

**NAVIGATING E-DEMOCRACY THROUGH THE ANALYSIS
OF OFFICIAL PUBLICATIONS OF LOCAL ADMINISTRATIONS.
COMPARATIVE LEGAL FRAMEWORK ROMANIA
VS BULGARIA**

Field: Public Law

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Abstract: *Both Bulgaria and Romania share the common goal of fostering open and accountable governance, and their diverse legislative strategies offer valuable lessons for the broader context of democratic development. This article highlights the significance of transparency and access to public information through digitalization in both countries, emphasizing their roles in strengthening democratic societies. Both countries pursued distinct legislative approaches to achieve transparency goals. In Bulgaria, the Access to Public Information Act (APIA) has been instrumental in promoting transparency by mandating the proactive publication of specific information categories. On the other hand, Romania's Administrative Code, particularly Annex 1, represents a significant stride in modernizing public administration. It focuses on digital freedom of information and introduces the digital Local Official Electronic Journal. This comparative analysis aims to shed light on the strengths and weaknesses of each approach, highlighting progress and challenges, and providing insights into the evolution of transparency and accountability in these Southeast European countries.*

Keywords: *transparency and digitalization, Romanian Administrative Code, Bulgarian Transparency Legislation, Access to Public Information, open government, e-democracy.*

The study starts with an intuitive case study right from the beginning, aiming to captivate readers and make the content engaging, informative, and relatable. This case study is designed to draw the audience in, encouraging them to delve deeper into the subject. It sets the stage for a more comprehensive exploration of how official digital publications from local administrations play a crucial role in ensuring transparency.

Why does transparency matter? Case study on importance for transparency in drafting law process and citizen consultation

In a city neighbourhood with tall apartment buildings, there's a green playground where kids and seniors enjoy spending time outdoors. But the future of this playground

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became uncertain, highlighting the need for clear and open decision-making in the community, with citizens actively involved in shaping their neighbourhood.

The Gas Station V.S. Green Park

In pursuit of financial benefits, and without consideration for community well being, a group of influential economic actors in the city, who have the power to impact local decisions, comes up with the idea of replacing the green playground with a gas station. With their money and connections, they went to the local administration of the city hall and shared their plan to tear down the park to make room for their business project.

Such situations pose difficulties for emerging democracies. In certain countries with developing democratic systems, these powerful economic actors could wield substantial influence to advance their goals. The local government may prioritize their proposal, and in the absence of a stable democratic process and without involving citizens in the decision-making, they can proceed with implementing a local decision to remove the trees, dismantle the green playground, and pave the way for the gas station.

However, this is where the principle of transparency and citizen participation comes into play. Before making any decision that directly impacts citizens' lives, local leaders, including the mayor and city councillors, must consult the very people they represent. In this case, the decision to convert the playground and cut down trees to accommodate a gas station required citizen input and consensus.

The Importance of Transparency in the decision-making process is highlighted by this simple case study that reveal the critical need for citizens to have a voice in local decisions that affect their lives. Transparency ensures that citizens' opinions are not only heard but also valued before any local decision is made. This principle of transparency extends to most legislative processes, both at the national and local levels.

Involvement of Citizens in the local legislative processes encompass several steps. However, one necessary aspect is the active involvement of citizens, who should be invited to express their opinions and concerns. In this case, the fate of the playground and the gas station proposal rested in the hands of the community, where open dialogue and participation ensured that the decision ultimately reflected the collective will of the people.

Conclusion. This case study underscores the significance of transparency and citizen involvement in decision-making processes, particularly at the local level. It serves as a reminder that the principles of democracy, when upheld through transparency and citizen consultation, empower communities to shape their future and protect their cherished spaces, such as playgrounds, for generations to come.

Electronic Official publications from local administrations as a tool for transparency

This scenario, where a decision was made without consulting the citizens, illustrates a significant issue. In the absence of a stable democratic process and without involving citizens in the decision-making, local government can proceed with implementing a local decision against citizens will. However, this situation could have been avoided if the draft decision had been made public, allowing citizens to express their opposition before the trees were cut down and the park was demolished. In other words, if there had been transparency in the decision-making process, citizens would not have faced unexpected negative consequences that affect their lives.

Transparency in decision-making is a fundamental aspect of a democratic society. It ensures that citizens are well-informed about proposed changes and have the opportunity to participate in the decision-making process. When decisions are made behind closed doors, without public input, it can lead to mistrust and dissatisfaction among the population. In contrast, a transparent and inclusive approach to governance fosters trust, accountability, and better outcomes for the community as a whole. It allows citizens to have a say in matters that directly impact their lives, creating a more equitable and democratic society.

The publication of draft decisions before the adoption of a law plays a pivotal role in upholding the principles of transparency and citizen consultation within the legislative process. This practice holds immense importance for several reasons. First and foremost, it serves as a fundamental tool for informing citizens about impending changes in legislation. In any democracy, the law directly impacts the lives of individuals and communities. Therefore, it is essential that citizens are well-informed about proposed legal changes that may affect them, their rights, and their responsibilities. By publishing draft decisions, governments ensure that citizens have access to critical information, empowering them to understand the potential consequences of new laws or amendments.

Moreover, this process allows citizens the opportunity to express their opinions and concerns regarding the proposed legislation. Informed citizens can provide valuable insights, constructive feedback, and alternative perspectives that lawmakers may not have initially considered (Ladi&all, 2021)³. This inclusive approach promotes a more comprehensive understanding of the issues at hand and helps refine laws to better address the needs and expectations of the people they serve.

Additionally, the publication of draft decisions enhances accountability within the legislative process. When the government shares its intentions with the public, it becomes more transparent and open to scrutiny. Citizens, civil society organizations, and experts can review the proposed laws, assess their potential impact, and hold lawmakers accountable for their decisions. This accountability is a cornerstone of democratic governance, ensuring that the government acts in the best interests of its constituents.

Furthermore, allowing citizens to express their opposition to decisions that negatively affect their lives is a vital aspect of democratic participation (Lielpēters, 2020)⁴. It enables individuals and communities to voice their concerns and engage in dialogue with decision-makers. In some cases, it can lead to amendments or even the abandonment of proposed laws that do not align with the public interest.

In conclusion, the publication of draft decisions in *Official publications from local administrations* is an indispensable component of transparent and inclusive governance. It informs citizens, invites their input, promotes accountability, and ensures that laws reflect the collective will and best interests of the people. In embracing this practice, governments demonstrate their commitment to upholding the principles of democracy and fostering a closer, more engaged relationship with their citizens.

³ Ladi, S., Angelos, A., Panagiotatou, D. (2021): *Regaining Trust: Evidence-Informed Policymaking during the First Phase of the Covid-19 Crisis in Greece*, South European Society and Politics, DOI: 10.1080/13608746.2021.1983932

⁴ Lielpēters, E. (2020). *Fostering Digital Democracy in Latvia: Opportunities and Limitations*. Proceedings of the University of Latvia Faculty of Business, Management and Economics International Scientific Conference „New Challenges in Economic and Business Development 2020”. p.215-224.

Electronic official publications of local government play a pivotal role in ensuring transparency and promoting open government. In an increasingly digital world, easy access to public information is essential for fostering a sense of trust and accountability within a community. Draft decisions published in official publications from local administrations are a vital component of transparent and inclusive governance (Stan & Tasente, 2023)⁵.

The digital era has brought about a transformative shift in how governments interact with their citizens. Electronic access to public information has become an expectation rather than a luxury (Meyerhoff Nielsen, 2020)⁶. It is a fundamental aspect of democratic governance that empowers citizens by providing them with the knowledge and tools they need to engage meaningfully in their communities.

Official publications serve as a public record of government actions, including draft decisions. Making these drafts available electronically ensures that citizens can review and understand proposed changes to laws and regulations that may directly affect their lives. It allows individuals to stay informed about the decision-making process and actively participate in shaping the outcomes.

Furthermore, electronic access to draft decisions invites citizens to provide input and feedback. This engagement is a cornerstone of democratic governance, as it ensures that the government considers the perspectives and concerns of its constituents. It encourages a collaborative approach to policymaking and fosters a sense of ownership among citizens regarding the decisions that impact their communities.

Transparency is not just about sharing information; it's also about accountability (Fox, 2007)⁷. When local administrations publish draft decisions electronically, it allows for greater scrutiny and oversight. Citizens, civil society organizations, and the media can review these decisions, ask questions, and hold officials accountable for their actions. This accountability ensures that decisions are made in the best interests of the public and not driven by hidden agendas.

In essence, electronic official publications from local administrations serve as a bridge between government and citizens. They create an open and accessible channel of communication, enabling a two-way dialogue that strengthens democracy (Borysenko, 2023)⁸. These publications ensure that laws and regulations reflect the collective will of the people, and they reinforce the principle that government exists to serve and represent its citizens.

In today's digital age, electronic official publications are not just a convenience; they are an indispensable tool for transparent, accountable, and inclusive governance. They

⁵ Stan, M.-I., & Tasente, T. (2023). *Examining information, consultation, and communication in Romanian Local Public Administrations within the online sphere: a case study of Constanta and Cluj-Napoca*. Revista de Comunicaci3n de la SEECI, 56, 357-378. <http://doi.org/10.15198/seeci.2023.56.e847>

⁶ Meyerhoff Nielsen, M. (2020). *The Demise of eGovernment Maturity Models: Framework and Case Studies*. 10.13140/RG.2.2.29704.24323, Doctoral Thesis, Tallinn University of Technology school of Business And Governance

⁷ Fox, J. (2007). *The Uncertain Relationship between Transparency and Accountability*. Center for Global, International and Regional Studies, UC Santa Cruz, Center for Global, International and Regional Studies, Working Paper Series. 17. 10.1080/09614520701469955.

⁸ Borysenko, V.D. (2023). *Electronic government in public administration*. Uzhhorod National University Herald. Series: Law. 2. 36-40. 10.24144/2307-3322.2022.76.2.5.

empower citizens, promote collaboration, and ultimately contribute to a more just and responsive society.

This is why we are further analysing in a comparative way the Romanian and Bulgarian legislation that promote digital access to public information.

Bulgarian Transparency Legislation to promote Access to Public Information

Transparency and access to public information are essential pillars of a healthy democracy and in Bulgaria, efforts to promote transparency and open access to government information have been a crucial aspect of governance. This section examines the legal frameworks that underpin *the principle of proactive publication of information* in Bulgaria, aiming to make government activities more transparent and accessible to the public.

At the core of access to information legislation in Bulgaria is the principle that all information generated and held by public institutions, which is not subject to restrictions, should be accessible to the public. This accessibility is most effectively achieved through the use of modern technologies, particularly the internet. This principle is in line with the Convention on Access to Official Documents of the Council of Europe, which emphasizes the importance of active transparency.

The proactive publication of information by public bodies is regulated by the Access to Public Information Act (APIA)⁹ in Bulgaria. With the adoption of the Bulgarian Access to Public Information Act in 2000, the obligations for promulgation, announcement, and publication of specific categories of information were established, namely in the provisions of Art. 12, Para. 1 and Para. 2, Art.14, Art. 15, and Art. 16. The categories of information of common interest, subject to promulgation by all bodies obliged under the law were listed: normative acts, other official public information provided by law or by a decision of the authority;¹⁰ announcement by all authorities – information which could prevent some threat to the citizens' life, health or security, or to their property; disproves previously disseminated incorrect information that affects important social interests; is of public interest; must be prepared and released by virtue of law; and publication by the executive bodies: description of powers, and data on the organizational structure, the functions and the responsibilities of the administration; list of acts issued within the powers; contact information; summary of data related to the APIA implementation.

This act outlines specific categories of information that must be published without the need for individual requests. These categories include normative acts, other official public information, announcements related to public safety, information of public interest, and more.

While all government bodies maintain websites and publish information about their functions and activities, the legal obligation for proactive publication primarily falls on executive power bodies. Other branches of government, such as the judiciary and legislative branches, have their own rules and timeframes for publishing relevant information.

⁹ APIA, Additional Provisions promulgated in the State Gazette, issue 104/2008: http://www.aip-bg.org/en/legislation/Text_of_the_APIA/200432/

¹⁰ The definition of „official information” is provided by Art. 10 of the APIA: „information contained in the acts of the state or local self-government bodies in the course of exercise of their powers.”

The internet plays a vital role in modern transparency legislation. Government institutions are encouraged to use publicly accessible websites to publish information, making it readily available to citizens. This „Internet clause” was introduced in the Bulgarian Access to Public Information Act in 2008.

Categories of Information of Common Interest. Proactive publication involves making specific categories of information available to the public. These categories typically include institutional information, organizational information, operational information, decisions and acts, public services information, budget information, and more. These standards for publication align with the global Open Government Partnership initiative, emphasizing transparency and accountability.

Despite that Access to Public Information Act (APIA) in Bulgaria, enacted in 2000, has been instrumental in setting the foundation for access to public information it falls short in addressing the establishment of a unified portal for administrative acts. The initial intention to create a Register of Administrative Structures and Administrative Acts¹¹, as envisioned in 2000, remains unfulfilled. In 2002, the obligation for publication of administrative acts in this Register was repealed, leaving only acts related to regulatory regimes. Presently, the database is titled the Administrative Register but does not encompass administrative acts, except those related to regulatory regimes.

Additionally, although the law mandates the publication of municipal council decisions through municipal websites and other means, it lacks specific guidelines for the online dissemination of this information. This has led to disparities in the accessibility of municipal council decisions (Burdiak & Klym, 2022)¹².

The gaps in legislation extend to various areas beyond administrative acts. The proactive disclosure of financial information, such as draft budgets, budgets, financial reports, and draft financial reports, is governed by the Public Finance Law. However, this law may not provide clear directives on the extent and manner of disclosure.

The Electronic Government Act (EGA)¹³ obligates electronic service providers to publish information about the services they offer, including contact details, appeals procedures, service costs, technical specifications, and accessibility in various languages. While this is a positive step, compliance and uniformity in meeting these requirements may vary (Lazarova, & all, 2022)¹⁴.

In a significant stride towards transparency, the amendments to the Public Procurement Act in 2014¹⁵ introduced obligations for the complete documentation related

¹¹ Regulations for the Conditions and the Procedure of the Maintaining and Using of the Administrative Register, adopted with a Decree of the Council of Ministers No. 132 as of May 12, 2011, promulgated in the State Gazette, issue 39/2011, <http://ar2.government.bg/ras/>

¹² Burdiak, V., & Klym, R. (2022), *Formation of e-Governance in the Republic of Bulgaria as a Factor of Modernization of Public Administration*. Историко-політичні проблеми сучасного світу. 140-152. 10.31861/mhpi2022.45.140-152.

¹³ Electronic Government Act, promulgated SG issue 46/June 12, 2007, effective June 13, 2008; amended SG issue 82/October 16, 2009, effective October 16, 2009; amended SG issue 20/February 28, 2013; amended SG issue 40/ May 13, 2014, effective as of July 1, 2014.

¹⁴ Lazarova, E., Veselinova, N., Gospodinov, Y., Stoyanova, M., (2022). *Challenges faced by municipalities in Bulgaria in the implementation of Electronic Administrative Services*, Economic and Social Development 86th International Scientific Conference on Economic and Social Development, Lisbon, 23-24 September 2022

¹⁵ Public Procurement Act as of 2014, introduced in Chapter Three “Buyer's Profile” Art.22b, 22c and 22d, establish obligations for publication of the complete documentation related to a public

to public procurement to be published online. This move aligns with the growing public interest in procurement transparency. However, effective implementation and monitoring of these obligations remain essential.

In conclusion, Bulgaria has made important strides in legislating access to public information. However, the existing gaps and ambiguities in the regulatory framework, particularly in terms of proactive publication and the establishment of unified portals, pose challenges to the effective exercise of citizens' right to access information. Addressing these issues is crucial to enhancing transparency, accountability, and good governance in Bulgaria. By establishing clear categories of information, embracing the internet, and adapting to evolving needs, Bulgaria is working to foster a culture of openness and accountability within its government. This commitment to transparency is crucial for building trust between citizens and their government, ultimately strengthening the foundations of democracy in the country.

Administrative Code of Romania provisions to promote Access to Public Information

Legal codification is a means of simplifying legislation, allowing the creation of a single document in a specific legal area and the consolidation of scattered norms to make them coherent and accessible. Codification is, therefore, an instrument for systematizing and concentrating legislation in a particular field or branch of law, subject to common principles, in the form of a unified structure called a code. Accordingly, the notion of "code" has been defined in the legal literature as „a coherent body of texts incorporating, according to a systematic plan, all the rules concerning a subject” (Balan et All. 2022¹⁶).

In Romania, the discussion about codifying administrative law had persisted for over two decades until a recent development. Government Emergency Ordinance no. 57/2019, known as the Administrative Code, was enacted. This landmark legislation, adopted following numerous legislative initiatives, political projects, and doctrinal debates, is designed to enhance clarity and efficiency in public administration.

Integrating 16 normative acts, which are thus correlated/harmonized, the Administrative Code reduces the risk of non-uniform interpretation/application. Furthermore, it uniformly defines a series of fundamental concepts for public administration (public authority, public service, public office, etc.), effectively eliminating outdated or contradictory norms and legislative parallels.

As the first comprehensive normative intervention addressing the roles, functions, organization, and functioning of both administrative levels (central and local public administration), the Administrative Code also encompasses their main pillars of activity. These encompass personnel employed within central and local public authorities, management of public and private property of the state, and the provision of public services. Responding to long-standing needs and issues this initiative was prompted by practitioners (elected officials, civil servants, etc.) who sought to address these challenges effectively.

procurement on the Internet site of the contracting authority; Public Procurement Act, promulgated SG; amended SG issue 40/May 13, 2014, effective July 1, 2014.

¹⁶ Balan et All. (2022), *Administrative Code: present and perspectives in the Romanian administrative space*, publishing house Wolters Kluwer, Bucharest, Romania, 2023.

In fulfilling commitments made by the Government of Romania in its relationship with the European Commission, elaboration of the Administrative Code effort is pivotal to align with the European Union's policies on good governance and smarter regulation through legislative codification. Consequently, the Administrative Code establishes the general framework for adapting the structure and mandates of central and local public administration to the needs of citizens, ensuring the optimal framework for allocating competencies between central and local public administration.

The process of substantiating and elaborating the Administrative Code was carried out with the support of a large number of actors involved in public administration or beneficiaries of the services provided (representatives of central and local public institutions and authorities, associative structures of local public administration authorities, civil society, the academic environment, various practitioners, etc.).

The Administrative Code is structured into 10 parts¹⁷ and six annexes that are an integral part of the law and possess equal legal authority. This signifies that these annexes are regarded as inseparable components of the law itself. Consequently, all provisions, clauses, and regulations delineated in these annexes carry identical legal weight and possess the same legal force as the remaining provisions of the Administrative Code.

Annex 1 of the Administrative Code plays a pivotal role in promoting the dissemination of legislation and enhancing the accessibility of normative acts for all citizens, seamlessly integrating itself within the code.

Administrative Code and advancing digital democracy in Romania. Annex one on Transparency and Publication of Administrative Acts

In an age of digital transformation, the principles of transparency, accessibility, and accountability in public administration are more critical than ever. One remarkable step towards achieving these goals in Romania is embodied in Annex 1 of the Administrative Code. This annex not only establishes the legal framework for the publication of administrative acts but also paves the way for the digitalization of democratic processes, promoting transparency in public administration. In this text, we will delve into the significance of Annex 1 and its role in ensuring digital freedom of information (digital FOIA) through the „Local Official Electronic Journal.”

Annex 1 of the Administrative Code serves as a cornerstone for enhancing transparency in Romania's public administration. It outlines a comprehensive legal framework that governs the publication of administrative acts, aligning with the evolving landscape of digital governance. By doing so, it not only modernizes administrative practices but also aims to empower citizens with unprecedented digital access to vital information.

One of the central tenets of Annex 1 is the concept of digital freedom of information (digital FOIA). This concept enshrines the principle that public information should be readily accessible to all citizens in an electronic format. It signifies a paradigm shift towards open governance, where the public's right to know is facilitated by digital means. The „Local Official Electronic Journal” is a key vehicle through which this digital FOIA principle is realized.

¹⁷ Structure of Administrative code includes: General Provisions; Central Public Administration; Local Public Administration; The Prefect; Public and Private Property of the State; Status of Civil Servants; Administrative Liability; Public Services; transitional and Final Provisions; Amendments.

The „Local Official Electronic Journal”. At the heart of Annex 1's digitalization drive is the „Local Official Electronic Journal”. This platform mandates that every administrative-territorial unit, including communes, establish and maintain an electronic journal on their official websites. This journal becomes a dynamic repository of administrative acts, decisions, and information that directly impacts the lives of citizens.

The Content of Local Official Monitor label must include six sub-labels, each with its own set of responsibilities, ensuring compliance with various legal provisions:

1. Status of the municipality – is a formal document that establishes the internal rules and procedures for the operation and administration of the municipality as a public entity.
2. Internal Administrative Procedures of Municipality: It includes methodological measures, organizational aspects, timelines, and the flow of documents¹⁸.
3. Resolutions of the Decision Body – administrative acts adopted by the local council, or the county council.
4. Provisions of the Executive Body – administrative acts issued by the mayor or county council president.
5. Financial Documents and Information: Ensures compliance with obligations related to the publication of the local budget as per the law's requirements.
6. Other Documents: This category covers any additional documents of public interest.

In essence, Annex 1, in alignment with the transparency principle, mandates the publication of two categories of administrative acts in digital format through the Local Official Electronic Monitor: (1) resolutions of deliberative authority, including those of the Local Council (H.C.L.) and County Council (H.C.J.) and (2) provisions of executive authority, including those by the mayor and county council president.

Annex one of the Romanian Administrative Code represents a significant leap towards embracing digital democracy and transparency in Romania's public administration. It not only reflects the changing landscape of governance in the digital age but also empowers citizens by providing them with the tools and information they need to actively participate in the democratic process. As the world continues to evolve digitally, Annex one stands as a testament to Romania's commitment to open and accessible governance, where the principles of digital freedom of information come to life through the „Local Official Electronic Journal”.

The „Local Official Electronic Journal” plays a pivotal role in the realm of digitalization and transparent governance, as mandated by the Administrative Code. Its significance lies in several key aspects that collectively contribute to a more open and participatory system of public administration.

First and foremost, the journal prioritizes *accessibility*. It acts as a bridge between the government and its citizens, ensuring that public information is readily available and just a click away. By offering an easily navigable platform, it empowers citizens to access administrative acts effortlessly. This accessibility is fundamental in promoting

¹⁸ Examples: Procedure for issuing identity documents. Procedure for registering births, marriages, and deaths. Procedure for issuing residency certificates. Procedure for managing construction permits. Procedure for public procurement and tendering. Procedure for handling petitions and complaints. Procedure for urban planning and land use.

transparency, as it allows individuals to delve into the details of government actions, thereby enhancing their understanding of how decisions are made and implemented.

Timeliness is another critical facet of the journal. It mandates the prompt publication of administrative acts. This commitment to timely disclosure ensures that citizens are informed promptly about government decisions that directly impact their lives and communities. This proactive approach prevents information from being concealed or delayed, fostering trust in the government's dedication to transparency.

The journal's embrace of a *digital format* is also a significant stride towards modernization and inclusivity. Recognizing the importance of digital FOIA in today's interconnected world, it ensures that information is available in electronic formats. This shift not only broadens the audience but also caters to the preferences of individuals who rely on digital platforms for information. It aligns the administrative process with contemporary communication trends.

A core tenet of the official electronic journal is promoting *accountability*. By mandating the publication of administrative acts, it holds public officials accountable for their decisions. This essential requirement means that government actions are not conducted in secret but are subject to public scrutiny. When citizens can review these acts, they have the means to assess whether officials are acting in the best interests of the public. Furthermore, it allows citizens to voice concerns and engage constructively with the government, fostering a culture of responsibility within the administration.

Ultimately, the official journal seeks to *empower* citizens. It enables them to actively participate in local governance by providing the necessary tools and information. Citizens can monitor government decisions, track policy implementation, and voice their opinions on matters that directly affect their communities. This *empowerment* strengthens democracy by transforming citizens from passive observers into active participants in the governance process. It encourages civic engagement and establishes a robust and collaborative relationship between the government and the governed. In essence, the "Local Official Electronic Journal" goes beyond being a mere administrative tool; it is a catalyst for transparent governance through digitalization. By championing accessibility, timeliness, digitalization, accountability, and citizen empowerment, it paves the way for a more informed, engaged, and democratic society.

Transparency in public administration procedures outlined in the Administrative Code and related legislation, plays a pivotal role in fostering trust, accountability, and citizen engagement in Romania's governance. The integration of transparency principles into administrative practices enhances the accessibility of information and promotes good governance, ultimately contributing to a more open and participatory democracy.

Conclusion

Transparency and access to public information are fundamental principles that underpinned the functioning of democratic societies in both Bulgaria and Romania. These nations made concerted efforts to legislate and implement mechanisms to promote transparency, accountability, and open access to government information. These mechanisms were essential for building trust between citizens and their governments, ultimately strengthening the foundations of democracy. In this comparative analysis, we examined the approaches taken by Bulgaria and Romania to enhance transparency and accessibility in public administration and focused on the Access to Public Information Act

(APIA) in Bulgaria and Annex 1 of the Administrative Code in Romania, both of which played pivotal roles in shaping the transparency landscape in their respective countries.

While both nations shared the common goal of fostering open and accountable governance, they chose different legislative avenues to achieve this objective. Bulgaria's APIA – Access to Public Information Act emphasized proactive publication of specific categories of information by government bodies, while Romania's Annex 1 of Administrative Code placed a strong emphasis on digitalization and the creation of the „Local Official Electronic Journal” to facilitate access to administrative acts.

In Bulgaria, the Access to Public Information Act (APIA) has played a central role in promoting transparency and access to government information. It has outlined specific categories of information that must be proactively published, including normative acts, public safety announcements, and information of public interest. However, there are still gaps in the legislation, particularly in the establishment of a unified portal for administrative acts and guidelines for online dissemination of municipal council decisions. Addressing these issues is essential to enhance transparency, accountability, and good governance in Bulgaria.

Romania's Administrative Code represents a significant step towards modernizing public administration and promoting transparency and accessibility. Annex 1 of the Administrative Code focuses on digital freedom of information (digital FOIA) and introduces the „Local Official Electronic Journal”, a platform that mandates the electronic publication of administrative acts. This initiative empowers citizens by providing easy access to vital information, promoting accountability, and fostering a culture of responsibility within the government. The journal's focus on accessibility, timeliness, digitalization, accountability, and citizen empowerment signifies Romania's commitment to open and accessible governance in the digital age.

Through this comparative analysis, we will examine the strengths and weaknesses of each approach, highlighting the progress made and the challenges faced, aiming to provide insights into the evolution of the transparency and accountability landscape in these two Southeast European countries.

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