Annex IV: Country Information

Each of the reports is based on a combination of data derived from the following sources:

- Interviews with 2 respondents-HRAW leaders or informed observers of NGO landscape from a particular country. In total 21 interviews were held during February, March, April 2010 with respondents from 10 countries. Each interview was recorded and transcribed without attribution;
- Research of literature, publications and reports on the NGO sustainability, situation in the area of human rights, accountability and watchdog as well as about funding of NGOs;
- Web-search of sites of HRAWs and donor organizations relevant to the subject of the study.

At the beginning of each report we provide a summary of key human rights, accountability and watchdog issues that are relevant for a given country. These are based on various reports of international and domestic organizations that monitor the situation. The list of issues provides a context for the need of activities performed by the HRAWs. The list of selected HRAWs with their short description comes next and provides the reader with a sense of who are the major HRAW NGO actors in a given country. Lists are not exhaustive, but to some degree representative.

The next section in a country report looks at the sustainability situation of HRAWs and presents the key challenges and issues that these organizations face. The information in this section is based mostly on the analysis of conducted interviews.

The final section deals with the funding sources, both existing and potential ones and analyzes them from the perspective of HRAWs.

Given a very heterogeneous and to some extent incomplete information, it was not possible to formulate conclusions for each country, however for some countries we offer summary of findings and conclusions, especially when the available data allowed us to do so.

Each report also includes the list of resources and publications used, a list of HRAW web addresses and list of respondents without identification.

1.1 Bulgaria

1. Human Rights, Accountability and Watchdog Context

The human rights and government accountability situation in Bulgaria has not changed significantly over several years. The issues that need to be addressed include:

- the government corruption at all levels;
- mistreatment of ethnic and religious minorities including Roma;
- discrimination against persons with disabilities and minority groups such as people with different sexual orientation;
- rising voice and presence of neo-fascist groups and anti-immigrant, xenophobic agenda, intolerance and occasional violence against minorities.
There are reports of lack of confidence in democratic process and generally lack of citizen’s engagement and participation.

The European Commission’s progress report in July 2008 urged Bulgaria to increase efforts to combat corruption and criminality, following the country’s accession to the EU. In the previous report by the anti-fraud EU agency OLAF, the Commission condemned the misuse of EU funds and adopted sanctions against Bulgaria. Different reports by the European Commission and the US State Department among others mention that the new government that came to power in July 2009 took steps towards addressing corruption.

Other human rights related problems include violence against women and children, substandard education for Roma children; harsh conditions in state-run institutions for children; illegal institutional placement of people with mental disabilities; trafficking in persons. Asylum-seekers continue to be detained for months and even years, and were denied protection.

The general political framework worsened in the recent years, with allegations of political corruption and strong business lobbies behind major policy decisions. The legal framework does not include the law on lobbying which reduces effectiveness of NGO campaigns confronting business interests.

Bulgarian civil society’s watchdog role towards the state is only moderately developed, mostly in capital and large cities. HRAWs are active on variety of issues ranging from the litigation in human rights, minority rights, anti-corruption to advocacy on behalf of disadvantaged groups and access to information. The watchdog role towards the private sector is not developed so much as towards the public sector, but recently progress can be noted here as well: individuals take banks and mobile communication operators, as well as monopolistic providers of public services, e.g. heating, water supply and sewage, etc. to court for violations of rights and failure to fulfil their obligations.

The activities of interest groups are largely unregulated. Bulgarian think tanks advocate for increased transparency and decreased clientelism and have repeatedly urged the Parliament to legalize and regulate lobbying. As a result, the Committee on the Problems of Civil Society launched a bill in 2002 calling for the registration of lobbyists, but there were still no developments on this legislation at the end of 2011. Most advocacy work, however, happens through informal channels, and there are few official mechanisms through which NGOs can interact with institutions. One such mechanism is the Parliamentary Commission on Civil Society and Media, which had a limited effect on the civil society framework in the last years. Numerous consultative bodies for policy design, implementation and monitoring purposes were set up by almost all ministries and higher authorities though their performance is either vague or entirely non-transparent.

2. Key Human Rights, Accountability and Watchdog NGOs

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1 Nations in Transit 2010, Bulgaria, Freedom House
5 USAID 2008 NGO Sustainability Index
6 Civicus, CSI Country Profile 2005: Bulgaria, Interview with HRAW respondent, March 12, 2010
7 Civicus, CSI Country Profile 2005: Bulgaria
8 Freedom House: ‘Nations in Transit, 2009’
9 USAID 2008 NGO Sustainability Index
There is a number of human rights and watchdog NGOs and initiatives, including think-tanks and independent research centers that together make up a rich and colorful NGO environment, which is primarily concentrated in the capital and in some major cities. Those listed below do not make the full picture though are among the most active organizations:

- The Bulgarian Helsinki Committee is an independent non-governmental organization for the protection of human rights. The objectives of the Committee are to promote respect for the human rights of every individual, to stimulate legislative reform in order to bring Bulgarian legislation in line with international human rights standards, to trigger public debate on human rights issues, to carry out advocacy for the protection of human rights, and to promote and make widely available human rights instruments.10

- The Inter Ethnic Initiative for Human Rights Foundation is a non-profit, non-governmental organization registered in Bulgaria in June 1996 to promote the values of ethnocultural diversity, non-discrimination, protection of the rights of persons belonging to minorities and inter-community cooperation in practice in all areas of public life.11

- Bulgarian Lawyers for Human Rights Foundation is a non-profit organization aiming at establishment and effective implementation of international standards in the sphere of legal protection of human rights in Bulgaria. Founded in 1993 by five lawyers from different legal-practice backgrounds, the Bulgarian Lawyers for Human Rights Foundation is the first organization of its sort in Bulgaria and in Central and Eastern Europe. At present, the Foundation cooperates with more than 25 prominent lawyers. The Foundation addresses issues regarding the protection of human rights in all fundamental spheres of the Bulgarian legislation.12

- The Association for European Integration and Human Rights was founded in 1998 in Plovdiv. This is an association of practising lawyers united by the idea to exercise law in the public interest and to establish human rights as one of the fundamental values of civil society in Bulgaria. The experts of the Association for European Integration and Human Rights also conduct a large number of cases under the State Responsibility for Damages Inflicted on Citizens Act, which constitute precedents for the conditions and court practice in Bulgaria. They facilitate respect for fundamental human rights and freedoms as well as positive changes in professional stereotypes and attitudes of justice-administering bodies towards the rights and dignity of citizens.13

- Bulgarian Center for Non-Profit Law (BCNL) was founded in July 2001 with the mission to provide support for drafting and implementation of legislation and policies aiming to advance civil society, civil participation and good governance. BCNL’s main activities include: legislative initiatives, advocacy campaigns and provision of technical assistance to NGOs and institutions for drafting and implementing legislation; enhancing the capacity of NGOs on issues related to the legislation regulating their activities, advocacy and good governance; provision of legal support to NGOs through consultations on the legal and tax framework of the activities of foundations and associations14;

- Bulgarian Foundation for Gender Research was founded in June 1998 in Sofia as an independent NGO of public utility. The organization works in the field of gender equality, prevention of domestic violence.

10 http://www.bghelsinki.org
11 http://www.inter-ethnic.org
12 http://www.blhr.org/aboutEN.html
13 http://www.eurorights-bg.org/en
14 http://www.bcnl.org
violence, assistance to victims of trafficking in women, reproductive rights and anti-discrimination by providing information, research, conducting campaigns and lobbying for legislative changes, drafting laws, providing training and consultations for professionals and working in wide networks in cooperation with other organizations, public institutions and experts. It has branches in Plovdiv, Haskovo, Gorna Oryahovitza.15

- Bulgarian Activist Alliance is an informal group of activists who work in the field of human rights protection. The work of the Alliance covers issues of LGBT rights, women’s rights, rights of people with disabilities, media ethics, and freedom of expression. The main activity of the group is to monitor cases of discrimination, hate speech and other violations of the Bulgarian and EU legislation. The Alliance draws attention of respective institutions to the violations in order to provoke action and address the problem. The Alliance facilitates communication between people and organizations involved in advocacy activities to achieve more effective public dialogue over problematic issues. No members receive material reward for work done on the projects of the group, as the organization is entirely based on voluntary work.16

- Transparency International-Bulgaria is an independent non-political organization focused on research, analysis and suggestions for effective anti-corruption control. It was founded in June 1998 in Sofia as the first national TI chapter in South-East Europe. TI-Bulgaria actively participates in global anti-corruption movement and contributes to the process of establishment of the national anti-corruption integrity system.17

- ACCESS – Sofia Foundation. ACCESS Association is an independent, non-partisan, non-profit organization, established in May 1992. In 2002 it was registered under the Non-Government Organizations Law with the name ACCESS – Sofia Foundation. The Foundation’s priority is to promote mutual tolerance and better understanding of the cultural diversity in Bulgaria and the Balkans. ACCESS consistently works for the development of a network facilitating free exchange of expertise and information, and establishment of contacts among Bulgarian and foreign NGOs, especially from the Balkan countries.18

- The International Center for Minority Studies and Intercultural Relations (IMIR) was founded in April 1992 in cooperation with the Center for the Study of Islam and Christian – Muslim Relations (CSIC), Birmingham, UK and the Center for Research in Ethnic Relations (CRER), Warwick, UK. IMIR is a non-political, non-profit and non-governmental organization. IMIR is dedicated to the values of peaceful coexistence and tolerant interaction between different cultures and religions in Southeastern Europe. It actively promotes preservation and integration of all minority communities in Bulgaria. IMIR works with some of the best Bulgarian experts on issues like minority rights, minority integration, migrations, human trafficking, Islam and inter-ethnic and inter-religious relations.19

- The Institute for Public Environment Development is a non-governmental organization founded in 2003 and registered as a not-for-profit legal entity. The main activities of the organization are development of civil society participation in governing; elaboration and application of controlling and accounting instruments designed for public institutions, and implementation of new practices

15 http://www.bgrf.org
16 http://bulgarianactivistalliance.wordpress.com
17 http://www.transparency-bg.org
18 http://www.access-sofia.org/en
19 http://www.imir-bg.org
and models in connection to public administration. The Institute pools together the efforts of experts with ample practical and theoretical experience in public administration, local self-government, regional development and civil-society participation. The organization has unique experience in the institutionalization of the so-called community ombudsman in Bulgaria.20

- RiskMonitor is a non-profit, non-governmental public policy institute. It works for the reduction, control and prevention of organised crime and high-level political and institutional corruption. RiskMonitor developed independent civic expertise in this sphere. RiskMonitor was founded at the end of 2006 by the Open Society Institute – New York and the Open Society Institute – Sofia, and is registered as a public benefit foundation.21

- Access to Information Program (AIP) is a nongovernmental organization found in 1996 in Sofia. The mission of AIP is to facilitate access to information. Since its establishment, AIP has been pursuing its mission in the following areas: monitoring and advocacy for better access to information legislation; monitoring access to information practices through a network of journalists in 27 regions in Bulgaria; preparation of annual reports on the state of access to information; provision of legal help, including representation in courts; raising public awareness on the right of access to information through media campaigns, publications, books, handbooks, monthly ATI newsletter; holding access to information trainings for civil servants, journalists, and nongovernmental organizations; active membership in international networks advocating for access to information.22

- Institute for Modern Politics (IMP) is an independent policy institute established as a non-governmental, non-political, public interest non-profit foundation. The mission of IMP is to be a leading source of independent research on legislative and government policies, promote informed debate and to provide innovative, practical recommendations that advance good governance and human rights. IMP pursues this mission by: a) monitoring legislation and producing independent and rigorous analysis of critical good governance and human rights issues; b) promoting debates about significant developments in legislative affairs and about the context and content of policy responses; c) shaping new ideas to decision-makers and -shapers on how to implement on full scale principles of good governance both on national and local level. IMP focuses its work in three programs: 1) Good Governance Program; 2) Legislative Monitoring Program; 3) Human Rights and Anti-Discrimination Program.23

- Centre for Independent Living (CIL) is a non-profit, non-governmental organization of disabled people, which promotes values of human rights and social inclusion. Since 2004 CIL acts as a policy institute and advocacy organization for disability rights through monitoring existing disability policies and promoting policy solutions that support community living of disabled people, their independence and free choices. Main areas of operation cover inclusive education, accessibility, personal assistance for people with extensive impairments and participation in the policy process as key factors for effective social inclusion of disabled people.24

20 http://iped-bg.org/en
21 http://riskmonitor.bg
22 www.aip-bg.org
23 www.modernpolitics.org
24 www.cil.bg
BlueLink is an organised group of environmental organizations, which perform comprehensive monitoring and get people organised for citizen action\textsuperscript{25}.

3. Situation of the HRAW NGOs and their Sustainability

The donors’ expectations that the funding of the civil sector including HRAWs will be financed domestically after the EU membership have not materialized and today Bulgarian NGOs have quite an unbalanced access to resources. This creates a stressful situation for all and including HRAW NGOs.

\textit{“International donors think the support of organizations dealing with human rights is something temporary and when the countries reach democracy, there is no need for it anymore\textsuperscript{26}.”}

One of the factors influencing the situation of HRAWs that is similar to other countries in the CEE is the consequence of the donor driven civil society development. It has been discussed in many studies and articles which argue that separation of NGOs from the disadvantaged groups and their constituencies led to a „project culture“ leaving informal civil society out of the resources flow\textsuperscript{27}. This on one hand helped many NGOs including HRAWs to improve their management practices and organizational development through investments in their training and capacity building and networking. On the other hand it limited the ability of NGOs including the HRAWs to be more embedded in the communities they serve or claim serve. The domestic funding base has not developed as expected\textsuperscript{28}.

Another factor is the lack of civic participation culture, i.e. participatory ethics, interest in public affairs in general, participation in elections, petitions, demonstrations, community work, volunteering, etc.

\textit{“This mentality - that state should be responsible for everything, why should I give, the state should do it - is a typical socialist mentality\textsuperscript{29}.”}

Additionally, an unevenly developed differentiation of roles and positions of public sector, private sector and civil sector actors, especially outside of large cities and capital contribute to the very heterogeneous landscape of Bulgarian civil society which has many excellent examples but also many disappointing cases.

The resource crisis aggravated by the global financial crises resulted in the decrease or even disappearance of some HRAWs’ activities\textsuperscript{30}.

\textit{“In the past, it was easy to get some money for litigation both from the EU and national government. Now it’s impossible… If you have limited resources, you have problems maintaining your staff and also keeping qualified staff, so that they don’t go to the business sector for example.\textsuperscript{31}”}

Many HRAWs face the dilemma what to do in this situation – pursue their mission with very limited resources or try to attract resources for something else and then support their mission. Civicus Civil Society Report in 2006 already reported that:

\begin{itemize}
  \item \textsuperscript{25} [www.bluelink.net]
  \item \textsuperscript{26} Interview with HRAW respondent, March 15, 2010
  \item \textsuperscript{27} Civil Society in Romania and Bulgaria, Europen Council for Non-Profit Organizations, Bruxelles, 2007
  \item \textsuperscript{28} Nations in Transit. Bulgaria, 2009, Freedom House
  \item \textsuperscript{29} Interview with HRAW Respondent, March 15, 2010
  \item \textsuperscript{30} Interview with HRAW respondent, March 12, 2010
  \item \textsuperscript{31} Ibid.
\end{itemize}
The lack of sustainable financial resources is an obstacle to NGO autonomy, making organizations excessively dependent on the external donors. This brings in a sense of insecurity, and often acts as a de-motivator for staff, redirecting them to find work in other sectors and also leads to the adoption of market thinking in third sector management. 32

The stress is reported also by the respondents of this survey:

“The watchdogs aren’t able to fulfill their function anymore. It is a serious problem....some legal aid organizations are finding part-time jobs, so that they can get some money from whatever they do other than the human rights work and they also work on human rights issues”33.

There are also risks that the combination of attracting resources through other activities and pursuing the mission may not work and organizations divert from their missions.

However, there are also more constructive responses to the situation. Some HRAWs try to continue fundraising from traditional sources, primarily foreign sources, that are still available. Such strategy is in short-term useful, however, it does not address the problem of resources in the long run.

Others try to adapt to the new funding situation and develop activities in a non-traditional manner using new means of work, media communication, local fundraising and volunteer networking. Local fundraising is perceived as difficult and unrewarding.

“It is difficult to change the mechanism of funding from international donors to fundraising from local people because on the one hand, traditional giving disappeared during the socialist era here and it was replaced by forced volunteering....Even if people give money to an NGO, they say “OK, we give you the money but we don’t want you to spend it on salaries, we want the money to go for the kids or for the homeless people. We don’t want any intermediary.”34

HRAWs sustainability faces also contextual challenges and obstacles, e.g. not favorable tax legislation. Despite the tendency towards improvement of philanthropic giving in Bulgaria in the last years, the tax legislation is not perceived by private donors or NGOs as favorable. The Government pursued a policy of streamlining and unifying tax legislation in 2007 that resulted in gradual reduction of tax exemptions for NGOs. Specifically, the limit on the tax deduction for donations made by natural persons to NGOs was decreased from 10 percent to 5 percent of taxable income. However, at the same time, NGOs benefit from the overall reduction of corporate taxes, which resulted in more corporate donations. Income from economic activities is always taxed. According to the law, individuals may deduct up to 5% of their income for qualifying donations, i.e. those made to educational and health institutions, organizations with charitable, social, environmental, health, scientific, cultural and sports purposes, registered religious organizations, and the Bulgarian Red Cross.35 There are also other administrative requirements towards NGO board members such as need to prove absence of convictions in order for the NGO to participate in public procurement tenders or competitions under EU operational programs.

NGOs also face reputation problems - there have been some scandals around foundations, so the general public doesn’t trust NGOs very much36.

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32 Civicus, CSI Country Profile 2006: Bulgaria
33 Interview with HRAW Respondent, March 15, 2010
34 Ibid.
36 Interview with HRAW respondent, March 15, 2010
5. Sources of Funding for HRAWs

In the context of HRAWs, the following are main characteristics of the funding situation specifically for the HRAW NGOs:

- Many traditional foreign donors that funded HRAWs have left, others are about to leave soon. The assumption that the EU funds will be used to replace them turned out to be wrong. HRAWs do not find EU funds appropriate or useful for their activities as these funds support primarily services and not advocacy or watchdog activities. Some of the new funds, such as Norwegian Fund, are to some extent helpful and provide some resources to HRAWs. Traditional private foreign funding has decreased in size, but still exists.

- There is a trend in NGO funding that divides NGOs in two distinct types of organizations: NGOs using volunteers and receiving support through local philanthropy, and NGOs dependent on state funding. The HRAWs have difficulties finding support from the local philanthropy and lean more towards public funding, which on the other hand focuses mostly on services or education, but not on advocacy or watchdog issues.

The summary of available funding per source captures the 2010 situation of available funding for HRAW NGOs in Bulgaria:

Foreign private foundations that include the Open Society Institute (Budapest), Balkan Trust for Democracy (Belgrade), CEE Trust (Sofia, Warsaw), Oak Foundation (Geneva), Global Fund for Women, Mama

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37 Interviews with HRAW respondents, March 12, March 15, March 1, 2010
38 USAID NGO Sustainability Index wrote that in 2008, „several changes affected the NGO sector. The withdrawal of donors such as USAID and the end of the PHARE Civil Society Development Programme (CSDP) was softened by the start of the operational programs of the EU. The EU program on administrative capacity had a special component for NGO capacity building. In late 2007, and during 2008, it provided roughly thirty-seven million BGN (about $24 million) for NGO projects – a massive inflow of funding compared to the six million BGN (about $4 million) provided under CSDP. These large amounts of EU funding were distributed by the state, which lead to questions about the political impartiality of the process and its effect on grant recipients’ ability to criticize the government. Despite the new funding opportunities, independent funding sources were decreasing, which has led to worsening financial viability. The global economic crisis also began to take its toll on the NGO sector“.
39 http://www.gmfus.org/balkantrust - The Balkan Trust for Democracy (BTD) is a 10-year, $36-million grantmaking initiative that supports democracy, good governance, and Euroatlantic integration in Southeastern Europe. This public-private partnership was created in 2003 by the German Marshall Fund of the United States, the United States Agency for International Development (USAID), and the Charles Stewart Mott Foundation. Operating from the German Marshall Fund's Belgrade office, BTD awards grants in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Moldova, Montenegro, Romania, and Serbia. BTD also gives regional grants to organizations promoting the benefits of a pan-Balkan network.
40 http://www.ceetrust.org - The CEE Trust for Civil Society is independent public charity incorporated under the laws of the United States of America. Its goal is to promote the development of civil societies in Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia by supporting civil society organizations to gain greater effectiveness and stability. It was established by a group of private American foundations, Atlantic Philanthropies, Charles Stewart Mott Foundation, Ford Foundation, German Marshall Fund of the United States, Open Society Institute, Rockefeller Brothers Fund and expected funding was up to $75 million.
41 http://www.oakfnd.org Oak Foundation commits its resources to address issues of global social and environmental concern, particularly those that have a major impact on the lives of the disadvantaged. The resources of the Oak Foundation originated from an interest in the Duty Free Shoppers business which Alan M. Parker helped to build up. Since 1998 when the Foundation was reorganized and began to hire new staff, it has made over 1500 grants to not-for-profit organizations throughout the world.
42 http://www.globalfundforwomen.org - The Global Fund for Women is an international network of women and men committed to a world of equality and social justice. It advocates for and defends women's human rights by making grants to support women's groups around the world.
Cash (Amsterdam)\textsuperscript{43} Filia-Frauenstiftung (Bochum)\textsuperscript{44} or Oxfam – Novib (Hague)\textsuperscript{45} represent still an extremely important source for HRAWs in Bulgaria and are at the backbone of the HRAW funding in Bulgaria. Some of them will seize to provide grants by 2012 (CEE Trust) or 2013 (BTD) when their activities will phase out.

Foreign public donors and programs in Bulgaria include primarily sources related to EU (Fundamental Rights Agency\textsuperscript{46}, DG Justice, European Commission Framework Programmes, grant schemes within the Life Long Learning Program\textsuperscript{47}, etc.), intergovernmental organizations such as UNESCO\textsuperscript{48}, UNDP\textsuperscript{49}, United Nations Development Fund for Women\textsuperscript{50} or organizations funded from public sources from other EU members, e.g. Germany (German „political“ foundations such s Friedrich Ebert Stiftung\textsuperscript{51}, Konrad Adenauer Stiftung\textsuperscript{52}, Heinrich Boll Stiftung\textsuperscript{53}), U.S. (National Democratic Institute for International Affairs\textsuperscript{54}, International Republican Institute, National Endowment for Democracy\textsuperscript{55}). Many of the traditional bilateral development agencies such as Swiss Agency for Development and Cooperation, the Netherlands' Matra Program, and USAID that supported HRAW NGOs phased out their programmes in 2008. The USAID established in 2008 the Bulgaria Fund, a three-year mechanism managed by the Balkan Trust for Democracy which, by 2010 disbursed all its funds.\textsuperscript{56} A new grant-making foundation relevant for HRAWs established in 2008– the America for Bulgaria Foundation (ABF)\textsuperscript{57} assists in development and growth of a vibrant private sector in Bulgaria, helping the country to realise its full potential as a successful,

\begin{itemize}
\item \textsuperscript{43}http://www.mamacash.org - Mama Cash is the oldest international women's fund - established in the Netherlands in 1983. It supports pioneering and innovative women's initiatives around the world, because it believes that social change starts with women and girls. In the last ten years Mama Cash awarded nearly €19,000,000 to advance women and girls' human rights. It is active in Asia, Africa, the Middle East, Europe, Latin America and the Caribbean, and the Commonwealth of Independent States and funds women and girls' human rights groups that push beyond the status quo to transform unjust systems and relations and bring about fundamental change for themselves and their communities.
\item \textsuperscript{44}http://www.filia-frauenstiftung.de - Filia – Frauenstiftung goal is to support and empower women and women movements around the world. Its assets reach €15 million and it provides grants to CEE women NGOs
\item \textsuperscript{45}http://www.oxfamnovib.nl - Oxfam-Novib is a Dutch Foundation that fights global poverty.
\item \textsuperscript{46}http://www.fra.europa.eu
\item \textsuperscript{47}http://ec.europa.eu/education/lifelong-learning-programme/doc78_en.htm
\item \textsuperscript{48}http://www.unesco.org
\item \textsuperscript{49}http://www.undp.org
\item \textsuperscript{50}http://www.unifem.org - UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies to foster women's empowerment and gender equality
\item \textsuperscript{51}http://www.fes.de
\item \textsuperscript{52}http://www.kas.de
\item \textsuperscript{53}http://www.boell.de
\item \textsuperscript{54}http://www.ndi.org
\item \textsuperscript{55}http://www.ned.org
\item \textsuperscript{56}http://www.gmfus.org/cs/grantmaking/the_bulgaria_fund - The Bulgaria Fund was a 3-year, $3-million grantmaking initiative of the United States Agency for International Development (USAID) and German Marshall Fund-US. Created in 2007, the Fund continued the USAID reform agenda in Bulgaria and provided financial assistance to initiatives that aim to accomplish one of the following objectives:
\begin{itemize}
\item advance the rule of law and local/national judicial and government reform;
\item ensure economic opportunities and social integration for vulnerable groups; and
\item generate a more competitive labor force and labor market through practical, technical, and advanced training programs and career development services.
\end{itemize}
It was managed by GMF's Belgrade-based Balkan Trust for Democracy (BTD) and awarded small to medium sized grants to organizations implementing programs based in Bulgaria.
\item \textsuperscript{57}http://www.americaforbulgaria.org - The ABF is an endowed foundation with $400 million that were accumulated during the successfull activities of the Bulgarian-American Enterprise Fund whose Board of Directors decided after ending of its activity to invest its assets into the foundation.
\end{itemize}
modern European nation. It focuses on four priority areas: a) strengthening the judiciary, b) promoting good governance, c) supporting independent journalism and d) encouraging civic participation.

Domestic public funds represent an important source of existing and potential income for HRAWs. The paradox is that most of the funding in this category originates abroad, but is managed by Bulgarian entities. Main sources in this category include: NGO Fund of the Norwegian Financial Mechanism, EU Structural Funds, subsidies by Bulgarian government. Among them most relevant for HRAWs seems to be the NGO Fund at the Financial Mechanism of the European Economic Area and Norway which is funded by Norway, Iceland and Liechtenstein. It funds directly development of civil society and protection of human rights. In this area it supported 19 ongoing projects with € 317,520 by April 2010. However, there are also limitations to its use by HRAWs as there are complaints about procedures that are similar to the administrative procedures of EU funds and limitations – for example the funds cannot be used for litigation. The advantage of the NGO Fund is that a Bulgarian NGOs manages it, not a government structure.

EU structural funds also represent an important source of funding for NGOs through Operational Program Administrative Capacity (OPAC) that provided 37million BGN (about $24 million) for NGOs in its first two calls for proposals. Not a significant portion of these funds was provided for HRAWs. By mid 2010 most of the funds related to civil society have already been allocated. The Operational Program is focused on effective functioning of the administration and judiciary, improving human resources management and qualification of employees in state administration, judiciary and civil society structures (CSS) and modern service by the administration and judiciary. NGOs are one of the several beneficiaries. As already noted, a serious issue is that most NGO funding provided through EU mechanisms is distributed by the state, in this case by the Ministry of State Administration and Administrative Reform. It leads to political dependence of NGOs and seriously affects advocacy organizations that might be less eager to criticise their donor.

“Now it goes through ministries which is a problem for NGOs and especially human rights NGOs, because there’s a traditional clash between the government and some human rights NGOs. Then, if the government or a specific ministry is an important funding source for you, you try not to be so critical when presenting information on them, because you might lose your funder in the long term.”

It also creates potential corruption opportunities, such as channeling funds to organizations in which state officials are involved. Furthermore, the funding from EU structural funds is very bureaucratic and requires a lot of formal paperwork, as mentioned by the HRAWs.

58 [http://ngofund.flgr.bg/en](http://ngofund.flgr.bg/en) - Romania and Bulgaria became the tenth and eleventh country to launch funds for non-governmental organizations (NGOs) with support from their European Economic Area (EEA) partners Norway, Iceland and Liechtenstein. The NGO funds were eagerly anticipated by civil society organizations in these countries, arriving at a time when other donors were pulling out and shifting focus to non-EU members. The NGO funds under the EEA and Norway Grants make available funding to civil society organizations within areas such as the environment, human rights and democracy, social services and capacity building. The overarching aim of the EEA and Norway Grants is reduction of social and economic disparities in the enlarged EU and European Economic Area (EEA) after 2004, and the strengthening and development of the civil sector is seen as a pivotal part of this. The NGO Fund is in Bulgaria coordinated by two local foundations - the Foundation for Local Government Reform and the Bulgarian Environmental Partnership Foundation. The total amount of funds reserved for NGO Fund is €2.06 million.

59 Interviews with HRAW respondents.

60 [http://www.opac.government.bg/](http://www.opac.government.bg/)

61 Interview with HRAW respondent, March 15, 2010

62 USAID 2008 NGO Sustainability Index
"The program went through the Ministry of Finance and it was administered by one not very clear organization which changed its offices all the time – it was an organization to help NGOs, to organise their administration and reporting systems, but I would not say it was an organization for help because it was for not very big money, so much bureaucracy and so much paperwork."

Some of the respondents believe that an ideal option would be to establish a fund at the level of European Commission – managed in Brussels, but working differently than other funds. It should be supporting human rights activities rather than services.

Another important public source of funding for NGOs is government subsidies which are provided to large constituency organizations. While these are partly relevant for human rights NGOs they are provided without any transparent procedures, reporting, monitoring of the results, etc. So they are currently of limited use for HRAWs. There is no mechanism for distributing funds to NGOs at the local level. At most NGOs traditionally receive in-kind support such as office space from local authorities.63

“In 2005 we applied to a program for support of NGOs, it was a small grant and a lot of paperwork and it was bad administration from this special unit for administration. They hired some company to administrate things and this company was not sufficient. We finished, we had very good results because this project was to support other NGOs when they are using access to information law. For 24,000 euro it was three audits, by KPMG, after that by the Ministry of Finance, a lot of controls not on the results of the projects, but on some very small financial things. All these external audit companies say everything is good, they check 97% of documents and after that the Ministry of Finance starts to check again.64"

Private donors operate in an environment that is not stable. As the Bulgarian Center for Not-for-Profit Law explains, the Ministry of Finance tried in 2008 to eliminate the tax concessions for donations to nonprofit organizations. The proposal was to eliminate all existing concessions including exemption from local taxes on received donations. After a very active campaign of a group of organizations, the Ministry of Finance changed its proposals and re-established all existing exemptions for non-profit organizations. But the truth is that for a second year in a row instead of improving the environment in Bulgaria, the NGOs had to fight for its preservation.65

In the last few years Bulgaria has seen some increase in private and corporate philanthropy, as well as in volunteers. Open Society Institute – Sofia used many volunteers in recent projects, which reduced its budget substantially. Organizations that depend on project funding do not target corporate and private donations, and organizations that depend on donations do not target grants. The general picture is not very promising in general. Membership fees are not a major source of funding except for business associations.

There is a lack of domestic grant-making foundations which some believe is related to poor tax incentives for giving to NGOs.

“In Bulgaria, there is a very little possibility to have some national private donations to NGOs. The donors do not get tax reduction. It’s connected with tax legislation and NGO legislation.66"

In terms of income generation through economic activities it plays a small role among HRAWs. Typically it is related to services which the non-profits sell.

63 USAID NGO Sustainability Index, 2008
64 Interview with HRAW respondent, March 1, 2010
65 Bulgarian Center for Not-for-Profit Law, Annual Report 2008
66 Interview with HRAW respondent, March 1, 2010
“It’s only 2% of our budget. It’s from legal help to some NGOs which have available funds for a kind of permanent legal help including representation in the court or from selling our books or providing paid training services on the access to information and several EU programs…Last year we started to prepare this program for providing paid services, but the market is not very clear.”

“This is one of the sources that is available for human rights NGOs, for example BCNL gets some of its income from paid services, it provides legal services to groups of people that want to register NGOs, NGOs that need advice on issues of funding and operation. But it is very limited.”

7. Conclusions and Recommendations
The situation with the HRAW funding in Bulgaria is similar to Romania or Slovakia. There are no new major sources in sight, rather the existing sources gradually decrease. HRAWs try to adapt to the situation and those that communicate with media and public seem to be more succesfull also in recieving domestic funding. However, HRAWs are not able to secure domestic funding from philanthropy in a short term. The key resources in this situation are EU funding, Norwegian Funding and some others. These funding sources need improvement and restructuring, so they will be relevant not only to service providers but also to watchdogs.

One of the proposals that was discussed among the NGO community recently was to create an NGO fund with state money, but NGOs would take part in its management. This way it would be state funding but in a way detached from the government. Because of the financial crisis, the government does not consider such initiative as appropriate at this moment. For the future there are plans to pursue such option as promoted by the NGO community.

1.2 Bulgaria: Sources

A. List of HRAWs

- The Institute for Regional and International Studies (IRIS), http://www.iris-bg.org
- The Bulgarian Helsinki Committee, http://www.bghelsinki.org
- Bulgarian Association for the Promotion of Citizens Iniciatives (BAPCI), http://www.bapci.org
- Institute for Market Economics (IME), http://www.ime.bg/en
- The Center for Economic Development (CED), http://www.ced.bg
- The International Center for Minority Studies and Intercultural Relations (IMIR), http://www.imir-bg.org
- The Association for European Integration and Human Rights, http://www.eurorights-bg.org/en
• The Information Portal of Nongovernmental Organizations (NGOs) in Bulgaria: http://www.ngobg.info/en/index.html

B. List of Respondents

• Director of HRAW NGO, Sofia
• Director of HRAW NGO, Sofia
• Leader of Human Rights NGO, Sofia

C. Literature and Resources

3) USAID 2008 NGO Sustainability Index
5) Civicus, CSI Country Profile 2006: Bulgaria
6) Bulgarian Center for Not-for-Profit Law, Annual Report 2008
8) http://www.opac.government.bg/