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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Bulgaria**

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## I. Introduction

1. The Republic of Bulgaria places great importance on the implementation of its international obligations, especially in its current capacity as member of the UNHRC<sup>1</sup>. During its Second Universal Periodic Review in 2015, Bulgaria received 182 recommendations and accepted 174 of them. The country has presented a voluntary UPR Mid-term report in December 2018, and the present report focusses primarily on the most recent developments. The Annex contains a table showing the status of efforts to follow up the recommendations, as well as additional information.
2. The national report has been drafted by the MFA<sup>2</sup>, in coordination with all relevant government agencies. The NHRIs<sup>3</sup> have been extensively consulted in the process. The draft report has been published on the website of the MFA for wide civil society consultations, and subsequently approved by the NCMHR<sup>4</sup>, as the main body involved in the implementation of specific tasks arising from Bulgaria's international human rights commitments.
3. Though many challenges remain, Bulgaria is committed to continue its consistent efforts for the promotion and protection of human rights to the benefit of all persons residing in the territory of the country. Further efforts are directed towards the provision of sound and effective legal opportunities in the field of human rights.

## II. Implementation of recommendations from the previous cycle

### International human rights instruments (Recommendations 1–8; 11–14)

4. In the reporting period, Bulgaria signed and/or ratified:
  - Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms;
  - Additional Protocol to the CoE<sup>5</sup> Convention on the Prevention of Terrorism;
  - Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data; and
  - Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.
5. Furthermore, a procedure to withdraw the reservation imposed by Bulgaria with regard to Article 31 of the 1954 Convention relating to the Status of Stateless Persons has been initiated. We are also finalizing the process of adopting of our first National Action Plan on UNSC Resolution 1325.
6. The State presented its:
  - Consolidated III-V Report on the implementation of the CRC;
  - Consolidated XX-XXII Report under CERD;
  - Sixth Periodic Report on the implementation of the CAT;
  - Fourth Report the implementation of the CCPR;
  - First National Report under the CRPD;
  - Sixth Report the implementation of the CESC;R;
  - Eighth report under the CEDAW; and
  - National report on the implementation of the Beijing Declaration and Platform for Action in the context of the 2020 Beijing+25 Global review and 5 years of the 2030 Agenda for Sustainable Development.

7. Regular information was provided on the follow-up on recommendations from all treaty bodies, including on individual complaints. Three visits by UN Special Procedures were hosted – an OHCHR<sup>6</sup> follow-up migration mission in 2016; and in 2019 by the Special Rapporteur on the sale and sexual exploitation of children and the Special Rapporteur on violence against women. In October 2019, the Personal Representative of the OSCE Chairperson-in-Office on combating antisemitism, Rabbi Andrew Baker, conducted an official visit in Bulgaria. In November 2019, the Advisory Committee of the Framework Convention for the Protection of National Minorities, the CoE Commissioner for Human Rights and GRETA also visited Bulgaria.

### **National human rights institutions (Recommendations 15–23)**

8. To implement the recommendations of the GANHRI Subcommittee on Accreditation (SCA), the Ombudsman, supported by the Government and the Parliament, passed amendments to the Ombudsman Act and to the Rules of Procedure. At present, all recommendations have been met and in October 2018 the National Ombudsman applied for accreditation for “A” Status. The SCA met in March 2019 and Institution of the Ombudsman of Bulgaria was accredited with status “A”, in full compliance with the Paris Principles.

9. The Ombudsman Act makes no explicit differentiation between the kinds of rights and provides for the protection of all groups of fundamental rights and freedoms. The Ombudsman submits opinions on bills relevant to human rights to the National Assembly or the Council of Ministers and conducts analyses on the compliance of the legislation with relevant international instruments and EU law. The public defender is supported by an administration appointed following the principles of transparency, efficiency, pluralism and non-discrimination.

10. Over the past few years, the Ombudsman Institution saw an increase of complaints concerning the socio-economic situation and the need for support to some vulnerable groups. Regardless of the high number of complaints, more than 90% are reviewed and finalised within a year. For example, 12,635 complaints were filed in 2017, and 12,539 or almost 100% of them were completed. The Ombudsman Office performs all its statutory powers and is sufficiently funded, which guarantees gradual improvement of the work of the institution. The officers’ remunerations are adequate to the salaries in both public and private sector. Currently the Ombudsman has no local or regional offices; however, external reception days are held in municipalities throughout the country. For the period 20.10.2015–21.11.2018, 80 external reception days have been organised.

11. As National Preventive Mechanism, the Ombudsman has a mandate to monitor on an ongoing basis the places where there are persons deprived of liberty. Prisons, dormitories and arrests are inspected at least once every two years, apart from the visits addressing complaints. Every institution is obligated to provide information within 14 days on the measures it would take to implement the recommendations. In addition, each member of the administration monitors the implementation of the recommendations issued and, if necessary, additional action is taken.

12. In 2018, the NPM desk-officers have worked on over 918 cases in answers to complaints. In 2017, 1029 appeals have been resolved. The tendency is towards enhancing the workload of the employees, dealing with the complaints. The budget of the NPM is sufficient for the implementation of everyday activities and work, under the law. All additional and out of the scope activities may be provided for with additional funds from the budget of the Ombudsman institution.

13. The CPD<sup>7</sup> continued to work as a citizen-recognized institution for the prevention and protection against discrimination and promotion of equal opportunities. This is confirmed by the number of decisions issued, the number of citizens who visited the regional offices. In 2018, a record number of self-referrals was observed for the first time. There have been 751 complaints filed (645 in 2017); 721 initiated case-files (300 in 2017); and 4236 citizens who have visited the regional offices and the organized receptions (3821 in 2017).

14. The law grants full independence to the CPD. It should be noted that securing the necessary financial means for human resources and public campaigns remains a challenge. In order to achieve a more serious impact of the full potential of the CPD, efforts are being made to extend its powers; to ensure full functional immunity of its members; and to increase the effectiveness of its sanctions.

### **Equality between women and men (Recommendations 27; 36–46; 48–53; 136)**

15. The National Action Plan for the Promotion of Equality between Women and Men (2019-2020), adopted by the Council of Ministers in 2019, follows the principles, objectives and priorities of the National Strategy for the Promotion of Equality between Women and Men (2016-2020). The plan includes measures, among others, aimed at:

- better reconciliation of the professional and private life of parents with children;
- developing the skills of unemployed women through vocational training;
- encouraging women with permanent disabilities to participate in the programme for starting an independent business activity;
- providing financial support for raising children with permanent disabilities;
- promoting the equality of women and men in rural development policies;
- promoting the participation of women entrepreneurs with innovative ideas under the Horizon 2020 programme;
- maintaining an effective system for the adaptation of retired military personnel;
- providing care services to persons seeking international protection;
- improving the legal framework in the field of violence against women and domestic violence.

16. During the period of 01.07.2018–30.08.2019, five meetings of the National Council for Equality between Women and Men were held, as well as two trainings of the coordinators on gender equality on the following topics: "*Current aspects of the normative base and policy on gender equality*" and "*Implementation of the policy on equality between men and women – practical aspects.*"

17. According to the information from the survey "*Women and Men in the Republic of Bulgaria 2018*", conducted by the NSI<sup>8</sup>, as of 1 August 2018, 27.1% of the MPs, 23.8% of the members of the Government and 12.8% of the mayors of municipalities are women, including the speaker of the Parliament, the Vice-President, and the mayor of the capital. In the 2019 World Bank *Women, Business and Law* report, Bulgaria is among the best performing countries in the world with a score of 93.75 points out of a maximum of 100. In addition, our country is the first in the world on the indicator related to the legal and institutional frameworks that shape the economic opportunities of women and improving gender equality.

18. In the labour market, according to Eurostat data, 46.6% of the employed, incl. 38.5% of managers are women (for the EU, these indicators are 46.1% and 33.9% respectively). For 2018, Eurostat reports an 8.2% employment gap for Bulgaria (compared to 11.6% for the EU). According to NSI data for 2018, women are 26.7% of the employers in the country. The gender pay gap for three consecutive years decreased from 15.4% in 2015, to 14.4% in 2016 and to 13.6% in 2017, compared to 16% for the EU. Bulgaria sees the inclusion of women in the economic life as critical, especially given the fact that poverty and social exclusion are closely related to inequality and unequal treatment. Women contribute to build a more sustainable and green economic pattern.

19. Unemployed women have equal access and participate in all programmes, projects and measures in the labour market. Long-term unemployed women are assisted by services for activation and inclusion in a sustainable employment. Services are provided for active behaviour in the labour market, participation in job search workshops, provision of

vocational guidance and counselling. Financial incentives are in place for employers who create jobs and hire full-time or part-time single parents/adoptive parents with children up to 5 years of age. In 2018, 129,521 women (56.5% of all people who started working) were recruited, most of whom were supported by employment mediation services. Between January and July 2019, 77,762 women went into employment.

### **Fight against discrimination and violence against women and girls, incl. domestic violence (Recommendations 47; 49–54; 90–98; 116)**

20. Bulgaria is strongly engaged with efforts to prevent and combat domestic violence. In February 2019, legislative amendments to the Criminal Code were adopted regulating the protection of the rights of victims of violence, including domestic violence. These legislative changes aim to improve the legal framework in order to prevent and adequately and comprehensively counteract these forms of criminal behaviour, introducing relevant international standards.

21. All forms of domestic violence are criminalized. When a crime is committed, by definition "in the conditions of domestic violence" includes circumstances of systematic exercise of physical, sexual or mental violence, economic dependency, forced restriction of privacy, personal freedom and personal rights against a spouse, ex-spouse, descendant or ascending person with whom the perpetrator lives or has lived in the same household. According to the statistics of the MoI<sup>9</sup>, victims of domestic violence who have sought protection and have received restraining orders by the courts in the country have been consistently increasing over the last five years (from 1,185 in 2014 to 2,398 until October 2019).

22. The Office of the Public Prosecutor adopted Guidelines for reporting of pre-trial proceedings of domestic violence cases. All cases are registered and reported to the police.

23. Under the Protection against Domestic Violence Act, every year a National Programme for prevention and protection is adopted. Representatives of the civil society also take part and the programme is open to public discussions. Resources are allocated for financing legal non-profit entities' projects for 450,000 BGN for activities for prevention and protection against domestic violence, monitoring, social, psychological and legal aid, etc.

24. During the period 01.07.2018–30.08.2019, MLSP<sup>10</sup> continued the implementation of the project "*Together against Violence*" under the OPHRD<sup>11</sup> 2014-2020. It envisages the preparation of analyses in the field of domestic and gender-based violence, conducting a national representative survey on violence, holding conferences and establishing a system for monitoring the equality between women and men.

25. Bulgaria, Romania and Hungary participate in an international OSCE Project *Effective Criminal Justice Strategies and Practices to Combat Gender-based Domestic Violence in Eastern Europe* with the main objective of encouraging victims to report acts of violence, strengthening the efficiency of law-enforcement and judicial bodies, medical personnel and social workers. Trainings were conducted for police officers, prosecutors and judges from all the participating countries. An information campaign was conducted in the period June-December 2019. The subject of crimes related to domestic violence is also included in the internal training calendar of the Prosecutor's Office.

26. A project on *Improvement of the effectiveness of the police work in the field of domestic violence and gender-based violence* is under implementation during 2019–2021, within the Norway Financial Mechanism. The project provides for the creation of an automatic information system for combating and prevention of gender-based crimes and domestic violence; training on risk assessment and work on cases of domestic violence including in vulnerable groups, etc.

27. At present, the State provides services in 19 Crisis Centres for children with a total capacity of 196 places and 6 Crisis Centres for women victims of domestic violence with a total capacity of 64 places. Five of these Crisis Centres are managed by NGOs.

28. Additional amendments to strengthen the existing legislation in the area of violence against women are on the way.

### **Non-discrimination and social rights (Recommendations 24–25; 28–31)<sup>12</sup>**

29. The reform in the field of social services is among the priorities of the social policy in Bulgaria. In 2019, SSA<sup>13</sup> was adopted with the aim to improve the mechanisms for planning, financing, control and monitoring of services and to increase their quality, efficiency and sustainability. The SSA has created an opportunity for all persons to have access to generally available social services. Moreover, specialized services are envisaged in the event of a particular risk to the life, health or development of the person, or to meet the needs of a particular group. To achieve better understanding of the new legislative measures, the entry into force of SSA is postponed with six months to 01.07.2020.

30. The process of deinstitutionalisation of care continues not only for children, but also for the elderly and persons with disabilities, through the *National Long-Term Care Strategy and the implementing Action Plan for the period 2018-2021*. The support for these groups is complex, requiring synergies between all institutions involved to provide the necessary healthcare, community and home social services, and support for caretakers of dependent family members. Under the SSA, existing homes for adults with disabilities will be closed by 01.01.2035, and homes for the elderly will be reformed in accordance with the quality standards of residential care by 01.01.2025. New supportive and community-based residential care services are already being built.

31. Home-based services are also particularly important for the care of the elderly and persons with disabilities, incl. for children with disabilities. As of the end of 2019, the services of personal assistant, social assistant and home assistant have been used by more than 18,661 users and approximately 13,164 personal, social and home assistants have been employed. At the same time, the community's social services network for supporting vulnerable groups is developing consistently. With funding from the State budget, as of December 2019, 559 community-based social services are being provided with the opportunity for supporting and caring for 10,287 adults from vulnerable groups. As a State-delegated activity, 630 social services in the community for children were opened with a capacity of 14,459 places. The funds for financing social services are planned to increase annually.

32. The Government pursues a consistent policy of social protection, social inclusion and promotion of employment of vulnerable groups, guided by the principles of non-discrimination, respect for human dignity and ensuring conditions for equal opportunities and equal treatment of all Bulgarian citizens, regardless of their ethnicity. Long-term unemployed persons without qualifications and with low education level are the target group of active labour market policies.

33. Another important priority is the policy of promoting youth employment. Particular attention is paid to young people under the age of 25 who are neither being trained nor employed; and those who have dropped-out from the education system. In this regard, for the fifth consecutive year, our country successfully implements the *National Plan for Implementation of the European Youth Guarantee 2014-2020*, in collaboration between institutions, youth organizations and social partners.

34. In 2018, the Employment Agency reported 65,074 registered long-term unemployed persons on a monthly basis; these numbers declined by 25.8% compared to 2017. Between January and July 2019, 49,810 long-term unemployed persons were registered on an average monthly basis. Their number is down with 29% for the same period in 2018. The youth unemployment in the country in 2018 is significantly reduced compared to 2017. The average annual number of registered unemployed youth up to 24 years is 10,023 persons, and their share in the total number of unemployed persons is 4.9%. In the period January-July 2019, the number of unemployed young people up to 24 years of age was 9,386 monthly average, a decrease of 7.9% compared to 2018.

35. The implementation of the *National Strategy for Poverty Reduction and Promotion of Social Inclusion 2020*, adopted in 2013, is being implemented through the development and reporting of biennial action plans<sup>14</sup>. The main focus of the Action Plan for 2019-2020 is on employment and education measures. Other major activities are: promoting the active inclusion of the outermost groups; raising average and minimum wage levels; ensuring access to quality healthcare; creating conditions and guarantees for equality and full participation of persons with disabilities in all areas of public life.

36. The *Operational Programme for Food and/or Basic Material Assistance from the Fund for European Assistance to the Most Deprived* for the period 2014-2020 contributes to the achievement of the national target for reducing the number of people living in poverty by 260,000 people until 2020. In June 2019, the monthly amount of the targeted heating allowance season increased from BGN 74.83 to BGN 91.10, or by 21.7%. In addition, the scope of aid recipients has been expanded from the current 210,000 to about 255,000 persons.

### **Fight against racism, intolerance, hate crimes (Recommendations 65; 67; 72–76; 78–79; 81–86; 116; 162)**

37. Taking action to strengthen the fight against homophobic and transphobic crime through criminal law is linked both to the development and to the full utilization of existing legislative instruments. Under the Criminal Code, the court determines the penalty for the committed crime, taking into account the degree of public danger of the act and the perpetrator, the motives for committing the act and other mitigating and aggravating guilt circumstances. According to established case-law, racist motivation is regarded as an aggravating circumstance.

38. In February 2019, the Prosecutor's Office published a Guidance for Practical Implementation of Council Framework Decision 2008/913/JHA on combating certain forms and manifestations of racism and xenophobia through the criminal law provisions. Furthermore, projects related to reporting on cases of domestic violence and hate crime are being finalized. In pre-trial proceedings, the victims of crimes, including hate crimes, have the right to be informed of their rights in criminal proceedings, to receive protection for his/her safety and that of his/her relatives; to be informed of the progress of the proceedings; to participate in them; to make requests, notes and objections; to have a counsel; to receive written and/or oral translation, etc. Equal access to justice and legal assistance under the Legal Aid Act is also guaranteed, including providing consultations, legal advice, legal representation, preparing documents.

39. Since 2015, the legal aid framework has been supplemented and amended several times in order to guarantee access to legal aid for a wider range of vulnerable social groups, with particular focus on ethnic minorities. The National Primary Legal Aid Telephone and Regional Counselling Centres were also regulated as new forms in the system for legal aid with focus on vulnerable groups.

40. Trainings are regularly carried in specific topics related to: the effective activities of the police officers in multi-ethnic environment; human rights; minority related issues; traditions, culture of the Roma communities; providing a problem-related approach for securing order and security in particular communities. The Social Assistance Agency also conducts trainings for social workers in order to improve their skills in working with representatives of ethnic communities and to promote their social inclusion.

41. Bulgaria is among the participating States who are proactively seeking ODIHR's support for implementing its commitments. The CPD is a national contact point regarding the collection and provision of information related to hate crimes to the ODIHR/OSCE<sup>15</sup>. Several key ODIHR projects have been implemented, including one in collaboration with UNESCO – "*Addressing antisemitism through education – Guidelines for Policymakers*". The Guidelines have been translated in Bulgarian and published in January 2020. As a follow up a national workshop for policymakers and teacher-training institutions will be held in Sofia in March 2020. The MFA has provided Bulgarian Official Development Aid funding for two regional workshops to train policy-makers to address antisemitism through

education in the Western Balkans and Eastern Europe within a project, implemented jointly by UNESCO, the OSCE and the World Jewish Congress.

42. In June 2019, a joint FRA<sup>16</sup>/ODIHR and the MFA seminar was held. A high level workshop, to raise awareness of the need to strengthen Bulgaria's response to hate crimes, and technical part with practitioners from civil society, police, prosecution service, judiciary and relevant ministries.

43. Although the Criminal Code does not provide aggravated circumstances in cases where the crimes were committed on homophobic or transphobic motives, there is no obstacle to considering the relevant motives as aggravating circumstances in determining the sentence.

44. In the field of education and upbringing in tolerance and anti-discrimination in 2018, more than 200 teachers were trained. The CPD cooperated with LGBTI civil organizations, holding workshops on topics related to protection against discrimination on protected grounds.

45. Sofia Pride is organized annually in close collaboration with the Municipality and the law enforcement. The one held in 2019 gathered around 7000 participants.

46. In June 2019, a first National 3-day training on the topic of hate crimes with police officers took place. The training was organized by the Youth LGBT Organization Deystvie. The training programme focused on the process of forming and applying stereotypes and prejudices in individual's behaviour leading to discriminatory actions. A special emphasis was given to the notion of vulnerability and the situation of LGBT people in Bulgaria. 52 police officers from all policy departments in the country participated in the training. The project foresees 4 regional and 1 national trainings in 2020.

47. In 2019, the MFA appointed a focal point as part of the European Governmental LGBTI Focal Points Network.

### **Promoting Freedom of Religion and Belief; countering hate speech (Recommendations 61–62; 64–66; 77; 129)**

48. The current Bulgarian law framework protects personal inviolability. The radio and television channels are obligated not to create or broadcast contents that incite national, political, ethnic, religious, and racial intolerance or praise cruelty and violence. Results of the radio and television broadcasts monitoring indicate that the majority of media services providers make everything possible to reflect objectively the subject matter relating to ethnic issues.

49. The Audio-visual Media Services Directive adopted in 2018, provides for strengthening the rules against hate speech, prohibiting incitement to violence, hatred or terrorist acts in audio-visual media services. The rules also apply to video-sharing platforms. The Radio and Television Act also sets out provisions requiring media service providers to prevent the creation and distribution of programmes that incite hatred based on race, gender, religion or nationality. During the referred one-year period, two penal decrees were issued - to the political party ATAKA, in its capacity of a provider of audio-visual media service "ALFA TV" (for offensive qualifications and hate speech), and to "Nova Broadcasting Group" (for broadcasting violence).

50. In the period of 01.2017–06.2018, the State budget subsidized construction and reconstruction activities of over 100 mosques and spent over 200,000 euro for the reconstruction of places of worship and administrative buildings of Catholic, Jewish, Armenian, Protestant and other religions. The specialized Religious Denominations Directorate within the Council of Ministers further assisted financially the publication of over 20 books of religious literature, scientific and sociological studies on various beliefs.

51. 11 MoI officers took part in a training seminar on *Antisemitism and Hate Crimes: Challenges, Possibilities and Future Recommendations*. The MoI appointed a National Police senior officer responsible for liaison with the Jewish community in Bulgaria.



52. Within a public campaign “Sofia – City of Tolerance and Wisdom”, in September 2018, the Mayor of Sofia, the National Coordinator on combating antisemitism and the president of the Organization of the Jews in Bulgaria “Shalom” signed a Manifesto “*Together against Hate Speech*”. In early 2019, a number of prominent figures and others posted videos on Facebook publicly stating support for the manifesto. Bulgarian intellectuals, civil society leaders, senior government officials, municipal leaders and diplomats gathered to show support and sign the manifesto.

53. A first-ever march of tolerance “*Together for Bulgaria, together for Europe*” took place in March 2019. The event gathered more than 1,500 people. It was a powerful call for unity against hatred within the Bulgarian society.

54. In light of its support for the Potomac Declaration and Plan of Action, approved during the Ministerial conference dedicated to Freedom of religion and belief in Washington DC, Bulgaria has taken decisive measures to combat religious intolerance. In October 2019, Bulgaria appointed a focal point on freedom of religion and belief at a senior level within the MFA.

### **Rights of persons belonging to minority groups, incl. Roma (Recommendations 26; 32; 35; 56–60; 136; 144; 150–151; 153–161)**

55. Monitoring and review of the implementation of the NSRI<sup>17</sup> is ensured through the SYSTEM<sup>18</sup> platform. It includes information at the regional and national level, with relevant indicators for data collection. The regional experts on ethnic and integration issues collect data about the implementation of the municipalities’ action plans and aggregate them in reports to the Secretariat of the NCCEII<sup>19</sup>. Adoption of the NSRI post 2020 is due by the end of October 2020, after finalisation of the evaluation process. The elaboration of the new strategic document will be conducted in close cooperation with all relevant stakeholders, incl. Roma civil society, representatives of municipal administrations, local communities and NGOs.

56. With a view to addressing the challenges hindering social inclusion and sustainable integration of minorities, complex actions were developed through the integrated operation “*Socio-economic integration of vulnerable groups*” in 2018. The integrated approach combines actions aimed at improving access to employment, education, social and health services and overcoming negative stereotypes, with a budget of over BGN 100 million. Through the initiative, the municipal plans for Roma integration will be upgraded, while projects for new social housing, urban reconstruction and development are already underway.

57. In 2018, 1,286 trainings were conducted for 22,259 police officers working in a multi-ethnic environment. They focused on prevention of law violations, ways for effective reaction when a signal is received, and non-allowance of escalation of the tension in areas with compact Roma population.

58. In the area of education, non-discriminatory treatment is guaranteed to all pupils, including those from minority groups. A key priority is to keep children in compulsory pre-school and school age in school. Since June 2018, a permanent Mechanism for joint work of institutions for enrolment and retention in the education system of children and pupils in compulsory pre-school and school age, including those of Roma origin, has been established. More than 1,280 include representatives of various institutions – teachers, school directors, social workers, police officers, municipal officials, mediators, civil society representatives, etc. 17,294 home visits were performed. As a result, for the 2018/2019 school year 19,077 children in compulsory pre-school and school age enrolled for the first time or returned to the education system.

59. The appointment of education mediators, who are well accepted among vulnerable groups to persuade parents to let their children attend school, also helps achieve the objectives of the Mechanism. According to the Centre for Educational Integration of Children and Students from Ethnic Minorities, as of October 2019, 997 education mediators

were appointed, working with children of vulnerable groups in kindergartens, in primary, secondary or high schools, including vocational high schools.

60. According to the Bulgarian legislation, health insurance in the country is compulsory. Each health insured person is entitled to a defined type, volume and scope of medical assistance, which is paid from the budget of the National Health Insurance Fund. Outside the scope of health insurance, the Ministry of Health provides funding from the State budget for priority medical activities, such as: emergency medical care, vaccines for children till the age of 18, screening programs for newborns for early detection and timely treatment of congenital diseases, and etc. Funds are also provided for diagnostics and treatment at hospitals for persons, who have no income and/or personal property, ensures personal participation in the health insurance process.

61. Preventive care for maternal and child health is among the priorities for the whole population of the country, including minority groups. Health insured pregnant women are entitled to guaranteed periodic examinations and tests during normal pregnancy, additional examinations during pregnancy at risk and to give birth within the package guaranteed by the National Health Insurance Fund. Pregnant women, who do not have health insurance, do not pay and are entitled to one free-of-charge examination during pregnancy and free-of-charge delivery. Home visits are conducted with free medical examinations and counselling for pregnant women and children up to 3 year-old with a focus on risk groups, especially the Roma population.

62. Health mediators are part of a sustainable policy that proves its effectiveness. They make a significant contribution to optimizing the scope of prophylactic programs among the Roma population and especially among young children. They also support the health education and awareness and carry out active social work within the community. In 2018, 230 health mediators worked in 115 municipalities.

63. Examinations are preceded and accompanied by awareness campaigns, lectures and trainings to increase health knowledge on various topic. In 2018, a total number of 2,346 examinations were conducted with the four mobile gynecological units. In addition 175 awareness raising campaigns (covering more than 25,500 individuals) were organized to clarify the benefits of immunizations prescribed for in the National Immunization Calendar. The joint work has continued among the highest risk groups under two programmes: "*Prevention and Control of HIV, Tuberculosis and Sexually Transmitted Infections among Vulnerable Roma Communities*" and "*Improving the Sustainability of the National Tuberculosis Programme*".

64. For all citizens, regardless of their ethnic origin or minority group, the requirements for the quality of the water provided for drinking and household purposes are the same. According to NSI data, 99.4% of the country's population is connected to public water supply.

65. In the area of employment, the Government implements a large number of activities to increase the employability of unemployed Roma, by encouraging and motivating their inclusion in various trainings, programmes and projects. Mediation workers motivate inactive persons to register and use the labour offices intermediary services. In 2018, 43,844 unemployed who identified themselves as Roma were covered by different labour market activities. 79 unemployed persons were hired as labour mediators. As a result of their work in 2018, 5,177 economically inactive persons of Roma origin were registered at the Labour Offices. For the period of January–July 2019, 9,844 individuals started working in the primary market. Over the same period, 1,168 persons were included in employment under programmes funded by the state budget.

66. To improve housing conditions, activities continue on compiling cadastre maps and registers as a basis for the urban development plans. Local self-government authorities are encouraged to implement urban regulation of the residential areas with predominant Roma population and include new zones for housing development. Funds from the state budget are used for development of cadastral maps and registers, improving the existing and developing new technical infrastructure in Roma residential areas.

67. Under OPRD<sup>20</sup>, a number of projects are being implemented to provide modern social housing for accommodation of vulnerable groups, including Roma. These include the construction or rehabilitation of over 500 housing units; building of shelters; temporary accommodation or crisis centres; upgrading educational infrastructure and social housing; modernizing the social infrastructure, etc.

### **Situation in prisons; treatment in detention (Recommendations 88–89; 115–116)**

68. A training programme for newly recruited employees and operational procedures for the prevention of maltreatment, inter-prisoner violence and corruption in prisons in Bulgaria have been developed under the project "*Support for the Implementation of ECtHR decisions and the Standards and Recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Prison Reform)*". A further rehabilitation programme is put in place for working with vulnerable groups in prisons.

69. *PHARE BG2004/016-711 National Programme for Bulgaria Part II* was finalized in 2018, aiming at optimizing the penitentiary system. The serious efforts to reform the system continued with legislative changes to create the possibility of applying more flexible rules for the initial allocation and transfer of prisoners, granting conditional release, compensatory and preventive remedies.

70. A key point of the reform is the transfer of more powers to prison directors, which has improved the functioning of the system and increased the efficiency of monitoring. This process was reinforced by granting more powers to prosecutors to be involved in all stages of the administration's decision-making in places of detention in relation to individual rights or protection of the public interest. All acts of the prison administration are already subject to control by the administrative court. Following these and other rehabilitation measures, today there are 6,120 prisoners with a system capacity of about 8,500 seats. For comparison, in 2013, their number was 9,400 prisoners. Furthermore, there are 862 detainees, while the capacity of the country's arrests is about 1235. According to the CoE, for the last 10 years, the number of prisoners in Bulgaria has decreased by 25%.

71. The GDEP<sup>21</sup> was also beneficiary of the Project "*Introduction of Electronic Monitoring and Pre-Trial Reports in the Practice of the Bulgarian Probation Authority*". Electronic monitoring was introduced in Bulgaria in April 2019. The system applies to persons with probation measures, prisoners, who work in external work sites or persons under house arrest. A total of 250 radio frequency monitoring devices were purchased, 50 of which for satellite tracking.

72. The "*Correctional Services and Pre-trial Detention*" programme collects projects proposals aiming at improving the material conditions and environmental health of prisoners and detainees, including from vulnerable groups; increase the capacity of probation officers; and assist prisoners in their social rehabilitation and preparation for release.

73. Moreover, a Strategy for the Development of the GDEP and its territorial services has been developed. This document is expected to improve the leadership and management of prisons, as well as the rehabilitation of perpetrators, while offering cooperation and opportunities to innovate the functioning of the organization. The document sets out the guiding principles, key priorities and initiatives for a period of 3 years.

74. Actions to improve conditions in prisons and detention facilities continue. With the implementation of the new programming period of the Norwegian Financial Mechanism 2014-2021, a new prison will be built; 5 prisons, prison dormitories and arrests will be repaired in accordance with European standards, transit departments and a new centre for personnel training will be established.

75. The MoI has taken a number of measures for training and raising awareness, with a view of not allowing ill-treatment of detainees. MoI officers have taken part in a working meeting organized by the Bulgarian Helsinki Committee on the topic of right of access to a

lawyer and legal aid during police detention. In addition, MoI implements an Action Plan for Effective Legal Defence during Preliminary Detention. A guidebook has been distributed, aimed at building skills for respect among the police officers for the procedural rights of persons with intellectual and/or psychological and social disabilities.

76. The border police of MoI have the right to detain foreigners who have crossed the border illegally for which a written order is issued for a period of no more than 24 hours. Depending on whether they have requested international protection or not, the persons are transferred to the competent authorities. Immediately after detention, every person is acquainted with their rights, legal responsibility and their right to access to legal aid. The police officers seconded at the border implement the Frontex Guidebook on fundamental human rights as well as the guidelines for the order for requesting protection. UNHCR and the Bulgarian Helsinki Committee monitor all borders and facilities for accommodation of detainees and have full access to the persons detained in the border zone.

### **Judicial reform; countering corruption and organised crime (Recommendations 109–114; 121–124)**

77. A number of effective measures have been implemented in 2018 to ensure the independence of the judiciary. The practice of appointing senior judicial positions established in the latest amendments to the Judiciary Act respects transparency and publicity of competitive procedures. Candidates for administrative heads are publicly available on the SJC's<sup>22</sup> website, together with biography, declaration of property status and origin of the means for property acquisition, and a concept for their work as administrative heads. Magistrates and non-profit legal entities, higher education institutions and scientific organizations, professional organizations of judges, prosecutors and investigators, colleagues, authorities and institutions may submit to the SJC opinions on the candidates' moral and professional qualities. The candidates for the administrative heads of courts are heard before the general assembly of the respective court.

78. Recent amendments to the Judiciary Act include strengthening the powers of the Inspectorate of the SJC in key areas. The Inspectorate adopted Rules for verification of property declarations of judges, prosecutors and investigators, and Rules for the conduct of integrity checks, conflicts of interest, independence checks and professional ethics.

79. In February 2019, a project was launched on "*Support for Capacity Building of the Inspectorate to the SJC*", in order to optimize the procedures for magistrates' integrity checks. Other relevant projects and programmes in support of the rule of law and the independence of the judiciary include: the ongoing implementation of the *Updated Strategy for Continuing the Reform of the Judiciary*; and the "*Effective Access to Justice Project*". Under the "*Justice Programme*" of the Norwegian Financial Mechanism, special focus is given to projects aimed at: developing child-friendly judiciary; raising awareness among vulnerable groups regarding prevention and protection from domestic and gender-based violence, and against discrimination; effective measures for the rehabilitation and reintegration of victims of domestic violence and working with perpetrators, etc.

80. In January 2018, the Parliament adopted a new Anti-Corruption and Confiscation of Illegally Acquired Property Act, in line with the recommendations of international monitoring mechanisms. This law overcomes the weaknesses stemming from the fragmented regulatory framework in the area of counteracting corruption. An unitary anti-corruption authority was established – the Commission for Combating Corruption and Forfeiture of Illegally Acquired Property, which combines the functions of verifying the property declarations of high public officials and establishing conflicts of interest and illegally acquired property.

81. Recent amendments to the Criminal Procedure Code introduce measures to ensure quality work in cases related to high-level corruption. The Specialized Criminal Court will now hear corruption cases concerning MPs; members of the Government and deputy ministers; chairpersons of state agencies and committees, members of the SJC; inspectors in the ISJC; mayors, deputy mayors, and chairpersons of municipal councils, etc.

82. In order to introduce in Bulgarian legislation, a high standard of transparency and exchange of information for tax purposes in respect of commercial companies that have issued bearer shares, amendments to the Commerce Act have been adopted in 2018.

83. In December 2018, as a result of the Agreement between the Prosecutor's Office and the MoI, a Specialised inter-institutional unit was formed for supporting investigations of crimes falling within the scope of competence of the Specialised Criminal Court (including corruption and financial crimes). A modern anti-corruption framework was introduced. Activities are performed for identification and tracking of capital, movable and immovable property, acquired from corruption crimes.

84. During the reporting period, 10 specialised police operations for documenting corruption crimes have been conducted and 95 civil servants have been detained. All signals for corruption in the State authorities received at the Emergency telephone line 112 are registered and the callers receive information about the possibility to file a signal with the respective institution.

85. As a result of the measures and policies over the past few years, the criminal markets have been diminished and the opportunities for criminal activities have been limited, as well the chances for illegal gain for organized criminal groups. In the period 01.07.2018–30.06.2019, the MoI conducted 244 specialised police operation. The activities of 121 organised crime groups have been intercepted. 272 pre-trial and 66 criminal proceedings have been initiated. 701 persons have been indicted, and 99 persons have been indicted under trial proceedings.

### **Trafficking in human beings (Recommendations 101–108)**

86. The NCCTHB<sup>23</sup> has taken specific actions for the amendment of the Anti-Trafficking Act in 2019, in order to affirm its role as Coordinator for the implementation of the National Referral Mechanism. Furthermore, its role to collect and analyse data related to trafficking was strengthened. The amendments envisage the harmonisation of the Bulgarian legislation with the international norms in the area of providing recovery and reflection period, as well as supplementing the rights of victims. Legal opportunities were created to open specialized shelters for subsequent reintegration of victims of trafficking in human beings and to clarify the provision of assistance and protection to child victims.

87. The Commission continued to conduct mapping of vulnerable groups across the country in order to detect specific trends and forms of recruitment, exploitation and destinations for trafficking. The administration of the NCCTHB conducts annually at least three national prevention campaigns, as well as a series of awareness-raising activities and events. Prevention work is organised and conducted jointly in cooperation with the Local Anti-Trafficking Commissions and outreach partners, working directly with minority groups. In 2018, more than 40 local prevention and information campaigns took place, reaching over 30,000 people. Through the NCCTHB Annual Volunteer Academies, training is conducted among students from all over the country, with focus on children from minority groups. Approximately 120 children participated in the Academy in 2018 and 2019.

88. Efforts are also directed to increase the professional capacity of pre-trial and judicial authorities, social workers, and journalists, including on emerging trends, identification, prevention and protection, and increasing public intolerance. In 2018, over 30 specialized trainings took place; more than 2,000 specialists were trained. In 2019, the focus of the trainings is on the links between human trafficking, internet and new technologies.

89. The NCCTHB finances and monitors the services focused on supporting victims of trafficking. In 2019, 5 specialized services for victims of trafficking are functioning in the cities of Varna and Burgas: 3 residential-type services (2 temporary shelters and 1 shelter for long-term reintegration) and 2 counselling services. The services are managed by NGOs in accordance with the prescribed internal Minimum Standards of Work. From the beginning of the year to the end of June 2019, the services provided care for 14 adults, 2 of whom were accommodated with their children (4 children in total).

90. International cooperation in the area of trafficking focused on strengthening the European perspective and improving the cooperation with the countries of the Western Balkans.

**Rights of the child (Recommendations 99–100; 118–120; 125–128; 137–140; 147–149)**

91. According to the Monitoring Report on the Implementation of the National Strategy "Vision for Deinstitutionalization of Children in Bulgaria", the activities during the reporting period guarantee the right of children to a family environment and access to quality care and services according to their individual needs. The child care reform has been implemented through the measures set out in the Action Plan for the implementation of the National Strategy. The deinstitutionalization process is supported and developed by a number of NGOs. Efforts are also directed towards promoting the results of the deinstitutionalization process and overcoming some negative public attitudes towards children from social services.

92. The analysis of the 2019 data shows a decrease in the number of children accommodated in the existing 21 specialized institutions. The total number of children and young people in institutional care currently is 476. Five homes for children deprived of parental care were closed, after an individual assessment of their needs. The placement of children up to 3 years of age without disabilities in Homes for Medical and Social Care was suspended in May 2018.

93. The SSA provides for closure of all existing homes for children deprived of parental care and homes for medical and social care for children not later than 1 January 2021. When moving children/young people from specialized institutions, complex integrated measures and activities are implemented and social services are provided in the community. Children are placed in Family-type accommodation centres, whereas young adults are directed to Transitional and Protected Homes to acquire skills necessary for independent living.

94. The social service system has expanded significantly thanks to reforms aimed at improving the planning, deinstitutionalization and provision of more community-based and family-based services. As of 2019, 327 social services with 10,799 places for children and families are available in the community.

95. In support of the adoption process, the training programme for adoptive parents has been updated and methodological guidelines have been introduced and implemented in practice. The measures aim to continue the work in the best interests of the child, aiming at supporting families and creating the best conditions for the development of children and the realization of their full potential.

96. In 2018, the SACP<sup>24</sup> along with educational institutions updated the guidelines and tools for enhancing the rights of children in the real and the digital environment. These include work in the educational system to support children in situations of separation and parental conflict; safety rules for children and students on the computer network in kindergartens, schools and the Internet; etc.

97. In 2018/2019, a number of information and media campaigns were conducted on countering violence against children, in implementation of the National Programme for Child Protection. A special webpage has been developed dedicated to the National Campaign "Life without violence for all children" ([www.decabg.eu](http://www.decabg.eu)). All initiatives include children from social and educational institutions, as well as childcare centres. The idea is to provoke children to be proactive and to give them the opportunity to organize their safe, secure, enjoyable and positive life in the society. With the help of mentors (educators, psychologists, social workers), they set rules for relationships with each other to create an environment of communication, excluding all forms of violence.

98. In partnership with UNICEF, in 2018, the Ombudsman Institution organized a roundtable on "Violence against children: legal aspects of prevention, identification, reporting, response and interventions by institutions in Bulgaria". The forum discussed the

existing situation in Bulgaria from the perspective of international standards in effect and the Bulgarian legislation in force to protect children against any form of violence.

99. To limit marriage in violation of the legal order and moral values, the legislator has envisaged a number of criminal offenses under the Criminal Code. Forced marriages and marital cohabitation are criminalized.

100. The provision of financial support to families with children is an important dimension of the child and family policy. There are 11 types of family allowances provided under the Family Allowance Act (FAA). These allowances are monthly and one-off. The most of the family allowances are provided regardless of family income. The Act puts focus on the integrated measures and interaction between different systems – social, health and educational.

101. An alternative model has been introduced for working with students from boarding schools and social pedagogical boarding schools (SBS and SPBS) and for reforming their organization and functioning. Given the ongoing reform of child justice within the MES<sup>25</sup> project "Support for Equal Access and Personal Development", a methodology was developed to assess the needs of students with deviant behaviour, with guidelines for its implementation. An individual plan to support a student in conflict with the law is drafted in each case. As of December 2018, the number of students accommodated in SBS and SBS is 111.

102. A new Deviation from Criminal Proceedings and the Imposition of Educational Measures on Minors Act is currently being drafted. The bill aims to promote the lawful behaviour of juvenile offenders, by supporting and stimulating their integration into society through appropriate educational measures. The project is based on the maximum level of protection of the best interests of the minor in full respect of their dignity and the dignity of the victim. Individual measures are foreseen to take into account the physical, intellectual, moral and social development of the offender. Educational participants should have a specific knowledge of the rights of the child and of international standards for the treatment of minors. All activities in this process will be carried out in full interaction with the parents, guardians and other persons who are legally caring for the minor, unless this is contrary to his/her best interests or would impede the proceedings.

103. Special measures are taken with regard to children to ensure that they can participate in criminal proceedings to the same extent as other actors in the process. In this regard, amendments to the Criminal Procedure Code are drafted, introducing the provisions of Directive 2016/800/EU on procedural guarantees for children who are suspected or accused in criminal matters.

104. Last year, within the framework of a project under the Bulgarian-Swiss Cooperation Programme, nine new specialized premises were set up and equipped for a friendly hearing and questioning of juveniles and minors, the so-called "Blue rooms". The special rooms allow the hearings to be held in the safest and most gentle atmosphere, without visual contact between the child and the other participants, incl. the accused.

105. The care and fulfilment of the rights of children with disabilities remain high on the Government's agenda. In 2018, the first Centre for Integrated Services for Children with Disabilities and Chronic Diseases was opened. It aims at improving the health status of children with disabilities and chronic diseases, ensures access to all necessary medical care and social services and helps families to prevent abandonment.

106. Education is a national priority and is implemented in accordance with the principle to guarantee equal access to quality education and inclusion of every child and student, based on equality, non-discrimination, tolerance, preservation of cultural diversity and inclusion. Access to quality education for children and students with special educational needs is guaranteed by creating the necessary supportive environment.

107. Students with disabilities are enrolled in the relevant general or vocational school, and also receive assistance through the 47 Centres for Special Educational Support. Their education in the relevant centres is coordinated with the personal development support teams in the schools. Currently, 3,172 children are being schooled, after undergoing a comprehensive psycho-pedagogical evaluation. Different approaches are implemented,

including family, individual and group counselling, celebration of holidays, open therapy sessions, parental involvement classes, home visits, etc. Materials in braille, with enlarged font, support for sign language translation and relevant consultant teachers are also available.

108. To overcome the causes of early school dropouts, in 2018, a change in the system of delegated budgets has started, whereby funding for educational institutions also depends on the concentration component for children from vulnerable groups and a component on a geographical and regional level. The additional allocated funds are used to appoint retention teams, social workers, educational mediators or assistants; to provide additional lessons in Bulgarian language or additional modules for non-Bulgarian children in kindergartens.

109. The number of lessons for compulsory additional education in Bulgarian language and literature and in other subjects for students for whom the Bulgarian is not a maternal has increased. Activities for providing additional education are also implemented under project “Support for success”. It aims to provide optimal conditions for the implementation of differentiated care for improving educational results for students with disabilities, including from vulnerable groups and Roma. The project includes 1,500 schools.

### **Freedom of the media (Recommendations 130–134)**

110. The Radio and Television Act provides the necessary guarantees for the freedom of expression of journalists, including through clauses for their protection. Any opinion can be freely expressed in media services. Journalists and creative workers contracted with media service providers shall not receive instructions and directions for the exercise of their activities by persons and / or groups outside the media management authorities. Media service providers are not obliged to disclose sources of information, unless there is a pending court or appeal proceedings of the person concerned before the Council for Electronic Media.

111. According to the case law of the ECtHR, the application of criminal sanctions in defamation cases is not in itself excessive. To the extent that the prosecution of insult and defamation takes place through criminal law, this is only done at the victim's complaint, without participation from the prosecution. Moreover, the only penalties provided for in the Bulgarian Criminal Code are fines. In the majority of cases, release from criminal liability is granted so that the perpetrators are not convicted per se with all the legal consequences. Proposals for amendments to the Criminal Code provide for smaller fines, in order to protect the freedom of expression of journalists and other public figures, limiting the possibility of imposing excessive and disproportionate monetary penalties.

112. Bulgaria regularly provides information to the CoE Platform to Promote the Protection of Journalism and Safety of Journalists. All reported instances of alleged threats and attacks against journalists on the Platform are communicated to the General Prosecutor's Office. The MFA regularly gathers information on the development of the cases, which is then sent to the Platform in the form of updates.

113. Rapid and unbiased investigations have been carried out in all cases involving attacks on journalists, with some of them already in court. The MoI has created the necessary organization so that any attack is considered immediately.

114. A new Media Act is currently being discussed. It aims to present changes in public media financing; digital distribution; countering fake news; as well as to introduce the relevant EU regulations.

### **Rights of persons with disabilities (Recommendations 142–146)**

115. The *National Strategy for Persons with Disabilities 2016-2020* is implemented in line with the State commitments under the UN CRPD<sup>26</sup>. A number of new legal acts have been adopted in order to improve the quality of life of persons with disabilities, including the Persons with Disabilities Act (in force from 01.01.2019). The Act gives a new comprehensive legal framework of public relations concerning the promotion, protection



and safeguarding of the rights of persons with disabilities and support for their social inclusion. Their rights are guaranteed in a way that respects human dignity, by applying an individual approach and assessing personal needs.

116. The Act further establishes a Monitoring Council to carry out the functions of promoting, protecting and monitoring the implementation of the CRPD. It is composed of 9 members – two representatives from the Office of the Ombudsman, two representatives of the CPD, four representatives of the organizations of persons with disabilities and one representative of the academic community. The Council held its first meeting in July 2019.

117. A number of regulations and methodologies have also been adopted to streamline the relevant procedures and practices, exercise control over the spending, provide auxiliary devices, prepare individual assessments, build accessible architectural environment, etc. In recent years, special focus is given to developing independent economic activity and specialized enterprises and cooperatives of persons with disabilities. Centres for Protected Employment are created to support the labour integration of people with multiple permanent disabilities, to provide conditions for productive activity, paid job and personal support services.

118. The new Personal Assistance Act aims to assist persons with disabilities to exercise their rights, to have possibilities for independent living, active involvement and participation in the community and access to various services. It guarantees the provision of personal assistance based on an individually prepared assessment of the support needs in accordance with the CRPD. For the first half of 2019, 619,587 persons were supported monthly, according to the degree of disability, with financial benefits. 7,467 persons monthly received targeted assistance for auxiliaries, equipment and medical devices, personal motor vehicles, home adaptation, balneotherapy and/or rehabilitation services and rental of municipal housing.

119. The National Programme "*Assistants of Persons with Disabilities*" provides employment for unemployed people in activities related to improving the quality of life of persons with permanent disabilities or seriously ill single people. It also aims at reducing the number of persons with disabilities and severely ill people in specialized institutions by bringing them into a family environment, as well as facilitating job creation in social services. Every year thousands of unemployed persons are provided with employment under this Programme.

120. The CPD carries out the "*Accessible Bulgaria*" campaign, awarding certificates for accessible architectural environment in order to stimulate best practices. As a result, 400 new case-files were initiated, aiming to increase the accessibility of sites around the country.

### **Rights of refugees and migrants (Recommendations 166–182)**

121. An Ordinance for the terms and conditions for contracting, implementation and termination of the integration agreement for the foreigners, beneficiaries of asylum or international protection has been adopted, easing the process of registration and supplementing the Asylum and Refugee Act. The SAR<sup>27</sup> is conducting information sessions for its introduction.

122. Providing information to all persons in proceedings for international protection in a necessary prerequisite in the work of the relevant Bulgarian institutions. Instructions on the rights and obligations during the proceedings for granting international protection are given to each asylum seeker, in a language he/she understands. They include detailed information on the procedure and a list of organizations, granting different services, including legal aid. Audio-visual information materials, presenting the rights and obligations of the persons are available, as well as information on human trafficking prevention.

123. Accommodation in reception centres takes into account the applicant's sex, race, age, marital status, type of vulnerability, etc. For unaccompanied minors, their relationship with the elderly relatives or individuals responsible for them by law or custom is also considered. An individual assessment is made in each case, taking into account the lawful

application of the above-mentioned provision and the best interest of the child. No children are accommodated with adults unrelated to them.

124. Every unaccompanied minor or under-age applicant is assigned a representative from the municipal administration, as well as a social worker, after consultation with the Social Assistance Directorate in the municipality and the SACP. The number of representatives is determined according to the number of unaccompanied children, so that the representative can do his/her job effectively and respect the best interests of the child. The assessment is based on the need for protection and a long-term and sustainable solution. It guarantees that the unaccompanied or separated child can reach adulthood in an environment that meets his needs and respects his rights.

125. A proposal for amendment to the Asylum and Refugee Act has been recently submitted to the Council of Ministers. The draft amendments provide for further procedural guarantees for asylum seekers, especially for the most vulnerable – the unaccompanied minors, in accordance with the principles of legality and respect for the best interest of the child.

126. In May 2019, in the SAR Centre in Sofia, a safety zone for unaccompanied minors with a capacity for 100 places and 24/7 care was opened. A second safety zone with a capacity for 138 places is to be opened.

127. At each stage of the refugee status determination procedure, employees of SAR work with parents of children accommodated in the territorial units, in order to inform them about the educational system in Bulgaria. Newly arrived parents are encouraged to enroll their children in schools and kindergartens. Information materials on the right of access to the education system and a notification form are available. As a result, during the school year 2018–2019, 130 children in school age are enrolled in Bulgarian schools, and 7 children attend kindergartens. Free transport is provided. Access to state or municipal schools, including vocational education and training, is the same for asylum seekers as for Bulgarian nationals. Teachers are contracted to conduct Bulgarian language classes in each of the territorial units of SAR for both adults and minors. NGOs are also offering Bulgarian language classes.

128. The SAR implements independently and encourages NGOs for joint initiatives between the local communities and foreigners, aiming to aid learning of the Bulgarian language and culture. Experts hold talks and sessions with asylum seekers on various topics, including the structure of the State, customs and traditions in Bulgarian society and others. With the assistance of the academia, regular sporting and cultural events are held with the participation of asylum seekers.

129. Persons who have not asked for international protection are transferred to the SHTAF<sup>28</sup>. The detention/accommodation of third-country nationals in SHTAF is done based solely on the legal grounds and the police officers are instructed on the due attitude towards the accommodated foreigners. The SHTAF staff have participated in a number of trainings on psychological work with vulnerable persons, dealing with aggression, discrimination, etc. Workshops were conducted with the support of UNHCR, the CoE, UNICEF and IOM on issues of migration, including work with unaccompanied minors. Measures are taken for maintaining the necessary conditions in the facilities for detention of foreigners, including the provision of food packages 24/7. Every person is given the opportunity to inform a relative of theirs as well as to contact consular or diplomatic services.

130. Following its visit in Bulgaria in 2018, the OHCHR made specific recommendations regarding the ways to improve the conditions in the detention/accommodation facilities which are gradually implemented.

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*Notes*

- <sup>1</sup> United Nations Human Rights Council.
  - <sup>2</sup> Ministry of Foreign Affairs.
  - <sup>3</sup> National Human Rights Institutions.
  - <sup>4</sup> National Coordination Mechanism on Human Rights.
  - <sup>5</sup> Council of Europe.
  - <sup>6</sup> Office of the High Commissioner for Human Rights.
  - <sup>7</sup> Commission for Protection against Discrimination.
  - <sup>8</sup> National Statistical Institute.
  - <sup>9</sup> Ministry of Interior.
  - <sup>10</sup> Ministry of Labour and Social Policy.
  - <sup>11</sup> Operational Programme Human Resources Development.
  - <sup>12</sup> Questions related to children, the Roma and to persons with disabilities are addressed in the relevant sections.
  - <sup>13</sup> Social Service Act.
  - <sup>14</sup> <https://www.mlsp.government.bg/index.php?section=POLICIES&P=378>
  - <sup>15</sup> Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe.
  - <sup>16</sup> EU Fundamental Rights Agency.
  - <sup>17</sup> National Strategy for Roma Integration in the Republic of Bulgaria.
  - <sup>18</sup> System for Monitoring, Evaluation and Control.
  - <sup>19</sup> National Council for Cooperation on Ethnic and Integration Issues.
  - <sup>20</sup> Operational Program “Regions in Growth” 2014-2020.
  - <sup>21</sup> General Directorate Execution of Penalties.
  - <sup>22</sup> Supreme Judicial Council.
  - <sup>23</sup> National Commission for Combating Trafficking in Human Beings.
  - <sup>24</sup> State Agency for Child Protection.
  - <sup>25</sup> Ministry of Education and Science.
  - <sup>26</sup> Convention on the Rights of Persons with Disabilities.
  - <sup>27</sup> State Agency for Refugees with the Council of Ministers.
  - <sup>28</sup> Specialized homes for temporary accommodation of foreigners in MoI.
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