**Additional questions from the European Commission regarding the activities of the National Council on Anti-corruption Policies (NCACP)**

*1) Could you please provide information on the activities of the NCACP in 2022, more specifically the recommendations or decisions made during the single meeting held in June 2022 (as well as other information on future meetings if available).*

In the period January 1 - December 31, 2022, the NCACP held only one meeting (June 30, 2022) according to an agenda previously approved by the Prime Minister (in 6 points).

1) Under the first point on the agenda, the NCACP discussed and adopted the Report of the Commission for Anti-Corruption and Illegal Assets Forfeiture (CACIAF) "Analysis of the reports on the implementation of the anti-corruption plans of the primary and secondary budget managers for 2020 " and the Report of the Commission for Anti-Corruption and Illegal Assets Forfeiture "Analysis of the 2021 Anti-Corruption Plans of Primary and primary and secondary budget managers".

2) According to the second point on the agenda, a Report on the implementation of the measures included in the Roadmap for the implementation of the 2021 - 2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgaria for the period March 2021 - May 2022 was discussed and adopted.

3) The third point on the agenda provides for Discussion and adoption of proposals for updating the 2021-2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgaria and the Roadmap for the Implementation of the 2021 – 2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgariaл

As of the date of the meeting, the institutions have not submitted proposals for updating the National Strategy and the Roadmap for its implementation.

In the course of the discussion on this point of the agenda, issues related to: the activity of the Inspectorates under the Law on Administration and, specifically, their independence from the body to which they were created; underestimating the role of non-governmental organizations and internal audit in the implementation of control; the lack of clearly defined goals, specific deadlines, expected measurable results and the role of the responsible institutions in the National Anti-corruption Strategy and the Roadmap for its implementation; problems in financial management and control systems in budgetary organizations and more specifically in the conduct of public procurement; anti-corruption training for magistrates, were discussed.

In connection with the discussed issues, specific proposals were made, as a result of which the NCACP took the following decisions:

A. Within seven days of the meeting (July 8, 2022), the responsible institutions should send to the Secretariat of the NCACP (General Inspectorate) final proposals for updating the 2021 – 2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgaria.

No proposals for updating the National Strategy were received by the Secretariat within the specified period.

B. The responsible institutions shall within three weeks of the meeting (until July 22, 2022 inclusive) send to the Secretariat of the NCACP (General Inspectorate) proposals for amendments and additions to the measures included in the Roadmap for the implementation of the 2021 – 2027 National Strategy for the Prevention and Counteraction of Corruption in Republic of Bulgaria. For the proposed measures, the responsible institutions (leading and participating), specific,

quantitatively and/or qualitatively measurable indicators for implementation and deadlines for implementation, should be indicated.

No proposals were received by the Secretariat within the specified period.

C. After summarizing the information received, the Secretariat of the NCACP should draft an updated strategy and a road map for its implementation to the members of the NCACP and the Civil Council for discussion and adoption in the appropriate order.

Due to the lack of proposals for new measures in the National Strategy, no drafts of an updated strategy have been prepared by the Secretariat of NASP.

4) The fourth point on the agenda envisages discussion of a mechanism for coordinating the implementation and reporting of progress in the implementation of the 2021 – 2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgaria. The following decisions were adopted under this point on the agenda:

A. The Secretariat of the NCACP (General Inspectorate) is required to organize the process of creating working groups (by priorities) participating in the process of implementing the 2021 – 2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgaria.

B. Coordinate the implementation of the measures included in the Roadmap for the implementation of the 2021 – 2027 National Strategy for the Prevention and Counteraction of Corruption in the Republic of Bulgaria. The Secretariat shall propose a draft of a short-term action plan (for a two-year period).

The decisions thus taken by the NCACP have not been implemented. The non-implementation is due both to the structural and personnel changes in the Council of Ministers (as of August 2, 2022 an caretaker government was appointed, the structure of which differs from that of the regular cabinet), and to the lack of proposals for updating the National Anti-Corruption Strategy and the road map of its implementation, respectively, of proposals for working groups participating in the process of implementing the national strategy.

5) The fifth point on the agenda provides for a discussion of changes in the procedure for accepting members of the Civil Council to the National Council on Anti-Corruption Policies and its role in supporting the activities of the NCACP.

The NCACP members discussed the proposals for changes in the procedure and term of office of the members of the Civil Council, as a result of which two decisions were adopted:

A. The NCACP accepted the proposals for amendment and supplement to Decree No. 136 of the Council of Ministers of 2015 on the establishment of the National Council for Anti-Corruption Policies.

B. The NCACP instructs the Secretariat (General Inspectorate) of the NCACP to send for an opinion by the Council for the Development of Civil Society the proposals for amendment and supplement to Decree No. 136 of the Council of Ministers of 2015 to establish a National Council on Anti-Corruption Policies and to prepare the necessary documents to launch a procedure of public discussion and interdepartmental coordination of the project according to the legally established procedure.

In accordance with the decision taken, the accepted proposals for changes in the procedure for electing members of the Civil Council have been sent to the Secretariat of the Council for the Development of Civil Society. The proposals were approved, with no recommendations for amendments or supplements.

Until the end of the mandate of the regular cabinet, no action was taken to implement the decision.

In order to implement the decision of the NCACP dated June 30, 2022, after the inauguration of the caretaker government, a report by the head of the General Inspectorate to the

Prime Minister reported the need to start a procedure to amend Decree No. 136 of the Council of Ministers of 2015 for establishing the NCACP, providing for:

- ✓ creating an opportunity for the NCACP to form working groups of a permanent or temporary nature and with the participation of various stakeholders, according to their goals;
- ✓ simplifying the procedure for nomination and election of members of the Civil Council to the NCACP, as well as the period of their participation in the council (mandate);
- ✓ expanding the control of the Civil Council regarding the implementation of anti-corruption policies by involving its members in the development, monitoring and reporting of progress in the implementation of strategies, plans and programs in the field of prevention and counteraction to corruption, including by preparing independent analyses and assessments of the execution of the latter;
- ✓ participation of the members of the Civil Council in the meetings of the NCACP with the right of an advisory vote.

The proposal was approved by the Prime Minister, as a result of which a draft amendment to Ministerial Council Decision No. 135 of 2015 was prepared by the Legal Directorate of the Ministry of Justice, and a partial preliminary assistance assessment was prepared by the Administration Modernization Directorate. The proposed amendments were sent to all members of the NCACP Civil Council (12) for comments and suggestions. Currently, only one of the members of the Civil Council (representative of the employers' organizations - SSI) has sent a response, supporting the proposed changes. No response has been sent by other members.

6) Miscellaneous - no proposals have been received.

*2) Could you please also inform us whether the NCACP is monitoring the implementation of the Anti-Corruption Strategy.*

Currently, the NCACP has not held any meetings. Nevertheless, anti-corruption plans for 2023 have been prepared and approved by the relevant ministries. In addition, reports on the implementation of the measures included in the anti-corruption plans for 2022 have been approved by the ministers and sent for analysis to the CACIAF.

It should be noted that most of the measures in the National Strategy are sectoral, aimed at specific departments, which is why their implementation and reporting is assigned to the ministers. They prepare annual reports on the implementation of the measures included in the anti-corruption plans. Approved reports are sent to CACIAF.