

Annex

Whistleblowers Protection

Other activities have also been completed to date, such as:

- On March 26, 2024, a training was held on the topic: “Challenges to local authorities in implementing the Act on Protection of Persons, Reporting Information, or Publicly Disclosing Information about Breaches - Questions and Answers” in the city of Stara Zagora, organized by the Municipality of Stara Zagora, International Republican Institute /USAID, Basel Institute of Governance /Swiss Confederation/ and the Commission for Personal Data Protection;

- Participation on April 4, 2024 in a one-day training seminar organized by the Union of Bulgarian Journalists;

- Inclusion of representatives of the External Reporting Channel Directorate in two Anti-SLAPP training “Do not turn the other cheek” - in the module Protection of persons reporting breaches of Union law and the Whistleblowers Protection Act, organized by the Bulgarian Center for Non-Profit Law - in the cities of Sofia (April 12-13, 2024) and Burgas (April 19-20, 2024).

- Organizing a joint event on April 19, 2024 by the American Chamber of Commerce in Bulgaria, with the participation of representatives of the CPDP, related to the implementation of the Whistleblowers Protection Act and the Personal Data Protection Act, as the protection of personal data is closely related to the protection of persons who file reports or publicly disclose information about breaches of Bulgarian legislation or acts of the European Union that threaten or harm the public interest.

- Representatives of the External Reporting Channel Directorate participated in the technical mission of the Organization for Economic Cooperation and Development, held in the period April 23-25, 2024 at the Executive Agency for the Promotion of Small and Medium-sized Enterprises.

- With a view to creating administrative capacity and introducing best practices in the field of protection of whistleblowers or publicly disclosing information about breaches, the CPDP submitted its application for membership in the Network of European Integrity and Whistleblowing Authorities (NEIWA) in mid-2023, and was accepted as a member of the Network at the end of the same year.

On April 18-19, 2024, the annual meeting of NEIWA was held in Valencia, Kingdom of Spain, where good practices were also discussed among the members of the Network for the implementation of whistleblower protection.

- Representatives of the External Reporting Channel Directorate participated on May 29, 2024 in a round table on the topic: “Expanding the scope of legal assistance - good practices and challenges”, organized by the Bulgarian Institute for Legal Initiatives and the National Office for Legal Assistance;

- A letter was sent at the end of May 2024 to the National Office for Legal Assistance, requesting the submission of advertising materials with a view to promoting the measures for protection and support under the Whistleblowers Protection Act. The CPDP intends to use the materials to promote the legal opportunities for protection and support of whistleblowers under Art. 5 of the Whistleblowers Protection Act, including through the Commission's website in the Whistleblowers Protection Act section.

- One-day training sessions were conducted in the first half of 2024 (May-August) at the Institute of Public Administration by representatives of the CPDP to senior officials and experts from the public administration who expressed a desire and participated in Course PR-8

“Implementation of the Act on Protection of Persons, Reporting Information, or Publicly Disclosing Information about Breaches (Whistleblowers Protection Act)”, as follows:

1st group: May 16: Bankya, Hall 33

2nd group: May 28, 2024, Bankya, Hall 22

3rd group: June 13, Bankya, Hall 22

4th group: June 20, Budapest, Hall 5

- In February 2024, the European Commission approved the OPWHI project - Open the whistle: Protecting whistleblowers through transparency, cooperation and open government strategies. Regarding the implementation of this project, organizational measures have currently been taken with the international partners of the CPDP, in order to identify the specific features of national legislation in protecting whistleblowers and to outline the timeline for joint specific activities to achieve the project's objectives.

The recommendations from the first audit conducted by the institution of the Ombudsman of the Republic of Bulgaria are also being implemented.

For the period from 05.01.2024 to 15.01.2025, ISJC did not receive any reports of violations falling within the scope of Art. 3 of the LPWPPDIV (promulgated, State Gazette, issue 11 In order to protect the persons reporting corruption and conflicts of interest, special provisions are laid down in the Law on the Protection of Conflicts of Interest, guaranteeing the identity of such persons - Article 66, paragraph 1 provides that the persons entrusted with the examination of the report are obliged: 1. not to disclose the identity of the person who submitted the report; 2. not to disclose the facts and data that have become known to them in connection with the examination of the report; 3. to protect the documents entrusted to them from unauthorized access by third parties. The persons referred to in par. 1 shall propose to the Commission that specific measures be taken to protect the identity of the whistleblower, including, if necessary, measures to protect the whistleblower. In Art. 67, para. 1 of the Act provides that persons reporting corruption and conflict of interest within the meaning of this Act shall be entitled to protection, defence and support under the terms and conditions of the LPWPPDIV, and according to Art. 68 - in urgent cases, at the request of the Chairman of the Commission, the assistance of the authorities of the Ministry of the Interior may be sought to take additional measures to protect a whistle-blower, and the Commission for the Protection of Persons Reporting or Publicly Disclosing Information on Violations shall be informed thereof.

Allegations of conflict of interest within the meaning of this Law against a judge, prosecutor or investigator submitted to the Commission, containing evidence of actions that undermine the prestige of the judiciary and those related to the violation of the independence of judges, prosecutors and investigators, shall be sent to the Inspectorate of the Supreme Judicial Council for examination within the framework of its powers.

In 2024, the inspectorates under Art. 46 of the Administration Act carried out a total of 1,982 inspections, of which 914 were scheduled and 1,068 were unscheduled inspections.

The inspections found: omissions and violations in the implementation of the regulatory framework governing the civil service; failure to comply with statutory deadlines; permanent non-occupation of a large number of positions in the inspected sites and staff turnover; incomplete/outdated and/or missing internal rules and procedures; failure to exercise control by heads of secondary budget spending units in connection with the implementation of special regulatory acts; failure to register documents in the office management system; lack of implemented and non-compliance with control mechanisms, which led to violations of financial discipline and others; violations in the provision of administrative services; failure to comply with internal rules, procedures and codes of ethics; unlawful access to data in information arrays and violation of internal rules for network and information security in the use of information assets.

As a result of the inspections carried out, the following violations have been found:

- a total of 31 acts were drawn up to establish administrative violations under the Law on Counteracting Corruption (21), the Administrative Procedure Code (4), the Administrative Violations and Penalties Act (4) and the Tax and Social Security Procedure Code (2);
- 365 proposals were made to seek disciplinary responsibility for the employees who committed them. 88 disciplinary penalties were imposed on the guilty employees. By the end of 2024, 52 disciplinary proceedings had not yet been concluded;
- 134 signals were sent to the prosecutor's office and other control bodies.
- During the reporting period, the inspectorates received:
- a total of 1,995 signals under the Administrative Procedure Code, of which 843 were inspected;
- a total of 32 signals under the Anti-Corruption Act, of which 19 were of them have been inspected.
- In 2024, the inspectorates carried out significant control and inspections under the Anti-Corruption Act on:
- a total of 3,385 declarations of incompatibility submitted, of which 22 were found to be incompatibility with respect to the persons who submitted them;
- a total of 33,973 declarations of property and interests submitted. Of these, 163 declarations were not submitted within the statutory deadlines. It was found that 20 employees did not submit a declaration of property and interests.

A conflict of interest was established for two employees. In connection with the established presence of incompatibility or conflict of interest, 9 employees were dismissed.

On the basis of Art. 14 of the LPWPPDIV) and Art. 4 of the Rules for Internal Reporting and Follow-up Actions under LPWPPDIV in the Ministry of the Interior, approved by Order No. 8121z-1009/04.07.2023 of the Minister of the Interior, officials from the Ministry of the Interior have been designated to review the reports.

By Order No. 8121z-971/04.07.2024 of the Minister of the Interior, Rules for the Organization and Activities in Working with Reports Received through an External Reporting Channel within the meaning of LPWPPDIV, in the Ministry of the Interior. The rules regulate the organization of activities when working with signals within the meaning of Art. 20 of the LPWPPDIV, received via an external channel from the Personal Data Protection Commission to the Ministry of the Interior.

For 2024 (as of November), 1004 signals against employees were received, of which 54 signals with preliminary data on corruption by/or against employees were established.

All signals for disciplinary violations by employees of the Ministry of the Interior were checked in accordance with Art. 205, para. 2 of the Ministry of the Interior, the results of which were notified to the senders in writing