

## QUESTIONNAIRE

### Annex 1

Indicators	Formal provisions	What actually happens
<p><b>Executive</b></p> <ul style="list-style-type: none"> <li>• Can citizens sue Government for infringement of their civil rights?</li>   <li>• Are there procedures for the monitoring of assets, including disclosure provisions, for the chief executive, Ministers and other high level officials,</li>   <li>• Are there conflict of interest rules?</li>   <li>• Are there rules and registers concerning gifts and hospitality?</li>   <li>• If so, are these registers kept up to date? By whom?               <ol style="list-style-type: none"> <li>1. Have they legal powers to enforce disclosure?</li> <li>2. Have they staff to investigate allegations?</li> <li>3. What powers of sanction are in place against parliamentarians?</li> <li>4. Have they ever been invoked?</li> </ol> </li>   <li>• Are members of the executive obliged by law to give reasons for their decisions?</li> </ul>	<p>Yes. There is a Law for state responsibility for infringement of civil rights - prohibited at State Gazette <sup>1</sup> 60, 5. 08. 1988)</p> <p>Yes. There is a special Law for disclosure of the assets of high level officials including ministers and MPs, promulgated at State Gazette <sup>1</sup> 38, 9.05.2000</p> <p>No</p> <p>Yes. There is a Code of conduct for public officials, recently accepted (October 2000). No. There are no registers.</p> <p>Yes.</p>	<p>The law provides for responsibility of the government for damages caused by public officials. The citizens sue the Government and the government has the ground to sue the public official for the damages caused by his undue behaviour.</p> <p>According to Art. 5 of the Law for disclosure of the assets of high public officials there is a special independent government body – The chairman of the Accountancy Chamber who is responsible to register of high public official assets and their disclosure.</p> <p>The rules concern only public officials, not ministers or MPs. There are no registers, because according to the Code of conduct the public officials have no right to receive any kind of gifts.</p> <p>According to the Constitution of the Republic of Bulgaria accepted in 1991, Art 90, the Council of Ministers and individual ministers are obliged to give explanations and to respond to the queries and interpolations of the members of the Bulgarian National Assembly (Bulgarian Parliament). The members of parliament have the right to address written questions and</p>

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<ul style="list-style-type: none"> <li>• Do Ministers or equivalent high-level officials have and exercise the power to make the final decision in ordinary contract award and licensing cases? Is this power limited to special circumstances?</li>   <li>• Are there administrative checks and balances on decisions of individual members of the executive?</li> </ul>	<p>Yes. According to the Bulgarian law for public procurement and its recent amendments (November 2000) and the Law for privatization of government and municipal property – promulgated in 1992 and amended with State Gazette <sup>1</sup> 108, 2000.</p> <p>Yes. In the Law for the High Administrative Court of Cassation</p>	<p>right to address written questions and interpolations and the minister or the Prime minister do not have the right to refuse to give an explanation to the MP, who asked the question. Each Friday of the week is a day for “answers” in the Parliament.</p> <p>According to these laws and their recent amendments the ministers cannot take decisions in exercising their power in privatization and public procurement transactions and only the Council of ministers can do it in transaction more than 1 million leva (Bulgarian national currency). If the amount of money is bigger than the approval of the parliament is needed.</p> <p>The High Administrative Court can review such cases</p>

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<p><b>Legislature</b></p> <ul style="list-style-type: none"> <li>• Is the legislature required to approve the budget?</li>   <li>• Are there significant categories of public expenditure that do not require legislative approval? Which?</li>   <li>• Are there conflict of interest rules for parliamentarians?</li>   <li>• Are there rules concerning gifts and hospitality?</li>   <li>• If so, are these registers kept up to date? By whom?               <ol style="list-style-type: none"> <li>1. Have they legal powers to enforce disclosure?</li> <li>2. Have they staff to investigate allegations?</li> <li>3. What powers of sanction are in place against</li> </ol> </li> </ul>	<p>Yes. According to the Bulgarian Constitution Art. 87, Para 2 – “The state Budget Bill shall be drawn up and presented by the Council of Ministers” to the Bulgarian National Assembly for approval.</p> <p>No. All the significant public expenses have to be in the State Budget and the Budget needs approval from the Parliament. Any amendments to the budget also need approval.</p> <p>No.</p> <p>No.</p> <p>No, there are no such registers.</p>	<p>According to Art. 84 of the Constitution of the Republic of Bulgaria (S.G. 1 56, 1991) each year the Bulgarian National Assembly approves with a Bill the National Government Budget. The Council of Ministers are obliged to draw up and presented the State Budget till the end of February each new year. The Parliament is discussing over the Budget and accepted or not some of the budget expenses. The majority for approval of the Budget is ordinary majority of the present members.</p> <p>According to Art. 91 Para 1 of the Bulgarian Constitution the Accountancy Chamber control the implementation of the Budget.</p> <p>There are some requirements only for the Public officials (Code of Conduct for Public officials, accepted late December 2000). The Code itself is not obligatory legislature. It is only a preventive mechanism for fighting corruption in Bulgaria. There are some requirements in the Statute of the National Assembly forbidding lobbying but not conflict of interest.</p>

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<p>parliamentarians? 4. Have they ever been invoked?</p> <ul style="list-style-type: none"> <li>• If so, are there public registers for gifts and hospitality?</li> <li>• Is there an independent Electoral Commission (if not, are the arrangements for elections in the hands of agencies who are widely regarded as being non-partisan)?</li> </ul>	<p>No.</p> <p>Yes.</p>	<p>Art. 5 of the President and Vice-president Election Act, (promulgated in the S.Gz. <sup>1</sup> 82, 04.10.1991, amended in S.Gz. <sup>1</sup> 59 1998) provides for obligations to the Bulgarian National Assembly for establishing an independent Electoral Commission – Central Electoral Commission – which staff consists of 21 members, elected from the Parliament. The Commission is a permanent acting body with separate from the Executive, Budget.</p>
<p><b>Political Party Funding</b></p> <ul style="list-style-type: none"> <li>• Are there rules on political party funding?</li> <li>• Are substantial donations and their sources made public?</li> <li>• Are there rules on political party expenditures?</li> <li>• Are political party accounts published?</li> </ul>	<p>Yes. There is a Law for the Political Parties in the Republic of Bulgaria.</p> <p>Yes. There is a special provision – Art. 21 of the Law on Political Parties in Bulgaria - concerning financial activities of the political parties as well as donations.</p> <p>No.</p> <p>Yes.</p>	<p>Art. 17 of the Law regulate the property status and the way of subsidize and grant of political parties and election campaigns in Bulgaria. According to its provisions the fund sources for political parties are limited: affiliation fees, donations, wills, testaments, incomes from economy activity, grants and subsidies from the State Budget.</p> <p>The financial activities and donations of the political parties shall be obvious. The parties are obliged to render an account of the substantial donations and all their other incomes to a special Standing committee in the Parliament. These political parties reports are published in the State Gazette.</p> <p>There are only rules obliging the political parties to declare all their incomes, property and expenses.</p> <p>According to Art. 21 Para 2 of the Law on Political Parties in Bulgaria, the political parties accounts shall be declared every year – up to the end of March at the Parliament Standing</p>

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<ul style="list-style-type: none"> <li>• Are accounts checked by an independent institution?</li>   <li>• Does that institution start investigations on its own initiative?</li> </ul>	<p>Yes.</p> <p>Yes.</p>	<p>March, at the Parliament Standing committee. The committee is obliged after the above-mentioned period of time to publish these reports at the State Gazette.</p> <p>The Parliament Standing Committee is obliged to check the political parties financial reports before publishing them at the State Gazette.</p> <p>According to the Law on Political Parties in Bulgaria the Commission has such right, but till now the commission has not executed that right.</p>
<p><b>Supreme Audit Institution</b></p> <ul style="list-style-type: none"> <li>• Is the national auditor general independent? i.e. Is the appointment of the general auditor required to be based on professional criteria/merit? Is the appointee protected from removal without relevant justification?</li>   <li>• Are all public expenditures audited annually?</li> </ul>	<p>Yes. The provisions are in the Law for the Accountancy Chamber in Bulgaria.</p> <p>Yes.</p>	<p>According to the Law the election of the Auditor General (the Chairman of the Chamber) and the members of the Chamber are made by the Parliament and for a period of 9 years. The chairman and the members of the Accountancy Chamber must be graduated in economic or law science and not to have been members of the government or other central institution throughout the last three years before the election. The members of the Chamber cannot be dismissed or removed from their current job, except on limited number of special occasions (if they by their own decision want to leave the job or to retire or are not able for a period of 6 months to actively practice their job).</p> <p>According to the Law for Judicial Power Art. 2 – the Accountancy Chamber performs annual and sudden and unexpected verifications to establish the conformity with the law of a foreseen number of public expenses. The Accountancy Chamber examines not only the expenses of the Budget institutions, but also the Judicial Bodies, which receive and spend budget resources, no matter they are foreseen in the Republican Budget or in the Local governments budgets.</p>

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<ul style="list-style-type: none"> <li>• Is reporting up to date?</li>   <li>• Are reports submitted to a Public Accounts Committee and/or debated by the legislature?</li>   <li>• Are all public expenditures declared in the official budget?</li> </ul>	<p>Yes.</p> <p>Yes.</p> <p>No.</p>	<p>According to the Law of the Accountancy Chamber the annual reports of the Chamber are performed as per definite methodology and definite indexes are followed each year.</p> <p>The reports have to be submitted to the parliament within the report of the Government for the previous year, deposited for approval and acceptance of the Parliament.</p> <p>There are extra funds, which are not declared in the official government budget, as for example fund "Agriculture" and fund "Tobacco" as well as funds created with the aim to overcome and decrease of unemployment. According to the Law of the Accountancy Chamber, the chamber has the right and is obliged to performs checks up to the extra (out of budget) funds.</p>
<p><b>Judiciary</b></p> <ul style="list-style-type: none"> <li>• Have the courts the jurisdiction to review the actions of the executive (i.e. Presidency, the Prime Minister's or other Ministers and their officials)?</li>   <li>• Are judges/investigative magistrates independent? i.e. Are appointments required to be based on merit? Are the appointees protected from removal without relevant justification?</li> </ul>	<p>Yes.</p> <p>Yes.</p>	<p>According to art. 5 of the Law for the Supreme Administrative Court all normative acts of the Council of Ministers, deputy ministers and other ministers' acts, as well as the acts of the Heads of different central institutions, municipality governors and other acts, subject to monitoring on specific laws of the executive power, are liable on control for conformity with the law and expediency and advisability.</p> <p>The judges, the public prosecutors and the examining magistrates are absolutely independent when they fulfill their ostensible jurisdiction authority. They possess immunity as members of the Parliament. It is absolutely prohibited for them to be members of any political party, to participate or to help any political actions. After a defined probationary period as a judge, a public prosecutor</p>



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		receive of bribery from an official servant, being on a very top position In May 2000 there have been made large changes in the corruption, especially bribery penalties. Also there are special classes in the course of the penalty law for studying corruption related criminal offences. But the system of the professional qualification of the magistrates does not pay enough attention for the problems of the counteraction of the corruption from the point of view of the integrity of the institutions, struggling with it.

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<p><b>Civil Service</b></p> <ul style="list-style-type: none"> <li>• Are there laws establishing criminal and administrative sanctions for bribery?</li>   <li>• Are there rules requiring political independence of the civil service?</li>   <li>• Are recruitment/career development rules based on merit?</li>   <li>• Are there specific rules to</li> </ul>	<p>No.  <b>Only in one case yes</b> – connected with the new corporative responsibility of legal persons.</p> <p>Yes.</p> <p>Yes.</p>	<p>In the Bulgarian Legislation there are no administrative normative acts for administrative responsibility in cases of active and passive bribery. The corruption offences are incriminated in the Bulgarian Penal Code. In the Administrative Legislation there are only provision providing for the professional duties of the public officials and some disciplinary sanctions.</p> <p>According to the Law for the state servant /St.G.No 67,1999/ and the Law for the Administration /St.G. No 130,1998/ the state servant, fulfilling his duties has to be politically neutral, unbiased and impartial /art. 4, p. 2 Law for the state servant/. The behavior of the State servant must be appropriated with the Law, the rights and the interests of the citizens and the interests of the State. Detailed regulation of the rights and the duties of the state servant are given in the Code of behavior of the state servants /December, 2000/.</p> <p>The basic principle for promotion of the state servant is the commitment of the status of the state servant with his professional qualities. The state servants are ranged in two groups:  State servant with junior rang;  State servant with senior rang;  The rang expresses the level of the professional qualification of the servant / art. 73, p.1 Law for the state servant/. The Law for the state servants provides for provisions for material norms and standards, by means of which are prevented nepotism and cronyism. In article 7, p. 2 Law for state servant is forbidden to be appointed for state servant, a person in relative relations with the head of the state institution or in any way to be connected with the leaders of the institution.</p>

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<p>prevent nepotism? Cronyism? (note: rules discriminating positively in favour of marginalised or minority groups are <u>not</u> included in this description)</p> <ul style="list-style-type: none"> <li>• Are there rules (including registries) concerning acceptance of gifts and hospitality?</li> <li>• If so, are these registers kept up to date? By whom?               <ol style="list-style-type: none"> <li>1. Have they legal powers to enforce disclosure?</li> <li>2. Have they staff to investigate allegations?</li> <li>3. What powers of sanction are in place against parliamentarians?</li> <li>4. Have they ever been invoked?</li> </ol> </li> <li>• Are there restrictions on post public service employment?</li> <li>• Are procedures and criteria for administrative decisions published (e.g. for granting permits, licences, bank loans, building plots, tax assessments, etc)?</li> <li>• Are there complaint mechanisms for public servants and whistleblower protection measures?</li> </ul>	<p>Yes.</p> <p>Yes.</p> <p>No.</p> <p>Yes. These procedures are only in the law according to the Bulgaria Constitution.</p> <p>Yes. There are complaint mechanisms, but <b>no whistle blower protection.</b></p>	<p>Look the above mentioned.</p> <p>There are rules for gifts and hospitality, but according to them receiving of any kind of gifts is forbidden and because of that there is no registers concerning acceptance of gifts.</p> <p>There are no restrictions, to be appointed in other state, municipal or private institutions or enterprises. But in the Bulgarian Legislation there are examples of some restrictions. In the Commercial Code of the Republic of Bulgaria is foreseen such a restriction for prosecutors of commercial entities - two years after they leave the occupation with the owner, not to be able to establish their own company exercising the same concurrent trade activity, peculiar to the businessman they have left.</p> <p>The different Laws in Bulgaria cannot be in force if they are not promulgated in the State Gazette within 3 days period after their acceptance by the Legislature.</p> <p>That is a big problem in the Bulgarian Legislature, because in Bulgaria there is general provision for protection of the witnesses, which of course is not the same.</p>

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<ul style="list-style-type: none"> <li>Are there means for complaints by members of the public?</li> </ul>	<p>Yes.</p>	<p>According to the Bulgarian Criminal and Prosecution Code every body is obliged to announce the criminal infringement of common character, if he has known it suddenly. This principle is also foreseen in the Bulgarian Administrative Legislation.</p>
<p><b>Police and Prosecutors</b></p> <ul style="list-style-type: none"> <li>Is the commissioner of police independent? i.e. Are appointments required to be based on merit? Is the appointee protected from removal without relevant justification?</li> </ul>	<p>Yes.</p>	<p>It is not obvious what is the sense of the word commissioner – is it a commissioner of a police department or a commissioner general of the police in a different town etc. In Bulgaria all police officers and employees of the National Service on Combating organized Crime are government servants to the Ministry of Interior and are subordinate only to the Minister of Interior, who is a member of the government.</p> <p>All state servants of the Ministry of Interior, independently of their official position are to be appointed, transferred or dismissed from the Minister according to determined criteria. The dismiss orders of state officials of the Ministry of Interior are subject to judicial control for conformity with the law at the relative Regional court of law, according to the office of the police officer or civil servant. Subject to a court control according to a definite system are orders of straight chief officers of police, which impose administrative or discipline sanctions. In numerous sub low normative acts are determined strict criteria for promotion or reduce in rang of the personnel in the police, including the conferment of police ranks and titles. Dismisses or any kind of job transfers of police servants or officers from the national securities could be carried out only on the</p>

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<ul style="list-style-type: none"> <li>• Are public prosecutors independent?</li> </ul>	<p>Yes. Art. 129 Para 1,2 and 3 of the Bulgarian Constitution and Art. 132 Para 1 of the Constitution.</p>	<p>grounds out of the low.</p> <p>In contrast to other countries, in Bulgaria, the Public Prosecution office is not a part of the Executive. The Constitution does not concede to the Minister of justice the opportunity to appoint and govern the Public prosecutors. Solely the Chief Public Prosecutor of the Republic of Bulgaria possesses such authority. The Chief Public Prosecutor is elected from the Supreme judicial Council after the nominations has been given from the Judicial power, the Prosecutor's office, the Bar's office and the Minister of justice. The Chief Public Prosecutor's mandate is seven years (Art. 129 Para 2). The appointment and dismissal of the Chief Prosecutor is completed by issuing of a decree of the President of the Republic of Bulgaria on a motion from the Supreme Judicial Council. In case of a conflict between the two institutions, the President of the Republic shall not deny to issue the decree for an appointment or dismissal on a repeated motion of the Supreme Judicial Council. The Constitution and the Law of Judicial Power foresee that justices, prosecutors and investigative magistrates shall be elected, promoted, demoted, reassigned and dismissed by the Supreme Judicial Council. Also the Constitution (Art. 129 Para 3) foresees that justices, prosecutors and investigative magistrates shall become unsubstitutable upon completing a third year in the respective office. They shall be dismissed only upon retirement, resignation, upon the enforcement of a prison sentence for a deliberate</p>

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<ul style="list-style-type: none"> <li>• Are there special units for investigating and prosecuting corruption crimes?</li> </ul>	No.	<p>crime, or upon lasting actual disability to perform their functions over more than one year.</p> <p>Also the provision of Art. 132 Para 1 of the Constitution provides for the judges, prosecutors and investigative magistrates the possibility to enjoy the same immunity as the Members of the National Assembly.</p> <p>In the Bulgarian legal system does not exist special departments of public prosecutors and investigative magistrates, who execute an activity in exposure and proof of infringements, connected with the corruption as a criminal concept and term /similar centralized bodies exists in Romania/. But in Bulgaria there are different government bodies who explore the same anticorruption activities: Police, National Service for Combating Organised Crime with the Ministry of Interior and the Bureau for Financial Intelligence with the Ministry of Finance.</p>
<ul style="list-style-type: none"> <li>• Is there an independent mechanism to handle complaints of corruption against the police?</li> </ul>	Yes.	<p>According to the Law of Ministry of interior and the Police Act, the performing of an inquire, connected with corruption infringement, committed from a state servant of the police is to be established in a way, not to be different from a similar inquire, undertook against defendant - civilian. If it imposes somebody to be arrested and detain, for such an action the Minister of Interior should be reported to, who has no right to involve and interfere in the inquire. During the exam procedure, as per the request of the examining prosecutor, the person</p>





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		<p>account offences under Art. 256 and 257 of the Bulgarian Penal Code – for 1998 – 122 and for 1999 – 220 cases.</p> <p>Cases related to Art.301-303 of the Criminal Code (passive bribery of domestic public officials) in the Regional Court of law: 1997 – 34 registrated cases; terminated by sentence – 20; sentenced persons 26; acquitted persons – 3; for 1998 the number are: 24; 22; 21; 4; for 1999 – 33; 19; 25; 2; and for the first three months of the 2000 year – 14; 14; 21; 1</p>



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<p>sector?</p> <ul style="list-style-type: none"> <li>• Are procurement decisions made public?</li> <li>• Is there a procedure to request review of procurement decisions?</li> <li>• Can an unfavourable decision be reviewed in a court of law?</li>   <li>• Are there provisions for blacklisting of companies proved to have bribed in a procurement process?</li> <li>• Are there rules and procedures to prevent nepotism/conflict of interest in public procurement?</li> <li>• Are assets, incomes and life styles of public procurement officers monitored?</li> </ul>	<p>See the above mentioned for the publicity.</p> <p>Yes.</p> <p>Yes.</p> <p>No.</p> <p>Yes.</p> <p>No.</p>	<p>Also the major public procurements and privatization transactions are advertised in the main western economic newspapers and magazines (ex: the BTC privatization and GSM licence in Bulgaria, the privatization of the several chemistry entities in the country etc.).</p> <p>They are published as well as the decisions for the procurement competitions in the State Gazette and in two main newspapers.</p> <p>Chapter VII, paragraph II, art. 56 of the Public Procurement Act provides for procedure for reviewing of procurement decisions. There has to be filed a grievance against the decision of the procurement commission in 7 days period after it had been laid out. The reviewing of the decision can be made by the regional court of law in compliance with the Law for the Administrative Procedures.</p> <p>Art. 57 of the Public procurement Act provides for procedure for reviewing of the procurement decisions by a request from the Accountancy Chamber and the Government Agency for inner financial control.</p> <p>There are procedures on conflict of interest but no procedures for nepotism.</p>
<p><b>Ombudsman</b></p>		

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<ul style="list-style-type: none"> <li>• Is there an ombudsman or its equivalent (i.e. an independent body to which citizens can make complaints about maladministration)?</li> <li>• Is the ombudsman independent? i.e. Are appointments required to be based on merit? Is the appointee protected from removal without relevant justification? Has an ombudsman been removed without relevant justification in the last five years?</li> <li>• Can petitioners complain anonymously if they fear possible reprisals?</li> <li>• Are reports of the ombudsman published?</li> <li>• Does the government act on the Ombudsman's recommendations?</li> </ul>	<p>No.</p> <p>There are several draft laws in Bulgaria concerning the institution of the Ombudsmen, but till mid February there is no law accepted by the Parliament. Two NGOs in Bulgaria also offered to the Law Commission of the Parliament their own draft-law on the Ombudsmen regulations.</p>	
<p><b>Investigative/watchdog agencies</b> (e.g. Anti-Corruption Bureau)</p> <ul style="list-style-type: none"> <li>• Are there special investigative or watchdog agencies?</li>   <li>• Are they independent? i.e. Are appointments required to be based on merit? Are appointments generally based on merit? Are the appointees protected from removal without relevant justification? Are their reports published (other than when criminal charges are pending)?</li>   <li>• Do they report publicly to the legislature on the general scope of their work?</li> </ul>	<p>No</p> <p>Not entirely.</p> <p>Yes.</p>	<p>According to the Bulgarian Legislation there are two different structures out of the Police and the Prosecution, which are drafted to combat corruption – the National Service for Combating Organised Crime with the Ministry of Interior and the Bureau for Financial Intelligence with the Ministry of Finance.</p> <p>They have their own stuff and organization but are financially and supervisory dependent from the Ministry of Interior and Finance.</p> <p>They can report to the Parliament Standing (permanent)</p>

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their work?  • Can people complain to the agency without fear of recrimination?	Yes.	Committees on Organized Crime and Corruption.



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<ul style="list-style-type: none"> <li>• Does any publicly-owned media regularly cover the views of government critics?</li>   <li>• Have journalists investigating cases of corruption been physically harmed in the last five years?</li>   <li>• Does the media carry articles on corruption?</li>   <li>• Do media licensing authorities use transparent, independent and competitive criteria and procedures?</li>   <li>• Are libel laws or other sanctions (e.g. withdrawing of state advertising) used to restrict reporting of corruption?</li> </ul>	<p>Yes.</p> <p>Yes.</p> <p>Yes. Regularly.</p> <p>Yes. There is only one such body – National Council on Radio and Television</p> <p>No</p>	<p>companies – native and foreign. There are about 7-10 political party newspapers Only the Bulgarian National TV and radio are publicly owned media. There are several municipal radios and newspapers as well.</p> <p>There were too recent cases during the previous 2000-year. One was a case of maltreating the investigative journalist – Ana Zarkova (newspaper “Daily Labour”) and the other case was with a man-journalist in the town of Jambol in the countryside.</p> <p>The problem is that the Articles are not professionally done. The investigation of such articles is usually the weak point of them.</p> <p>The said Council is drafted to be of 9 members, elected by the Parliament and by the President of the Republic of Bulgaria.</p>
<p><b>Civil Society</b></p> <ul style="list-style-type: none"> <li>• Does the public have access to information and documents from public authorities?</li>   <li>• Do the public authorities generally co-operate with civil society</li> </ul>	<p>Yes.</p> <p>Yes. They have an obligation</p>	<p>In the year of 2000 the Bulgarian National Assembly accepted a new law “Access to information Act” (State Gazette, 1 55, 7<sup>th</sup> of July 2000). The law provides for large possibilities for the public at large and for the legal persons to have access to public information gathered and preserved from the government institutions.</p> <p>There is problem in the access to</p>

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<p>co-operate with civil society groups?</p> <ul style="list-style-type: none"> <li>• Are there citizen's groups or business groups campaigning against corruption?</li>   <li>• Are there citizen's groups monitoring the government's performance in areas of service delivery, etc?</li>   <li>• Do citizen's groups regularly make submissions to the legislature on proposed legislation?</li> </ul>	<p>to do it by the law.</p> <p>Yes.</p> <p>Yes.</p> <p>Not regularly, but there are NGOs, which regular jog is to develop expert paper analysis on the Bulgarian Legislation and to deposit them in the Bulgarian National Assembly.</p>	<p>information, because Bulgaria still does not have a law (there is a draft - law in the Parliament) on Preserving the personal data and the way of it's reviling. That is why the Access to information Act is still not working and only public information is accessible to the Bulgarian citizens and legal persons.</p> <p>There are over 3000 NGOs in Bulgaria and more them 50 of them are strongly fighting against corruption in Bulgaria. There are also over 20 different business units, which have their own codes of conduct with rules concerning anti-corruption practices.</p> <p>There are round 10 NGOs in Bulgaria very active on the monitoring field. Among the is TI Bulgaria which monitored the Bulgarian Telecommunication Company Transaction of over 600 million USD and the Open bidding auction for selling of the Second GSM licence for Bulgaria – the winning overbid was 135 million USD.</p> <p>Names of the said NGOs: Parliamentarian Center, Open Society Access to information NGO, Transparency International - Bulgaria etc.</p>

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Indicators	Formal provisions	What actually happens
<p><b>Local Government</b></p> <ul style="list-style-type: none"> <li>• Is there a legal requirement that meetings of city/ town councils be open to the press and public?</li>   <li>• Are there clear criteria restricting the circumstances in that city/town councils can exclude the press and public?</li> </ul>	<p>Yes.</p> <p>No.</p>	<p>Art. 28 Para 1 of the Local Self-Government and Local Administration Act provides for regulations that the sessions of the municipality council are publicly held and open to the public at large and the press.</p> <p>Art. 29 of the Act said that for each session there is special minits and these minits are public.</p> <p>Art. 28 Para 2 of the Local Self-Government and Local Administration Act said that the sessions of the local government council can be closed for the public by an except when there is a majority decision of its members.</p>
<p><b>Progress with Government Strategy</b></p> <ul style="list-style-type: none"> <li>• Has the government announced an anti-corruption strategy and a timetable for implementation?</li>   <li>• How much of the strategy has been implemented?</li>   <li>• Is the government meeting its own timetable?</li> </ul>	<p>Yes.</p>       <p>See the above answer.</p>	<p>Till 1998 the new government that came into power at the end of 1997 announced publicly and pasted in the internet site of the Bulgarian Government <a href="http://www.government.bg">http://www.government.bg</a>, the new strategy of the Executive to increase the effectiveness of the Bulgarian economy and to fight against corruption. Since the beginning of the 2000 there is on the government site a timetable for implementation and a schedule of the Government activities.</p> <p>According to the government timetable and schedule the government implemented 100% of program activities. According to the sociological pools half of the government activities are still not implemented or some of them need rearrangements in order to be effective ones.</p>