

Political and regulatory framework for applying integration policies in the Republic of Bulgaria

Introduction

The National Roma Integration Strategy of the Republic of Bulgaria (2012-2020) / NRISRB / was developed in response to the Communication published by the European Commission, “EU Framework for National Roma Integration Strategies to 2020”. In this Communication, the members of the EU were invited to develop National Roma Integration Strategies with specific policies and measures to be set in the strategies. Just as it is written in the strategy itself, with its approval act from the National Assembly the strategy becomes the main political document to provide guidelines for the implementation of the social integration policies for Roma. The strategy is “an expression of the political commitment of the government of Bulgaria and is prepared in accordance with the current strategic and operative national documents from responsible institutions – the Ministry of Education, Youth and Science; the Ministry of Healthcare; the Ministry of Regional Development and Public Works; the Ministry of Labor and Social Policy; the Ministry of Culture; the Ministry of Internal Affairs; the Commission for Protection against Discrimination (CPD) and others in the implementation of the national policy to improve the quality of life and guarantee equal opportunities for Bulgarian citizens” /NRISRB, page 1/.

According to the texts in the NRISRB, the main institutions responsible for the implementation of the strategy’s goals along the various priorities are the corresponding ministries – Education, Healthcare, Regional Development, Labor and Social Policy and etc. It is also stated in the strategy that all state institutions and departments, as well as the CPD, the Council for Electronic Media, the Ombudsman of the Republic of Bulgaria and public media – Bulgarian National Television, Bulgarian National Radio and the Bulgarian News Agency, the National Council for Journalistic Ethics (the Commission for Ethics in Printed Media and the Commission for Journalistic Ethics in Electronic Media) – are also all responsible for the implementation of measures along various priorities from the strategy. “Coordination and control of the implementation of the Strategy and its action plan is carried through by the National Council for Cooperation on Ethnic and Integration Issues /NCCEII/. The secretariat of the council ensures the activity of the NCCEII in the informational, analytical, administrative and technical aspects” /NRISRB, page 18/.

Work through the last few years, however, has shown that the engagement of the aforementioned institutions in the NRISRB’s implementation is miniscule or outright missing. It’s expected that the NCCEII – more specifically, its secretariat – will conduct the whole integration process from the planning through the counselling and coordination of the process all the way to the implementation of policies and the monitoring of the implementation itself. These expectations are affirmed by the last changes /from 2013/ in the Regulations for the Structure and the Activity of the National Council for Cooperation on Ethnic and Integration Issues /RSANCCEII/. These changes force the secretariat of the NCCEII to “act as a coordinating structure for the activity of administrative structures on a national level regarding the formulation, implementation, monitoring and evaluation of the integration policy” /Article 11, Para. 2, Point 2 of the RSANCCEII. Additionally, it directly governs the Commission for the Implementation of the NRISRB through

the secretary of the NCCEII, who acts as chairman for this commission /Article 8, Para. 2 of the RSANCCEII. The regulations list a series of responsibilities for the secretariat such as providing methodical assistance and coordinating activities in regional and municipal councils on ethnic and integration issues; provide operative cooperation to the National Council within the administration of the Ministry Council; to organize and coordinate the implementation of the National Council's decisions and the necessary exchange of information between responsible institutions together with other administrations of the executive authority, the commissions of the National Assembly, the administration of the President of the Republic of Bulgaria, the Commission for Protection against Discrimination, the Ombudsman of the Republic of Bulgaria and others; to organize the work of the Commission for the Implementation of the National Roma Integration Strategy of the Republic of Bulgaria (2012-2020); to be the National Contact Point on the NRISRB (2012-2020) and conduct the monitoring of the measures for the implementation of the policy for equal integration of Roma in the Bulgarian society and report to the National Council for progress.

All of this makes one question stand out – to what extent can the secretariat in its current form conduct these responsibilities and achieve an effective coordination between the implementation of multiple sectors and the following activities of the National Roma Integration Strategy? These doubts about the potential of the NCCEII and its secretariat to secure the integration policy were expressed by the European Council in one of its own yearly work documents within the yearly European Semester cycle – the Staff working document for Bulgaria 2015, with an in-depth review of the prevention and correction of macroeconomic imbalances. Along with the conclusion from previous reports that improvement in the implementation of the NRIS in Bulgaria is limited or nonexistent, this document also contains the issue regarding the mandate and resources of the Contact Point for the implementation of the NRISRB – the Secretariat of the NCCEII and, more specifically, whether they are enough to fulfill the responsibilities needed to implement the NRISRB.

Conclusions and suggestions:

The position of the participants of the wide coalition of NGOs – “Intellect” – is that the secretariat, as well as the NCCEII in its current form cannot meet the expectations of the society to implement a successful national integration policy and that this policy needs a more complex approach, as well as the participation and engagement of a great amount of institutions. The following steps need to be followed for positive change in the organization and government of the integration process and policies as a whole:

1. First of all, many aspects in the statute, features and authority of the NCCEII need to be reviewed, such as the conditions for participation, the procedures for choice, the organization work and etc. so that it can have a real impact on the policies focused on minorities and partially, the policies for Roma integration in our public life.

The National Council must be affirmed as a specialized body for cooperation and consultations between governing bodies, structures of the public society and civil experts on the accepted measures from the Ministry Council and the government, from the viewpoint of maintaining the rights of Bulgarian citizens that belong to national or ethnic, religious and linguistic minorities and providing conditions for their complete inclusion and integration in the community life, as well as maintaining, conserving and developing their culture, religion, language, traditions and cultural ancestry.

The features of the National Council must be revised by adding new and inherent to similar expert-consultation body features whilst simultaneously removing the extraneous obligations. The government should establish a corresponding normative order staging, it is absolutely essential to the opinion of NCCEII for compliance of drafting the legislation, strategies and programs with international standards for the protection of minorities. Without such an opinion does not proceed to further adoption of prepared drafting projects. The government also needs to initiate corresponding normative changes (including in the master documents of institutions from the executive authority that implement measures and policies for minorities) so that they will be obliged to timely inform the National Council of all project and current activities on their policies toward minorities so as to seek its position and expert-methodical assistance when preparing projects for normative acts, strategies and programs that refer to the rights and issues of minorities. At the same time, the NCCEII and its secretariat need to get rid of their own extraneous functions such as providing grants in support of national organization initiatives on developing the identity of minorities and cooperation between multiple cultures. Such functions should be implemented by bodies such as the Education Integration Center for Children and Students from Ethnic Minorities of the Ministry of Education and Science, as well as from structures of dedicated ministries such as the Ministry of Education, Culture, Healthcare and others.

In terms of the structure and staff of the NCCEII, it's necessary to emphasize the expertness of the National Council considering the type of functions that it has to implement and the responsibilities of its members regarding the quality of the expertise they have to provide to the government. A wide range of representativeness cannot be achieved within only one consultative body without its staff being increased to an amount that condemns it to heaviness and inactivity. A representativeness in the civil participation in the various signs and responsible sides can be achieved if the National Council chooses an approach to collecting necessary information and expertise through various complimentary channels and consultative formats such as civil forums on specific issues (such as budgeting minority policies) or functional issues (such as how to reorganize consultative mechanisms on a local and regional level), civil juries, open work groups, expert groups, and other dialogical formats, directly including large groups of citizens in the minority policy consultations.

2. Second of all, it's necessary to create a specialized administrative unit in the Ministry Council for coordinating policies on minorities /such an unit did expert a few years ago, but was

discontinued because of normative issues, resource limits, inadequate coordination of its activities with other institutions with the consultative body itself – the National Council for Cooperation on Ethnic and Demographic Issues/. This can be an administrative body set within the Ministry Council’s administration that is in the position to have competence regarding all sector integration and other policies focused on minorities and to implement coordinated functions among them. Implementing integration and other policies focused on minorities must be a task of the whole government and the main decisions for their realizations must bear its authorization. The goals of this multiple sector and national policy cannot be realized without proper coordination of measures and activities for implementation of National Roma Integration Strategy (2012-2020) and without a specialized administrative body for constant coordination of this process between sector ministries, agencies and departments and between the central, regional and municipal administration /exactly why the goals of the Roma Inclusion Decade and the Framework Program for Equal Integration of Roma in the Bulgarian society were not realized/.

The transformation of the National Council by strengthening it with a few truly effective mechanisms will contribute toward it consulting the government policies for minorities as an expert-consultative body of the Ministry Council together with an administrative body also within the Ministry Council that is in position to have competence regarding all sector integration and other policies that are directed toward minorities and allow it to implement coordinating functions among them.

3. Creating similar specialized administrative units for sector ministries, agencies and other departments related to minority policies. This way, the administrative infrastructure for policies on minorities will be further developed and more effective mechanisms for their coordination will be ensured.
4. Creating adequate consultative and administrative structures on a regional and municipal level. Reforming the consultative and administrative bodies on their minority policies on the level of the central administration requires the transformation of the administrative infrastructure for conducting these policies on its vertical. For this, it’s necessary to provide an analysis of the context, resources, needs and conditions for conducting an effective interaction with citizens from civil institutions on a regional and local level and from the local authorities, as well as the optimal forms for consultative interaction according to the local conditions. If an administrative body for the minority policies is made and if changes in the existing expert-consultative body - the National Council for Cooperation and Consultations on Minority Policies – are guaranteed then it’s logical for exactly these two specialized bodies of the Ministry Council to take up conducting wide surveying through various public-consultative forms (public discussions, regional forums and etc.) about the available administrative and civil resources and the most suitable for the local conditions forms of interaction between institutions on a regional and municipal level with the citizens and civil organizations when planning, conducting, monitoring and evaluating the minority policies.

One such consultative process will provide a lot of legitimacy to the transformed National Council and the newly-formed administrative unit of the Ministry Council along the minority policies as key actors in the improvement of the quality of these policies. At the same time, it will help them develop suggestions for suitable transformations in the administrative infrastructure on a regional and local level for consultations and interaction between institutions and citizens on minority policies.

The National Coalition “Intellect”, part of which is the Integro Association, developed a full package of suggestions aimed at improving integration policies by improving the effectiveness of the NCCEIP’s work and creating an administrative body that can be responsible for the organization and implementation of minority policies.

These suggestions were presented to the Chairman of the NCCEDII on a specially-organized meeting with representatives of the civil society that was conducted on the 8th of February, 2016. The suggestions can also be found at <http://integrobg.org/категории/публикации/отворени-писма/>

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