

SGI

Sustainable
Governance
Indicators

2015 Bulgaria Report

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Executive Summary

After the elections of May 2013, Bulgaria was governed by what was in effect a tripartite coalition consisting of the Bulgarian Socialist Party (BSP), the Movement for Rights and Freedoms (DPS, for all practical purposes the political representation of the Bulgarian Turkish minority), and Ataka (a nationalist xenophobic party). However, no formal coalition agreement existed, and Ataka was not represented in cabinet. The government led by Prime Minister Plamen Oresharski suffered from strong rifts both between the parties and within the BSP, as well as from conflicts with President Plevneliev, and faced large-scale public protests almost from its beginning. The disintegration of the government accelerated after the BSP's weak showing in the April 2014 European Parliament elections, with a snap election in October 2014 resulting in a change in government.

Under the Oresharski government, the quality of democracy continued to suffer from limited media independence and a weak legal system. Media ownership is not transparent, and owners are closely tied to business and political interests. The judiciary continues to suffer from dismally low public legitimacy due to its inability (or unwillingness) to curb political corruption by effectively prosecuting perpetrators. The highly controversial appointment of Delyan Peevski, a DPS parliamentarian and notorious oligarch, as director of the Bulgarian secret service after the 2013 elections raised strong doubts about the government's commitment to fight corruption.

As for policy performance, the softening of the government's fiscal stance raised macroeconomic-policy concerns. In terms of economic sustainability, Bulgaria still faces serious challenges in moving to a higher level with regard to skills, innovation capacity and productivity. Research and innovation continue to number among the country's main problem areas. Bulgaria is among the European Union's lowest spenders on research and innovation, and successive governments have concentrated on other issues while making little effort to develop active and sustainable policies. This dampens the positive effect of a recent increase in R&D spending by private businesses. Other serious problems include the relatively low-skilled labor force and the inability of the labor market within its present legal and policy framework to generate and maintain high levels of employment. Three main challenges in this area remain: reform of the education sector to produce a more adequate skill base

for the 21st century; the negative demographic trend, which under the existing health care and pension systems will continue to increase pressure on the labor market; and the need to increase labor-market flexibility. The hostile public reaction to a relatively small inflow of refugees from Syria in the second half of 2013 showed the weakness of Bulgarian integration policy.

The Bulgarian executive's institutional capacity to plan strategically and in a coordinated manner is quite limited, and worsened further under the Oresharski government. Oresharski's weak informal authority and the lack of an explicit coalition agreement hindered effective policymaking. Bulgaria has not yet developed effective mechanisms for the ex ante or ex post evaluation of policies or the monitoring of institutional arrangements. The new legislation on the Audit Office, which served as an excuse for a premature ousting of its leadership, as well as the primarily politically motivated distribution of national funds among municipalities, illustrate the government's lack of respect for the autonomy of public institutions.

Internationally, as a member of the European Union and international community Bulgaria continues to behave purely reactively, and almost never proactively, on issues ranging from international financial stability to climate change and international democratic assistance. While it never obstructs measures aimed at developing the framework for international cooperation, it is never among the drivers of such changes.

Key Challenges

Over the past decade, Bulgaria's party system has moved from a relatively stable system based on two major parties with changing identities to a state of increased fragmentation. This requires uneasy coalitions and thus heightens instability. The apparent stability of the system was disrupted in early 2013 when the center-right single-party Citizens for the European Development of Bulgaria (GERB) government had to resign before the end of its parliamentary term. What stability remained fell apart several months later, when the new coalition government led by the center-left Bulgarian Socialist Party (BSP) was met by massive public protests and crumbled within a year of its formation. The October 2014 parliamentary elections produced Bulgaria's most fragmented parliament. This severely aggravated the crisis in the two bigger parties, and increased political instability further. The country's most significant challenge lies in the fact that the political crisis has inevitably affected the economy's ability to sustain growth.

In the 2001 – 2008 period, Bulgaria managed to produce rapid economic growth primarily by attracting foreign capital to the country. This era came to an end with the unfolding of the global financial and economic crisis. In today's post-crisis period, the old mechanisms for generating growth are no longer available, and Bulgaria consequently needs to strengthen its internal growth drivers. At present, however, it seems improbable that Bulgaria will soon be capable of raising the economy's skill levels, innovation capacity and productivity to match that of the more advanced EU member states.

In addressing this challenge, a variety of types of reforms need to be adopted. First, the judiciary needs to be reformed with two primary objectives in mind: to eliminate the illicit mechanisms for acquiring political and economic influence and privilege that are presently enabled by the unaccountable judicial system; and to level the playing field for legitimate competitive business entrepreneurship. Second, education reforms are needed so as to limit the exclusion of various – especially minority – groups from adequate labor-market participation or even basic literacy, and to facilitate the generation of human capital of adequate quality, profile and flexibility. Third, the health care and pension systems need to be reformed to meet rising citizen expectations while simultaneously enhancing the systems' financial sustainability and limiting the pressures they exert on labor contracts. Fourth, infrastructure must continue to be enhanced, especially at the regional level. Fifth, increased support is needed to foster a high-skilled labor force, and labor-contract flexibility must be improved.

As all of these areas are characterized by a high degree of inertia and the presence of various and often opposing interest groups, the successful initiation and consolidation of reforms will require substantial improvements in the government's capacity for strategic planning, coordination and institutional learning. It will be difficult to push through changes if the political developments that have unfolded since early 2013 lead to protracted instability and uncertainty rather than to the emergence of a reformist government with a strong parliamentary majority. If the domestic incentives for change are weak, there are likely to be serious limits to the effectiveness of external pressures for reform, including those emanating from the European Union.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 5

Since the late 1990s, Bulgarian economic policy has been characterized by a discrepancy between macro- and microeconomic policy. Whereas the country's macroeconomic policies – most notably the monetary regime, a currency board arrangement tied to the euro – have been generally effective, microeconomic policies have been less successful. Investors complain about regulation and red tape; in many sectors of the economy, competition is limited; labor-market policy creates disincentives to work or create jobs; and subsequent governments, with their emphasis on creating a low-tax and low-wage economy, have done little to increase skill levels, foster innovation or raise productivity. Like its predecessors, the Oresharski government failed to address these microeconomic problems. By softening fiscal policy, it also raised concerns about macroeconomic policy.

Labor Markets

Labor Market
Policy
Score: 3

Bulgaria has experienced a sharp rise in unemployment in the period 2009 – 2012, followed by a moderate decrease in 2013 – 2014. Employment and unemployment structures indicate large and increasing mismatches. For one thing, the unemployed largely consist of people with low qualifications, experience and education. For another, while most people with higher education are employed, their work is very often in an area different than what they studied. The Labor Code has not been reformed to reflect institutional and technological transformations in the modern economy, thus creating obstacles to the flexible reallocation of the labor force in times of crisis. Active labor-market policies have been limited, and have not been very successful.

Taxes

Tax Policy
Score: 7

Bulgaria's government revenues are a mix of direct taxes, indirect taxes and social security contributions. The direct taxes, both personal and corporate, are a relatively small component of the tax revenues, and are based on a strategy of having very low rates which are uniformly spread over a very broad tax base with very limited exemptions. The system of indirect taxes is centered on a VAT with a flat rate of 20% for all products except tourist packages. The other important component of the indirect tax revenues is the excises. Here Bulgaria follows the requirements of the European Union, imposing rates at the low end of what is set out in its membership obligations. Social security contributions are directed mostly towards pension and health insurance. This system has a regressive component, since there is a legal maximal monthly income above which there is no obligation to pay contributions.

With its low rates and uniform and broad tax base, Bulgaria's tax system fully achieves the objective of horizontal equity and creates relatively good conditions for improving competitiveness, though this is limited to some extent by red tape and a highly bureaucratic tax administration. At the same time, the flat income tax and the low direct-tax burden limit the extent of vertical equity. In 2013 – 2014, sagging value-added and excise-tax revenues meant a decreased ability to meet rising public-expenditure demands, producing a significant budget deficit as a consequence.

Budgets

Budgetary Policy
Score: 7

Over the last 15 years Bulgaria's budgets have been mostly reasonable. In eight of those years the government generated surpluses, especially in the period of the positive swing of the business cycle in Bulgaria in 2004 – 2008. In 2009, the year when Bulgaria's economy took the full hit of the global economic crisis, the budget posted a deficit of 4.3%, which fell to just 0.8% by 2012. However, the 2013 – 2014 coalition government made very optimistic revenue forecasts, significantly expanding expenditures. When revenues came in at a lower level than planned, no measures were taken to curb expenditures, and by the end of 2014 the budget deficit was again above 4% and rising. As a result, public debt, which had dropped for years to levels below 20% of national income, has also risen. However, the absolute level is still relatively low, and debt service is a negligible burden for the annual budget. Moreover, Bulgaria has been very successful in using both the domestic and international bond markets to manage its debt repayments.

Research and Innovation

R&I Policy
Score: 3

Traditionally Bulgaria is among the lowest spenders on research, development and innovation in the European Union. Successive governments have concentrated on other issues and have largely relied on foreign direct investment and European Union funds to generate economic growth. Public outlays for research and development have decreased significantly in the wake of the global economic slump from a high of 0.31% of GDP in 2009 to 0.22% of GDP in 2011, and have stagnated since. Subsidies for innovative start-up enterprises are available almost exclusively through European Union structural funds. Technological innovations are also stifled by cumbersome patent and copyright protection procedures.

Global Financial System

Stabilizing
Global Financial
Markets
Score: 4

Bulgaria is not among the proactive promoters of changes in the international regulatory framework for the financial system. As a member of the European Union and the European System of Central Banks it does participate in all discussions on this matter both at the finance-minister and central-bank level. However, as one of the smaller and more insignificant financial-market centers, its role mostly consists in stating what it would like to preserve or what it disagrees with, rather than in shaping the agenda. The failure of the fourth-largest Bulgarian bank in the summer of 2014 demonstrated two important aspects of the Bulgarian financial system. On the one hand, banking supervision has suffered from serious weaknesses, as it allowed the bank to grow at an extraordinary rate for several years without monitoring the quality of its assets. On the other hand, the rest of the banking system proved extremely resilient and capable of meeting a serious liquidity test, indicating that systemic capitalization and liquidity are sufficiently high to withstand a serious stressor. The relatively swift containment of the spillover from the large bank's closure, as well as the recovery in the total amount of deposits shortly thereafter, also indicates that the public generally continues to trust the banking system as a whole.

II. Social Policies

Education

Education Policy
Score: 4

The Bulgarian education system is dominated by government-owned institutions at all levels. Public spending on education as a proportion of GDP

is comparable to that of other East-Central European countries. The quality of education in Bulgaria falls considerably short of the needs of a modern competitive economy, as can be seen by the country's comparatively poor PISA results. Available labor-market data indicate that there are serious skill mismatches, with secondary and tertiary schools producing a surplus of people specialized in areas where labor demand is low, and severe deficits of people specialized in areas where demand is high.

The level of equity in the Bulgarian education system is average to low. There are two main reasons for this. Many children in upper-income families are able to attend private schools, which seem to have better average performance rates than do public schools. In addition, the school drop-out rate among minorities, especially Roma, is significantly higher than the average, meaning that schools do not provide the same opportunities for all ethnic groups. Geographic variance in the quality of the education provided by secondary and tertiary schools is very large, with schools in smaller towns and villages and in less populated areas unable to attract high-quality teaching staff.

Citation:

Ilieva-Trichkova, P., & Boyadjieva, P. (2014). Dynamics of inequalities in access to higher education: Bulgaria in a comparative perspective. *European Journal of Higher Education*, 4(2), 97-117.

Social Inclusion

Social Inclusion
Policy
Score: 4

Compared to other EU countries, Bulgaria achieves poor results in preventing exclusion and decoupling from society. Bulgaria also suffers from a relatively high level of inequality, as measured by the Gini coefficient. Even though the material well-being of Bulgarians is at its highest point by historical standards, there is a general level of dissatisfaction with the state of society. The reasons for this dissatisfaction include the loss of subjective security during the transition to a market economy, the inability of state social policies to replace social networks disrupted by the transition, and the unfavorable international comparison in terms of material deprivation and poverty rates.

Successive governments before 2013 focused on maintaining fiscal discipline and did little to deal with these problems. However, when the 2013 – 2014 coalition government announced that it would prioritize social issues over the maintenance of fiscal stability and significantly increased the budget deficit, no discernible social effect followed, indicating severe deficiencies in social-policy formulation and implementation.

In general, Bulgaria's social policy is unsuccessful in including and integrating people with lower than secondary education, minorities, and foreigners

(mainly refugees). A slight increase in the number of refugees from Syria toward the end of 2013 was met by a very xenophobic reaction on the part of the general population. Coupled with the Bulgarian majority's traditional hostility toward minorities, this indicates a very unfavorable societal environment for effective social-inclusion policies.

Health

Health Policy
Score: 4

The Bulgarian health care system is based on a regulated dual monopoly: on the one hand a state-owned and state-controlled health fund financed through obligatory contributions by all income earners, and on the other, a union of health providers that negotiate a national framework health contract with the fund. Public health care spending relative to GDP is similar to other countries in East-Central Europe and increased by about one percentage point of national income in the last decade. The system is inclusive and provides at least some level of health care for all who need it. Inclusiveness, however, is undermined significantly by the fairly widespread practice of unregulated payments to doctors. Those who can afford to make these payments, receive faster, better care. The quality of health care services is average to lower. While life expectancy has risen and infant mortality has dropped, overall mortality has remained high. A major efficiency problem of the Bulgarian health system is the lack of incentives for preventive measures and for stimulating healthier lifestyles, given that prevention is by far the least costly way of improving the health situation.

Citation:

Atanasova, E., Pavlova, M., Moutafova, E., Rechel, B., & Groot, W. (2013). Out-of-pocket payments for health care services in Bulgaria: financial burden and barrier to access. *The European Journal of Public Health*, 23(6), 916-922.

Families

Family Policy
Score: 6

Family-policy debates in Bulgaria have focused on parental-leave benefits rather than on supporting mothers' ability to work. While the share of children aged three to six enrolled in kindergartens has increased by over 10 percentage points in the last decade, public child care facilities are still less developed than in most other OECD and EU countries. Labor-market discrimination against pregnant women and mothers of small children is common, undermining the objective of providing free choice for women. However, Bulgarian grandparents are traditionally very involved in caring for children, which for some parents is an effective social-network mechanism reducing the need for state involvement. Moreover, the parental-leave legislation favors mothers' labor-market integration by guaranteeing mothers a right to return to

their job even after two years of parental leave, and by allowing fathers to take parental leave as well.

Pensions

Pension Policy
Score: 5

Bulgaria has a mixed pension system consisting of three pillars: a public pay-as-you-go pillar financed by social-insurance contributions, an obligatory fully funded private-pension-fund pillar and a voluntary third pillar. The second pillar was started in 2002 for people born after 1959, and is not yet paying out many pensions.

While the pension system substantially reduces poverty among the elderly, the poverty rate among senior citizens remains high from a comparative perspective. The Bulgarian pension system also suffers from a lack of intergenerational fairness and fiscal sustainability. Given the present demographic dynamics and the existing system's configuration, both the implicit public-pension debt and the real pension burden will increase significantly over time. These problems have been aggravated by the Oresharski government's decision to terminate the gradual increase in the retirement age originally adopted in 2011.

Integration

Integration Policy
Score: 3

Bulgaria does not have a developed policy for integrating migrants, largely because their number is fairly limited. Until recently, Bulgaria has only been a transit point for migration flows to other EU countries. According to estimates, the share of migrants in the total population amounts to less than 1%, with most migrants being people of traditional Bulgarian origin from neighboring countries.

In late 2013, a small wave of several thousand refugees from Syria showed the limited capacity of the Bulgarian society to accommodate migrants. Accommodations for the migrants proved to be extremely poor; food, clothing and heating were generally insufficient; and no real attempts were undertaken to integrate migrants into the local society. In many municipalities, the local population rose in protest against hosting migrants in their vicinity and against the prospect of migrant children attending local schools, thereby exacerbating the integration problems.

Safe Living

Safe Living
Conditions
Score: 5

While Bulgaria does have a serious problem with organized crime, normal citizens can live relatively safely. Crime statistics have fallen in the period

under review, and trust in the police, while low in international comparison, is substantially higher than trust in other public institutions such as the president, the government, the legislature or the judicial system. The strong feeling of personal insecurity revealed by various surveys relates more to economic insecurity than to fear of crime. While governments rhetorically declare Schengen accession a priority, progress with international cooperation in security matters has remained limited, as reflected in the repeated postponements of Bulgaria's admission to the Schengen Area.

Global Inequalities

Global Social
Policy
Score: 3

The promotion of equal socioeconomic opportunities in developing countries is not on the agenda of Bulgarian society and its government. Bulgarian officials take positions on this issue only when they are required to do so by the agendas of international bodies such as the European Union and the United Nations. On such occasions, the behavior of Bulgarian officials is reactive and not proactive. However, Bulgaria does not resort to protectionist trade barriers beyond the structure of such barriers imposed by the European Union, and does not impede or attempt to undermine efforts by the international community to promote equal opportunities in developing countries.

III. Environmental Policies

Environment

Environmental
Policy
Score: 6

Given the heavy damage to the environment inherited from the socialist economy, the overriding priority of environmental policy in Bulgaria over the last two decades has been to reduce pollution. Issues such as climate policy, renewable water resources, forest policy and biodiversity have been put on the agenda by EU initiatives.

Bulgaria's CO₂ emissions per capita are relatively low and might further decrease with improvements in energy efficiency. Climate policy has concentrated on subsidizing renewable energy, especially solar and wind. However, these subsidies proved to be overly generous over the 2012 – 2014 period, activating supply of electricity from such sources, which had the undesired effect of effectively raising prices for end consumers, who subsequently rose in protest. As a result, it is likely that the level of subsidies will be scaled down in the future, slowing down the transition toward renewables.

As for renewable water resources, governance largely rests at the level of municipalities, creating problems of coordination and strategy development. A further strategic problem in this area arises from the fact that much of the renewable water resources in Bulgaria also affect neighboring countries (Romania, Turkey, Greece), requiring international coordination. Bulgaria still lacks a clear water-resources strategy.

Forests in Bulgaria are either private, municipal or state property. This fact impedes the development and implementation of coordinated forestry policy actions. However, Bulgaria forest coverage is above world average and, more importantly, has grown over the last two decades. This indicates that the existing model is performing relatively well and possibly needs incremental adjustments.

In terms of biodiversity policies, Bulgaria is an active participant in Natura 2000, the European Union's largest network for the preservation of biodiversity. With approximately a quarter of its territory dedicated to Natura 2000, Bulgaria is significantly above the average for the European Union. As opposed to many other issues, there is an active civil-society sector working on biodiversity and conservation issues, which is capable of applying political pressure and sometimes achieves results. However, powerful business actors with access to policymakers often manage to violate environmental-protection policies in order to further business interests. Most violations of this kind take place in the tourism and mining sectors.

Global Environmental Protection

Global
Environmental
Policy
Score: 5

The Bulgarian government does not engage in the active promotion of collective action on climate and other global environmental issues. While it sticks to existing regimes, it takes positions only when the agendas of EU-level meetings require discussions of such topics. Along with other East-Central European member states, Bulgaria has opposed the most ambitious EU targets for the reduction of carbon dioxide emissions.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 9

The registration of parties and candidates is broadly fair and transparent, and was further eased by a new Electoral Code adopted in March 2014. The registration of candidates for elections involves two steps. The first is to register a party, a coalition of parties or a nominating committee with the central electoral commission. The second step comprises the nomination of candidates by registered parties, coalitions or nominating committees. For the registration of parties or nominating committees, a bank deposit and a certain number of citizen signatures are required. The existing requirements are reasonable – they are not too stringent to prevent serious parties and candidates from registering, but do to some extent prevent a confusingly large number of participants in the elections. What is more controversial are the personal requirements for candidates, partly enshrined in the Bulgarian constitution. Under the present legislation people holding citizenship of a country outside the European Union are not allowed to run in elections. While this provision has not played any role in practice yet, international observers have criticized it for violating the European Convention on Human Rights. An often-criticized constitutional clause that prohibits the formation of “ethnically based” parties continues to be de jure relevant, but de facto meaningless. No parties that could be classified as “ethnically based” have faced any challenges to their registration or electoral participation as a result of the constitutional prohibition.

The 2014 Electoral Code augmented voters’ ability to rearrange the order of candidates on party lists. In both elections held in 2014 – for the European Parliament in May and for National Assembly in October – voters actively used this opportunity, and actually changed the order of the lists for many parties and districts. However, this “preferential vote” innovation has also introduced some voter confusion. In most instances of party-list reordering, there are strong reasons to believe that voters did intend to show preference, but simply did not understand how to use the ballot. They marked the number of the party they wanted to support in both columns– the party column and the candidate list column. As a result, the party list was rearranged and candidates who lacked both sufficient party support (since they were placed in what the

party perceived as an “unelectable” position) and popular support (since voters did not actively select them) ended up making it into parliament. Several of these “accidental” members of parliament have been thrown out of their party factions after rejecting calls to resign, and will sit as independents.

Citation:

OSCE/ OHDIR, 2015: Republic of Bulgaria: Early Parliamentary Elections, 5 October 2014. Warsaw. (<http://www.osce.org/odihr/elections/bulgaria/133571?download=true>)

Media Access
Score: 6

Media access for candidates and parties differs drastically between publicly and privately run media. The public broadcast media – one TV and one radio station with several channels each – are required by law to provide full and balanced coverage and to set aside time for every candidate and registered party or coalition to make their own presentations. In contrast, access to the privately held media, especially print media, is less equal. Many private media firms are in the hands of business groups heavily involved in dealings with the state. These organizations tend to present the ruling majority in a positive light, or to block the access of competing political candidates, in exchange for favorable business deals. Following the 2014 parliamentary elections, the OSCE complained that in many cases campaigns’ paid political advertisements in the media were not clearly marked and were difficult to distinguish from editorial content, thus potentially misleading voters

Voting and
Registrations
Rights
Score: 7

Bulgarian voters are registered by default through voter lists maintained by the municipalities. Voter lists are published in advance of election day, and voters can also check their presence on the lists online. Every person who is not included in the voter list at their place of residence can ask to be included, and if not included can appeal to the courts. Bulgarian citizens residing abroad have the right to vote in parliamentary and presidential elections, as well as in national referenda. They can do this at the various consular services of Bulgaria, or if they establish a polling station themselves in accordance with procedures specified in the election code. These procedures are not onerous. The overwhelming majority of Bulgarian citizens who are interested in voting, can freely and easily exercise this right, and Bulgarian turnout figures are comparable with those other European democracies that do not use compulsory voting.

A small constraint regarding voting rights comes from the disenfranchisement of the prison population. Contrary to the European Convention on Human Rights, people serving prison sentences are not allowed to vote. A second feature of Bulgarian electoral law that can potentially reduce turnout is the absence of vote-by-mail provisions. However, citizens who want to vote outside of their permanent place of residence can obtain a special permit from their municipality. As with the elections in 2011 and 2013, there were allegations of voting fraud in the two elections in 2014, although at a lower

scale. The OSCE has voiced some concern that safeguards against multiple voting are too weak, as voters have been allowed to register as recently as on election day.

Citation:

OSCE/ OHDIR, 2015: Republic of Bulgaria: Early Parliamentary Elections, 5 October 2014. Warsaw. (<http://www.osce.org/odihr/elections/bulgaria/133571?download=true>)

Party Financing Score: 5

Party financing in Bulgaria is regulated by the Political Parties Act, which was slightly amended in July 2013. Parties are financed through a combination of a state subsidy, membership dues, property income, and sale of publications and royalties. They are also allowed to draw bank credit up to a set cap. Anonymous donations are not allowed, and donations can be made only by individuals, not by companies or other legal entities. The audit office oversees party financing in Bulgaria. Every year parties are obliged to submit a full financial report, including a description of all their properties and an income statement. Reports from parties with budgets larger than €25,000 must be certified by an independent financial auditor. The audit office is obliged to publish all these reports online, to perform a thorough check of the reports, and to prepare and publish online its own auditing report. Parties are subject to sanctions for irregularities in their financial reporting, to which the online availability of all reports adds the possibility of public political sanction. According to the Election Code, parties are also obliged to submit a special financial report to the audit office after each election campaign. The audit office also makes these reports available online.

One problem with party financing in Bulgaria is that the legal framework has tended to benefit the larger parties. This has mainly been because the funding that parties receive from the state is linked to the number of votes cast for them in the most recent parliamentary election. This has made it difficult for small new parties to emerge without significant private financial support. More importantly, a 2014 amendment to the Audit Office Law changed the Office's governance structure from a three-person body with high professional requirements to a larger body with low eligibility requirements, with members largely selected on the basis of political quotas. This severely decreased the independence of the Office and the trustworthiness of its oversight of party financing. In practice, non-regulated party financing seems to be available, as all parties have "concentric circles" of firms that finance the parties in exchange for political patronage.

Citation:

Rashkova, Ekaterina R., Maria Spirova (2014). Party regulation and the conditioning of small political parties: evidence from Bulgaria, in: *East European Politics* 30(3), 315-329.

Spirova, Maria (2012). 'A Tradition We Don't Mess With': Party Patronage in Bulgaria, in: Petr Kopecký, Peter Mair, Maria Spirova (eds.), *Party Patronage and Party Government in European Democracies*. Oxford:

Oxford University Press, 54-73.

Popular Decision-
Making
Score: 6

There are several forms of direct democracy in Bulgaria, at both the local and national levels. However, a number of provisions limit citizens' decision-making power. First, the set of eligible issues is limited, as budgetary issues cannot be addressed in municipal or national referenda. At the national level, the structure of the Council of Ministers, and the personnel of the Council of Ministers, Supreme Judicial Council and Constitutional Court cannot be decided on the basis of referenda. Second, the National Assembly is not obliged to call a referendum if a committee formed by voters has gathered more than 200,000 but less than 500,000 signatures. Third, parliaments can, within certain limits set by the law, edit the questions posed. Finally, the outcome of referenda is binding only if voter turnout is higher than in the last general election. Given these obstacles, referenda have been rare. In the period under review, no referenda took place. In the spring of 2014, the parliament used its discretion to block a referendum on electoral reform even though the petition for it had obtained almost the required 500,000 signatures, indicating a general unwillingness on the part of ruling majorities to allow citizens to make decisions on their own initiative.

Access to Information

Media Freedom
Score: 4

In legal terms, media in Bulgaria are independent of the government. All electronic media – public or private – are subject to licensing by two independent state agencies: the Council for Electronic Media (issuing programming licenses) and the Commission for Regulation of Communications (for radio frequencies and other technological aspects of electronic media). The Council for Electronic Media also appoints the management of the Bulgarian National Television and the Bulgarian National Radio organizations. No specific regulation exists for print media.

In practice, however, the independence of the media in Bulgaria is limited. Many media organizations depend heavily on advertising and other revenues from the government or from government-owned enterprises and/or have owners involved in business deals with the government. With the onset of economic crisis, the media's financial dependence on the government budget further increased. Transparency regarding the ultimate ownership of private media organizations is very low, increasing the opportunities for and the suspicions regarding illicit use of media to further hidden political and business agendas.

That said, government influence over the media does not necessarily mean that freedom of speech is circumscribed. Bulgaria has a diverse media landscape

and the positions expressed cover the full political spectrum. Virulent anti-government rhetoric does exist and the government does not seem to take serious steps to suppress or marginalize the media outlets that engage in it. Media independence is compromised by a lack of ownership transparency and the low degree of editorial independence at pro-government media outlets, rather than by the harassment (legal or physical) or suppression of opposition outlets.

Citation:

Smilova, Ruzha/Smilov, Daniel/Ganev, Gyorgy, 2012: Democracy and the Media in Bulgaria: Who Represents the People? in: Evangelia Psychogiopoulou (ed.), *Understanding Media Policies. A European Perspective*. Basingstoke/ London: Palgrave Macmillan, pp. 37-54.

Media Pluralism
Score: 5

Media pluralism in Bulgaria is supported by a quite diversified ownership structure. The sheer plurality of media outlets ensures relatively broad coverage of different points of view. At the same time, however, the ownership structure is often opaque. It is often unclear who the actual owners are and what their business interests are – especially in the case of offshore-owned media. Moreover, many private media owners have close links to the government. A very significant recent development is the rising importance of online media, including blogging and various independent sites, which have begun to influence the overall information process. These online resources were especially actively used during the protests in Sofia in 2013 and subsequently in the 2014 election campaigns.

Access to
Government
Information
Score: 7

Access to government information for citizens is guaranteed by the Bulgarian constitution and regulated by the Access to Public Information Act originally adopted in 2000. The provisions, which have been refined several times, allow a very high level of access for citizens to government information and are subject to judicial oversight through court appeals. The opportunity for court appeals has been actively used by civil-society actors and organizations, and a robust court practice has developed. In recent years, the amount of government information made freely and promptly available on the Internet has increased markedly, and the number of formal requests for information has declined. In 2013 – 2014, the legal framework was further tightened through several landmark suits respectively related to police behavior during the protests of the summer of 2013 and to highly socially and politically sensitive information involving a large gas-pipeline project. In both cases, crucial information ultimately became available to the citizens. However, the annual reports of the Access to Information Program, an NGO established in 1996, indicate that a number of government institutions still try to impede freedom of access to information. The most common excuse for refusing to release such information is that interests of third parties may be affected, while confidentiality and classified information considerations come a distant second. Delays in the provision of information also persist.

Civil Rights and Political Liberties

Civil Rights
Score: 5

The Bulgarian constitution and legislation provide a comprehensive, gradually improving framework guaranteeing civil rights and their protection. In practice, rights are generally respected by state agencies and citizens have legal recourse when infringements of these rights do occur. Bulgarian citizens actively use the administrative-justice process to challenge the actions of state agencies, and the courts regularly side with citizen plaintiffs.

The most frequent and serious rights violations are the overuse of force by law-enforcing government bodies, especially against Roma. There are also sporadic reports of arbitrary court decisions in bankruptcy cases, which undermine the perception that property rights are secure. The length of legal proceedings represents a significant problem.

Political Liberties
Score: 8

Political liberties are guaranteed in Bulgaria by the constitution and relevant laws. Bulgarians enjoy the freedom to express themselves, to assemble and organize themselves (including explicitly politically), to hold religious beliefs and to petition the government. In February 2013, civic protests actually led to the resignation of the government, and later the whole second half of the year was dominated by active civic protests, including the occupation of several schools by students. These events clearly reaffirmed the rights of Bulgarians to assemble and speak freely, even though there were some police infringements of rights and intimidation attempts. The freedom of expression has suffered from the declining independence of the traditional media, but has been strengthened by the opportunities provided by Internet.

Non-discrimination
Score: 6

The Bulgarian constitution and various EU directives guarantee protection against discrimination. In 2004, a specific Protection Against Discrimination Act was adopted. In accordance with its prescriptions, a Commission for Protection against Discrimination was created with the goal of promoting government policy in this area, and citizens were given access to the courts in cases of suspected discrimination. In practice, however, episodes of discrimination can be frequently observed. Discrimination against the highly marginalized Roma minority remains a major issue. On a smaller scale, discrimination against other groups can also be observed. For example, many groups – including people with mental and physical disabilities, women, and members of sexual minorities – face discrimination within the labor market. Elderly people and those with comparatively low socioeconomic status often face discrimination with regard to the provision of health services.

Rule of Law

Legal Certainty
Score: 5

Bulgaria's government and administration refer heavily to the law and take pains to justify their actions in formal and legal terms. However, two features of the legal environment reduce legal certainty. First, the law gives the administration sizeable scope for discretion. Second, the existing legislation suffers from many internal inconsistencies and contradictions that make it possible to find formal legal justifications for widely varying decisions. For both reasons, executive action is sometimes unpredictable.

Judicial Review
Score: 5

Courts in Bulgaria are formally independent from other branches of power and have large competencies to review the actions and normative acts of the executive. In practice, however, court reasoning and decisions are sometimes influenced by outside factors, including informal political pressure and more importantly the influence of private-sector groups and individuals through corruption and nepotism. The performance of the Bulgarian judicial system is considered to be relatively poor, both within the country and by the European Commission, which has regularly reported on this matter under the Cooperation and Verification Mechanism for Bulgaria. Despite these issues, the practice of the administrative judiciary and especially the Supreme Administrative Court indicates that these bodies do have the capacity to review the executive power effectively. A number of significant decisions have been rendered in this regard.

Appointment of
Justices
Score: 5

The procedures for appointing constitutional court justices in Bulgaria do not include special majority requirements, thus enabling political appointments. However, political control over the judiciary is limited by the fact that three different bodies are involved. The 12 justices of the Constitutional Court are appointed on an equal quota principle with simple majorities by the president, the National Assembly and a joint plenary of the justices of the two supreme courts (the Supreme Court of Cassation and the Supreme Administrative Court).

The justices of the two supreme courts, in turn, are appointed by the Supreme Judicial Council on a simple majority basis. This council in turn consists of three groups; one includes ex-officio representatives, one is selected by parliament on a simple majority basis, and one is selected by simple majorities of the plenary assemblies of judges, prosecutors and investigators. One problem with this structure is that the representatives of prosecutors and investigators have a say on decisions regarding judges' career advancement. This creates an incentive structure that damages the independence of the court.

Corruption
Prevention
Score: 4

As successive European Commission reports under the Cooperation and Verification Mechanism have shown, Bulgaria's formal legal framework is quite extensive and has become more consistent over the years. The various

branches of power are subject to auditing by the audit office, whose reports are made public. Parties are required to submit detailed reports on their financing and spending. Individual members of the legislative and the higher levels of the executive branches are required to disclose information about their personal property and income and to declare conflicts of interest, while codes of conduct exist for various officeholders. Specialized agencies for fighting corruption exist in all three branches, and there is an additional comprehensive anti-corruption taskforce within the State Agency for National Security. Programs and action plans are prepared and updated. However, the actual effects of these provisions and measures have been modest so far. While the executive and state prosecutors have initiated numerous criminal prosecutions against high-profile political actors, the conviction rate in those high-profile cases has been close to 0%. The highly controversial appointment of Delyan Peevski, a DPS parliamentarian and notorious oligarch, as director of the Bulgarian secret service following the 2013 elections raised strong doubts regarding the government's commitment to fighting corruption.

Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 5

The most important systematic strategic-planning process is related to the requirements of EU membership and the necessity of preparing strategy and reform programs within the EU framework. The Ministry of Finance is in charge of preparing the national reform programs foreseen as a part of the European Union's 2020 strategy. There is not much more strategic-planning capacity at the center of government. However, the national strategies on security, energy, governance and development of water resources, development of scientific research, Roma integration, physical education and sport, which were adopted during the 2009 – 2013 term, have provided some long-term orientation. These strategies were prepared in coordination with various ministries and on the basis of extensive discussions with the relevant expert communities. They are overseen by the line ministries and parliamentary committees responsible for these policy areas.

Scholarly Advice
Score: 5

In Bulgaria, there are various ways to consult stakeholders and experts, including a special online portal at the Council of Ministers and more than 70 advisory councils. The government has also started to seek out expertise by forming public councils linked to specific ministries. After a positive experience with such a council at the Ministry of Regional Development and Public Works at the beginning of 2013, such councils have been constituted for several other ministries. There are no formal routines for consulting academic experts during the course of government decision-making, but representatives of academia and research institutes are traditionally included in the process on an ad-hoc basis.

Interministerial Coordination

GO Expertise
Score: 4

The official government office in Bulgaria, the Council of Ministers' administration, plays a mainly administrative role. It prepares cabinet meetings

but lacks the capacity for in-depth evaluation of the policy content of line-ministry proposals. Specialized directorates within the Council of Ministers' administration do review submissions from the line ministries, but deal less with substance than with ensuring that submissions are presented in the appropriate format. The prime minister's own political-cabinet staff is relatively small and has little expertise to evaluate the policy content of line-ministry proposals.

GO Gatekeeping
Score: 4

In Bulgaria, neither the Council of Ministers' administration nor the prime minister and his political cabinet have the legal authority to return materials on the basis of policy considerations. When a government is formed by a single party and led by a strong party leader, however, the prime minister may be able to do so by capitalizing on his informal authority. In the case of the 2013/14 coalition government, however, the informal authority of Prime Minister Oresharski was limited.

Line Ministries
Score: 6

Line ministries tend to prepare policy proposals independently and introduce them to the prime minister and the Council of Ministers when they are completed. The prime minister and the Council of Ministers' administration are consulted in advance only when the proposals cross ministerial lines. Even in such cases, the involvement of the Council of Ministers' administration tends to focus mainly on technical and drafting issues. There are no official procedures for consulting the prime minister during the preparation of policy proposals.

Cabinet
Committees
Score: 4

The Bulgarian cabinet does not resort to specific cabinet or ministerial committees as a way of coordinating proposals for cabinet meetings. However, there are many cross-cutting advisory councils that include several ministers or high-ranking representatives of different ministries and have some coordinating functions. These might thus be seen as functional equivalents to ministerial or cabinet committees. However, the role of the councils, which often have a rather broad membership, is quite limited in substantive terms.

Ministerial
Bureaucracy
Score: 4

While a comprehensive framework for coordination between ministry officials and civil servants exists, the quality of the coordination process is low, meaning that many issues have to be resolved at the political level. Within the ministries, a departmentalist culture prevails. This is especially true during coalition governments, when coordination between line ministries under ministers from different parties is virtually nonexistent.

Informal
Coordination
Score: 5

Given the weakness of formal mechanisms of interministerial coordination, informal coordination mechanisms have played a vital role in Bulgaria. Informal coordination featured prominently when the GERB government of 2009 – 2013 and then the coalition government of 2013 – 2014 lacked full majorities in the National Assembly, and consequently needed ad-hoc parliamentary support.

Evidence-based Instruments

RIA Application
Score: 4

According to article 28 of the Law on Normative Acts in Bulgaria, every draft for a normative act (starting from the acts with highest power such as codes and laws, down to municipal regulations and instructions) needs to be accompanied by explicit motivation and by a report including an obligatory assessment of results. In theory, the accompanying report is supposed to look at all the effects of the proposed legislation – budgetary, economic, social and environmental – and its impact on the effectiveness of other policies. In practice, this is rarely done and impact assessments are mostly formal, incomplete and perfunctory. In accordance with the law every normative act is accompanied by a motivation and a report, but only budgetary and environmental impact assessments are conducted in depth.

Quality of RIA
Process
Score: 4

With the exception of the assessment of budgetary and environmental impacts of proposed legislation, RIA has a largely formalized nature in Bulgaria. There is no centralized and independent impact assessment unit, and there are no procedures for evaluating RIA quality. Instead, initial assessments are performed by the body proposing the legislation. Once the proposed draft has entered the phase of public consultation, civil-society and academic actors are able to offer their own assessments, which then become a part of the documentation accompanying the proposal and are available to the public online. There are a number of examples of such assessments, but they encompass a very small proportion of new proposals.

Sustainability
Check
Score: 3

Most of the regulatory impact assessments in Bulgaria are merely formal, with the exception of budgetary and environmental issues. Moreover, environmental checks focus on issues of pollution and wilderness protection rather than greenhouse gas emissions. Other economic and social impacts are generally addressed superficially, and the input of non-government actors in the public-consultation process is generally ignored.

Societal Consultation

Negotiating
Public Support
Score: 5

Partly following traditions established during the socialist period, Bulgaria has developed a number of bodies that represent various interests in the process of policymaking. A prime example of this tradition is the National Council for Tripartite Cooperation, which includes representatives of the government, trade unions and employer associations. Over the years this council has evolved into a major forum not only for advice and consultation, but also for the negotiation of various policies and the adoption of specific proposals that are later formally confirmed legislatively. Other societal actors, including minority organizations, environmental and other interest groups are

represented in the more than 70 advisory councils at different levels of government. In practice, however, their influence on decisions is limited.

Policy Communication

Coherent
Communication
Score: 4

The coherence of government communication in Bulgaria is relatively low. The communication activities of the various ministries are not centrally coordinated, so it is easy for the media to identify inconsistencies and contradictions in the information and positions of different ministries. Inasmuch as there is coordination between different messages, it is accomplished mostly through the political cabinets and the public-relations experts of the ministries rather than as a matter of formalized administrative communication-coordination procedure. The 2013 – 2014 coalition government became notorious for attempts to hide its real agenda behind various public announcements, the most well-known example being its communication with the public regarding the South Stream gas-pipeline project.

Implementation

Government
Efficiency
Score: 5

In general, Bulgarian governments avoid setting policy-performance benchmarks that are available to the public. The two main exceptions are within the area of macroeconomic policy, especially regarding the budget, and compliance with the high-profile requirements of EU membership. The Oresharski government failed to meet its budgetary benchmarks; revenues were much lower than forecast, and as a consequence, the budget deficit for 2014 was significantly higher than the official projection. With respect to the European Union, Bulgaria has not yet achieved its long-standing objectives of joining the Schengen Area or of starting the process of joining the euro area. Moreover, the absorption of EU funds, which had improved for several years, worsened in the period under review. In 2014, Bulgarian civil-society actors began strictly recording the policy objectives of the government and monitoring success in achievement. It remains to be seen whether these activities will force future governments to make clear and measurable policy commitments and pressure them to try harder to meet these goals.

Ministerial
Compliance
Score: 7

The prime minister does not have significant legal powers vis-à-vis his ministerial colleagues. The 1991 constitution defines the Council of Ministers as a collective body, with the prime minister being only “an equal among equals.” The position of the prime minister thus strongly depends on his or her informal political authority. In the case of Prime Minister Oresharski, this was quite limited.

Monitoring
Ministries

The Council of Ministers’ administration lacks the capacity to monitor the implementation activities of the line ministries. The chief secretary of the

Score: 4

Council of Ministers' administration and the specialized directorates of the administration can, however, oversee most of the line ministries' policy activities, especially in the areas financed through EU funds. The chief secretary and the directorates also provide some administrative support to the prime minister and the head of his political cabinet, who exercise more direct control over the ministries on a political basis. The exercise of this control tends to be informal rather than formal, and its effectiveness declined after the 2013 change in government.

Monitoring
Agencies,
Bureaucracies
Score: 4

The capacity of ministries to monitor the implementation activities of the bureaucracies and executive agencies within their task areas is quite limited in institutional terms. The monitoring that does take place tends to focus only on priority areas – such as the absorption of EU funds – and tends to rely on informal rather than formal mechanisms.

Task Funding
Score: 5

Local governments in Bulgaria get most of their revenues from the central government. Activities delegated to municipalities by the central government are financed in two ways; first, a portion of the revenues from some general taxes is designated for the municipal budgets, and second, the central government pays a subsidy. Every year, the Ministry of Finance claims that all delegated activities have been fully and adequately funded, while the National Association of Municipalities in Bulgaria claims that the actual costs for the municipalities are higher than the state budget law envisages, thus de facto forcing municipalities to finance delegated central-government activities.

Constitutional
Discretion
Score: 4

Bulgaria is a unitary state with two levels of government – the national and the municipal. The constitution vests municipalities with a relatively broad set of powers and competencies, and the law generally respects this independence. However, in reality most Bulgarian municipalities are financially dependent on the central government, because their own revenue base is inadequate for generating the necessary revenues. The central government has instrumentalized this dependence for political purposes. In early 2014, it implemented a specific program for investments in municipalities which disproportionately benefited local governments run by the parties making up the ruling coalition.

National
Standards
Score: 4

In Bulgaria, the effectiveness of national-government oversight and compliance with national standards in the decentralized provision of public services differ among functional spheres. For example, education is provided by local schools on the basis of funds delegated by the national or the local government, with standards upheld relatively objectively and effectively through external evaluation. However, in the sphere of environmental, waste-management and forestry standards, as well as in the local-level health care sector, monitoring is uneven and some localities have much lower standards than others.

Adaptability

Domestic
Adaptability
Score: 6

During the process of EU accession, the Bulgarian administration at the national, regional and local levels underwent a very significant adaptive process that involved changes in structures and areas of activity. This included the creation of regional development councils able to prepare regional-development strategies at the level of EU NUTS 2 regions, a novelty in Bulgarian governance history. The EU accession and membership process also meant that new channels for coordination and common decision-making had to be created in order to enable ministries to develop national positions on the various EU policies being discussed. Notwithstanding these changes, the primary governmental structures and their methods of operation have remained largely unchanged. In particular, coordination weaknesses at the government's center have not been adequately addressed. In addition, while domestic government structures have been transformed in response to international and supranational developments, it is far less clear whether these changes really affect the essence of the country's policymaking process.

International
Coordination
Score: 4

While the capacity of Bulgarian government bodies to correspond with, coordinate and participate in international processes and initiatives has improved markedly over recent years, the fact remains that Bulgaria is still primarily reactive in terms of international efforts to foster the provision of global public goods. This is due both to a lack of capacity and a risk-minimizing strategy of avoiding the commitments involved in taking proactive positions. More often than not, Bulgaria tends to take part in international efforts but wait for the international community to formulate policies, set goals and benchmarks. It then does its best to implement those domestically. Inasmuch as there is coordination and assessment going on, it is for these reactive purposes. The most recent example of this type of behavior has been Bulgaria's dithering regarding the international sanctions against Russia. .

Organizational Reform

Self-monitoring
Score: 4

There are no formal ex ante mechanisms for monitoring whether institutional arrangements of governing are appropriate. It is only ex post, when a problem becomes serious enough or a crisis emerges, that reflection regarding the structure of governance and institutional arrangements begins, and such cases are usually spurred by public pressure or pressure from some other government body. The public debate once a problem transpires (for example, a number of flash floods and an explosion in a disarmament plant in 2014) seems more focused on who is to blame rather than on whether institutional arrangements can be improved.

Institutional
Reform
Score: 5

Bulgarian government bodies do have the capacity to reform, both in the case of reforms initiated from within and reforms originating externally. However, they do not seem to have a strategy for planning such reforms. Instead, reforms happen as a result of a crisis that forces change. Furthermore, the capacity for change is particularly limited when it comes to primary governance structures such as the cabinet, the prime minister and the government office.

II. Executive Accountability

Citizens' Participatory Competence

Policy
Knowledge
Score: 5

The distribution of knowledge about government policies in Bulgaria is highly uneven. Citizens who are active, especially through participation in non-governmental organizations or grassroots activities, seem to have a very strong grasp of current policies in their sphere of interest. The general public, however, seems distrustful and uninterested. Citizens' knowledge of how the government is actually organized and works, the division of competencies and the way decision-making and implementation proceeds is also not high. However, general interest in how the government operates and how policies are formulated and implemented rose significantly in the wake of the protests in summer and autumn 2013, and the Oresharski government subsequently operated under an unusually high level of citizen scrutiny.

Legislative Actors' Resources

Parliamentary
Resources
Score: 4

The Bulgarian legislature has a budget of less than one-tenth of 1% of national income, with more than three-quarters of that being spent on deputies' salaries, current maintenance and capital expenditures. Thus the resources available to deputies in terms of expert staff, administrative support and independent research are very limited. This means that the capacity of the National Assembly to effectively monitor the policies and activities of the executive is also limited. This limitation is not structural, but rather of a political character, since the Bulgarian legislature has full discretion over the budget and could secure the resources for enhanced monitoring.

Obtaining
Documents
Score: 7

Under the Rules of Organization and Procedure of the National Assembly, parliamentary committees can obtain any documents from any public or private person in the country. A chairperson of a standing committee is obliged to acquire such documents if one-third of the members of the committee ask for them. Thus, on paper, parliamentary committees have full access to government documents.

Summoning
Ministers
Score: 7

The institution of “parliamentary questions” put to the executive also gives individual members of parliament access to the executive branch. In practice, representatives of the executive can delay the execution of these requests, because responsibilities are not clearly specified and sanctions are not defined. There have been numerous instances of such delays.

Legally, parliamentary committees have the power to summon ministers and the prime minister, and under the Rules of Organization and Procedure of the National Assembly, these executive-branch figures are obliged to comply. When a minister or the prime minister is asked a parliamentary question, he or she has to respond in person in the National Assembly in due time. However, in practice, there is no sanction for non-compliance except the possible loss of reputation and political image. Members of the executive can afford to ignore such summons indefinitely, often using other duties and obligations as an excuse for their lack of response. On many occasions they do comply, but frequently only after significant delays, and sometimes never.

Summoning
Experts
Score: 10

Under the Rules of Organization and Procedure of the National Assembly, parliamentary committees are able to invite experts who are under an obligation to assist members of parliament in performing their duties. Experts are obliged to provide the committees with any information and documents that the latter require for their work. While experts cannot be obliged to attend the committee meetings, these invitations carry considerable prestige and an opportunity to have an input in the legislative process, thus providing incentive to respond promptly.

Task Area
Congruence
Score: 9

For the last several parliamentary terms, Bulgaria has maintained standing parliamentary committees that closely follow the structure of the Council of Ministers. Whenever a parliamentary committee covers areas under the competencies of more than one ministry, these areas are typically closely related – for instance, foreign affairs and defense, youth and sports, or the various economic sectors.

Audit Office
Score: 8

A new Audit Office Act was adopted in 2014 in Bulgaria, changing the office’s governance structure. Under the new law the audit office remains ostensibly independent and reports to parliament. However, the practical independence of the office was called into question by the adoption of the new law, as it served as an excuse for the early termination of the mandates of the existing audit office leadership. Thus, in the future, every parliamentary majority will be able to exert pressure on the audit office simply by threatening that its mandate will be terminated through the pro-forma adoption of a new law.

Ombuds Office
Score: 7

There is a national ombuds office (the Ombudsman of the Republic of Bulgaria), which is not part of parliament, but is elected by parliament for five years. The Ombudsman is independent in its activities and is subject only to the national constitution, laws and international treaties adopted by Bulgaria.

Other than putting arguments to the relevant administrative body and making its opinion public, however, the office has no powers. According to its report to the National Assembly, the Ombudsman gave assistance to 17,775 people in 2013. The office actively investigated 7,318 of these complaints. Most of the complaints made in the last few years (27% of the complaints in 2013) related to public utilities (mobile and landline phone operators; electricity, heating and water providers). The fact that the Ombudsman has been approached on matters of widespread public concern indicates that it is seen as a legitimate advocate of citizen rights and the public interest, though its activities (as well as those of other public bodies) were not sufficient to prevent public dissatisfaction from spilling over into open protest. In 2013 the Ombudsman exercised its right to appeal to the Constitutional court on three occasions.

Media

Media Reporting
Score: 4

Bulgaria's media sector is characterized by three main features. First, it suffers from heavy bias, focusing on sensationalism and scandal as a means of gaining public attention rather than producing in-depth and consistent coverage and analysis of important societal processes. Second, during the years of economic crisis, the mainstream media (both press and electronic) has become heavily dependent on government money for advertising and information campaigns, a fact that enables the government to exert influence. Thirdly, most print-media organizations can be considered as appendages to their owners and publishers' businesses; as a consequence, high-quality journalism definitely takes a back seat relative to other business interests. In their coverage of government policies, most major media organizations concentrate on short-term sensationalist aspects. They tend to frame government decisions as personalized power politics, diverting attention away from the substance of the policy toward the entertainment dimension. Usually there is no coverage of the preparatory stages of policy decisions. When coverage begins, basic information about a given decision or policy is provided, but typically without any deep analysis of its substance and societal importance. Exceptions – such as the very substantial and in-depth discussion of the South Stream gas pipeline project in 2013 and 2014 – are rare.

Parties and Interest Associations

Intra-party
Democracy
Score: 4

Three parties have obtained more than 10% of the popular vote in the last three general elections (2009, 2013 and 2014) in Bulgaria: Citizens for the European Development of Bulgaria (GERB), the Bulgarian Socialist Party (BSP), and the Movement for Rights and Freedoms (MRF), which is effectively the party of the ethnic Turkish minority in Bulgaria. Of the three, the most democratic is the BSP, a party with more than a century of tradition. The party program is

adopted at a congress of delegates elected by the party members. Electoral platforms and candidate lists are prepared in a relatively centralized manner, but local party organizations do have an input. At its congress in the summer of 2014, the party democratically changed its leadership in the wake of its loss in the elections to the European Parliament. The party has several factions that vie for influence over the party's central decision-making institution. The other two parties are leader-dominated. Regardless of the internal democratic mechanisms envisaged in their statutes, most decisions are concentrated in the hands of the leader and a few members of his circle. While in GERB, which has a larger support and membership, the influence of different groups and constituencies can be effective, the specific characteristics of the MRF make its decision-making process very opaque and highly concentrated.

Association
Competence
(Business)
Score: 6

The capacity of the three major employers' and business associations to make policy proposals is relatively well developed. These bodies can influence and propose policies in at least three ways: first, through their participation in the National Council for Tripartite Cooperation; second, through various EU-funded projects aimed at improving competitiveness and the business environment; and third, through their own capacity to perform research, formulate proposals and initiate public debates. All three have been relatively active in this regard throughout the period in review. This includes a growing tradition of cooperating with academic institutions and scholars, think tanks and other interest groups. However, the three associations do not always find it easy to work together or to develop policy analysis, evaluation and proposals on a systematic rather than case by case basis. The same is true for the trade unions, which in Bulgaria are represented by two confederations, and are also represented in the National Council for Tripartite Cooperation. In contrast to the employers' associations, the unions rely more heavily on their internal expertise in drafting and promoting proposals, cooperating comparatively less with academia. The range of topics on which trade unions take active positions and make proposals goes beyond the issues of the labor market – in effect, they behave like political parties.

Association
Competence
(Others)
Score: 4

The most active non-economic interest groups in Bulgaria are largely engaged in four fields: education (especially parents' associations), health (patients' organizations), minorities and the environment. While there are many associations and they often act in accord, they seem more activist than analytical in their efforts. Their proposals are rarely accompanied by attempts to encompass the relevant issues fully, or to argue in favor of or against specific proposals on analytical grounds. The religious communities in Bulgaria have their channels of political influence, but are not broadly active in the public sphere. The Bulgarian Orthodox Church takes public positions only on rare occasions, as in the introduction of religious classes at school.

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