

COOPERATION AGREEMENT

between the
Ministry of Health
and
Transparency International-Bulgaria

THE MINISTRY OF HEALTH, hereinafter referred to as the Ministry,
represented by Desislava Atanasova, as the Minister of Health,

and

TRANSPARENCY INTERNATIONAL – BULGARIA, hereinafter referred
to as TI-Bulgaria, represented by Ognyan Minchev, Chairman of the Board of TI-
Bulgaria,

AWARE that the in order to increase public confidence in the institutions and
strengthen civil control is necessary to stipulate clear and effective rules for interaction
between the non-governmental organizations and the public administration,

TAKING INTO CONSIDERATION that the achievement of tangible results
in corruption prevention is a factor for strengthening the role of civil society and the
introduction of modern standards of transparency and democratic control,

UNITED in the opinion that the creation of an unfavorable institutional and
legal environment for the corruption development, as well as public awareness for the
corruption existence reasons and its consequences is unattainable without the joint
efforts of the state institutions and the non-governmental organizations,

WITH THE OBJECTIVE OF IMPROVED COOPERATION in the
prevention and fight against corruption,

**THE MINISTRY OF HEALTH AND TRANSPARENCY INTERNATIONAL –
BULGARIA**

Have agreed upon the following:

I. PRINCIPLES AND OBJECTIVES OF THE AGREEMENT

1. The Ministry and TI-Bulgaria accept to ensure the implementation of the present agreement in accordance with the principles of equality and mutual respect.

2. The cooperation between the Ministry and TI-Bulgaria will be implemented in observance of the laws of the Republic of Bulgaria and the internal norms of the Ministry.

3. The cooperation between the two parties will be implemented on the basis of common objectives in the prevention and fight against corruption, and also to guarantee transparent and efficient governance.

II. SCOPE OF THE AGREEMENT

4. The Ministry provides opportunity to TI-Bulgaria to perform an independent civil monitoring of the procedures for assigning and execution of public procurement in relation to contract **BG161PO001/1.1-08/2010/014 part of project “Reconstruction of homes for medical and social care of children between ages 0-3” with subject “Execution of construction work in homes for medical and social care for children”, consisting of 8 separate positions, and also the execution of the contracts.**

5. In carrying out the monitoring under Art. 4, the parties shall be guided solely by the need to protect public interest by observing the principles of integrity, transparency, confidentiality and accountability.

6. The public procurement monitoring of the specified in Art. 4 projects shall be implemented within the period of the signing of the present Agreement and shall end no later than 31 December 2013, and will cover the stage of their planning to the end of contract execution.

7. TI-Bulgaria commits to observe during the monitoring process the principles of neutrality, confidentiality, professionalism and reports any possible conflict of interest situation.

8. TI-Bulgaria commits to use only legal means for control and counteracting corruption, and do not distribute information that constitutes business or professional secret or personal data, that have become known in the process of fulfilling this agreement.

III. MEASURES FOR INCREASING INTEGRITY AND COUNTERACTING CORRUPTION IN PUBLIC PROCUREMENT

9. The Ministry commits to work together with TI-Bulgaria in the introduction of policies and mechanisms for integrity in the governance of public resources. The Ministry and TI-Bulgaria jointly develop an Integrity Pact to be offered for signing by the participants in the monitored procedure, specified in Art. 4.

10. The Ministry commits in accordance with the current legislation and its internal regulations to ensure participation in work groups and meetings, and to provide access to information and documentation, necessary for carrying out the monitoring.

11. TI-Bulgaria shall participate in joint or separate teams for monitoring of the procedures specified in Art. 4. In conducting the monitoring, TI-Bulgaria commits to strictly observe the principles of neutrality, confidentiality and professionalism.

12. During the monitoring process, TI-Bulgaria commits to complete a compliance assessment of the monitored procedure with the requirements of the current legislation, and if necessary – to make recommendations, as well as to make public the results of its activity.

III. EXCHANGE OF EXPERTISE IN THE FIELD OF CORRUPTION PREVENTION AND COUNTERACTION

13. TI-Bulgaria shall provide expert assistance on issues concerned with corruption prevention and counteraction, in cases when it has the necessary expertise.

14. The parties of this agreement shall participate in workshops for discussion, elaboration and dissemination of good practices for corruption prevention and counteraction in the preparation, and implementation of projects of significant socio-economic importance.

15. The parties of this agreement shall conduct joint research initiatives in the field of corruption-related issues, in order to optimize the applied anticorruption practices, and enhance the efficiency of preparation and implementation of projects of significant socio-economic importance in the country.

IV. OTHER PROVISIONS

16. The activities of TI-Bulgaria related to the fulfillment of this agreement are financed under the project “PROMOTING INTEGRITY THROUGH ADVOCACY: COUNTERACTING CORRUPTION IN PUBLIC CONTRACTING”, funded by the “Integrity Initiative” of the World Bank and Siemens.

17. Disputes concerning the interpretation and implementation of the present agreement shall be settled by negotiation.

18. For issues unsettled by the present agreement, the provisions of the civil legislation of the Republic of Bulgaria shall apply.

MINISTER OF HEALTH

**CHAIRMAN OF THE BOARD OF
TRANSPARENCY INTERNATIONAL-
BULGARIA**

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DESI SLAVA ATANASOVA

OGNYAN MINCHEV

Sofia, 22.07.2012

Sofia, 22.07.2012