

EXECUTIVE SUMMARY REPORT I

**in Implementation of the Activities under a Public Procurement with Subject:
“Evaluation of the Effectiveness, Efficiency and Impact of the Investments made under
the Operational Programme “Good Governance” (OPGG)**

Contract № MS-166 / 21.11.2022, signed

between the Administration of the Council of Ministers and Consortium GFK-2016

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This Executive Summary presents the results of the implementation of Evaluation Task 2: Analysis and evaluation of the effectiveness, efficiency and impact of the investments made under PA2 and PA3 to *increase civic participation and strengthen civic control over the activities of the administration and the judiciary*, including the formulation of concrete recommendations, measures and indicators to increase the involvement of civil society organizations (NGOs and socio-economic partners) in the process of preparation, implementation and evaluation of the Partnership Agreement 2021-2027 programmes and **Task 3:** Analysis and evaluation of the effectiveness, efficiency and impact of *investments under PA4 and PA5*, including the formulation of specific recommendations, measures and indicators to improve the management and control system of the funds in Bulgaria for the programming period 2021-2027 from a public procurement with the subject “Evaluation of the effectiveness, efficiency and impact of the investments made under the Operational Programme “Good Governance” (OPGG)”.

The assessment was carried out by a team of experts from GFK-2016 Consortium with members Five Consult Ltd. and Global Metrics Ltd.



1. SCOPE AND OBJECTIVES

The objectives of the evaluation are defined in the technical specification for the public procurement contract: to carry out an independent analysis, based on which to evaluate the effectiveness, efficiency, and impact of the investments made under the OPGG in the period of 19 February 2015¹ until July 31, 2022, and the potential effect of the measures that are in the process of being implemented, by:

(1) Assessing the effectiveness, efficiency, and impact of investments under the OPGG related to development of e-government and improvement of administrative services according to PA1 of OPGG; the administrative reform and training in the PA2 administration; judicial reform, e-justice and training in the judicial system under PA 3; development of civil control over the administration and judicial system and civil participation under PA2 and PA3; development of the ESIF management and control system under PA4 and PA5.

(2) Drawing specific recommendations and formulating measures and indicators in the field of:

e-governance and digital transformation, to improve the management and control system of funds in Bulgaria for the program period 2021-2027;

to increase the engagement of civil society organizations (non-governmental organizations and socio-economic partners) in the process of preparation, implementation, and evaluation of the programs of the Partnership Agreement 2021-2027;

to improve the system for management and control of funds in Bulgaria for the program period 2021-2027.

The scope of the assessment includes the investments under the OPGG made in the period from February 19 2015 to July 31, 2022, and the potential effect of the measures that are in the process of implementation. During the Inception meeting held on 22.11.2022, it was agreed that the assessment would be prepared with current data as of its implementation².

The scope of the evaluation includes **three tasks**, each with a minimum set of evaluation questions that need to be answered to assess the effectiveness, efficiency, and impact of the investments made under the CSP. The Executive Summary reflects Report I, the scope of the Evaluation under section 3.1. and Tasks 2 and 3 of the ToR. respectively the tasks are:

Task 2: Analysis and evaluation of the effectiveness, efficiency, and impact of the investments made under PA2 and PA3 to *increase civic participation and strengthen civic control over the activities of the administration and the judiciary*, including the formulation of concrete recommendations, measures, and indicators to increase the involvement of civil society organizations (NGOs and socio-economic partners) in the process of preparation, implementation, and evaluation of the Partnership Agreement 2021-2027 programmes.

Task 3: Analysis and evaluation of the effectiveness, efficiency, and impact of *investments under PA4 and PA5*, including the formulation of specific recommendations, measures, and indicators to improve the management and control system of the funds in Bulgaria for the programming period 2021-2027.

¹ The date OPGG was approved by the EC

² The data is for technical (indicators) and financial implementation as of June 15 2023.



1. METHODOLOGY

The assessment of the effectiveness, efficiency, and impact of the investments made under the OPGG raises several issues that the Contractor has taken into account in developing the methodology. The choice of evaluation methods has taken into account a large number of beneficiary administrations and stakeholders to be evaluated and analyzed and the number of projects implemented. This implies well-chosen methods and tools for information gathering and analysis, which cover the scope of the evaluation and at the same time involve the staff in these structures to a sufficiently low degree due to their heavy workload.

A triangulation approach was applied by using different primary and secondary sources of information and using both qualitative and quantitative methods for data collection and analysis.

For the purpose of the evaluation, desk research was used - analysis of documents and relevant sources of information, including official, publicly available data, data of the Contracting Authority, administrative data, socio-economic data, monitoring indicators, analysis of information from evaluations already carried out concerning the OPGG; qualitative methods focus groups and in-depth interviews were held with the participation of representatives of the Managing Authority of OPGG, key stakeholders and beneficiaries (under PA 2 and PA3 in-depth interviews were conducted with NGOs that implemented projects under PA 2 and PA 3 (including their partners under PA 2 from local and central government); interviews with stakeholders, including representatives of NGOs that did not implement projects under the OPGG; stakeholders in different areas of the judicial system (including the bar, court, SJC) in the context of evaluation of the development of civil control over the administration and the judicial system and of civil participation - 15; in-depth interviews with representatives of the MA. For PA 4 and PA 5, in-depth interviews were conducted with representatives of the NAMB; in-depth interviews with representatives of the DIP – 10, in-depth interview with representatives of the ESIF Audit Authority, in-depth interview with representatives of the MA), case studies and quantitative methods - conducting standardized surveys. The *qualitative methods used were*: focus group, in-depth interviews and, case studies. The *quantitative methods* used included a standardized questionnaire survey. Within Tasks 2 and 3, a quantitative survey was conducted with beneficiaries of the specific procedures covered by Task 2 (PA 2 and 3) and a quantitative survey with beneficiaries of procedures covered by Task 3 (PA 4 and PA 5). A comprehensive survey was carried out - the questionnaire was sent to all beneficiaries of projects included in the scope of the evaluation under the individual tasks.

The information was analysed using a variety of analytical methods among which Analysis of the intervention logic; Assessment of performance and degree of achievement of objectives; Analysis of indicators; Analysis of meeting the needs and expectations of interested parties and target groups; Theoretical impact assessment; Causal analysis; Contribution Analysis; Performance evaluation; Evaluation of efficiency, Analysis of unintended effects; Gap analysis; Qualitative analysis; Comparative analysis; Expert evaluation; Analytical-descriptive method; Triangulation method; Statistical studies to assess the impact of factors affecting program performance).



2. CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Evaluation Task 2

The task is aimed at examining the achievements under two procedures of PA 2 (BG05SFOP001-2.009 “Increasing civil participation in the processes of formulation, implementation and monitoring of policies and legislation”, BG05SFOP001-2.025 “Increasing civil participation in the processes of implementation, and monitoring of policies and legislation”) and PO3 (BG05SFOP001-3.003 “Civil control over the reform of the judicial system”), aimed at increasing civil participation and control over the activity of the administration (PA2) and control over the reform of the judicial system (PA3), by examining the effectiveness, the efficiency of investments and their contribution to increasing civic activity.

Effectiveness and efficiency

The PO3 investments to increase civic participation and strengthen civic control over the activities of the administration and the judiciary by increasing citizen participation in the process of formation and control of policy implementation of Priority Axis 2 and SO 1. Increasing transparency and speeding up the administration of justice by reforming the structure, procedures, and organization of the judicial system of Priority Axis 3 are achieving the planned results and are highly effective as measured by the result indicator (at the level of specific objective). Although some of the projects under PA 2 are still under implementation, the data confirms the high efficiency and the possibility of achieving the objectives. The only exception is indicator CO20 “Number of projects fully or partially implemented by social partners or NGOs”, which will not be 100% achieved, largely due to the delay in the launch of the two procedures under PA 2 due to the changes imposed in the Operational Programme concerning the implementation of the activities under SO 3 of PA 2 through a global grant. The chosen management approach without an intermediate unit, as well as the fact that the MA of the OPGG is supported in the process of programming and evaluation of project proposals by an external contractor with experience in managing procedures for the NGO sector, selected under the Public Procurement Act, contributes to the effective management of processes, providing specific instructions to applicants and beneficiaries, which has led to the achievement of the planned results.

In addition to the delays in the start of the procedures, the quality of the submitted project proposals could have contributed to the lower rate of implementation of the CO20 indicator under the procedures under PA2. It should be noted that although partially implemented, this indicator is expected to have a value of at least 85% by the end of 2023. According to Article 5(5) of Implementing Regulation (EU) No 215/2014³ the overall objectives of a priority are considered to have been met if all indicators included in the implementation framework have reached at least 85% of the value of the overall objective by the end of 2023, which would be relevant for PA2 when 85% of the above indicator has been reached.

³ COMMISSION IMPLEMENTING REGULATION (EU) No 215/2014 of 7 March 2014 laying down provisions for the implementation of Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime Fund regarding the methodologies for climate change support, the setting of milestones and general objectives in the implementation framework and the nomenclature of intervention categories for the European Structural and Investment Funds



The means to achieve the objectives and results have been invested efficiently and cost-effectively, and some planned results have been exceeded. A positive practice adopted by the MA under PA2 is the introduction of a fixed hourly rate for beneficiary/partner staff. This facilitates both the applicants of preparing project proposals and the beneficiaries in accounting for staff costs, in addition to minimizing errors related to incorrect calculation of this type of cost. Another positive practice is to provide a financial justification with project proposals, indicating the sources of information based on which the corresponding figures for each direct cost have been derived, except the remuneration costs of the staff of the Applicant and/or Partner(s) and the travel costs of the staff of the Applicant/Partner(s).

A flat rate of up to 40% of eligible direct personnel costs is applied under PA3, which reduces the administrative burden as well as contributes to a better use of funds (lower error rate). At the application stage, it is a requirement that eligible personnel costs are justified. Thus, a budget framework is set at the application stage which prevents inefficient planning - beneficiaries have to plan realistically and justify their planned staff costs. Additionally, the use of a flat rate reduces potential errors in awarding and accounting for other types of costs, thus also reducing the administrative burden and simplifying reporting. The usage of a flat rate contributes to the efficient use of the funds included in the 40%.

Once the implementation of the second procedure under PA2 is completed, it will be possible to make a comprehensive comparative analysis of which of the three financing methods leads to the greatest efficiency and economy in the spending of funds by beneficiaries (the one used in the two procedures under PA2 or the application of a flat rate under the procedure under PA3), and also which approach is accompanied by a reduction in the administrative reporting burden.

Realism of the set objectives

The procedures for the provision of grants aimed at achieving SO3 of PO2 of the OPGG set ambitious targets in terms of the active participation of civil society in the process of formulation, implementation, and monitoring of public policies, their interaction with the public administration and the overall improvement of the social environment. The objectives are realistic in terms of intervention logic at the level of programme, priority axis, and funding procedures, and the planned interventions are justified and justified in the context of the level of development of social capital in Bulgaria at the time of programming. The effects achieved in terms of improving the capacity for civic sector participation and stimulating partnerships in decision-making are broadly in line with the intended expected results.

The implementation of the procedure BG05SFOP001-3-003 *Citizens' scrutiny of the reform of the judiciary* partially achieved the objectives and expected results. The contribution of the OPGG to the promotion of the legal aid system and alternative methods for the resolution of legal disputes through the investments implemented under PA 3 is undeniable. At the same time, beyond the quantitative achievement of the set indicators and the realistic planning of inputs for support, the evaluation of the funded procedure does not provide grounds to consider that a significant effect has been achieved in enhancing the role of civil society in the development, monitoring, and evaluation of judicial reform strategies. The results achieved have rather a compensatory effect in the overall development of the sector and civil participation in decision-making processes. This is also largely due to the specific political context in which the activities have been implemented, the capacity of the civil sector and the willingness of the judiciary institutions to partner with the NGO sector, as well as the complexity of the reforms in the judiciary and the difficult to reach consensus on the direction and parameters of change in the judiciary.



Contribution of support

The activities implemented under PA 2 contribute to the achievement of the main objective of the interventions, namely to *create an environment of open and accountable governance in partnership with citizens and businesses to increase citizen participation and strengthen citizen control over the activities of the administration*. The conditions for the implementation of 307 projects have been ensured, and in about 40% of them, the partners are structures of the public administration, and it is important to note that this is not a mandatory condition in terms of eligibility of the project proposal - i.e. the programmed interventions have created a natural environment for partnership between the civil sector and the administration and joint implementation and implementation of the interventions and this is a real contribution of the implemented measures under the OPSP. Over 500 analyses, studies, surveys, methodologies, audits, and evaluations for the administration have also been supported. More than 1600 recommendations have been made on: improving service delivery processes; better regulatory environment; modernization of administration; and fighting corruption.

Looking at the evolution of the environment through the prism of the high number of recommendations made, it can be concluded that the interventions implemented have had a direct impact on increasing the activity of NGOs and SEPs in the formulation, implementation, and monitoring of policies and legislation. Through the implementation of the priorities, the OPGG has created an environment and an opportunity to make suggestions for improvements in the activities of the administration.

The over-performance of the indicator “recommendations made” shows that Social and economic partners (SEP) and the NGOs themselves recognize the value of their participation and see the OPGG as an important tool to enable this participation to be supported. NGOs are active in generating project ideas, preparing and submitting projects, and in their implementation, including formulating recommendations to the institutions.

The large number of recommendations made also shows that organizations have been funded that have the capacity and have carried out a certain amount of analytical work in the process of project implementation, based on which they have formulated a large number of recommendations and have acted as an active partner of the institutions.

The documents and recommendations developed by the projects and addressed to a competent authority can make a useful contribution, adding to the body of analytical information and stakeholder views needed in the policy-making process. They can enrich policy-making institutions by systematizing useful knowledge and information, good practices, or analyses that can be of direct use for the work of the institutions and the development and implementation of policies at the national and regional levels.

Changes after the investments in PA2 and PA3

The change in the environment in terms of citizen control is more significant in terms of the interventions implemented under PA2 compared to the effects of the implementation of PA3. The higher number of projects implemented, the recommendations made, and the acceptance of a large number of them by the administrations concerned are evidence that, concerning the thematic areas of the projects implemented, the beneficiary organizations had a real opportunity to exercise citizen control.

The results of PA 3 show an activation of the NGO sector on issues related to judicial reform. The foundations laid by these activities should be continued in the future to change the conservative environment in the judiciary and to enable real citizen control and real judicial reform. Although no significant changes have yet been accumulated in the field of the judiciary, the implemented projects contribute to the exchange of knowledge and good practices, to



increased dialogue between the NGO sector and the judiciary, and to the search for models and working mechanisms that would contribute to the expected reforms in the judiciary.

The OPGG, through the two procedures implemented under PA 2, has created an environment and an opportunity to make suggestions for the administration's improvements. SEP and NGOs recognize the value of their participation and see the OPGG as an important tool to enable this participation to be supported. SEPs are active in generating project ideas, preparing, submitting, and implement projects, including formulating recommendations to the institutions. The environment has been activated, and partnerships have been established, which would help for sustainable interaction between the administration and the civil sector in the future.

The implementation of the procedure "Citizens' control over the reform of the judiciary" under PO 3 contributed to the increase in the number of NGOs actively involved in the process of making recommendations for improving the judiciary and transferring good practices, promoting and creating the necessary conditions for the introduction of alternative methods for resolving legal disputes. The projects implemented in the field of alternative dispute resolution have made an important contribution to their promotion, as although the Institute has been in existence since 2004, the level of public awareness of it is deficient, a deficit that is being addressed through the implementation of these projects. As a result of the support under PA3, the effect of creating an environment for co-management with citizens will continue to be felt, which in the future would also help to improve the efficiency of the judiciary institutions and increase public confidence in them.

A key indicator for assessing how the administration addresses the proposals is their implementation or non-implementation. As can be seen from the high percentage of recommendations taken into account and implemented in the PA2 projects, we can say that we have had an impact on the administration of the civil sector. If we look at the change that has occurred as a result of the interventions in terms of how they are addressed, it is rather positive - the administration accepts and implements many number suggestions. Addressing and adopting a large number of the recommendations made also highlights the capacity built in SEPs in terms of policy and legislation formulation, implementation, and monitoring. The structural preconditions are in place for the implementation of citizen control and citizen participation and it can be concluded that the implemented interventions have laid the basis for creating a model in which the administration takes into account the proposals of the civil sector, which in turn is a prerequisite for building a sustainable partnership in governance. The fact that of the procedures thus programmed, a considerable group of beneficiaries and their partners focus on the work of the public administration in a variety of policy areas is in itself beneficial for the administration - its work becomes more transparent, there is a partnership, ideas are exchanged and monitoring and control is carried out.

Nearly half of the beneficiaries of PA3 describe their interaction with the judiciary as "rather formal", which shows that the environment is still rather conservative in partnering with the civil sector. On the positive side, however, a higher percentage of beneficiaries received some feedback on their proposals, which in turn can be seen as a positive impact of the implementation of the procedure on the judiciary. We cannot speak of significant changes in the way the responsible institutions and bodies implement the reforms in the judiciary and the use of alternative methods for the resolution of legal disputes, rather we can speak of an impact on the responsible institutions and bodies, through steps taken to open up this conservative environment to the actors of the civil sector and build a partnership with the sector as an equal and important actor in the reform process.

Based on two procedures⁴ under PA2, the civil sector has been activated and many beneficiaries and their partners are focusing on the activities of the public administration as well as on the control and monitoring processes. The implemented interventions lay the basis for building a model in which on the one hand civil society organizations

⁴ BG05SFOP001-2.009, BG05SFOP001-2.025



are active participants in the processes of formulation, implementation, and monitoring of public policies implemented by the administration, and on the other hand the administration partners and addresses the proposals of the civil sector, which is a prerequisite for building a sustainable partnership in governance. The contribution of the OPGG is that through the implementation of the priorities it has created an environment and an opportunity to make suggestions for improvements in the administration's activities. SEPs and NGOs recognize the value of their participation and see the OPGG as an important tool to enable this participation to be supported. Thanks to the support of the OPGG, funded organizations have further developed their capacity through the range of analytical and other activities implemented under the projects. Improving the capacity of NGOs that have implemented PA2 projects in policy and legislation formulation, implementation and monitoring is a crucial contribution of the OPGG, as it guarantees the establishment of an effective partnership with the administration and the making of recommendations that the administrations will recognize and address. The capacity built places the sector as an equal actor in the governance process.

Judicial reform is a long and complex process and the projects implemented under PA 3⁵ are part of the established dialogue process, but no general conclusion can be drawn that they have made a significant difference in the judicial reform processes. Rather, enabling active civic participation through the provision of targeted funding for this type of project is a step in the right direction in terms of establishing a policy of dialogue and information exchange between the judiciary and the civil sector. As a result of the support under PA3, the effect of creating an environment for citizen scrutiny of the reform of the judiciary will continue to be felt, which in the future would also help to improve the efficiency of the work of the judiciary institutions and increase public confidence in them.

Impact on stakeholders/target groups

In summary, there are several broader impacts that change the overall societal environment:

- The OPGG has succeeded in creating a mechanism that allows different points of view to be heard - it has activated the environment for civic participation, civil society organizations recognize the program and the meaning of their participation;
- Both the administration and civil society organizations should recognize that successful policy is made when it is based on research and evidence. Successful projects are those in which civil society organizations have done their job well and have shown through research and analysis, what the problem is and what the outcome will be, including financial justification, social analysis, etc. This culture must become something that is the norm;
- The implementation of the OPGG shows that the necessary reforms in the administrative services sector and the judiciary can only be fully implemented in partnership with society. The judiciary remains considerably more conservative in its interaction with civil society organizations and, although the number of implemented projects under PA 3 is small, the activity of the organizations that have become involved will have a positive impact on the environment for participation;

The impact on institutions - on the one hand, about the judiciary, interventions in the future should have the effect of increasing the efficiency of the work of the judiciary institutions and increasing public confidence in them, on the other hand, with regard to the administration - the activation of the sector provokes more transparency and

⁵ BG05SFOP001-3.003



accountability, while at the same time, the administrations benefit from constructive dialogue and partnership with the civil sector.

Identified unplanned effects

Given the specificities of the interventions, the evaluation did not identify unintended effects, as the nature of the activities funded is unlikely to exceed the objectives set or go beyond the scope of the expected results and impacts. However, it should be noted that the projects implemented under the two priority axes are the basis for building a model of interaction in which, on the one hand, civil society organizations are active participants in the processes of planning, implementing, and controlling public policies and monitoring the activities of the administration and the judiciary, and, on the other hand, the administration partners with and addresses the proposals of the civil society sector, which in turn is a prerequisite for building a sustainable partnership in governance.

Sustainability in terms of increasing citizen participation and strengthening citizen control over the activities of the administration can be expected in the following areas:

- Capacity has been built both in the NGO sector and in the institutions to work in partnership, which could be used in the future. Capacity has been built in the NGO sector at the local level to partner and work with local government and participate in policy formulation, reformulation, and implementation processes at the local level. Without the support of the OPGG, local NGOs would not be able to maintain and strengthen this capacity, which would significantly reduce their activity and participation. The partnerships built and projects implemented have led to sustained activity and capacity in the NGO sector and SEPs to formulate, implement and monitor policies and legislation;
- A culture of partnership and dialogue with the civil sector has been established, creating the conditions for discussing progress and seeking new approaches, testing models, and improving sector policies;
- A model has been created in which NGOs are not just a corrective to the administration in the process of policy development, implementation, and evaluation, but also contribute to quality strategic planning;
- Working mechanisms are established through which the administration takes into account the proposals of the NGO sector;
- Dialogue has been improved and perspectives (civil, expert, on working mechanisms, etc.) have been enriched in the policy-making process.

To maintain this capacity and ensure sustainability, NGOs and SEPs need to be supported in their future efforts to participate in the formulation, implementation, and monitoring of policies and legislation.

Although the receptivity and openness of the judiciary to the NGO sector and the proposals made are still weak, the creation of conditions for joint work and dialogue would change the attitudes of those working in the judiciary to benefit from the partnership with NGOs and to take into account their civil and expert perspective. That is, for the moment, sustainability concerning PA3 can be sought mainly in capacity building and maintenance in the context of an enabling environment and to a lesser extent in the actual changes that the NGO sector has been able to bring about.

As a future effect of the implemented interventions under PA2 and PA3, it can be expected that their contribution to creating conditions for sustainable civil control over the work of the administration and the reform of the judiciary



will continue in the future, namely through the activation of NGOs and professional organizations in the process of development, monitoring, and evaluation of policies and reform strategies. Moreover, the sector's activation will lead institutions to strive for maximum transparency and accountability, while benefiting from constructive dialogue and partnership with the civil sector.

Evaluation Task 3

The focus of the assessment under this task is the investments under PA 4 and PA 5 aimed at supporting the horizontal structures responsible for the management and implementation of ESIF; ensuring the effective functioning of UMIS 2020; improving public awareness of ESIF opportunities and results in Bulgaria, improving the capacity of applicants and beneficiaries, as well as strengthening and increasing the institutional capacity of the governing body.

Investment Effectiveness and Efficiency

The two priorities (PA 4 and PA 5) have achieved high investment efficiency, achieving the planned results as measured by the performance and result indicators set out in the programme. During the programme implementation period, some budget reductions have been made in the two priority axes, indicator targets have been changed, resources have been reallocated to respond flexibly to challenges related to the external environment, and the MA has been able to perform its functions and to secure the work of the programme and its beneficiaries with a reduced budget.

Regarding efficiency, the target values of the outcome indicators under PA4 and the indicators under PA5 were achieved before the physical and financial implementation of all procedures. The contracts for the procedures have been executed and the results have been achieved within the planned resources, including savings. A high level of value for money has been achieved. The MA ensures efficiency through good planning, setting maximum amounts of grants at the programming stage, percentage limits on certain types of expenditure, and clear requirements for financial justification. Efficiency is also enhanced by the fact that all beneficiaries are contracting authorities under the Public Procurement Act (PPA), the application of which is aimed precisely at ensuring effectiveness and efficiency in the spending of the funds made available from EU funds and programmes. On the other hand, the results set under the procedures have been achieved and overachieved.

Realism of the set objectives

A high degree of realism of the planned objectives and the achieved results has been achieved in two of the examined indicators⁶: degree of achievement of the set indicators and the inputs. For PA4, only milestones have been set due to the specificity of the activities and functions carried out by the beneficiaries and these are realistic. For PA5, the evaluation also shows a high degree of realism of the planned objectives and consistency of expected and achieved results in terms of effective programming, implementation, monitoring, and control of the public spending process, as well as improvement of the MA capacity. The overall assessments of the management and control systems of the Operational Programme, the reported low error rate with financial impact in the control and verification of funds prove that thanks to the support under PA 5, a high level of effectiveness of the management of the implementation of the Programme as a whole is maintained.

⁶ There are no milestones in the set procedures, so the timeframe of the targets is not in the scope of the analysis.



ЕВРОПЕЙСКИ СЪЮЗ
ЕВРОПЕЙСКИ
СОЦИАЛЕН ФОНД



ОПЕРАТИВНА ПРОГРАМА
ДОБРО УПРАВЛЕНИЕ

Contribution of investments from the OPT is considered along several dimensions

Support to horizontal structures responsible for the management and implementation of the ESIF

The OPGG fully supports the management system of the programming, monitoring, management, control, coordination, certification, and audit structures of the ESIF. Virtually every change that has taken place in the environment is entirely due to the support of the OPGG, as no other financial sources are investing in the management structures of the ESIF. The expertise of the structures involved in the management and coordination of the ESIF funds has been upgraded - the funds provided by the programme help not only to upgrade knowledge through training but also to retain the experts who have already gained significant experience in the horizontal structures of managing the ESIF funds. Retaining the capacity of these staff is of utmost importance of ensuring the effective management of the system. A low staff turnover was achieved and maintained and an opportunity to preserve the institutional memory of the ESIF management systems and to upgrade and develop the capacity - according to Monitorstat data, the indicator "staff turnover of the beneficiaries for the year" for 2021 reports a value of 2.79%, and for comparison in 2013 it was 6.40% (data from an evaluation report under OPTA 2007-2014). It can be concluded that the main influence for the improvement of the indicator is precisely the investments made through OPGG.

In the 2014-2020 programming period, a fundamental change in the regulatory framework was implemented with the entry into force of the LMESIF. This is important for all stages and processes of programming, monitoring, management, control, coordination, certification, and audit of the ESIF. The law creates conditions for clear procedures and rules and the possibility for applicants and beneficiaries to appeal against MA acts.

Ensuring the effective functioning of UMIS

A high level of satisfaction was achieved by the users of the UMSIS (**89.61%**). The significant contribution to this is the investments made in the system under the OPGG, which lead to a simplified/paperless application and reporting process, which reduces the administrative burden on applicants, and provides wider access to participation precisely due to the easing of the administrative burden, provides the opportunity for smooth processes. Transparency has been achieved, the capacity for use of the MSIS by all stakeholders has been upgraded, in-person trainings have been conducted and video trainings for all stages and modules of the system have been produced and disseminated.

Improving public awareness of the opportunities and results of the ESIF in Bulgaria and increasing the capacity of beneficiaries

According to Monitorstat, the share of the population aged 15+ informed about EU cohesion policy in 2021 is 72.30% , compared to 62% at the end of 2013. These results give reason to believe that the positive change is due to the investments made by the OPGG in terms of the DIP, the Single Information Portal, and the information and communication measures implemented through the programme funds in each project implemented with programme funds. Since its creation until December 2022, the DIP has been working on the following projects The DIPs have provided answers to more than 184,210 questions, which has inevitably had an impact on improving the capacity of beneficiaries in terms of application and implementation processes for projects funded by the EU's Structural Funds.

Material and technical support for the MA activity, including the implementation of measures aimed at reducing the administrative burden for beneficiaries



The material-technical needs of the structures for the management of the OPGG are ensured, including the needs for software and software products - thanks to these products the administration has the opportunity to work in an almost paperless environment, which is a step towards the development of an environmentally friendly administration. Reduced administrative burden - by providing the possibility to work in an electronic environment, the burden for both beneficiaries and administrations is reduced. UMIS eases the work of end-users by reducing the administrative burden, time and costs, reducing the scope for errors and standardising the way managing authorities work.

Rapid crisis and emergency management

In the period covered by the evaluation, the ESIF structures have shown great adaptability and competence in rapidly setting up mechanisms in response to the COVID 19 pandemic and the consequences of the Russian aggression in Ukraine, which is the result of the accumulated capacity that inevitably results from the investments made by the programme in terms of the expertise of the different units and institutions.

As a result of the support under PA 5, the administration involved in the management of the OPGG funds has improved capacity to absorb the support from the ESF, the quality of the processes has improved and the efficiency of the management and implementation of the operational programme as a whole has increased. The recorded positive change is 100% contribution of the Operational Programme.

Positive effects of the implementation of PA5 are measured in terms of expert and institutional capacity, coordination and communication capacity, management at all levels, reporting and control, implementation of effective information and communication strategies, preparation of analyses and evaluations of progress and impact to ensure continuity and sustainability of programme results.

While applying sustainable and targeted approaches to interact with the programme's target groups, the evaluation does not highlight any significant change in terms of ensuring sufficient capacity of the OPGG beneficiaries to prepare and implement projects.

The impact of the implementation of the activities under PA 4 is related to the functioning of the ESIF system - including coordination and control of the management of the ESI funds. Mechanisms have been put in place which have contributed to the impact of the programme in terms of: reducing the administrative burden through a fundamental change in the administrative base; ensuring the effective functioning of the UMIS; supporting the horizontal structures responsible for the management and implementation of the ESIF - the funds provided by the programme help not only to upgrade knowledge through training, but also to retain experts who have already gained significant experience in the horizontal structures.

Impact on stakeholders and target groups is summarised in several areas:

- **Transparency in the implementation of the ESIF.** The impact of the PA4 projects is in terms of creating conditions for maximum transparency in the implementation of the ESIF - by providing information on the possibilities for applications, by providing information on the implementation of programmes and projects and by making stakeholders aware of the achievements of the implementation of the ESIF at national and regional level and the investments made. A key role in this process is played by the DIP and the CCU through the Communication and Publicity Network, the single information portal www.eufunds.bg and UMIS 2020.
- **Ensure partnership and participation in the programming and monitoring process of the ESIF programmes and the Partnership Agreement.** Another strand of stakeholder impact is to secure the



programming process, including the involvement of all stakeholders in the preparation of the Partnership Agreement and securing the Agreement Monitoring Committees, respecting the principle of partnership and stakeholder participation.

- **Maintaining the capacity of the CCU and the system for programming, monitoring, management, control, coordination, certification and audit of the ESF** - by providing funds for salaries, the programme contributes to ensuring the functions of the CCU, Auditing Authority and NF for monitoring, management, control, coordination, certification and audit of the ESIF. The CCU contributes to maximising the quality of programming of programmes and investments and the three units together contribute to compliance with the principles of transparency and sound financial management, effectiveness, efficiency and economy of expenditure.
- **Coordination and complementarity with national policies and programmes, as well as with other financial instruments** (bilateral instruments, National Recovery and Resilience Plan, etc.). The CCU ensures the coordination of the different programmes, ensuring that there is no duplication of funding and maximising synergies between the different financial instruments.

The programme contributes greatly to the implementation of the cross-cutting principles. These are set out and implemented both in the framework of procedure and programme management and in the implementation of individual project activities. The activities implemented contribute to sustainable development as well as to the promotion of gender equality, non-discrimination and the application of the partnership principle.

Contribution of technical assistance funds to strengthening the capacity of the specific beneficiaries concerned

Virtually all technical assistance funds contribute to strengthening the capacity of the specific beneficiaries concerned. Capacity building can be systematised along the following lines: Training for staff and upgrading their knowledge and skills to perform the key functions of programming, monitoring, management, control, coordination, certification and audit of the ESIF (CCU, NF, Audit Authority, AFKOS, State Aid Unit of the MoF, NSI, PPA, NAMB); Investments in capacity for the development of the regulatory framework; Capacity building to harmonise the practice of the audit and certification body; Investments in capacity through the improvement of facilities and working conditions (purchase of equipment, software, etc.). Improving the capacity of local authorities through the NAMB project, which invests in the skills of municipal staff to prepare and implement projects financed through the ESIF and the skills to prepare public procurement for the implementation of the ESIF investments. Investments in the capacity of the DIP - human resource provision and investments in the knowledge and skills of DIP staff to carry out awareness raising activities for beneficiaries and all local stakeholders; Investments in capacity to maintain and develop the MSIS in line with the needs of target groups and stakeholders and advances in technology.

In terms of the **institutional environment**, the effects are planned insofar as PA5 supports the establishment of well-functioning and predictable management and control systems, ensures technical security and the comparative stability of human resources. Beyond the support under the Priority Axis, the crucial factor for these positive impacts is of course the capital of knowledge and experience accumulated in the implementation of the two previous programmes OPAC and OPTA.

Recommendations:

Recommendations for task 2:

It is good to continue supporting measures and projects that include monitoring activities by civil society organisations on the policies and services implemented and provided by the different administrations. Modernising



public administration, increasing the capacity of civil society organisations, and effective interaction between them is an ongoing task, so support for initiatives that set themselves such objectives should continue. There is a need to provide a mechanism for tracking how the administration and its structures have responded to the proposals, how many of them have adopted them in their work, in their strategic documents and policies, how many of them approve of the proposals made but will implement them gradually and how many of them are unable or unwilling to introduce and implement the NGO recommendations. When setting indicators related to making suggestions/recommendations, it should be possible to report on the indicator not only by the beneficiaries declaring the facts, but also by the administrations themselves validating the information. In this respect, the introduction of a procedure whereby administrations give written feedback (letter, recommendation, etc.) and indicate their attitude to the recommendations made and their intention to take them into account could be a useful step to improve monitoring and better assess the effects of the projects implemented. This could contribute to the preparation of follow-up analyses in terms of changes achieved and impact.

When programming future interventions, thematic funding could be considered, e.g. projects addressing local policies (i.e. targeting municipal and territorial sub-units of administrations) and addressing the functioning of the central administration. However, it should be borne in mind that focusing interventions more narrowly would also mean leaving some of the policies or areas of work of the administration out of the focus of support, which has its drawbacks in terms of the wide range of administrations and policies that were covered by the intervention. Their limitation means prioritising certain sectors at the expense of others and depriving some of the expertise and capacity within NGOs of the opportunity to participate, and hence limiting the opportunities for citizen scrutiny in specific areas with a small number of potential beneficiaries (e.g. the nuclear energy sector, or other sectors and policies where a small number of NGOs work).

Providing funding to promote citizen participation in the formulation, implementation and monitoring of policies and legislation in the future will allow to maintain an active civil sector and to make positive changes in the administration and the judiciary with the participation of citizens. Given the specificities of the NGO sector and the short timeframes of the projects, advocacy and civic participation in the legislative process is less prominent in the supported projects due to the NGO sector's inability to deploy its activities in a legislative initiative within the project. Sharing experiences and exploring good practices in advocacy processes and methods would be of additional benefit to develop the skills of civil society activists to participate in the legislative process.

There is a need to look for ways to promote alliances between NGOs in order to achieve greater effectiveness through the implementation of projects related to increasing citizen monitoring of national and local policies on issues of public importance, such as social policies, business environment, environment, tourism. Encourage more public campaigns and public awareness campaigns because the environment and public expectations are very important for the success of advocacy campaigns and for the acceptance of proposals made by NGOs by politicians and the administration.

While interventions targeting the civil society sector are not aimed at enhancing their capacity, including to prepare and manage quality projects, it is advisable to address their capacity, albeit through small-scale activities in the context of the project being implemented or through a common event prior to the start of contract implementation. This would broaden the involvement of different organisations and the policy areas being addressed. Such actions could be implemented as ongoing information campaigns, could be accompanied by more in-depth training on project preparation and implementation, advocacy, etc.



It would be good to promote active work with the municipal administration in both large regional centres and small municipalities. The rationale is that, based on regional achievements in increasing interaction between the NGO sector and local administrations, the latter will increasingly take NGOs and SEPs seriously as legal forms of monitoring and control over their work.

It is advisable to maintain the established successful good practices of the MA in managing procedures for civil society structures, which have proven their effectiveness. Once all civil society procedures have been completed, it is advisable to carry out a comparative analysis on the funding modality and the relationship with the efficiency and effectiveness achieved, which will provide guidance on the budgeting mechanism (flat rate or standard unit cost table).

Recommendations Task 3

To build on existing approaches for sharing lessons learned between institutions responsible for the management and control of the funds, especially with concrete examples of weaknesses and errors identified and ways to avoid or address them.

During the programming period 2021-2027 it is necessary to continue the support for strengthening the administrative capacity of the applicants/beneficiaries in order to increase the efficiency of the absorption of EU funds in Bulgaria. Continued efforts are needed to strengthen municipal capacity and build the capacity of civil society. There is also a need for comprehensive support to beneficiaries in terms of public procurement - training opportunities, use of expert support, exchange of practices, etc.

The analyses show very good results in the use of the UMIS and in this sense it is good to continue with the upgrade of the UMIS functionalities, the trainings for beneficiaries and the continuous feedback and satisfaction survey.

The programme would do well to continue its support for upskilling and retention of already trained staff.

Support to the DIP should continue as its effectiveness and efficiency have been confirmed and results are visible. The network actively cooperates with local administrations and various institutions and raises citizens' awareness. It is worth considering the possibility of extending the scope of possible activities of the DIP - delegating additional functions, activities/assigning specific tasks to the DIP that require interventions at regional and/or local level by the national level structures responsible for the management and implementation of the programmes.

The functioning of an efficient coordination mechanism in the area of EU funds management is a major issue. The actions and efforts undertaken during the programming period to streamline and reform the structures responsible for the different aspects of coordination (programming, monitoring, information provision, coordination of information and publicity activities) are positively assessed.

The existing institutional framework should be upgraded by continuing the good practices introduced during the 2014-2020 programming period and the need to include new measures, prioritised in the area of public procurement, in order to reach the required high level of competence of the administration in a timely manner. Measures to strengthen administrative capacity with a focus on greater flexibility and adaptability, while maintaining the established balance and with a view to functioning effectively in relation to the coordination, management and control of the EFSM in the 2021-2027 programming period, will be key.