

ACTION PLAN OF THE REPUBLIC OF BULGARIA

I. INTRODUCTION

The rationale for the participation of the Republic of Bulgaria in the global Open Government Partnership Initiative is the experience accumulated so far in the development of relevant policies and the associated implementation measures, as well as the established good practices that we are willing to exchange with the other participating countries.

The Bulgarian government shares the open government principles of transparency, public participation, responsibility, accountability and technological innovation which underpin the European legislation. The Bulgarian legislation has been harmonized with the European acquis and strictly adheres to the publicity and transparency requirements laid down.

Bulgaria promotes good practices in applying the four principles of open government, accounts for the benefits they bring and is aware of the necessity to further develop and expand them.

We believe that the best government decisions result from using the information and knowledge available in society. It is our position that the best way of ensuring optimal government decisions and of building a participatory civil society which is actively involved in government is by presenting the policy ideas to the public at the early stage of their formulation and seeking timely feedback.

Public consultations were held to contribute to the development of the Action Plan of the Republic of Bulgaria, feedback was also collected via the specialized section of the www.strategy.bg

The Bulgarian government sees the introduction of new technologies in the government processes and in providing public services to the citizens as a key factor in further developing good governance and democracy in the country.

The Bulgarian government opted to join the Open Government Partnership and is determined to continue to report the results achieved in implementing the following priorities:

- **Effective management of the public resources;**
- **Improving corporate responsibility and accountability.**

These priorities reflect the current successful policy of effective management of public and natural resources, of maintaining financial stability and improving the credibility of the government and financial institutions. We consider this policy and the guarantees for its transparency and openness as a major factor contributing for the economic and political development of the country and as a pre-requisite for quickly overcoming the effects of the crisis.

II. WHAT HAVE WE DONE SO FAR?

In adherence with the principles of transparency and dialog in its first meeting the government took a decision to publish the minutes from all Cabinet meetings on the government web site.

This was the first government to provide free access to the legal information system of the Council of Ministers. The system contains all decisions and decrees of the Council of Ministers which in accordance with the Bulgarian legislation are not subject to mandatory publication.

The Bulgarian legislation lays down an explicit requirement for the entities drafting regulations and laws to publish the drafts and accompanying reports on the Internet site of the respective institution prior to submitting them for approval. All interested parties and the citizens have a period of at least 14 days to make proposals and express opinions on the draft.

The Republic of Bulgaria employs other good practices of open government such as:

- **Program Budgeting**

The program budgeting approach is applied in drafting the state budget. Bulgaria is among the first 15 countries to join the global budget transparency monitoring. State agencies are required to publish annual and half-yearly program budget reports on their website. The international monitoring takes place as part of the “Ask your government!” the 6 question campaign covering 80 countries and being conducted under the International Budget Partnership Initiative.

- **Development of e-government**

A strategic and legislative framework for e-government has been put in place. The Unified portal for electronic administrative services (<http://www.egov.bg>), registers for operational compatibility, unified environment for exchange of e-documents have already started operation.

- **Open Parliament Web Site** (<http://openparliament.net/>)

A civic online media “Open Parliament – The Voice of the Citizens” was launched in January 2012 covering issues relating to public life and the legislative acts. The site operates following the principles of civic journalism and promotes active public dialog.

- **Public Consultations Portal** (www.strategy.bg)

A Public Consultations Portal has been developed where the government institutions publish the draft legislation and strategic documents subject to public consultation. Thus the public feedback can be collected at the stage of drafting the government documents. This action plan was published for discussion on the site.

- **Public Procurement Portal** – centralized information system (www.aop.bg)

This site provides public access to all aspects of public procurement by applying publicity and transparency practices.

- **National Registry of Concession Contracts** (www.nkr.government.bg/app)

The web site of the Council of Ministers provides public access to the data base with all the concession contracts granted in Bulgaria both at national and local levels.

Access is provided to the full texts of the concession tenders and to the decisions of the Council of Ministers and the Municipal Councils relating to the concession contracts, the data on concessions granted and information regarding the execution of the contracts.

- **Access to Public Information Act**

The law regulates the right to access public information and lays down the terms and procedures for providing such information. It sets out a requirement for the administrations to publish information regarding their competences, as well as descriptions of their information

records and resources. It safeguards the right of the citizens to access public information. The law was drafted by an NGO.

- **Electronic system linking the cash tellers with the National Revenue Service aimed at improving tax collection**

The legislation lays down a requirement for all cash teller machines to be linked to the NRS system. This is a strong measure against tax fraud and the gray economy.

- **Program for Better Regulation 2010-2013**

With this program the government “opens its doors” to the ideas and needs of the businesses and NGOs. It is for the first time that the responsibility for ensuring a better business environment has been shared with the businesses and the nongovernmental sector.

III. OPEN GOVERNMENT PARTNERSHIP COMMITMENTS OF BULGARIA

The commitments made by the government are the next step in our efforts to ensure more open government and build on existing measures and outcomes.

➤ MEASURES ADDRESSING THE CHALLENGE: EFFECTIVE MANAGEMENT OF PUBLIC RESOURCES

1. Increased budget transparency

- **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.
- **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.
- **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.
- **Publication of the financial and technical reports of second level budget spending units.**
- **Publication of information about the tax expenditures** (preferences) by the Ministry of Finance.
- **Publication of information about the tax audit reports** of the National Revenue Service upon completion of the tax audits.

2. More effective management of the natural resources

- **New National Strategy** for the Mining Industry.
- **New Law on the Underground Resources** incorporating the European and global practices of effective management of the underground 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.

- **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.

➤ **MEASURES ADDRESSING THE CHALLENGE: IMPROVING CORPORATE ACCOUNTABILITY**

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

➤ **GENERAL MEASURES FOR IMPROVING THE OPEN GOVERNMENT ENVIRONMENT**

The government intends to focus its efforts and on creating a more favorable environment in which to implement commitments addressing the other challenges. To this end the government plans to implement the following measures:

1. Development of e-government

- **Further development of the Unified portal for administrative services** and alignment with the functions of the Unified Contact Point.
- **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.
- **Operational maintenance of the Unified portal for administrative services.**
- **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.

- **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

2. The Council of Ministers – model of open administration

- The CM administration aspires to becoming a model of openness and accountability, citizen involvement and applying high technologies by :
 - **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) 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.

3. Enhance the good practices relating to access of information

- **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.