



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

**Consideration of reports submitted by States
parties under article 35 of the Convention**

Initial reports of State parties due in 2014

Bulgaria*

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Preamble

I. Common strategic document

1. Protection of the rights and basic freedoms of the person and the establishment of common standards constitute a major priority of the policy of the Republic of Bulgaria. The Ministry of Labour and Social Policy (MLSP) is directly responsible for the coordination and control of the activities related to the implementation of the standards of the United Nations, the International Labour Organization (ILO) and the European Council in the national legislation as well as the good practice in the field of labour and social policy. It is also responsible for the preparation of periodic reports on various international treaties, and in relation to the control mechanisms of the ILO and the Council of Europe.

2. Convention No. 102 of the International Labour Organization on social security (Minimum Standards) of 1952, in Section IX “Compensation for permanent disability”, provides for compensation for disability. The Convention provides minimum standards for structuring, administration and financing of the compensations covering nine main groups of compensable cases: medical care, sickness, unemployment, old age, accidents at work, family, pregnancy and childbirth, for permanent disability and death.

3. Bulgaria is a Party to the European Social Charter (revised) of the Council of Europe and prepares an annual report on national law and practice associated with the relevant provisions of the Charter.

II. Part of the specific document based on the treaty, submitted to the Committee, relating to the general provisions of the Convention

Articles 1 to 4 of the Convention

1. Legislation and strategic documents

4. The Republic Bulgaria is developing legislation to ensure legal guarantees of non-discrimination and equal opportunities, as well as the integration of people with disabilities in all areas of public life. According to the Constitution, all persons are born free and equal in dignity and rights, and Bulgarian citizens are equal in law. There shall be no restriction of rights or privileges based on race, ethnicity, gender, origin, religion, beliefs, education, political affiliation, personal or social status or property status. According to the Constitution the State shall guarantee the life, dignity and rights of the individual and creates the conditions for the free development of both the human personality and civil society.

5. The Constitution states that “old people without relatives and unable to make their own living, and persons with physical and mental disabilities, shall enjoy the special protection of the state and society”. This indicates that people with disabilities enjoy the special care of the state and society. In this connection a number of norms have been established which govern both the rights and the obligations of the main participants in these relationships.

6. The state protection policy of the rights and integration of people with disabilities in the Republic of Bulgaria is a part of the policy of protecting and promoting human rights and fundamental freedoms and is implemented by the Council of Ministers, the Minister of

Labour and Social Policy, the district governors and local authorities. It is being implemented in cooperation with the national representative organizations of and for disabled people, the national representative organizations of employers, and the national representative organizations of employees, in accordance with the adopted national strategy for people with disabilities.

7. The Ministry of Labour and Social Policy leads the policy for people with disabilities, therefore the Minister is the Chairman of the National Council for the Integration of Persons with Disabilities (NCIPD).

8. The National policy for persons with disabilities is implemented by achieving the objectives set in the long-term strategy – Strategy for Equal Opportunities for People with disabilities 2008–2015, of the Republic of Bulgaria (hereinafter referred to as the “National Long-Term Strategy”), which was adopted by the Council of Ministers in 2007. The National Long-Term Strategy was adopted before the signing and ratification of the Convention on the Rights of Persons with Disabilities (the Convention) and following the recommendations of the Council of Europe and the best practices of the European Union Member States. Immediately after the ratification of the Convention in 2012, the Strategy was updated to correspond both to the Convention and to the new European Strategy for People with Disabilities. The aim of the Strategy is the effective implementation of the policy of the Bulgarian government to improve the quality of life of people with disabilities. It contains strategic objectives and outlines the measures that need to be performed to remove the existing barriers (psychological, educational, social, cultural, professional, financial and architectural) to social inclusion and equal integration of people with disabilities, and to create guarantees and incentives for equal opportunities for people with disabilities and their full participation in society.

9. The main priorities of the National Long-Term Strategy are the following: creation of environment which is adapted to the needs of persons with disabilities; changing the model of care for children with disabilities from placing them in specialized institutions to care in family environment; guaranteed access to quality education for people with disabilities; providing complex medical and social rehabilitation. Facilities, assistive devices and equipment and medical devices, expanding employment opportunities for people with disabilities and their inclusion in various programs to provide suitable jobs; priority development of social services in the community. Development of alternative forms of services; providing equal opportunities for sports, recreation, tourism and participation in cultural life; increasing the level of public awareness about the problems and opportunities of people with disabilities, change of public attitudes towards them. For the implementation of the strategy two-year action plans are developed and adopted, which set out the specific measures, indicators and deadlines. The main source of funding for the activities in implementation of a national long-term strategy are the state budget and the municipal budgets, and the largest additional source of funding for these policies are the Structural Funds of the European Union through the respective Operational Programs.

10. There are ongoing discussions on legislative changes to provide accessible built environment and to regulate the terms set by the Convention “universal design” and “reasonable accommodation.”

2. Basic principles and obligations

11. The national legislation contains provisions in accordance with the “building and maintaining the built environment, which impedes the access of persons with disabilities to public places” is considered as discrimination.

12. Architectural standards for accessibility for new buildings are being developed and applied, and at the same time there is an ongoing process of adaptation to the requirements

of accessibility of existing buildings and public spaces, and efforts are being made to accelerate the process. The minimum accessibility requirements are regulated by a regulatory act for the design, implementation and maintenance of buildings in accordance with the requirements for accessible environment for the population, including people with disabilities.

13. The Agency for People with disabilities funded projects on a competitive basis of employers from common and specialized work environment for providing access to work places for persons with permanent disabilities, as well as for their adaptation and equipment, which is regulated by the Law on Integration of People with Disabilities. For this purpose 121,684 Levs were paid in 2012 for providing accessible work environment.

14. Given this definition and the definition of “communication” and “language” it should be considered that according to the Law on Integration of People with Disabilities “integration of people with disabilities is accomplished by ... Item 4. “accessible living and built environment”; ...Item 7. “available information”. Jointly a regulatory act provides definitions of the terms which regulate part of the requirements for urban areas and their elements, namely:

“9. ‘Accessible information card’ is a card that can be read by a wide range of people with reduced mobility, including by disabled people and foreigners.

10. ‘Accessible website’ is a website that can be used by people with visual, mental disabilities, and by foreigners.

11. ‘Tactile Signs’ and ‘Tactile Control’ are signs or controls, including raised pictograms, symbols or Braille. Tactile pictograms and symbols are with depth over the main surface of at least 0,5 mm, with square ends (not rounded or sharp) non-engraved into the surface. Pictograms and symbols are made so that with a single touch of the fingers to feel both sides of the letter, number or symbol. The smallest height of a letter or a number should be 15 mm.”

15. The Bulgarian government is carrying out a consistent policy for the protection of the rights of people with disabilities and their full participation in society step by step. In parallel with the process of ratification of the Convention on the Rights of Persons with Disabilities, the Ministry of Labour and Social Policy has developed a two-year action plan for implementation of the Convention, which contains measures to align its provisions with the Bulgarian legislation and policies in this area (the Action Plan for Implementation of the Convention). The plan was drawn up with the participation of all interested parties, including representatives of organizations of and for persons with disabilities and the social partners. It was reviewed and approved by the National Council for the Integration of People with Disabilities, which is a consultative body at the Council of Ministers aimed at implementing cooperation with the civil society in this area.

16. The Action Plan outlines the specific steps, clearly defines the roles and functions of the various government authorities and interested parties. It contains 10 strategic and operational objectives, the activities for their implementation are identified, the deadlines for implementation, the expected results, the indicators and responsible institutions. The practical implementation of the provisions of the Convention on the Rights of Persons with Disabilities sets out some key challenges for the Bulgarian government, which have been considered in the drafting of the Action Plan for Implementation of the Convention, namely:

- Identification of key areas that need legal reform and taking consistent steps on introducing the Convention requirements;

- Defining and implementing a coordination mechanism and a monitoring mechanism for the implementation of the Convention, with clearly defined roles, tasks and responsibilities of the institutions involved;
- Capacity building among government officials and experts from different fields to properly implement the provisions of the Convention;
- Widely promoting the principles of the Convention in the public and civil society involvement in the process of its implementation;
- Providing periodic updates of the activities related to the implementation of the Convention and monitoring the application of the provisions of the Convention.

17. To coordinate the implementation of the Action Plan for Implementation of the Convention, as early as February 2013 a group of experts was established (hereinafter referred to as “Coordination Group”) with representatives who are contact points at all responsible state authorities. It operates for the duration of the Action Plan for Implementation of the Convention and aims to develop a coordination and monitoring mechanism, also a proposal for the responsible authorities under Article 33 of the Convention. Parallel to this, the coordination group monitors the performance of the measures in the Action Plan in relation to the implementation of the different articles of the Convention, which, in the long term, require the realization of reforms in the areas of competence of the various institutions for each separate reform. In this regard the leading institution in the respective field, after a thorough analysis and advice, prepares a proposal of concept for synchronization of the regulatory framework in accordance with the provisions of the Convention. They specify the scope of the needed legislative changes, indicating the time frame for their implementation. The leading institutions in the field are engaged, which aim to establish a working group with the participation of all concerned. Subsequently the proposals are discussed in the coordination group, approved by the leading institution, coordinated with the Ministry of Labour and Social Policy, the other relevant institutions and the National Council for the Integration of Persons with Disabilities. The activities set out in the Plan are already in progress, and for this purpose an expert group is operating to coordinate its implementation, which also includes representatives of the social partners and organizations of and for persons with disabilities.

18. The analysis of the Convention imposed the adoption of a concept for its implementation, which contains measures of a long-term nature. Actually the concept follows the Articles of the Convention and develops the proposed regulatory changes and individual practices. The process of preparation and adoption includes holding discussions with all concerned parties. At a conceptual level the following documents were adopted, which outline the measures for the implementation of Articles 9, 11, 12, 14, 18, 19, 24.

19. The national legislation regulates social relations associated with the integration of people with disabilities and the need to create conditions and guarantees for equality of people with disabilities, their social integration and the exercise of their rights, providing support to people with disabilities and their families and their integration into the work environment. It is also states that no direct or indirect discrimination against people with disabilities is allowed, and their integration is done through medical and social rehabilitation, provision of education and vocational training, employment and career development, providing affordable living and built environment, offering a wide range of social services, ensuring socio-economic protection and provision of accessible information.

20. The national legislation regulates the terms “disability” and “a person with permanent disability.” Disability is seen as a loss or distortion in anatomy, physiology or mental health of an individual, and “a person with permanent disability” is a person who as a result of anatomical, physiological or mental impairment is with permanently reduced

capacity to perform activities in the way and to the extent, which are possible for a healthy person, and that the medical expert authorities have determined a reduced performance or a specific type and degree of disability of 50 and over 50 per cent. An analysis of the national legislation on the definition of a person with disability is pending, and performing consultations for planning of reforms on the expert examination of people with disabilities.

21. Currently an integrated information system of medical expertise is built in Bulgaria, as well as a centralized register of persons who have passed a medical expert examination. The aim is to perform analysis and specification of the information flows between all the institutions and bodies of medical expertise, as well as to create a public portal for citizens and to provide controlled access to the system on the Internet.

22. The realization of the project of the Agency for Persons with Disabilities to create a Unified Information System for people with disabilities was completed. Intention is, by supplying with information from all institutions, to realize good planning of measures for the rights of people with disabilities, to support them and their families in the spirit of the Convention on the Rights of Persons with Disabilities.

III. Part of the report on the specific rights

Article 5 – Equality and non-discrimination

23. The Law on Protection against Discrimination regulates the protection against all forms of discrimination and the ways for its prevention. The purpose of the law is to give every person the right to equality in law, equality in treatment and in the opportunities for participation in society, effective protection against discrimination. Law protects against discrimination all individuals in the Republic of Bulgaria by forbidding any direct or indirect discrimination based on sex, race, nationality, ethnicity, human genome, citizenship, origin, religion or faith, education, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or any other features, established by a law or by an international treaty to which Bulgaria is a party.

24. Direct discrimination is any less favorable treatment of a person on the basis of the above mentioned features, than if another person is being treated, was treated, or would be treated in similar circumstances.

25. Indirect discrimination is, on the basis of the features indicated in the law, to put a person in a less favorable position compared to other persons through a seemingly neutral provision, criterion or practice, unless that provision, criterion or practice is objectively justified and with a legitimate aim, and the means to achieve the aim are appropriate and necessary.

26. An institution for human rights – the Commission for Protection against Discrimination has been operating since 2005. The Commission is an independent specialized state body for prevention and protection against discrimination, ensuring equal opportunities and controlling the implementation and compliance of Bulgarian and international anti-discrimination norms. The Commission for Protection against Discrimination is an accredited United Nations body for the protection of human rights, possessing B-status, in relation to meeting the criteria of the institution of the Paris Principles.

27. In its activities in accordance with its competence, the Commission for Protection against Discrimination monitors areas of discrimination, which correspond to Articles 5, 6, 7, 9, 12, 24, 25 and 27 of the Convention. The Commission also addresses issues related to the construction and maintenance of the built environment which hampers access of

persons with disabilities to public places, as object of discrimination. According to the legislation special measures in favor of persons or groups of persons with disabilities do not constitute discrimination, including measures on the grounds of the “disability” feature, in order to equalize their opportunities, as far and as long as such measures are necessary, and that the special protection of persons with disabilities, which is established by a law, does not constitute discrimination.

28. The scope of the regulations of the Law on Protection against Discrimination states that “the prohibition of discrimination is in force for everyone in the exercise and protection of the rights and freedoms provided by the Constitution and laws of the Republic of Bulgaria. In the preparation of draft regulations and in their application the state and public bodies and local government bodies comply with the objective of preventing direct or indirect discrimination on base of the mentioned features.”

29. These general principles of the Convention are implemented and applied in the work of the Commission for Protection against Discrimination and the Ombudsman of the Republic of Bulgaria within the competences assigned to them by law. It can be assumed that the obligation to take steps to ensure recognition and possibility to exercise of all rights and fundamental freedoms for all persons with disabilities without any discrimination on the basis of disability are implemented through the existing system of rules in national law. Part of the necessary legislative, administrative and other measures for the implementation of the rights recognized by the Convention are governed by regulations of the Law on Protection against Discrimination, the Act on the Integration of Persons with Disabilities, the Spatial Planning Act, the Employment Promotion Act, and with a number of sub-legislative acts.

30. The Ombudsman Act stipulates that the Ombudsman defends with the means provided in the Act, when by any act or omission the rights and freedoms of the citizens are violated by state and municipal authorities and their administrations, as well as by persons assigned to provide public services. In his work he is independent and subject only to the Constitution, the laws and ratified international treaties to which Bulgaria is a party, guided by personal conscience and morality.

31. All state bodies are involved in the policy of the government in terms of equal treatment of people with disabilities and the realization of their rights set out in the Convention.

32. In the process of legislative regulation of the various public relations, prohibition of discrimination was introduced in national law, including on grounds of “disability”, and in the preparation and amendment of the existing legislation the requirements to harmonize it with the rights of people with disabilities provided for by the Convention are implemented. In the framework of proceedings for protection against discrimination the Commission has found non-compliance with the rules on equal treatment of people with disabilities, of legislative and sub-legislative acts. In accordance with the competence of the Commission for Protection against Discrimination its panels have made recommendations or directions for the repeal or revision of discriminatory norms of different acts.

33. The Law on Integration of People with Disabilities and its Implementing Regulations further elaborate the constitutional provision that people with disabilities are under the special protection of the state and society. It is based on the principles of prohibiting and preventing any form of discrimination based on disability. This law is in accordance both with national experience in this field, and the recommendations and best practices of the Member States of the European Union. The greatest concentration of legal rules concerning the rights and obligations of persons with disabilities is precisely in the Law of Integration of People with Disabilities. In this special by its nature law the basic legal definitions of a disabled person, a person with a permanent disability, and the like are

given. Both in the social and in the educational sphere, the type and degree of disability determine the specific needs of its bearer, and the need to apply an individual approach in the selection of the countervailing measure. The Bulgarian legislator has created the necessary mechanisms to ensure the realization of the right of people with disabilities in Bulgaria to independence and social integration. The Law on Integration of People with Disabilities also indicates the definitions of direct and indirect discrimination.

34. The Social Assistance Act expressly states that in the provision of social services no direct or indirect discrimination of persons is allowed on grounds of sex, race, nationality, ethnicity, human genome, citizenship, origin, religion or faith, education, beliefs, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or on the grounds of any other features established by a law or by an international treaty to which Bulgaria is a party. In accordance with the provisions of the multilateral international acts which have been ratified by Bulgaria, the Law on Child Protection ensures the protection of the fundamental rights of the child in all spheres of public life for all groups of children according to their age, social status, physical health and mental condition. The provisions of the Act specifically define the right of every child to protection of its normal physical, mental, moral and social development, and the protection of its rights and interests, and in the realization of this right the provisions of the law do not allow any limitations based on race, ethnicity, gender, origin, property, religion, education, beliefs or disability.

35. In the implementation of the measures supported by EU funding for increased economic activity, employment, education, training, social inclusion, the principles of equality and non-discrimination are being observed. In the implementation of all actions the focus is on the development of adequate tools to ensure equal opportunities. Among the anti-discrimination measures gender equality and the development of national plans to promote equality between women and men are considered. This process involves non-governmental organizations that are associate members of the National Council on Equality between Women and Men at the Council of Ministers.

Article 8 – Awareness-raising

36. The Action Plan for the Implementation of the Convention sets as a measure Awareness-raising and changing attitudes on the rights of persons with disabilities. The aim is to promote the Convention among the Bulgarian public, with a special focus on awareness-raising of the officials from the local, regional and central government about the rights of people with disabilities.

37. In 2012 the Ministry of Labour and Social Policy, together with the Ombudsman of the Republic of Bulgaria and organizations of and for people with disabilities held a round table discussion on the Convention.

38. In 2013, a seminar on the Convention on the Rights of Persons with Disabilities and the Action Plan for its Implementation was held, the purpose of which was to exchange experiences and best practices on an international level and to present the Bulgarian experience in the application of the Convention on the Rights of Persons with Disabilities. It was attended by international experts from the Federal Ministry of Labour, Social Affairs of the Federal Republic of Germany, the Federal Ministry of Labour, Social Affairs and Consumer Protection of the Federal Republic of Austria, who presented the experience of the two countries in implementing the Convention on the Rights of Persons with Disabilities.

39. Every year the Agency for People with Disabilities funds bids of non-profit organizations of and for people with disabilities to change public attitude towards people

with disabilities towards considering them as Bulgarian citizens of full value. The projects give publicity to and demonstrate active social position, achievements in the employment of people with disabilities; in 2012 almost 300,000 Levs were allocated for this from the state budget.

40. Every year the Commission for Protection against Discrimination conducts trainings on EU legislation and policy on anti-discrimination through thematic seminars, where representatives of the EU institutions are included as guest speakers. The seminars include a wide range of senior officials from the central government authorities, territorial, municipal administrations, the judicial system, and representatives of the media and the civil society.

Article 9 – Accessibility

41. There are regulatory requirements for accessible environment for the population, including creating conditions for accessible living and built environment for people with disabilities through the development of regulations, standards and norms for urban areas, buildings, facilities and their elements and adaptation of existing public service buildings. This responsibility is assigned to the Minister of Investment Planning. Ways to accelerate the process of providing affordable living and built environment for people with disabilities are being looked for, as well as for the adaptation of existing public service buildings.

42. Bulgaria has an established tradition in the elaboration of legislative requirements and the requirements for design, construction and maintenance of accessible built environment have been implemented in the sub-legislative system. Certain minimum requirements for the accessibility of elements of the environment in the urban area have been introduced, namely the pedestrian spaces, intersections and pedestrian paths for passing through different levels, accessible parking spaces, bus stops of vehicles from the regular public transportation of passengers, and elements of the furnishing of the urban area. There is also a requirement for the designation of parking spaces for cars for people with disabilities with the international symbol for the persons with disabilities, as well as road marking with the international symbol of accessibility. To facilitate the movement of people with visual disabilities signaling devices are used by beeping traffic lights which start simultaneously with the green light and stop with the red light.

43. In order to analyze the Bulgarian legislation and to identify appropriate legislative mechanisms to ensure the implementation of Art. 9 of the Convention in terms of accessible built environment, and in relation to the measures in the Action Plan for implementation of the Convention, long-term measures for changes in the national legislation and for addressing the identified problems are being developed. In this regard, the main problems identified relate to the lack of proper monitoring in providing architectural accessibility for the commissioned elements of the urbanized territories, as well as for buildings and facilities for public use, which are not subject to planning and construction, regardless of their ownership – state, municipal or private.

44. Every year the Agency for People with Disabilities funds bids for the provision of an accessible environment and for the adaptation of cultural, historical and sporting venues of international, national and regional importance. In 2012, the Agency funded the adaptation of 10 sites in the country.

45. The Ministry of Transport, Information Technology and Communications (MTITC), through the Executive Agency Road Administration, implements the activities related to the provision of accessible public road transport for people with disabilities and persons with reduced mobility. At present the legislation regulates the following: a sub-legislative act designates the bus terminals, which provide assistance to people with disabilities and

people with reduced mobility, parking permits for parking spaces for vehicles serving people with disabilities, and use of parking facilities, that meet the requirements of a standardized model of the European Community.

46. A sub-legislative act for the conditions and procedures for approval of transport schemes and for the provision of public transportation of passengers by bus provides that the Municipal Councils define the urban and intercity routes and courses that have to be announced to be done with buses which are suitable for transportation of persons with reduced mobility. For this purpose a regulation is observed about the relative share of the courses, namely:

- For city routes transportation – 35% of the total number of courses;
- For intercity transportation – 35% of the total number of courses of the routes of the municipal transport scheme, of the routes between municipalities and districts from the municipal quota;
- In cities with population of over 100,000 people at least one major and one secondary routes are totally dedicated for the transportation of less mobile people with buses. The total number of buses for transportation of less mobile people, in the execution of the above mentioned routes, is at least 10% of all the buses from the major and secondary routes.

47. There are regulations for certain technical requirements for the buses for transportation of persons with reduced mobility, and for the procedure for verification of compliance with these requirements when carrying out periodic technical inspections for the good working order of vehicles. The aim is to provide accessible transportation services for the disabled people and for people with reduced mobility, and the measures to achieve it.

48. The Regulations for the public transport of passengers and goods on the territory of Bulgaria state that it is necessary to provide a clearly designated place, which may be in close proximity to the bus terminal, where people with disabilities and persons with reduced mobility can communicate their arrival, ask for help and receive information in accessible form about the bus terminal and the assistance provided. The regulations lay out the liabilities of bus terminal owners to ensure the provision of free assistance for people with disabilities and persons with reduced mobility at the bus terminals, in accordance with the rights of passengers in bus and coach transport.

49. The Railway Transport Act regulates the right of carriers that have entered into contracts for public transport services and who apply travel rates in the interest of one or more categories of people, to receive compensation for reduced income as a result of free and discounted travel of students, senior citizens, mothers with many children, people with disabilities, veterans or other persons designated by an act of the Council of Ministers.

50. The rate of subsidies for city routes transportation and for intercity routes transportation in sparsely populated, mountainous and border areas is regulated.

51. Since 2010 there is a contract into force between the Ministry of Transport and the railway carrier “BDZ Passenger services” for public transport service for a period of 15 years for implementation of the above regulations, and in the commercial quotation packages which are offered on the transport market, passengers who meet the above requirements are entitled to unlimited travel with 50% discount in accordance with the existing Tariffs for the carriage of passengers and hand luggage by rail in domestic traffic, as an integral part of the contract, and this right is enjoyed also by attendants, including guide dogs.

52. Regarding the technical side dealing with the accessibility to rail by this group of people, the technical specification for interoperability “People with reduced mobility” of the trans-European conventional and high-speed rail system applies, by taking into account specific criteria relating to the technical and operational compatibility between infrastructure and rolling stock, including the existing and those yet to be put into operation, and the system in which they need to be integrated. These compatibility requirements introduce a complex technical and economic mechanism based on the common and specific characteristics of the different categories of lines, the technical and operational parameters of the existing national rail network and rolling stock along the lines in the trans-European network, and in every case of new construction or rehabilitation of the railway infrastructure, as well as in any case of purchasing new rolling stock or of its reconstruction. For infrastructure and rolling stock beyond the above mentioned cases, there are a strategy and respective plans for a phased implementation.

53. “BDZ Passenger Services” Ltd. provides daily transport for people with disabilities and people with reduced mobility through specialized wagons incorporated in the trains serving major cities in the country, such as Sofia, Burgas, Plovdiv, Sunny Beach, Varna, Gorna Oryahovitsa Golden Sands, Karlovo and Ruse.

54. The National Company Railway Infrastructure, in accordance with the strategy for execution of the projects planned for implementation under the Operational Programme Transport in the period 2014–2020, has finished off with the designing and started the construction of a number of facilities for access by people with disabilities.

55. The Executive Agency Maritime Administration, as the national authority for the implementation of EC regulations, monitors compliance with the safety requirements of passenger vessels and high speed passenger craft in relation to persons with reduced mobility, which is the following: access to the vessel; designations; means for transmitting messages; alarm; additional requirements for safe movement inside the vessel. The above rules do not apply to passengers traveling on vessels certified to carry up to 12 passengers, for vessels with operational crew of not more than three persons, or when the total distance is less than 500 meters in one direction, for excursions and for sightseeing, or for vessels powered by automatic means. Brochures about the rights of passengers with disabilities have been printed to familiarize passengers with their rights.

56. The legal framework for the rights of people with disabilities and people with reduced mobility when traveling by air guarantees equal rights with other passengers when traveling by air – the right to freedom of movement, freedom of choice and non-discrimination. The national authority for Bulgaria is the Directorate General Civil Aviation Administration. The Directorate coordinates all areas involved in the transportation of disabled passengers and passengers with reduced mobility: travel agencies and tour operators – airlines – airports – organizations of disabled persons and people with reduced mobility (Passengers with Reduced Mobilities – PRMs).

57. The Directorate General receives regular reports from the organizations concerned on:

- Improvement of the existing infrastructure of airports for receiving and processing of passengers with reduced mobility;
- Equipment – buying additional equipment if necessary;
- Training – carrying out annual training of employees according to the requirements of the Regulation – Curriculum – Training on PRM issues of staff having direct contact with passengers;
- Internal documents – development of procedures and instructions relating to the servicing of passengers with reduced mobility;

- Pressing charges – consideration of complaints and charges by passengers. Minutes of the meetings are sent to all organizations representing the interested parties – travel agents and tour operators, airports and airlines.

58. In this area there are activities for the development of regulations for the sanctions of offenses, for the creation of a procedure for handling complaints regarding infringements, for setting quality standards for the assistance, for communicating with the organizations of people with disabilities and updating their needs when traveling by air.

59. Informing passengers about their rights when traveling by air is done by improving, expanding and modernizing the website using best practices to ensure accessible information, developing information videos and brochures on the rights of people with disabilities and people with reduced mobility.

60. In implementation of the Civil Servants Act the Executive Agency Electronic Communication Networks and Information Systems has allocated two percent of the jobs in service for people with permanent physical disabilities. The Agency has provided external access to its central building to facilitate citizens with disabilities.

Article 10 – Right to life

61. The Constitution of the Republic of Bulgaria guarantees the right to life, development and dignity of every person. The child as a person entitled to all these rights, and attempt upon life shall be punished as a most serious offense. The European Convention on Human Rights which should be administered directly by the authorities and the courts guarantees the right to life without any difference in terms of people with or without disabilities. The state guarantees the right to life of people with disabilities in accordance with the standards of international law.

Article 11 – Situations of risk and humanitarian emergencies

62. The regulatory framework and respective practice in the Republic of Bulgaria in response to disasters and emergencies fully complies with the European legislation in this area, by applying the general principles, requirements and procedures to ensure the protection and safety of the population. The Disaster Protection Act (DPA) embeds as a fundamental principle the right of defense of every person and the need to develop protection plans for disasters at municipal, regional and national level. They contain analysis and assessment of disaster risk, measures to prevent or reduce disaster risk, measures to protect the population and others. In state of emergency special measures are provided for to children and people with disabilities, in cases when such care cannot be performed by people who usually perform it.

63. The Minister of the Interior develops a National Plan for Disaster Protection together with representatives of Ministries, the Bulgarian Red Cross and local authorities. The central executive authorities develop plans for disaster protection for the performance of their duties, which are set out in the National Plan for Disaster Protection adopted by the Council of Ministers. The activities of Fire Safety and Civil Protection authorities for training the population to form the required behavior and actions to fires, disasters and emergencies and to implement the necessary protective measures comprise participation in the development of didactic tools for training and education of the population, including people with disabilities. On the basis of the Hyogo Framework for Action 2005–2015: Building the resilience of nations and communities to disasters, a Strategy was developed to reduce the risk of disasters for the period 2014–2020. It contains basic core values such as positive thinking, viability, information, culture, and gender. The importance of the

principle of equality of citizens in reducing disaster risk is considered, as well as the creation of conditions for equality in areas at risk of disaster for all social groups, including in protection and disaster response. A Roadmap to the Strategy was developed, and part of the activities in it concerns the development and implementation of communication programs to improve public awareness of disaster protection, including raising awareness of people with disabilities. In the implementation of the measures in the action plan for implementation of the Convention, in 2013 the Ministry of Interior set up an expert working group to develop concepts for changes in the legislation and drafting legislative acts, for taking the necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and natural disasters. Providing effective assistance and protection to people with disabilities during disasters and emergencies requires planning, forecasting and coordinated actions before the occurrence of a disaster. Inclusion of people with disabilities in the overall process of disaster protection is set in the recommendations to countries participating in European and the Mediterranean Major Hazards Agreement —Open Partial Agreement (EUR-OPA) of the Council of Europe, adopted at the 64th meeting of the Committee of Permanent Correspondents in Paris, France 24–25 October 2013 — the participating countries should ensure that people with disabilities are involved in the whole process of reducing disaster risk and, where possible, that their views are taken fully into account.

Article 12 – Equality in law

64. The equality of all citizens in law is guaranteed by the Constitution of the Republic of Bulgaria. By decision of the Constitutional Court of the Republic of Bulgaria from 1992 a binding interpretation is given of the equality of all citizens in law under Art. 6, para. 2 of the Constitution. It is important to note that this is a constitutional principle that underlies civil society and the state, and the entire legal system of the Republic of Bulgaria. Equality of all citizens in law is also a fundamental right of citizens, and it is specified in a number of constitutional provisions.

65. The Convention requires states to recognize and guarantee equal opportunities for personal involvement of people with disabilities in all spheres of life, and to ensure the provision of necessary support, as specified in Article 12. This provision of the Convention is new to the Bulgarian legislation and hard work has been done on this issue even before the ratification of the Convention, because it requires a specific regulation of the legal status of persons with intellectual disabilities and people with psycho-social issues within the meaning of the Convention. Analysis of the legislation was done, consultations with all interested parties were carried out, and the basic steps for reform were outlined, because every person, regardless of the type of disability has the potential to shape its will, to make choices and take decisions about the performance or non-performance of specific legal actions, to exercise its own rights and to fulfill its commitments. The success of the reforms will contribute to the harmonization of other provisions of the Convention, such as equal access to justice (Art. 13), access to services (Art. 19), the right to marry (Art. 23), the right of association and to ensure active and passive suffrage (Art. 29). Ways to implement supported decision making are sought, to implement legislative changes for amending the grounds and procedure for restriction or deprivation of legal capacity of persons with disabilities. An expert group, which is preparing changes in Bulgarian legislation in line with the standards of art. 12 of the Convention, is continuing its work. It involves experts from the Ministry of Justice, the Ministry of Labour and Social Policy, the Ministry of Health, the Agency for Social Assistance, representatives of the Ombudsman, of the doctrine, of the judicial system, and representatives of some organizations of and for people with disabilities and human rights organizations. In this connection it should be noted that

actions are taken in accordance with the condemning decision on the case “Stanev v. Bulgaria,” of the European Court of Human Rights. This first of its kind decision highlights the inconsistency of Bulgarian legislation with Art. 5, Art. 6 and Art. 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the institution of guardianship and the ensuing restrictions on the legal capacity of persons.

66. We already have a case in which the Sofia City Court has ruled and rejected a claim for interdiction of a person with mental illness (schizophrenia, paranoid form) and found that the person can take care of himself and his interests on condition that he receives help and support from his parents in the management of the property, and authorized the parents to accompany and support their son when making financial decisions.

67. NGOs have an important role in the process, in particular organizations of and for people with disabilities and human rights, working together with the government. Projects for supported decision making for people with intellectual disabilities were realized in order to ensure compliance with Art. 12 of the Convention, a booklet in an easy-to-read format was published – “You Have the Right to Decide”, which in simple language explains the fundamental rights guaranteed by the Convention, and a brochure was prepared – “Supported Decision Making in People with Intellectual Disabilities – the Road to Independence”. A manual for supported decision making was prepared for people with intellectual disabilities and mental disorders, a methodology for implementation of the activities for supported decision making, which includes the preparation of a personal profile, formation of support network for 19 people with intellectual disabilities and making personal life plans for each of them. The disabled person stands in the center of the preparation of all that and it is always done with his active participation. Working under Article 12 of the Convention, respectively we cover also Article 16, which regulates freedom from exploitation, violence and abuse. Completed projects for advocacy and self-advocacy at the local level improve the quality of life of persons with intellectual disabilities, ensuring their rights and equality. Local information campaigns were organized to promote the model for supported decision making as an alternative to interdiction. Thus approbation of the model for supported decision making in individuals with intellectual disabilities and / or Autistic Spectrum Disorders is done by building support networks for the free exercise of civil rights as an alternative of the regime of guardianship pursuant to Art. 12 of the Convention.

Article 13 – Access to justice

68. The general procedural capacity of Bulgarian citizens is provided for in the Civil Procedure Code, Chapter 5: Parties – Representation, where is stipulated “The natural persons of full capacity to act shall perform procedural steps in court in person.” Also “Minors and limited interdicts shall perform procedural steps at court in person, but with the consent of the parents or curators thereof” and “Minors may sue in person for any disputes over employment relationships or for any disputes arising from transactions referred to in Article 4 (2) of the Persons and Family Act, as well as in other cases specified by a law.” The law stipulates that “Minors and full interdicts shall be represented by the legal representatives thereof: parents or tutors.” The Action Plan containing measures to bring the Bulgarian legislation and policies for people with disabilities in accordance with the provisions of the Convention on the Rights of Persons with Disabilities (2013-2014) provides the measure to establish a working group.

69. A new amendment to the Civil Procedure Code has been proposed and it should be considered as an act to facilitate the access to justice, under which the repeal of interdiction may be requested not only by the guardianship authority and the trusteeship authority or guardian, as in the current system, but it can also done independently by the person who is

under restricted interdiction. The child, including the disabled child, is entitled to legal aid and appeal in all proceedings affecting his/her rights or interests. The best interest of the child is the basis of any decision about the child in judicial or administrative proceedings. Although this expression is not included explicitly in the civil and criminal law, it is legally defined. The court obligatorily requires additional information and reports from the Social Assistance Directorate in each case, in view of making a decision that meets the best interests of the child. The property of the child is also explicitly protected by the law, and the parents have to treat it with due care and cannot dispose of it without the express permission of the Court.

70. Currently a reform in the juvenile justice is being implemented in Bulgaria, it started in 2011 when a Concept for Government Policy in the Field of Justice for the Child was adopted, and on 01.03.2013 the Council of Ministers adopted a Roadmap to implement the Concept for Government Policy in the Field of Justice for the Child. Both documents are consistent with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Guidelines for Action on Children in the Criminal Justice System, the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, as well as recommendations by general comment No. 10 of the Committee on the Rights of the Child in the juvenile justice system (CRC/C/GC/10). Please see Art. 12.

Article 14 – Liberty and security of the person

71. With regard to ensuring the rights of people with disabilities in relation to the issuing of identification documents the following legislative measures have been taken: the Law on Identification Documents states that every Bulgarian citizen has the right to an identification document. The identity card and the passport are the basic identification documents of Bulgarian citizens. They are valid on the territory of the Republic of Bulgaria and on the territory of another country according to international treaties. Every Bulgarian citizen has the right to leave the country and return to it across the internal borders of the Republic of Bulgaria with an identity card and / or a passport. Under the legislation the competent authorities cannot refuse to issue, cannot take away or withhold a Bulgarian identification document, except under the procedure and in the cases specified by law.

72. There are financial reliefs for people with disabilities in the issuance of identity documents. The Regulations for the implementation of the Law on Bulgarian Identification Documents state that a document for paid state fee shall be attached to the application for issuing of Bulgarian personal document. The amounts of the fees for the issuance of Bulgarian identification documents are defined in Tariff No. 4 for the fees collected by the Ministry of Interior under the Stamp Duty Act. For persons with permanent disability, or if the type and level of disability is 50 per cent and over 50 per cent, there is a discount in the amount of fees for the issuance of identification documents. For the said category of people the fee for issuing an identity card is at the amount of 2 Levs while the standard fee is 18 Levs and 3 Levs for a passport while the standard fee is 40 Levs.

73. When issuing Bulgarian identification documents an opportunity is provided for disabled persons and people with reduced mobility, which cannot appear at the Bulgarian Identity Documents Directorate of the Ministry of Internal Affairs or its territorial structures, they can be visited on site by a team with mobile biometric station. The application is taken from the address specified by the applicant and the necessary biometric data of the applicant is taken via the mobile station. Employees of the Bulgarian Identity Documents Directorate are trained / obliged to serve citizens with disabilities with priority

and assist them for a better service. Facilities ensuring their access to the places where identification documents are issued are provided too many local offices of the Ministry of Interior in the country.

74. Over the past five years a program for the access of people with disabilities to the buildings of the Ministry of Interior has been implemented and approximately 150,000 Levs are being utilised per year. Access to the building via a ramp or a lifting platform is provided; a bathroom and a reception room for people with disabilities are being built. At present, all 28 central buildings of the District Directorates of the Ministry of Interior and the headquarters of the Ministry of Interior Sofia provide access for people with disabilities. Most of the buildings of the traffic police and passport services are adapted, as well as the other buildings of the Ministry of Interior, because the new planning provides accessibility for people with disabilities. The gradual adapting of the buildings of the Regional Police Offices for accessibility for people with disabilities started in 2012.

75. To ensure the best interests of the child there is a legal requirement that placement of a child outside the family is to be taken as a measure of protection after all options for protection within the family have been exhausted, except when his/her removal is urgent. Alternative care in Bulgaria is based on the Guidelines for the Alternative Care of Children annexed to resolution 64/142 of 2009. of the General Assembly — return to the biological family (when possible), accommodation in extended family, providing foster care, adoption or placement in a social service — residential type or in a specialized institution. When taking such measures for protection towards children at risk, the officials from the Department Child Protection at the Directorate for Social Assistance are guided by the best interests of the child. The measure for protection – accommodation outside the biological family, must be considered by the Court, which confirms or rejects protection measure taken by the Directorate for Social Assistance. In other words, in Bulgaria there is judicial control of placement of children outside the family – with relatives, foster care, adoption and institutionalization or at social services of residential type.

76. According to the Law on Radio and Television, in the implementation of their activities media service providers are guided by the principles of protection of the personal inviolability of the citizens, guaranteeing the right to information and non-admission of programmes suggesting intolerance among the citizens. These principles are in direct compliance with the right to life and security of the person only in respect of media services in the country. Operators “cannot create and submit for broadcasting programmes containing information related to the personal life of the citizens without their consent”. Upon supervising the Electronic Media Council shall monitor the compliance of human rights according to media legislation. In 2014 the topic of the rights of minorities and people with disabilities will be a priority for the monitoring of media content of the national public providers, without affecting the program policy and editorial independence of the media and ensuring freedom of expression and right to information.

Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment

77. The right to personal liberty and inviolability of all citizens is guaranteed by Art. 30 of the Constitution, it is stipulated that no one can be detained or subjected to inspection, search or other infringement of their personal inviolability, except under the terms and conditions specified by law. According to the Constitution no one shall be subjected to torture or to cruel, inhuman or degrading treatment or medical, scientific or other experiments without their voluntary consent.

78. Pursuant to the Ministry of Interior Act, protection of the rights and freedoms of the citizens and the protection of their life, health and property, is regulated as a major task of the ministry.

79. Prohibition of torture and any other form of cruel, inhuman and degrading punishment as guaranteed in Art. 37 b. a) of the Convention on the Rights of the Child is fully reproduced in the Constitution of the Republic of Bulgaria. With the amendment of the Criminal Code of 1998, Bulgaria abolished death penalty. In its place, as a temporary and exceptional measure, the punishment “life imprisonment without substitution” was introduced for the most serious crimes that threaten the foundations of the Republic, and for other extremely dangerous intentional crimes. This penalty cannot be imposed on a person who at the time of committing the offense was less than twenty years old, and in the case of military personnel and in time of war – eighteen years old. Under Bulgarian law, children under the age of 14 are considered minors and are not criminally responsible. Children from age 14 to age 18 are juvenile and are criminally responsible if they are sane – i.e. if they understand the nature and significance of the act committed. For juveniles the penalties “life imprisonment without substitution” and “life imprisonment” are substituted by imprisonment from 3 to 10 years, and for those who have turned 16 years old – from 5 to 12 years. Corporal punishment is not allowed.

80. In 2000 the use of corporal punishment as a method of education of the child was prohibited, by formulating the child’s right “to protection against infringing its dignity methods of education, physical, mental or other violence and forms of action that are contrary to its interests.” The text of the Law on Child Protection recognizes the right of the child to protection from violence, including in the family, provided for in Article 19, paragraph 1 of the Convention on the Rights of the Child. The Rules for the implementation of this law define violence in its various forms (physical, mental, sexual abuse, neglect), allowing more precise identification of the cases in which the social workers and experts from the Child Protection system work. The measures taken are consistent with the major risk for the child and with the protection of its best interest.

81. According to the Protection against Domestic Violence Act, “Domestic Violence” is “any act of physical, mental or sexual violence, and any attempted such violence, as well as the forcible restriction of individual freedom and of privacy”. The law treats as “mental and emotional violence” against the child any act of domestic violence committed in its presence.

82. Regarding the conducting of clinical trials of drugs it should be noted that they are only allowed to be performed to persons who have given their consent upon the written notification by the principal researcher on the nature, significance, scope and potential risks from the test, and are not serving in the Armed Forces, are not detained, imprisoned or sentenced to death. Consent shall be given personally in writing and may be given only by legally capable persons who understand the nature, significance, scope and potential risks from the clinical trial. It may be revoked at any time. In patients who are minor or are placed under full interdiction, to conduct a clinical trial only the written consent of their legal representatives is required. In patients who are minor or under limited interdiction, to conduct clinical trials their written consent and the written consent of their parents or guardians are required. Please see Art. 17.

Article 16 – Freedom from violence, exploitation and abuse

83. The Family Code prohibits parents using violence and methods of education, which undermine the dignity of the child. According to the Family Code not only physical punishment of the child is prohibited, but also the use of inappropriate for the preservation of its dignity methods of education, which can be verbal and psychological. Police violence

against children is unacceptable. In the event of an accident timely and uncompromising measures are taken. Protection of the child against violence in the family can be carried out in a different procedure. The most effective is the simultaneous application of protective measures under the Child Protection Act (placement of the child outside the family, after exhausting all options for child protection within the family, except when his/her removal is required as an emergency measure) and the Protection from Domestic Violence Act (with the ability to temporarily determine the child's place of residence with the victim parent or the parent who did not commit violence, and the possibility of the child, if under 14, to make an application for a court order protection). In case of violence exercised by the parent family law (restriction or deprivation of parental rights) and criminal penalties can be applied.

84. In 2012, the Council of Ministers adopted a National Plan for the Prevention of Child Abuse 2012–2014, which is in line with the recommendations of the Committee on the Rights of the Child in relation to Bulgaria's second periodic report from 2008. The National Plan is in line with the requirements and recommendations of the Strategy of the Council of Europe on the Rights of the Child (2012–2015), which was adopted at the conference of the Council of Europe in Monaco in 2011. The Strategy encourages the implementation of integrated national strategies for the protection of children from violence, requiring legislative, political and institutional reforms and focusing on prevention. The National Plan for the Prevention of Violence Against Children is in line with the activities envisaged within the National Strategy for Children 2008–2018, envisage achieving higher efficiency of work in response to signals concerning violence against children, introduction of procedures and principles for work between partners from different institutions in dealing with cases, and the introduction of standardized methods for collecting information.

85. Within the meaning of the current legislation the approach is to apply protective measures for all children at risk. Paragraph 1, item 11 of the Supplementary Provisions of the Child Protection Act provides the legal definition of "child at risk". In this sense, the authorities related to child protection at all levels should implement protective mechanism for any child who is in a situation of risk, which includes children with disabilities.

Article 17 – Protecting the integrity of the person

86. The Convention states that any person with disabilities has the right to respect for their physical and mental integrity on an equal basis with all others.

87. The Radio and Television Act provides for an obligation for media services providers to respect the rights of children as regulated by the Child Protection Act and by other legislation, and not to allow the participation of children in programs that are adverse or create risk of damage to the physical, mental, moral and / or social development of children. All information received in administrative or judicial proceedings, which affects the child, cannot be disclosed without the consent of the parents or guardians, and if the child is over the age of 10 – without its consent. The court may permit the use of the information without the consent of the persons if this is required by the interests of the child, and for taking protection measures. Social workers and officials are obliged to comply with the regulatory requirements for the protection of personal data that they have become aware of during or in connection with the implementation of measures for child protection, and to respect the honor and dignity of the individual. The Child Protection Act introduced penalties for the dissemination of information about the personality of a child, and set out sanctions for a parent, guardian, custodian or another person who cares for a child, who allows participation of a child in a program within the meaning of the Radio and Television Act and thus endangers its physical, mental, moral and / or social development.

The rules of the applicable law which protect the physical, mental and moral development of minors and juveniles, and the protection of human dignity, which have up to now been applicable to traditional television broadcasting, are now applicable to all audiovisual media services and commercial communications.

88. With few exceptions, the medical services are voluntary, for example in the case of mental disorders when the person is appointed legal representative, in some trials, the participation of a prosecutor is provided.

89. The Health Act specifically states that medical activities are carried out after obtaining informed consent from the patient. If the patient is a juvenile, or is placed under restricted interdiction, his informed consent and the consent of a parent or guardian are necessary.

90. When the patient is a minor or incapacitated, the informed consent shall be given by a parent or guardian, except in cases provided by the law. For individuals with mental disorders and established inability to express informed consent, it is expressed by the persons appointed by the court who are from the circle of relatives of the patient. When there is a conflict of interest or when there aren't any relatives, the court shall appoint a representative of the municipal health service or a person designated by the mayor under whose competence is the seat of the hospital, which person shall express informed consent for treatment. For persons with mental disorders and established inability to express informed consent, activities that lead to increased risk for the life and health of the patient, or to a temporary change in their mind, can be made only after the permission of the Committee on Medical Ethics and upon the consent of their legal representatives or by the head of the hospital if there is no such committee established. Please see Art. 15.

Article 18 – Liberty of movement and nationality

91. The Convention recognizes the right of persons with disabilities to liberty of movement, to freedom to choose their residence and nationality. The legal framework in the field of legal migration in Bulgaria doesn't contain discriminatory provisions for people with disabilities. The right to freedom of movement and the relevant migration procedures are contained in the Law on Foreigners in the Republic of Bulgaria, its Implementing Regulation, etc. According to the general provisions foreigners in the Republic of Bulgaria shall have all rights and obligations under the Bulgarian laws and the ratified international agreements to which Bulgaria is a party. The regime of residence of foreigners with disabilities does not differ from the rules for residence of other foreigners, and internal migration procedures comply with the relevant regulations of the European Union. In realizing the right of residence there shall be no discrimination based on sex, race, color, disability, religion or beliefs, political or other opinions, belonging to a national minority, welfare, origin by birth, inequality, age or sexual orientation. In other words, the main criterion for obtaining the status of long-term or permanent residence is the length of residence, which should be legal, continuous, and should testify for the permanent bonding of the person to this country. In order to obtain residence status, a third country national must prove that it has sufficient resources and health insurance, so as to prevent becoming a burden on the member state and not to represent a threat to national security and public order.

92. There are protective mechanisms in the field of illegal migration in the implementation of the return procedures in cases when the foreigner does not meet the conditions for stay or residence. The protective mechanisms refer to "vulnerable persons", and these are minors or juveniles, unaccompanied minors or juveniles, disabled people, elderly people, pregnant women, single parents with minor or juvenile children and persons who have been subjected to severe forms of psychological, physical or sexual violence.

93. In all cases of imposing compulsory administrative measures it is provided that the competent authorities shall take into account the duration of stay of the foreigner in the Republic of Bulgaria, the categories of vulnerable persons, the existence of proceedings under the Law on Asylum and Refugees or proceedings for renewal of a residence permit or other permit giving the right of residence, family status, and the existence of family, cultural and social ties with the country of origin of the person.

94. In order to secure the return procedures, special facilities are established under the competence of Migration Directorate – Ministry of the Interior for temporary accommodation of foreigners who have been issued order for deportation to the border of a country or for expulsion, until the elimination of the obstacles for the foreigner to leave the country immediately or enter another country / e.g. lack of travel documents for illegal residents, inability to unambiguously identify persons, prolonged correspondence with embassies or absence thereof etc./. The legislation provides for increased legal guarantees for people from vulnerable groups, which include people with disabilities. There is a focus on the situation of accompanied minors and juveniles for whom accommodations are prepared with conditions appropriate to their age and needs. Regarding unaccompanied minors and juveniles the possibility of involuntary accomodating is explicitly excluded and the relevant Social Assistance Directorate is notified, which takes measures for protection under the Child Protection Act.

95. Regarding the requirement that children with disabilities are to be registered immediately after birth, it should be noted that the Civil Registration Act regulates the drawing up of a birth certificate on the basis of a written notice within seven days, and the day of birth does not count. The Birth Certificates are compiled by officials on civil status matters in the municipality or the town hall, where the events have taken place. The Birth Certificate is an official written document and the electronic birth certificate is created on its basis. Found, left or abandoned alive newborn children are transferred to the nearest hospital and a protocol is compiled in the presence of representatives of the Ministry of the Interior. One of the main civil registration data of the persons is the name, and the legislative basis governs the way for the formation of names in section 2 Names of Bulgarian citizens of the Civil Registration Act, which includes first, middle and last name. DG OCSF maintains data about individuals.

Article 19 – Living independently and being included in the community

96. The Convention requires recognition of the right of people with disabilities to live in the community, to have choices, to receive support so as to be included in the community. The system of social services in Bulgaria has developed considerably the past few years thanks to the recent reforms aimed at deinstitutionalization and provision of more community-based services in a family environment for children and adults with disabilities. The rapid dissemination of these services reflects their practical applicability, and their important role in preventing the risk of poverty and creating conditions for the full inclusion of vulnerable groups in society. As a result of successfully implemented in recent years policy of deinstitutionalization, there is a steady increase in the services provided in the community as an alternative to institutional care. The construction of well-functioning network of social services in the community and providing quality long-term care is a top priority for the social policy of the Bulgarian government.

97. The updated National Reform Programme of the Republic of Bulgaria and the National Programme for the Development of the Republic of Bulgaria: Bulgaria 2020, Priority 2 “Reducing poverty and promoting social inclusion.” In this respect, a national strategy for long-term care has been developed and adopted, which aims to create conditions for independent and dignified life for the elderly and people with disabilities by

improving access to social services and their quality, expanding the network of those services in the country, deinstitutionalization and promotion of the interaction between health and social services, as well as providing comprehensive support to families who care for people with disabilities and the elderly.

98. As defined in the Social Assistance Act, social services are activities that support and extend the capabilities of individuals to lead an independent way of life and are provided both in institutions and in the community. Social services are based on social work; they are aimed at supporting the assisted persons to carry out their daily activities and are provided in accordance with the desires and personal choice. The social services provided in the community are diverse so as to reflect the different needs of individuals, and social services in specialized institutions are to be provided after exhausting the possibilities of providing services in the community. There is a legal requirement for social service providers to prepare an individual plan after assessing the needs of each user and after defining the objectives to be achieved.

99. The community-based services that are provided for adults with disabilities are the following: personal assistant; social assistant; domestic assistant; day care center for adults with disabilities; center for social rehabilitation and integration of the elderly; social educational vocational center; protected home; transient home; center for family-type accommodation for persons. In 2012, in the implementation of the process of deinstitutionalization and improving the quality of life in specialized institutions for the elderly and adults with disabilities the capacity of 16 specialized institutions was decreased by 235 beds. 18 new were opened; the capacity of 3 residential social services was increased by 15 beds. The 27 new community-based services opened in 2012 are with a total capacity of 685 beds. By extending the range of community-based social services such as day care centers, social rehabilitation and integration centres, sheltered homes, home services (personal assistant, social assistant, home assistant, and home respite care) better covering and meeting the needs of people in need of specialized care and support are aimed at.

100. According to data from the Social Assistance Agency at the end of December 2012 the social services suitable for adults with disabilities were the following: 27 Homes for adults with intellectual disability, with capacity of 2,210 beds, the funds allocated in accordance with the uniform standard cost per person amount to 6,200 Levs; 14 Homes for adults with mental disorders, with capacity of 1,082 beds, the funds allocated in accordance with the uniform standard cost amount to 6,400 Levs per person; 22 Homes for adults with physical disabilities, with capacity of 1,345 persons, the funds allocated in accordance with the uniform standard cost amount to 6,210 Levs per person; 4 Homes for adults with sensory disabilities, with capacity of 133 beds, the funds allocated in accordance with the uniform standard cost amount to 5,450 Levs per person; 14 Homes for adults with dementia, with capacity of 836 beds, the funds allocated in accordance with the uniform standard cost amount to 7,110 Levs per person; 35 Family type centers, with capacity of 442 beds, the funds allocated in accordance with the uniform standard cost amount to 7,255 Levs per person; 9 Transient homes, with capacity of 80 beds, the funds allocated in accordance with the uniform standard cost amount to 5,896 Levs per person; 117 Sheltered homes, with capacity of 1,047 beds, the funds allocated in accordance with the uniform standard cost amount to 5,896 Levs per person; 60 Day care centers for adults with disabilities, with capacity of 1,682 beds, the funds allocated in accordance with the uniform standard cost amount to 5,244 Levs per person; 66 Centers for social rehabilitation and integration, with capacity of 2,202 beds, the funds allocated in accordance with the uniform standard cost amount to 2,328 Levs per person; 8 Social educational vocational center, with capacity of 479 beds, the funds allocated in accordance with the uniform standard cost amount to 5,185 Levs per person. Totally in Bulgaria at the end of 2012 there were 376 social services suitable for adults with disabilities, with a capacity of 11,538 seats.

101. For 2013 the Law on the State Budget of the Republic of Bulgaria provided funds for the increase the uniform standard cost for social services, delegated by the state by 10% compared to 2012.

102. The Ministry of Labour and Social Policy, in cooperation with the National Employment Agency, the Agency for Social Assistance and the State Agency for Child Protection, adopted some measures to promote the implementation of flexible forms of employment for parents raising young children or taking care of dependent member of the family.

103. The scope of the existing programs Personal Assistant and Social Assistant, the Project SANE, the Project Family Centres for Children, which aim to facilitate the return, the inclusion of women in paid employment and at the same time to reduce unemployment among some groups of women, was complemented and extended.

104. Social services provided at home are an essential condition for the promotion of the active way of life of people with different kinds of disabilities, and the most successful among them are: Personal Assistant, Social Assistant, Home Assistant, which have been provided since 2003 within the framework of the National Program Assistants to People with Disabilities, and various schemes with European funding. Under the National Program Assistants to People with Disabilities, care in a family environment for people with disabilities or seriously ill people living alone, is provided by employing unemployed people as personal and social assistants. This program also contributes to reducing the number of people with disabilities who are placed in institutions, by putting them in a family environment and improving their conditions of life. At the same time jobs in the field of social services are created through the Program. Under the Program unemployed who qualify for social benefits for personal assistants, who provide constant care for disabled or seriously ill persons can be employed. Users of the services under the program can be people with 90 percent and over 90 percent permanent disability or with the type and degree of disability requiring assistance, and children up to 18 years with permanent disability or with the type and degree of disability requiring assistance, users can also be individuals or children who are brought out of institutional care for people with disabilities. By decision of the Executive Director of the Agency for Social Assistance provision of the service is allowed under the Program as an exception in cases where: children under 18 years are not prescribed assistance in the decision of the Child Expert Medical Commission / the Territorial Expert Medical Commission, and in cases when the unemployed person does not qualify for monthly benefits pursuant to Art. 9 of the Rules for Applying the Social Assistance Act, but is constantly caring for children under the age of 18. In 2012, funding from the state budget in the amount of 10,204,604 Levs for the employment of 3,600 personal assistants has been provided under the National program within the activity Personal Assistant. The amount spent is 9,864,753 Levs. In 2012 employment as personal assistants was provided under the program for 4,325 unemployed persons, of whom 3,007 as personal assistants caring for adults with disabilities, and 1,318 caring for children with disabilities. In 2013 the National Programme, activity "Personal Assistant", has secured financing in the amount of 9,585,566 Levs for the employment of 3,000 personal assistants.

105. Bulgaria, as an EU Member uses funding from the European Social Fund for co-financing and financing of projects for people with disabilities. A number of activities are performed which aim at providing quality care for the elderly, including adults with disabilities, terminally ill adults and older people who live alone. The project Support for a Decent Life, under the Scheme Alternatives is in progress, where the Agency for Social Assistance is beneficiary, and 262 municipalities and 23 regions of Sofia Municipality are partners. The aim of the project is to apply a new approach for providing services in family environment by introducing the principle "individual budget for a personal assistant"

nationwide. The duration of the project is from October 2010 to May 2014 and its value is over 123,000,000 Levs. In 2012 a total of 12,648 users received the service “personal assistant”. At the end of April 2013 over 10,600 persons with disabilities have used the social service “personal assistant” under the project, including over 1,600 children, and the personal assistants employed were over 10,300.

106. In the April 2012 the scheme “Help at Home” was announced, and the total amount provided under the scheme is 30,000,000 Levs. The scheme allowed existing home respite care to expand or create new units for home services that provide an innovative way for personal assistance services, social support and assistance in communal activities. Thus greater efficiency of the services provided is ensured, while using significantly less financial resources through the application of flexible mechanisms for combined use on hourly basis of various social services tailored to the individual needs of the people who need them.

107. The project New Opportunities is also in progress, it aims to support the process of development of the social economy and the creation of social capital through supporting the municipalities to provide employment and activity of persons at risk. Thus support for persons in the target groups is provided, which at the same time leads to the optimization of the social costs of municipalities, local initiatives aimed at addressing local problems arising from poverty and social exclusion of people from the respective municipality will be supported. 10 companies were set up, 213 persons from vulnerable groups are involved in specialized employment, including 53 persons with disabilities, of which 94 men and 110 women.

108. The project Empathy aims to promote and actually apply the policies on equal opportunities and social inclusion of people with disabilities. The opportunities provided through the scheme create prerequisites for real and viable models of partnership between the government and the civil society to improve the effectiveness of implemented policies for the integration of people with disabilities. 15 information campaigns were conducted, 15 centers to support people with disabilities have been established, and the people who started work are at least 110.

109. The project Care in a Family Environment for independence and dignified life of people with disabilities and people living alone – activities “Social Assistant” and “Home assistant” (Phase 1, Phase 2 and Phase 3), aims to improve and enhance the activity “Social Assistant” and to develop the activity “Home assistant” as forms of community based social services for people who, due to various limitations related to their health, were excluded from social life and are at risk of dependence on institutional care. Further training is conducted to increase the skills and motivation of social assistants and home assistants. All settlements across the country are covered; the number of the supported existing forms of social services in the two phases is 153. During the first two phases there is 161% implementation in respect of the planned number of people serviced, which is 5,000 per year. 107% of the people employed as personal assistants and home assistants were included in training. During the third phase 67 new social services were started in 2012, the supported the existing social services were 71, and the number of persons served reached 11,615 against 5,000 planned, the number of people who started work as a result of providing care for their relatives was 546.

110. The project Improvement and Enhancement of the Service Personal Assistant for People with Various Disabilities and People Living Alone (Phase 1), aims at providing social services in a family environment for persons and children with severe disabilities or serious illnesses that cannot handle themselves and organize their own lives, and people who live alone and suffer from severe illnesses and/ or permanent disabilities and cannot handle themselves, and support for their families for their social inclusion through providing alternative option for active participation in the real labour market. 4,041 users

were serviced, 1,573 of them with permanent disability, 1,425 – people with disabilities who live alone.

111. The project Improvement and Enhancement of the Service Personal Assistant for People with Various Disabilities and People Living Alone (Phase 2), aims at improving the quality of life of people in need of constant care in their daily lives and improving the quality of life of families with people with permanent disabilities, depending on constant care. According to the Agency for Social Assistance, for the period 2008–2012, 49,616 persons have received care in a family environment. Personal assistant service is available on the territory of 145 Social Assistance Directorates. The people serviced were 7,857. This includes 2,970 people living alone, 846 children with disabilities, 4,041 people with various diseases, and 118 persons started work as a result of caring for their relatives.

112. The project Social Services for Social Inclusion aims at implementing new sustainable and integrated approaches to enhance the quality of life of vulnerable groups, and to prevent social exclusion and to overcome the consequences from it. 108 contracts for the total amount of 17,638,035.38 Levs were signed and the projects are being implemented throughout the country, except in the areas of Gabrovo, Stara Zagora and Kyustendil, and the execution of the contracts finished in 2012.

113. The project Do Not Abandon Any Child, component 1 “Planning of measures for deinstitutionalization” aims at the common goal of the operation to achieve a sustainable model for deinstitutionalization of children with disabilities who are placed in specialized institutions for children. Component 2 is related to the “Development of social services in the community.” 108 contracts for the total amount of 17,638,035.38 Levs were signed, 26 new forms of community services were started in 2012; the total number of services is by almost 60% more than planned under the scheme. 7 sheltered homes, 1 crisis center, 1 transient home, centers for social rehabilitation and integration, day care centers for elderly people and people with disabilities were opened under Component 2. The users of social services in 2012 were 6,587 people.

Article 20 – Personal mobility

114. According to the Law on Integration of People with disabilities, people with disabilities are entitled to targeted allowances for companions of visually impaired persons, persons with reduced mobility, people with intellectual disabilities and persons with mental disorders, interpreters, guides for persons with deafness and deaf-interpreters for people with hearing impairments when visiting public administration.

115. In 2012, 4 persons with disabilities were supported with targeted allowance for the purchase and adaptation of a personal car, and 8 were supported with targeted allowance for house reconstruction, in 2012 there is a decreased by 6,637,942 Levs.

116. The Agency for People with Disabilities maintains a register of retailers that operate in the field of medical devices and / or assistive devices, appliances and equipment for people with disabilities.

117. The Local Taxes and Fees Act provides for the owner of a car with engine capacity up to 2,000 cc and power up to 117,64 kW is released from tax on vehicles, if the vehicle belongs to a person with reduced capacity from 50 to 100 percent. Art. 61m, item 1 of the Local Taxes and Fees Act provides that any natural persons, including any sole traders, who have lost 50 per cent and more than 50 per cent of the working capacity thereof, which loss has been determined by an effective decision of a competent authority, shall enjoy a rate rebate of 50 per cent of the license tax as determined if they carry out the activity in person and do not hire workers for the said activity throughout the tax year. Enforcement is not allowed on amounts donated by natural and legal persons received by persons with

permanent disabilities and reduced working capacity or certain type and degree of disability over 50 percent and other categories of persons disadvantaged.

118. The National Program for ensuring the rights of children with disabilities, operational objective 3 “Prevention of child abandonment and promoting the raising of a disabled child in the family” provides for the supply of free modern aids, devices, equipment and medical products including computerized systems and equipment for children, depending on their needs.

119. Carriers must provide free access to buses for people with disabilities, accompanied by guide dogs. According to the regulations each bus terminal must have an external telephone, accessible for people with reduced mobility, lifting platform or ramp to move the wheelchair implemented in accordance with the regulatory requirements for accessibility, ramps and lifting platforms should provide access to buses, route from the street to the bus terminal and in the bus terminal to the bus passenger facilities, ticketing counter and bathroom.

120. Certain groups of passengers can enjoy the right to free and discounted travel by railway transport, and in estimating the reduction the rights of people with disabilities are specified, also military disabled and children with severe disabilities, which have the right to two free trips per year by railway transport in the country – round trip, freely chosen route. The rights for free and discounted trips can only be used for transportation with passenger and / or fast trains second class.

121. In 60 railway stations access and ramps to the entrance buildings have been built and access to the main platforms for serving people with disabilities and reduced mobility has been provided. Passenger lifts for persons with disabilities and blind people were installed in 7 railway stations – Sofia Central Railway Station, Railway Station Ruse, Katunitza, Popovitsa, Parvomaj, Karadzhalovo and Yabalkovo. There are toilet facilities for people with reduced mobility in 20 stations and offices for transport services in 7 stations.

122. Passengers with disabilities or reduced mobility are also entitled to special free help at port terminals and on board the vessels, and to financial compensation for their lost or damaged mobility equipment, provided that the carrier is informed in advance, at least 48 hours prior to the travel about the necessary assistance, the accompanying person travels free.

123. Reservations and tickets are offered to people with disabilities and persons with reduced mobility at no additional cost and under the conditions that apply to all passengers. Carriers, travel agents and tour operators cannot refuse to accept a reservation, to issue or otherwise provide a ticket or board a person on the grounds of disability or reduced mobility.

124. The possibility of presenting basic visual information for people with hearing disabilities, accompanied by voice notifications is provided in order to give information about the schedule of public transport at the stations of the regular public passenger transport, where information devices are installed (for the arriving vehicle, etc...). In this area the statutory minimum requirements for accessibility are observed. Please see Article 9.

Article 21 – Freedom of expression and opinion, and access to information

125. The right to freedom of expression is a basic right, which is guaranteed by the Constitution and the laws of the Republic of Bulgaria. In the current national legislation regarding the delivery of media services there are mechanisms to enable people with

disabilities to exercise their right to the freedom to seek and receive information equally with everyone else. The Radio and Television Act is the normative act that regulates the media services provided by media service providers under the jurisdiction of the Republic of Bulgaria. It provides obligations for the Bulgarian National Radio (BNR) and the Bulgarian National Television (BNT) as national public providers of radio services and audio-visual media services to: provide broadcasting services to all citizens of the Republic of Bulgaria; provide citizens with the opportunity to get acquainted with the official position of the state on important issues of public life; implement new information technologies (broadcasting for deaf people).

126. The legal requirements to BNT and BNR have specific value terms in the individual licenses issued by the Council for Electronic Media. The implementation of program characteristics “Broadcasts supporting the integration of disadvantaged groups and groups at risk” is envisaged, which for:

- BNR, programme “Horizont”, it is not less than 1 per cent of the monthly broadcast time, and the themes are realized within the current programs and considering the structure and format of the program; BNR, program “Hristo Botev” – not less than 15 per cent of the monthly broadcast time, and the themes are realized within the current programs and considering the structure and format of the program;
- BNR, programs “Radio Blagoevgrad”, “Radio Burgas”, “Radio Vidin” and “Radio Sofia” – not less than 3 per cent of the monthly broadcast time, and the themes are realized within the current programs and considering the structure and format of the program;
- BNR, programs “Radio Varna” and “Radio Shumen” – not less than 5 per cent of the monthly broadcast time, and the themes are realized within the current programs and considering the structure and format of the program;
- BNR, programs “Radio Plovdiv” and “Radio Stara Zagora” – not less than 2 per cent of the monthly broadcast time, and the themes are realized within the current programs and considering the structure and format of the program;
- BNT, programs BNT1 and BNT2 – not less than 1.8 per cent of the monthly broadcast time.

127. Pursuant to the Electronic Communications Act, following the opinion of the Council for Electronic Media (CEM), in 2008 the Commission for Communications Regulation adopted Rules on the procedure for providing access to electronic communications services through networks for terrestrial digital broadcasting and for providing electronic communications services for persons with hearing and visual impairments through these networks. Under these rules undertakings providing electronic communications networks through terrestrial digital broadcasting shall ensure appropriate access to the electronic communications services provided by them:

- To persons with hearing disabilities by providing specialized subtitles and sign language in the broadcasted television programs;
- To persons with visual impairments by providing audio description and audio subtitles when broadcasting television programs;
- To persons with hearing and visual disabilities on events of great public importance according to a list adopted by CEM.

128. Specific obligations are also regulated for inclusion in the programs distributed through networks for terrestrial digital broadcasting, and the provision of access to electronic communications services through networks for terrestrial digital broadcasting for persons with hearing and visual disabilities, special subtitles, sign language, audio

description, audio subtitles, which may be imposed by the licenses issued by CEM, and the permits issued by the Communications Regulation Commission.

129. Since 2009, CEM has been involved in the licenses for delivering audiovisual media services through networks for terrestrial digital broadcasting, which includes an obligation for the provider to provide access to the program to persons with hearing and visual disabilities by including special subtitles, sign language, audio description, and audio subtitles.

130. The Regulations for the implementation of the Social Assistance Act regulate the obligation of providers to provide potential users with a draft contract for the provision of social services and written information on: description of the social services that are provided; experience of the supplier in the provision of social services and qualification of the staff; terms and conditions for use of the services and the procedure for filing a complaint.

131. With regard to the provision of social services for children, providers have an obligation to create conditions for the free expression of opinions and for making their independent decisions by the child, according to the Ordinance on the criteria and standards for social services for children, as well as for participation in discussions on issues related to the internal order of the specialized institutions and of residential care services by providing the opportunity for free filing of complaints by consumers, and to develop a written procedure for protection from violence, abuse and discrimination.

132. In 2003 the Children's Council at the State Agency for Child Protection was founded, which aims to promote children's participation in the process of making decisions that affect them, their free expression and sharing experience. The Council includes one representative of the children from each district and quotas are designated for disabled children and help them to organize at regional level partnerships between local children's councils and representatives of various organizations. After the age of 18 the Council members leave the organization and their places will be filled by new members. So far, 84 children have been members of the Council.

133. To ensure access to information for people with disabilities, the General Directorate Social Assistance at the Social Assistance Agency receives citizens and provides advice to natural and legal persons on issues of social support, and issues in the field of social services and rights people with disabilities. The General Directorate includes 28 regional directorates for social assistance and 147 Social Assistance Directorates. The activity of the Social Assistance Directorate is related to: search of individuals and families who need social support; counseling and individual work with everyone in need of social adaptation and integration; receiving citizens and advising on issues of social and family support, child protection and the rights of people with disabilities and others.

Article 22 – Respect for privacy

134. The Bulgarian constitution protects the fundamental rights of personal privacy and family life of the citizens, prohibits violation against their honor, dignity and reputation, prohibits following, photographing, filming, recording or subjecting to any other similar action without the knowledge or despite the express disagreement of the person, inviolability of the home and secrecy of correspondence and other communications.

135. The Law on Personal Data Protection regulates the public relations in the field of processing and protection of the personal data of citizens. Its aim is to guarantee the right to privacy of the person and the private life through the protection of natural persons in case of unlawful processing of personal data related to them. The right to privacy forms the basis of human dignity and other values such as freedom of association and freedom of

expression as stipulated in Art. 12 of the Universal Declaration of Human Rights and other international instruments. Data protection is a part of the right to privacy of the person, which includes the following sub-categories: physical privacy; privacy of communications; of the personal territory; of personal information. The latter category is also known as data protection and is subject to special attention and regulation in Convention No. 108 of the Council of Europe for the Protection of Individuals with regard to Automatic Processing of Personal Data, which has been ratified by Bulgaria, and in the main directive of the European Union on the protection of personal data – Directive 95/46/EC for the protection of individuals against the processing of personal data and of the free movement of such data. The challenge for Bulgaria, however, is not only the adoption of the necessary regulation, but also its effective implementation. The effective implementation of data protection depends on the good knowledge of the regulation by public authorities and citizens, and on the confidence in the effectiveness of protective tools, the activity and cooperation of supervisory authorities, and the good interaction between institutions and civil society.

136. Personal data protection is provided also in the Health Act, where there is a definition of health information – personal data concerning the health status, the physical and mental development of individuals, as well as any other information contained in prescriptions, records, certificates and other medical documentation. The law provides for the cases in which this information may be shared with third parties, and regulates the obligation of medical and health institutions, doctors, dentists, pharmacists and other health care professionals to ensure the protection of stored health information from unauthorized access.

137. According to the Code of Professional Ethics for physicians when using information from medical records for the purposes of research and teaching, data and illustrations which are subject to mandatory secrecy can be disclosed if they ensure anonymity of the patient, and identification of patients by third parties should not be allowed. The doctor is obliged to provide information about the status of his patients to the relevant institutions in cases regulated by the existing and shall then be released from liability for the preservation of medical confidentiality.

138. Personal data may also be subject to classified information under the Protection of Classified Information Act. This data is provided following a certain procedure, after obtaining the necessary permission which is preceded by a security investigation. Acts with which authorization for access to classified information is denied, and with which such access is forfeited or terminated, are not subject to judicial review, as they can only be appealed administratively.

Article 23 – Respect for home and the family

139. People with disabilities have the right to protection of any interference with privacy, home, family, correspondence or other forms of communication. The Family Code regulates relations based on marriage, kinship, adoption and guardianship.

140. Family relations are governed in accordance with the following principles:

- Protection of marriage and the family by the state and society;
- Equality of men and women;
- Voluntary marital union;
- Special protection of children;
- Equality of those born in wedlock, out of wedlock and adopted children;

- Respect for individuals in the family;
- Respect, care and support among family members.

141. In recent years, the policy for providing support to children and families is oriented towards the introduction of an entirely new approach to child care aimed at prevention, early intervention, family support and the provision of a family or family-like environment for every Bulgarian child. There is a qualitative change in the system of care for children and their families. The activities carried out are aimed at the social inclusion and participation of all children and replacement of institutional care by community care in a family or family-like environment. In this respect a number of alternative forms, and support services to children and families at risk are initiated and developed in the community. The most successful measures leading to a significant reduction in the number of children raised in institutions are the following measures: prevention of abandonment, reintegration of children in their biological family, placement with relatives or friends, in foster care or adoption.

142. To promote equality in the social security rights for men and women, when parenting incentives were introduced for insured fathers for greater involvement in parenting commitments, for overcoming the gender stereotypes, as well as for improving the reconciliation of work and family life of the insured persons – mothers and fathers. In 2009 the right of the insured for sickness and maternity father was introduced to use 15-day leave from the discharging of the child from the maternity hospital, and allowance from the State Social Insurance when a child is born. The decision that the father is entitled to maternity leave and compensation not only when the mother and father are married, but also when they live in marital cohabitation in the same household, is a contemporary one. Care is focused on the child and it does not matter whether it was born by couple in marriage or in marital cohabitation.

143. Foster care is a priority in the state and social policy and a major alternative tool in the ongoing process of deinstitutionalization of children in Bulgaria. Foster care is performed by placement of the child with relatives or friends or placement with foster carers and it is both a social service, and measure for child protection according to the legislation.

144. The procedure of entering into marriage is governed by the Family Code. It provides an exception that a person who is placed under guardianship or suffers from a mental disease or dementias, which are grounds for placement under guardianship, cannot enter into marriage. Please see Art. 12.

Article 24 – Education

145. Present legislation creates conditions for equal access to education and training for all children and pupils, including children and pupils with special educational needs and / or chronic illnesses. The right to education is regulated in Art. 53 of the Constitution and schooling up to the age of 16 is obligatory. Primary and secondary education in state and municipal schools is free. The Public Education Act (PEA) recognizes the right of every citizen to receive education and ensure its realization without discrimination while not allowing restrictions or privileges based on race, sex, ethnic or social origin, religion or social status. According to the Law on Integration of People with Disabilities, the Ministry of Education and Science provides a supportive environment for integrated education of children with special educational needs.

146. The Public Education Act regulates the integrated education of children with special educational needs and / or chronic diseases in kindergartens and schools. The opportunity for integrated education of children with special educational needs – sensory, physical

disabilities, multiple disabilities, mental retardation, with learning difficulties, with language and speech disorders, is guaranteed by creating a supportive environment in kindergartens and schools. According to the law kindergartens are obliged to accept children with special educational needs and / or chronic diseases and are enrolled in the kindergartens and servicing units when all other options for education in state and municipal ones are exhausted and upon the written consent of parents or guardians. Children with Special Educational Needs (SEN) and / or chronic diseases are trained in integrated schools that are obliged to accept them and as an exception when all other possibilities for training and education in public schools have been exhausted and upon written consent.

147. According to Ordinance 1/ 2009 children with special needs are children and pupils with different disabilities – sensory, physical, intellectual and mental health problems, multiple disabilities, with language-speech disorders and learning difficulties. The number of pupils with SEN in primary education for the school year 2013/2014 as of 15/09/2013, from 1st grade to 4th grade in special schools /for deaf children and children with impaired vision/ – 872 total and 384 of them are girls. The number of students from 1st to 4th grade with SEN, who are integrated into schools of general education, is 4,874 total and 1,704 of them are girls.

148. The above Ordinance specifies the state educational requirements for training, as every student should have access to training in the curriculum of the respective kindergarten and school, and if necessary, training is provided by individual educational programs and resource support.

149. The policy for ensuring equal access to education for all children up to 18 years old and until completion of secondary education is implemented through the provision of scholarships to students after completion of primary education, and by providing monthly scholarships to support students with disabilities. The policy of comprehensive, accessible and quality preschool education and training and school education applies to all children and students, including children and pupils with special educational needs and/ or chronic illnesses.

150. The Strategy for reducing the share of early school leavers (2013–2020) contains measures to prevent early school leaving and to provide access to quality education for children with special educational needs; for the establishment and effective functioning of accessible support centers for each child and student; for developing the capacity of teachers in general education schools and kindergartens working with children with SEN, as well as of professionals working with children and students, for the application of a uniform methodology to assess their educational needs; creating pedagogical and specialized supportive environment for each child and student to ensure the inclusive education.

151. Intervention policy for early school leaving includes additional support and appointment of school counselors and/ or psychologists and/ or resource teachers.

152. In the Higher Education Act and in the secondary legislation there are favorable conditions for access of people with disabilities, for support and for their integration into the system of higher education – persons with disabilities and reduced working capacity of 70 and over 70 percent, who have successfully participated in exams, are admitted under favorable terms and conditions which are determined by the Rules of the university. Students and postgraduates with disabilities and reduced working capacity of 70 and over 70 per cent are entitled to special relief provided in the regulations of the university, and are exempt from paying fees in state universities. Students with disabilities, students with two parents with disabilities and students with one parent who is permanently disabled, are entitled to scholarships which are awarded from the beginning of the first year of study or

from the beginning of the month following the month in which the grounds for obtaining them occurred, and are paid 12 months, for each month separately. Scholarships are awarded without observing the requirement that grades shouldn't be lower than 4, 00. Terms and conditions for awarding scholarships are regulated by a Decree of the Council of Ministers in 2000. According to data provided to the Ministry of Education by the universities, the number of students with disabilities in regular studies in state universities, which have been granted scholarships under the terms and conditions of the Decree, for the winter semester 2012–2013 school year was 717, and for 746 for the summer semester.

153. In accordance with the Regulations for use of dormitories and canteens in the campus of universities and of Students' Canteens and Dormitories EAD, where an accessible environment for people with disabilities was created, students and postgraduates from other universities too are accommodated. Students with 70 and over 70 percent reduced capacity are accommodated in dormitories without rankings and pay during the year 30 per cent of the monthly rent, and 30 percent of the semester deposit due.

154. The policy of the Ministry of Education and Science (MES) is aimed at creating conditions for the development and promotion of inclusive education, which is the process of adopting and supporting the individuality of each child or student by including resources aimed at removing barriers to learning. For this purpose, this process is expected to find its legal regulation in the draft new law on education, as well as in a number of regulations.

155. In the country there are 28 resource centers (one in each district) to support integrated education of children with SEN. In the academic year 2012/2013 year, 1,267 resource teachers, psychologists, speech therapists and speech and hearing rehabilitators were provided for resource support of the integrated education of 10,349 children with special educational needs in 1,912 kindergartens and schools. At the same time, in the implementation of the project "Inclusive education" under the Operational Program Human Resources Development another 299 specialists were employed in 84 pilot general education schools, of them 84 psychologists, 160 resource teachers, 50 speech therapists, 2 speech and hearing rehabilitators and 2 teachers to pupils with sight impairments, to assist in the tutoring of another 1,462 children and pupils with special educational needs. The total number of specialists is 1,565 (compared to 1,213 in 2011), and children and pupils with SEN, who are being supported by the said specialists is 11,811 (compared to 10,304 in 2011).

156. In implementation of the activities of the resource centers to support integrated education of children with special educational needs, 187 trainings by resource centers were organized and / or conducted, and 196 trainings by resource centers for specialists in the resource centers were organized and / or conducted in the school year 2012/2013. 1,040 teachers and specialists with educational functions participated in these trainings.

157. MES provides constant support and cooperation in the conducting of seminars and trainings for teachers and specialists with educational functions considering the need to provide specialized training for work with children and pupils with special educational needs in general educational environment. Seminars and trainings for teachers and professionals with educational functions are conducted every year – psychologists, speech therapists, rehabilitation of hearing and speech, etc., who work with children and pupils with visual impairment in kindergartens and schools, as well as for resource teachers supporting children and pupils with visual impairments in general educational environment. In accordance with the approved curriculum in special subjects for children and students with impaired hearing the assessment and approval of draft textbooks on special subjects for students with sensory impairments – with impaired hearing, has started as follows: development of speech – textbooks on development of speech for students with hearing impairments from 1st to 10th grade, pronunciation – pronunciation textbooks for pupils with hearing impairments from 1st to 8th grade.

158. In the school year 2012/2013 special educators began working on 11 new framework curricula to prepare individual educational programs on subjects from cultural and educational fields for students with mental retardation (moderate, severe and profound) and with multiple disabilities; 5 framework curricula to prepare individual educational programs on subjects from cultural and educational areas and 3 training programs on special subjects for children and students with visual and multiple disabilities; 8 framework curricula to prepare individual educational programs on subjects from cultural and educational fields and 5 curricula on special subjects for children and students with hearing impairments and multiple disabilities; 2 training programs in special subjects for children and students with visual impairment; 5 curriculum in special subjects for children and students with hearing impairment.

159. MES takes actions and measures for the use of sign language in the education of children with hearing impairments. At this stage in the curriculum of special schools for children with hearing impairment (for the initial stage of primary education and lower secondary education) learning sign language is included in classes in voluntary subjects in order to use it as an aid in teaching and learning the material. In implementation of the Action Plan for the application of the Convention the establishment of an expert group to conduct an analysis and give proposals for regulating the use of sign language is pending.

160. Every year supportive environment for conducting external assessment and state exams for students with SEN (teachers' consultants' prolonged exam, preparation of materials in Braille, use the speaker program, computer, etc...) is provided.

161. According to data from the Regional Inspectorates on Education, by 2012 architectural environment was built and is accessible in state and municipal schools and kindergartens as follows: ramps in 912 schools and kindergartens; adapted toilets in 1,268 schools and kindergartens; related infrastructure in 472 schools and kindergartens; elevators in 39 schools and kindergartens.

162. The Project "Inclusive Education", which is being implemented from 2012 to 2014, aims to provide a supportive environment for equal access to education and for opening the educational system with a view to the implementation of inclusive education. Under the project for the first time early assessment of the language development of three-year old children from kindergartens and united childcare institutions in the country was performed, based on which 25 pilot kindergartens were approved to realize preventive measures in respect of children with indicators for learning difficulties.

163. Appointment of teaching professionals – speech therapists and psychologists in these 25 kindergartens is pending. Also 84 pilot general education schools (3 in each area) were selected and approved; teams of specialists to work with students with special educational needs have been appointed; a methodology to assess the educational needs of children and students and guidance for its implementation has been developed; psychologists from pilot schools have been trained to apply the methodology for assessing educational needs; resource rooms with the necessary equipment and facilities to support the education of children with special educational needs were equipped. Children with SEN are supported in their particular individual needs. Provision of specialized software in accordance with the specific disability or disorder of children will help the work of the specialists, and will also contribute to improve the success rate of students.

164. One of the problems of inclusive education of students with sensory disabilities (with hearing impairments, visually impaired) is the lack of local experts to work with them, and the inability of general education schools to provide all the necessary equipment and facilities to assist their learning. In connection with the need for additional specialized training related to the specifics of the disability – for example, Braille, orientation and mobility for students with visual impairment; pronunciation and speech development,

mastery of sign language, phonetic rhythm and musical stimulation for hearing impaired students (which are integrated into general education schools), in the framework of the cited project support from the specialists from special schools for children with sensory disabilities is provided. The support is provided by building a new model of functioning of the two schools for visually impaired children and the three schools for hearing impaired children on weekends, during holidays and vacations. During the summer holidays seven specialized trainings for children with sensory disabilities from general education schools across the country were conducted. The trainings were for their parents and teachers. Specialized premises were equipped with the necessary equipment, devices and materials. During the holidays teams, equipment and technology are available for integrated children with sensory disabilities, their parents and teachers, and during the rest of the school year the new equipment and technology will support the education of children from the specialized schools.

Article 25 – Health

165. The Health Act settles the public relations related to the health of citizens and the protection of public health as a state of complete physical, mental and social well-being is a national priority and is guaranteed by the state through the application of the following principles:

- Equality in the use of health services;
- Providing affordable and quality health care, with priority for children, pregnant women and mothers of children up to one year;
- Priority to health promotion and integrated disease prevention;
- Preventing and reducing the risk to public health from the adverse effects of the factors of environment;
- Special health protection of children, pregnant women and mothers of children up to one year and those with physical disabilities and mental disorders;
- State participation in financing of activities aimed at protecting the health of citizens.

166. In healthcare and several long-term strategic documents with areas identified as problematic and requiring special attention from the state and the NGO sector have been adopted, namely: National Health Strategy 2008–2013, and the Action Plan to it, National Programme for Prevention and Control of HIV and sexually transmitted infections in Bulgaria 2008–2015, National program for the prevention of oral diseases in children from 0 to 18 years old in Bulgaria from 2009 to 2014, National Action Plan on Environment and Health 2008–2013, Second Community Programme for action in the field of health (2008-2013), National Programme for rare diseases 2009–2013 (genetic, congenital malformations and nonhereditary diseases), National Strategy for Combating Drugs 2009-2013, and the Plan of Action to it adopted by Decision of the NDC at the third regular session, which took place on 22 October 2008, National Program for primary prevention of cervical cancer in the Republic of Bulgaria 2012–2016, National Programme for Prevention and Control of Tuberculosis in the Republic of Bulgaria for the period 2012–2015.

167. Every Bulgarian citizen who needs urgent medical assistance may call the toll-free number 150 or the single European emergency line 112. Emergency medical care is provided to all persons within its territory regardless of their nationality, address and health insurance status. Emergency medical care is provided in all cases where there is a risk for occurrence of: death; serious or irreversible morphological and functional damage to vital organs and major systems; maternal complications endangering the health and life of the

mother or fetus. Every Bulgarian citizen can seek help on the spot in the nearest subsidiary of a center for emergency medical care or another medical institution. Every Bulgarian citizen who has health insurance has the right to: quality and affordable health care; information on health status and methods of treatment; primary outpatient medical care; specialized outpatient care; medical diagnostic tests; highly specialized medical activities; dental care; hospital care; medicines for home treatment.

168. Patients have the right to informed consent and any medical and dental activity related to treatment is performed after providing medical information in the appropriate form and amount so as to be given a choice of treatment. For this purpose, the doctor (dentist) notifies the patient or his parent, guardian or trustee about: diagnosis and nature of the disease; objectives and different treatment options, expected results; risks associated with the proposed treatment, including side effects and adverse reactions, pain and other discomforts; the likelihood of a favorable response or the risk to health when applying other methods of treatment, and in case of refusal of treatment; increased risk to life and health in surgery, anesthetics and other complex medical treatments (in such cases the informed consent is in writing). In cases when there is refusal of the parent, guardian or custodian and the life of the patient is threatened, the head of the hospital may decide to implement life-saving treatment.

169. Access to medical care is provided by a general practitioner to whom citizens turn in case of a health problem and when they need advice, research, home or hospital care, as well as for prescription of drugs, and people with disabilities do not pay user fees.

170. Health care for persons with disabilities often requires an interdisciplinary approach, hence the need to improve coordination between the various health professionals, and with the relevant social services for people with disabilities. The policy is also aimed at introducing forms of deinstitutionalisation of this model of care for people with severe physical and mental disorders, where institutional care is often characterized by depersonalization, lack of flexibility in their daily schedules and programs, group approach and social distance.

171. In Bulgaria, all children have free access to free primary and specialized medical care – Inpatient and outpatient, through their health insurance paid by the state budget. The state insures all children up to the age of 18, and after that age if they are studying full-time — until completion of secondary education, and students — during regular training in higher schools until the age of 26 years, and postgraduates enrolled under state quota.

172. By a regulation of the Ministry of Health (MH) the basic package health services guaranteed by the National Health Insurance Fund are defined, and the program “Children’s Health” of the NHIF sets out a wide range of medical activities that children enjoy freely and free of charge. Under the National Programme for Child Protection and the related plan activities for health protection of the child are performed, related to the prevention of child abandonment at maternity hospital level, early prenatal diagnosis, comprehensive medical rehabilitation of children with disabilities, prevention for children with risk behavior to prevent the use narcotic drugs.

173. The head of the SACP set up an interagency working group which has the task to propose legislative and administrative mechanisms for providing; repair and maintenance of Cochlear implant systems for children with bilateral sensorineural hearing loss. Please see Art. 26.

Article 26 – Habilitation and rehabilitation

174. Under the Law on Integration of People with Disabilities, people with disabilities have the right to prevention and rehabilitation of disability, and local authorities, national

representative organizations of and for people with disabilities, the other organizations working in the field of integration and protection of the rights of people with disabilities, nationally representative organizations of employers and national representative organizations of workers and employees contribute to prevent disabilities by: education on health and environment to limit the risk factors associated with the way of life and environment; preventive health care; ensuring healthy and safe working conditions.

175. Is essential to improve specialized medical care and create conditions for the introduction of modern medical approaches to the treatment (including the application of modern medical devices) to minimize the effects of disability for a normal life of the individual. Health care for persons with disabilities often requires a multidisciplinary approach, hence the need to improve the coordination between health professionals, and with the relevant social services for people with disabilities.

176. A “National Mental Health Programme 2013–2020” was developed, in which one of the highlights is children’s mental health (prevention and promotion), and suicide-prevention in children and adolescents.

177. According to a document approved in 2012 by the Minister of Health – “Measures to improve the care for persons with autism and their families” screening of autism is planned in 2013.

178. Medical rehabilitation is a medical activity carried out by multidisciplinary teams under the terms and conditions of the Medical Institutions Act and the Health Insurance Act, which includes: supporting drug therapy; physical therapy; visual and speech therapy; kinesitherapy; ergotherapy; psychotherapy; occupational therapy; prescription of assistive devices, appliances and equipment, and medical devices for people with disabilities. Families of people with disabilities can also participate in medical rehabilitation when the healing process requires it.

179. People with permanent disabilities are entitled to medical and social rehabilitation. Social rehabilitation is the creation of skills for independent living through rehabilitation of vision, hearing and speech, physical rehabilitation, psychological support, delivery of social services and other activities.

180. The Office of the Ombudsman has examined complaints and reports of people with disabilities and / or their relatives, related to the availability and quality of medical and physical rehabilitation, that are submitted mainly by young people who, due to severe spinal cord injuries are confined to wheelchairs. For them the only hope for a decent life is long-term rehabilitation. Their complaints are mainly related to the limited opportunities for rehabilitation, and to the organization of activities in certain specialized hospitals. Among the pressing issues that they raise are also: accessibility to the built environment as well as to the building and to the treatment rooms and equipment; the lack of regulated status for the accompanying person, the lack of basic equipment for rehabilitation of people with paraplegia, eg. Locomat (robot for walking) and insufficient staff.

181. As a result of complaints and to protect the rights of people with disabilities, in 2012 the institution of the Ombudsman performed an inspection “Following the patient’s way.” A team of experts visited nine hospitals for rehabilitation, which are part of the Company “Specialized Rehabilitation Hospitals – National Complex” EAD, and Hospital “Burgas Mineral Baths” EAD. The purpose of the inspection was to outline the actual situation associated with caring for people with disabilities in the context of their right to rehabilitation; to analyze the institutional structure of the system for medical and physical medicine in specialized hospitals; to identify problems and their importance; to elucidate the reasons that influence access to rehabilitation; to present good and bad practices; to give publicity to the opinions of people with disabilities; to seek answers and solutions and to

make recommendations to the competent authorities, based on the standards and principles of human rights.

182. The Labour Code regulates the financial liability of employers in case of damaging the health of the employee. For damages caused by a labor accident or professional illness that have caused temporary disability, permanent disability of 50 and over 50 percent or death of the employee, the employer is materially responsible regardless of the fact whether his authority or his employee is guilty of their occurrence. The employer is also responsible when the labor accident was caused by force majeure during or in connection with the performance of assigned work or of any work done without instructions, but in the interest of the employer, as well as during a break spent in the enterprise. The employer owes compensation for the difference between the damage caused – material and non-material, including lost profits, and the compensation and/ or the pension under social security.

183. In 2014, the establishment of an expert working group to analyze and prepare proposals for legislative changes on the application of Article 26 in the country is pending.

Article 27 – Work and employment

184. Pursuant to the requirements of the Labour Code, employers with more than 50 employees are required to annually identify jobs suitable for the labor readjustment of disabled workers from 4 to 10% of the total number of employees depending on the economic sector. The employer shall determine not less than half of these jobs for people with permanent disabilities. According to the Civil Servants Act, in holding public office privileges or restrictions based on disability are not allowed. In article 9a quotas are set for determining positions for people with permanent disabilities – at least two per cent of the total number of positions for civil servants in the administration of a total staff of more than 50 people, or one position for civil servants in an administration with total number of staff from 26 to 50 people. Occupation of positions shall be done following a competition involving only people with permanent disabilities in compliance with the accessibility requirements.

185. In 2011 the Council of Ministers adopted a long term strategy for employment of people with disabilities 2011–2020, which aims at ensuring the effective exercise of the right to free choice of employment of people with disabilities of working age and improving the quality of their life as a condition for free and full inclusion in a public life. The Strategy has three main operational objectives: providing employment to unemployed persons of working age with permanent disabilities in order to overcome their social isolation and their full integration into society; creating preconditions for an independent life of people with disabilities; achieving effective social inclusion of people with disabilities through their realization of the free labour market. Implementation of the activities under the long-term strategy is secured by two-year action plans adopted by the Council of Ministers.

186. The Law on Integration of People with Disabilities creates conditions for people with disabilities to exercise their rights to participate fully in the life of the country and in the realities of the market economy. With regard to the employment of people from this vulnerable group, the law allows employers from ordinary and from specialized work environment to be stimulated if they provide jobs for them – they are reimbursed from the state budget, respectively 30/ 50 percent of the contributions that are paid by the employer, funds are provided to adapt the workplace, equipment at the work place, to ensure healthy and safe working conditions, etc. The law gives people with entrepreneurial spirit the chance to start their own business by providing certain financial resource.

187. In Bulgaria, people with disabilities are on equal footing when using the services provided by the territorial divisions of the Employment Agency – Labour Bureau Directorates (LBD), after their registration as job seekers, namely: information about vacant positions; information on programs and measures for the preservation and promotion of employment; mediation in providing information and employment; psychological support; vocational guidance; involvement in adult education; inclusion in programs and measures for employment and training; scholarship, money for transport and accommodation for the duration of the training.

188. The officeres offer to the disabled employees, who are registered in the LBD, appropriate employment services and the number of labor agents and mediators is increasing. Labor realization of people with different disabilities requires a differentiated approach to the specifics of the disability and to the acquired level of education. The Ministry of Labour and Social Policy and the Employment Agency develop and implement national programs and measures to promote employment, ensuring equal opportunities for people with disabilities to participate in the labor market. The programs and measures provide means to stimulate employers to employ people with disabilities. They can participate without restrictions in all programs and measures for training and employment under the Employment Promotion Act and the National Action Plan for Employment, and in the schemes of the Operational Programme Human Resources Development.

189. According to data from the Employment Agency, the number of registered unemployed persons with disabilities in 2012 is 15,100 persons, and the share of this group on the labor market remained unchanged in 2012 – 4.1%. A number of 5,502 unemployed with disabilities started work in 2012, and their number decreased by 2.4% in 2012. Unemployed people with disabilities face particular difficulties in their realization on the labor market, and in a situation of economic crisis they are among the most affected and most vulnerable groups.

190. In 2012 averagely per month 1,225 persons were included and 2,414 persons worked, or 11.7% of all individuals who have worked under programs and measures. This share compared to the share of unemployed persons with disabilities in the total number of unemployed (amounting to 4.1% in 2011 and 2012) shows a disproportionate participation of unemployed persons with disabilities in the active policy initiatives which are realized by the state budget.

191. Under the National Programme for employment and training of people with disabilities, of unemployed persons with disabilities or persons who have undergone a successful course of treatment for addiction to drugs, who are of working age, full time or part time jobs in an integrated working environment are provided. In 2012 under the program the number of unemployed persons who worked was 1,748, and the number of included unemployed persons was 413, and the funds spent were 6,683.0 thousand Levs.

192. To encourage the development of business among the disabled, the program Interest Free Credit for People with Disabilities is applied, by subsidizing interest to borrowers with disabilities under the project Guarantee Fund for Micro Lending. In 2012, the program included 69 disabled workers who were reimbursed with the interest on approved project loans, and the funds paid amounted to 75,000 Levs.

193. Under the measures for persons with permanent disabilities and those employed on temporary, seasonal or part-time basis in 2012, respectively 366 and 188 averagely per month have worked and new 405, respectively 224 persons were included .

194. Persons with permanent disabilities or reduced working capacity were included in the training and employment schemes under OPHRD. In 2012, the training included 827 unemployed and employed persons with disabilities, in employment and in

employment after training – 579 unemployed persons with disabilities, and in consulting – 93 persons with disabilities or reduced performance.

195. The Agency for People with Disabilities, through its programs, implements policies for ensuring employment of people with permanent disabilities. A Program for providing, equipping and adapting jobs for persons with permanent disabilities into a common working environment, under Article 25 of the Law for Integration of People with Disabilities, which aims to stimulate employers to provide, adapt and equip jobs for persons with permanent disabilities, with the purpose to achieve their effective social inclusion through their realization on the free market. In 2012 under this program funding in the amount of 119,629 lev was provided, 15 projects were approved, and the number of people with disabilities covered by the program is 23.

196. Program to provide funds to ensure healthy and safe working conditions, as well as for technological renovation of registered specialized enterprises and cooperatives, according to Article 28 of the Law for Integration of People with Disabilities, which aims to create optimal conditions for the realization of those working in specialized enterprises and cooperatives of people with disabilities, by improving the working environment and the production microclimate. Under this program in 2012, funding in the amount of 632,674 Levs for projects with a social focus was provided, 17 projects were approved, the number of people with permanent disabilities covered by the program was 496. For projects with a business focus in 2012 funding in the amount of 1,066,328 Levs was provided, the number of approved projects was 14, jobs for 35 persons with permanent disabilities were opened.

197. Program for funding of projects to start and develop independent business by people with permanent disabilities, according to Art. 31 of the Law for Integration of People with Disabilities which aims to stimulate the initiation or development of independent economic activities by persons with permanent disabilities and thus to ensure their full inclusion in the economic life of the country. In 2012 under this program funding in the amount of 330,706 Levs was provided, 29 projects were approved, the number of people with permanent disabilities covered by the program was 29.

198. Under Article 4 of the Labour Code employees are entitled, without prior permission, to form freely trade unions of their choice, to join and leave them voluntarily, taking into account only their statutes. Trade unions represent and defend the interests of workers and employees before state bodies and employers on issues related to labor and social relations and standards of living, through collective negotiating, participation in tripartite cooperations, organizing strikes and other actions under the law.

199. Unemployed persons with disabilities can also exercise home labour, as regulated by the Labour Code in accordance with the International Labour Organisation.

200. Specifically aimed at disabled people are the following procedures for granting financial assistance under Priority Axis 5 of the HRD OP, namely “Social entrepreneurship – promoting and supporting social enterprises” – pilot phase. The scheme was completed in 2012 and is defined as an innovative form of social services targeted to active social inclusion. It is being implemented in two components: Component 1: Support for the development of existing social enterprises to increase the range and diversity of the services provided; Component 2: Support for the creation of new social enterprises. The aim of the procedure is to support the development of social entrepreneurship as an opportunity to improve the quality of life of persons from risk groups and to overcome social isolation. As a result of the implementation of the project activities of the scheme the set target values for the indicators was implemented:

- Sheltered employment of 335 persons from vulnerable groups is provided, which is 30% over-performance of the predefined 264 persons. The inclusion of these individuals in different forms of specialized employment enables them to perform

real work, they were supported to recover their work habits, independence and social inclusion skills;

- As a result of providing integrated social services 179 persons moved from the social economy sector to the real labor market. This represents 53.4% of those who started work in the social economy sector, and exceeds several times the set target of 8%;
- The number of supported enterprises is 46, as opposed to the planned 44;
- The number of trained social service providers, employers, non-profit legal entities whose objective is creating jobs in the social economy is 144, as opposed to the minimum 40 which were planned;
- 94 information campaigns were conducted to attract civil society and to raise public awareness about the possibilities of social entrepreneurship, as opposed to the minimum 40 planned.

Article 28 – Adequate standard of living and social protection

201. The risk of poverty and social exclusion is higher for people with disabilities, being a specific vulnerable group. In this respect it is important to improve their access to various services – health, social, educational, for employment, which would create more opportunities for their involvement in society, and to promote the interaction between them. The existing programs cannot meet the increased need for integrated and customized in terms of needs services, mainly due to the limited financial resources for their implementation. In order to promote the social inclusion of vulnerable groups in society, including people with disabilities provision of the necessary financial resources from EU structural funds makes it possible to extend the network of quality and flexible integrated services.

202. Under the Law on Integration of People with Disabilities, people with disabilities are entitled to a monthly allowance for social integration according to their individual needs consistent with the degree of reduced work capacity or with the type and degree of disability. The allowance is differentiated and represents cash which complement their income and is designed to cover additional costs: transportation services; information and telecommunication services; training; balneotherapy and rehabilitation services; accessible information; rent municipal housing; dietary nutrition and medicines.

203. The national budget provides funds for 50 percent of the paid employer contributions for government social insurance, compulsory health insurance and supplementary mandatory pension insurance for employees under labor contract in specialized enterprises, labor therapy centers and cooperatives of people with disabilities, members in national representative organizations of people with disabilities and national representative organizations of people with disabilities.¹

204. Bulgaria is not isolated from the common European efforts to create a working social model. Its participation in the European process for social protection and social inclusion contributes significantly to the creation and strengthening of the national social model. A particularly positive impact has the participation of Bulgaria in the European Open Method of Coordination (OMC) in matters of social protection and social inclusion through which the exchange of best practices between Member States on its main areas is promoted: social inclusion, pensions, health and long-term care. OMC has proven to be a

¹ National Social Security Institute – Disability Pensions and Benefits; www.asp.government.bg.

flexible, successful and effective tool to display the general priorities of social policy at EU and national level, aimed at supporting the most vulnerable groups, including people with disabilities.

205. An important role in achieving better coordination of policies within the Open Method of Coordination on Social Protection and Social Inclusion has the National Social Report (2011–2012), which is in line with the key priorities and objectives set in the Strategy Europe 2020 for inclusive growth. The report outlines the main challenges in the field of social inclusion, pensions, health and long term care, key priorities, target groups and measures taken to achieve Bulgaria's National Target to reduce the number of people living in poverty by 260 thousand by the year 2020. Since 2012 the reported figures indicate an increase by 557,523 persons, of which 23,655 children received 1,277,388 integration supplements.

206. For the period from January to September 2013, there was about a 5% average monthly increase in people with disabilities who are assisted, which leads to an increase in the annual performance.

207. Persons with disabilities are entitled to a disability pension when they have 50 and over 50 percent permanent disability. The determination of the starting date, the duration, eligibility and amount of the pension are subject to specific rules which are determined and comply with the operative time, namely the existence of a disability that, to varying extent, makes the ordinary work of the person difficult. People who have retired due to disability, and who have not reached the age for retirement and have the status of self-employed or of persons working without a labor contract, shall be insured for the funds of the state social insurance only upon their request.

208. Support for vulnerable groups of children and families is effected through the Law on Integration of People with Disabilities, and under the regulations of the Social Assistance Act, the Family Child Benefits Act, the Child Protection Act and the regulations for their implementation.

209. People with permanent disabilities, who receive income from employment, enjoy tax relief under the conditions and procedures, as specified in the Income Taxes on Natural Persons Act. Under the provisions of this Act the amount of annual tax base for persons with 50 and over 50 percent reduced working capacity, determined by a final decision of the competent authority, shall be reduced by 7,920 Levs, including the year of occurrence of the incapacity and the year of expiry of the decision, and the monthly tax base is reduced by 660 Levs, including the month of occurrence of the incapacity and the month of expiry of the expert decision issued by the medical expert.

210. In the Local Taxes and Fees Act it is provided that for the property which is the main residence of a person with reduced working capacity from 50 to 100 per cent, the property tax due is reduced by 75 percent.

Article 29 – Participation in political and public life

211. The Election Code contains several measures to ensure the voting rights of people with disabilities, along with the provided special provisions which attempt to ensure in practice the voting rights of people with disabilities. It is envisaged that voter lists shall be drawn up in medical and health care facilities, rest homes, nursing homes and other care facilities. People with disabilities benefiting from health and social services institutions can exercise their right to vote, and also the establishment of polling stations for voters with disabilities is provided for: when there are sections on the upper floors of buildings with more than one floor, the regional or municipal election commissions dedicate with a decision certain sections of the first floor (ground floor), which has the smallest number of

voters, so that voters with musculoskeletal or visual disabilities can vote. Sign and other notifications bearing its additional purpose are placed in front of this section. With respect to ensuring the rights of people with disabilities in the electoral process the District Election Commission or the Municipal Election Commission have the legal obligation at least 7 days before Election Day to disclose adequately through the media the measures which will enable voters with disabilities of the musculoskeletal system or vision to move and vote on the election day. The announcement shall state the telephone and address at which they can request help on the day of the election.

212. According to the Constitution of the Republic of Bulgaria the exercise of voting rights is limited for persons under guardianship, which reflects the traditional understanding of the legal doctrine requiring guarantees against abuse in formulating and expressing the will of the person. According to Art. 10 of the Constitution, elections, national and local referendums are held on the basis of universal, equal and direct suffrage by secret ballot. The right to elect members of the European Parliament from Bulgaria have Bulgarian citizens who are aged 18 or over as of the election day, who have lived in the country or in another EU Member State for at least in the last three months, and are not under guardianship and serving a sentence deprivation of liberty. Thus persons under guardianship are actually deprived of free access to political participation.

213. In the concept adopted for legislative amendments under Article 12 of the Convention a change of the institution of guardianship and the introduction of the new institute “supported decision making” is provided, which governs in a new way the exercise of the right to vote by people with intellectual disabilities and mental disorders by seeking appropriate aids to enable them to exercise their right to vote in person and directly.

214. The Election Code provides for voting by mobile ballot box (art. 176), but it has to be stated and declared in writing at least 30 days before election day. This is done by a standard application form, signed by hand and submitted by letter, fax or electronic form to the authorities involved in the electoral process, at the permanent or current address. The application shall include a copy of the document TEMP (NEDC). To put into practice the right to vote with mobile ballot boxes, mobile sectional election committees are appointed. When voting with a mobile ballot box other persons cannot be in the room together with the voter, including members of the sectional election committee who are servicing the voting box, unless the voter cannot act on its own and requires voting with a companion whose identity is marked on the list next to the name of the voter by a member of the committee.

The Code has special provisions relating to the accessibility of the polling station in connection with voters with musculoskeletal or visual disabilities (Art. 190, para. 2). These voters can vote in a suitable section of their choice, and for this purpose they should present a declaration in a standard form that they have not voted and will not vote elsewhere. The Election Code obliges the district, municipal and sectional election commissions to ensure the necessary voting conditions for people with musculoskeletal or visual disabilities.²¹⁶

Voters with musculoskeletal or visual disabilities prove their identity to the electoral committee with an identity document and may vote in appropriate section they have chosen.

217. When voters have a musculoskeletal or visual disability which does not allow them to carry out the necessary actions during the vote themselves, the head of the Commission, on the basis of a document issued by LEDC (NEDC) which certifies the disability, may permit the vote to be conducted with a companion indicated by the voter. A copy of the document TEMP (NEDC) is enclosed to the additional list of voters and is an integral part of it. When a voter has a musculoskeletal or vision disability, which does not allow him to act on his own, and does not have a TEMP (NEDC) document, as an exception by decision of the Commission he may be allowed to vote with a companion. When the disability does not allow the voter to put his signature, a committee member notes “voted” in the field for

voting and signs it. This fact is noted in the “Remarks” field and in the minutes of the electoral committee.

218. In addition to representatives of the state, of national representative organizations of employers, workers and employees, national representative organizations of and for people with disabilities participate in the National Council for the Integration of Persons with Disabilities, which is an advisory body to the Council of Ministers for cooperation in the development and implementation of policy on the integration of people with disabilities. In order to be recognized as representative on a national level, organizations of and for people with disabilities should meet certain general and specific criteria stipulated in the Rules of Organisation and Procedure of the National Council for the Integration of People with Disabilities, and the criteria for representativeness of the organizations of people with disabilities and organizations for people with disabilities. The nationally representative organizations of and for people with disabilities receive subsidies from the state budget every year.

219. The Protection against Discrimination Act aims to provide every person the right to equal treatment and opportunities for participation in public life and requires from state and public bodies and local government policies to promote the balanced participation of women and men in management and decision making.

Article 30 – Participation in cultural life, recreation, leisure and sport

220. Under the Convention countries must recognize the rights of people with disabilities to participate on an equal basis with others in cultural life by taking measures to ensure accessibility to cultural materials, programs and events, as well as monuments and sites of national cultural importance. According to the Constitution of the Republic of Bulgaria every citizen has the right to benefit from national and universal cultural values, and to develop its culture in accordance with its ethnicity, which is recognized and guaranteed by law.

221. The Ministry of Culture cooperates for the integration into the spiritual life of creative projects for cultural integration of people with disabilities, and every year it supports partially with financing the implementation of various projects and initiatives that contribute to a more effective use of the creative, artistic and intellectual potential of people with disabilities and to the promotion of their full participation in the cultural life of the country. In 2013 the following projects were supported: Association “Silence” for the show “For man and more ...” (4,500 Levs), Foundation “Start” for organizing the VII International Music Festival for People with Disabilities “Dominion of the spirit – Velingrad 2013” (2,000 Levs), Association “Prosperous Unity of Nations” for the release of the music CD “Impossible Love” created by blind artists (3,000 Levs), the National Association “Enlighteners-followers” for the realization of the play “The Spring of the White-Legged” by the Pensioners Variety Theatre “Sofiantsi” (1,000 Levs) and celebrating the European Year of Active Ageing and Solidarity between Generations and the Day of National Enlighteners (1,500 Levs).

222. Many of the activities for inclusion of people with disabilities were initiated and implemented within the community centers network in the country. Among them stands out the National Community Center For the Blind “Louis Braille – 1928” – Sofia, which through the state subsidy creates conditions for the development of social and organizational cultural public activities related to the needs of people with disabilities.

223. For the adaptation of national schools of arts and culture to the educational needs of children with disabilities, in particular under the National Programme “Accessible Environment” of the Ministry of Education and Science, activities were performed related

to the improvement of social infrastructure in schools and to ensure equal access for children and young people with disabilities, through the construction of elevators and bathrooms, as follows in: National School of Applied Arts “Prof. Venko Kolev” – Troyan, National School of Folk Arts “Philip Koutev” – Kotel, National Art School “Tcanko Lavrenov” – Plovdiv, National School of Folk Arts “Shiroka Luka” and the National School of Fine Arts “Tryavna School” – Tryavna.

224. Currently, children with special educational needs are being trained, for which resource support is ensured. Also, students with special educational needs receive scholarships, including scholarships for gifted children.

225. To create conditions for physical access to buildings of cultural institutions the Ministry of Culture engaged cultural institutions in the field of theater, museums, music and dance, permanent and removable ramps were created in 14 buildings, bathrooms in 8 sites were adapted and elevators were installed in 2 sites.

226. Projects for reconstruction, repair and adaptation of buildings of public cultural infrastructure and facilities of national importance aimed at creating an accessible built environment for people with disabilities are among the priority projects of the Ministry of Culture through EU funding and national co-financing. In 2013, 20 projects for reconstruction, modernization and reconstruction were completed, which includes accessibility for people with disabilities to cultural institutions and 4 projects are still in progress.

227. In the Bulgarian cultural legislation there a number of privileges in favor of people with disabilities, which are governed by the applicable laws and regulations: the Law on Copyright and Related Rights provides that such persons may freely, without payment of remuneration, reproduce already published works in Braille or another similar method if it is not done for profit.

228. According to the Law on Cultural Heritage museums should provide suitable conditions for access to museum exhibitions for people with disabilities; “Children, students and people with disabilities pay reduced rates or are exempt from payment of entry ticket” (applies to all museums).

229. The Law on National Community Centers regulates the right of everyone to be a member of the community center and to participate in its activities and forms. The Ordinance on the conditions and procedures for the presentation of cultural values provides conditions for access of disadvantaged people to immovable cultural property exposed.

230. On July 28, 2013 Bulgaria joined the Treaty of Marrakesh of the World Intellectual Property Organization for facilitating the access to published works of blind and visually impaired persons or with other visual disabilities that prevent them from reading print publications. The contract will be ratified by the summer of next year and will become part of our law by the end of 2014.

231. The establishment of an expert working group to implement one of the objectives of the Action Plan for implementation of the Convention is pending, which together with the Ministry of Youth and Sports and representatives of other interested parties to analyze the situation in this area and to prepare proposals for realizing the rights of people with disabilities in terms of their participation in cultural life, recreation, leisure and sports.

232. Under the Child Protection Act protection of gifted children is performed under the terms and conditions determined by an Ordinance of the Council of Ministers following a proposal of the Minister of Culture, the Minister of Education and Science, the Chairman of the State Agency for Child Protection and the Minister of Youth and Sports, in which measures for the following are provided: promoting creative talents and needs of children;

providing opportunities and conditions for entry into sports schools and art schools; financial support and incentives through grants and special educational programs.

233. According to data from the SACP, since 2009 with the already adopted Ordinance No. 1 for the terms and conditions for planning and safety of playgrounds, issued by the Ministry of Regional Development, the Ministry of Interior and the State Agency for Child Protection, safe access of children to the playgrounds has been guaranteed, including children with disabilities. The terms and conditions for planning and safety of publicly accessible playgrounds located outdoors and indoors were established, including the requirements for their safe use, maintenance and control. According to a national survey at the end of 2011, on the territory of the country there were 8,363 playgrounds for children, including playgrounds for children up to 3 years old – 540, from 3 to 12 years old – 4,294, from 12 to 18 years old – 369, combined playgrounds – 3,160 (this number does not include playgrounds in yards of nurseries, gardens and schools). The new playgrounds planned to be built in the country are 717, and 181 are under construction. Dedicated funds for the construction of 478 new playgrounds are provided. Funding has been performed also under the project “Beautiful Bulgaria” and the National Campaign of the Ministry of Environment and Waters “For a clean environment.” A primary inspection of playgrounds was performed by the Consumer protection Commission within the campaign “Safe Summer on the Playgrounds.” At the end of 2011 a total of 4,926 (58.9%) playgrounds were inspected and it was found that 850 (17.3%) playgrounds meet the requirements. Schedules were prepared to bring the other playgrounds in compliance.

234. The sports activity of children is organized in schools or under other programs of the Ministry of Youth and Sports and are implementing the National Strategy for the Development of Physical Education and Sports in Bulgaria 2012–2022, the National Program for the Development of Physical Education and Sports in the Republic of Bulgaria 2012–2016, as well as programs of the Ministry of Youth and Sports to provide conditions and opportunities to participate in sports. In the period 2008–2012 1,054,115 children under 18 years of age were covered in the sports activities with financial resource of over 10 million Levs provided under the following programs of the Ministry of Youth and Sports: “Sports for children in the free time”; “Learn to swim”; “Sports for children in kindergartens”, “Developing sports for students”; “Sports for people with disabilities and children at risk”; “Development of excellence in sports for Non-Olympic sports”; “Development of excellence in sports for Olympic sports.” Accessible sports infrastructure in public places for recreation and sports was provided. 12 sports venues within the school environment were constructed and reconstructed with budget funds.

235. The Agency for People with Disabilities funds bids of non-profit organizations of and for people with disabilities. Events such as festivals, concerts, shows, workshops, art exhibitions, sports events and car rallies and the like, in which the direct beneficiaries are active participants in the event, are subject to financing. The Agency for People with Disabilities funds bids for the provision of an accessible environment and adaptation of cultural, historical and sporting venues of international, national and regional importance (included in Article 9).

236. Several NGOs together with local authorities continue public manifestations of the 148 groups for amateur art. In the town of Pernik a Republican multi-genres festival is held for people with disabilities, with the participation of over 1,000 amateurs with disabilities from Bulgaria and the Republic of Macedonia, together with an exhibition of applied arts.

237. The National Consumer Cooperative of the Blind in Bulgaria uses the recreational facilities of the Central Cooperative Union, the Union of the Blind in Bulgaria and the National Social Security Institute and also supports financially members of the cooperation according to the internal Regulations for Support to the Members of the Cooperation, as

well as for publishing their poetry books, as well as sports clubs of members of the cooperation in the execution of their activities.

238. The Union of the Blind in Bulgaria is actively working on the participation of people with visual disabilities in cultural life, sports and tourism by organizing an annual average of about 80–100 concerts, national and regional festivals with approximately 350 singers, instrumentalists and dancers, and 150–170 local national and international tournaments in nine sports and hiking, covering about 2,500 persons, as well as visits to theaters, museums, cultural and historical sites and monuments.

239. The Ministry of Youth and Sports works under an approved “Program for the Development of Sports for All”, which aims to support the public benefit activities of licensed sports organizations through project financing for sustainable development of the activities in the field of sports for all and social tourism, including for people with disabilities. Direct beneficiaries are federations and licensed national sports organizations which are administering sports on an industry and departmental basis, sports for people with disabilities and social tourism.

240. Rules for the Organization and Conducting of School Games for Students with Impaired Hearing, Impaired Vision, Disability and Impairment of the Central Nervous System in the School Year 2013/2014 have been approved, which through a system of sporting events contribute to the creation of conditions for free access of children, selection and performances of school teams from special schools.

241. In 2012 the Confederation of Independent Trade Unions in Bulgaria participated in the celebration of the International Day for children with cancer, and bought tickets for the charity concert “Meeting in the memory” of Neshka Robeva’s dancing group National Art, and the funds were donated for the construction of Bulgaria’s first center for recreation and work with children with oncohematological diseases.

242. The charity initiative Youth Forum 21-st Century under the slogan “Give martenitsa – donate a smile to a child” is held regularly for the children from Third school for children with special needs “Edward Segen” in Sofia, a school that specializes in teaching children with mental problems (autism, epilepsy, cerebral palsy, Down syndrome, etc.) from first to eighth grade. Donations are traditionally provided to the children with disabilities from the Social Services Complex “House of Games” in the village of Dalboki Dol, municipality of Troyan, and others.

243. Traditionally, on the eve of the Christmas and New Year holidays the Syndicate of Bulgarian teachers and Karnolski Art Center organize the concert “Different but Together”, which is supported by the Ministry of Education and Science, Sofia Municipality, the Regional Inspectorate on Education – Sofia city, the Bulgarian Red Cross, the Refugee and Migrant Service of the Bulgarian Red Cross, the Directorate Education of Sofia Municipality. The event is held under the patronage of the Mayor of Sofia and the musical host of the event is vocal studio “Daga”. The vocal group at the school for visually impaired Children “Louis Braille”, the children’s band “Sweet cornel” at SOS Children’s Villages in the village of Dren, the group “Zhestim” at the special school for children with impaired hearing “Prof. Dr. Decho Denev”, and others take part in the concert.

IV. Part of the report relating to specific situations in relation to young boys and girls and women with disabilities

Article 6 – Women with disabilities

244. The development of a horizontal type of policy for improving and synchronizing the efforts of responsible institutions is a guarantee for joint coordinated actions in the formation and implementation of policy on gender equality and achieving a sustainable model for cooperation between institutions, social partners and civil society. The coordinating role is played by the Ministry of Labour and Social Policy “authority for equality of women and men” in accordance with Directive 2006/54/EC of 5 July 2006 on implementing the principle of equal opportunities and equal treatment of women and men in employment and occupation (recast) / and the so called “Mechanism for gender equality” in accordance with the Beijing Platform adopted at the IV World Conference on Women, Beijing’95.

245. The national strategy for the promotion of gender equality (2009–2015) shall be implemented through action plans that follow the principles and objectives of the Strategic Development Plan of the Ministry of Labour and Social Policy (2009–2013), priority 5.5: Implementation of the international commitments of the Republic of Bulgaria in connection with the promotion of equal opportunities, equal treatment and gender equality. The Implementation of the plan for 2012 contributed to achieving the key strategic objective of the policy of equal opportunities for women and men, namely “ensuring gender equality and prevention and elimination of discrimination based on gender.” The measures in the National Action Plan for the promotion of equality between women and men in 2012 is structured in the following sections: I. State policy to promote equality between women and men; II. Equal economic independence; III. Better reconciliation of professional, private and family life; IV. Promoting equal participation of women and men in decision-making; V. Dignity, integrity and the prevention of gender-based violence; VI. Eliminating stereotypes based on gender and counteracting multiple discrimination; VII. Promoting and implementing best European practices in the field of equality between women and men at national level. All issues are discussed in the National Council for the equality of women and men at the Council of Ministers.

246. National policy is aimed at promoting equality between women and men on the basis of established legal guarantees for non-discrimination based on gender when occupying positions requiring work of the same complexity and responsibility, at the same level of education and professional qualifications. Support for women is tailored to the specific difficulties they face, as well as adopting an approach for better reconciliation of work and family life to promote equality between genders and provides access to better and more productive workplaces. Achieving a better balance between private and family life in parents with young children is supported through the implementation of the scheme “Back to work” under the HRD OP. Parents who return to work earlier are encouraged through the provision of free care for their children aged 1 to 3 years. Unemployed persons who are registered in labor bureaus can care for young children. Carers are hired with an employment contract under the terms of the Labour Code, for a maximum period of 2 years.

247. Unemployed mothers with young children are supported through incentives stipulated in the Law on Employment Promotion. Employers’ costs for salaries and mandatory payments under the employment and insurance legislation are financed from the state budget.

248. The Commission for Protection against Discrimination, as a specialized and independent body, works for the prevention and protection against discrimination, and exercises control over compliance with this Act or with other laws governing equal treatment, and every year submits to the National Assembly a report on its activities, which includes information about the activities.

Article 7 – Children with disabilities

249. Government policy in relation to children with disabilities in the Republic of Bulgaria is based on respect for the rights of the child in accordance with the Convention on the Rights of the Child and the Child Protection Act. The legislative approach in Bulgaria is a regulation of the rights and obligations of all children, and special measures for protection are taken in respect of certain vulnerable groups, including children with disabilities. This creates opportunities and guarantees for children with disabilities to realize their rights equally with other children. Welfare of children is set as a fundamental principle in the Constitution of the Republic of Bulgaria. Through the main tool in the field of child policy – the National Strategy for the Child 2008–2018, child welfare is placed in the focus of attention of all sectors. In current legislation child welfare is regulated as responsibility of the parents. According to Art. 17 of the Family Code spouses are obliged, by mutual understanding and joint efforts and according to their capabilities, assets and income, to ensure the welfare of the family and to care for the rearing, upbringing, education and maintenance of children. If parents cannot take care of the child, or when this is not in its interest, protective measures are taken or it is accommodated in an extended family.

250. Under the Child Protection Act, child is any person up to the age of 18, and children with disabilities are included in the group of children at risk and are subject to special measures for protection, expressed in a system of legislative, administrative and other measures to guarantee the rights of every child. There shall be no restriction of rights or privileges based on race, nationality, ethnicity, gender, origin, property, religion, education, beliefs or disability.

251. The basic principles underlying the protection of children in Bulgaria are: respect and esteem of the child's personality; raising the child in a family environment; ensuring the child's best interests; special protection of children at risk; promoting voluntary participation in the activities related to child protection; selection of persons directly involved in the activities of child protection in accordance with their personal and social skills and care for their professional qualification; temporary nature of restrictive measures; immediacy of actions related to child protection; care according to the needs of the child; ensuring the development of the gifted child; promotion of responsible parenthood; family support; preventive measures for security and protection of the child; control on the efficiency of the measures taken.

252. The term "best interests of the child" is expressed in the assessment of the wishes and feelings of the child; physical, mental and emotional needs; age, gender, background and other characteristics; threat or harm caused to the child, or likely to be caused to it; the ability of parents to care for the child; consequences for the child if circumstances change; other circumstances relevant to the child. According to Art. 4 of the Rules for Implementation of the Child Protection Act "Child Protection Authorities are obliged to ensure the child's protection and care as is necessary for its well-being, by taking without delay all necessary legislative and administrative measures."

253. Providing special care for children with disabilities is set as a measure of protection, and Social Support Directorates provide special care, counseling of the actions with a physician, psychologist, teacher or other professionals where necessary, according to the

child's disability. Protective measures in family environment are taken from the Child Protection Department of the Social Assistance Directorate at the request of parents, guardians, trustees, individuals who care for the child, or the child itself, and at the discretion of Child Protection Department, and are implemented by providers of social services for children or by the Child Protection Department, and may be provided in conjunction with other protective measures under the law.

254. The Social Insurance Code regulates acknowledgment of pensionable service if the parents do not work as they are taking care of child/ person with a permanent disability/ type and degree of disability of over 90 percent, who constantly needs help. The Ordinance for Pensions and Pensionable Service provides the possibility that pensionable service after 1 January 1996 is acknowledged, if during this time the parent or the adoptive parent of a disabled child has been taking continuous care of it until the age of 16, and due to this he hasn't worked under an employment contract or contract for services and was not insured, if the child's condition requires constant care and child is not placed in a medical or social institution. There is a possibility for persons, who are over the statutory age (under Art. 68, para. 3 of Social Insurance Code) to receive a personal pension, who for more than 10 years have been taking care of people with disabilities who are members of their families constantly in need of help.

255. The National Strategy for the Child 2008–2018, and the annual National programs for child protection to it, include specific measures to promote the full social inclusion of children with disabilities. The national program for guaranteeing the rights of children with disabilities 2010–2013 includes measures relating to the right to education, health care and appropriate social services to support children and their families, the right to sports and leisure activities, the creation of affordable architectural environment and others. Implementation of this program is aimed at: increasing the number of kindergartens, schools and servicing units, which provide accessible environment for children with special educational needs; providing opportunities for integration into the general education environment; individual approach to the capability of the child for integration and training in order to provide special and social preparation for school; providing and introducing modern methods for comprehensive evaluation of children with disabilities; providing support to families with children with disabilities; providing early diagnosis and reducing the risk of having a child with a disability; increasing social services for children with disabilities, etc. and working on extension of the program.

256. The National Strategy "Vision for deinstitutionalization of children in Bulgaria" was adopted, which is implemented with the financial support of the European Union. In the Action Plan to it activities, tasks, responsibilities and resources for the implementation of the planned five projects are specified, one of which is fully directed towards deinstitutionalization of care for children with disabilities. The Project Childhood for All aims at changing the philosophy of care for children with disabilities, which is the most vulnerable group of children in institutions, with emphasis on prevention of risks for institutionalization, support for families and providing family or family-like environment for each child placed in specialized institutions for children with disabilities. By implementing the project the opportunity for children to access a package of necessary services according to their individual needs is provided. It envisages closing of specialized institutions for children with disabilities, and 8 pilot homes for medical and social care for children. The project targets almost 1,800 children over 3 years of age and young people with disabilities, who are placed in 24 homes for children with mental retardation and 30 homes for medical and social care for children, and currently an overview and analysis of the assessments of the needs of 1,797 children and young people with disabilities was performed. On this basis a map of services for 2,076 children and young people was developed, it includes 81 municipalities and is currently being updated. Thanks to the operation of the system for child protection within the project, 183 children from the target

group were adopted, 39 children were placed in foster families, 44 children / young people were reintegrated, 16 young people were placed in sheltered homes, 7 young people were placed in transitional homes, and 34 children and young people were placed in centers for family-type accommodation.

257. The creation of four types of new and innovative services is planned: services for early intervention and prevention of abandonment of children and support to their families; services for replacing family care; supportive care for mothers and babies; integrated health and social services. The assessment of the needs of 190 children, and of the capacity of families, as well as of care plans was updated.

258. The scheme Life in the Community is in progress, it provides the creation of new forms of community based social services and the implementation of a new approach to social work, including social protection, real integration, rehabilitation, counseling, mediation, education and full inclusion in community life of individuals. Within the framework of the Project a number of 1,237 assessments of regional needs for social services were performed, as well as an analysis on available resources in the municipalities to create new social services. On the basis of the analysis 91 places were identified, where it is necessary to establish social services to persons from the target group of operation Life in the Community, which is financed with funds from OPHRD, and the opening of 120 social services is recommended. 34 project proposals for the scheme were received from the municipalities, 28 of them were approved for funding. The scheme is implemented in the period 2012–2014.

259. In the new programming period 2014–2020 funding of the process of deinstitutionalization from Operational Programme Human Resources Development continues, as well as the application of the model of complementary cross-financing between different Operational Programs. It is envisaged that NGOs working in the field of child care shall participate in the preparatory work on the Application Guidelines for the new schemes, and as partners to municipalities in the projects.

260. Under the existing distinction in the Rules for Implementation of the Social Assistance Act, social services shall be provided in the community and in specialized institutions. The statutory limitation that social services in specialized institutions shall be provided after exhausting the possibilities of providing services in the community was established as a manifestation of the principle and priority of social inclusion and life in the community. Community-based services appropriate for children with disabilities that are funded by the state. The social services in the community play an important role in the social integration of children with disabilities, and Day Care centers for children with disabilities and the Centers for social rehabilitation and integration are proving to be appropriate forms. Day care centers for children with disabilities create conditions for the overall care of the children during the day, and the opportunity for weekly care that are associated with satisfying health, rehabilitation needs, organization of leisure time and personal contacts. The Centers for social rehabilitation and integration provide advisory services related to the performance of rehabilitation, social and legal counseling, educational and vocational training and guidance, preparation and implementation of individual programs for social inclusion.

261. Children with disabilities and their families have free access to specially designed social services and to all other social services. The individual needs of children with disabilities are considered, and social service providers must develop an individual plan after assessing the needs of each user and after defining the objectives to be achieved.

262. Under the Family Allowances for Children Act family benefits for children with disabilities are granted, and they do not depend on the type of disability. The law stipulates that “a child with permanent disability” is a child under the age of 16 with 50 and over

50 percent type and degree of disability, or a child/ person aged from 16 to 20 with a 50 and over 50 percent degree of permanently decreased work capacity. Families of children with disabilities receive without an income test all types of benefits under the Social Assistance for Children Act, and additional one time assistance in case of birth of a child with a disability, monthly family allowances for children until completion of secondary education in double size, monthly family allowances for children up to 2 years (only 1 year for children without disabilities) and a monthly allowance for children with disabilities under 18 years of age and until completion of secondary education, but not later than the age of 20. Since 2012, one time targeted assistance is granted to students, regardless of family income, in case of a child with one living parent, and a child with disabilities. For the period January–December 2012 the average number of children with disabilities who received a monthly allowance for children with disabilities under 18 years of age and until completion of secondary education, but not more than the age of 20 was 22,549, and the amount paid was 63,481,573 Levs.

263. Integrated policies for early childhood development – for children from 0 to 7 are being developed and implemented in Bulgaria; they are supported by the Social Inclusion Project which was launched in 2010. The first phase of this project is financed with a loan from the International Bank for Reconstruction and Development (the World Bank) in the amount of € 40 million. The project aims to prevent social exclusion and to reduce child poverty through investments in early childhood development. The project gives municipalities the opportunity to develop services for early childhood development, early intervention of disabilities, risk prevention in early childhood, for better school preparedness, for improving the family environment, etc. The projects of 58 municipalities were launched in 2011, and in 2012 the projects were 69. Through the implementation of the project, the municipalities will start providing new types of services for children and families: early childhood development, risk prevention in early childhood, for better coverage and improving the preparedness of children for inclusion in the educational system, for improving the family environment. Parents are consulted about support services, which may be social, health, employment and others, and about their role in child development, and the role of community support.

264. Under Bulgarian civil legislation, persons acquire full legal capacity at the age of 18, and between 14 and 18 years of age children have limited legal capacity. Until the age of 14 children do not form legally relevant will, and the consent from a parent or a legal representative is required. In the exercise of their rights their developing skills are respected, especially when they are subject to judicial or administrative proceedings. Every child has the right to participate in judicial and administrative proceedings, if it has reached the age of 10, and if under that age – at the discretion of the authority, and in accordance with its maturity and ability to make decisions. The judicial and administrative authorities have a duty to provide an appropriate environment for the hearing, to provide the child with all the necessary information, and to warn it of the consequences of participation in the procedure (Article 15 Child Protection Act). The child has the right to legal aid and appeal in all proceedings affecting its rights or interests. Presentation of a social report or opinion from the Social Assistance Directorate is requested in all administrative or judicial proceedings where the interests of children are concerned.

265. In the field of social services providers have an obligation to create conditions for the child to express its opinion freely and to take independent decisions, according to the Ordinance on the criteria and standards for social services for children, and to participate in discussions on issues related to the internal order of the specialized institutions and of residential care services, by providing the opportunity for free filing of complaints by consumers, and develops a written procedure for protection from violence, abuse and discrimination. In health care the child cannot make decisions on its own about the treatment, and in education there is an opportunity for each school to structure student

councils, which include representatives of the students in the processes of decision making. Children participate in the establishment of school rules and have the right to give advice and suggestions regarding the organization and implementation of the all school activities.

266. Every child has the right to be informed and consulted by the authority for child protection even without the knowledge of its parents or of those who care for its upbringing and education, if that is necessary to protect in the best possible way its interests and notifying them would undermine those interests.

267. In order to ensure the rights of children to participate in making policies that affect them, the advisory body Children's Council, which has a quota of disabled children, has been established at the office of the Chairman of the State Agency for Child Protection.

268. Currently in our country there are different strategic and operational national documents covering the rights of children with disabilities:

269. The Strategy for ensuring equal opportunities for people with disabilities, 2008-2015, which sets out the following objectives: creating conditions to ensure access for people with disabilities, changing the model of care for children with disabilities from placing them in specialized institutions to care in a family environment, creating conditions for access to quality education, providing comprehensive medical and social rehabilitation, aids, assistive devices and equipment and medical devices, priority development of community-based services, development of alternative forms of services and others;

270. One of the permanent priorities of the Council for Electronic Media is protecting children from adverse or dangerous for them media content. The Radio and Television Act provides clauses that protect the young audience. Media service providers – radio and television operators, are responsible for the content of media services and have a legal obligation to prevent the creation or delivery of broadcasts in violation of the principles of Article 10, or of broadcasts that are unfavorable or would damage the physical, mental, moral and/or social development of children, according to the criteria in Article 32, paragraph 5 (Article 17, paragraph 2 of the RTA).

V. Part of the report relating to specific obligations

Article 31 – Statistics and data collection

271. The National Statistical Institute performs the independent statistical activities of the State. Statistical information is produced by adhering to the following criteria for quality: adequacy, accuracy, timeliness, punctuality, accessibility and clarity, comparability and coherence. The individual data that has been received and collected in statistical surveys is statistically confidential and can be used for statistical purposes only. Its processing, usage and storage shall be carried out in compliance with a procedure established by regulations approved by the Chairman of the National Statistical Institute, and in compliance with the requirements of the Bulgarian and European legislation in the field of statistics.

272. The Institute conducts research, which contains questions about the health status of individuals: census of the population and housing stock, European health interview study of incomes and living conditions.

273. Census of the population and housing was conducted in 2011 for the third time after 1992 and there were questions aiming to establish the number, the basic demographic and social and economic characteristics of people with disabilities. According to the methodology of the 2011 Census for studying the number and characteristics of people with

disabilities, two questions were asked – for children up to the age of 16, and for persons aged 16 and older.

274. Persons with permanent disability or degree of disability are persons aged 16 years and older, who have expert judgment by TEMP or NEMC for medical examination performed. Children aged up to 16 years with a degree of disability are children who have expert judgment of CEMP/TEMP or NEMC for medical examination performed.

275. Under the Law on Census of the Population and Housing in the Republic of Bulgaria in 2011, the issues concerning the health status of the population are voluntary and have a declarative nature.

276. The statistical information obtained from processing of census maps is used only for statistical purposes. The confidentiality of individual data is guaranteed by the Statistics Act and the Law on Census and Housing in Bulgaria in 2011.

277. The European Health Interview is part of the European System of Health Research within the framework of the European Statistical System and is held every five years. Its purpose is, when using harmonized tools providing a large extent of comparability of data between countries of the European Union, to assess the health status, lifestyle (health determinants) and use of health services of the EU population. Information is collected by interview “face to face” when visiting households included in the sample. The latest survey was conducted in October and November 2008, and the thematic areas of the questionnaire were aimed at meeting the basic needs of information, and not covering all aspects of health in detail. The questionnaire was structured in four modules: health status; health care; health determinants (lifestyle); basic social and economic characteristics. The survey covered a representative sample of the national population aged 15 and over.

278. The next European Health Interview will be held in 2014 on the basis of the EC Regulation (EC) No. 141/2013 of 19 February 2013 for applying Regulation (EC) No. 1338/2008 of the European Parliament and of the Council concerning statistics on Community Public Health and Health and Safety in terms of statistics, based on the European Health Interview Survey (EHIS).

279. The survey of the income and living conditions is part of the European Statistical System (ESS), whose goal is to provide timely and comparable data on income distribution and social inclusion. Monitoring is carried out under a single methodology defined by Regulation 1177/2003 of the European Parliament and of the Council and provides information on cross-sectional and longitudinal changes in income level and composition of poverty and social exclusion. The results are used to compile an annual report on Bulgaria’s progress on social inclusion, as well as to monitor the country’s progress on meeting the objectives of the Strategy Europe 2020. The survey is annual and the data is collected through questionnaires by conducting personal interviews with households included in the sample, and all persons aged 16 and over who are members of the household. The methodology of the study includes the following thematic areas: Basic demographic and social characteristics of the household and its members; Monetary indicators about income and social stratification of the population: data about income from different sources; Non-monetary indicators about living conditions: baseline data on housing conditions; problems relating to housing and neighborhood (settlement); access to education; health status and access to healthcare; Economic activity, employment and unemployment for persons aged 16 and older; Social services and programs and involvement of the household or its members in them.

280. The results from the statistical studies included in the National Statistical Programme are available to all users of statistical information, and ensure the equality of access required under the principle of “impartiality” in accordance with Regulation (EC)

No. 223 of the European Parliament and of the Council on European statistics and the Statistics Act.

281. According to Article 8 of the Law on Integration of People with Disabilities, the Agency for Persons with Disabilities performs implementation of the state policy for the integration of people with disabilities, by performing actions for the collection of detailed information as follows: registers persons carrying out activities related to the provision of aids, appliances and facilities for people with disabilities and medical devices, as specified in the lists as per art. 35a, para. 1; maintains a register of specialized enterprises and cooperatives of people with disabilities.

282. Article 9 of the Law on Integration of People with Disabilities regulates the requirement for the Agency for People with Disabilities to create and maintain a database of information about people with permanent disabilities, and the collected data is used to establish the number and to analyse the social and economic status of people with disabilities, in order to plan activities related to satisfying the needs of education, medical and social rehabilitation. The National Expert Medical Commission, the Territorial Expert Medical Commission, the National Insurance Institute, the National Statistics Institute, the National Health Information Center, the State Agency for Child Protection and other bodies working in the field of people with disabilities, provide the information necessary to create and maintain the database. Information in the database is entered automatically.

283. In this regard, in 2013 the Agency for People with Disabilities completed the contracted grant assistance under OPHRD – “Creating a unified system for managing the entire process of implementation of the state policy for working with people with disabilities in Bulgaria.” Implementation of the project allows Bulgaria to have Unified Information System for people with disabilities, which is to support the targeting and implementation of appropriate measures and activities for people with disabilities. A unified, centralized national database was created, which covers the social and economic status of people with disabilities, as well as the institutions involved in their care, its main objective being to improve the development process and increase the efficiency of the execution and monitoring of the implementation of the state policy on employment and integration of people with disabilities, by increasing the administrative and management capacity of the institutions involved in the process. Within the project, as two additional modules a system for monitoring and evaluation of the state policy for working with people with disabilities and its funding, and a system for planning, implementation, monitoring and administration of budgetary resources for working with people with disabilities were built. Different institutions have their own systems, but the Agency for People with Disabilities has the ambition to summarize and create a centralized database for children and adults with disabilities.

284. Agreements are concluded for the provision and exchange of data with leading institutions and organizations that have databases (personal and statistical) about people with disabilities. At present, contracts have been concluded for the provision and exchange of data with the National Insurance Institute, the Employment Agency and the Ministry of Education and Science.

285. The National Insurance Institute establishes and maintains various registers and software products, through which it collects and analyzes statistical data and produces actuarial estimates and reports needed by the state social insurance. The Institute maintains two basic registers – “Pensions” and “Prevention and Rehabilitation”, which include data on people with disabilities. Identification of individuals is done by their Unified Citizen’s Number, names and addresses. Besides demographic data (gender, age, etc.), also data on the economic and medical status of individuals is included, as well as elements of the social evaluation. The records maintain a history of the observed characteristics of individuals through the information about individuals obtained from DG “OCSP” through ESGRAON

and NEPC. The above records include persons who are covered by the activities of the institution, because the information is used to manage the processes for providing grants, pensions and “sick leave.” All interested parties can find the information they need in the newsletters, which are published and posted on the website periodically.

286. The Ministry of Education and Science provides information about children/students – with special educational needs (SEN), who are integrated into general education schools, vocational schools and colleges, art schools, kindergartens and children/students in special schools (schools for children with special needs, hospital schools, schools for students with impaired hearing and schools for visually impaired students), special kindergartens and special groups in kindergartens.

287. Collection of data in the information system is carried out while respecting human rights and fundamental freedoms, ethical principles, in compliance with the Law on Personal Data Protection and the relevant legislation, and ensuring the confidentiality and integrity. There are different channels of access that ensure data availability for people with different types of disabilities. In this regard, measures are taken to ensure the full participation of people with disabilities in the process of collecting and analyzing the data.

288. In accordance with Art. 17, item 9 of the Law on Child Protection, the Chairman of the State Agency for Child Protection has the authority to establish and maintain a National Information System whose operation is governed by the Rules for implementing the law. The main flows of information – primary data and secondary data, which is collected following a specific methodology and established comparable indicators and benchmarks, is reviewed and analyzed, expanded and corrected each year, ensuring comparability of indicators and performance over the years, as well as comparability with those at an European and international level (Eurostat, Trans-Monet, UNICEF, UNICEF research center “Innocenti”). Analyzes that are necessary for determining the government policy course for child protection are prepared separately (analysis of the effectiveness of the child protection system, of the situation of children in specialized institutions; of gifted children; of children with disabilities; of unattended children, of services for children at risk, etc.). Some of the analyzes are public and are published on the website of the agency.

289. SACP and the Social Assistance Agency collect summarized statistical data about children with disabilities, who are raised in special institutions, residential type services and about those attending daily or weekly form of services. Monthly reporting tables are prepared about the natural indicators related to child protection, a monthly statements about beds in specialized institutions providing social services and community-based social services – state responsibility, maps for collecting systematic information about children using social services in institutions for children deprived of parental care, institutions for mentally retarded children and Home for children with physical disabilities (every six months), reports about the number of children with disabilities who are granted benefits under different regulations. At the end of the process the various registers are to be integrated, and by agreements the institutions responsible for policies for children with disabilities will have a certain level of access to data broken down by gender, age, type of disability, family, educational and social status of the family and the child, etc., so that actions to ensure the best interests of the child can be envisaged .

290. According to data from the Managing Authority of Operational Programme Human Resources Development 2012, the newly established enterprises in the social economy sphere are 17; the number of persons who have started work in the social economy sphere is 308 (131 men and 177 women); the number of supported existing forms of enterprises in the social economy is 3; the number of persons transitioned from the social economy sector to the real labor market through its integrated social services is 23 (10 men and 13 women); the number of the new forms of social services started in the community is 116; the number of individuals from specialized institutions, reintegrated into the community, increased by

47 (37 men and 10 women); the number of supported existing forms of social services in the community is 4; the increased number of social service providers in the community is 153; the increased number of persons served in a family environment is 4,092 (1,430 men and 2,662 women); the increased number of beneficiaries of social services in the community is 7,583 (3,561 men and 4,022 women); improving the quality of care in specialized institutions was not supported in 2012.

291. In 2012 the number of people with disabilities who were involved in projects under OPHRD on the grounds of Annex 23 to Regulation 1828/2006 was a total of 13,335 starters, of them women – 7,199, total finishing – 15,060, of which 9,372 women.

Article 32 – International cooperation

292. Bulgaria actively participates in intergovernmental committees with its representatives on the issues of disability at regional level in the Council of Europe and the European Union. The Committee on the Rights of women and girls with disabilities prepared a recommendation about the rights of women and girls with disabilities under the leadership of a chairman of Bulgaria, with which the country declared its commitment to these issues. Bulgaria actively participates in the activities of the Summit on issues of people with disabilities at the European Commission, and in various forums organized at European level.

293. Operational Programme Human Resources Development (2007–2013) provides to Bulgaria another complementary tool of the Community – for the funding of policies for human resource development in the field of education and training, development of the labor market and social inclusion. These are just some of the activities through which Bulgaria joined the European social model. During the various stages of implementation of the HRD OP the principle of equality and protection from discrimination is set out, and especially in terms of access to finance the appropriate steps are taken to prevent discrimination based on gender, race or ethnic origin, religion or belief, disability, age or sexual orientation. Accessibility for people with disabilities is one of the criteria to be observed in determining the operations co-financed by the European Social Fund.

294. Specifically aimed at people with disabilities schemes for grants are financed under Priority Axis 5: “Social inclusion and promotion of social economy.” The main aim of the priority axis is to provide support for social inclusion to vulnerable groups through the development of a network of social services supporting the future integration in the labour market, promotion of social entrepreneurship, increase of the work capacity and the length of service of workforce through better health.

295. On 7–8 November 2013, in Sofia, a seminar was held on the “Convention on the Rights of Persons with Disabilities and Plan for its implementation” under the project “Support of the Ministry of Labour and Social Policies of the Republic of Bulgaria for the development of human resources in the countries from South East Europe”, with the participation of experts from the Federal Ministry of Labour, Social Issues of the Federal Republic of Germany, the Federal Ministry of Labour, Social Issues and Consumers Protection of the Federal Republic of Austria.

296. The Agency for People with Disabilities signed a contract for implementation of a project under grant scheme No. BG051PO001-7.0.02 named “Protected employment – experience, innovations and opportunities”. With this project the Agency and General Directorate for promotion of employment in Spain, Galicia Region, will exchange experiences in the sphere of protected employment for people with disabilities.

297. Bulgaria participated actively in the preparation and holding of the Sixth Conference of the countries from the Convention on the Rights of People with Disabilities which took

place from 17 to 19 July 2013 in New York. As a member of the Bureau, Bulgaria co-chaired the third round table (informal session), and the second session of the Civil Society Forum, which took place immediately after the Conference. The Bulgarian delegation made a speech in the general debate at the Conference.

298. The subject on the rights of people with disabilities was in the center of attention at the 68th session of the General Assembly. Within the framework of the session, on 23 September 2013 in New York a Summit was held on achieving the Millennium Development Goals, dedicated to people with disabilities on the theme “The way forward: inclusion of people with disabilities in the development program until 2015 and post-2015.” Mrs. Deiana Popov, Secretary of Social Affairs, Youth and Sports of the President of the Republic of Bulgaria, spoke at the forum.

299. The National Company “Railway Infrastructure” and BDZ “Passenger services” participate as full partners in the implementation of the project “Pubtrans4all” – “Public Transportation – Accessibility for All”. The project is part of the Seventh Framework Programme of the European Community for research, technological development and demonstration activities under the funding scheme “Joint Project”. Partners in the consortium are from Austria, Serbia, Germany, Switzerland, Hungary and Slovenia. The main objective of the project “Pubtrans4all” – “Public Transportation – Accessibility for All” is the development and testing of a model of support system that is adapted to be installed and used by all types of rail vehicles. The creation of a universal lifting device based on rolling stock will multiply the effect of its use, regardless of the conditions and infrastructure at the stations. The constructed prototype of the universal support system was installed on Bulgarian passenger car series 8,444 and was successfully tested in terms of railway infrastructure in the Republic of Bulgaria in the month of August 2012.

Article 33 – National implementation and monitoring

300. Under the Act on Integration of People with Disabilities, for the purpose of implementing cooperation in the development and implementation of the policy on integration of people with disabilities, a National Council for the Integration of Persons with Disabilities, chaired by the Minister of Labour and Social Policy was established at the Council of Ministers. The National Council is a consultative body which consists of representatives of the state who are determined by the Council of Ministers, national representative organizations of and for people with disabilities, national organizations representing employees, nationally representative organizations of employers, and the National Association of Municipalities in Republic of Bulgaria. The National Council gives opinions on all draft legislation, strategies, programs and plans affecting the rights of people with disabilities and their integration.

301. In pursuance of the Action Plan for the implementation of the Convention and the need for better coordination, an expert group on the coordination of the implementation of the Action Plan was established in February 2013 and is operating effectively. Group set up rules for its activities and meets monthly, it aims to develop a coordinating and monitoring mechanism and a proposal concerning the responsible authorities under Article 33 of the Convention. Discussions and consultations are carried out to determine the responsible authorities for the implementation of the Convention, where organizations of and for people with disabilities are actively participating.

302. According to Art. 33, para. 2 of the Convention it is necessary to establish a network, comprising one or more mechanisms to promote, protect and monitor the

application thereof. The Ombudsman meets the requirements for an independent authority on human rights, and therefore expresses his willingness to take on additional powers to be included in the independent mechanism of art. 33, para. 2.²

303. The Commission for Protection against Discrimination is an independent specialized state body for prevention, protection against discrimination and ensuring equal opportunities. The Commission monitors the implementation and compliance with laws governing equal treatment and every year submits to the National Assembly reports on its activities, which includes information about the activity. The Law on Protection against Discrimination fully transposes EU directives on equality and guarantees the protection of all citizens of the Republic of Bulgaria against discrimination, while assisting in the prevention of discrimination and establishes measures for equal opportunities.

304. “Nationally representative organizations of and for people with disabilities” are those organizations that represent people with disabilities and who are recognized as such under the terms and conditions established by the Council of Ministers.

² <http://www.ombudsman.bg/reports/> Ombudsman’s report 2012.