

## Annex

### *Specific measures in sectors with high risks of corruption*

In effect since 2024, the regulatory amendments (to the Regulations on the structure and organization of the bodies of medical expertise and of the regional file archives of medical expertise) have been adopted, supporting the prevention of corruption in the field of medical expertise. The changes have been proposed in order to guarantee conditions for the cessation of physical contact between the Territorial Expert Medical Committees (TEMC) and the persons subject to medical expertise. A new principle of organization of the expertise has been introduced through centralized electronic random distribution of individual cases to the committees established throughout the country. In this way, the territorial principle, which created prerequisites for informal dependence between the members of the TEMC and persons with disabilities, has been eliminated.

In connection with the implementation of six investments included in the National Recovery and Resilience Plan of the Republic of Bulgaria, Healthcare component and the execution of control to prevent potential serious irregularities (corruption, fraud, conflict of interest, double funding), access to the European Commission's Fraud and Irregularity Risk Assessment System (ARACHNE) has been provided to experts in the Ministry of Health in connection within the performance of their official duties.

Pursuant to Art. 103, para. 2 of the Public Procurement Act, Art. 51, para. 8 and para. 13 of the Regulations for the Implementation of the Public Procurement Act, Art. 13, para. 6, point 2 and Art. 45, para. 3, point 10 of the Internal Rules of the Ministry of Health, employees of the Ministry of Health participating in the public procurement process sign declarations of absence of conflict of interest for each specific procedure in which they participate.

By virtue of the legal provisions, public procurement entities are obliged to conduct prior control for legality of public procurements for which one of the following conditions is met: 1. The estimated value of the procurement is equal to or greater than BGN 5,000,000; 2. The estimated value is equal to or greater than 10 percent of the contracting authority's last approved budget. In view of this requirement of the law (in effect from 01.01.2024), by order of the Minister of Health, Internal Rules of the Ministry of Health for conducting prior control for legality on the basis of Art. 237b of the Public Procurement Act have been approved.

With the adoption of the Law on Counteracting Corruption and the entry into force on 1 March 2024 of § 9 of the Transitional and Final Provisions of the Act, the ACC, the Commission has been assigned new functions. The amended legislation provides for a mechanism for the detection and investigation of acts of corruption committed by persons holding public office, the activity being carried out by investigating inspectors who are employees of the Commission. In this regard, pursuant to Art. 109, para. 3 of the Public Finance Act, Decree No. 132 of the Council of Ministers of 29.04.2024 was adopted to approve additional expenditures in the budget of the ACC for 2024, with a view to financially securing the transformation of the administrative structure and the actions for the establishment and full-fledged provision of a specialized Anti-Corruption Directorate with personnel, financial and material support.

According to the information provided by the **National Revenue Agency (NRA)**, in 2024 the Agency carried out checks for compliance with the requirements of the LCC regarding: the veracity of the facts declared by the NRA employees in the declarations of incompatibility under Art. 1(1) and (3) of the LCC, as well as with regard to compliance with the deadline for

filing the same and compliance with the deadline for filing the declarations of assets and interests under Art. 49, para. 1(2) of the LCC.

In the course of the controls carried out, the following were verified:

- 85 declarations of incompatibility under Art. 49, para. 1, item 1 and item 3 of the LCC;
- 7 952 declarations of assets and interests under Art. 49, para. 1, item 2 of the LCC.

One conflict of interest check was carried out under the LCC, which resulted in a decision issued by the Executive Director of the NRA for a conflict of interest in respect of an employee of the Agency. The administrative act establishing the conflict of interest was challenged in court and court proceedings were initiated. One administrative criminal proceeding was also initiated for violation of the LCC.

According to data provided by the NRA for the first nine months of 2024, the Inspectorate of the NRA has undertaken inspections of 26 signals and other documents containing allegations of corruption and abuse of power.

Taking into account the strategic priority of the topics related to the prevention and counteraction of corruption, and in connection with the priority set in the National Strategy for Prevention and Counteraction of Corruption for the period 2021-2027, the NRA has made significant efforts and resources for the implementation of a software product for electronic submission of declarations of assets and interests, the purpose of which is to increase accountability and control of compliance with legal requirements by the Agency's employees. In order to improve the control and transparency of the process, the NRA has submitted information that the software is currently being upgraded to implement additional functionalities and capabilities concerning the acceptance and control of declarations under the ACA, including to ensure their publicity. Thus, the activity of developing and upgrading the online platform for accepting declarations under the LCC compensates for the lack of implementation of the unified system for electronic declarations provided for in § 6, para. 15 of the Transitional and Final Provisions of the LCC.

Within the scope of its functional competence and in exercise of the powers defined in Article 46, paragraph 4, item 2 of the Law on Administration (LA), the Inspectorate of the NRA has undertaken actions related to the assessment corruption risk in the Agency and the proposal of measures to mitigate it. In 2018, by order of the Prime Minister of the Republic of Bulgaria, the current Methodology for assessing corruption risk in the public sector was repealed, on the basis of which the approved sectoral methodology in the NRA was also repealed. Provisions of § 67, paragraph 6 of the Law on Counteracting Corruption and Confiscation of Illegally Acquired Property adopted in 2018, respectively § 6, para.2 of the Transitional and Final Provisions of the ACA, provide for the adoption by the Commission for Counteracting Corruption and Confiscation of Illegally Acquired Property, respectively the ACC, of a comprehensive methodology for prevention and prevention of corruption. In the absence of such a methodology, a project „Development and Implementation of a Corruption Risk Assessment Methodology in the National Revenue Agency of the Republic of Bulgaria“ has been implemented by the NRA, in cooperation with the Directorate General „Support to Structural Reforms“ (DG Reforms) of the European Commission (EC). As a result of the project, a dedicated Corruption Risk Assessment Methodology has been developed and implemented in the NRA to ensure timely monitoring and assessment of factors leading to the manifestation of corrupt practices in each of the NRA's structures. Through the established methodology, timely identification of the units with increased corruption risk is achieved, which helps to plan and implement timely and effective measures and mechanisms for prevention and prevention of corruption risks.

Apart from the activities on identification and prevention of corrupt practices, after June 2021, the NRA has undertaken actions on publication of the issued acts granting access to public information under the Access to Public Information Act (APIA), as follows:

- on the website of the NRA, in a specially created section „Transparent Governance“, in order to comply with the basic principles for providing access to public information regulated in Article 6 of the APIA and to satisfy the right of citizens to information, accessibility and openness.

Pursuant to Article 15a of the APIA, this section also publishes information and data of public interest, including the main strategic and operational documents of the NRA, as well as reports on the Agency's activities. With regard to the implementation of the APIA, two subheadings have been created: “Access to Information” and “Acts under the Law on Access to Public Information”, containing important and relevant information.

- on the platform for access to public information at the Council of Ministers, under the terms and conditions of Article 15c of the APIA, subject to the requirements for the protection of personal data.

The following measures are implemented at the Customs Agency with the aim of preventing corruption of employees:

- staff rotation, most prevalent in border customs offices;
- conducting anonymous surveys by the Customs Inspectorate with carriers and passengers passing through the border crossing points in order to obtain information on the activities of the customs administration, including the possible presence of corruption;
- holding of working meetings of the Customs Inspectorate with managers and employees of the customs offices on the prevention and counteraction of corruption and conflict of interest;
- training of all newly recruited staff in the specialised administration, included in the basic courses, on the prevention and combating of corruption.

A key priority in the work of the Public Procurement Agency (PPA) has been the implementation of Component 10, Reform 10 of the National Recovery and Sustainability Plan (RSP) to increase competition, transparency and integrity in public procurement by strengthening prevention and support to procuring entities, introducing new electronic forms in the national e-procurement system and reducing non-competitive procurement through changes to the Law on Public Procurement Act (LPP).

On 05.10.2023 the National Assembly adopted legislative amendments (promulgated in issue 88 of the State Gazette of 20.10.2023), providing for the phased entry into force of some of them, namely:

- As of 22.12.2023, provisions enter into force that introduce a reporting mechanism linked to the implementation of commitments to regularly collect information and report on progress on indicators; strengthen ex-post controls; increase the scope of administrative and criminal liability and the level of sanctions; tighten rules for in-house procurement and introduce publicity requirements for contracts concluded;
- as of 01.01.2024, the provisions related to the new form of prior control for legality in the contracting authorities' organisations and the participation of observers in the work of the evaluation committees shall enter into force;
- as of 22.07.2024, the provisions on the mandatory prior control by the PPA of all public procurement procedures with a value of over BGN 5 million shall enter into force.

In order to ensure the practical implementation of the amendments to the LPP adopted at the end of 2023, the necessary amendments and additions to the Regulations for the Implementation of the Law on Public Procurement (RILPA) were adopted by Decree of the

Council of Ministers No. 257 of 22 July 2024 (State Gazette No. 62 of 23 July 2024, in force from 23 July 2024). The amendments mainly concern the control by observers, the preliminary control for legality, as well as the introduction of the mandatory control under Art.232a of the LPP (for all public procurements with a value exceeding BGN 5 million) by the PPA.

At the end of 2024, the impact assessment process of the LPP and the RILPA was completed. In accordance with the requirements of Art. 22 para. 3 of the Regulatory Acts Act, the subsequent impact assessment is to be published on the Public Procurement Portal and the Public Consultation Portal within the statutory deadline.

As of 01.02.2024, the new standard electronic forms for public procurement are already available in the Centralized Automated Information System „Electronic Public Procurement“ (CAIS EPP) and are mandatory for use by all contracting authorities.

Along with the above, in the past year the PPA has undertaken and implemented a number of so-called „soft“ measures to improve transparency, strengthen competition in the system and increase the capacity of contracting authorities and business entities to participate in public procurement, including:

- conducting regular monitoring and publishing summary information on high-risk contracting entities and on the results of the preliminary control by the PPA on the Public Procurement Portal (PPP) (<https://www2.aop.bg/politiki-i-strategicheski-dokumenti/npvu/tekushto-nabludenie-na-pazara/>);
- conducting targeted meetings and trainings for different stakeholders, including workshops for district administrations and management teams of district hospitals on the possibilities of applying flexible procurement techniques and tools such as framework agreements and dynamic purchasing systems (DPS), trainings within the framework of the EU Funds Academy at the Institute of Public Administration ([https://www.ipa.government.bg/sites/default/files/katalog\\_ipa\\_2024\\_final\\_en.pdf](https://www.ipa.government.bg/sites/default/files/katalog_ipa_2024_final_en.pdf)), etc.;
- publication of methodological instructions (MIs), guidelines and training materials of the PPP, such as the MIs on the implementation of the DPS ([https://www2.aop.bg/wp-content/uploads/2024/12/MU6\\_2024.pdf](https://www2.aop.bg/wp-content/uploads/2024/12/MU6_2024.pdf)), Guidelines for economic operators on the possibilities for protection against unlawful actions of contracting authorities of public procurement ([https://www2.aop.bg/wp-content/uploads/2024/12/Nasoki\\_AFKOS\\_1.pdf](https://www2.aop.bg/wp-content/uploads/2024/12/Nasoki_AFKOS_1.pdf)), Guidelines of the Expert Advisory Council under Article 246 of the Law on Public Procurement on the application of the exception under Article 14, para. 1, item 5 of the Law on Public Procurement on „in-house“ procurement (<https://www2.aop.bg/metodologiya/experten-konsultativen-savet/>), etc.
- conducting surveys to identify barriers to participation in public procurement (<https://www2.aop.bg/e-uslugi/anketi/>) and analysing the results, etc.

According to the Anti-Corruption Plan of the Ministry of the Interior, enhanced control is applied in all areas with an increased corruption risk.

Control and monitoring are carried out through the Automatic Information System "Video recording of security activities and road control" in order to prevent and detect corrupt behaviour, crimes or other illegal actions of employees of the Ministry of the Interior.

In 2024, 1,000 body cameras and 250 docking stations for traffic police and 1,147 body cameras and 250 docking stations for security police were purchased.

It is also planned to further expand video surveillance by increasing the number of cameras and their use for uniformed personnel, including the Gendarmerie and Border Police, which is planned to be implemented in the upcoming periods with funds from the Road Safety

Fund.

Interaction and exchange of information is carried out and joint inspections are carried out with the Internal Security Directorate (ISD) to detect, prevent and document illegal connections and corrupt behaviour of **border police** officers. In 2024, 88 reports were received against employees of the Directorate General Border Police, and as a result of the inspections and investigative actions carried out by the ISD, 19 pre-trial proceedings were initiated by various prosecutor's offices in the country. In order to prevent and counteract corruption by employees of the Civil Commission on Human Rights, a review of video recordings in the border checkpoint video surveillance system is carried out. Up-to-date information is maintained on the requirements for passing through the border checkpoint, and a telephone line is open for submitting reports and complaints from citizens.

**Public procurement** is carried out in conditions of full transparency and publicity, guaranteed both by the provisions of the Public Procurement Act and the Internal Rules for Managing the Public Procurement Cycle in the Ministry of the Interior, and by the use of the Centralized Automated Information System "Electronic Public Procurement", which provides free and unlimited access for all interested parties. Regular training is provided for employees involved in the implementation of public procurement in the Ministry of the Interior. Rotation of employees and members of committees is carried out at the various stages of the procedures. Enhanced control is exercised over the legality of the procedures carried out.

Information boards with easily accessible and unified information on the services provided, fees due, payment options, etc. are placed in the centres for administrative services for citizens. Such information is also maintained on the pages of the relevant structures on the Internet. Surveys of citizens' satisfaction with the administrative services provided by the Ministry of the Interior are conducted.

The Internal Security Directorate conducts tests to establish the performance of official duties of employees (so-called integrity tests). For this purpose, a continuous analysis of the activity is carried out, including on the basis of signals received from citizens, and areas with a high and constant risk of corruption are identified, in which it is appropriate to conduct integrity tests. In 2024, 166 tests were conducted, data on 36 violations were identified, which were sent to the heads of the relevant structures for consideration by competence. In order to map and update corruption risks in 2025, an assessment of corruption risks will be launched at the Academy of the Ministry of the Interior in accordance with the approved new Methodology for assessing and managing corruption risks in the Ministry of the Interior (2024)