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PROJECT

**RIGHT OF GOOD GOVERNANCE AND
GOOD ADMINISTRATION - RIGHT OF
THE CITIZENS OF THE REGION
OF KARDZHALI PROJECT**

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REPUBLIC OF BULGARIA
Regional Administration
Kardzhali



1. Introduction

1.1 Background of the project

The main objective of the project is to develop and propose an Innovative Model to improve the quality of the development of policies and to improve the implementation of plans and strategies. From the start of the project, the intention has been to explore the options for increased stakeholder involvement in the development and implementation of policies via Public Platforms. (This was included in the Terms of Reference, which foresees the set up of Public Platforms in the fields of tourism, agriculture and environment).

Public platforms can be set up in many different ways and with many different tasks. This project is to determine and propose the most appropriate way, based on an analysis of the current situation in Oblast Kardzhali and an analysis of the best practices in Region Haaglanden in the Netherlands. The experiences of Region Haaglanden learns that direct involvement of stakeholders in the draft of policies is essential to ensure support of the stakeholders, which in turn ensures better quality plans and strategies and improved quality of implementation.

An initial concept for the Public Platforms has been made, including concepts of the policies they can address and this initial concept is presented to the public. Their opinions have been gathered via interviews and this feedback has been used to finalise the concept of the Public Platforms, which is presented in this report.

For the details and background of these conclusions please see the reports, as published on the website of the Oblast (www.kardzhali.org) and on the facebook page of the Platforms (www.facebook.com/Kardzhaliplatforms).

Based on these conclusions, several proposals for innovation of the governance model in general and specifically for the fields of tourism, agriculture and environment are presented. In line with the intentions of this project, to involve civil society in the development of policies, all these proposals are open for discussion. After these discussions (and decisions on the proposals) this report will be complemented with the organisational and managerial aspects to start up and manage the Public Platforms.

2. Tasks of the Public Platforms

The Public Platforms are intended to support and even formulate new policies and to find solutions for problems in implementation of these

policies.

The present legal structure dictates that the adoption (approval) of regional policies is done by the Oblast Development Council, the Regional Development Council, the municipalities, the ministries and territorial units. Also, there is an overlap in the membership between the Public Platforms and the Oblast Development Council and the Regional Development Council (and of course in several other bodies such as the municipalities).

The intentions of the Public Platforms and the legal structure define to a large extent the task of the Platforms: they need to provide input for new policies and can do so effectively only if indeed the Platforms are capable to deliver good initiatives, ideas for new policies and ideas to improve implementation.

Platforms need to think in solutions, not in problems. The Platforms need to set the framework, the directions of policies for tourism, agriculture and environment. In these fields, many options for new policies or problem solving policies are available, choices need to be made on how to address the present situation. The ideas presented in chapter 1.3, conclusions of phase 2 are good examples of setting the direction.

It should be clear that the Platforms have no role in enforcement. From a pure legislative point of view, it is not a good practice to put implementation of policies and enforcement of the implementation in one and the same organisation. Good practice would be that the state or territorial units exercise the enforcement of the legislation and that the Oblast Administration controls the quality of the these units.

3. The role of the members

The main innovation is the set up of Public Platform in which stakeholders participate in the development and implementation of policies. Participating has a double meaning. It refers to actual membership (and the rules that govern that membership such as voting rights). It refers also to the "content" of the participation. Public platforms or advisory boards may be helpful if they can develop and provide good initiatives. This asks from the members that they work "solution-oriented" and not "problem-solving-oriented". Concerning policy development, the discussions about tourism, agriculture and environment need to be on knowing the value, or assets of the region and developing these assets. Concerning implementation, the discussions should be on creating new ideas and solutions to overcome the barriers

for implementation. This way of working can be partially regulated in the rules for the meetings (see chapter 4). It depends to a large extent on the willingness of the members to bring new ideas and alternative ideas into the discussions.

3.1 Role of the Oblast administration

Public Platforms can be useful if the government is required to respond to the recommendations of the Platforms is one of the conclusions of the previous phases, further emphasised by the interviews with the public. This first and foremost applies to the Oblast Administration, because they are the initiators of this innovation. It also applies to the municipalities, as key regulators in the region. "Respond" does not mean that the Oblast Administration or the municipalities are obliged to adopt all recommendations from the Platforms. "Respond" means that the Oblast Administration and the municipalities need to give a motivated and timely answer to the recommendations of the Platforms.

3.2 Role of the municipalities

The municipalities are the closest point of contact between government institutions and the public. As such, the municipalities have a key role in the Public Platforms. Without their support, development and implementation of policies is extremely difficult.

This puts a high responsibility on the municipalities and their input in the Public Platforms. The lessons learned from the visit to Region Hague, which is a municipal cooperation body, regulated by law, is that working together benefits all the municipalities. In the Public Platforms, the municipalities can take the role of initiators of developments. The main threat is that the municipalities focus too much on localized and individual problems.

3.3 Role of civil society

With civil society is understood all organisations that represent the interests of specific groups in society, regardless of their legal form. This can be industry associations and collectives of farmers, environmental NGOs, youth organisations etc. Part of these organisations represent commercial and economic interests, part represents civil interests. These organisations need to be involved in policy making partly because the policies have a direct impact on them and on the groups they represent and partly because in these organisations is expertise available that can be

mobilized in the Platforms for the benefit of better quality policies.

This clearly marks the role of civil society organisations in the public platforms: ensure that policies are for the benefit of their members (or as a minimum, can be understood as not directly beneficial for their organisations but are necessary for the overall benefit of the region) and bring in expertise on specific topics.

The main threat is that the civil society organisations will focus on failures of the government or lack of support for their initiatives from the government. It is up to the organisations themselves to recognize that such focus is detrimental for the participative process.

4. Organisational aspects of the Public Platforms

4.1 Operating rules of the Public Platforms

On members, representation and voting

The platform will have 17 members with voting rights.

The Platform consists of 1 member of the Oblast Administration, 1 member of each of the municipalities in the Oblast, 4 members of industry associations and 4 members of civil society organisations and 1 member of the territorial units.

The members representing the industry will be industry associations. Industry associations proposing members will do so with a written statement of endorsement. If the associations propose more than 4 members, those with the highest number of endorsements become members.

The members representing civil society will be civil society organisations or individuals. Civil society organisations proposing members will do so with a written statement of endorsement and individuals will do so with petition signed by at least 50 residents of the Oblast. If more than 4 organisations or individuals members are proposed, those with the highest number of endorsements or signatures become members.

The member of the territorial units will be proposed by the territorial units.

The names and contact details of each member are published on the website of the Oblast Administration and on the website of the Public Platform.

Each member shall appoint a representative to participate as member in case of absence of the member.

Any member can invite an expert of his or her own choice to provide

detailed information or expertise on an proposal made by the member. Any costs of this expert will be covered by the member that invites the expert.

The meetings will be chaired by the representative of the Oblast Administration. The chairperson can decide to engage a moderator to facilitate the discussion. The task of the moderator is limited to ensuring that the discussion result in clear proposals or recommendations and to assisting the Platform and the secretary in drawing up these proposals or recommendations. Any costs for the moderator will be covered by the Oblast Administration.

A proposal of the Platform is considered adopted by simple majority of the members present during the meeting. Any member has the right to postpone the vote to the next meeting of the Platform to consult with the organisations or individuals he or she represents. Voting can be postponed only one time, also if the proposal is modified in any way during the second meeting.

On the agenda and topics for discussions

The Platform will convene at least once a month, with the exception of the summer holiday period.

Any member can propose a topic for discussion to the Platform. Each proposal must include a brief motivation and a suggestion for how to proceed. The proposal will be discussed at the first meeting of the Platform that is convened at least 7 days after receiving the proposal.

The meetings of the Platform are open for the public. The chairperson will ensure that the public can respond on the discussions and conclusions of the Platform during the meeting.

The minutes of meeting, the proposals and recommendations of the Platforms will be published on the website of the Platform. The public can send an opinion to the Platform on the proposals and recommendations.

The platform can decide to draft a yearly program of activities.

The Oblast Administration or Oblast Development Council will send a motivated response to the recommendations of the Public Platform within four weeks of adoption of the recommendation in the Public Platform. In absence of a response, the recommendation is deemed to be accepted by the Oblast Administration or Oblast Development Council.

The Public Platforms can not discuss individual cases,

The Public Platforms can not discuss policy making and enforcement

at the same time, discussions on enforcement should be limited to the overall functioning of the enforcement,

4.2 Management of the Public Platforms

The Oblast Administration will set up a secretary for each of the platforms and will allocate a budget for the secretary and for convening the meetings. The secretary will:

1. The secretary will participate in the meetings without voting rights,
2. Organize and manage the document archive of the Platform,
3. Organize the activities of the Platforms including setting dates for each meeting and ensuring a meeting venue,
4. Prepare the meeting agenda, place, date and time and send this to all members 10 days prior to the meeting;
5. Prepare minutes of meetings and send these to all members within 10 days. The minutes of meetings are to be approved by the members during the next meeting;
6. Receive and send to all members any proposal for discussion from any of the members,
7. Summarize and present to the Platforms any opinions of the public on the proposals and recommendations,
8. Will maintain an email mailing list and the websites of the Platform,
9. With support of the Oblast Administration experts, will assist the members to draw up proposals for policies and for implementation of policies after these proposals have been discussed in the Platform,
10. Will ensure that proposals are sent to the relevant organisations other than the Platform within 15 days of adoption of the proposal by the Platform and will inform the Platform on the responses of these organisations;