

## Summary

This summary presents the results of the "Evaluation of the implementation of the Operational Program" Good Governance" in the period 2015-2017"

The evaluation was carried out during the period February-April 2018 by a team of experts of Consortium "Consult" with members Ecorys South East Europe, Bulgarian Consultancy Organization EOOD and D & D Consulting OOD.

The evaluation aimed to analyse the logic of the interventions, the objectives and the system of indicators of the Operational Program "Good governance", to identify the factors influencing the implementation of the program, the main problems and the good practices on which to formulate recommendations for the implementation of similar future activities.

The evaluation includes all priority axes of the Operational Program "Good Governance", as follows:

- PA 1 Administrative services and e-government;
- PA 2 Efficient and professional management in partnership with civil society and business;
- PA 3 A transparent and efficient judiciary;
- PA 4 Technical Assistance for the Management of European Structural and Investment Funds;
- PA 5 Technical Assistance.

The assessment is structured in 5 main tasks with respective evaluation questions:

**Task 1:** Analysis of the correspondence between the strategies (objectives and priorities) set out in the Operational Program "Good governance" and their implementation, on the one hand, and the current socio-economic situation in the country on the other.

**Task 2:** Analysis of the results achieved, measured by output, results and financial indicators, including an analysis of the quality of the progress made towards the initial objectives.

**Task 3:** Analysis of the effectiveness and functionality of the system and the implementation documents of the Operational Program "Good Governance".

**Task 4:** Contribution to the implementation of the horizontal principles of the European Union.

**Task 5:** Analysis of the information and communication activities carried out

The assessment is based on a **desk research** of documents and data collected through the programme's monitoring system.

During the evaluation, information was collected through **interviews** with staff of the Managing Authority of the Operational Program "Good Governance" and key beneficiaries.

An **on-line survey** has been carried out among all existing program beneficiaries and their partners. The survey included 123 respondents (project managers and coordinators). Of these, a total of 68 respondents (55%) replied, of which 59 respondents (48%) responded to all questions.

A **focus group** was held with the beneficiaries of the program, which discussed the administrative capacity and the administrative burden in the preparation and management of the projects.

The collected information is analysed through: stakeholder analysis; analysis of the logic of intervention; analysis of causal links; indicator analysis; contribution analysis; case studies for key projects and expert assessment.

Below are the main conclusions and recommendations from the analyses carried out according to the tasks and the valuation questions.

### **Regarding the correspondence between the strategies (objectives and priorities) set out in the Operational Program "Good Governance" and their implementation and the current socio-economic situation in the country**

The strategic objectives set in the Operational Program "Good Governance" continue to be relevant to the current socio-economic situation. Only approaches to addressing needs have changed by updating the roadmaps to strategic documents. The Roadmap to the State Administration Development Strategy is updated in early April 2018. An update of the Roadmap to the e-government strategy is expected. Regarding judicial reform and e-justice, there are changes in key regulatory documents (the Judicial System Act, Criminal Procedure Code), which reflect the need to update the roadmaps to the strategies for the reform of the judiciary system and e-justice.

Output and result indicators can be assigned to the specific targets of the priority axes. The product and result indicators are interrelated, although in some cases this relationship is not direct. The target values for the result indicators have been calculated as a sum of the baseline values and expected programme contribution. This approach is not in line with the European Commission's guidelines for the 2014-2020 programming period and it is therefore necessary for the Commission to be notified and the target values to be recalculated. There is a need to reformulate/delete/replace or change the target values of some of the indicators as follows:

- It is recommended that the wording of indicator R1-3 be changed from "Number of supported priority e-services, including interservice, at transaction- and / or payment level, based on the government hybrid public cloud, used over 5000 times a year " to "Number of e-services, including interservice, at transaction- and / or payment level, based on the government hybrid public cloud "
- It is recommended to transform indicator R2-4 from result to output indicator. It is proposed to replace R2-4 with a new result indicator. The definition of the new result indicator is recommended to reflect the "Number of supported by the programme

models/mechanisms for policy control by the civil society ". Analyses indicate that a suitable target value for the indicator is 25 supported "models/mechanisms".

- It is recommended CO20 indicator to incorporate all results indicators that measure (or is expected to measure) the involvement of social partners / non-governmental organizations.
- It is recommended that indicator O2-3 "Partnership projects for the development and / or implementation of key policies and legislation" is removed from the system of program indicators.
- It is recommended to reduce the target value of the O2-6 indicator "Total number of trained state administration employees" from 175,000 to 70,000.
- It is recommended to replace Indicator R3-2 "Number of cases led electronically" with a new indicator that measures the institutions in the Judicial System that are linked to the Unified Electronic System of the Courts as follows: "Number of the institutions in the Judicial System connected with the Unified Electronic System of the Courts". The target value should reflect the number of bodies of the judiciary (180).
- It is recommended to revise the target values of indicators O3-1 "Analyses, research, studies, methodologies and assessments related to the operation of the judiciary supported" and O3-6 "Number of supported eservices of the judiciary" within at least the currently contracted values (in the case that no new procedures related to the indicators are planned).
- The target values and/or the formulation of the following indicators: R1-1 (formulation and target value), O1-8 (performance framework and target value) and R1-3 (target value) should be reviewed after completion of the project "Transformation of the Model of Administrative Service".

### Regarding the results achieved and the progress against the initial objectives

Key projects in the area of administrative reform and e-governance have been launched. At the same time, the development of a state hybrid private cloud, on which the achievement of the results of other e-government projects depends, has not yet begun. Progress under Specific Objective 2.3 is small as there is still no procedure opened aimed at increasing civic participation in the process of policy-making and control. The funded projects under PA 3 cover all three specific objectives of the priority axis.

Most of the projects under the main priority axes (1, 2 and 3) of the programme are in the process of being implemented. Implementation is delayed due to the slow preparation of the public procurement procedures, the lack of motivation in some of the teams and poor ownership on part of the projects. The lack of timely support from key stakeholders is an additional reason. The lack of sufficient technical expertise in the beneficiaries requires that many technical specifications for e-government and e-justice projects be outsourced through a tendering procedures, resulting in further delays. For some projects, significant

delays are also generated due to long periods of intra-institutional and inter-agency co-ordination.

In addition to the above reasons for delays, implementation of the program is influenced by external factors including the lack of agreement and clarity among key stakeholders on how to achieve the objectives of administrative and judicial reform and the introduction of e-government. Monitoring and reporting on the progress of implementation of the key Strategies on which the programme support is based, with the exception of the Updated Judicial Reform Strategy and the Roadmap to it, is not sufficiently regulated, which does not allow effective control over the implementation of the Roadmaps measures for the implementation of the Strategies. Appealing public procurement procedures in some cases has led to delays of 8-9 months. Over the period under review, there have been many changes to the legislative environment that is relevant to the program, which has affected implementation. Last but not least, the political environment to which the program is particularly sensitive in the period 2015-2017 was not fully stable - one temporary government, four ministers of Justice, and a change in the composition of the Supreme Judicial Court.

The achievement of results, and in for projects implementation itself, was hampered by the need for legislative amendments. In this regard, it is recommended to meet with the beneficiaries, clarify the scope of the changes and seek opportunities for consultation with the relevant policy-making directorates in the administration or the responsible deputy ministers in order to discuss the implementation of legislative initiatives in the shortest possible terms. For projects where results depend on regulatory changes, it is recommended to provide for implementation at stages, with funding for the second stage being provided after the relevant regulatory changes have been implemented. To identify such projects, in the criteria for assessing operations, it is recommended to include questions about whether there are technical and regulatory conditions for project implementation and achievement of results and whether the key partners are involved.

By the beginning of March 2018 the certified funds of the three main axes PA1, PA2 and PA3 are only 7%, 9% and 13% respectively measured against the performance framework milestones. These numbers reflect the observed delay in the implementation of the projects. Estimates show that although significant part of the projects' budgets are expected to be absorbed in 2018, the milestone set for the financial implementation of PA1 is unlikely to be reached. The same concerns exist with regard to PA3. Financial performance under the PA2 is expected get near to the milestone. In order to accelerate the certification of PA1 funds, it is advisable to hold meetings with key beneficiaries of projects with the largest budget to discuss the risks to the absorption of funds and the possibilities for submitting payment requests by October 2018. All beneficiaries must be notified of the importance of submitting payment requests and the relevant deadlines so that the funds can be verified and certified in a timely manner.

The financial implementation for PA4 and PA5 is expected to exceed the funds earmarked towards the end of 2018. More than half of the budget of the PA5 "Technical Assistance" has been already contracted and there is a risk that the funds allocated will be insufficient until

the end of the Programme. It is recommended that the Managing Authority assess the necessary funds under the PA5 of the Program by the end of its implementation - including salaries, training, technical assistance, evaluations, etc. On the basis of the evaluation, measures should be taken to ensure effective work until the end of the Programme.

There are significant differences at the level of implementation of the **indicators**. For some indicators, over-performance is observed, and for others, such as those under PA1, there is no progress. Two indicators are at risk, to achieve the milestones set for 2018 - one indicator under PA1 (O1-8) and one under PA2 (CO20).

### **Regarding efficiency and functionality of the system for implementation of the Operational Programme Good Governance**

The documents elaborated by the Managing Authority define clear and comprehensive rules for filling applications and implementing the programme. Improvements are possible on the template of the annual report of the beneficiaries as it is too simplified. It is recommended that the Monitoring and Verification Unit of the Managing Authority analyse the information needed to conduct effective monitoring and revise the template of the beneficiaries' annual report. Filling the information directly into the Management and Monitoring Information System would facilitate both the beneficiaries and the Managing Authority.

The evaluation criteria largely reflect the guiding principles for the selection of operations set out in the text of the Programme. The evaluation process takes place within the established deadlines - up to three months from the closing date of the procedure or submission of the project proposal. However, under certain procedures, contracting takes longer, as project proposals are returned by the Managing Authority for revisions and to eliminate irregularities. The long preparation period does not improve the quality of project proposals and it is therefore not recommended to plan long periods for preparation of project proposals.

Some beneficiaries continue to experience difficulties both with regard to the preparation of quality project proposals and the management and reporting of projects. It is recommended that the Managing Authority include in the scope of the training provided questions raised by the beneficiaries. In the section on the Programme at the single information portal, it is recommended to publish answers to the most frequently asked questions. Where appropriate, the Managing Authority could undertake individual measures to strengthen the capacity of some key institutional beneficiaries.

The program documents and the application and implementation guidelines are clear and exhaustive. The electronic submission of project proposals and electronic reporting in the Management and Monitoring Information System, the possibility not to submit documents that have already been submitted and are valid or can be checked administratively and the use of budget lines is reported by the beneficiaries as successful practices in terms of reducing the administrative burden.

Still, a considerable administrative burden remains at the level of reporting the costs incurred due to the large amount of cost-accounting documents required to be submitted

through the Information and Management System. In this regard, it is recommended not to require documents that are not necessary for verification of costs (such as certificates of completion of training and feed-back questionnaires) or documents to which the Managing Authority has access (as parts of the public procurement dossiers available in the Management and Monitoring Information System or on the website of the Public Procurement Agency).

Reporting of the cost of project management also represents a large and unnecessary administrative burden that is expected to be alleviated by the rules adopted for application of uniform rates of accounting for these costs.

### **Regarding the contribution of the Operational Programme Good Governance to the implementation of horizontal principles of the European Union**

The main horizontal principles: partnership, promotion of equality between men and women, non-discrimination and sustainable development are embedded in programming, implementation and reporting processes and are reflected in relevant procedures and documents – guidelines to applicants, selection criteria, and annual reports. The application of the horizontal principles is monitored with indicators, and in the case of gender equality, and through the data for the participants in the operations.

Applying the partnership principle results in greater transparency as well as better planning and management of the Programme. It is recommended that sub-committees be set up within the Programme's Monitoring Committee in the key areas of support - e-government, administrative capacity and judicial reform and, where appropriate, the Head of the Managing Authority to invite organizations from these areas to the meetings of the Monitoring Committee when discussing questions on the topic.

Applying and reporting electronically through the Management and Monitoring Information System saves paper and decreased the carbon footprint of the administration. In this respect, there is a room for better use of the electronic management system (electronic filling of data rather than scanning and attachment of documents). Additional effects are expected after the results of the projects contributing to e-government, e-justice and adaptation to climate change are achieved.

The regional and transnational activities carried out in the period 2015-2017 are limited to projects that have an international element (exchange of experience, training). Although procedures that provide possibility to implement transnational projects have been launched, because of the lack of interest by the beneficiaries, the transnational activities carried out do not fall in the scope of the definition given in Regulation (EC) No 1304/2013.

The Programme does not explicitly provide for social innovation measures nor does it address social innovation as a horizontal principle.

The Programme could potentially contribute to the objectives of the Danube Strategy to increase institutional capacity and improve co-operation to tackle organized crime. Between



2015 and 2017, projects are being implemented under these priorities, which have not yet achieved the expected results.

### Regarding information and communication activities carried out

The implementation of the Annual plans for information and communication shows **achievement of the target values of the indicators**. Due to delays in the implementation of the projects funded by the Programme, **by March 2018, only 21% of the budget planned for information and communication activities was spent**. At the same time, an efficient spending of funds is reported, with most information days and training for beneficiaries taking place in the building of the Managing Authority and a large part of the information materials, presentations and questionnaires, necessary for the participants, being prepared in the printing house of the Administration of the Council of Ministers.

There are information and communication activities carried out by beneficiaries that represent good practices. These can be promoted among other beneficiaries. It is recommended that **large-scale events take place when launching key administrative and judicial reform projects** and e- government projects to publicise the objectives and the activities of the projects and thus create public expectation (pressure) to achieve the results.

The results of the media monitoring for 2016 and 2017 show mainly neutral publications related to Programme implementation. A problem with the publicity of the program is **the lack of a recognizable and easily accessible Programme website**. Information about the program is published on the Single Information Portal - eufunds.bg.