Minister Desislava Terzieva being personally responsible for OGP activities in Bulgaria. The Council on Development, which includes all the ministers, drafted the policies that are relevant to OGP activities and is in charge of implementing and co-ordinating OGP activities. Since three different governments have taken part in planning, implementing, and evaluating the action plan, due to preliminary parliamentary elections, many hands have crafted the action plan.

### OGP PROCESS

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

While Bulgaria published some OGP information on its Public Consultation Portal, the information was limited. It also did not organise public meetings to discuss OGP priorities with citizens. However, instead of having these public meetings, due to time constraints, officials consulted individuals and conducted informal meetings with NGOs. Additionally, there was a platform on which citizens could submit proposals.

Due to changes in the government, it has been difficult for Bulgaria to include its citizens in developing the OGP action plan. Additionally, not many citizens in Bulgaria are aware of this OGP, and NGOs are not asking to monitor or participate in the implementation process.

Stakeholders felt that as a whole, the action plan was ambitious in terms of the number of commitments, not necessarily in number of new commitments. Most goals pre-existed the action plan and had government funding.

### At a glance

Participating since: 2011  
Number of activities: 25

#### Level of Completion

Completed: 8 of 25  
Substantial: 6 of 25  
Limited: 5 of 25  
Not started: 3 of 25  
Unclear: 3 of 25

#### Timing

On schedule: 10 of 25

#### Commitment emphasis:

Access to information: 19 of 25  
Participation: 6 of 25  
Accountability: 16 of 25  
Tech & innovation for transparency & accountability: 7 of 25

#### Number of commitments with:

Clear relevance to an OGP Value: 24 of 25  
Moderate or transformative potential impact: 17 of 25  
Substantial or complete implementation: 15 of 25  
All three (🌟): 9 of 25

**COMMITMENT IMPLEMENTATION**

As part of OGP, countries are required to make commitments in a two-year action plan. Table 1 summarizes each commitment, its level of completion, its ambition, and whether it falls within Bulgaria's planned schedule, and the key next steps for the commitment in future OGP action plans. Table 2 summarizes the IRM assessment of progress on each commitment.

**Table 1: Assessment of Progress by Commitment**

| COMMITMENT SHORT NAME   | POTENTIAL IMPACT |       |          |                | LEVEL OF COMPLETION |         |             |          | TIMING          | NEXT STEPS   |
|---|------------------|-------|----------|----------------|---------------------|---------|-------------|----------|-----------------|--|
|   | NONE             | MINOR | MODERATE | TRANSFORMATIVE | NOT STARTED         | LIMITED | SUBSTANTIAL | COMPLETE |                 |  |
| <p>★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>   |                  |       |          |                |                     |         |             |          |                 |  |
| <b>1. Strategy for Public Debt Management 2012–2014</b> —Create a new strategy for public debt management.  |                  |       |          |                |                     |         |             |          | On schedule     | Maintenance and monitoring                                     |
| <p>★ <b>2. Strategy for NGO Development</b>—Develop a vision and strategy for developing NGOs in Bulgaria.</p>  |                  |       |          |                |                     |         |             |          | On schedule     | New commitment building on existing implementation             |
| <p>★ <b>3. Budget Legislation Amendments</b>—Pass amendments to the budget legislation to establish fiscal rules and procedures.</p>  |                  |       |          |                |                     |         |             |          | On schedule     | New commitment building on existing implementation             |
| <b>5. Publication of Information about Tax Expenditures</b> —Publish information about the tax expenditures by the Ministry of Finance.   |                  |       |          |                |                     |         |             |          | On schedule     | New commitment building on existing implementation             |
| <b>6. Publication of Information about the Tax Audit Reports</b> —Publish information about the tax audit reports of the National Revenue Service upon completion of the tax audits.            |                  |       |          |                |                     |         |             |          | On Schedule     | Revision of the commitment to be more achievable or measurable |
| <p>★ <b>7. Mining Industry and Underground Resources</b>—Create a new national strategy for the mining industry.</p>  |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |
| <b>8. Law on the Underground Resources</b> —Create a new law on the underground resources that incorporates the European and global practices of effective management of underground resources. |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |

| COMMITMENT SHORT NAME  | POTENTIAL IMPACT |       |          |                | LEVEL OF COMPLETION |         |             |          | TIMING          | NEXT STEPS   |
|--|------------------|-------|----------|----------------|---------------------|---------|-------------|----------|-----------------|--|
|  | NONE             | MINOR | MODERATE | TRANSFORMATIVE | NOT STARTED         | LIMITED | SUBSTANTIAL | COMPLETE |                 |  |
| <p>⊛ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>  |                  |       |          |                |                     |         |             |          |                 |  |
| <p>⊛ <b>9. Public Information System on Mineral Resources</b>—Create a public information system with data about mineral resources.</p>  |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |
| <p><b>10. Transparency of Managing Mineral Resources</b>—Ensure transparency of the management of mineral resources.</p>   |                  |       |          |                |                     |         |             |          | Behind Schedule | Revision of the commitment to be more achievable or measurable |
| <p><b>11. Legislative Acts Impact Assessment</b>—Carry out an impact assessment of legislation that affects te business environment.</p>   |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |
| <p>⊛ <b>12 &amp; 21. National Health Information System</b>—Develop the National Health Information System, and allow citizens access to it. (Counted as one because of identical content.)</p>  |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |
| <p><b>13. Outsourcing Activities to the Businesses</b>—Outsource activities to businesses based on analysis of self-regulation practices in self-regulating sectors.</p>                         |                  |       |          |                | Unclear             |         |             |          | Unclear         | None: Abandon commitment                                       |
| <p><b>14. Improving Consultation Practices with the Business</b>—Ensure active dialogue while forming and implementing policy to improve consultation practices with the business community.</p> |                  |       |          |                |                     |         |             |          | On schedule     | New commitment building on existing implementation             |
| <p><b>15. Discussion Forums on CSR</b>—Organise discussion forums locally and nationally to raise awareness of corporate social responsibility among business representatives.</p>               |                  |       |          |                |                     |         |             |          | Behind schedule | None: abandon commitment                                       |
| <p><b>16. Integrating Preventive Environment Tools</b>—Integrate and prevent environmental tools into corporate policies by increasing corporate awareness.</p>                                  |                  |       |          |                | Unclear             |         |             |          | Unclear         | Further work on basic implementation                           |
| <p>⊛ <b>17. Further Development of the Unified Portal</b>—Further development of administrative services for the Unified Portal, and align with the functions of the Unified Contact Point.</p>  |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |
| <p><b>18. Update of the Operational Compatibility Registries</b>—Update these services for e-government.</p>   |                  |       |          |                |                     |         |             |          | Behind schedule | Further work on basic implementation                           |

| COMMITMENT SHORT NAME  | POTENTIAL IMPACT |       |          |                | LEVEL OF COMPLETION |         |             |                 | TIMING   | NEXT STEPS |
|--|------------------|-------|----------|----------------|---------------------|---------|-------------|-----------------|--|------------|
|  | NONE             | MINOR | MODERATE | TRANSFORMATIVE | NOT STARTED         | LIMITED | SUBSTANTIAL | COMPLETE        |  |            |
| <p>★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>  |                  |       |          |                |                     |         |             |                 |  |            |
| <p><b>19. Operational Maintenance of the Unified Portal for Administrative Services</b>—Ensure operational maintenance of the Unified Portal for administrative services.</p>  |                  |       |          |                |                     |         |             | On schedule     | Further work on basic implementation                           |            |
| <p><b>20. Operational Maintenance of the Operational Compatibility Registries</b>—Update these services for e-government.</p>  |                  |       |          |                |                     |         |             | On schedule     | Further work on basic implementation                           |            |
| <p><b>22. Council of Ministers-Model of Open Administration</b></p>  |                  |       |          |                |                     |         |             |                 |  |            |
| <p>★ 22.1. Develop Website—Further develop the CM website in order to increase the scope of available information, provide examples of openness and transparency, and set standards for information records.</p>                     |                  |       |          |                |                     |         |             | Behind schedule | Further work on basic implementation                           |            |
| <p>22.2 &amp; 4. Council of Ministers—Model of Open Administration—Ensure that the rules regulating the second level-budget spending units are public in their financial results and their reports are accessible to the public.</p> |                  |       |          |                |                     |         |             | Behind schedule | Revision of the commitment to be more achievable or measurable |            |
| <p>22.3. Control and Monitor Compliance with Legal Requirements—Control and monitor compliance with the legal requirements by assigning functions to a specialised unit.</p>   |                  |       |          |                | Unclear             |         |             | Unclear         | Revision of the commitment to be more achievable or measurable |            |
| <p>★ 22.4. Improving Portal—Improve and publicise the Public Consultations Portal for wider public participation.</p>  |                  |       |          |                |                     |         |             | On schedule     | Further work on basic implementation                           |            |
| <p>★ 22.5. Enhance Information Systems—Enhance public use of the information system.</p>   |                  |       |          |                |                     |         |             | On schedule     | Further work on basic implementation                           |            |
| <p><b>23. Access to Information Act Improvement</b>—Ensure the correct enforcement of the Access to Public Information Act by setting uniform parameters for the administration’s development and publication of information.</p>    |                  |       |          |                |                     |         |             | Behind schedule | Further work on basic implementation                           |            |

**Table 2: Summary of Progress by Commitment**

| NAME OF COMMITMENT   | SUMMARY OF RESULTS  |
|--|---|
| <p>★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>  |   |
| <p>1. Strategy for Public Debt Management 2012–2014</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Complete</li> </ul>                  | <p>The Council of Ministers of Bulgaria adopted a Government Debt-Management Strategy (GDMS) for the 2012-2014 period, which ensures alignment of the government debt management policy guideline over a three year period. Additionally, the Ministry of Finance regularly publishes a monthly public-debt bulletin and a debt annual review on its website. While the state debt strategy guarantees public spending predictability, this commitment does little to stretch the government beyond its existing practices. The IRM researcher suggests that the government continues to monitor this commitment, paying particular attention to ongoing implementation data and periodic updates of the GDMS .</p>                           |
| <p>★ 2. Strategy for NGO Development</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Complete</li> </ul>                        | <p>The government completed this commitment. It published the final version of the Strategy to Support the Development of CSOs in the Republic of Bulgaria on its website. It also published an action plan and vision for the strategy's implementation. While the government has not yet implemented measures from this document, this commitment is an important step towards recognizing civil society organizations (CSOs) as an important part of the policy-making process. This is a good starting point, and from here the government is more capable of moving towards a representative democracy. The IRM researcher suggests that in the next OGP action plan, the government include a follow-up commitment on this measure.</p> |
| <p>★ 3. Budget Legislation Amendments</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Complete</li> </ul>                       | <p>The government adopted the new Public Finance Act, combining two old acts and consolidating accompanying regulations related to the state budget. This act increases budget transparency and broadens dialogue. The act also places officials under obligation to provide certain documents, with penalty fees in place when they do not offer up the documents. Implementers of this commitment also published the first annual 2013 budget bulletin. This commitment is a crucial step towards broadening decentralization of state functions and broadening citizen participation.</p>  |
| <p>5. Publication of Information about Tax Expenditures</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Complete</li> </ul>              | <p>The Ministry of Finance published two tax expenditure reports on its website. Additionally, the National Revenue Agency also published its annual report as part of the Ministry of Finance budget. While the practice of publishing tax expenditure reports is not a new practice, it is still a developing one. Tax expenditure assessment is key to proper distribution of public finances and state fiscal policy, and analyzing, monitoring, and writing reports on its content is important for better financial governing of the state and proper allocation of public resources. In addition to fine-tuning tax-expenditure assessments, the IRM researcher recommends the government conduct awareness-raising campaigns.</p>     |
| <p>6. Publication of Information about the Tax Audit Reports</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Limited</li> </ul> | <p>The government published information about the National Revenue Agency's (NRA) tax audits of different entities. However, since the NRA published a limited number of reports, three in 2012 and none in 2013, and the reports they published provided little information, the IRM researcher considered this commitment limited in completion. This commitment has potential to increase transparency and accountability of taxation; however, the information in these reports was not sufficient, nor was it timely. Stakeholders suggest that the government prepare these reports every three months. Moving on, the government should reformulate and detail this commitment for the next OGP action plan.</p>                       |
| <p>★ 7. Mining Industry and Underground Resources</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Substantial</li> </ul>        | <p>The government substantially accomplished this commitment by drafting a new National Strategy for the Mining Industry and broadly discussing it with interested parties. The government has not yet approved this strategy, citing the reason for the delay as recent changes in government and a delayed ecological assessment. This commitment's potential impact can be significant when it is fully implemented. To move forward with this commitment, the government should add these improvements to the commitment: clearly indicate the passage process of the strategy, make commitment language clearer and more specific, and address stakeholders' concerns.</p>   |
| <p>8. Law on the Underground Resources</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>                             | <p>The government partially completed this commitment. The commitment's aim was to align the existing Mineral Resource Act with the European Union directive on management of waste. This was Bulgaria's second attempt to bring its Mineral Resource Act into compliance with EU standards, and the commission deemed it incomplete. This commitment would help protect human health and the environment from adverse affects of extractive industry waste.</p>  |

|  |  |
|--|--|
|  | The next step is for the government to sign the bill into law.   |
| <p>★ 9. Public Information System on Mineral Resources</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Substantial</li> </ul> | The government created and published new exploration permits and concessions on the Ministry of Economy's website. It also made the National Register of Concessions public. Even with the government making these items public, it does not have a public information system containing data about status and group mineral resources, deposits of underground resources, and specialized maps. Stakeholders are excited about the potential of this commitment. Citizens and organizations can find information they need on state and municipal concessions. Moving forward, the government should make this information on mineral deposits available to the public as soon as possible. |
| <p>10. Transparency of Managing Mineral Resources</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Not Started</li> </ul>            | The government has not started implementing this commitment. The commitment could, however, have a strong impact on Bulgaria's management of its mineral resources. The IRM researcher recommends that the government include this commitment in the next action plan. It should have a clear timeline of concrete milestones.   |
| <p>11. Legislative Acts Impact Assessment</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>                        | The government approved a measure to only pass draft bills if they are accompanied by preliminary impact assessments, and the government will publish summaries of all submitted statements and proposals on the Public Consultation Portal. While the government still has more to do in order for this commitment to reach its full potential, the preliminary impact assessment is very important because of the prevention role it plays in keeping interest groups' influence away from existing legislation. Moving forward, the government should continue working on implementing the basics of this commitment.   |
| <p>★ 12 &amp; 21. National Health Information System</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Substantial</li> </ul>   | The National Health Insurance Fund (NHIF) developed a new national health information system from which citizens can access their health information, which includes personal medical files, patients' rights, existing legislation in the relevant field, and much more of the same. This system offers new services to the public and is more efficient for all involved parties. In next steps, the NHIF is adding new functionalities, including the creation of electronic prescriptions and electronic directions.   |
| <p>13. Outsourcing Activities to the Businesses</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Unclear</li> </ul>                   | The government has not analyzed the self-regulation practices in the self-regulating sectors. It was difficult for the IRM researcher to assess the completion of this commitment, since interviewed parties had differing opinions. The commitment does not clearly connect the commitment with specific OGP values. Moving forward, the IRM researcher recommends abandoning this commitment.  |
| <p>14. Improving Consultation Practices with the Business</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Substantial</li> </ul>       | The government substantially accomplished this commitment. While the consultation process between the government and businesses is a well-established practice in Bulgaria, the government founded approximately fifty new working groups. Also, officials uploaded draft legislation to the Public Consultation Portal for at least a 14-day comment period. Implementers of this commitment should make sure there is more transparency and accountability of the consultation process, especially the public councils' work meetings. In addition, officials should make space for an awareness-raising campaign.   |
| <p>15. Discussion Forums on CSR</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Limited</li> </ul>                                     | The Ministry of Economics and Energy and the Ministry of Labour and Social Policy held workshops on corporate social responsibility (CSR). Many stakeholders attended these workshops. Additionally, the UN Global Compact Network Bulgaria organized a lot of trainings, presentations, and forums. Even so, due to a lack of funds, the government postponed some of the measures in this commitment until 2014, and it is impossible for the IRM researcher to measure how effective these workshops and discussion forums have been. While this commitment is a great aim, the IRM researcher does not recommend including it in the next action plan.                                   |
| <p>16. Integrating Preventive Environment Tools</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Unclear</li> </ul>                     | This commitment was vaguely worded. Because of that, it is difficult to tell what activities where supposed to take place. However, a number of initiatives took place that could be considered as fulfilling this commitment, such as establishing a National Information Bureau.   |

| <b>17 &amp; 19. Unified Portal for Administrative Services</b>   |  |
|--|--|
| <p>★ 17. Further development to the Portal</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Substantial</li> </ul>   | <p>The government completed this commitment by developing the Unified Portal for Administrative services (UPAS); however, officials have not yet launched it. In addition to developing the UPAS, the government created a system for managing and monitoring the operative comparability and security information. Since this measure reduces expenditures, corruptive practices, and the time needed to obtain public services, it is an applicable commitment. In next steps, the government will launch the e-services portal in 2014, and the government should extend the contract for the maintenance period.</p>   |
| <p>19. Operational maintenance</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Complete</li> </ul>                     |  |
| <b>18 &amp; 20 Operational Compatibility Registries</b>  |  |
| <p>18. Update for the registry</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Not started</li> </ul>               | <p>While the government did not accomplish the first of these two commitments, it accomplished the second one. While the government updated the registers, it did not make these registers available on the Unified Portal. Even so, it secured the operational maintenance of the operational compatibility registries for three years. This commitment is crucial for reducing corruption, improving public services, and transparency. Moving forward, the Council of Ministers will focus on delivering e-services only.</p>   |
| <p>18. Operational maintenance</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Complete</li> </ul>                     |  |
| <b>22 &amp; 4. Council of Ministers—Model of Open Administration</b>   |  |
| <p>★ 22.1. Develop website</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Substantial</li> </ul>                   | <p>The government has been continually adding more information to the Council of Minister's and the Public Consultation Portal's websites. The site now includes shorthand records from the Council of Minister's meetings. While these steps are encouraging to stakeholders, it is still difficult to quickly and easily find information on the website. In the future, the government should broaden the number of accessible documents accessible to citizens and organizations. Additionally, the government made some of its daily transactions available for stakeholders to see on the system for electronic budget payments (SEBRA), although it is hard to know how many of the second-level budget spending units publish their information on SEBRA. Officials also publish information on the Public Consultations Portal, and they improved the unified management information system (UMIS) for the EU structural and cohesion funds. All of these measures have a high impact potential. Moving forward, the government should improve the usability of its websites; reformulate this commitment to improve the second-level budget spending; reformulate the legal requirements; publish draft regulations on the PCP; enrich and publish information on composition, meetings, and effectiveness of the public councils; create an awareness-raising campaign; and continue improving the system for management and monitoring of the structural funds and broaden its number of services it provides.</p> |
| <p>22.2. Public Release of Budget Spending</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Limited</li> </ul> |  |
| <p>22.3. Control and Monitoring</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Unclear</li> </ul>                  |  |
| <p>★ 22.4. Improving Portal</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Complete</li> </ul>                     |  |
| <p>★ 22.5. Enhance information System</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Complete</li> </ul>     |  |



|  |   |
|--|---|
| <p>23. Access to Information Act Improvement</p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Not started</li> </ul> | <p>The government has not started implementing this commitment. While the government has not started this commitment, there were some related activities not covered in this report, including publishing the State Administration Development Strategy 2014–2020/SADS/. However, since the government has not implemented this commitment, the impact is unclear. Should the government implement this measure, the parameters could have a notable impact on the administration of Bulgarian law. It could also help to stimulate a move to open data. The IRM researcher recommends that the government revise the commitment, defining it clearly and measurably.</p> |
|--|---|

## RECOMMENDATIONS

### Consultation Process on OGP New Plan

- Broaden the consultation process by allowing NGOs to be actively involved at every stage of the new OGP action plan.
- Conduct awareness-raising activities to raise OGP's profile in Bulgaria.
- Provide a way for the parliamentary Committee on Interaction with Citizen Organization and Movements to play a crucial role in the process of deliberation of the future commitments.

### Commitments Specificity

- Add a timeline and milestones to each commitment to make them easier to assess.

### Measures Aimed at Active Citizen Involvement in the Policy-Making Process

- Implement the NGOs' new strategy for increasing civil society organisations' capacities and for creating an expert partner in the decision-making process.
- Have public councils publish their members' names, meeting agenda, shorthand records or minutes, decisions, and number of accepted NGOs proposals.
- Have NGOs members of PC report on the effectiveness of their participation, and make the results of that collaboration with the government available to the citizens.
- Implement a broad information campaign for increasing citizen awareness about available sources of information on government and opportunities for participation.

### Legislative Changes

- Fair and strict rules on the political party financing
- Elaboration of a new electoral code

**Eligibility Requirements 2012:** To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit <http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria>. Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

**Budget Transparency:** Executive budget proposal only (2 of 4)      **Access to Information:** Law enacted (4 of 4)

**Asset Disclosure:** Elected official to parliament only (4 of 4)      **Civic Participation:** 8.82 of 10 (4 of 4)

Lyudmila Georgieva holds a Master in Philosophy. She is a consultant and lecturer in Political Advocacy and Interaction between governing institutions and citizen organizations. Lyudmila is the founder and leader of the foundation Common Cause and the author of the book "To Lobbying with Love" as well as several publications on citizen participation.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



## I. BACKGROUND

**The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.**

### Introduction

Bulgaria officially began participating in OGP in September 2011 when Roumiana Bachvarova, Head of Cabinet of the Prime Minister (PM), declared the government's intent to join.

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Indicators produced by organisations other than OGP to determine the extent of country progress on each of the dimensions, with points awarded as described below. Bulgaria entered into the partnership exceeding the minimal requirements for eligibility, with a high score in each of the criteria. At the time of joining, the country had a score of 2 out of a possible 4 for Open Budgets,<sup>1</sup> a 4 out of 4 in access to information law,<sup>2</sup> the highest possible rankings in Asset Disclosure for Senior Officials,<sup>3</sup> and a score of 8.82 out of a possible 10 on the Economist Intelligence Unit's Democracy Index Civil Liberties subscore.<sup>4</sup>

All OGP participating governments must develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programmes. (See Section 4 for a list of grand challenge areas.) Action plans should then set out each government's OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Along with the other cohort 2 OGP countries, Bulgaria developed its national action plan from January through April 2012. The effective start date for the action plan submitted in April was officially 1 July 2012 for implementation through December 2013. At the time of writing (December 2013), Bulgaria had not published its self-assessment report although it had been approved by the Council of Ministers on 27 November. According to the OGP schedule,<sup>5</sup> officials and civil society members are to revise the first plan or develop a new plan by April 2014, with consultation beginning January 2014.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent local researcher to carry out an evaluation of the development and implementation of the country's first action plan. In Bulgaria, the IRM partnered with Lyudmila Georgieva, an independent researcher with expertise in governance who authored this progress report. It is the aim of the IRM to inform ongoing

dialogue around development and implementation of future commitments in each OGP participating country.

### **Institutional Context**

Mrs. Roumiana Bachvarova, head of the Cabinet of the Prime Minister (PM) and secretary of the Council on Development, has been the point person for OGP in Bulgaria. The Council on Development is an entity that includes all ministers. It was in charge of drafting the policies relevant to the initiative and coordinating OGP activities. The government established the Council of Development on 06 March 2010, under Decree 110.

At present the Council of Development includes six ministers and has the following main functions: it manages implementation, monitoring, and control over the National Development Program Bulgaria 2020; it co-ordinates and ensures the accordance of the national sector policies and programmes with the European Union (EU) regulations and requirements; it offers new policy priorities to the Council of Ministers (CM); and it defines the priorities related to the public investments and infrastructural development.

Because of the preliminary parliamentary elections, three different governments have taken part in the planning, implementation, and evaluation of the action plan. During the evaluation period, the head of the Cabinet of the PM was responsible for drafting the self-assessment report. The report was presented on November 28 at a hearing during a meeting of the parliamentary Committee on Interaction with Citizen Organizations and Movements (CICOM).

Minister Desislava Terzieva of the Ministry of Regional Development is personally responsible for OGP activities in Bulgaria.

### **Methodological Note**

IRM researcher reviewed two key documents provided by the national governments: the first national action plan,<sup>6</sup> and the government's self-assessment of the first action plan process.<sup>7</sup> The CM approved Bulgaria's self-assessment report on 27 November. Moving forward, the new responsible body in charge of OGP is the Ministry of Regional Development.

The IRM report is based on research, meetings, and interviews with a broad range of governmental officials, parliamentary committee staff, members of Parliament, non-governmental organizations (NGOs), and experts. The head of the Cabinet of the CM provided additional comments and information to the process of examination of what was achieved in Bulgaria.

The IRM researcher organized two stakeholder forums, one in Sofia and one in Bankia. The first was on 3 October 2013. The 29 participants included local-government directors of different departments from nine municipalities. The second stakeholder forum took place at a hearing at the CICOM to the Parliament. It took place on 28 November 2013, and during the hearing, the self-assessment report was presented and discussed. While in the process of deliberation, adoption, and implementation of the second OGP plan, participants debated future OGP priorities, commitments, and citizen participation.

1. Open Budget Partnership, *Open Budgets Change Lives* (Washington, DC: Open Budget Partnership, 2012). [http://internationalbudget.org/wp-content/uploads/2011/06/2010\\_Full\\_Report-English.pdf](http://internationalbudget.org/wp-content/uploads/2011/06/2010_Full_Report-English.pdf)
2. [://www.right2info.org/laws/constitutional-provisions-laws-and-regulations#section-19](http://www.right2info.org/laws/constitutional-provisions-laws-and-regulations#section-19)
3. Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009): [://bit.ly/19nDEfK](http://bit.ly/19nDEfK); Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009). [://bit.ly/13vGtqS](http://bit.ly/13vGtqS); Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009). [://bit.ly/1clokyf](http://bit.ly/1clokyf)
4. Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: [://bit.ly/eLC1rE](http://bit.ly/eLC1rE)
5. [://www.opengovpartnership.org/sites/default/files/attachments/OGP%20Calendar%20For%20All%20Countries.docx](http://www.opengovpartnership.org/sites/default/files/attachments/OGP%20Calendar%20For%20All%20Countries.docx)
6. [://bit.ly/1dabTbp](http://bit.ly/1dabTbp)
7. [://www.strategy.bg/FileHandler.ashx?fileId=4189](http://www.strategy.bg/FileHandler.ashx?fileId=4189)

## II. PROCESS: DEVELOPMENT OF ACTION PLAN

**Feedback on the action plan was received through individual meetings with NGOs, an online platform, and public council meetings. While information about the OGP process was available online, the government did not widely advertise it.**

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online
- Undertake OGP awareness raising activities to enhance public participation in the consultation
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in the section “III: Consultation during implementation”:

- Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence for consultation both before and during implementation is included here and in Table 1 for ease of reference.

**Table 1: Action Plan Consultation Process**

| <b>Phase of Action Plan</b> | <b>OGP Process Requirement (Articles of Governance Section)</b> | <b>Did the government meet this requirement</b>   |
|-----------------------------|---|---|
| During Development          | Timeline and process: Prior availability                        | Yes   |
|                             | Timeline: Online  | No  |
|                             | Timeline: other channels  | No  |
|                             | Timeline: Links   | <a href="http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&amp;categoryId=&amp;Id=5&amp;y=&amp;m=&amp;d=">http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&amp;categoryId=&amp;Id=5&amp;y=&amp;m=&amp;d=</a> |
|                             | Advance notice  | No  |
|                             | Awareness-raising activities                                    | No  |

|                       |                            |   |
|-----------------------|----------------------------|---|
|                       | Online consultations       | Yes   |
|                       | Online consultations: Link | No longer available (see narrative)   |
|                       | In-person consultations    | Yes   |
|                       | Summary of comments        | Yes   |
|                       | Summary of comments: Link  | <a href="http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&amp;categoryId=&amp;Id=5&amp;y=&amp;m=&amp;d=">http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&amp;categoryId=&amp;Id=5&amp;y=&amp;m=&amp;d=</a> |
| During Implementation | Regular forum              | No  |

### Advance Notice of Consultation

The government published limited information about the consultation process on the Public Consultation Portal. What it did publish included a summary of NGOs' proposals, three statements submitted by NGOs, and information on the process and OGP initiative. The government did not organise public meetings to discuss Bulgarian OGP priorities.<sup>1</sup>

### Quality and Breadth of Consultation

According to stakeholders interviewed by the researcher, because of OGP's timeline for developing the action plan, the Bulgarian government did not have time to conduct a full consultation on the action plan. Instead, the consultations included individual, informal meetings with NGOs, as well as a special platform on the website of the Ministry of Transportation where NGOs and citizens could submit their proposals (36 NGOs submitted proposals). This platform is no longer available; however, a summary of the NGOs' proposals is still available at the Public Consultation Portal.<sup>2</sup> The researcher included a few NGO proposals in the action plan, such as

- public availability and internal regulations of financial reports of the first and second level budget spending units;
- public monthly reports on the state budget spendings; and
- the register of mining concessions.

According to interviewed government officials, the government also created a public council at the Ministry of Transportation, Information Technologies, and Communications, which gathered two times. The IRM researcher couldn't find minutes, lists of participants, or other evidence of these meetings. Participants of the public council included representatives of the government, the National Association of Municipalities of Bulgaria, the Institute of Market Economy, Open Society Institute, representatives of the private sector, and employer organizations.

At the last stakeholder meeting organized by IRM researchers, participants discussed how to structure the dialogue with government so as to attract as many comments regarding future OGP action plans as possible.

In the second year of OGP and, as a result of a more inclusive consultation process, Bulgarian institutions should plan new strategic steps aimed at improving collaboration with citizenry and strengthening its effectiveness.

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1. <http://www.strategy.bg/Articles/List.aspx?lang=bg-BG>

2. <http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&categoryId=&Id=5&y=&m=&d=>

### **III. PROCESS: CONSULTATION DURING IMPLEMENTATION**

**According to interviewed government and NGOs representatives, no public consultations took place during action plan implementation.**

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarizes that information.

#### **Consultation Process**

According to interviewed government representatives, the changes in the government during the first year of OGP participation have been an obstacle to more inclusive processes of action plan management. The participation of Bulgaria in OGP and its activities are not well known in the country, and there is no strong outside demand or pressure by NGOs to monitor or participate in the implementation process.

#### **Sources**

Interviews are with Roumiana Bachvarova, Gergana Juleva, and Antoaneta Tconeva.



## IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action Plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five “grand challenges” that governments face. OGP recognizes that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
2. **Increasing Public Integrity**—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
3. **More Effectively Managing Public Resources**—measures that address budgets, procurement, natural resources, and foreign assistance.
4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
5. **Increasing Corporate Accountability**—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- **Access to information** - These commitments:
  - pertain to government-held information;
  - are not restricted to data but pertains to all information;
  - may cover proactive or reactive releases of information;
  - may pertain to strengthen the right to information; and
  - must provide open access to information (it should not be privileged or internal only to government).
- **Citizen Participation** — governments seek to mobilise citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative and effective governance. Commitments around access to information:

- open up decision-making to all interested members of the public; such forums are usually “top-down” in that they are created by government (or actors empowered by government) to inform decision-making;
- often include elements of access to information to ensure meaningful input of interested members of the public into decisions;
- often include the enhancing citizens' right to be heard, but do not necessarily include the right to be heeded.
- **Accountability** — there are rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.
  - As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
- **Technology and Innovation** — Commitments for technology and innovation
  - promote new technologies offer opportunities for information sharing, public participation, and collaboration.
  - Should make more information public in ways that enable people to both understand what their governments do and to influence decisions;
  - May commit to supporting the ability of governments and citizens to use tech for openness and accountability; and
  - May support the use of technology by government employees and citizens alike.

Countries may focus their commitments at the national, local and/or subnational level—wherever they believe their open government efforts are to have the greatest impact.

Recognizing that achieving open government commitments often involves a multi-year process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, wherever possible.

This section details each of the commitments Bulgaria included in its initial action plan.

The government evaluated a few commitments in the action plan together, since they were related in scope.

A number of the commitments have a single milestone, while others have multiple milestones. In these latter cases, the milestones have been evaluated together on a single fact sheet in order to avoid repetition and make reading easier for OGP stakeholders.

While most indicators given on each commitment fact sheet are self-explanatory, a number of indicators for each commitment deserve further explanation.

- **Relevance:** The IRM researcher evaluated each commitment for its relevance to OGP Values and OGP Grand Challenges.
  - **OGP values:** Some OGP commitments are unclear in their relationship to OGP values. In order to identify such cases, the IRM researcher made a judgment based on a close reading of the commitment text. This identifies commitments that can better articulate their relationship to fundamental issues of openness.
  - **Grand challenges:** While some commitments may be relevant to more than one grand challenge, the reviewer only marked those that had been

identified by government (as almost all commitments address a grand challenge).

- **Ambition:**
  - *Potential impact:* OGP countries are expected to make ambitious commitments (with new or pre-existing activities) that stretch government practice beyond an existing baseline. To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative commitment might be in the policy area. This is based on researcher's findings and experience as a public policy expert.
  - *New or pre-existing:* The IRM researcher also recorded, in a non-judgmental fashion whether a commitment was based on an action that pre-dated the action plan.
- **Timing:**
  - *Projected completion:* The OGP Articles of Governance encourage countries to put forth commitments with clear deliverables with suggested annual milestones. In cases where this information is not available, the IRM researcher makes a best judgment, based on the evidence of how far the commitment could possibly be at the end of the period assessed.

### General Overview of Action Plan

Interviewed stakeholders felt the action plan was ambitious in terms of numbers of commitments rather than new commitments. At the beginning, OGP was a new and unknown initiative both for citizens and institutions. According to stakeholders interviewed the approach to the action plan design was modest in that the government included some pre-existing commitments in the action plan or measures that were achievable and already covered with finance needed for implementation.

## 1. Strategy for Public Debt Management 2012–2014

*New Strategy for Public Debt Management 2012–2014 to ensure alignment of the general debt management policy guidelines for a period of three years. The publication of the strategy will create favorable conditions for transparent and accountable public debt management.*

| Commitment Description                                 |                             |   |                     |                      |                                     |          |
|--|-----------------------------|---|---------------------|----------------------|-------------------------------------|----------|
| Answerability  | Lead institution            | Ministry of Finance   |                     |                      |                                     |          |
|  | Supporting institutions     | None  |                     |                      |                                     |          |
|  | Point of contact specified? | No  |                     |                      |                                     |          |
| Specificity and measurability                          |                             | High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal.) |                     |                      |                                     |          |
| Relevance  | OGP grand challenges        | Improving public services, more effectively managing public resources                                     |                     |                      |                                     |          |
|  | OGP Values                  | Access to Information   | Civic Participation | Accountability       | Tech & Innovation for Trans. & Acc. | None     |
|  |                             | ✓   |                     | ✓                    |                                     |          |
| Ambition   |                             |   |                     |                      |                                     |          |
| New vs. pre-existing                                   |                             | Potential impact  |                     |                      |                                     |          |
| Pre-existing   |                             | Minor (The commitment is an incremental but positive step in the relevant policy area.)                   |                     |                      |                                     |          |
| Level of completion                                    |                             |   |                     |                      |                                     |          |
| Start date: 2012                                       |                             | End date: 2014  |                     | Actual completion    |                                     | Complete |
|  |                             |   |                     | Projected completion |                                     | Complete |
| Next steps   |                             |   |                     |                      |                                     |          |
| Maintenance and monitoring of completed implementation |                             |   |                     |                      |                                     |          |

### What happened?

The government adopted a new Government Debt Management Strategy (GDMS) on 11 July 2012. This strategy is subject to annual updates. Its purpose is to ensure sustainability and predictability of public spending over a three-year period. The document defines the main goal of the debt management policy for the 2012–2014 period. It aims at ensuring the resources necessary to finance the state budget and re-financing the outstanding debt at the best possible price and risk level.

The strategy also includes measures to achieve more transparent and open debt management processes, including preliminary announcement of emission policies, tri-monthly calendars, state bonds auctions, and more.

The document includes

- basic principles of the state debt management,
- country macroeconomic situation review,

- analysis of the potential internal and international risks related to the state debt,
- information providing opportunities for estimation of financial risks, and
- outline of future trends regarding the debt.

Additionally, the Ministry of Finance regularly publishes a monthly public debt bulletin on its websites, and it developed a central registry of municipalities' debt. The government's annual review is also published regularly on the website of the Ministry of Finance.

#### Did it matter?

The government has published public debt management strategies in Bulgaria since 2003. While publishing the state of debt is crucial to transparency and accountability of the government's management and of strengthening its relationships with creditors, investors, and credit rank agencies, it is unclear how this commitment will stretch government practice beyond the existing baseline.

The state debt strategy reduces risks and guarantees predictability and better planning of public spending.

During the implementation period, there was no information available on who and how often the document was used. The GDMS is a fundamental document. Therefore, during the next assessment period, it would be important to identify users of this document or derivative products.

#### Moving forward

The IRM researcher recommends continued monitoring of this commitment. In particular, those in charge should pay attention to

- current data on ongoing implementation of the Strategy of Debt Management and
- periodic updates of the information bulletin on state debt.

The IRM researcher also recommends that the government includes this commitment in future OGP action plans.

#### Sources

<http://www.minfin.bg/en/page/68>

<http://www.minfin.bg/en/statistics/?cat=2>

<http://www.minfin.bg/bg/statistics/1>

<http://www.minfin.bg/bg/page/324>

<http://www.minfin.bg/en/statistics/2>

## 2. Strategy for NGO Development

*An overall vision and strategy for the development of non-governmental organizations in Bulgaria. The goal is to establish rules for financing organizations for which the legislation has not laid down procedures regulating their partnership with the government and the municipalities, to achieve increased transparency of the budget resources allocated for financing the NGOs.*

| Commitment Description                             |                             |  |                      |                |                                     |      |
|--|-----------------------------|--|----------------------|----------------|-------------------------------------|------|
| Availability                                       | Lead institution            | Minister of EU Funds   |                      |                |                                     |      |
|  | Supporting institutions     | Ministry of Finance  |                      |                |                                     |      |
|  | Point of contact specified? | No   |                      |                |                                     |      |
| Specificity and measurability                      |                             | High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)                           |                      |                |                                     |      |
| Relevance  | OGP grand challenges        | Increasing public integrity  |                      |                |                                     |      |
|  | OGP Values                  | Access to Information  | Civic Participation  | Accountability | Tech & Innovation for Trans. & Acc. | None |
|  |                             | ✓  | ✓                    | ✓              |                                     |      |
| Ambition   |                             |  |                      |                |                                     |      |
| New vs. pre-existing                               |                             | Potential impact   |                      |                |                                     |      |
| New  |                             | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.) |                      |                |                                     |      |
| Level of completion                                |                             |  |                      |                |                                     |      |
| Start date: Unclear                                |                             | End date: 2012   | Actual completion    |                | Complete                            |      |
|  |                             |  | Projected completion |                | Complete                            |      |
| Next steps   |                             |  |                      |                |                                     |      |
| New commitment building on existing implementation |                             |  |                      |                |                                     |      |

### What happened?

The government accomplished this commitment. It approved the Strategy to Support the Development of Civil Society Organizations in the Republic of Bulgaria in 2012, after long discussions with a broad circle of NGOs. The government published the final version of the strategy on the public consultation portal.

The strategy covers important measures towards

1. creation of supportive, favorable environments for NGO participation in the policy-making process;
2. financial sustainability of CSOs; and
3. building effective working partnerships between the state and citizen organisations.

The government published an action plan for the strategy's implementation and a "Vision on the Creation of a Mechanism for Financing the Civil Sector" alongside the strategy on the portal. Both accompanying documents are based on the strategy and include concrete, immediate steps to implement the strategy, as well as special measures aimed at building capacity, financial independence, and sustainability of the NGO sector in Bulgaria.

The strategy's self-purported goals are to

- support citizen organisations to present and withstand specific interests of various civic groups;
- participate actively in the drafting, implementation, and evaluation of policies and legislative documents;
- make NGOs the "real corrective of the government";
- help NGOs mobilise citizen energy in the deliberation process.

The government has not yet implemented any measures from the documents.

#### *Did it matter?*

According to interviewed stakeholders, the strategy and its accompanying documents are a step towards recognising the civil society organisation (CSO) sector as a needed, equal, and important player in the policy-making process.

The government needed to create special internal mechanisms for funding CSO activities in order to guarantee independent, outside civic expertise and control over state institutions. It is also crucial to the existence and representativeness of the CSO movement.

The strategy is a good starting point towards a more participatory and representative model of democracy.

#### *Moving forward*

A follow-up of the commitment should be included in the next Bulgarian OGP plan. Now that the strategy is in place, the IRM researcher and interviewed stakeholders recommend that the government starts implementing the activities planned in the strategy and its accompanying documents.

Active involvement of the parliamentary Committee on Interaction with Civil Organizations and Movements (CICOM) in the process of implementation of the documents will increase commitments' effectiveness and completion.

#### *Sources*

Strategy to Support the Development of Civil Society Organizations in the Republic of Bulgaria on the public consultation portal:

<http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=775>

Vision on the creation of a mechanism for financing the citizen sector: <http://bit.ly/1iZD3Ie>

### 3. Budget Legislation Amendments

*Amendments to the budget legislation aimed at establishing fiscal rules and procedures ensuring more effective and transparent management of public funds, including introduction of the so called Citizens Budget containing a short description of the policy changes as well as the financial allocations for significant civic sectors.*

| Commitment Description                             |                             |   |                      |                |                                     |      |
|--|-----------------------------|---|----------------------|----------------|-------------------------------------|------|
| Availability                                       | Lead institution            | Ministry of Finance   |                      |                |                                     |      |
|  | Supporting institutions     | None  |                      |                |                                     |      |
|  | Point of contact specified? | No  |                      |                |                                     |      |
| Specificity and measurability                      |                             | Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.) |                      |                |                                     |      |
| Relevance  | OGP grand challenges        | More effectively managing public resources  |                      |                |                                     |      |
|  | OGP Values                  | Access to Information   | Civic Participation  | Accountability | Tech & Innovation for Trans. & Acc. | None |
|  |                             | ✓   |                      | ✓              |                                     |      |
| Ambition   |                             |   |                      |                |                                     |      |
| New vs. pre-existing                               |                             | Potential impact  |                      |                |                                     |      |
| New  |                             | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.)              |                      |                |                                     |      |
| Level of completion                                |                             |   |                      |                |                                     |      |
| Start date:  |                             | End date:   | Actual completion    |                | Complete                            |      |
| Unclear  |                             | 2012  | Projected completion |                | Complete                            |      |
| Next steps   |                             |   |                      |                |                                     |      |
| New commitment building on existing implementation |                             |   |                      |                |                                     |      |

#### What happened?

The government accomplished this commitment. It adopted a completely new Public Finance Act (PFA) in the beginning of 2013, effective 1 January 2014. It combines the old Act on State Budget and the Act on the Municipalities Budgets and transposes EU Directive 2011/85/EU dated 8 November 2011 on requirements for budgetary frameworks of the member states.

The PFA consolidates all accompanying regulations related to the state budget, which officials used to submit as separate documents. The new act broadens the dialogue and increases transparency during state budget deliberations by introducing preliminary public hearings of the reports of the minister of finance by the Parliament, the speakers of Parliament, the chair of the Supreme Court, and the ministers.



The procedure is developed with new responsibilities of the Minister of Finance who should present before Parliament the annual report on the fulfillment of the main state budget indicators, fiscal aims, consolidated fiscal programme, and the state debt situation. The ministers will present annual reports on the results and effectiveness of the sector policies.

Under this commitment, the responsible parties published the first annual “Budget 2013 at a Glance” bulletin at the end of 2012. It explains in a simple way the policy priorities of the government for the next budget period.

### Did it matter?

The new PFA clearly declares the principle of transparency and public access to financial information and data as a leading priorities. It is a crucial step towards broadening the process of decentralization of state functions, programme budgeting, and results-oriented reporting mechanisms. It also broadens citizen participation during the budgeting process, provides strict rules on the proactive publication of budget information, regular reports, and relevant schedules.

A new notable measure is the introduction of sanctions in cases where individuals in charge do not proactively release budget information to the public according to PFA regulations. For example, according to article 173 of the PFA, officials who haven't met the requirements for publishing information and documents on the websites under PFA, State Budget Act (SBA) and the decree on the SBA will be held personally responsible, being charged with fines up to 500 BGL. Fines will double with subsequent offenses.

There are new, additional measures securing more public finance transparency and accountability. Under the amendments of the Act on Financial Management and Control on Public Sector article 21/1, if the heads of the first-level budget spending units haven't met the requirements of the law by submitting detailed information on the financial state of their systems to the Minister of Finance, they will be held personally responsible with fines up to 1000 BGL starting 1 January 2014.

Under article 21/2, if the heads of state institutions don't provide all required documents to the organs of control, they can be fined from 500–2000 BGL (starting 2012). However, according to interviewed stakeholders, at present every ministry and the central audit office apply their own specific indicators to assess the effectiveness and efficiency of policy implementation. A serious problem with PFA implementation is the lack of national indicators for monitoring and assessing the effectiveness of public finance allocation and spending. National indicators would broaden the ongoing practice to assess the effectiveness of public finance spending and improve the process of creation of working national policies.

According to some stakeholders interviewed who work around budget issues, budget preparation is centralized with the Ministry of Finance and lacks enough opportunities for active participation of relevant ministries in the preparation of their relevant budgets. However, government noted that the Ministry of Finance is cast in a central role only as far as coordination is concerned. A logical next step would be to improve public awareness of budgetary process beyond the Ministry of Finance

### Moving forward

Interviewed stakeholders and the IRM researcher recommend that the government include this commitment in the country's future action plan, bearing in mind some recommendations:

- As appropriate, officials may need to discuss, amend, and improve PFA to strengthen the power of particular ministries to withstand their strategic policy issues in a more effective way.
- It's crucial for the government to draft and adopt special indicators to monitor and evaluate the effectiveness of public spending—including social effectiveness. This measure would help improve the government's financial accountability.
- Additionally, government should plan to meet its long-term priorities on an annual basis. This way, despite the lack of sufficient finances, it will be possible to evaluate yearly progress of long-term policies.
- Publish intentions and priorities for the Draft State Budget during the early stages of its preparation. Citizens and non-governmental organisations (NGOs) will be able to participate and contribute more to the state budget process if the government does this.

### Sources

Public Finance Act: <http://www.lex.bg/bg/laws/ldoc/2135517848>

The "Budget 2013 at a Glance" Bulletin: <http://www.minfin.bg/en/page/826>

Council directive 2011/85/EU:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:306:0041:0047:EN:PDF>

Interview with Sasho Angelov—Lecturer Sofia University Saint Clement Ohridski

## 5. Publication of Information about the Tax Expenditures

*Publication of information about the tax expenditures (preferences) by the Ministry of Finance.*

| Commitment Description  |                                    |   |                            |                             |  |             |
|---|------------------------------------|---|----------------------------|-----------------------------|--|-------------|
| A<br>n<br>s<br>w<br>e<br>r<br>a<br>b<br>i<br>l<br>i<br>t<br>y | <b>Lead institution</b>            | Ministry of Finance (MF)  |                            |                             |  |             |
|   | <b>Supporting institutions</b>     | None  |                            |                             |  |             |
|   | <b>Point of contact specified?</b> | No  |                            |                             |  |             |
| <b>Specificity and measurability</b>                          |                                    | Low (Commitment language describes an activity that can be construed as measurable with some interpretation on the part of the reader.) |                            |                             |  |             |
| R<br>e<br>l<br>e<br>v<br>a<br>n<br>c<br>e                     | <b>OGP grand challenges</b>        | More effectively managing public resources  |                            |                             |  |             |
|   | <b>OGP Values</b>                  | <b>Access to Information</b>  | <b>Civic Participation</b> | <b>Accountability</b>       | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> | <b>None</b> |
|   |                                    | ✓   |                            | ✓                           |  |             |
| <b>Ambition</b>   |                                    |   |                            |                             |  |             |
| <b>New vs. pre-existing</b>                                   |                                    | <b>Potential impact</b>   |                            |                             |  |             |
| Pre-existing  |                                    | Minor (The commitment is an incremental but positive step in the relevant policy area.)   |                            |                             |  |             |
| <b>Level of completion</b>                                    |                                    |   |                            |                             |  |             |
| <b>Start date:</b><br>Unclear                                 |                                    | <b>End date:</b><br>2012  |                            | <b>Actual completion</b>    |  | Complete    |
|   |                                    |   |                            | <b>Projected completion</b> |  | Complete    |
| <b>Next steps</b>   |                                    |   |                            |                             |  |             |
| New commitment building on existing implementation            |                                    |   |                            |                             |  |             |

### What happened?

The government accomplished this commitment, and its implementation is ongoing. The Ministry of Finance (MF) published two reports on tax expenditures on its website: 2007–2009 and 2010–2011. The last report explains in an easily understandable way definitions of main notions, methodology, reasons, and process of designing the report.

The report includes detailed information on

- tax expenditures according to the concrete preferences related to the value added tax (VAT), corporate, personal, and excise tax;
- tax expenditures according to their economic and social goals;
- tax expenditures according to economic branches and sectors; and
- tax expenditures according to the beneficiaries.

The report also provides information about why officials do not assess certain types of tax expenditures, and it provides recommendations on how to improve and make the data more open and usable. The report can be found on <http://www.minfin.bg/bg/page/175>.

The National Revenue Agency also published its annual report as part of the MF budget.

### Did it matter?

Publishing tax expenditures reports is a developing, but not new, practice—officials have published them since 2007.

Unlike budget spending, which is the object of regular analysis, reports, and monitoring, tax expenditures are not often under strict control and observation. This creates risks for the poor financial governing of the state and inadequate allocation of public resources. That is why tax expenditure assessment is key to the proper distribution of public finances and state fiscal policy.

Officials have been drafting the tax expenditures report of the MF on a two-year basis until the end of 2011. Since 2012, the tax expenditures report has been drafted yearly. The regular design and publicity of tax expenditures is a strategic step towards more transparency, accountability, and predictability of the budget policies.

Tax expenditure reports on one side guarantee more adequate allocation and redistribution of the public finances, on the other, it is a basis for evaluation of the effectiveness of the tax system as a whole and the particular tax expenditures.

### Moving forward

Important recommendations on the improvement of the tax expenditures report are part of the report's last chapter. The IRM researcher and stakeholders agree with these next steps:

- Prepare short-term and midterm prognosis on the tax expenditures amount from 1 January 2014.
- Preliminarily assess spending benefits of future tax expenditures.
- Reduce the number and types of expenditures that are not assessed in the report.
- Identify information and its sources needed for the assessment of the tax expenditures.
- Assess the effectiveness of the tax expenditures.

The IRM researcher recommends that the government include this commitment in the next OGP action plan. In addition, the government should conduct awareness-raising campaigns to ensure that citizens know about availability of all the resources, reports, and regular practices, which are accomplished under budget transparency commitments in the action plan.

### Sources

<http://www.minfin.bg/bg/page/175>

<http://www.nap.bg/search?searchText=%D0%BE%D1%82%D1%87%D0%B5%D1%82>

Sasho Angelov—Lecturer Sofia University Saint Clement Ohridski

At. Katcarchev—ex-deputy for the Ministry of Finance

## 6. Publication of Information about the Tax Audit Reports

*Publication of information about the tax audit reports of the National Revenue Service upon completion of the tax audits.*

| Commitment Description   |                                    |   |  |                             |  |
|--|------------------------------------|---|--|-----------------------------|--|
| Availability   | <b>Lead institution</b>            | Ministry of Finance   |  |                             |  |
|  | <b>Supporting institutions</b>     | National Revenue Agency (NRA)   |  |                             |  |
|  | <b>Point of contact specified?</b> | No  |  |                             |  |
| <b>Specificity and measurability</b>                           |                                    | Low (Commitment language describes an activity that can be construed as measurable with some interpretation on the part of the reader.) |  |                             |  |
| Relevance  | <b>OGP grand challenges</b>        | More effectively managing public resources  |  |                             |  |
|  | <b>OGP Values</b>                  | <b>Access to Information</b>  | <b>Civic Participation</b>   | <b>Accountability</b>       | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> |
|  |                                    | ✓   |  | ✓                           |  |
| Ambition   |                                    |   |  |                             |  |
| <b>New vs. pre-existing</b>                                    |                                    |   | <b>Potential impact</b>  |                             |  |
| New  |                                    |   | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.) |                             |  |
| Level of completion  |                                    |   |  |                             |  |
| <b>Start date</b><br>2012                                      |                                    | <b>End date:</b><br>None  |  | <b>Actual completion</b>    |  |
|  |                                    |   |  | Limited                     |  |
|  |                                    |   |  | <b>Projected completion</b> |  |
|  |                                    |   |  | Limited                     |  |
| Next steps   |                                    |   |  |                             |  |
| Revision of the commitment to be more achievable or measurable |                                    |   |  |                             |  |

### What happened?

The commitment is formally accomplished in that the government published some tax audit information. However, given the low number of reports published and the little information they contain, the IRM researcher coded the actual level of completion as “limited.”

Under the law, the National Revenue Agency (NRA) audits individuals and legal entities; the aim of this measure is to provide public information on how the NRA implements and controls state tax policies and how effectively it gathers tax information following an audit.

The government only published three public reports for 2012, and none for 2013. The reports are basic spreadsheets that show two pieces of information: (1) the number of audits the government performed and (2) the amount of income the government expects to collect as a result of these audits. The reports indicate only the total sum of money because the result of individual tax audits is confidential information that cannot be published under the existing legislation.

#### Did it matter?

If the information is public and timely, it would increase the transparency and accountability of the tax policy and the overall state control of it. The regular reports on the results of tax audits indicate how responsibly the government observes and gathers the taxes and public resources.

However, according to interviewed stakeholders, the information provided in these reports is not sufficient or timely. To be helpful to stakeholders, the reports should include the following information:

- Comparative data on revenues received and expected
- Comparative data on planned and real expenditures
- Effectiveness of the state audit policy

The government should prepare regular and timely reports, ideally every three months, as well as annual reports. Stakeholders believe that strengthening the administrative and technological capacity of the NRA will be a positive step towards improvement of the accountability of state tax policies.

On 5 February 2014, the minister of finance announced new measures aimed at strengthening the audit and control capacity of the NRA to improve tax gathering. As part of these measures, the government will redirect 20 percent of the staff of the NRA Headquarters to the Sofia Territorial Directorate to departments engaged in audit and control.

#### Moving forward

The government should formulate and detail the commitment more clearly and should reinstate it in the next planning period. Its language should define when, where, and in what format the government should present the data to the public.

Interviewed stakeholders also suggested improvement of the administrative management of the state tax audits and strengthening the capacity of the NRA audit department.s

#### Sources

Sasho Angelov—Lecturer Sofia University Saint Clement Ohridski

At.Katzarchev—ex-deputy of the Minister of Finance

<http://www.nap.bg/page?id=100>

## 7. Mining Industry and Underground Resources

### *New National Strategy for the Mining Industry*

| <b>Commitment Description</b>  |                                    |   |                             |                       |  |             |
|--|------------------------------------|---|-----------------------------|-----------------------|--|-------------|
| <b>A<br/>n<br/>s<br/>w<br/>e<br/>r<br/>a<br/>b<br/>i<br/>l<br/>i<br/>t<br/>y</b> | <b>Lead institution</b>            | Ministry of Economic and Energy   |                             |                       |  |             |
|  | <b>Supporting institutions</b>     | No  |                             |                       |  |             |
|  | <b>Point of contact specified?</b> | No  |                             |                       |  |             |
| <b>Specificity and measurability</b>   |                                    | Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.) |                             |                       |  |             |
| <b>R<br/>e<br/>l<br/>e<br/>v<br/>a<br/>n<br/>c<br/>e</b>                         | <b>OGP grand challenges</b>        | More effectively managing public resources  |                             |                       |  |             |
|  | <b>OGP Values</b>                  | <b>Access to Information</b>  | <b>Civic Participation</b>  | <b>Accountability</b> | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> | <b>None</b> |
|  |                                    | ✓   |                             | ✓                     |  |             |
| <b>Ambition</b>  |                                    |   |                             |                       |  |             |
| <b>New vs. pre-existing</b>  |                                    | <b>Potential impact</b>   |                             |                       |  |             |
| New  |                                    | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.)              |                             |                       |  |             |
| <b>Level of completion</b>   |                                    |   |                             |                       |  |             |
| <b>Start date:</b><br>Unclear  |                                    | <b>End date:</b><br>2012  | <b>Actual completion</b>    |                       | Substantial  |             |
|  |                                    |   | <b>Projected completion</b> |                       | Complete   |             |
| <b>Next steps</b>  |                                    |   |                             |                       |  |             |
| Further work on basic implementation   |                                    |   |                             |                       |  |             |

#### **What happened?**

The government substantially accomplished this commitment. It drafted a new National Strategy for the Mining Industry and broadly discussed it with interested parties in October and November 2012, but the government has not approved the strategy yet.

Officials have given several reasons for the delay:

- The recent change of the government: the new majority follows its policy priorities and programmes, so the strategy is under discussion in the Council of Ministries, and it should be approved soon.
- Delays around the preparation of an ecological assessment: the government decided to cancel public procurement. According to an article published in the “Capital,” none of the candidates matched all the highly specific requirements for a consultant who had to draft the ecologic assessment of the strategy. According to the same source, the time needed for the ecological assessment is one year. The current legislation requires environmental impact assessments.

The Bulgarian Mining Chamber didn't reply to the IRM researcher questions about the reasons for the delay.

The government drafted the national strategy in accordance with the requirements. These requirements are from the European Economic and Social Council's statement regarding European mining industry for non-energy goals (2008 r.) and from the Madrid Declaration on the mineral supplies 2010. The strategy's aims are sustainable development of the mining industry by securing a socially, economically, and ecologically balanced approach towards all stages of underground resources management.

The draft document focuses on

- creating a stable environment for investments,
- creating effective tools for monitoring and control, and
- establishing a clear legislative basis.

According to the draft document, the strategy would also improve interaction and co-operation among central government, local governments, businesses, and citizens. As it stands, the draft strategy improves transparency, participation, and accountability.

Notably, the process for document preparation reflected a significant commitment to OGP values. As the government prepared the document, there was a broad participatory process; according to the website of the Ministry of Economics and Energy, 145 people have attended public events on the strategy, and stakeholders have submitted 35 statements during the notice and comment period.

#### Did it matter?

The potential consequences of this commitment, if fully implemented, are significant. The Bulgarian people are very sensitive to irresponsible exploitation of publicly-owned underground resources. Vocal groups have been very active in opposing a number of concessions. Bringing regulations in line with international standards, especially around improving more transparency of the the process of distribution of natural resources rights and revenues, has the potential to address social, environmental, and economic issues.

#### Moving forward

As mentioned above, after the preliminary elections, a new parliamentary majority and government came into power in May 2013. The present Council of Ministers reconsidered the draft document, and government officials are currently consulting with stakeholders on the strategy concept that expresses programme priorities and visions of the new majority. The draft is not available, and the government will make it available for discussion when it approves the final version.

The IRM researcher recommends that the government include this commitment in an amended format in the next version of the OGP action plan. The language of the commitment can be improved in several ways:

- Clearly indicate the process for passage of the strategy, including participatory aspects of the report.



- As worded, the commitment is vague. Officials can make clearer references to how the commitment will *employ* and *enhance* OGP values of access to information, public participation, and accountability.
- Address stakeholder concerns as expressed above.

#### Sources

<http://www.mi.government.bg/files/useruploads/files/strategia.pdf>

[http://www.capital.bg/biznes/kompanii/2012/08/07/1883397\\_neizpelnimi\\_konkursni\\_usloviia\\_pak\\_otlojiha\\_minnata/](http://www.capital.bg/biznes/kompanii/2012/08/07/1883397_neizpelnimi_konkursni_usloviia_pak_otlojiha_minnata/)

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## 8. Law on the Underground Resources

*New Law on the Underground Resources incorporating the European and global practices of effective management of the underground resources.*

| Commitment Description  |                                    |   |                            |                             |  |             |
|---|------------------------------------|---|----------------------------|-----------------------------|--|-------------|
| A<br>n<br>s<br>w<br>e<br>r<br>a<br>b<br>i<br>l<br>i<br>t<br>y | <b>Lead institution</b>            | Ministry of Economic and Energy   |                            |                             |  |             |
|   | <b>Supporting institutions</b>     | No  |                            |                             |  |             |
|   | <b>Point of contact specified?</b> | No  |                            |                             |  |             |
| <b>Specificity and measurability</b>                          |                                    | Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.) |                            |                             |  |             |
| R<br>e<br>l<br>e<br>v<br>a<br>n<br>c<br>e                     | <b>OGP grand challenges</b>        | More effectively managing public resources  |                            |                             |  |             |
|   | <b>OGP Values</b>                  | <b>Access to Information</b>  | <b>Civic Participation</b> | <b>Accountability</b>       | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> | <b>None</b> |
|   |                                    | ✓   |                            | ✓                           |  |             |
| Ambition  |                                    |   |                            |                             |  |             |
| <b>New vs. pre-existing</b>                                   |                                    | <b>Potential impact</b>   |                            |                             |  |             |
| Pre-existing  |                                    | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)                        |                            |                             |  |             |
| Level of completion   |                                    |   |                            |                             |  |             |
| <b>Start date:</b><br>Unclear                                 |                                    | <b>End date:</b><br>2013  |                            | <b>Actual completion</b>    |  | Limited     |
|   |                                    |   |                            | <b>Projected completion</b> |  | Complete    |
| Next steps  |                                    |   |                            |                             |  |             |
| Further work on basic implementation                          |                                    |   |                            |                             |  |             |

### What happened?

The government partially accomplished this commitment. The commitment refers to a bill that calls for the amendment of the existing Mineral Resources Act (MRA). As an EU member, Bulgaria is obliged to unify its legislation with European legislation. The new amendment transposes EU Directive 2006/21/EC on the management of waste from extractive industries to the existing Bulgarian law.

This act constitutes Bulgaria's second revision of the Mineral Resources Act to bring it to compliance with EU legislation. The government made the first amendment attempt in 2008, but the commission deemed it incomplete.

Officials have drafted the bill, broadly discussed it with interested parties in July 2013, and introduced it to Parliament in December 2013.

### Did it matter?

The amendments provide for measures, procedures, and guidance to prevent or reduce, as far as possible, any adverse effects of waste management from extractive industries on the environment and human health.

The new amendments fully comply with Directive 2006/21/EO and unify all legal definitions of the terms used in the Directive and Mineral Resource Act. They include a broad number of measures aimed especially at broadening accountability and accessing information. They include the following:

- Article 22a, which requires development and approval of a waste management plan for the minimisation, treatment, recovery, and disposal of extractive waste. This takes into account the principle of sustainable development and prevention of harmfulness.
- Special measures and procedures aimed at broadening public awareness about permits issued or on required safety measures for accidents.
- Under Article 22e, the Ministry of Economics and Energy (MEE) will keep a register of waste management permits operators issued. The information about these permits has to be published on the MEE website for 14 days.
- Under Article 22g, the MEE will upload on its website permit approval for international waste management operators no later than 10 days after permit approval. Information disclosed includes responsible institutions that made the decision; name and positions of the staff who can provide information; staff who can address comments and questions; information, motives, and reasons in case of permit changes; places, deadlines, and ways additional information could be found.
- Under Article 22z, the MEE must develop, publish, and maintain on its website an up-to-date list of closed waste permit facilities that could harm the human health or environments.
- Under Article 92, the MEE needs to publish annually on its website information on the results of all audits and checks performed during the previous year.

### Moving forward

The government will formally accomplish this commitment once the bill is signed into law. The National Assembly approved the bill at first reading on 31 January 2014.

### Source

<http://bit.ly/JbZhrh>

<http://bit.ly/1bZM2Xa>

[http://www.geology.bas.bg/admin/LUNR\\_en.pdf](http://www.geology.bas.bg/admin/LUNR_en.pdf)

<http://www.mee.government.bg/files/useruploads/files/prk/motivi.pdf>

<http://parliament.bg/bills/42/302-01-51.pdf>

[http://www.geology.bas.bg/admin/LUNR\\_en.pdf](http://www.geology.bas.bg/admin/LUNR_en.pdf)

## 9. Public Information System on Mineral Resources

*Public information system with data about the location, group of mineral resources and their status and/or found deposits of underground resources, specialized maps and registries of exploration permits and concessions. Every citizen will be entitled to receive an official copy of the documents.*

| Commitment Description               |                             |   |                     |                |                                     |      |
|--------------------------------------|-----------------------------|---|---------------------|----------------|-------------------------------------|------|
| Availability                         | Lead institution            | Ministry of Economics and Energy  |                     |                |                                     |      |
|                                      | Supporting institutions     | None  |                     |                |                                     |      |
|                                      | Point of contact specified? | No  |                     |                |                                     |      |
| Specificity and measurability        |                             | Medium (Commitment language describes an activity that is objectively verifiable, but it does not contain specific milestones or deliverables.) |                     |                |                                     |      |
| Relevance                            | OGP grand challenges        | More effectively managing public resources  |                     |                |                                     |      |
|                                      | OGP Values                  | Access to Information   | Civic Participation | Accountability | Tech & Innovation for Trans. & Acc. | None |
|                                      |                             | ✓   |                     | ✓              | ✓                                   |      |
| Ambition                             |                             |   |                     |                |                                     |      |
| New vs. pre-existing                 |                             | Potential impact  |                     |                |                                     |      |
| New                                  |                             | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.)              |                     |                |                                     |      |
| Level of completion                  |                             |   |                     |                |                                     |      |
| Start date:<br>Unclear               |                             | End date:<br>2012   | Actual completion   |                | Substantial                         |      |
|                                      |                             | Projected completion  |                     | Complete       |                                     |      |
| Next steps                           |                             |   |                     |                |                                     |      |
| Further work on basic implementation |                             |   |                     |                |                                     |      |

### What happened?

The government partially completed this commitment. It created and published new registries of exploration permits and concessions on the website of the Ministry of Economy and Energy. The government also made public the National Concession Register (NCR), which includes all state and municipality-owned concession.

Extensive information about procedures, tenders, concessionaires, and concession payments is available on the NCR website. However, there is no public information system containing data about status and group of mineral resources, deposits of underground resources, or specialised maps.

According to the government's self-assessment report, this commitment falls under the administrative capacity programme and is in the approval stage. The self-assessment report states that in 2015 the public information system is releasing data about the location of the group of mineral resources, the type of mineral resources, and their status.

#### **Did it matter?**

Interviewed stakeholders are enthusiastic about the commitment's potential towards more transparency and accountability in the management and allocation of mineral resources in Bulgaria. The new registries on concessions and exploration permits provide extensive information on the exploitation of Bulgaria's underground resources. Citizen and environments protection organisations and local movements can find all the information they need on state and municipal concessions.

Once created, the public information system will help strengthen citizen control over the way concessions are distributed and managed.

#### **Moving forward**

The IRM researcher recommends further work on basic implementation of this commitment in the next planning period. In particular, the government should ensure that the public information system containing data about groups of minerals and their deposits found is created and made available to the public as soon as possible.

According to an interviewed stakeholder, the needed technical facilities are already available, and the government continues to upload specialised maps of exploration permits and concessions, found deposits of underground resources, and 3D information. The government will transfer and adapt the existing data to a new geographic system.

At present the government is working on approving the project "design of a specialized information system for administrative management of the data on underground resources, permits, and concessions for extraction."

#### **Sources**

<http://bit.ly/JbZLxi>

<http://www.nkr.government.bg/app?service=external/Browse&sp=201>

<http://www.nkr.government.bg/app?service=external/BrowseByEx&sp=502>

## 10. Transparency of Managing Mineral Resources

*The transparency of managing mineral resources will be achieved by involving established experts from the academic circles and NGOs in carrying out tender and competitive procedures for obtaining rights on the underground resources; approving geological reports drafted by the rightholders; carrying out control over the exploration and mining of mineral resources.*

| Commitment Description   |                             |  |                     |                      |                                     |             |
|--|-----------------------------|--|---------------------|----------------------|-------------------------------------|-------------|
| A<br>n<br>s<br>w<br>e<br>r<br>a<br>b<br>i<br>l<br>i<br>t<br>y  | Lead institution            | Ministry of Economy and Energy   |                     |                      |                                     |             |
|  | Supporting institutions     | None   |                     |                      |                                     |             |
|  | Point of contact specified? | No   |                     |                      |                                     |             |
| Specificity and measurability                                  |                             | Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.) |                     |                      |                                     |             |
| R<br>e<br>l<br>e<br>v<br>a<br>n<br>c<br>e                      | OGP grand challenges        | More effectively managing public resources   |                     |                      |                                     |             |
|  | OGP Values                  | Access to Information  | Civic Participation | Accountability       | Tech & Innovation for Trans. & Acc. | None        |
|  |                             |  | ✓                   | ✓                    |                                     |             |
| Ambition   |                             |  |                     |                      |                                     |             |
| New vs. pre-existing   |                             | Potential impact   |                     |                      |                                     |             |
| New  |                             | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)             |                     |                      |                                     |             |
| Level of completion  |                             |  |                     |                      |                                     |             |
| Start date:<br>Unclear   |                             | End date:<br>2012  |                     | Actual completion    |                                     | Not started |
|  |                             |  |                     | Projected completion |                                     | Complete    |
| Next steps   |                             |  |                     |                      |                                     |             |
| Revision of the commitment to be more achievable or measurable |                             |  |                     |                      |                                     |             |

### What happened?

The IRM researcher could find no evidence that implementation of this commitment had started. Additionally, the self-assessment report doesn't provide information on its fulfilment. The Chamber of Mining Industry did not respond to the IRM researcher's request for more information regarding this commitment.

### Did it matter?

If accomplished, this commitment could impact the way mineral resources are managed in Bulgaria. The involvement of NGOs and academics in the bidding and reporting quality control process would provide a new level of accountability in the management of mining

concessions. This in turn could lead to improvements in environmental outcomes and reduction of corruption.

### **Moving forward**

The IRM researcher recommends this commitment be included in the next action plan, although in a different format. As worded, the commitment is vague and difficult to measure. The IRM researcher recommends the addition of milestones and a clear timeline to the commitment language.

### **Sources**

<http://www.mi.government.bg/files/useruploads/files/strategia.pdf>

## 11. Legislative Acts Impact Assessment

*Carrying out an impact assessment of the legislation affecting the business environment, including follow-up impact assessment of legislative acts with the selection being done in conjunction with the business community.*

| Commitment Description               |                                    |  |                            |                             |  |             |
|--------------------------------------|------------------------------------|--|----------------------------|-----------------------------|--|-------------|
| Availability                         | <b>Lead institution</b>            | Central State administration   |                            |                             |  |             |
|                                      | <b>Supporting institutions</b>     | None   |                            |                             |  |             |
|                                      | <b>Point of contact specified?</b> | No   |                            |                             |  |             |
| <b>Specificity and measurability</b> |                                    | High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal.)                |                            |                             |  |             |
| Relevance                            | <b>OGP grand challenges</b>        | Increasing public integrity More effectively managing public resources   |                            |                             |  |             |
|                                      | <b>OGP Values</b>                  | <b>Access to Information</b>   | <b>Civic Participation</b> | <b>Accountability</b>       | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> | <b>None</b> |
|                                      |                                    |  |                            | ✓                           | ✓  |             |
| <b>Ambition</b>                      |                                    |  |                            |                             |  |             |
| <b>New vs. pre-existing</b>          |                                    | <b>Potential impact</b>  |                            |                             |  |             |
| Pre-existing                         |                                    | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.) |                            |                             |  |             |
| <b>Level of completion</b>           |                                    |  |                            |                             |  |             |
| <b>Start date:</b><br>Unclear        |                                    | <b>End date:</b><br>Ongoing  |                            | <b>Actual completion</b>    |  | Limited     |
|                                      |                                    |  |                            | <b>Projected completion</b> |  | Substantial |
| <b>Next steps</b>                    |                                    |  |                            |                             |  |             |
| Further work on basic implementation |                                    |  |                            |                             |  |             |

### What happened?

Effective January 2008, article 28 of the Law on Normative Acts required preliminary impact assessment of every piece of draft legislation. The same regulation exists in the rules of organisation and procedures of the National Assembly. However, the government does not regularly apply these regulations.

To address this issue, the government discussed and approved new changes in the Law in Normative Acts and in the Internal Rules of the Council of Ministries on 11 June 2013.

Thanks to these changes, the government will only pass draft bills if they are accompanied by preliminary impact assessments. Additionally, the government will publish summaries of all submitted statements and proposals on the Public Consultation Portal.

The National Assembly is going to establish a special research center to the Parliament. The IRM researcher was unable to obtain information about when this research center will be



created. The new National Assembly will produce the legislative research, analysis, and impact assessments for each new draft legislation.

According to the government it has developed and discussed SME test (known as Small and Medium Enterprise Test). legislation which would require impact assessment of statutory instruments on small and medium-sized enterprises, but is not yet a regulatory requirement under the SIA. For this reason, even though it has been drafted, this test is not yet applied. .

Stakeholders can find a repository of existing preliminary impact assessments on the Public Consultation Portal.

#### **Did it matter?**

The preliminary impact assessment is a very important because it can help prevent influence from interest groups on existing legislations. In particular, it protects small businesses from potentially burdensome new regulations. This practice will also guarantee more effective and predictable results of policy implementation.

#### **Moving forward**

The IRM researcher recommends further work on basic implementation of this commitment.

1. In particular, the government needs to implement the commitment in practice and should apply the existing law by governing institutions.
2. NGOs should carefully monitor the enforcement process of the amendments.

#### **Sources**

<http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&categoryId=&Id=10&y=&m=&d>

<http://parliament.bg/bg/parliamentarycommittees/members/2081/steno/ID/3086>

<http://www.strategy.bg/PublicConsultations/View.aspx?@lang=bg-BG&Id=971>

<http://bit.ly/1bZN3OL>

## 12 & 21. National Health Information System

*Commitment 12: Accountability and transparency of the operation of the health service providers through developing a National Health Information System accessible to the citizens via electronic identification. The quality of medical services will be subject to constant institutional and public control.*

*Commitment 21: Development of e-health care by:*

- Development of a National Health Information System, e-health file, e-prescription, e-referral, etc.;

- Public access to the system through electronic identification

Note that these commitments have been combined as they commit to the same set of activities.

| Commitment Description  |                             |  |                      |                |                                     |      |
|---|-----------------------------|--|----------------------|----------------|-------------------------------------|------|
| A<br>n<br>s<br>w<br>e<br>r<br>a<br>b<br>i<br>l<br>i<br>t<br>y | Lead institution            | Ministry of Health   |                      |                |                                     |      |
|   | Supporting institutions     | National Health Insurance Fund (NHIF)  |                      |                |                                     |      |
|   | Point of contact specified? | No   |                      |                |                                     |      |
| Specificity and measurability                                 |                             | Medium (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)                         |                      |                |                                     |      |
| R<br>e<br>l<br>e<br>v<br>a<br>n<br>c<br>e                     | OGP grand challenges        | Improving public services  |                      |                |                                     |      |
|   | OGP Values                  | Access to Information  | Civic Participation  | Accountability | Tech & Innovation for Trans. & Acc. | None |
|   |                             | ✓  |                      | ✓              | ✓                                   |      |
| <b>Ambition</b>   |                             |  |                      |                |                                     |      |
| New vs. pre-existing  |                             | Potential impact   |                      |                |                                     |      |
| New   |                             | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.) |                      |                |                                     |      |
| <b>Level of completion</b>                                    |                             |  |                      |                |                                     |      |
| Start date:<br>Unclear  |                             | End date:<br>2013  | Actual completion    |                | Substantial                         |      |
|   |                             |  | Projected completion |                | Complete                            |      |
| <b>Next steps</b>   |                             |  |                      |                |                                     |      |
| Further work on basic implementation                          |                             |  |                      |                |                                     |      |

### What happened?

The government substantially completed this commitment. The National Health Insurance Fund (NHIF) developed a new national health information system. As a result, since 15 April 2013, it is now possible for people to access information about

- personal medical files;
- services provided to date;
- patients' rights;
- specialists and medicines;
- daily information on number of patients who have been hospitalised whose medicines have been reimbursed, including amounts of reimbursement;
- companies who delivered medicines, their price, and limits to the possible prices;
- directions issued by general practitioners and for patients hospitalisation;
- list of medicine reimbursed by the NHIF;
- existing legislation in the relevant field; and
- people's rights as European citizens.

#### Did it matter?

This system provides new services and guarantees opportunities for citizens, organisations, and institutions to monitor and control the services provided by the NHIF. The people easily access their personal files or the information provided on the system. The system also reduces needed time and administrative resources.

According to interviewed stakeholders, the introduction of the portal is important for its transparency and accessibility of information on public finance spending for health care. As the government makes this information available to the public, its citizens, NGOs, state institutions, and other interested parties can monitor it.

#### Moving forward

The NHIF is planning on adding new functionalities to the system in January 2014. This includes the creation of e-services electronic prescriptions and electronic directions from general practitioners to a specialist. These services are expected to increase quality of care by saving time for physicians, patients, and health care administration.

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#### Sources

Interview with Atanas Baev—NHIF

<http://www.nhif.bg/web/guest/home>

<http://bit.ly/18F7A1D>

### 13. Outsourcing Activities to the Businesses

*Outsourcing activities to the businesses based on analysis of the self-regulation practices in self-regulating sectors and identification of sectors where regulation powers could be transferred from the state to the business community.*

| Commitment Description  |                                    |  |                            |                       |   |             |
|---|------------------------------------|--|----------------------------|-----------------------|---|-------------|
| A<br>n<br>s<br>w<br>e<br>r<br>a<br>b<br>i<br>l<br>i<br>t<br>y | <b>Lead institution</b>            | Ministry of Economics and Energy   |                            |                       |   |             |
|   | <b>Supporting institutions</b>     | None   |                            |                       |   |             |
|   | <b>Point of contact specified?</b> | No   |                            |                       |   |             |
| <b>Specificity and measurability</b>                          |                                    | Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.) |                            |                       |   |             |
| R<br>e<br>l<br>e<br>v<br>a<br>n<br>c<br>e                     | <b>OGP grand challenges</b>        | Increasing corporate accountability  |                            |                       |   |             |
|   | <b>OGP Values</b>                  | <b>Access to Information</b>   | <b>Civic Participation</b> | <b>Accountability</b> | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b>          | <b>None</b> |
|   |                                    |  |                            |                       |   | ✓           |
| <b>Ambition</b>   |                                    |  |                            |                       |   |             |
| <b>New vs. pre-existing</b>                                   |                                    | <b>Potential impact</b>  |                            |                       |   |             |
| Pre-existing  |                                    | Minor (The commitment is an incremental but positive step in the relevant policy area.)  |                            |                       |   |             |
| <b>Level of completion</b>                                    |                                    |  |                            |                       |   |             |
| <b>Start date:</b><br>Unclear                                 | <b>End date:</b><br>2013           | <b>Actual completion</b>   |                            |                       | Unable to tell from government and civil society responses. |             |
|   |                                    | <b>Projected completion</b>  |                            |                       | Complete  |             |
| <b>Next steps</b>   |                                    |  |                            |                       |   |             |
| None: abandon commitment                                      |                                    |  |                            |                       |   |             |

#### What happened?

The IRM researcher could find not evidence that analysis of the self-regulation practices in self-regulating sectors was performed.

Interviewed government representatives and stakeholders had diverging opinions on the level of completion of this commitment. On one hand, according to interviews conducted with the Bulgarian Chamber of Commerce and Industry's Institute for Market Economy, the government had not accomplished the commitment. On the other hand, interviewed experts and members of Parliament stated that outsourcing is not new; it is a broadly applied practice and most of the supportive activities related to social or health care supportive services, for example, are outsourced, particularly at the local level.

According to the government's self-assessment report, the process of outsourcing is in its very beginning and will continue after the analysis mentioned above.

#### **Did it matter?**

As written, the commitment does not clearly articulate its relationship to core OGP values.

#### **Moving forward**

The IRM researcher recommends abandoning this commitment. As it is currently written, it is unclear how outsourcing activities to businesses is linked to OGP principles of access to information, participation, and accountability.

#### **Moving forward**

Interview with Petar Ganev - IME

Interview with Dora Yankova - MP

Interview with Sasho Angelov - lecturer SU St. Kl. Ohridski

<http://www.mi.government.bg/bg/news/krasin-dimitrov-balgariya-e-vtora-v-evropa-i-peta-v-sveta-v-klasiciyata-na-nai-privlekatelnite-atsor-1470.html>

## 14. Improving Consultation Practices with the Business

*Improving the consultation practices with the business community by ensuring active dialog in the process of policy formulation and implementation. Currently the dialog takes place within the National Council for Tripartite Cooperation, the Economic Growth Council and as part of the Program for Better Regulation 2010-2013, as well as at specialized forums.*

| Commitment Description                             |                             |  |                     |                      |                                     |             |
|--|-----------------------------|--|---------------------|----------------------|-------------------------------------|-------------|
| Availability                                       | Lead institution            | Central state administration   |                     |                      |                                     |             |
|  | Supporting institutions     | None   |                     |                      |                                     |             |
|  | Point of contact specified? | No   |                     |                      |                                     |             |
| Specificity and measurability                      |                             | Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.) |                     |                      |                                     |             |
| Relevance  | OGP grand challenges        | Increasing public integrity, Increasing corporate accountability   |                     |                      |                                     |             |
|  | OGP Values                  | Access to Information  | Civic Participation | Accountability       | Tech & Innovation for Trans. & Acc. | None        |
|  |                             |  | ✓                   | ✓                    |                                     |             |
| Ambition   |                             |  |                     |                      |                                     |             |
| New vs. pre-existing                               |                             | Potential impact   |                     |                      |                                     |             |
| Pre-existing                                       |                             | Minor (The commitment is an incremental but positive step in the relevant policy area.)  |                     |                      |                                     |             |
| Level of completion                                |                             |  |                     |                      |                                     |             |
| Start date:<br>Unclear                             |                             | End date:<br>Ongoing   |                     | Actual completion    |                                     | Substantial |
|  |                             |  |                     | Projected completion |                                     | Substantial |
| Next steps   |                             |  |                     |                      |                                     |             |
| New commitment building on existing implementation |                             |  |                     |                      |                                     |             |

### What happened?

The government substantially accomplished this commitment. The process of consultation with business and syndicates is not new—it is a well established practice in Bulgaria. Every draft regulation related to the business community has to be sent to interested business organisations for comments.

More than 80 public councils—mixed bodies that include representatives from the government and from professional organisations—exist and are spread throughout different state agencies and ministries. The councils are to provide advice and suggestions on the functioning of the agencies they serve, as well as participate in the drafting of regulations, among other things.

The government self-assessment report states that it has founded about 50 new working groups to discuss future regulations and policies.

Under the Law on Normative Acts, every draft legislation is also publicly uploaded on the Public Consultation Portal for public input. The notice and comment period is a minimum of 14 days.

### Did it matter?

Due to the ambiguous language of the commitment, it is unclear how this commitment would improve existing practices. Prior to this commitment's implementation, the government had a well developed and well regulated consultation process with businesses.

The new working groups created as part of this commitment while commendable, are nothing new. Working groups are in constant flux due to their temporary nature—they are created on an as-needed basis when the government is drafting a new law.

However, some problems remain that need to be addressed regarding transparency of these working groups. There is currently no information being published about the activity of these public councils and working groups.

### Moving forward

The IRM researcher recommends that the government focus its future efforts on achieving more transparency and accountability of the public councils' work, working meetings of government representatives at all levels of authority, and the consultation process as a whole:

- The public councils should publish information on
  - agenda and minutes of their meetings,
  - proposals made by interested stakeholders that were accepted, and
  - reports on the effectiveness of their work.

An example of good practice includes the newly established public council to the Parliamentary Committee (PC) on Interaction with Civil Organizations and Movements, which publish even the statements of the PC.

- An awareness-raising campaign is needed to inform businesses and other organisations of the information available on the government websites, and on the opportunities provided by the Public Consultation Portal.

### Sources

<http://saveti.government.bg/web/guest;jsessionid=19A71F2E66F48BBAFFBB29906F7A923C>

<http://www.saveti.government.bg/web/guest>

<http://bit.ly/19FeLKO>

## 15. Discussion Forums on CSR

*Organization of discussion forums nationally and locally aimed at raising awareness about CSR among a broad circle of business representatives and presenting good CSR practices.*

| Commitment Description        |                             |  |                     |                      |                                     |          |
|-------------------------------|-----------------------------|--|---------------------|----------------------|-------------------------------------|----------|
| Availability                  | Lead institution            | Ministry of Economics and Energy   |                     |                      |                                     |          |
|                               | Supporting institutions     | Ministry of Labour and Social Policy   |                     |                      |                                     |          |
|                               | Point of contact specified? | No   |                     |                      |                                     |          |
| Specificity and measurability |                             | Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.) |                     |                      |                                     |          |
| Relevance                     | OGP grand challenges        | Increasing corporate accountability  |                     |                      |                                     |          |
|                               | OGP Values                  | Access to Information  | Civic Participation | Accountability       | Tech & Innovation for Trans. & Acc. | None     |
|                               |                             |  |                     | ✓                    |                                     |          |
| Ambition                      |                             |  |                     |                      |                                     |          |
| New vs. pre-existing          |                             | Potential impact   |                     |                      |                                     |          |
| New                           |                             | Minor (The commitment is an incremental but positive step in the relevant policy area.)  |                     |                      |                                     |          |
| Level of completion           |                             |  |                     |                      |                                     |          |
| Start date:<br>2012           |                             | End date:<br>2013  |                     | Actual completion    |                                     | Limited  |
|                               |                             |  |                     | Projected completion |                                     | Complete |
| Next steps                    |                             |  |                     |                      |                                     |          |
| None: abandon commitment      |                             |  |                     |                      |                                     |          |

### What happened?

The government partially accomplished this commitment. Last year the Ministry of Economics and Energy and the Ministry of Labour and Social Policy held several workshops on corporate social responsibility (CSR). The topic was “encouraging the social dialogue and improvement of the conditions of labour of workers and staff” and “preliminary impact assessment of the CSR strategy and next steps.” According to interviewed government representatives, these workshop were very well attended—representatives of 54 employer organisations and 27 syndicates from 12 industry sector councils took part in the events.

According to interviewed stakeholders, because of the lack of sufficient financial resources, the government postponed planned measures under the OGP commitment until 2014.

However, NGOs working in the field have been active. They organised a lot of events and training during that period. In collaboration with the CSR network, the College of Insurance and Finance has included “CSR and Finance” in its programme. The UN Global Compact



Network Bulgaria organised a lot of trainings, presentations, and discussion forums on the subject.

According to NGO representatives and the staff responsible for CSR projects of the Ministry of Labour and Social Policy, lasting working partnerships and collaboration have been established between these two groups. This collaboration would help facilitate additional awareness-raising activities in the future.

#### **Did it matter?**

It is impossible to measure how the workshops and discussion forums will impact the desired broadening and effectiveness of the CSR policies. However, these awareness-raising activities are new to Bulgaria, and therefore, it could be assumed that these events would raise public awareness of CSR.

Interviewed stakeholders were not aware of these efforts by government to raise CSR awareness.

#### **Moving forward**

While this commitment did have limited public participation, it is not directly about improving the openness of government. However laudable this may be, the IRM researcher does not recommend including this commitment in the next action plan.

The Ministry of Labour and Social Policy started work on a project entitled “social dialogue encouragement and improvement of the worker and administration labour environments,” which will end in 2015 and which includes

- using discussion forums,
- analysing existing legislative basis adequate to the CSR,
- assessing CRS public policies,
- examining working CRS practices, and
- drafting recommendations for the business communities and citizens on CRS.

#### **Sources**

<http://www.csr.bg/>

[http://www.unglobalcompact.bg/?page\\_id=140&lang=bg](http://www.unglobalcompact.bg/?page_id=140&lang=bg)

## 16. Integrating Preventive Environment Tools

*Integrating the preventive environmental tools into the corporate policies by increasing corporate awareness including with regards to environmental management systems such as ISO 14001, EMAS, eco labeling, energy labeling, eco design of products.*

| Commitment Description               |                             |  |                      |                |                                     |      |
|--------------------------------------|-----------------------------|--|----------------------|----------------|-------------------------------------|------|
| Availability                         | Lead institution            | Central state administration   |                      |                |                                     |      |
|                                      | Supporting institutions     | None   |                      |                |                                     |      |
|                                      | Point of contact specified? | No   |                      |                |                                     |      |
| Specificity and measurability        |                             | Low (Commitment language describes an activity that can be construed as measureable with some interpretation on the part of the reader.) |                      |                |                                     |      |
| Relevance                            | OGP grand challenges        | Improving public services, increasing corporate accountability   |                      |                |                                     |      |
|                                      | OGP Values                  | Access to Information  | Civic Participation  | Accountability | Tech & Innovation for Trans. & Acc. | None |
|                                      |                             | ✓  |                      |                |                                     |      |
| Ambition                             |                             |  |                      |                |                                     |      |
| New vs. pre-existing                 |                             | Potential impact   |                      |                |                                     |      |
| New                                  |                             | Minor (The commitment is an incremental but positive step in the relevant policy area.)  |                      |                |                                     |      |
| Level of completion                  |                             |  |                      |                |                                     |      |
| Start date:<br>Unclear               |                             | End date:<br>2013  | Actual completion    |                | Unclear                             |      |
|                                      |                             |  | Projected completion |                | Complete                            |      |
| Next steps                           |                             |  |                      |                |                                     |      |
| Further work on basic implementation |                             |  |                      |                |                                     |      |

### What happened?

This commitment was vaguely worded. Because of that, it is difficult to tell what activities were intended to take place. However, a number of initiatives took place that could be considered as fulfilling this commitment.

The Ministry of Environment and Water (MEW) took the following steps towards providing information regarding environmental management systems:

- It established a National Information Bureau, which offers information about the chemicals management standards and legislative requirements which companies have to meet.
- It published a Q&A section on its website.
- Its experts offer consultations and help with the implementation of the EU regulation on Registration, Evaluation, Authorization, and Restriction of Chemicals

(REACH), as well as the regulation on classification, labelling, and packaging of substances and mixtures (CLP). Notably, it organized four workshops around this topic with various business associations.

- It provides information on the European Eco-Management and Audit Scheme (EMAS) and its implementation for small and medium size enterprises.
- It showcases new legislation and services information about public registries. According to the self-assessment report MEW's website provides access to more than 220 registries and data.
- It organized a workshop jointly with the Information Centre at the Delegation of the European Commission with industry executives for clarification of amendment to the Environment Protection Act and other statutory instruments of environmental management systems.

The MEW has also taken part in three workshops under the project GO4EMAS, organized by the Bulgarian Industrial Association where the aim and practical aspects of implementation of EMAS have been presented before representatives of small and medium business.

### Did it matter?

The government has made a number of environmental management systems information available to businesses. This could potentially impact access to information, company accountability, and access to environmental compliance mechanism. However, it is not easy to measure if companies' awareness has been raised by the existence of these websites.

The lack of sufficient financial resources is a barrier to private companies that want to register under the standards promoted. According to a provider of information on different International Standards, there are 834 companies registered under ISO 14001—this number represents about 60–70 percent of all certified companies in Bulgaria.

If the government implements ISO 14001, it could improve the accountability and self-control of the enterprises regarding environmental protection requirements and standards. It also could broaden access to information and public participation in industries.

Interviewed stakeholders acknowledged the importance of businesses knowing and applying new systems and standards of environmental management. This is particularly crucial at a time when Bulgaria has seen rapid economic growth in a variety of new sectors including energy and pharmaceuticals.

According to representatives of the MEW and the IRM researcher, the existing collaboration between business and ministry staff is a way to build and implement more effective policies and practices. The ministry is working closely with businesses to stimulate them to understand and apply these requirements.

### Moving forward

Good collaboration practices between companies and MEW should continue, but there is no need to include that commitment again in the next OGP plan. The government substantially accomplished this commitment, and according to the staff at MEW, companies and the ministry have established a working model of good co-operation.

### Sources

[http://www3.moew.government.bg/files/file/Industry/EMAS/Info\\_EMAS/energyeff\\_en.pdf](http://www3.moew.government.bg/files/file/Industry/EMAS/Info_EMAS/energyeff_en.pdf)

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Copy for public comment: Not for citation

<http://www.moew.government.bg/?show=top&cid=334>

<http://www.moew.government.bg/?show=top&cid=322>

<http://www.investbulgaria.eu/a/about-bulgaria/economy/leading-industries.html>

<http://www.club9000.org/bg/ISO14001-Certified-Firms.php>

<http://www.moew.government.bg/?show=top&cid=331>

## 17 & 19. Unified Portal for Administrative Services

*Commitment 17: Further development of the Unified portal for administrative services and alignment with the functions of the Unified Contact Point.*

*Commitment 19: Operational maintenance of the Unified portal for administrative services.*

| Commitment Description            |                             |   |                     |                |                                     |      |
|-----------------------------------|-----------------------------|---|---------------------|----------------|-------------------------------------|------|
| Answers<br>ability                | Lead institution            | Ministry Transportation Information Technology and Communications   |                     |                |                                     |      |
|                                   | Supporting institutions     | None  |                     |                |                                     |      |
|                                   | Point of contact specified? | No  |                     |                |                                     |      |
| Specificity and measurability     |                             | Low (Commitment language describes an activity that can be construed as measurable with some interpretation on the part of the reader.) |                     |                |                                     |      |
| Relevance                         | OGP grand challenges        | Improving public services, Increasing public integrity  |                     |                |                                     |      |
|                                   | OGP Values                  |   |                     |                |                                     |      |
|                                   | Milestone                   | Access to Information   | Civic Participation | Accountability | Tech & Innovation for Trans. & Acc. | None |
|                                   | Portal development          | ✓   |                     |                | ✓                                   |      |
|                                   | Portal maintenance          | ✓   |                     |                | ✓                                   |      |
| Ambition                          |                             |   |                     |                |                                     |      |
| Milestone                         | New vs. pre-existing        | Potential impact  |                     |                |                                     |      |
| Portal development                | New                         | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)                |                     |                |                                     |      |
| Portal maintenance                | New                         | Minor (The commitment is an incremental but positive step in the relevant policy area.)   |                     |                |                                     |      |
| Level of completion               |                             |   |                     |                |                                     |      |
| Commitment 17. Portal Development |                             |   |                     |                |                                     |      |
| Start date:<br>Unclear            | End date:<br>2013           | Actual completion   |                     |                | Substantial                         |      |
|                                   |                             | Projected completion  |                     |                | Complete                            |      |
| Commitment 19. Portal maintenance |                             |   |                     |                |                                     |      |
| Start date:<br>Unclear            | End date:<br>2013           | Actual completion   |                     |                | Complete                            |      |
|                                   |                             | Projected completion  |                     |                | Complete                            |      |

| <b>Next steps</b>     |                                      |
|-----------------------|--------------------------------------|
| 1. Portal development | Further work on basic implementation |
| 2. Portal maintenance | Further work on basic implementation |

### What happened?

The government completed this commitment. It developed the Unified Portal for Administrative Services (UPAS) and its alignment with the functions of the Point of Single Contact (PSC), and the government ensured its maintenance until February 2014. However, it is important to note that while, according to government representatives, the government developed the website, officials have not yet launched it.

According to the E-government Act, UPAS functions as a PSC between citizens and the central and local administrations. The portal allows citizens to access various government websites to obtain information on topics such as property tax, civil law matters, government procedures, and more.

The government upgraded the portal to its current version under the EU Operative Program Administrative Capacity (OPAC) project.

According to the self-assessment report, the government has also created a system for management and monitoring of the operative comparability and security of information.

The PSC ensures service providers are able to

- easily access information needed for starting and fulfilling their activities,
- fill and submit documents and forms;
- provide forms and documents needed for attaining licenses, permits, registrations, and more;
- provide opportunities for users to receive explanations and instructions about the implementation of procedures and the way they work;
- contact information of institutions, chambers, and business organisations; and
- access to all existing public registries.

### Did it matter?

This commitment is a step towards improvement of public services because it reduces

- expenditures,
- corruptive practices, and
- the time needed to obtain public services.

It is also a precondition for starting e-government in the country, since this will be the first step in e-services.

### Moving forward

The government postponed the launch of the e-services portal until 2014.

According to the contract, the maintenance period goes until 12 months after the acceptance of the contract. According to interviewed experts, after February 2014 the

maintenance will stop unless the Ministry of Transportation, Information Technology, and Communications secures a budget for it.

**Sources**

<http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&categoryId=&Id=10&y=&m=&d=>

Interview with Boyan Yurukov—IT specialist

[http://ec.europa.eu/internal\\_market/eu-go/index\\_bg.htm#bg](http://ec.europa.eu/internal_market/eu-go/index_bg.htm#bg)

<http://psc.egov.bg>

## 18 & 20. Operational Compatibility Registries

### Commitment 18

Update of the Operational Compatibility Registries (Register of registries and data - RRD, Register of e-service - RES and Register of information and Register of information points - RIP, Register of standards, List of accredited persons, List of certified systems and products) for the e-government.

### Commitment 20

Operational maintenance of the Operational Compatibility Registries (Register of registries and data - RRD, Register of e-service - RES and Register of information and Register of information points - RIP, Register of standards, List of accredited persons, List of certified systems and products) for the e-government.

| Commitment Description         |                             |   |  |                      |                                     |             |
|--------------------------------|-----------------------------|---|--|----------------------|-------------------------------------|-------------|
| Answerability                  | Lead institution            | Ministry Transportation Information Technology and Communications (MTITC)   |  |                      |                                     |             |
|                                | Supporting institutions     | No  |  |                      |                                     |             |
|                                | Point of contact specified? | No  |  |                      |                                     |             |
| Specificity and measurability  |                             | Low (Commitment language describes an activity that can be construed as measurable with some interpretation on the part of the reader.) |  |                      |                                     |             |
| Relevance                      | OGP grand challenges        | Improving public services, Increasing public integrity  |  |                      |                                     |             |
|                                | OGP Values                  | Access to Information   | Civic Participation  | Accountability       | Tech & Innovation for Trans. & Acc. | None        |
|                                | Update registries           | ✓   |  |                      | ✓                                   |             |
|                                | Registries maintenance      | ✓   |  |                      | ✓                                   |             |
| Ambition                       |                             |   |  |                      |                                     |             |
| Milestone                      |                             | New vs. pre-existing  | Potential impact   |                      |                                     |             |
| Update registries              |                             | New   | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.) |                      |                                     |             |
| Registries maintenance         |                             | New   | Minor (The commitment is an incremental but positive step in the relevant policy area.)                                  |                      |                                     |             |
| Level of completion            |                             |   |  |                      |                                     |             |
| Milestone 1. Update registries |                             |   |  |                      |                                     |             |
| Start date:<br>Unclear         |                             | End date:<br>2013   |  | Actual completion    |                                     | Not started |
|                                |                             |   |  | Projected completion |                                     | Complete    |



| <b>Milestone 1. Registries maintenance</b> |                                      |                             |          |
|--|--------------------------------------|-----------------------------|----------|
| <b>Start date:</b><br>Unclear              | <b>End date:</b><br>2013             | <b>Actual completion</b>    | Complete |
|  |                                      | <b>Projected completion</b> | Complete |
| <b>Next steps</b>                          |                                      |                             |          |
| Update registries                          | Further work on basic implementation |                             |          |
| Registries maintenance                     | Further work on basic implementation |                             |          |

### *What happened?*

The IRM researcher found that the government has not accomplished the first of these two commitments, but it accomplished the second one.

The first of the commitments seeks to secure interoperability of the data and systems, through technological means, by updating the overarching system that links the various systems. These include updating

- the register of registries and data (RRD), which consists of data about all existing registries, lists, and other data that the administrative institutions of Bulgaria gathers and maintains;
- the register of information and register of information points (RIP), which includes formalised technological descriptions of information points also gathered and kept by the administrative entities according to their competencies;
- the register of e-service (RES), which includes technological descriptions of all e-services provided and internal e-administrative services; and
- other registers and key data sets such as register of standards, list of accredited persons, list of certified systems, and products.

According to government sources, the government carried out the process of updating. However, as of yet, the listed registers are not accessible on the Unified Portal.

The government has accomplished the second commitment, Commitment 20, on maintaining operational compatibilities. According to government sources, operational maintenance of the operational compatibility registries is secured for at least three years.

### *Did it matter?*

Allowing access to public registries and e-services is a crucial step towards improving public services and transparency and reducing corruption.

According to the Strategy on E-government, the commitment aims are to

- improve of the quality of people's lives and public services;
- reduce administrative pressure on businesses and to reduce the time and expenses needed for providing administrative services to citizens and businesses;
- improve of the quality of the consultation process and the regulations adopted after broad public discussions; and
- encourage and broaden civil participation in the policy-making process, providing opportunity for citizens to vote electronically during elections, referendums, and other citizen initiative or surveys.

The operational maintenance of the operational compatibility registers is a needed precondition for the functions of the registries and e-services.

### **Moving forward**

The government is currently working on the e-government project, and stakeholders are expecting the start of this commitment this year. According to the last statements of Prime Minister Oresharski and the minister of MTITC, Mr. Papazov, delivered on 16 January, the preparation and start of e-government is a long and expensive process. Therefore, during 2014, the Council of Ministers will focus on delivering e-services only.

The commitment should be reinstated in the second planning period.

### **Sources:**

<http://www.egov.bg/ereg-public/rrd/home.rg>

<http://www.publicregisters.info/>

<http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&categoryId=&Id=10&y=&m=&d>

Boyan Yurukov—IT specialist

<http://bit.ly/1dqK4dJ>

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## 22 & 4. Council of Ministers—Model of Open Administration

### Commitment 22:

- Further development of the web site of the CM in order to increase the scope of available information, employ good openness and transparency practices to serve as examples, and set information records standards.
- Ensuring that the rules regulating the second level budget spending units are public and their financial results and reports are accessible to the public.
- Exercising control and monitoring over the compliance with the legal requirements for information and publicity by assigning functions to a specialized administrative unit.
- Improving and publicizing the Public Consultations Portal ([www.strategy.bg](http://www.strategy.bg)) to achieve wider public participation
- Enhancing the public use of the information system for management and monitoring of the Structural Funds and the Cohesion Fund Wider scope of the available public information in order to achieve the project' and operational programs' indicators and expanding the opportunities for repeated use of the system data, including in formats allowing automated processing of information.

### Commitment 4: Publication of second level budget spending unit

Publication of the financial and technical reports of second level budget spending units

Commitment 4 was evaluated as part of commitment 22 as both commitments overlap in scope.

| Commitment Description  |   |  |                            |                       |  |             |
|---|---|--|----------------------------|-----------------------|--|-------------|
| A<br>n<br>s<br>w<br>e<br>r<br>a<br>b<br>i<br>l<br>i<br>t<br>y | <b>Lead institution</b>                 | Council of Ministers (CM), IM administration                                   |                            |                       |  |             |
|   | <b>Supporting institutions</b>          | None   |                            |                       |  |             |
|   | <b>Point of contact specified?</b>      | No   |                            |                       |  |             |
| <b>Specificity and measurability</b>                          |   | Medium (Commitment language contains no verifiable deliverables or milestones) |                            |                       |  |             |
| R<br>e<br>l<br>e<br>v<br>a<br>n<br>c<br>e                     | <b>OGP grand challenges</b>             | Increasing public integrity, More effectively managing public resources        |                            |                       |  |             |
|   | <b>OGP Values</b>                       | <b>Access to Information</b>   | <b>Civic Participation</b> | <b>Accountability</b> | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> | <b>None</b> |
|   | 22.1. Develop website                   | ✓  |                            | ✓                     |  |             |
|   | 22.2. Public release of budget spending | ✓  |                            | ✓                     |  |             |
|   | 3. Control and monitoring               |  |                            | ✓                     |  |             |

|   |                                  |  |  |   |   |  |
|---|----------------------------------|--|--|---|---|--|
|   | 22.4. Improving portal           | ✓  | ✓  |   |   |  |
|   | 22.5. Enhance information system | ✓  |  | ✓ | ✓ |  |
| <b>Ambition</b>                                       |                                  |  |  |   |   |  |
| <b>Milestone</b>                                      | <b>New vs. pre-existing</b>      | <b>Potential impact</b>  |  |   |   |  |
| 22.1 Develop website                                  | New                              | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)           |  |   |   |  |
| 22.2 Public release of budget spending                | New                              | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.) |  |   |   |  |
| 22.3 Control and monitoring                           | New                              | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)           |  |   |   |  |
| 22.4 Improving portal                                 | Pre-existing                     | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)           |  |   |   |  |
| 22.5 Enhance information system                       | New                              | Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.) |  |   |   |  |
| <b>Level of completion</b>                            |                                  |  |  |   |   |  |
| <b>Milestone 1. Develop website</b>                   |                                  |  |  |   |   |  |
| <b>Start date:</b><br>Unclear                         | <b>End date:</b><br>2012         | <b>Actual completion</b>   | Substantial  |   |   |  |
|   |                                  | <b>Projected completion</b>  | Complete   |   |   |  |
| <b>Milestone 2. Public release of budget spending</b> |                                  |  |  |   |   |  |
| <b>Start date:</b><br>Unclear                         | <b>End date:</b><br>None         | <b>Actual completion</b>   | Limited  |   |   |  |
|   |                                  | <b>Projected completion</b>  | Substantial  |   |   |  |
| <b>Milestone 3. Control and monitoring</b>            |                                  |  |  |   |   |  |
| <b>Start date:</b><br>Unclear                         | <b>End date:</b><br>Permanent    | <b>Actual completion</b>   | Unable to tell from government and civil society responses |   |   |  |
|   |                                  | <b>Projected completion</b>  | No dates or milestones attached or inferable               |   |   |  |
| <b>Milestone 4. Improving portal</b>                  |                                  |  |  |   |   |  |
| <b>Start date:</b><br>Unclear                         | <b>End date:</b><br>2012         | <b>Actual completion</b>   | Complete   |   |   |  |
|   |                                  | <b>Projected completion</b>  | Complete   |   |   |  |

| <b>Milestone 5. Enhance information system</b> |  |                             |          |
|--|--|-----------------------------|----------|
| <b>Start date:</b><br>Unclear                  | <b>End date:</b><br>2013                                       | <b>Actual completion</b>    | Complete |
|  |  | <b>Projected completion</b> | Complete |
| <b>Next steps</b>                              |  |                             |          |
| 1. Develop website                             | Further work on basic implementation                           |                             |          |
| 2. Public release of budget spending           | Revision of the commitment to be more achievable or measurable |                             |          |
| 3. Control and monitoring                      | Revision of the commitment to be more achievable or measurable |                             |          |
| 4. Improving portal                            | Further work on basic implementation                           |                             |          |
| 5. Enhance information system                  | Further work on basic implementation                           |                             |          |

### What happened?

The commitments included in the last group are generally aimed at enhancing the transparency of the public finance spending and achieving more open, responsive, and accountable administration.

Milestone 1: The development of the websites of the Council of Ministers (CM) ([www.government.bg](http://www.government.bg)) and the Public Consultation Portal ([www.strategy.bg](http://www.strategy.bg)) is ongoing, and the government continually adds more and more rich and timely information.

The CM's website offers rich information on all important documents, including shorthand records, administrative decisions, orders, and decrees. The addition of the shorthand records of CM meetings and administrative decisions was a huge step towards more openness, transparency, and accountability.

While this is encouraging, it remains difficult to find information quickly and easily. In addition, citizens and organizations would be more active in the policy-making process if the government announced more broadly the available data and opportunities for more citizen participation.

Milestone 2: The government partially accomplished this commitment, and officials are still working on it.

The system for electronic budget payments (SEBRA) gives citizen access to view the government's everyday payments, including the second level spending units. Citizens can also find reports on the accomplishments of the CM programmes and strategies, as well as financial analysis. The government also included financial information in the regular monthly public reports of the first level budget spending unit.

As a matter of practice, the internal regulations and financial reports of the important state agencies, committees, institutes, or regional administrations are public. However, according to budget experts, there are several thousands of second level budget spending units in Bulgaria; this makes it difficult to say how many of them publish information on SEBRA.

Milestone 3: As written, the commitment is unclear. It does not specify what kind of control will be exercised by the specialised administrative unit, which the monitoring institution is, or what type of measurable results or documents stakeholders should expect. Referring to the self-assessment report the specialised administrative unit is the inspectorate to the CM, but there is no information on its work published on CM's website.

Milestone 4: The Public Consultations Portal (PCP) provides timely information on the draft documents under the 14-day notice and comment period that the Law on the Normative Act allows. The act guarantees access to all comments and statements submitted by citizens and organisations. The portal also makes available all strategic documents, OGP information, news related to the state administration, and other relevant sources. During the implementation period, the government enhanced the portal, and it now provides more information.

Unfortunately there is no sufficient information in the Public Councils (PC) section. It is almost impossible to find info about the agenda of the PC meetings, their decisions or effectiveness, shorthand records, or even minutes of the topics discussed during the gatherings.

Milestone 5: The government accomplished this commitment. Officials have in progress the improvements to the unified management information system (UMIS) for the EU structural and cohesion funds. The EU makes these funds available to countries for implementing EU regional policy. The portal offers information on EU programmes, classified according to the operational programmes, regions, beneficiaries, and projects.

The current application greatly reduces the learning curve for the system's users as the Administration Ministries' employees regularly use the system and as the e-services gain popularity among beneficiaries of EU operative programmes.

According to the platform, over 670 proposals have been submitted using e-application, and the beneficiaries have started to use the e-reporting functionalities.

The portal will also reduce costs (up to 10 million Euros) and will significantly reduce the time needed to develop an information system for the next period, when it will be updated with new European requirements.

The system also provides an opportunity for candidates to

- check the status of their application,
- create invoices and other documents, and
- fill in online reports on the implementation of the projects.
- house an electronic signature.

The system is a good basis for transferring all communications with beneficiaries online.

The current e-services (e-application, e-assessment, and e-reporting) are in line with existing rules and procedures set in European regulations and are ready for use. The existing public module complies with most of the e-cohesion European requirements for publication of data and the list of beneficiaries. **The government will need to develop** minor functionalities in 2014 to make the system fully compliant with these requirements.

#### **Did it matter?**

Milestone 1: Broadening the number of documents accessible to citizens and organisations is a crucial step towards more participatory models of democracy. Availability of information about all operative decisions and decrees of the Council of Ministers, agendas, and shorthand records of its meetings guarantees the opportunity for NGOs to monitor and control closely the work of the Bulgarian government.

The CM's website provides rich information on spending and regular analysis, including financial reports, on implementation of policies, measures, and programmes. This allows

citizen organisations and experts to examine and follow the full range of short and long-term decisions of the government.

Milestone 2: It is important that the government makes publicly available the internal regulations of work of the second-level budget spending units and their financial reports. However, the government should conduct analysis regarding how the reports are used and by whom to ensure it is presented in a useful format.

According to interviewed stakeholders, the financial information would be more helpful to citizens and organisations if it were presented according to its functions: health care, education, culture, and so on. The governing institutions could also provide more documents like “Budget 2013 at a Glance,” which would explain budget and finance in more understandable language.

Milestone 3: As it is currently worded, the commitment is difficult to measure. However, according to the self-assessment report, two of the main functions of the chief inspectorate relevant to OGP are related to the prevention of corruption and conflict of interest, and it is important that the government make public information regarding audits.

Milestone 4: In order to make the decision-making process more transparent, the government should publish all draft regulations on the public consultation portal so that all submitted comments and statements are publicly available. Currently, the government has published a number of draft bills on the website of relevant ministries, and usually citizens are invited to send their proposals to a staffer via e-mail. This process should be streamlined as comments sent by e-mail are not publically available, therefore raising questions about how they are addressed.

Milestone 5: The UMIS is a strong functional instrument in reducing the administrative burdens by enhancing communication with programme beneficiaries and between governing institutions.

### Moving forward

Stakeholders recommend the following steps to ensure improvement of the CM model of open and accountable administration.

1. The government should implement the requirements of the newly amended Law on Normative Acts and prepare and publish preliminary impact assessments of the draft bills. As part of the legislative agenda of the CM, a summary of all submitted statements and proposals on the bills discussed are published on the Public Consultation Portal after the 14 day notice and comment period.

The IRM researcher recommends that the government does the following:

1. It improves government.bg and strategy.bg to make the published data easier to find and download.
2. It reformulates the commitment regarding the publication of the second spending unit budget so it is more measurable and achievable. The language should specify
  - a. which second-level budget spending units the commitment covers,
  - b. in what format,
  - c. where and when the reports should be published, and
  - d. who will monitor and control the process.

3. It reformulates the legal requirements for information and publicity to make it more measurable and achievable. Commitment language should include
  - a. what kind of control the government will exercise,
  - b. which institution will monitor the implementation, and
  - c. what type of measurable results or documents should stakeholders expect.
4. It publishes draft regulations on the PCP. Searches for draft regulations made from other institutional websites should link to the draft document on PCP where all posted comments and statements are visible to the citizens. When it is done in this way, the agency staff won't have to check for submitted proposals on several websites.
5. It enriches and publishes information about composition, meetings, and effectiveness of the public councils on the website of PCP.
6. It creates an awareness-raising campaign on the opportunities the PCP provides to citizens and to NGOs to participate in the deliberation of the draft bills.
7. It continues improving the system for management and monitoring of the structural funds and aims at broadening its functions and the number of services it provides. Currently, efforts are focused on improving the comparability between different operative programmes and adapting the UMIS 2020 with requirements of the new programme period 2014–2020. The government should create interfaces between the UMIS 2020 and the information systems of other institutions such as the document and archive systems of the MAs, the Trade Register, the National Revenue E-Service and others. This should be done to reduce the level of administrative burden.

#### Sources

<http://www.government.bg/cgi-bin/e-cms/vis/vis.pl?s=001&p=0250&g=>

<http://www.government.bg/cgi-bin/e-cms/vis/vis.pl?s=001&p=0211&g=>

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<http://parliament.bg/bg/parliamentarycommittees/members/2081/steno/ID/3086>

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<http://eufunds.bg/>

<http://pris.government.bg/prin/default.aspx>

[http://europa.eu/legislation\\_summaries/glossary/structural\\_cohesion\\_fund\\_en.htm](http://europa.eu/legislation_summaries/glossary/structural_cohesion_fund_en.htm)

<https://eumis.government.bg/eProposalFull/1-OperationalMap.aspx?new=1>

<http://umispublic.minfin.bg/opOPProfileFinExec.aspx?op=3>



## 23. Access to Information Act Improvement

*Ensuring the correct enforcement of the Access to Public Information Act by setting uniform parameters for the timely development and publication of information by the administration.*

| Commitment Description                                |                                    |  |                            |                             |  |             |
|---|------------------------------------|--|----------------------------|-----------------------------|--|-------------|
| A<br>ns<br>w<br>er<br>a<br>b<br>i<br>l<br>i<br>t<br>y | <b>Lead institution</b>            | Ministry of Justice  |                            |                             |  |             |
|   | <b>Supporting institutions</b>     | State administration   |                            |                             |  |             |
|   | <b>Point of contact specified?</b> | No   |                            |                             |  |             |
| <b>Specificity and measurability</b>                  |                                    | Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader.) |                            |                             |  |             |
| R<br>el<br>ev<br>a<br>n<br>ce                         | <b>OGP grand challenges</b>        | Increasing public integrity  |                            |                             |  |             |
|   | <b>OGP Values</b>                  | <b>Access to Information</b>   | <b>Civic Participation</b> | <b>Accountability</b>       | <b>Tech &amp; Innovation for Trans. &amp; Acc.</b> | <b>None</b> |
|   |                                    | ✓  |                            |                             |  |             |
| Ambition  |                                    |  |                            |                             |  |             |
| <b>New vs. pre-existing</b>                           |                                    | <b>Potential impact</b>  |                            |                             |  |             |
| Pre-existing  |                                    | Moderate (The commitment is a major step forward in the relevant policy area, but it remains limited in scale or scope.)             |                            |                             |  |             |
| Level of completion                                   |                                    |  |                            |                             |  |             |
| <b>Start date:</b><br>Unclear                         |                                    | <b>End date:</b><br>2013   |                            | <b>Actual completion</b>    |  | Not started |
|   |                                    |  |                            | <b>Projected completion</b> |  | Complete    |
| Next steps  |                                    |  |                            |                             |  |             |
| Further work on basic implementation                  |                                    |  |                            |                             |  |             |

### What happened?

The government has not started implementing this commitment. Officials provided an update regarding this commitment during the parliamentary hearing on the self-assessment report. Representatives of the Council of Ministers (CM) mentioned that relevant departments of the CM were discussing a conception of new standards of information related to the requirements of EU Directive 2003/98/EC, which establishes a minimum set of rules governing the re-use and the practical means of facilitating re-use of existing documents held by public sector bodies. This could result in amendments of the Access to Public Information Act (AIA).

The parameters committed to under the OGP plan were not set out during the implementation period. However, there was some progress on related activities not covered by the report.

On 15 January, the State Administration Development Strategy 2014–2020/SADS/ was published on the PCP for proposals and comments. This document analyses the current state of access to information regarding access to information and has the current findings:

- The government needs an open data to ensure that data is useful, useable, and used—it must be accessible, easy for download, visualisation and re-use.
- Fees associated with obtaining information and data more specifically are prohibitive.
- The public inventories of already-existing data sets are not available.
- There are no mechanisms, standards, or rules that would enable a citizen to obtain open data that is previously unavailable.
- There is significant incompatibility between information systems of the different state institutions.

### Did it matter?

Since the government has not implemented this commitment, the impact is unclear. At the same time, interviewed stakeholders were not aware of work done by government on these standards. However, should it be implemented, the parameters, especially where they bring the law into harmony with the EU directive, could have a notable impact on the administration of the law in Bulgaria. In particular it could help to stimulate a move to open data, but, more broadly, it could help to stimulate re-use of a broad set of information including, as defined by the EU directive, “any representation of acts, facts, or information—and any compilation of such acts, facts, or information—whatever its medium . . . held by public sector bodies.”

### Moving forward

The IRM researcher recommends that the government revise the commitment, defining it clearly and measurably, and include it in the next OGP action plan. The commitment should follow the measures and steps planned in the State Administration Development Strategy regarding open data approach achievement:

- Analysing the public information, which could be provided in open-data format by the institutions
- Applying principles and rules for the re-use of information in the public sector
- Accepting an open-data approach to broaden the opportunity for business innovations and stronger citizen participation in the policy-making process
- Improving the infrastructure, operative compatibility, standards, and security
- Ensuring connectivity and compatibility of the data basis and registries
- Providing for operative compatibility of the existing information systems and registries and free flow of information and documents between different administrations

### Sources

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2003L0098:20130717:BG:PDF>

State Administration Development Strategy, 15 December 2014, see <http://bit.ly/19FeLKO>

Interview with Raia Petkova - Former Head of Cabinet of the CM

## V. SELF-ASSESSMENT

**The government released its self-assessment report at a public parliamentary committee hearing on November 28. While the report reaffirms Bulgaria’s commitment to OGP, it does not cover the OGP consultation process.**

The self-assessment report was approved by the Council of Ministers (CM) on 27 November 2013 and published on 28 November 2013 on the Public Consultation Portal. At the time of writing this report (December 2013), the government had not published the self-assessment report to the OGP website nor had it translated the report into English.

As mentioned previously, due to the preliminary parliamentary elections, three governments took part in the planning, implementation, and evaluation of the OGP action plan. The changes of officials responsible for OGP delayed the process of evaluation and preparation of the report. In an effort to meet the deadline, officials publicly presented the self-assessment report after it was approved and discussed at a parliamentary committee hearing on November 28. It was open for comments after the approval by the Council of Ministries.

The report does not provide information about the consultation process, but it describes briefly 24 of 25 commitments contained in the original action plan. Officials did not include commitment 10 in the report (transparency of managing mineral resources).

The government demonstrated continuity and declared its intention to deepen Bulgaria’s participation in the OGP process. The Institute of Public Administration to the CM started research on the best possible areas and issues for Bulgarian participation in the OGP. The IPA catalog for 2014 included a special training for staff and officials (central and local-government administration) on OGP values.

**Table 2: Self-Assessment Checklist**

|   |         |
|---|---------|
| Was annual progress report published?   | Yes     |
| Was it done according to schedule?  | No      |
| Is the report available in the local language?  | Yes     |
| According to stakeholders, was this adequate?   | Unclear |
| Is the report available in English?   | No      |
| Did the government provide a two-week public comment period on draft self-assessment reports? | No      |
| Were any public comments received?  | Yes     |

|  |     |
|--|-----|
| Is the report deposited in the OGP portal?   | No  |
| Did the self-assessment report include review of the consultation efforts?               | No  |
| Did the report cover all of the commitments?   | No  |
| Did it assess completion according to schedule?  | No  |
| Did the report reaffirm responsibility for openness?                                     | Yes |
| Does the report describe the relationship of the action plan with grand challenge areas? | Yes |

**Sources**

<http://www.strategy.bg/FileHandler.ashx?fileId=4189>

<http://www.strategy.bg/Articles/View.aspx?lang=bg-BG&categoryId=&Id=10&y=&m=&d=>

## VI: MOVING FORWARD

**This section puts the OGP action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.**

### Country Context

In February, provoked by higher than normal electricity bills, Bulgarians took to the streets to demand more state protection and measures against monopolies. The protests spread fast and soon covered the country. Protesters asked not only for changes and institutional intervention, but also for the resignation of the government. On 20 February 2013, Prime Minister Boyko Borisov and his government resigned. Despite this resignation, the citizen protests continued, broadened, and changed focus towards institutional and constitutional reforms, new electoral code, more openness, and citizen participation. During this time, protesters formed and founded new civic groups with new leaders in the spring of 2013.

As a result of the preliminary elections in May, a new majority led by the Coalition for Bulgaria (CB) and The Right and Freedom Movement (RFM) came into power and elected the new government with Prime Minister Plamen Oresharski.

In June protests erupted again as a response to the appointment of Delyan Peevski, Member of Parliament and media owner, as the head of the State Agency for National Security. Despite his immediate resignation, the protesters continued asking for the resignation of the prime minister and his government.

The citizen protests changed focus towards demanding changes to the status quo, political elites, shadowy interests controlling the government, oligarchy, and new rules and ethics of Bulgaria's political life. The movement protested against the government's lack of formulating concrete demands or measures that could effectively fight corruption and the influence of money in the policy-making process.

In response, the government is trying to improve transparency in the decision making-process. Notably, relevant ministries, Parliament, state agencies, and the President of Bulgaria, have formed a lot of new mixed-consultative bodies—public councils. Public councils are the most popular form of citizen participation in Bulgaria and the best institutionalized channel for access of NGOs to the very early stages of the policy-making process. The self-assessment report states that more than 50 working groups are also active at present at the level of the executive power.

The implementation of new practices and approaches aimed at more transparency and accountability, including budget procedure openness, is a continuing process in Bulgaria. A huge step forward was the public availability of the Council of Ministers shorthand records, decisions, and orders. At present the bills introduced in the National Assembly are public at every stage of their deliberation. Stakeholders stated that there is enough information on public finance spending but that it has to be organized and presented to the consumers in more understandable and easily usable ways.

The Committee on Interaction with Civil Organizations and Movements (CICOM) also provides new broad opportunities for citizens and organizations to express their proposals and comments. CICOM held a new kind of hearing where ordinary citizens were able to share their proposals for the agenda of the National Assembly. The government drafted a new election code in close collaboration with MPs, NGOs, citizens, staff, and experts. For the first time, the government is allowing these meetings of CICOM and the Committee on Budget and Finance to be featured on television and online on the Web of the Parliament. Some gatherings of new public councils were publicly broadcasted for the first time too.

Despite these achievements, 34,000 registered NGOs and 180 political parties, nearly 70 percent of citizens feel underrepresented before the government and about 3 percent have been involved in NGO activities. According to the last survey on NGOs accomplished by Professor Ivo Hristov, only 8 percent of citizens believe that NGOs are strong tools for citizen control over governing institutions. Stakeholders can assess every draft document at present for proposals and comments on the Public Consultations Portal, but since last May, citizens have only commented on 54 of 500 draft regulations on the Public Consultation Portal. Public councils, which are best developed through a channel of lasting collaboration among organizations and governing institutions, are one of the most closed and unaccountable bodies.

So, contrary to expectations, openness and access to institutions or information on the government doesn't result in active citizen participation. At the same time the public trust in the governing institutions is very low and it varies: 11–14 percent of citizens trust the Parliament and about 23–26 percent trust the government,

### Stakeholder Priorities

Stakeholders found the Bulgarian action plan too ambitious. They believed that too many commitments were included in the action plan given the short period for implementation. They also stated that improving the OGP challenges of corporate social responsibility and accountability is not timely and relevant to the needs of the country. Measures aimed at more effective management of public resources and improvement of open government environment have been appropriate to the society priorities for developing a transparent and accountable government.

Participants in the first stakeholder meeting underlined the need for a public-awareness campaign on Bulgarian OGP values and goals on both the central and local government level. Participants focused their recommendations on strengthening both human and technological capacity in the municipalities so that they are able to actively draft more analysis, surveys, and other resource papers in language understandable to ordinary people and to make efforts to attract more citizen and NGO participation in the consultation process.

Stakeholders also made recommendations related to the following:

#### Measures towards Better Allocation of the Public Resources and More Accountability in the Budget Process

- Designing a new information system for monitoring the fulfillment of the CM programme and annual goals of the administration, combined with special and detailed indicators on the policy implementation, will allow the government to measure the real effectiveness of the public finance spending.
- Implementing amendments on the new Act on Public Finance to strengthen the role and

influence of the ministries in the process of formulating and planning the relevant policy priorities for the future budget period.

- Make publicly available the products of all projects realized with EU funds.
- Make the media and PR agencies owners and the public finance directed towards media projects more transparent so that citizens monitoring them is possible.

The deliberation on Bulgaria's future OGP commitments has just started, and this time it will involve a broader number of NGOs, academic circles, and representatives of the government. Increasing public integrity and improving of the public services would be an expected "answer" to the needs of citizens.

The continuing citizen protests and demands for new values and standards of the political life and for changes in the "rules of the game" indicate that the above-mentioned OGP challenges are crucially important at present. One of the stakeholders said that stakeholders have to move from informing to participating.

### Recommendations

The government should redirect future commitments and efforts under the OGP plan from informing citizenry to encouraging citizens to actively participate in the policy-making process and to strengthen political representation.

The continuing demand of new ethics and fair rules and standards of Bulgarian political life challenges both politicians and citizenry. If the government focuses on the following new priority areas for the next planning period, the effort will respond more to citizens' appeals for new moral and more mutual trust:

- Improving Public Services
- Increasing Public Integrity

### Consultation Process on OGP New Plan

- The government should broaden the consultation process and NGOs should be actively involved at every stage of the priorities formulation, planning, implementation, monitoring, and evaluation of the new OGP plan.
- Officials should conduct awareness-raising activities to raise OGP's profile in Bulgaria.
- The parliamentary Committee on Interaction with Citizen Organization and Movements could play a crucial role in the process of deliberation of the future commitments.

### Commitments Specificity

As currently written, a number of commitments in the action plan are vaguely worded and difficult to measure. The IRM researcher recommends adding a timeline and milestones to each commitment to make them easier to assess.

### Measures Aimed at Active Citizen Involvement in the Policy-Making Process

- Implement the NGOs' new strategy for development to help the state build capacity of civil society organisations and to create an expert partner in the decision-making process. The development of the donor-independent, purely internal Bulgarian way of financing will create more representative and sustainable civil organisations.
- Public councils should become more transparent and accountable – they have to publish their members, agenda of the meetings, shorthand records or minutes, decisions made, and number of NGOs proposals accepted by the governors.

- NGOs members of public councils should report on the effectiveness of their participation for the public and make the results of that collaboration with the government available to the membership and citizens.
- Implement a broad information campaign for increasing citizen awareness on the available sources of information on government and the opportunity for citizens to participate more actively in the policy-making process.

#### Legislative Changes

- Fair and strict rules on political party financing—rules that aim at more transparency in the way political parties spend public money.
- New Electoral Code—to respond better to the public expectations and citizen pressure and to elect a more representative and responsible parliament.

#### **Sources**

Rumiana Bachvarova—former head of the Cabinet of the PM of Bulgaria  
Gergana Jouleva—Program Access to Information

Rumiana Bachvarova—former head of the Cabinet of the PM

Sasho Angelov—Lecturer Sofia University Saint Clement Ohridski

Snejana Dimitrova—Professional Reunion of the Civil Servants (PRCS)

Antoaneta Tconevea—“Open data”

[http://www.aip-  
bg.org/surveys/%D0%A0%D0%B5%D0%B9%D1%82%D0%B8%D0%BD%D0%B3/2007  
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Boyah Yurukov



## ANNEX: METHODOLOGY

**As a complement to the government self-assessment, an independent assessment report is written by well-respected governance researchers, preferably from each OGP participating country.**

These experts use a common OGP independent report questionnaire and guidelines,<sup>1</sup> based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organisations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

### Introduction

The involvement of the parliamentary Committee on Interaction with Citizen Organization and Movements (CICOM) is an important step towards deepening and strengthening Bulgaria's involvement with the OGP initiative. The National Assembly is the most open and accessible institution. The CICOM, especially, provides numerous access points for active citizen participation. The government's gathering of all relevant OGP players during the parliamentary hearing surrounding the release of the self-assessment report is a promising starting point for better collaboration between governing institutions and citizenry.

### Stakeholder Selection

The invited attendees of the hearing were

- NGOs working in the fields immediately relevant to the commitments of the plan, and
- NGOs that have taken part in the planning process and that also share the OGP values (see the list of invited stakeholders).

In the spring and summer citizens' protests legitimized new players—citizens founded numerous new NGOs and movements, and now they regularly attend the CICOM meetings—this is the second group of attendees of the hearing.

The first forum was regional and the attendees were representatives of different size municipalities. The local-government is equally involved and responsible for the continuing efforts for more transparency, accountability, and citizen participation.

### Stakeholder Meeting One

Stakeholder Forum 1, OGP at the local-government level, Challenges and Opportunities, Bankia, 3 October 2013

At this forum, there were 29 representatives of local-government administration and directors from different departments in nine municipalities.

Participants debated the following during group discussions:

1. The obstacles to more transparency and accountability of local governments.
2. NGO attraction and participation in the municipal affairs and decision-making process.

The main difficulties according to the participants were

- a lack of financial capacity to prepare documents to actively informing the public;
- a lack of good internal interaction between departments, which lead to a delay of making information publicly available;
- a lack of qualified IT specialists and staff to prepare draft documents and papers understandable to citizens;
- a lack of sufficient finances to produce and distribute printed materials among citizens or use the local media (when available); and
- the citizens and NGOs show weak interest in municipal policy-making process.

Challenges before municipal administration include

- building the human and technological capacity of the Bulgarian municipal administration;
- actively drafting recourse papers in language that is understandable to the citizenry to actively attract them to the deliberative process;
- planning weekly meetings with the local community to discuss local issues; and
- having an active presence in the media, including social media and some others.

### Stakeholder Meeting Two

Committee on interaction with citizen organisation and movements

Hearing, 28 November 2013

Agenda

1. Presentation of the CM OGP self-assessment report
2. Discussing the implementation of possible commitments for the next plan and the ways to debate and formulate them.

Attendees

National Assembly:

Maya Manolova—deputy chair of the 42 National Assembly and chair of the Committee on Interaction with Citizen Organization and Movements (CICOM)

Members of the Parliament—members of the CICOM

CCOM staff—Polina Stoyanova, Sneja Mileva, and Borislav Angelov

Council of Ministries:

Mrs. Raia Petkova—former head of the Cabinet of the Prime Minister Oresharski

Mrs. Rumiana Bachvarova—head of Cabinet of the Prime Minister Borisov

Experts:

Mr. Sasho Angelov—expert on budget and finance at the CBF

NGOs:

1. Citizen Movement Dnes—Anjelika Tcokova, Petar Lazarov
2. Program Access to Information—Gergana Juleva
3. Citizen Forum Promiana
4. Professional Association of Civil Servants—Olga Cherneva
5. Confederation for Antidiscrimination Defense
6. Bg Network Corporate Social Responsibility—Boris Kolev
7. National Social Community
8. CM Citizen Defence
9. Foundation Common Cause
10. Coalition of the Protest
11. CI For New Public Contract
12. Movement Orlov Most for Change
13. CC Equal before the Law
14. NC It's Time
15. CC Free, Capable, and Strong
16. Bulgarian Association of Retired Persons
17. National Union for Citizen Control over Institutions

The chair of the CICOM, Mrs. Maya Manolova, opened the discussion with a presentation of the OGP and its values and declared the readiness of the National Assembly to continue and deepen Bulgaria's participation in the initiative. Mrs. Rumiana Bachvarova shared governmental experiences and her own entrepreneurial experiences from the very beginning of Bulgaria's efforts to join the initiative. Mrs. Raia Petkova presented the governmental OGP self-assessment report, and she underlined the ambition of the government to strengthen Bulgarian participation in OGP. Participants broadly discussed the fulfillment of the commitments. The debate was constructive and fruitful, and it focused on possible future priorities and commitments and citizen participation in the process of deliberation, adoption, collaboration, and monitoring of the measures that government included in the second OGP plan.

In a time when the society is extremely divided and polarised and when the lack of values and legitimacy in our political life became crucial, the hearing was very successful, and it built bridges between NGOs, Parliament, and the government that would guarantee effective future collaboration and dialogue on Bulgaria OGP involvement. The shorthand record of the hearings is published on the website of the CICOM:

<http://parliament.bg/bg/parliamentarycommittees/members/2081>

## Report Sources

### Research

All relevant governmental and NGO websites  
Legislative acts, strategies, reports, surveys, and shorthand records relevant to the research  
Relevant EU directives

### Interviews

Government officials and experts:  
Raia Petkova—head of the Cabinet of the PM  
Rumiana Bachvarova—head of the Cabinet of the PM until 2013  
MPs: Georgi Kadiev, Dora Yankova—members of the Committee on Budget and Finance  
Mariana Barosova—expert to the Committee on Budget and Finance  
Nikola Babamov—expert to the Committee on Budget and Finance  
Sasho Angelov—expert to the Committee on Budget and Finance  
Nevena Amova—Institute Of Public Administration

### Experts

Atanas Katcarchev—ex-deputy Minister of Finance  
Boyan Yurukov—IT specialist  
Doctor Atanas Baev—National Health Care Fund  
Victor Maystorov—deputy mayor of Svishtov  
Yuliana Ilieva—consultant EU project Advanced Project LTD  
Prof. Ph.D. Ivo Hristov—Plovdiv University, expert of the Legal Affairs Committee at the 39, 40, and 41 National Assembly

### NGOs

Program Access to Information—Gergana Juleva  
Institute of Market Economy—Petar Ganev  
Institute of Public Environment Development—Antoaneta Tconevea  
National Association of the Secretaries of Municipalities in RB—Vasil Pancharov  
Professional Reunion of the Civil Servants (PRCS)—Snejana Dimitrova  
Corporate Social Responsibility—Boris Kolev  
Civil Movement “Dnes”—Petar Iazarov  
Association “Bulgarian Network of the UN Global Compact”—Marina Stefanova

## About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts’ Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts’ Panel is:

Yamini Aiyar  
Debbie Budlender

Jonathan Fox

Rosemary McGee

Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close co-ordination with the researcher. Questions and comments about this report can be directed to the staff at [irm@opengovpartnership.org](mailto:irm@opengovpartnership.org)

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<sup>1</sup> Full research guidance can be found at <http://bit.ly/1g2TaP4>