
LOCAL
INITIATIVES
IN THE PERIOD
1999 – 2000



SOFIA
DECEMBER 1999

CONTENTS

1. PRINCIPLES OF COOPERATION WITH LOCAL GOVERNMENT	3
2. SPHERES AND FORMS OF COOPERATION	4
3. LOCAL PARTNERS OF <i>COALITION 2000</i>	7
4. INTERACTION WITH OTHER NON-GOVERNMENTAL ORGANIZATIONS AND INITIATIVES	8

1. PRINCIPLES OF COOPERATION WITH LOCAL GOVERNMENT

Coalition 2000 will continue its activities on both national and regional/local level. Realizing that administrative corruption is the kind citizens encounter in their everyday lives, the Coalition will place special emphasis on interaction with the representatives of local government and the other municipal agencies for enhancing the transparency in the sphere of public services. The common interests of civil society and local government allow expanding the scope of the cooperation initiated in the pilot stage of the local projects. One precondition for successful advancement in this direction is fostering a climate of dialogue and trust between the two sectors. This implies consistent efforts by both sides, as well as professionalism and resolve.

Openness and Transparency of Public Administration

The information the public is entitled to, either by law or by the force of the existing statutes and regulations, is often left behind the curtain of the discretion of public officials. Nor is there any sufficiently sustained civil effort to lift this curtain and shed light on the „gray zones“ of the decision-making mechanisms. The task should therefore be to launch a continuous dialogue between public institutions and civil organizations for the attainment of European standards of openness and accountability.

Equal Standing of Public Institutions and Civil Society Structures

The public debate on the legal framework of the non-profit sector, which continued for several years, reached agreement on equal participation of NGOs in the preliminary stage of law drafting. This would help work out a draft law acceptable to the state and to non-profit organizations and which would further be adequate to present conditions and would ensure transparency and accountability. The main provisions of the draft law prepared by the experts from the Center for the Study of Democracy have been approved by the Legislative Committee on Legal Matters and Anti-Corruption Legislation of the National Assembly as part of the fundamental principles to be laid down in the legal regulation of not-for-profit legal persons.

The future regulation of the legal status of non-governmental organizations through the adoption of the Law on NGOs will make a decisive contribution towards greater stability and trust, towards better interaction between the state and the civil sector.

Civic and Public Control

Civic control over public institutions at the various levels and divisions of central and local government is an important guarantee for the safeguard of the legitimate interests of individuals and their associations in the sphere of administrative activity. Furthermore, this control has a beneficial impact on the administration itself, since it stimulates the improvement of its organization and activity.

2. SPHERES AND FORMS OF COOPERATION

The new term in office of the local government authorities elected in October 1999, opens up prospects for the establishment of a new type of interrelations between the public and the authorities, equal standing of civil associations and local authorities, continuous dialogue in addressing local problems, optimal use of the existing legal framework for involvement of the public at large in the making of decisions and the control over their execution, introduction of new mechanisms of effective civil control. The will to counteract corruption declared by all political powers is an important commitment and argument in favor of the *Coalition 2000* principles which offers new practical possibilities for fulfilling the idea of civil participation.

In the course of the pilot stage of the local initiatives of the Coalition, a number of „gray zones“ carrying higher corruption risk were identified within local government: administrative services, public procurement, construction and repair of municipal sites, licensing, leasing municipal property, and others. These areas of municipal activity leave opportunities for private gain by administrative staff and local government representatives and there is greater readiness to pay bribes on the part of the citizens requesting those services. There is a danger for the public to come to perceive such an approach as the norm rather than a breach of the law and the legal forms of administrative servicing. All of this accounts for the special focus of the *Coalition 2000* local initiatives on these critical spheres of local government.

In the future, the Coalition will continue to use already proven structures and forms of anti-corruption activity on a local level. More notable among them are the Municipal/District Councils for the fight against corruption which involve representatives of local non-governmental organizations, managers and experts from municipal and district institutions, journalists, and others. Such structures implement the coordination of the anti-corruption initiatives on a local/regional level, and maintain the interaction with *Coalition 2000*. They will continue to supervise the course of the public awareness campaign which will make use of various types of communications: publications in the local and regional press, radio and television programs, training seminars on human rights, round tables together with representatives of local government, the media, and private business, competitions for anti-corruption materials, etc.

In addition, the local partners of the Coalition use a number of other anti-corruption instruments such as telephone “hot lines”, anti-corruption consultation and information centers, postal boxes for complaints, etc.

Notwithstanding the existence of the above-mentioned structures and instruments, it was concluded that a more streamlined and effective interaction between the local partners of the Coalition and the local institutions in particular requires the *creation of a working mechanism for civil presence in the municipal forums*. Such a step would contribute towards extending the organizational and legal forms of direct participation of the public in addressing local problems, as well as towards greater transparency of local self-government. This would equally help promote a new civic culture of partnership and mutual respect between non-governmental organizations and public institutions within the frames of the municipality. With a view to filling this gap *Coalition 2000* has proposed to its local partners to include in their projects the following new initiatives:

Civic Observer

The civic observer is elected and designated by the local non-governmental organizations and is legitimized before the public, the media, and the local authorities as a key figure in the implementation of civic observation at the municipal forums.

The competencies of the Civic Observer involve monitoring in the following spheres of municipal activity: public procurement, licensing, leasing, repair and construction of municipal sites, discussion of the structure, number of staff members, and remuneration of the municipal administration.

The Civic Observer monitors the decision-making process in the designated spheres at the sessions of the Municipal Council, the meetings of the permanent municipal committees, and other specialized municipal bodies; has access to documents, protocols, and decisions of the respective authorities, and is entitled to oral and written information about the work of the municipal administration. He is to monitor the observation of the lawful rules and procedures and safeguard the rights of citizens and their organizations.

The Civic Observer submits regular reports about his activity to the partnering organization and *Coalition 2000*, and informs the public and the media of the findings of the observation. At the Internet site of *Coalition 2000* a special feature will be devoted to the observer reports and periodic analyses of the corruption situation in the respective towns and municipalities.

The institutionalization of the Civic Observer requires the voluntary cooperation of the local authorities on the basis of the legislation regulating civil rights and participation in local self-government.

Coalition 2000 recommends the introduction of already tested practices in order to facilitate cooperation between the Civic Observer and the municipal authorities and more notably, the signing of a cooperation memorandum.

This document is to be signed between the Municipality and the non-governmental organization/*Coalition 2000*, and will regulate the competencies and relations of the Civic Observer with 1) the Municipal Council, 2) permanent municipal committees, 3) the municipal administration, 4) the Mayor of the Municipality, within limits set in accordance with local conditions and agreements.

Public Mediator (Local Ombudsman)

The local ombudsman is an institution which is independent from local authorities and safeguards the legitimate interests of citizens against unlawful acts of the public administration. He receives and reviews complaints under cases involving violations of administrative procedures and legal provisions, such as: failure to conform to certain conditions and deadlines for providing administrative services and issuing administrative acts; display of an attitude offending the dignity of the individual; providing false information or refusal to provide information; abuse of power.

The introduction of the institution of the local ombudsman is preceded by a broad information campaign in the local press; setting up an office; working out a model form for submitting complaints and a clear procedure for reviewing the specific cases; regulating the areas of competency; enlisting the support of the Municipality and the municipal administration.

In the past year the Center for Social Practices, one of the founders of *Coalition 2000*, gained experience in implementing ombudsman projects in the municipalities of Koprivshitsa, Sapareva Banya, Sevlievo, and the Sofia municipality of Mladost. As a result of the complaints filed and the inquiries of the ombudsman it is possible to amend certain problems encountered by citizens and related to improper performance of official duties or the shifting of responsibility from one institution to another, often from a municipal, to a public, agency and vice versa. This typically involves unregulated or ineffective relations between the municipal administration and the local phone service, or between the municipality and the power and water supply agencies, etc.

Immediately after the local elections in October 1999 the newly elected Mayor of Pleven, Mr. Naiden Zelenogorski, declared his readiness to support the activity of a local ombudsman (public mediator). At a round table conducted at the Center for the Study of Democracy in October, the Mayor announced his initiative – *Pleven – a Corruption-Free City*. The consistency of these initiatives appears to be a good precondition for the improved interaction between civil society and local government in this district center.

Open Municipalities Electronic Network

Coalition 2000 proposes, on the basis of the system of electronic connection with the media already in place, to establish a permanent electronic network with the local partners featuring the local anti-corruption initiatives and activity reports on the Internet. This will allow building up a database on the local initiatives of the Clean Future public awareness campaign. The database will include the regular reports of the civil observers, public mediators, and the coordinators of the local anti-corruption projects, information about best municipal practices, joint initiatives on a local and regional level, specific cases of corruption, etc. Furthermore, the electronic network will be used to inform the local partners of the progress of the national anti-corruption campaign, of international forums, documents, and initiatives.

3. LOCAL PARTNERS OF COALITION 2000

The second stage of the anti-corruption program, covering the period Fall 1999 – Summer 2000, is already showing the growing popularity of *Coalition 2000* and intensified activity of the civil sector. Thirty seven non-governmental organizations from all over Bulgaria participated in the grant competition announced in September. The evaluation commission selected the best seven projects which were then approved by the Steering Committee:

Citizens – Corruption – Local Administration (second stage), Revived Civil Society Regional Association – Pleven

Project activities are aimed at enhancing the transparency of municipal administration in the sphere of services and raising the level of citizens' institutional awareness for the purpose of limiting corrupt practices. To be multiplied in the municipalities of **Cherven Bryag, Dolni Dabnik, Levski, and Belene.**

Local Government Transparency – (second stage) – Center for the Study of Political Processes – Shumen

The project is implemented in cooperation with several non-profit organizations such as Center for Youth and Student Initiatives, Debates student club, Roma Community Center. Along with measures for greater transparency in municipal services, it is aimed at fostering intolerance of corruption among the younger generation.

Clean Hands – Independent Ecological and Social Inspection – Varna

The project involves developing a program for preventive measures and specific activities to counteract corruption, as well as a system of networking and collaborative activity between non-governmental organizations and central and local government authorities. The project will serve as a model in the municipalities of **Devnya, Dolni Chiflik, Provadia, and Dalgopol.**

Awareness campaign “For a Clean Future” under the anti-corruption program of *Coalition 2000* – Stefan Stambolov Bulgarian Youth Legion

The project is to follow up and expand the work of the anti-corruption district public council established in the first stage, multiplying its experience in the towns of **Nedelino, Chepelare, and Banite municipality.**

Citizens and Local Authorities – Together for a Corruption-Free Plovdiv – „NGO Lecturers“ Association – Plovdiv

Project activities are aimed at fostering an improved model of interaction between the public and private sectors, greater openness and transparency, higher civil awareness of the residents of Plovdiv, and at enhancing the activity of the Civil Council, with broader participation of the new municipal administration, the prosecutor's office, the District Court and the District Internal Affairs Agency, and of business and civil associations in Plovdiv.

4. INTERACTION WITH OTHER NON-GOVERNMENTAL ORGANIZATIONS AND INITIATIVES

The participation of non-governmental organizations in anti-corruption initiatives and broad representation on a local and national level are important preconditions for greater effectiveness of the civil sector in the fight against corruption. *Coalition 2000* is carrying out joint initiatives with the leading non-governmental organizations in the sphere of local government reform – Foundation for Local Government Development, the National Association of Municipalities, the Local Government Initiative (LGI) of the United States Agency for International Development (USAID), and others. Natural partners to the local anti-corruption coalitions are the information centers set up in some communities with the joint efforts of the municipality and the non-governmental sector and with the support of foreign donor organizations.