



31/10/2017

RAP/RCha/BGR/16(2018)

EUROPEAN SOCIAL CHARTER

16th National Report on the implementation of the
European Social Charter

submitted by

THE GOVERNMENT OF BULGARIA

- Follow-up to Collective Complaints Nos. 31/2005, 41/2007 and 46/2007
- Complementary information on Articles 1§§1,2

Report registered by the Secretariat on
31 October 2017

CYCLE 2018

APPROVED
Minister of Labour and Social Policy:

BISER PETKOV

SIXTEENTH NATIONAL REPORT

for the period 1 January 2014 to 31 December 2016,
submitted by the Government of the Republic of Bulgaria to the Council of Europe
in accordance with Article C and Article D of the European Social Charter (Revised)
concerning the measures taken in order to implement the provisions thereof

Table of Contents:

Introduction p. 3

Follow-up action on collective complaints against the Republic of Bulgaria

Complaint No 31/2005 submitted by the European Roma Rights Centre (ERRC) p. 4

Complaint No 41/2007 submitted by the Mental Disability Advocacy Center (MDAC) ...p. 14

Complaint No 46/2007 submitted by the European Roma Rights Centre (ERRC) p. 40

Provisions of the ESC (R) - additional information, Conclusions 2016

Article 1 - The Right to Workp. 53

- Article 1, paragraph 1p. 53

- Article 1, paragraph 2p. 60

Introduction

This Report was prepared following consultations and as a result of good cooperation with the competent agencies.

In accordance with Article C of the ESC (R), the Report was coordinated with the nationally represented organisations of the employers and with the workers' trade unions.

The Bulgarian national currency is the Lev (BGN), and its exchange rate is pegged to the euro at BGN 1.95583 for 1 euro (0.511292 euro for BGN 1).

The Bulgarian side remains available for any further questions or specification that might come up in the course of examination of this Report.

Follow-up action in connection with complaint No 31/2005 submitted by the European Roma Rights Centre (ERRC) v. Bulgaria

European Roma Rights Centre v. Bulgaria, complaint No. 31/2005, decision on the merits of 18 October 2006

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was a violation of Article 16 of the Charter taken in conjunction with Article E on the following grounds:

- the inadequate housing of Roma families and the lack of proper amenities;
- the lack of legal security of tenure and the non-respect of the conditions accompanying eviction of Roma families from dwellings unlawfully occupied by them.

2. Information provided by the Government

The Government indicates in the information registered on 4 December 2014 that in the framework of the National Roma Integration Strategy, especially its priority on “Improving the housing conditions”, two Programmes have been set up:

- Operational Programme “Regional Development” (OPRD) 2007-2013

The main target of this scheme is to promote social inclusion of disadvantaged and vulnerable population groups by improving their standard of living and the quality of the housing of urban communities. More specifically, the targets are the provision of modern social housing and equal access to adequate housing conditions.

The information provided mentions three pilot municipalities: Vidin, Dupnitsa and Devnya where projects aim at building/reconstructing new homes for disadvantaged population groups, including Roma. It further stresses that these projects are in the implementation phase.

- Operational Programme “Regions in Growth” (OPRG) 2014-2020

This scheme aims at supporting infrastructural measures for Roma integration by providing adequate living conditions. The investments are to be realised on the territory of 67 towns. Activities will consist in building, reconstructing, repairing and expanding the social housing.

3. Assessment of the follow-up

On the issue of inadequate housing of Roma families and the lack of proper amenities, the Committee takes note of the measures that are being set up. It considers that the action envisaged will, if implemented, enable the situation to be brought into conformity with the Charter. It will assess the practical impact of these measures on the occasion of the information on the follow-up given to decisions that will be submitted in October 2017. In the absence of the information on the practical implementation of the Strategy, the Committee considers that the situation has not been brought into conformity with the Charter.

Concerning the lack of legal security of tenure and the non-respect of the conditions accompanying eviction of Roma families from sites or dwellings unlawfully occupied by them, the information provides no clarification. The Committee considers that the situation has not been brought into conformity with the Charter.

Follow-up action in connection with complaint No 31/2005 submitted by the European Roma Rights Centre (ERRC) v. Bulgaria in the period 01.01.2014 - 31.12.2016

The Ministry of Regional Development and Public Works submitted information concerning activities/projects completed in 01.01.2014 - 31.12.2016 under Operational Programme “Regional Development” (OPRD) 2007 - 2013, and the implementation of measures within the framework of Operational Programme “Regions in Growth” (OPRG)

2014 - 2020, which contribute to the implementation of the objectives of the National Strategy of the Republic of Bulgaria for Roma Integration, and in particular its priority on “Improving the housing conditions”.

1. Information concerning objective 6 “Construction and provision of social housing” under Priority 3 “Housing conditions” of the National Strategy of the Republic of Bulgaria for Roma Integration (2012-2020).

Action/measures adopted since 2014:

The main contributor to the implementation of this objective is grant scheme BG161PO001/1.2-02/2011 “Support for the provision of modern social housing to vulnerable, minority and marginalised groups of the population and other disadvantaged groups” under Priority axis 1 “Sustainable and integrated urban development”, Operation 1.2 “Housing policy” of OPRD 2007-2013.

The main objective of the scheme is to contribute to the social inclusion of people in disadvantaged or vulnerable position by increasing their standard of living and by general improvement of the quality of the housing stock of urban communities.

Specific objectives:

- To provide modern social housing to vulnerable, minority and socially disadvantaged population groups and other disadvantaged groups;
- To provide social inclusion, spatial integration and equal access to adequate social housing to vulnerable and disadvantaged groups;

Financial resources under the scheme: **BGN 15 659 106.46**

The model of implementation of the scheme is based on identifying pilot projects selected by an interdepartmental working group with the Council of Ministers for the purpose of developing an integrated project concept under Operational Programme “Human Resources Development” 2007-2013 and Operational Programme “Regional Development” 2007-2013 for the construction of housing for disadvantaged groups and for developing a mechanism of coordination with other horizontal policies financed with EU funding.

The selected pilot municipalities implement integrated projects for sustainable social housing, which include a mandatory combination of an investment project (construction of social housing and repair/reconstruction of existing buildings, energy efficiency measures, etc.) financed under scheme BG161PO001/1.2-02/2011 of OPRD 2007-2013, and activities to provide education, employment, healthcare, social inclusion of the target group financed under Operational Programme “Human Resources Development”.

Mandatory requirements for the activities under the projects:

- Providing an integrated approach - interventions under OPRD must be accompanied by activities to provide education, employment, healthcare, social inclusion of the target group taking into account the possibilities of OPHRD, of programmes for access to social and healthcare services or other programmes (donor, national or local).
- Anti-segregationist nature of interventions: the physical location of the housing construction must ensure spatial integration to the representatives of the marginalised communities as a whole, and shall not contribute to their segregation, isolation or exclusion.

The location(s) of the new/ reconstructed social housing should be different from that of the currently existing separate territories/ neighbourhoods, which are characterised by poor state of the housing stock and the adjacent infrastructure, whereby interventions in the housing stock should be coupled with activities providing access to education, employment, healthcare and social services for disadvantaged groups.

The eligible target group of projects under the scheme should include representatives of at least two of the groups mentioned below:

- Homeless people and/or people residing in very poor living conditions;
- Parents with children, including minor parents, large families, children with poor health or with disabilities;
- People at risk of poverty and social exclusion

The people in the target group must necessarily live/occupy housing stock in a poor condition and/or with poor or missing engineering infrastructure (water supply, sewage, etc.); they shall not own any immovable property.

Scheme BG161PO001/1.2-02/2011 was launched on 30 August 2011 through a procedure of direct grant agreements with specific beneficiaries, namely the municipalities of Burgas, Vidin, Devnya and Dupnitsa, as well as reserve beneficiaries in the event of release of sufficient funds, e.g. Varna, Peshtera, Tundja, Kazanluk, Lom and Sofia City Municipality.

Activities eligible for funding under the scheme:

- Construction of new social houses on plots which are 100% municipal property, which will accommodate representatives of the target group;
- Repair, reconstruction and renovation of the existing housing stock, which is 100% municipal property, to be provided as social housing;
- Supply of adequate equipment and furnishings for the above-mentioned buildings/ premises in order to make provision for basic amenities;
- Improving the access of persons with disabilities to the above-mentioned buildings/ premises;
- Measures aiming to upgrade the surrounding space of the newly constructed/ renovated social houses, etc., are eligible under this scheme.

Impact of the measure

On 28.06.2012, grant agreements were signed with the municipalities of Vidin and Dupnitsa, an agreement with the municipality of Devnya was signed on 18.01.2013, an agreement was signed (terminated) with the municipality of Varna on 13.02.2015, and another agreement was signed with the Sofia City municipality on 18.9.2015.

The envisaged interventions in the framework of the concluded agreements are:

- Municipality of Vidin: the project aims to reconstruct 50 accommodation units in 9 existing one-storey residential blocks, and to build 30 accommodation units in 4 new two-storey two-family houses to accommodate 280 representatives of disadvantaged groups, including the Roma.
- Municipality of Dupnitsa: the project aims to construct new 150 accommodation units in 15 one-family and multi-family residential buildings for 460 representatives of disadvantaged groups, including the Roma.
- Municipality of Devnya: the project aims to reconstruct 33 accommodation units in an existing building to accommodate 165 representatives of disadvantaged groups, including the Roma.
- Municipality of Varna: the project aims to construct 30 modern social accommodation units and to provide conditions for social inclusion, spatial integration and equal access to adequate housing conditions to 84 disadvantaged and vulnerable persons, persons with disabilities, residing on the territory of the Asparuhovo residential area, Varna municipality. Due to delay as a result of administrative proceedings initiated against a Decision of the Managing Authority of OPRD with the Administrative Court in Sofia, the project of the Municipality of Varna failed to meet the deadline.
- Sofia City Municipality: the project aims to construct a four-storey residential building in the area of Vrabnitsa (26 social accommodation units), and to finish the construction of a nine-storey residential block in the area of Lyulin (45 social accommodation units), or a total of 71 social accommodation units on

the territory of the Municipality of Sofia. The project envisages providing equal access to healthcare, educational and social services, and access to the labour market for 238 persons.

During the reporting period of 01.01.2014 – 31.12.2016, the 4 projects for providing contemporary social housing to vulnerable, minority and socially disadvantaged and other disadvantaged groups of the population were completed. The reported results of these projects are given below:

o	Indicators under scheme BG161PO001/1.2-02/2011	Reported value
	Number of persons from the target group benefitting from the improved social infrastructure (i.e. number of persons accommodated in social housing)	684 persons
	Improved social housing infrastructure, in sq.m. total floor area	35 036.77 sq. m.
	Number of individual social accommodation units provided	334
	Energy savings of the renovated buildings (in MWh/year)	352.50

The main challenges encountered during the implementation of the pilot integrated scheme for social housing consisted in the attainment of positive attitudes and support by the community for the projects, including support by the media and non-governmental organisations. In respect of social housing projects, it is important to gain the support of the local community in order to make it easier for municipalities to apply for such projects. Two social housing projects (in Burgas and in Varna) failed because of public protests and of the negative attitude on the part of the local residents in the areas targeted for social housing construction. A key factor of success is the preliminary targeted work with the local community, including information campaigns, which is necessary to obtain the necessary public support and social tolerance to projects aiming to improve the living conditions of vulnerable groups, including the Roma. It is also important to enlist the participation of all the interested parties, including the media and local civil society structures, and to obtain their support for the implementation of social housing projects for disadvantaged groups.

On the basis of lessons learned and of the experience from the implementation of the pilot integrated scheme for social housing under OPRD 2007-2013, support for the provision of social housing shall continue under the current programming period 2014-2020.

Social housing projects are envisaged in the framework of procedure BG16RFOP001-1.001-039 “Implementation of Integrated Plans for Urban Regeneration and Development 2014-2020” under Operational Programme “Regions in Growth” 2014-2020 (OPRG 2014-2020). The procedure was launched in July 2015, and aims to assist the implementation of the Integrated Plans for Urban Regeneration and Development in 39 towns of the 1st, 2nd and 3rd hierarchical level in accordance with the National Spatial Development Concept of Bulgaria 2013-2025.

Under the procedure, the implementation of investment programmes is supported where they include priority projects forming part of the Integrated Plans for Urban Regeneration and Development, and are targeted at a better urban environment, renovating the educational, social and cultural infrastructure, energy efficiency of buildings, and developing urban transport systems.

According to the Guidelines for Applicants for procedure BG16RFOP001-1.001-039 of OPRD 2014-2020, support for the provision of modern social housing for the accommodation of vulnerable groups and of other disadvantaged groups shall be realised in

the framework of the “Social Infrastructure” group of activities under Investment Priority 4 “Social Infrastructure”. No less than 5% of the total amount of the grants for the beneficiaries is allocated for the implementation of a group of “Social Infrastructure” activities, including the construction of social housing.

In 2016, all the 39 Investment Programmes for procedure BG16RFOP001-1.001-039 “Implementation of Integrated Plans for Urban Regeneration and Development 2014-2020” were approved; currently, the concrete beneficiaries may submit project proposals for evaluation by the 39 intermediary units.

According to the approved Investment Programmes, the municipalities which will implement social housing projects are the following (the list is indicative, and is based on the approved Investment Programmes): Blagoevgrad, Burgas, Varna municipality, Velingrad, Vratsa, Gabrovo, Gotse Delchev, Dobrich (the social project which will be included in the Integrated Plan for Urban Regeneration and Development will be finalised in 2019), Dupnitsa (the social project which will be included in the Integrated Plan for Urban Regeneration and Development will be finalised in 2019), Kazanluk, Kurdjali, Lovech, Lom, Montana, Pernik, Petrich, Plovdiv, Razgrad, Ruse, Svishtov, Silistra, Smolyan, Stara Zagora, Turgovishte, Haskovo, Shumen and Gorna Oryahovitsa. According to the social housing construction plans included in the Integrated Plans for Urban Regeneration and Development, the envisaged resource amounts to BGN **54 916 985.88**. According to the approved Investment Programmes, it is envisaged that the number of rehabilitated accommodation units in the urban areas will reach 1 140 by 2023.

Project proposals for procedure BG16RFOP001-1.001-039 “Implementation of Integrated Plans for Urban Regeneration and Development 2014-2020”, including social housing (according to a list of indicative main social housing projects) are submitted currently and until 31 May 2019.

In 2016, a grant agreement was concluded for 1 social housing project with the municipality of Blagoevgrad, for the amount of BGN 9 506 000.

The procedure is not exclusively targeted at the Roma but at all the identified target groups. No grant agreements have yet been concluded for this procedure; therefore, no output results can be reported.

Information concerning target 9 “Construction/ reconstruction of social infrastructure objects for the purposes of education, culture, and others” under Priority 3 “Housing Conditions” of the National Strategy of the Republic of Bulgaria for Roma Integration (2012-2020).

Activities/measures financed under OPRD 2007-2013:

Since the launching of Operational Programme “Regional Development” 2007-2013, the OP has focused on the situation of the Roma population and on the infrastructure problems impeding Roma integration. Two priority OPRD axes, namely Priority Axis 1 “Sustainable and Integrated Urban Development”, and Priority Axis 4 “Local Development and Co-operation”, aim to resolve problems related to the provisions of an adequate and appropriate infrastructure to meet the needs of that population group.

By using specific project selection criteria, the Operational Programme promotes infrastructure initiatives targeted at the educational and social problems of the Roma minority; it supports measures for investment into preserving the cultural identity of the Roma, and creates conditions for integrating the disadvantaged groups by improving their physical and living environment.

Taking account of the needs of the disadvantaged groups, along with their social inclusion, including the Roma, is the key criterion governing the selection of projects. It must be noted that the projects implemented under OPRD 2007-2013 are not targeted exclusively at the Roma, but at all identified marginalised groups on the target territories.

The following grant agreement schemes under OPRD 2007-2013 are targeted at financing infrastructure activities focused directly or indirectly on the Roma, and related to repair, reconstruction and renovation of the educational, social, and cultural infrastructure.

- Grant schemes for educational infrastructure:
 - Scheme BG161PO001/1.1-01/2007 “Support for provision of appropriate and cost effective, educational, social care and cultural infrastructures contributing to the development of sustainable urban areas”, Component 1 “Educational Infrastructure”;
 - Scheme BG161PO001/1.1-02/2008 “Support for providing of adequate and effective educational infrastructure contributing to the development of sustainable urban agglomeration areas”;
 - Scheme BG161PO001/1.1-09/2010 “Support for implementing energy efficiency measures in the municipal educational infrastructure in the urban agglomerations”;
 - Scheme BG161PO001/4.1-01/2007 “Support to provide adequate and reliable educational infrastructure contributing to the sustainable local development”;
 - Scheme BG161PO001/4.1-03/2010 “Support for energy efficiency measures in the municipal educational infrastructure of 178 small municipalities”;
- Grant schemes for social infrastructure:
 - Scheme BG161PO001/1.1-01/2007 “Support for provision of adequate and reliable educational, social and cultural infrastructure, contributing to development of sustainable urban areas”, Component 2 “Social Infrastructure”;
 - Scheme BG161PO001/1.1-03/2008 “Support for provision of adequate and effective state social infrastructure, contributing to development of sustainable urban areas”;
 - Scheme BG161PO001/1.1-04/2008 “Support for provision of adequate and effective infrastructure of labour offices, contributing to development of sustainable urban areas”;
- Grant schemes for cultural infrastructure:
 - Scheme BG161PO001/1.1-01/2007 “Support for provision of adequate and reliable educational, social and cultural infrastructure, contributing to development of sustainable urban areas”, Component 3 “Cultural Infrastructure”;
 - Scheme BG161PO001/1.1-05/2008 “Support for provision of adequate and effective state cultural infrastructure, contributing to development of sustainable urban areas”

Impact of the measure:

During the reporting period 01.01.2014 – 31.12.2016, the following projects (by numbers) were completed in the framework of the above-quoted schemes, which reported a positive impact on the Roma; the following results were achieved:

- In the area of construction/reconstruction of educational; infrastructure objects: 52 projects were completed for the amount of BGN 75 760 109.60; as a result, 175 educational targets were reconstructed, with benefitting population of 230 959, of whom 10 725 were Roma.
- In the area of construction/reconstruction of social infrastructure objects, a total of 18 projects were completed for the amount of BGN 5 744 755.72; as a result, 58 social targets were reconstructed, with benefitting population of 1 845 952, of whom 5 500 Roma.
- In the area of construction/reconstruction of cultural infrastructure objects, 4 projects were completed for the total amount of BGN 32 650 892.90; as a

result, 4 cultural targets were reconstructed, with benefitting population of 3 286 383, of whom 6 Roma.

Action/measures envisaged under OPRD 2014-2020:

Concerning Objective 9 of the National Strategy of the Republic of Bulgaria for Roma Integration (2012-2020), namely “Reconstruction of objects of social infrastructure for the needs of education, culture, and others”, it should be taken into account that the following procedures have been launched under measure 9.1.1. “Reconstruction of objects of social infrastructure” under OPRG 2014-2020, with the following indicator: *“Representatives of marginalised groups, including Roma, benefitting from a modernised educational infrastructure”*:

- Procedure BG16RFOP001-1.001-039 “Implementation of Integrated Urban Regeneration and Development Plans 2014 - 2020”: The 2018 milestone is 14 395 children benefitting from the supported educational infrastructure. Under this procedure, 17 contracts were concluded for projects to provide educational infrastructure for a total grant amount of BGN 130 million (the municipalities Burgas, Varna, Gabrovo, Gorna Oryahovitsa, Dimitrovgrad, Karlovo, Kyustendil, Lovech, Pazardjik, Panagyurishte, Pernik, Svishtov, Silistra, Smolyan, Turgovishte, Haskovo and Yambol). No grant contracts have been completed under this procedure yet; therefore, no results can be reported at this stage.
- Procedure BG16RFOP001-3.001 “Culture and Sports at School” was announced on 17 December 2015. The Ministry of Youth and Sports and the Ministry of Culture are beneficiaries under the procedure. Three grant agreements have been concluded for the total amount of BGN 10 million. No grant agreements have been completed so far; therefore, no results can be reported at this stage.
- Procedure BG16RFOP001-3.002 “Support for the Vocational Schools in the Republic of Bulgaria” was announced on 17 December 2015. The Ministry of Education and Science and some municipalities according to the prioritised list are beneficiaries under the procedure. 28 grant agreements have been concluded for the total amount of BGN 63.2 million. No grant agreements have been completed so far; therefore, no results can be reported at this stage.
- Procedure BG16RFOP001-3.003 “Support for the Higher Education Institutions in the Republic of Bulgaria” was announced on 26 February 2016. Thirteen higher education institutions are beneficiaries under this measure, in accordance with the methodology for prioritising the higher education institutions for the needs of OPRG 2014-2020 prepared by the Ministry of Education and Science. 12 grant agreements have been concluded for the total amount of BGN 39.4 million. No grant agreements have been completed so far under the procedure; therefore, no results can be reported at this stage.

It must be noted that the above-mentioned procedures, which are implemented under OPRG 2014-2020, are not targeted exclusively at the Roma, but at all identified target groups.

The envisaged milestone for 2018 under Procedure BG16RFOP001-3.001 “Culture and Sports at School”, Procedure BG16RFOP001-3.002 “Support for the Vocational Schools in the Republic of Bulgaria” and Procedure BG16RFOP001-3.002 “Support for the Vocational Schools in the Republic of Bulgaria” is 6 304 children benefitting from the supported educational infrastructure.

Concerning measure 9 “Reconstruction of objects of social infrastructure for the needs of education, culture, and others” under the National Plan of Action (2015-2020) for implementation of the Strategy of the Republic of Bulgaria for Roma Integration (2012-2020), it must be taken into account that under measure 9.1.3. “Reconstruction of objects of social infrastructure” under OPRG 2014-2020, a procedure was launched with the following indicator: *“Representatives of marginalised groups, including Roma, benefitting from a modernised social infrastructure”*, namely procedure BG16RFOP001-1.001-039 “Implementation of Urban Regeneration and Development Plans 2014 - 2020”. The envisaged

milestone for 2018 under this procedure is 25 570 individuals benefitting from the supported social infrastructure. The envisaged resource, pursuant to the projects for social infrastructure included in the Integrated Urban Regeneration and Development Plans, amounts to BGN 40 046 352.30. By 31.12.2016, 1 grant agreement had been concluded for the amount of BGN 722 000 with the Municipality of Gorna Oryahovitsa.

Ministry of Labour and Social Policy

Information concerning the measures implemented during the reporting period from 01.01.2014 to 31.12.2016 under Operational Programme Human Resources Development (OPHRD) 2007-2013 concerning the complaint. The same measures were reported in the Thirteenth National Report covering the period from 1 January 2010 to 31 December 2013, whereby their implementation was completed in 2015.

The implementation of Operation BG051PO001-1/4/5/6.0.01 INTEGRA was completed in 2015. The main objective of the scheme consisted in creating conditions for complementary action that would result in sustainable de-segregation and continued social inclusion of the persons who would be accommodated in social housing under the OPRG procedure.

The main activities financed under Operational Programme Human Resources Development (OPHRD) were divided into four areas of intervention, namely “Access to Employment”, “Access to Education”, “Social Inclusion” and “Measures for Continued Desegregation”. The municipalities of Vidin, Devnya and Dupnitsa were beneficiaries under the programme.

Under the project of the Municipality of Vidin, in the framework of area of intervention “Access to Employment”, training was organised for acquisition of professional qualification and for acquisition of key competences, with the participation of 344 persons. In addition, employment for a period of up to one year was provided to 40 persons. In the framework of area of intervention “Access to Education”, extracurricular activities were organised for the children - chess clubs, green and white school - for 150 children. In the framework of the same area of intervention, literacy courses for adults were organised, in which participated 40 persons. In the framework of area of intervention “Social Inclusion”, social and healthcare discussions were organised with members of the target group, and employment in municipal social enterprises was provided to 140 persons for a period of 9 months.

In the framework of area of intervention “Measures for Continued Desegregation”, a coordinating unit was set up with representatives of the local community and interested parties for the purpose of providing consultations to representatives of the target group concerning possibilities for inclusion in activities under the project and during participation in project activities. On the grounds of social assessments covering 453 persons from the target group, individual plans were drafted which highlighted measures for continued integration. The individual plans were prepared jointly with the staff of the coordinating unit.

Under the project of the Municipality of Devnya, a major delay was reported in the past regarding the majority of the envisaged activities; initially, activities were implemented under one of the envisaged area of intervention only. In 2015, under area of intervention “Access to Employment”, vocational training was organised for 200 persons for a part of the profession, for 1st and 2nd qualification degree, with a total length of 200 teaching hours. Besides, 130 persons received training for acquisition of key competences in initial computer literacy. Employment was provided to 83 persons within the structures of the District Administration of Devnya and its units; to this end, employment contracts were concluded for the period from September 2015 to 31.12.2015. In the framework of area of intervention “Access to Education”, consultations were held with the participation of 100 directors, principals and pedagogical staff from kindergartens and education institutions, as well as with

250 parents of children from the target groups. Clubs for extracurricular activities and career consulting were organised for 100 children; 200 children went to a “snow school”. In the framework of the teaching process, special emphasis was placed on activities aiming to build relations of acceptance and tolerance. In the framework of the same intervention area, 40 persons participated in adult literacy courses. In the framework of area of intervention “Social Inclusion”, social and healthcare discussions were organised with the participation of persons from the target group, and employment in municipal social enterprises was provided to 99 persons for a period of 9 months. In the framework of area of intervention “Measures for Continued Desegregation”, a coordinating unit was set up with representatives of the local community and interested parties for the purpose of providing consultations to representatives of the target group concerning possibilities for inclusion in activities under the project and during participation in project activities. On the grounds of social assessments covering 934 persons from the target group, individual plans were drafted.

During the implementation of the 2015 project of the Municipality of Dupnitsa in the framework of intervention area “Access to Employment”, 600 persons received intermediary services, whereby 300 of these participated in motivational training, and 200 persons were included in training for acquisition of key competences. Employment was provided to 200 persons for a period of 3 months over a period of 12 months. In the framework of area of intervention “Access to Education”, consultations were organised with the participation of principals and teachers from education institutions, as well as with parents of students from the target group. The rest of the envisaged activities in this intervention area were not implemented. In the framework of area of intervention “Social Inclusion”, social and healthcare discussions and information awareness consultations were organised for the parents of children from the target group. In the framework of area of intervention “Measures for Continued Desegregation”, a coordinating unit was set up with representatives of the local community and interested parties for the purpose of providing consultations to representatives of the target group concerning possibilities for inclusion in activities under the project and during participation in project activities. On the grounds of social assessments covering 500 persons from the target group, individual plans were drafted.

Information concerning the forthcoming integrated scheme “Social and Economic Integration of Vulnerable Groups” under HRDOP, which upgrades the experience accumulated under the Integra Procedure and will be implemented in 2017-2023.

Under the procedure, 52 municipalities will be invited to submit project proposals in the framework of Component 1 of the procedure.

Objective: Enhancing the quality of life, promoting social inclusion, and reducing poverty, long-term integration of the most marginalised communities, including the Roma, by implementing complex measures and introducing an integrated approach.

The specific objectives of the operation are targeted at support for social inclusion through:

- Assisting the integration on the labour market of the marginalised groups;
- Providing access to education and training;
- Improving access to social and healthcare services;
- Development of the local communities and tackling the negative stereotypes.

The implementation of the operation and its main objective will require an in-depth and consistent approach by using in a complementary way the possibilities of three Operational Programmes: Operational Programme “Science and Education for Smart Growth” 2014-2020, Operational Programme “Regions in Growth” 2014-2020, and Operational Programme “Human Resources Development” 2014-2020.

Budget: BGN 80 000 000; Component 1: BGN 50 000 000; Component 2: 30 000 000.

Implementation: by means of direct award procedure

Beneficiaries:

Component 1: Municipalities /municipal districts/ with updated municipal plans for Roma integration for the period 2015-2020, in accordance with the National Strategy of the Republic of Bulgaria for Roma Integration (2012-2020).

Component 2: Municipalities of 39 towns of 1st through 3rd hierarchical level of the national polycentric system as defined by the National Spatial Development Concept 2013-2025: beneficiaries under Priority Axis 1 of OPRG 2014-2020 whose Integrated Urban Regeneration and Development Plans include measures for construction of social housing.

Partners: non-governmental organisations; Centres for Information and Vocational Guidance; reading clubs (“chitalishte”); employers; providers of social and health services; social enterprises and cooperatives of persons with disabilities; training organisations and institutions; municipalities; nationally represented organisations of the workers and of employers.

Associated partners: the Employment Agency, the Agency for Social Assistance, the State Agency for Child Protection, and their units; Regional Health Inspectorates; District Administrations; non-governmental organisations; the Ministry of Education and Science.

Duration: Component 1: 2019; Component 2: 2023.

It is expected that the operation (both components) will make it possible for at least 11 600 Roma, and at least 600 other disadvantaged persons to participate.

Follow-up action in connection with complaint No 41/2007 submitted by the Mental Disability Advocacy Center (MDAC) v. Bulgaria

Mental Disability Advocacy Center (MDAC) v. Bulgaria, complaint No 41/2007, decision on the merits of 3 June 2008

A. Violation of Article 17 §2

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was a violation of Article 17 §2 of the Charter on the ground that children with moderate, severe or profound intellectual disabilities residing in the homes for mentally disabled children (HMDC) did not have an effective right to education.

2. Information provided by the Government

The Government indicates in the information registered on 4 December 2014 that 2014 that several measures and plans have been adopted concerning the education of children with disabilities.

First, the information mentions the Strategy for Equal Opportunities for Persons with disabilities 2008-2015, which includes as a target a guaranteed access to quality education for persons with disabilities.

Second, on 26 January 2012 Bulgaria ratified the UN Convention on the Rights of Persons with Disabilities, which deals inter alia with education. In 2013, a working group of experts was established for the implementation of the Convention. On the issue of education, the working group concluded that the regulatory framework establishes conditions for equal access to education, including for children and pupils with special educational needs and/or with chronic illnesses.

Third, in 2012 the Ministry of Education and Science started the project “Inclusive Education” under the Operational Programme “Human Resources Development”, which aims at further developing the integrated education and preparing the educational system for the challenges of inclusive education.

Fourth, the Council of Ministers adopted on 14 July 2010 a resolution on the National Programme on Guaranteeing the Rights of Children with Disabilities 2010-2013, which aims at guaranteeing the equal access for children with special educational needs to quality education and preparation in view of their full social inclusion.

Fifth, at the beginning of 2010 the National Strategy “Vision for Deinstitutionalization of Children in the Republic of Bulgaria” was adopted, whose main target was closing all institutions for children within a period of 15 years. One of the main focuses of the Action Plan for the implementation of the National Strategy is educational integration.

Sixth, the statistics provided by the State Agency for Child Protection indicated that on 31 December 2013 there were 542 children and 602 young people in HMDCs. Out of the children who were in mandatory school age, i.e. under 16 years of age, 41 were integrated into mainstream education, which corresponds to 7.5% of the children with intellectual disabilities residing in HMDCs and 320 attended a special school, which corresponds to 59% of the children with intellectual disabilities residing in HMDCs.

3. Assessment of the follow-up

The Committee takes note of the measures and plans that have been adopted. It will assess the practical impact of these measures and plans on the occasion of the information on the follow-up given to decisions that will be submitted in October 2017.

The Committee recalls that when it is exceptionally complex and expensive to secure one of the rights protected by the Charter, the measures taken by the state to achieve the Charter’s aims must fulfil the following three criteria: “(i) a reasonable

timeframe, (ii) a measurable progress and (iii) a financing consistent with the maximum use of available resources”.

The Committee acknowledges the progress achieved. In 2008, the Committee noted that only 2.8% of the children with intellectual disabilities residing in HMDCs were integrated in mainstream primary schools and 3.4% of these children attended special classes. End of 2013, the Committee notes that 7.5% of the children with intellectual disabilities residing in HMDCs were integrated into mainstream education and 59% of these children attended special classes. The Committee asks for information on the measures taken to improve the situation that will be submitted in October 2017.

As to the criteria of a reasonable timeframe, the Committee considers that the percentages mentioned are still too low given that 7 years have elapsed since the decision of the Committee.

Finally, given that no clarification on financial resources allocated has been provided, the Committee asks the next information to provide such clarification.

In view of the low figures and the time elapsed, the Committee considers that the situation has not been brought into conformity with the Charter.

B. Violation of Article E in conjunction with Article 17 §2

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was a violation of Article E taken in conjunction with Article 17 §2 of the Charter on the ground that there was discrimination against children with moderate, severe or profound intellectual disabilities residing in HMDCs compared to other children.

2. Information provided by the Government

The Committee refers to the data cited above. It thus notes from the statistics provided by the State Agency for Child Protection that on 31 December 2013 there were 542 children and 602 young people in HMDCs. Out of the children who were in mandatory school age, i.e. under 16 years of age, 41 were integrated into mainstream education, which corresponds to 7.5% of the children with intellectual disabilities residing in HMDCs and 320 attended a special school, which corresponds to 59% of the children with intellectual disabilities residing in HMDCs.

3. Assessment of the follow-up

The Committee will assess the situation on the basis of data that will be submitted in October 2017 on the percentage of the intellectually disabled children living in HMDCs educated in mainstream schools or in special schools and the percentage of all other children with regard to access to education.

In view of the low figures regarding the access of children with intellectual disabilities residing in HMDCs to mainstream and special education, the Committee considers that the situation has not been brought into conformity with the Charter.

Ministry of Labour and Social Policy

The Republic of Bulgaria develops legislation that ensures legal guarantees of non-discrimination, equal opportunities and integration of persons with disabilities in all areas of social life. According to the Constitution, all persons are born free and equal in dignity and rights; the Bulgarian citizens are equal before the law. There shall be no privileges or restriction of rights on the grounds of race, nationality, ethnic identity, sex, origin, religion, education, opinion, political affiliation, personal or social status or property status. According the Constitution, the State shall guarantee the life, dignity and rights of the individual, and shall create conditions conducive to the free development of the individual and of the civil society.

In 2015, the implementation of the provisions laid down in the Strategy for Equal Opportunities for Persons with Disabilities 2008-2015 continued; the Strategy was updated in

relation to the ratified United Nations Convention on the Rights of Persons with Disabilities, which was adopted as follow-up of the recommendations of the Council of Europe, taking into account the good practices of the EU Member States, the United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities, the United Nations Convention on the Rights of the Child, and other international instruments. The Strategy outlines some concrete measures that should be implemented to remove all barriers (psychological, educational, social, cultural, professional, financial and architectural) and facilitate the social inclusion and full-fledged integration of persons with disabilities.

One of the Strategy's eight objectives consists in ensuring access to quality education for persons with disabilities. According to information provided by the Ministry of Education and Science, in 2014-2015, the 28 Integrated Learning Resource Centres for Assistance to Children and Pupils with Special Educational Needs (SEN) provided more than 1 420 resource teachers, psychologists, logopedists, visual impairment specialists and hearing rehabilitators for children in the form of resource support for 13 082 children and pupils with special educational needs in the 2014-2015 school year. Every year, the Ministry of Education and Science supports the organising of seminars and training courses for teachers and specialists with pedagogical functions, e.g. psychologists, logopedists, hearing and speech rehabilitators, etc. working with children and pupils with visual impairments in kindergartens and schools, as well as for resource teachers assisting children and pupils with visual impairments in mainstream education environment. Every year, specialists from the Resource Centres organise training courses for teachers' teams at mainstream schools to support the implementation of the Integrated Learning Resource Centres for Assistance to Children and Pupils with Special Educational Needs.

Following the ratification of the United Nations Convention on the Rights of Persons with Disabilities in 2012, Bulgaria undertook to align its domestic legislation with the provisions of the Convention. The full enjoyment of all the rights and freedoms by persons with disabilities, free from any discrimination, is a long-term priority of the Ministry of Labour and Social Policy. The enforcement of the Convention as part of the domestic legislation requires the availability and use of a clear plan for implementation of the commitments, good co-ordination, and fruitful dialogue between all branches of the executive power and the organisations of persons with disabilities, aiming to improve the status of these persons. The harmonisation of the domestic Bulgarian legislation in its wholeness with the requirements of the Convention is a lengthy process. For its successful implementation an active co-operation is pursued with non-governmental organisations and with persons with disabilities at every stage, namely planning of measures, discussion of such measures, their adoption, and monitoring.

In connection with the implementation of the United Nations Convention on the Rights of Persons with Disabilities, the Ministry of Labour and Social Policy developed two Action Plans for the provisions of this Convention to become applicable, whereby the second Action Plan and the activities it contains will be carried out until 2020.

The performance of the first Action Plan was subject of review; consequently, concepts about regulatory changes were developed and approved concerning the implementation of some of the provisions of the Convention. These include Article 12 "Equal recognition before the law", Article 21 "Freedom of expression and opinion, and access to information", and Article 24 "Education". The Ministry of Education and Science developed a concept for amendments to the regulatory framework concerning the application of Article 21 "Freedom of expression and opinion, and access to information". All the concepts were considered and adopted by the National Council for Integration of Persons with Disabilities, which is an advisory body with the Council of Ministers. National representative organisations of/for persons with disabilities participate in the National Council.

In 2015, the Council of Ministers adopted a second Action Plan of the Republic of Bulgaria implementing the Convention on the Rights of Persons with Disabilities (2015 - 2020). The Action Plan outlines specific steps; it determines clearly the role and functions of the respective public bodies and interested parties during the reporting period, and lists six priorities to address a better quality of life and the social inclusion of persons with disabilities. The current Action Plan contains measures for developing of concepts related to the individual articles of the Convention, which include proposals for amendments to the regulatory framework with the participation of the respective competent bodies. The institutions in charge, their partners - which necessarily include the national representative organisations of/for persons with disabilities, which are members of the National Council for Integration of Persons with Disabilities - are clearly referred to.

A new long-term national strategy for people with disabilities was adopted in 2016 aiming at enabling people with disabilities to exercise their rights by providing equal opportunities for their full participation in the economic, social and cultural life of society. Based on the challenges facing our country in progressively achieving the objectives and principles of the Convention on the Rights of Persons with Disabilities, the following key priorities for 2020 have been set out:

- Ensuring access to living environment, transport and transport services, information and communications.
- Ensuring access and inclusion of each child in the education system and lifelong learning opportunities.
- Ensuring effective access to quality health services.
- Providing conditions for work and employment of people with disabilities.
- Providing adequate support for community life.
- Providing access to sport, recreation, tourism and participation in cultural life.

The second priority, which is related to ensuring equal access to inclusive education at all levels and opportunities for lifelong learning, covers both pre-school and school education and higher education. It was planned to implement measures to provide supportive environment, teamwork, provision of resource teachers, specialists, pedagogical staff, optimisation of the number of children and pupils with special educational needs, early inclusion and early intervention of children and pupils, training and preparation of pedagogical specialists, complex care, additional activities. In the field of higher education, measures were envisaged to support young people with disabilities to apply for higher education and to support training of students, graduates and doctoral students with disabilities.

In 2015, a Law on Pre-school and School Education was enacted which came into force on 1 August 2016, repealing the Law on National Education. In the new Law inclusive education is a priority of the education policy and is seen as a process of awareness, acceptance and support of the individuality of each child or pupil and the variety of needs of all children and pupils by activating and including resources aimed at removing learning barriers and creating opportunities for the development and participation of children and pupils in all aspects of community life. The law also provides for the creation of a state education standard that aims to regulate and provide ways to ensure equal access to education, to develop the potential of every child and pupil and the quality of education for his or her personal, professional and civic realisation in the community.

An Ordinance amending and supplementing Ordinance No. 1 of 23.01.2009 on the education of children with special educational needs and/or with chronic diseases was also adopted in 2015. By Decree of the Council of Ministers No. 286 of 04.11.2016, an Ordinance on inclusive education – a state educational standard according to the Law on Pre-school and School Education – was adopted. The Ordinance governs the public relations ensuring the

inclusive education of children and pupils in the system of pre-school and school education as well as the activities of the institutions in this system providing support to the personal development of children and pupils and defining the responsibilities of the specialists in the process of implementation of inclusive education according to their assigned functions. Rules for the organisation and operation of the National Palace of Children and the State Logopedic Centre have been adopted to regulate their functions in providing support to the personal development of children and pupils. Draft Rules of Organisation and Procedure of the Regional Centres for Supporting the Process of Inclusive Education, which is due to be published for public discussion, has been drafted.

In order to implement the provisions of Article 21 of the Convention on the Rights of Persons with Disabilities – Freedom of expression and opinion, freedom of access to information – two concepts have been drawn up. The first one refers to the introduction of a Bulgarian sign language, for which the Ministry of Education and Science has been gradually undertaking a number of actions. This year, a study has been conducted to unify the Bulgarian sign language so that it is further recognised and disseminated in the Bulgarian society. Expected results are related to providing opportunities for learning and using this language by people with impaired hearing.

In accordance with the provisions of the UN Convention on the Rights of Persons with Disabilities and as a Member State of the European Union, Bulgaria is using the European Social Fund to co-finance and finance projects for people with disabilities.

In terms of ensuring the right to education for children with disabilities, it is essential to conduct a policy on the deinstitutionalisation of childcare. The process of deinstitutionalisation in the country started in 2010 with the adoption of the National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria” and an Action Plan thereto. The National Strategy united all stakeholders around common principles and common actions for real deinstitutionalisation of childcare. The implementation of strategic objectives, actions and measures that were undertaken was based on the will of state institutions and civil society to create the opportunity and conditions for each child to be raised in a family environment or close to the family environment, and to close down all existing specialised institutions for children.

During the reference period 01.01.2014 – 31.12.2016, the first stage of the process was finalised by ensuring sustainability of project activities in the newly established Family-type Centres for Disabled Children and Young People as a state-delegated activity; all 24 homes for children with disabilities in the country were closed down. The idea of this kind of service is that the Family-type Centre for Disabled Children and Young People is a place of living where a complex of social services is provided for a limited number of persons – not more than 15. The services are aimed at satisfying the everyday needs of a group of children living together in an environment, close to the family environment, in a way resembling the organisation of family life. The aim is to give children the necessary individualised care and support for personal maturation and equal participation in the life of the local community. Parallel to the actions aimed at raising the well-being of children and young people with disabilities, residential care providers seek partnership with the educational system to ensure successful integration of children and young people into school by placing them in appropriate forms of inclusive education.

According to information provided by the Social Assistance Agency:

- In 2014, 11 Family-type Centres for Disabled Children and Young People, with a capacity of 91 places and state-delegated activity, functioned;

- In 2015, 122 Family-type Centres for Disabled Children and Young People, with capacity of 1 655 places and state-delegated activity, functioned;
- In 2016, 138 Family-type Centres for Disabled Children and Young People, with a capacity of 1 817 places and state-delegated activity, functioned.

In line with the policies pursued in support of children and families, our efforts have been also related to the introduction of a completely new and integrated approach to childcare aimed at early childhood risk prevention, early intervention, providing a family environment or close to a family environment for each child. Driven by this understanding, the development of innovative integrated services for early childhood development is among the main priorities of the MLSP. In view of the need to recognise and introduce a common and unified vision for early child development services, the results of the Social Inclusion Project which ended at the end of 2015 and was implemented by the Ministry of Labour and Social Policy with the financial support of the International Bank for Reconstruction and Development (World Bank), are extremely useful and fundamental. Through it, a network of new types of services for children and families has been established in 66 municipalities – integrated services for early childhood development, early childhood risk prevention, better coverage and improvement of children’s readiness for inclusion in the education system, improving family environment, etc. The main feature of the Social Inclusion Project services is that they are integrated by combining the social, health and educational element into a service, both in terms of the collaboration of different specialists with the target groups and in terms of the nature of services – social, health, pre-school support services, etc. In order to ensure sustainability and continuity of the services created under the Social Inclusion Project, the implementation of Operation “Early Childhood Development Services” under the Operational Programme Human Resources Development (OP HRD) 2014-2020 was launched. One of the main objectives is by approbation of the Social Inclusion Project Services and analysis of the concrete results to develop a comprehensive Early Childhood Development Strategy which will assist the creation and validation of a single model for early childhood development.

In October 2016, the Council of Ministers adopted an updated Action Plan for the implementation of the National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria”. The plan provides the conditions for finalising the reform of deinstitutionalisation of childcare in Bulgaria, focusing on 6 main groups of measures:

- Measures to provide social and integrated services for early intervention and prevention in a family environment;
- Measures to provide care in a family environment for children at risk who are not raised by their biological parents and phased closure of homes for medical and social care for children;
- Measures to provide community-based social services and support for children placed in homes for children deprived of parental care and children from these homes leaving the care system;
- Measures for provision of social, health and integrated health and social services for children with disabilities;
- Measures to raise the effectiveness of the children’s rights guarantees system;
- Building the necessary infrastructure for children’s services.

Under the plan, funding is earmarked for the provision of 149 new services, of which 28 are integrated health and social services, as follows:

- 23 Public Support Centres/Community centres for children and families with the capacity for emergency reception;
- 27 Day Care Centres for Disabled Children and their Families;
- 16 Day Care Centres for children with severe multiple disabilities and their families;

- 10 Family-type accommodation centres for children;
- 28 Transitional dwellings for children from 15 to 18 years of age;
- 17 Monitored dwellings for young people aged 18-21;
- 20 Centres for Specialised Health and Social Care for Children with Disabilities with Need for Continuous Medical Care;
- 8 Centres for Specialised Health and Social Care for Children with High-Risk Behaviour and the Need for Special Health Care.

Also, the renovation, reconstruction, furnishing and equipment needed to expand the activities of 41 already existing and functioning services will be funded: public support centres, day care centres for children with disabilities and their families and centres for social rehabilitation and integration of children.

The implementation of the plan is funded by the state budget and the European Union under the Operational Programmes Regions in Growth, Human Resources Development and Science and Education for Smart Growth for the programming period 2014-2020.

Further information on the policy of deinstitutionalisation is provided below by the State Agency for Child Protection.

Ministry of Education and Science

Follow-up information on Complaint No 41/2007 by the Advocacy Centre for Persons with Mental Disabilities, for the reference reporting period 01.01.2014 – 31.12.2016:

From the beginning of this period, to the adoption of the new Law on Pre-school and School Education in the field of secondary education in Bulgaria, the development of the integrated education policy for children and pupils with special educational needs continued through:

- Applying a unified methodology for complex pedagogical assessment and preparation of individual programmes for children and pupils with special educational needs.
- Implementing activities to build positive attitudes towards integrated learning across the communities of teachers, pupils, children and parents.

3. Creating conditions guaranteeing that children and pupils with special educational needs will be accommodated in kindergartens and general schools by creating a supportive environment:

- accessible architectural environment according to the requirements of the normative documents in this field;
- teams of specialists where teachers, special educators, resource teachers, psychologists, speech therapists, hearing and speech rehabilitation staff, etc. are included, depending on the needs of the children and pupils, in partnership with the parents of children and pupils with special educational needs;
- diagnostic, advisory and rehabilitation activities;
- special educational and technical means and equipment, didactic materials, teaching aids, etc.;
- individual educational programmes;
- curricula for special subjects for children and pupils with disturbed hearing and impaired vision.

4. Optimisation of the system of special schools and creation of conditions for access to education of children with disabilities by the specialised institutions for children.

5. Organising campaigns to inform the families of children with disabilities about the rights, obligations and opportunities for early inclusion of children in the education system.

6. Evaluation by an expert committee at the Ministry of Education and Science of disabled children accommodated in specialised institutions about their training opportunities.

With the adoption of Ordinance No. 1 of 23 January 2009 on the education of children with special educational needs and/or chronic diseases, the state educational requirement for the education of these children and pupils according to the Law on the National Education was determined. The Ordinance provides every child and pupil with access to training in the curricula of the respective kindergarten or school and, where necessary, provides training on an individual educational programme and resource support by specialists according to the needs of children and pupils.

The Integrated Learning Approach applies to all children with identified special educational needs, regardless of whether they are grown in a family environment or in specialised institutions for children.

The policy for ensuring equal access to education for all children and pupils is also pursued by granting scholarships to pupils after completing primary education, as well as providing monthly scholarships to help pupils with permanent disabilities.

In the indicated reporting period MES prepared, in connection with the application of Article 21 of the UN Convention on the Rights of Persons with Disabilities, two concepts for amending the legal framework:

1. Concept of amending the legal framework related to the application of Article 21 on creating conditions for information accessibility in accordance with the type of disability – August 2014;
2. Concept of amending the legal framework related to the application of Article 21 on implementing the sign language – December 2014;

The drafts of the two concepts were discussed at meetings of the National Council for the Integration of People with Disabilities. In 2015, both concepts were approved by order of the Minister of Education and Science.

At the end of 2015, the Ministry of Education and Science completed project BG051PO001-4.1.07 “Inclusive Education” under the OP HRD, which aimed to upgrade the integrated education and prepare the education system for the challenges of inclusive education. The overall objective of the project was to provide a supportive environment for equal access to education and to open up the education system with a view to implementing inclusive education. One of the very important specific objectives of the project was the early detection of children at risk of learning difficulties and their successful inclusion in pre-school and subsequently in school education, successful socialisation and integration.

As a result of the implementation of the project activities and the development of new models for the inclusion of children and pupils in the educational environment, access to education has improved and quality of education has been raised through the formation of knowledge and skills according to the individual needs of each child. This increased the chances of successful social inclusion and realisation and ultimately helped in a broader sense the process of deinstitutionalisation.

Two of the activities in the Inclusive Education Project directly correspond to the process of deinstitutionalisation – Activity 6 – “Providing a supportive environment for psychologists, resource teachers and other specialists for children and pupils deprived of parental care and resident-type services included in the process of deinstitutionalisation” and Activity 4 - “Building a new model of organisation and functioning of the schools for mentally retarded children (auxiliary schools) of the boarding type”. Through Activity 6, a supportive

environment was created for children deprived of parental care, using residential-type services and involved in the process.

The support environment was created in 22 pilot schools and 1 kindergarten, selected by the Regional Education Inspectorates in agreement with the relevant municipalities, according to certain criteria – proximity of schools to the Family-type centres for disabled children and young people and to sheltered housing, accessible architectural environment, etc. With the help of teams of resource teachers, psychologists and speech therapists appointed in schools, it was made possible for children without parental care to be included in a general education environment in an appropriate form of education. With the help of university lecturers, a methodology for assessing the individual needs of children with multiple disabilities was developed and training of the teams of all schools for the implementation of the methodology and for the development of individual programmes for work with children with multiple disabilities was carried out. In this way, the process of involving children and pupils, surmounting obstacles to their learning, their inclusion and participation in the educational process was facilitated.

By means of Activity 4, a new model for the organisation and operation of boarding schools was established. Its aim was to provide training in accordance with the contemporary requirements for children with mental retardation and children with multiple disabilities, to ensure the building of knowledge and skills according to the individual needs of each child. To support this process various integrated services were provided – art therapy, kinesitherapy, specialised daily transport from the place of residence of the pupils to school and the way back, specialised nutrition of the children according to the state of health of every child, work with parents, etc.

At the selected Prof. Dimitar Katsarov Pilot Auxiliary School No IV in Sofia, 30 specialists for working with children with heavy and multiple disabilities – psychologists, speech therapists, art therapists, kinesitherapists, social pedagogues, educators, assistant educators and auxiliary staff were appointed. Specialised rooms (sensory, kinesitherapeutic, for art therapy, psychological, for speech therapy, for parents and pupils, as well as rooms for pupils' recreation) were built, repaired and equipped with the necessary materials and equipment for working with children with mental retardation and with multiple disabilities. All this has allowed to close down the boarding school and to ensure that children are not trained outside their family environment in accordance with the deinstitutionalisation process.

By means of Activity 2, under the project “Securing the Conditions and Supporting the Transition from Integrated to Inclusive Education in Pilot General Schools”, a new policy on the general school was piloted which had to take on initiative, responsibility and lead the implementation of inclusive education.

In this activity, efforts were directed towards building a model for successful inclusion in the educational and school environment of children and pupils with special educational needs. A new model was tested, in which schools have the initiative and responsibility for the overall implementation of the inclusive education process. For the implementation of the planned sub-activities, 84 pilot schools – 3 kindergartens in each of the 28 districts in the country were approved. Multidisciplinary teams with psychologists, resource teachers, speech therapists, hearing-speech rehabilitators, teachers of visually impaired children, etc. were appointed depending on the needs of children and pupils. A methodology was developed to assess the educational needs of children and pupils and a guide to its implementation. All 84 psychologists from the pilot schools were trained to apply this methodology, on the basis of which the teams in the schools then identified the individual needs of each child and pupil with special educational needs. Based on the evaluation, individual educational programmes were developed to support their training and development. There were 84 resource rooms

equipped with the necessary technical devices, equipment and training materials to support their training. In these schools, 20 rooms with specialised equipment for working with children with hearing distortion and 10 rooms with specialised equipment for working with children with vision impairment were set up. School specialists and teachers were involved in training related to their teamwork and training in Braille literacy. The work of teams of specialists in some of the pilot schools was also supervised.

In practice, through the implementation of the Inclusive Education Project, the new educational policies for inclusive education, enshrined in the Law on Pre-school and School Education, were approved.

Inclusive Education Policy for Children and Pupils with Special Educational Needs for the period 01.08.2016 – 12.12.2016

With the entry into force of the Law on Pre-school and School Education of 01.08.2016, inclusive education has become a priority education policy. The philosophy of inclusive education requires for the general school to take the initiative, the responsibility and the leadership for its implementation. This means that individual support is the responsibility of kindergartens and schools and is provided not only to children and pupils with special educational needs but to all children and pupils.

The Law regulates the opportunities for introducing and developing inclusive education aimed at taking into account the educational needs of all children and pupils and providing additional support for the personal development of children and pupils with special educational needs, at risk, with prominent talents, with chronic diseases.

The Law on Pre-school and School Education regulates the education of children with “special educational needs”, setting out how to provide support and access to education. The Centres for Support for Personal Development are functioning according to Article 49 of the Law for the purpose of:

1. developing the interests, abilities, competences and expression in the field of science, technology, arts and sport;
2. career guidance and counselling;
3. preventive, diagnostic, rehabilitation, correction and re-socialisation work with children and pupils;
4. resource support for children and students with special educational needs;
5. pedagogical and psychological support;
6. implementation of support and training programmes for the families of children and pupils with disabilities.

“Special educational needs” of a child or a pupil are the educational needs that may arise from sensory impairment, physical disability, multiple disabilities, intellectual difficulties, language-speaking disorders, specific learning disabilities, and autistic spectrum disorders, emotional and behavioural disorders.

The principle of teamwork of the appointed specialists to support education and development of children and pupils was also approved.

The law provides for the creation of 19 state educational standards, one of which is for inclusive education. By Order of the Council of Ministers, promulgated in SG No. 89 of 11.11.2016, the Ordinance on Inclusive Education was adopted in implementation of the law. The Ordinance regulates the public relations in the area of ensuring inclusive education for children and pupils in the system of pre-school and school education as well as the activities of the institutions in this system providing support for the personal development of children and pupils. In accordance with the Ordinance on Inclusive Education, pre-school and school education institutions – kindergartens, schools, personal development support centres and

specialised service units provide general and additional support for the personal development of children and pupils. The Ordinance defines the state education standard for inclusive education. The standard includes access to education for children with disabilities, defines the principles of inclusive education, and the access and order of providing such education.

Prior to the entry into force of the Law on Pre-school and School Education, resource support for pupils with special educational needs, which is part of the additional support, was provided almost entirely by the specialists of the 28 resource centres supporting the integrated education and training of children and pupils with special educational needs (now transformed into regional centres supporting the inclusive education process under the Law on Pre-school and School Education). Pursuant to the Law on Pre-school and School Education and the Ordinance on Inclusive Education, the regional centres supporting the inclusive education process provide resource support only where schools and kindergartens are not yet able to do so themselves. Under the Law on Pre-school and School Education, regional centres have entirely new functions – through a regional team dedicated to supporting personal development of children and pupils with special educational needs, they approve or disapprove the additional support of children and pupils with special educational needs, organise a reassessment of the individual needs of additional support, and an individual assessment of children whose parents have applied for reference to a special school or a centre for special educational support, postpone for objective reasons compulsory first-degree education, refer to vocational training pupils who have completed the seventh or tenth grade with a certificate of completion of that class and provide methodological support.

In accordance with the Law on Pre-school and School Education, the auxiliary schools have already been transformed into centres for special educational support, and all the children assisted in them are pupils of a given general or vocational school. The assessment of individual needs will be done by a team to support the personal development of the child or pupil. Pursuant to the Law on Pre-school and School Education, special education support centres will support pupils for whom the assessment of the Regional Centre for Support to the Inclusive Education process has established that according to their educational needs they can be trained in a special educational support centre, i.e. the assessment made by the development support team in the kindergarten or school will not be enough, but will be additionally assessed by the regional team.

At this stage, the activities of the Inclusive Education Project under the OP HRD have been continued and upgraded within the project BG05M20P001-3.003-001 “Support for equal access and personal development”, direct provision procedure BG05M20P001-3.003 “Ensuring the conditions and resources for the creation and development of a supportive environment in kindergartens and schools for the implementation of inclusive education – Phase 1”, Operational Programme Science and Education for Smart Growth 2014-2020.

By the end of December 2016, under the project “Support for equal access and personal development” under OP SEIG the following were covered:

- 112 schools with teams of specialists who provide inclusive education;
- 34 kindergartens supported to provide a supportive environment for early prevention of learning difficulties;
- 2,185 children and pupils with special educational needs for whom inclusive training was provided;
- 553 children aged 3 to 6 who received early-prevention services for learning difficulties;

At present, under the project, the national research of the Bulgarian sign language is also carried out in accordance with the Concept for the implementation of Article 21 of the UN Convention on the Rights of Persons with Disabilities, approved by the Minister of Education and Science.

Currently, children and pupils with special educational needs are being educated in kindergartens and schools, who are supported by teams appointed in the kindergartens and schools, by teams appointed under the project “Support for equal access and personal development” or by specialists of the Regional Centres for Inclusive Education Support, as follows:

1. Children and pupils with resource support provided by the specialists of the Regional Centres for Inclusive Education Support:
 - in schools – 7,003 pupils;
 - in kindergartens – 1,830 children.
2. Children and pupils with resource support provided by specialists appointed in the specific kindergarten or school:
 - in schools – 4 529 pupils;
 - in kindergartens – 665 children.
3. Children and pupils with resource support provided by specialists appointed under the project “Support for equal access and personal development”:
 - in schools – 2,407 pupils;
 - in kindergartens – 371 children.

In 2016, the Council of Ministers approved the National Programme for Accessible and Secure School. As a result of the implementation of the programme, it is expected that equal access for disabled children will be ensured by building an accessible architectural environment as part of the necessary support for their training as well as by reducing and minimising incidents with pupils, teachers and support staff in school buildings and adjoining yards.

The funds used under the National Programme for Accessible and Secure School in 2016 amounted to BGN 1,988,119.

In 2016, under the programme, 26 public schools implemented measures to provide an accessible architectural environment and measures to ensure security were taken in 68 state schools.

The conditions for the integration of pupils with special educational needs and physical disabilities were improved, and in 2016, in 26 public schools funded under the National Programme for Accessible and Secure School, module “Accessible Architectural Environment”, 5 ramps, 4 roof coverings of existing ramps, 18 adapted sanitary units, 2 elevators, 5 platforms for disabled people and 5 repairs of adjoining infrastructure were made.

Changes in the system of pre-school and school education made it necessary, during this school year, for the regional education departments and the Ministry of Education and Science to lay the emphasis on the methodological support of kindergartens and schools. In this regard, in 2016 and 2017, a number of meetings were held with the heads of kindergartens, schools, pedagogical specialists and with experts on the implementation of the new normative acts in the system of pre-school and school education in the context of inclusive education from the Regional Education Departments.

Information on policies for including children with mental disabilities in the national education system

Regulatory framework:

The laws and regulations governing access to education for children and pupils with special educational needs are as follows:

- Law on National Education, in force until 01.08.2016;
- Law on Pre-school and School Education, in force as of 01.08.2016;
- Law on the Integration of People with Disabilities, as last amended on 01.01.2017;
- Ordinance No. 1 of 23 January 2009, in force until 11.11.2016;
- Ordinance on Inclusive Education, in force as of 11.11.2016;

In the Law on the Integration of Persons with Disabilities, Article 16 pt. 2 and Article 17 pt. 2 govern the creation of a supportive environment for integrated education of children with disabilities and the creation of resource centres for integrated education at the Ministry of Education and Science. Ordinance No. 1 of 23 January 2009 on the education of children with special educational needs and/or with chronic diseases sets out the state educational requirement for the education of children and pupils with special needs. Under the provisions of the Ordinance, effective until 11.11.2016, parents/guardians of children shall participate in the preparation of their individual educational programmes in order to find the most appropriate form of education for each child. The Ordinance regulates the obligation of the teams in the kindergartens and schools to support the training of children and pupils with special educational needs by developing individual educational programmes according to the individual needs and potential of each child or pupil.

The Law on Pre-school and School Education, in force from 01.08.2016, which regulates the education of children with “special educational needs”, has been analysed hereinabove.

National Programme for Guaranteeing the Rights of Children with Disabilities 2015-2017

In 2014, a National Programme for Guaranteeing the Rights of Children with Disabilities for the period 2015-2017 was elaborated. It is aimed at: ensuring equal access for children with special educational needs to quality education and training; early prevention and diagnostics, providing comprehensive medical and social rehabilitation; preventing abandonment and encouraging the raising of a child with disabilities in the family; developing social services for children with disabilities and their families, building an accessible architectural environment; changing public attitudes towards children with disabilities. The results achieved by the Programme are due to be reported in 2018.

Deinstitutionalisation process:

The National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria” adopted in 2010 provides for all institutions, including the Homes for medical and social care for children, to be closed down by 2025, and alternatively to create community care services and forms of care, supporting the raising of children in a family environment.

By 31 December 2015, the first stage of the deinstitutionalisation process of children and young people placed in institutions was completed, reducing the number of children

accommodated in specialised institutions. The second phase of deinstitutionalisation of children and young people care was planned in 2016.

High Level Interministerial Working Group:

Implementing the policy on deinstitutionalisation of childcare, pursued through the National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria”, the Action Plan for its implementation was to set up an Interministerial working group to manage and coordinate this process. The main commitments of the group were related to the management of the overall implementation of the Plan, monitoring, evaluation and coordination of the specific activities and policies. For the reporting period, the Interministerial Working Group was a key partner of the European Commission in the field of communication and coordination of the envisaged solutions. The collaboration between the group and the European Commission continues to date.

The working group was headed by the line Deputy Prime Minister. It was composed of the line Deputy Ministers of Regional Development, Education and Science, Health, Agriculture and Food, Finance, the Chairperson of the State Agency for Child Protection, as well as representatives of the administration of the Council of Ministers, the National Association of Municipalities in the Republic of Bulgaria /NAMRB/ and the State Fund Agriculture.

Permanent Expert Working Group:

The Permanent Expert Working Group was set up to support the coordination of activities under the Action Plan for the Implementation of the National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria”.

The co-chairs of the working group are the Chairperson of the State Agency for Child Protection and the Deputy Minister of Labour and Social Policy; in 2016 it was decided that the co-chairs of the Permanent Expert Working Group would be the Chairperson of the State Agency for Child Protection and a representative of the NGO sector nominated by organisations in the non-governmental sector. Representatives of the responsible institutions involved in the process of deinstitutionalisation – MLSP, Ministry of Health, Ministry of Regional Development, Ministry of Agriculture and Food, Ministry of Education and Science, State Agency for Child Protection, Social Assistance Agency, as well as representatives of NAMRB, UNICEF, and the leaders of all projects under the Action Plan were involved. For the purpose of effective coordination with representatives of the non-governmental sector working in the field of deinstitutionalisation of childcare, representatives of 5 non-governmental organisations nominated by a specially developed selection procedure were also included as voting members of the group.

The process of deinstitutionalisation was supported and developed by a number of non-governmental organisations. They actively cooperated with state institutions, local authorities and project management teams under the Action Plan. This provided support to address the emerging challenges in the operation of the new services and in the communities, and ensured improvement of the quality of life of children and young people.

□ Closing down systematically all classical institutions for children of the residential type in Bulgaria, ensuring the provision of each child with long-term or short-term accommodation in family-type care – major achievements and challenges;

The systemic approach to providing care in a family environment or close to a family environment has led to a significant reduction in childcare facilities.

By 31 December 2015, the homes for children in Bulgaria were already 56, of which:

- 18 homes for medico-social care for children (HMSSC) managed by the Ministry of Health;
- 6 homes for mentally retarded children (HMRC) managed by the municipal authorities;
- 32 homes for children deprived of parental care (HCDPC) managed by the municipal authorities.

In the period 01.07.2014 – 31.12.2014, the joint actions of the involved institutions, child protection authorities and the support of the partners from the non-governmental sector made possible the closure of 5 specialised institutions providing social services for children:

1. HCDPC (3-6) – village of Dren, region of Pernik, as of 01.07.2014;
2. HMRC – village of Iskra, region of Burgas, as of 01.07.2014;
3. HCDPC – village of Starmen, region of Ruse, as of 01.08.2014;
4. HCDPC – Rousse, as of 01.09.2014;
5. HMRC – village of Kosharitsa, region of Burgas, as of 01.10.2014;

As a continuation of the process of deinstitutionalisation of child-care in 2015 (01.01.2015 – 31.12.2015) the children were taken out of 31 specialised institutions:

1. HCDPC (3-6 years) “Tzvetko Sulkovski”, village of Borovan, region of Vratsa, as of 01.01.2015;
2. HMRC, town of Targovishte, as of 01.01.2015;
3. HMRC, town of Kermen, region of Sliven, as of 01.01.2015;
4. HPDC, town of Lukovit, region of Lovech, as of 01.01.2015;
5. HCDPC (3-6 years) “Shtourche”, town of Sredets, region of Burgas, as of 01.03.2015;
6. HMRC, village of Tarnava, region of Vratsa, as of 01.04.2015;
7. HMRC, village of Prostorno, region of Razgrad, as of 01.04.2015;
8. HCDPC P (3-6 years) “Zvanche”, village of Georgi Damyanovo, region of Montana, as of 01.04.2015;
9. HCDPC (7-18/20 years of age), village of Barzitsa, region of Varna, as of 01.05.2015;
10. HCDPC (7-18/20 years of age) “D. Bassarbovski”, Rousse, as of 01.06.2015;
11. HMRC, town of Mezdra, region of Vratsa, as of 01.06.2015;
12. HMRC, village of Medven, region of Sliven, as of 01.06.2015;
13. HCDPC (7-18/20 years of age) “I. Gagarin”, town of Yambol, as of 01.06.2015;
14. HCDPC (7-18/20 years of age), village of Brestovitsa, region of Rousse, as of 01.07.2015;
15. HCDPC (7-18/20 years of age), town of Yakoruda, region of Blagoevgrad, as of 01.07.2015;
16. HCDPC (7-18/20 years of age), village of Strahilovo, region of V. Tarnovo, as of 01.08.2015;
17. HMRC, village of Petrovo, region of Stara Zagora, as of 01.08.2015;
18. HMRC, village of Sladak kladenets, region of Stara Zagora, as of 01.08.2015;

19. HMRC, village of Mihaltsi, Pavlikeni municipality, as of 01.09.2015;
20. HMRC, towns of Berkovitsa, region of Montana, as of 01.09.2015;
21. HMRC, village of Rudnik, Dolni chiflik municipality, as of 01.10.2015;
22. HMRC, village of Petrovo, Sandanski municipality, as of 01.10.2015;
23. HCDPC (3-6 years of age), Sofia, Dragalevtsi residential area, as of 01.10.2015;
24. HCDPC (7-18/20 years of age) “Asen Zlatarov”, Sofia, as of 01.11.2015;
25. HCDPC (7-18/20 years of age) “Asen Zlatarov”, Haskovo, as of 01.11.2015;
26. HCDPC (7-18/20 years of age), village of Balvan, V. Tarnovo, as of 01.11.2015;
27. HCDPC (7-18/20 years of age), “Hr. Raykov”, town of Gabrovo, as of 01.11.2015;
28. HCDPC (7-18/20 years of age), “Lyuba Teneva”, town of Berkovitsa, as of 01.12.2015;
29. HMRC, village of Zgalevo, Pordim municipality, as of 01.12.2015;
30. HMRC, town of Kula, region of Vidin, as of 01.12.2015;
31. HMRC, village of Gomotartsi, Vidin municipality, as of 01.12.2015.

During the reporting period the following were closed down: HMSCC in the town of Vetren, Septemvri municipality, region of Pazardzhik and HMSCC in the town of Razgrad, as of 15.07.2015; HMSCC, pilot under the project “Direction: family” of the Ministry of Health, in the towns of Gabrovo, Montana, Pazardjik, Pernik, Plovdiv, Rousse, Targovishte and Sofia (“St. Paraskeva”), as of 01.10.2015.

From 1 July to 31 December 2014, 2 Homes for mentally retarded children were closed down; during the calendar year 2015 – 16 Homes for Disabled Children were closed down, of which 15 HMRC and HPDC.

By 31 December 2016, the homes for children in Bulgaria were already 40, of which:

- 22 homes for children deprived of parental care (HCDPC) managed by the municipal authorities – by the end of 2016 the number of institutionally raised children was 409. Compared to 2015, the number of children in the HCDPC decreased by 108, which is a decrease of 21%.
- 18 Homes for Medico-Social Care for Children (HMSCC) managed by the Ministry of Health. t the end of 2016 in HMSCC, the number of children was 580. Compared to 2015, the number of children in HMSCC decreased by 146 boys and girls;

PROGRESS IN IMPLEMENTING THE PROJECTS SET OUT IN THE ACTION PLAN:

“Childhood for All” Project

The “Childhood for All Project” BG051PO001-5.2.08-0001, Component 1: “Planning measures”, part of Operation “Do not abandon any child”, funded by OP HRD, ended on 2 June 2015, although at the time of completion of the project, the removal from the specialised institutions of children and young people with disabilities who were its target group was not

completed; the implementation of Component 2: “Disclosure of Social Services in the Community” was not completed either.

The main tasks of the “Childhood for All” Project – within the first component of the Operation – was to assess the needs of children and young people with disabilities of institutions and on this basis to prepare a map of the necessary services to replace institutional care for these children and young people, plan individually how to bring them out of the institutions and, on the basis of these plans, to identify specialised institutions for closure. Component 2 was implemented by 79 municipalities, beneficiaries under projects creating new social services. The immediate result of the implemented activities is the replacement of the system of 24 homes for disabled children on the territory of the country by a network of newly built residential services in the community.

By the end of the project, in the HCDPC in the village of Iskra, HCDPC in the village of Kosharitsa, HMRC in the town of Targovishte, HPDC in the village of Kermen, HPDC in the village of Prostorno, HPDC in the village of Tarnava and HPDC in the town of Mezdra there were no children and young people. Within the calendar year 2015 and the first days of 2016, by an order of the Executive Director of the SAA, 21 homes for mentally retarded children were closed down, thus permanently terminating the existence of specialised institutions for children with disabilities in Bulgaria. Although the HMRCs were not yet officially closed before the end of the year, the number of children and young people in them decreased only in a few months from 125 in July 2015 to 45 in September 2015; in December 2015 in that type of institutions only 5 children and young people were living, and they were moved to new services in the early days of 2016. Thus, in fact, the commitment to deinstitutionalised care for children with disabilities was completed by the end of 2015.

As of 2 June 2015, the number of children aged 3 and young people with disabilities in HMRC and HMSCC, who were still due to leave the institutions, was 236. For all of them, detailed plans for relocation to the Family-type Centres and Protected Housing, established according to the National Map of Residential Services, had been elaborated prior to the end of the project.

In the new residential services created under the Operation “Do not abandon any child”, in the territory of 72 municipalities, 1120 children and young people with disabilities, part of the project target group, were accommodated:

- 1003 children and young people were accommodated in 121 Family-type Centres for Disabled Children and Young People;
- 117 young people with disabilities live in 13 Protected Housing facilities.

According to information provided by the Regional Directorates for Social Assistance, a total of 162 children from the HCDPC and the community were accommodated in 26 Family-type Centres for children without disabilities and 1 Transitional dwelling, established under the Operation.

In support of the newly established services, in the period December 2014 – May 2015, six regional meetings for exchange of experience between municipalities providing new community services were held (the meetings took place in Stara Zagora, Pleven, Velingrad, Rousse, Burgas and Sofia) where service teams shared good practices and problems that they had encountered in their work. The meetings also featured the support opportunities offered by the Coalition Childhood 2025.

In the framework of the project activities aimed at broadening the scope of the care received, in 2015 a study of the attitudes of approved foster parents trained to provide care for children with disabilities and children with special needs was carried out. It covered 25% of the foster

families enrolled in the Register of Established Foster Families, and the results were presented at a round table held in June 2015 in Sofia.

The data showed that foster parents perceived the provision of foster care to disabled children positively. Over 90% of foster parents believed that the foster care system would help integrate children into society, and nearly as many believed that such care would be beneficial in general.

It is also important for foster parents to receive support from psychologists and social workers who could monitor children's development and make recommendations for further treatment.

The results and the analysis of the study were included in a collection of information and methodological materials for working with prospective adopters.

"DIRECTION: Family" Project

The "DIRECTION: Family" Project was implemented by the Ministry of Health within the framework of the Operational Programme "Human Resources Development 2007-2013". Project partners were the State Agency for Child Protection and the Agency for Social Assistance. The project also received support from Hope and Homes for Children, and UNICEF.

The total duration of the project was 48 months; it started on 26 October 2011 and ended on 25 October 2015. Its budget was BGN 1,071,158.92, of which BGN 771,434.97 was spent. The overall objective of the project was to prepare for restructuring the Homes for Medico-Social Care for Children (HMSSC) from 0 to 3 years of age by carrying out targeted preparatory work in 8 pilot regions: Gabrovo, Montana, Pazardjik, Pernik, Plovdiv, Sofia, Rousse, and Targovishte. The objective was fulfilled and by 1 October 2015 the institutions were closed down.

During the period 01.07.2014 – 25.10.2015 the main efforts were focused on intensive and in-depth work with the main target groups and creating conditions for real removal of children from HMSSC and their socialisation in a family environment and close to a family environment, as well as to the training of new service staff.

All children in the target group from 0 to 3 years of age, placed in the listed pilot HMSSC, have been brought into a family environment or close to a family environment. Another part of the project target group – their families as well as children from 0 to 3 years of age from the community at risk of abandonment and their parents have been supported by the new services for early prevention of abandonment and proper development of the child in his/her natural environment.

These services are established and equipped in the above-mentioned HMSSC under the "Restructuring of HMSSC" Project, which is also implemented by the Ministry of Health and is financed under Operational Programme "Regional Development".

A target group under the DIRECTION: Family Project was the specialised staff involved in childcare in the pilot HMSSCs, which was actively involved in the process of preparing children for removal. Part of the staff of HMSSCs joined the new services.

The staff hired to provide these services, which was also a target group under the project, had been trained in basic skills and competencies needed to work in the new services.

The active work of the teams at national and local level, the good coordination between the institutions and the networking of prevention of abandonment or placement of children in an institution for the duration of the DIRECTION: Family Project led to the removal of all children from the 8 pilot HMSSCs. At the start of the project, they were 342, of these 248

were in the target group of up to 3 years of age. With the limitation of the entry and the deinstitutionalisation of the children, only 51 remained as of 30.09.2015, of these 27 were in the target group of up to 3 years of age. These children were accommodated in the new Family-type Centres for children/young people with disabilities who need permanent medical care.

From 01.01.2012 to 30.09.2015, the entry was limited by 85% - 190 admitted children in 2012 and 26 – in 2015. 473 of the removed 589 children were provided with a family environment. For children under 3, this percentage was higher - 90% or 401 children already living in their families.

The process of deinstitutionalisation of HMSCCs has been successfully completed and by 01.10.2015 they were all closed down. In their place the following facilities were built, equipped and started to function:

- 8 Day Care Centres for Children with Disabilities;
- 5 Centres for Early Intervention;
- 7 Family Counselling Centres;
- 8 Family-type Placement Centres for children/young people who need permanent medical care;
- 3 Mother and Baby Units;
- 3 Foster Care and Adoption Centres;
- 8 Centres for Maternal and Child Health;
- 3 Mental Health Centres

supporting the families of the removed children as well as the children in the community.

Through the successful implementation of the DIRECTION: Family Project, the main goal of the National Strategy “Vision for Deinstitutionalisation” has been gradually achieved, namely ensuring children’s right to a family environment and access to quality care and services according to their individual needs.

“And I Have a Family” Project

The “And I Have a Family” Project is based on child protection policy to ensure the best interest for the child, aimed at supporting foster families and biological families and creating the best possible conditions for the development of children and the realisation of their full potential. For more than 4 years, the project has implemented a new approach to the provision of voluntary, professional and replacing foster care, and worked to increase the number of foster families that take care of children at risk. In the implementation of the project, foster care for infants and children up to 3 years of age in institutions as well as children with disabilities was a priority.

The project was implemented within the framework of the Direct Grant Scheme under the Operational Programme “Human Resources Development” (2007 – 2013), Budget line BG051PO001-5.2.11 – ACCEPT ME as implemented by the Social Assistance Agency in partnership with 83 municipalities in the territory of the country.

The overall objective of the project was to support the process of deinstitutionalisation of children by creating and implementing a sustainable model for the development of substitute family care for children placed in specialised institutions and children at risk of abandonment. Professional foster families are supported in their efforts to provide a suitable environment for children with risky and problematic behaviour.

As a result of the successful promotion and improvement of the public attitudes towards the foster care service, in the period 01.07.2014 – 31.12.2015, in the territory of the partner municipalities, 150 applications for foster parents were submitted.

Thanks to the qualitative selection and the training of the foster family candidates, the foster care committees have approved 602 /including those who have been transferred from the Homes for Social Assistance/ foster families from the partner municipalities. During the reporting period, the trend of over-performance of the two main indicators at the scheme level continued:

- number of children from specialised institutions and children at risk of abandonment, accommodated in foster families and families of friends and relatives – 1392;
- increased number of foster families – 602 families, with a total number of foster families approved is already 1686;

The total number of accommodated children (1392) in foster families for the reporting period is allocated as follows:

- children from the community – 1031;
- children from specialised institutions – 270;
- children from resident services – 91;
- distributed by age: from 0 to 3 years of age – 719 children; from 3 to 14 years of age – 618 children; from 14 to 18 years of age – 55 children;

Delivering the decentralised model of foster care service has favoured its transformation into an effective tool for the prevention and deinstitutionalisation of children in our country. The focus is on one of the most vulnerable groups in our society – children at risk placed in specialised institutions.

In the period July 2014 – December 2015, 270 children were moved from specialised institutions into foster care service and the trend towards an increase was maintained in the comparative plan. For 1022 children, foster family placing was discontinued, of these 229 children were reintegrated into their biological family, 569 children were adopted, 35 children were placed in a family of friends or relatives, 48 children were part of a resident service and less than 2% of the children were with discontinued measures, 25 children were returned to specialised institutions.

“Accept me 2015” Project:

The “Accept me 2015” Project (Budget line BG05M9OP001-2.003) started on 01.12.2015. It complements and builds on the “ACCEPT ME” Operation. It is aimed at improving and expanding the scope of the foster care service, and strengthening its provision at the local level as an alternative form for raising children at risk in a family environment. The “Accept me 2015” Project contains an innovative support element for the development of “specialised foster care” for children with disabilities; children, victims of violence or trafficking; children, unaccompanied refugees, as well as measures aimed at improving the quality of foster care through monitoring. A special focus is placed on accommodating children below 3 years of age. The specificity of the project requires the involvement of different actors in organisation and management, applying an innovative model of interaction in planning and delivering the foster care social service in a decentralised way through a clear division of responsibilities between the SAA and the partner municipalities with an active participation of non-governmental organisations at all stages of the implementation of the project activities.

The foster parents approved in the framework of the “And I Have a Family” Project can go to the “Accept me 2015” Project in order to ensure the interest of the children placed in foster families, to prevent the possibility of ending the placement confirmed by the court of these children and to get them back into a specialised children’s institution. The overall objective of the project is to improve the model of provision of foster care social service and to extend its scope in the country as well as to the target groups.

Specific objectives:

- maintain and upgrade a sustainable model for the development of substitute family care in support of the process of deinstitutionalisation of children;
- develop an innovative model of organisation and management of the provision of foster care at national level with the active participation of all municipalities with an identified need for developing this type of service;
- prioritise foster care for children aged 0 to 3, as well as “specialised foster care” for children with disabilities, children, victims of violence or trafficking, and for children, unaccompanied refugees;
- create a secure and sustainable environment that stimulates the development of the child in the foster family; achieve greater security and efficiency of workers by monitoring the foster care provided and evaluating the impact of the service;

The operation is in compliance with: The National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria” and the Action Plan for its Implementation; the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020. The implementation of the measures will contribute to the achievement of the main goal of the National Strategy for the Child 2008-2018 – to provide conditions for effective exercise of rights and improvement of quality of life of children as a condition for their free and full personal development.

The “Support” Project;

The “Support” Project is implemented by the State Agency for Child Protection (SACP) and is financed by Operational Programme “Technical Assistance”. The project started in May 2012 with two main objectives: to increase the SACP capacity in the management of projects funded by EU funds under the Operational Programmes and to establish a coordination and communication mechanism between the five Action Plans which should work on all levels, involve all stakeholders in the process of deinstitutionalisation and provide better feedback between them. The budget is in the amount of BGN 2 545 540, 97.

During the reporting period there was significant development in the implementation of the planned activities and the achievement of the envisaged indicators.

All nine project activities were in progress and in November 2015 a new activity related to conducting a large sociological survey and analysis of the implementation of the Action Plan for the Deinstitutionalisation Vision was added to them.

The main focus of the project was to support local administrations, local communities and teams of the new social services in the difficult process of relocating and adapting children and young people who were removed from the institutions. Managing change; searching for flexible field solutions against the background of still existing resistances in local communities; the challenges faced by the process; identifying both the most urgent issues and possible solutions; the management levels that determine the solutions – these were the highlights of the work of the Support project team. All stakeholders were given an

opportunity to participate actively in raising and discussing the challenges and searching for the most effective solutions.

During the period, highly qualified medical experts, assigned to the project, worked actively focusing their efforts on children and young people with particularly severe disabilities from the “Childhood for All” target group, in need of clarification of their health status in relation to the forthcoming relocations in the newly established residential services. Expertise for 226 children and young people was prepared during the period.

The role of regional deinstitutionalisation teams continued to be very important in terms of the overall development of the process and the ongoing implementation of the five projects under the Action Plan. The teams were composed of one representative of the Regional Directorate for Social Assistance, Regional Health Inspectorate and Regional Education Inspectorate for each of the 28 districts of the country. Significant was the contribution of regional deinstitutionalisation teams in the process of institution closure and the introduction and establishment of alternative and innovative community services. They are extremely busy and have high responsibilities in the process of relocation and adaptation of children and young people from specialised institutions to the newly established centres. At the same time, regional deinstitutionalisation teams are in constant support of the municipalities regarding the search for ways of using the building stock of the specialised institutions that are closed down. The members of the regional teams were the first to identify the problems and offer solutions and this is not surprising given the fact that they know best the situation on the ground and fieldwork as they work close to the service users.

During the reporting period, Activity 7 under the “Support” Project was carried out. It is connected with the organisation of a series of workshops and seminars for exchange of experience and information. The aim is to bring together representatives of all stakeholders and participants in the IT process and identify the most important issues that need to be resolved at a high level of governance and policy. The Task Force to participate in workshops and seminars was extended to the maximum, including representatives of local and regional governments, more experts from different communities to ensure maximum communication and improved coordination.

Under Activity 8 of the project, 6 international conferences for exchange of experience in services for children and young people were held in the six planning regions in the country. The aim was to exchange experience and present European models for work in services for children and young people with disrupted social relations due to long-term stay in specialised institutions, with manifestations of mental suffering, with or without associated physical disabilities. The focus was on recognising and responding to the signs of mental suffering very often manifested by different behaviours (aggression, autoaggression, antisocial behaviour, escapes, addictions, isolation, etc.) that require specific support from the network of professionals working with them.

Six leading Belgian and French specialists with relevant experience in working with children and young people with and without disabilities were invited to the conferences, as well as target groups of the projects under the Action Plan of the Vision for Deinstitutionalisation of Children in Bulgaria. Each of them provided reference points for coping with crises in the Family-type centres in adapting children and young people removed from the institutions. Thus, the expertise of all interested institutions working with the Family-type centres services was enhanced.

Under Action 9 of the Support project, two thematically related video clips of 30 seconds duration each were created, each with 15 second and 5 second versions. The aim was to promote the five projects of the Action Plan and the contribution of the EU SCF. The highlights of the two videos were related to the coordination and interconnection of the

Action Plan projects that provide for different aspects of new childcare in social services; the role of the Support project in this process; the real change in the lives of children and young people with disabilities; their difficult preparation and adaptation supported by the efforts of many stakeholders and specialists; the support offered by the society to the children of Bulgaria deprived of parental care and the decisive role of the municipalities that have the responsibility for these children.

A sociological survey was carried out through a quantitative survey of the population of the country with a volume of 6 000 respondents above the age of 18, quantitative surveys of the main target groups engaged in deinstitutionalisation, with a total volume of up to 1200 respondents, qualitative surveys of the target groups utilising the advantages of standard and modern quality methods and tools (15 focus groups with national and regional level stakeholders, as well as at least 50 individual in-depth interviews at all levels – national, regional and municipal).

Deinstitutionalisation is one of the most undeniable reforms in terms of goals, philosophy and principles that the Bulgarian society has undertaken during the transition years, according to research data which show that recognisability and the level of awareness of the new alternative services in the community are growing. Over 80% is the support to the principles and values of deinstitutionalisation of children in Bulgaria. 84% of those who are informed about the new services assess the quality of care for children and young people at risk that they provide as higher than what they have received in the specialised institutions.

The study shows that in the process of deinstitutionalisation a community of professionals, representatives of NGOs, administration, local authorities, for whom the change of care has become a cause, has developed.

The partnership between the health care, social assistance and education sectors has been improved, especially at regional and local level.

The non-governmental organisations involved in this reform have been building one of the most developed civil society sectors.

A guarantee for the irreversibility of the process is the active involvement of local government as well as its increased capacity as a provider of social services with a focus on children and families at risk.

The study also identified the challenges to the process of achieving the Vision of Deinstitutionalisation. Our community still remains highly tolerant or, in any case, “understanding” about child abandonment. This is and will be a barrier to its prevention. Stigmatisation of various children and young people is still strong, especially regarding those with mental illnesses, which puts under question the efforts aimed at their social inclusion and violates their rights.

In the “Inclusive Education” Project (discussed above), two of the activities directly corresponded to the process of deinstitutionalisation:

Activity 4 “Building a new model of organisation and functioning of the schools for mentally retarded children (auxiliary schools) of the boarding type”

Through the “Inclusive Education” Project a new model of organisation and functioning of the auxiliary schools of the boarding type was built. Its aim was to provide training in accordance with the contemporary requirements for mentally retarded children with multiple disabilities, to ensure the building of knowledge and skills according to the individual needs of each child. To support this process various integrated services – art therapy, kinesitherapy,

specialised daily transport from the place of residence of the pupils to school and on the way back, specialised nutrition of children according to the health status of every child, work with parents, etc. were provided. At the selected Pilot “Prof. Dimitar Katsarov” Secondary School No 4 – Sofia, 30 specialists to work with children with heavy and multiple disabilities – psychologists, speech therapists, art therapists, kinesitherapists, social pedagogues, educators, assistant educators and auxiliary staff were appointed. Specialised practices (sensory, kinesitherapeutic, for art therapy, psychological, logopedic, for counselling parents and pupils as well as pupils’ recreation rooms) for work with children with mental retardation and with multiple disabilities were built, repaired and equipped with the necessary materials and equipment. All this allowed closing down the boarding facility at the school and ensuring that training is provided without leaving the family environment in accordance with the process of deinstitutionalisation.

The total number of children assisted in the school was 154.

For the whole project period, 72 teachers (including teachers – special pedagogues by subjects) and various specialists were involved in the project. Of these: psychologists – 7; speech therapists – 10; art-therapists – 3; kinesitherapists – 5; social pedagogues/social workers – 5; educators – 14; assistant educators – 4; support staff – 3.

Activity 6: Providing a supportive environment involving psychologists, resource teachers, speech therapists and/or other professionals for children and pupils deprived of parental care and using resident-type services, involved in the deinstitutionalisation process – was directly related to the process of deinstitutionalisation in the country. Through this activity, a supportive environment for children deprived of parental care, using resident-type services and involved in the process of deinstitutionalisation, was built in 22 pilot schools and 1 kindergarten, which were selected by the Regional Education Inspectorates in coordination with the respective municipalities based on certain criteria – proximity of schools to family-type centres and protected housing, accessible architectural environment, etc. With the help of teams of resource teachers, psychologists and speech therapists appointed in the schools it was made possible for children deprived of parental care to be included in a general education environment in an appropriate form of education. With the help of university lecturers, a methodology for assessing the individual needs of children with multiple disabilities was developed and training of the teams of all schools for the implementation of the methodology was carried out, as well as for elaborating individual programmes for work with children with multiple disabilities. In this way, the process of inclusion of children and pupils and elimination of obstacles to learning, inclusion and participation in the educational process was facilitated.

Total number of children – 168

The total number of teachers and specialists involved in the implementation of the project for the entire project period was 127. Of these:

- psychologists – 24;
- resource teachers – 25;
- speech therapists – 25;

Total number of directors involved in the activity – 22.

Project “Development of the System for Planning and Provision of Social Services at Regional Level”:

The project “Development of the Planning System and Provision of Social Services at Regional Level” was implemented by the SAA as a beneficiary in partnership with SACP and

the National Association of Municipalities in the Republic of Bulgaria with the financial support of the Operational Programme “Human Resources Development” 2007-2013, co-financed by the European Social Fund, Priority Axis 6: “Improving the effectiveness of labour market institutions and of social and healthcare services”.

The project aimed to improve the sustainability of the processes of planning, management, delivery and control over the quality of social services.

The target group covered 3 440 employees in public institutions (SACP, SAA, APD, municipal and district administrations, etc.) involved in the process of policy development and implementation in the field of social services, social services providers and their employees, social workers in the sphere of social services.

Territorial scope of the project: all 28 districts, 264 municipalities and 253 cities on the territory of the Republic of Bulgaria.

Activity 3: Prepare an analysis of local readiness to implement an integrated model for social inclusion of people in the target group under the operation “Life in the Community” and identify specific settlements in which the necessary social services need to be created, and apply the model of the practice realised in 2012.

The main objectives of the activity – identifying the needs of integrated social services for each of the persons within the defined target group under the operation “Life in the Community” and the specific settlements in which social services need to be created for these persons. In the framework of the activity, the regional coordinators gathered data on the target group and studied analyses related to the regional needs of social services as well as the available resources in the municipalities for creating new social services. A needs assessment tool developed under the project “From Planning to Effective Delivery of Social Services to People with Disabilities”, implemented by the Dutch organisation De Pasarel, was used in the needs analysis.

The implementation of Action 3 guaranteed the equal opportunities of the persons placed in the HCDPC and the people with mental retardation, mental disorders and physical disabilities waiting to be placed in specialised institutions in terms of preparing qualitative assessment of their needs and providing equal access to the established social services in the community under the “Life in the Community” operation.

Updated Action Plan for the National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria” 2016-2020:

In October 2016, an updated Action Plan for the National Strategy “Vision for Deinstitutionalisation of Children in the Republic of Bulgaria” was adopted. The expected results set out in the Action Plan as early as 2010 are also fully valid for the update of the Plan. Updating is required only for some of the indicators.

The main expected results, summarised and updated in view of the additional specific objectives for the new stage of implementation of the Plan, are as follows:

- Elimination of institutional care for children – as a legal possibility and a real form for raising children;
- Removing residential care for children up to the age of 3 without disabilities;
- Total 30% reduction in the number of children in formal care compared to 2010;
- The ratio of the number of children taking formal care in a family environment to the number of children in formal residential care – 80/20;
- Improved quality of life for children and young people using or having used formal care – general health and physical development, educational attainment, less

provocative and self-harming behaviour (where applicable), acquiring social and work skills, restoring and maintaining relationships with the family (where applicable);

- Guaranteed broad geographic coverage of social services of advisory nature supporting children and families;
- Provided broad geographical coverage of social services supporting children with disabilities and their families;
- Reformed system for guaranteeing children's rights – new legislation, a compulsory system for training, qualification and supervision for the Child Protection Departments and all social services for children and families.

Conclusion:

As of 31 December 2016, 57 auxiliary and special schools of the Ministry of Education and Science functioned in the territory of the Republic of Bulgaria where 2 969 children were trained.

After the completion of the deinstitutionalisation process of disabled children, access to education for children and pupils with disabilities has been improved, given that they are accommodated in family-type residential facilities for children and young people with disabilities, which are located in populated areas with well-developed health, education and social services.

During the process of deinstitutionalisation, as well as at the moment, actions have been taken to amend the existing laws and by-laws in the Republic of Bulgaria so that they can meet the needs of children and young people with disabilities.

Follow-up action in connection with complaint No. 46/2007 submitted by the European Roma Rights Centre (ERRC) v. Bulgaria

European Roma Rights Centre (ERRC) v. Bulgaria, complaint No. 46/2007, decision on the merits of 3 December 2008

A. Violation of Article 13§1

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was a violation of Article 13§1 of the Charter on the ground that the measures adopted by the Government did not sufficiently ensure health care for poor or socially vulnerable persons who became sick.

2. Information provided by the Government

The Committee notes from the information provided by the Permanent Representative during consideration by the Committee of Ministers on 31 March 2010 that Decree No. 27 of 9 February 2009 on the implementation of the state budget stipulates that the mechanism established for the payment of costs of hospital treatment for persons without resources was made permanent.

The Government indicates in the information registered on 4 December 2014 that on 21 January 2013 an agreement was signed for the thematic “Fund for reforms related to the inclusion of Roma and other vulnerable groups” under the Bulgarian-Swiss Cooperation Programme. The agreement aims at promoting social inclusion of the Roma in accordance with the National Roma Integration Strategy of the Republic by 2020.

On the specific issue of health, the Programme focuses on pre-hospital healthcare, such as regular medical examination of the target groups, prenatal and postnatal care, family planning, immunization campaigns for children, prevention of sexually transmitted diseases, increasing health culture and access to health information. The information indicates that the Programme will be implemented by municipalities.

3. Assessment of the follow-up

In view of the information provided, the Committee considers that it is still not established that people not receiving social assistance are entitled to medical assistance, other than emergency care, obstetrical and hospital treatment. It will assess the practical impact of these measures and whether similar measures are envisaged for other groups of poor or socially vulnerable persons who become sick on the occasion of the information on the follow-up given to decisions that will be submitted in October 2017.

The Committee considers that the situation has not been brought into conformity with the Charter.

B. Violation of Article E taken in conjunction with Articles 11§§1, 2 and 3

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was a violation of Article 11§§1, 2 and 3 in conjunction with Article E of the Charter on the ground that there was a failure of the authorities to take appropriate measures to address the exclusion, marginalization and

environmental hazards which Roma communities were exposed to in Bulgaria, as well as the problems encountered by many Roma in accessing health care services.

2. Information provided by the Government

The Government indicates in the information registered on 4 December 2014 that there are several measures to improve medical services for socially vulnerable persons, including Roma.

First, the information mentions that the activities and priorities set in the Health Strategy for disadvantaged persons who belong to ethnic minorities (2005-2015) are included in section “Healthcare” of the National Roma Integration Strategy 2012-2020 and the Action Plan. In the framework of this Action Plan, the Ministry of Health annually allocated funds for carrying out prophylactic examinations and tests in Roma settlements using the 23 mobile examination rooms provided under the PHARE Programme. During the period 2010-2013, 60,164 examinations and tests have been carried out in such mobile rooms. The examinations are accompanied by lectures and campaigns.

Second, the information mentions the figure of health mediators, who are in charge of overcoming the cultural barriers in communication between Roma communities and the medical personnel in various locations. In 2014, there were 150 health mediators.

Third, the information states that during the period 2010-2013, 7 National Conferences were organised under the project “Initiative for Health and Vaccine Prophylaxis”.

3. Assessment of the follow-up

The Committee will assess the practical implication of the above-mentioned measures on the basis of detailed information and data on the number of Roma living in Bulgaria that will be submitted in October 2017.

The Committee considers that the situation has not been brought into conformity with the Charter.

Social Assistance Agency

As regards the violation of Article 13(1) of the ESC (r), it can be noted that according to Article 40(3)(5) of the Health Insurance Act, at the expense of the state budget shall be insured any citizens who are eligible to the receipt of monthly social assistance benefits and target benefits for heating according to the procedures of the Social Assistance Act, unless insured on another ground, as well as those placed in specialised institutions for social services and those accepted for service in social educational and professional centres and temporary accommodation centres, family-type accommodation centres, transitional homes, protected housing, and crisis centres.

Concerning the health insurance, we note that, on the grounds of Article 40(3)(9) of the HIA, at the expense of the state budget shall be insured, unless insured on another ground, the parents, adoptive parents, spouses or one of the parents of the mother or father who care for a disabled person who has lost his/her working capacity over 90 per cent who are constantly in need of help.

Apart from this, Decree No. 17 of the Council of Ministers of 31 January 2007 regulates the range of persons for whom the costs of diagnostics and hospital treatment shall be paid. There is an opportunity for non-income persons and/or personal property providing them with a personal contribution to the health insurance process to allocate targeted means of diagnosis and treatment in hospitals. The funds for the payment of the hospital treatment shall be

provided by the Ministry of Labour and Social Policy under the budget of the SAA, but are paid to the hospitals through the National Health Insurance Fund.

Ministry of Health

Information on the follow-up to Action 46/2007 filed by the European Roma Rights Centre for the reference period 1.1.2014 – 31.12.2016:

Strategic framework in the Health Sector

According to the Bulgarian legislation, the protection of citizens' health as a status of complete physical, mental and social well-being is a national priority and is guaranteed by the state through the application of the principles of equal treatment in the use of health services; affordable and quality health care with priority for children, pregnant women and mothers of children up to one year of age; priority of health promotion and integrated disease prevention; prevention and reduction of the risk to the health of citizens created by the adverse impact of the factors of the living environment; special health protection for children, pregnant women, mothers of children up to one year of age and persons with physical disabilities and mental disorders, and state participation in the financing of activities aimed at protecting citizens' health.

The policy of the Ministry of Health is oriented towards creating conditions for quality and accessible health services for all citizens of Bulgaria, regardless of their gender, age, ethnicity and social background, paying particular attention to improving the health care of the disadvantaged groups. This is reflected in the Health Ministry's National Health Strategy, adopted by Resolution of the National Assembly of 17 December 2015. The strategy sets out the main policies and measures to achieve the national health targets by 2020 which are aimed at improving the access and addressing the health inequalities by developing an integrated emergency system, optimising hospital and outpatient care, developing eHealth, effective drug policy, improving the quality of medical care and patients' safety. The measures to achieve the objectives are detailed in the Action Plan to the National Health Strategy 2020.

Policy 1.7 "Health for vulnerable groups" defines the main problems of people from vulnerable groups and outlines the main measures to overcome them. The policy is based on the understanding that addressing health vulnerabilities and inequalities in individuals from certain vulnerable groups requires an integrated approach whereby the provision of the various public services (social, health, education, etc.) should be coordinated. Specific health policies should be targeted at improving the access to health services and adapting them to the characteristics of these groups, the programmes to promote healthy lifestyles, prevention of chronic non-communicable diseases, sexual and reproductive health, prevention of excessive use of alcohol and drugs, smoking; screening programmes should be appropriately adapted to cover the various vulnerable groups of the population. In view of the fact that vulnerable groups are characterised by a combination of problems, incl. serious illness and disability, measures are envisaged to improve access to health services for all children, women from vulnerable groups who are pregnant, or have recently given birth, through the development of mobile services in the community including. Services should be targeted at early coverage of pregnant women, pregnancy monitoring, timely hospitalisation of women who have recently given birth, proper childcare and immunisation coverage, early births prevention, family planning, sexual and reproductive health, etc.

A basic policy principle developed in the National Health Strategy and the Action Plan measures is that the development of services best suited to health and social needs and

improving the quality of life of people should be developed in close cooperation and consultation with organisations that protect and represent vulnerable groups. Particular attention should be paid to overcoming stigmatisation and preventing all forms of discrimination due to belonging to vulnerable groups in the delivery of health services.

The measures to meet the strategic objectives set out in the National Health Strategy 2020 and detailed in the Action Plan are as follows: increase the immunisation coverage among vulnerable population groups; support for cross-sectoral social inclusion measures, incl. participation in the system of compulsory health insurance for persons from vulnerable groups; establish mechanisms to identify relevant specific needs and needs of vulnerable groups as a basis for planning health services; develop integrated health and social services for the vulnerable groups in the communities with a focus on pregnant women, children, the elderly and people with disabilities; build skills for healthy behaviour by raising awareness of vulnerable groups; strengthen the model of the health mediator at the municipalities as a working model for overcoming the cultural barriers in the communication with the Roma, incl. in conducting prevention programmes, health education, etc.

In view of the need for cross-sectoral cooperation for the achievement of objectives of national interest, the **Ministry of Health has commitments and implements activities laid down in other national strategic documents related to the provision of better conditions for vulnerable groups.** For the implementation of the Health Strategy for Disadvantaged Persons belonging to Ethnic Minorities (2005-2015), adopted by the Council of Ministers in 2005, annual funding is planned and absorbed, which shows significant growth over the years, thus ensuring sustainability of processes and continuation of the activities started in the previous years. The activities and priorities set out in the Strategy for disadvantaged persons are also part of the Health priority of the National Strategy of the Republic of Bulgaria for Integration of the Roma (NSRBIB) 2012-2020.

The Ministry of Health annually allocates funds for the implementation of the activities envisaged in these strategic documents and in particular for research in settlements with predominantly Roma population using 23 mobile rooms: 5 rooms for general preventive examinations, 2 fluorographs, 2 mamographs, 3 rooms for ultrasound examinations, 3 rooms for laboratory tests, 4 paediatric and 4 gynaecological mobile rooms.

In 2014, in order to overcome the emergency situation arising from the increased migratory pressure in the Republic of Bulgaria and the need to provide healthcare to refugees, under Decree RD-01-104/20.06.2014 of the Minister of Health, the Ministry of Health provided, by 31 December 2015, free of charge, the State Agency for Refugees (SAR) with 2 mobile rooms - paediatric and primary medical care (general practice) to be used in the refugee accommodation centres, where health care service were required.

For the period 2014-2016, a total of 38,404 examinations and surveys were carried out with the mobile rooms:

- 2,393 immunisations of children with incomplete immunisation status;
- 3,075 fluorographic examinations;
- 6,570 gynaecological examinations;
- 5,310 prophylactic examinations of children;
- 3,185 mammography examinations;
- 4,854 echographic examinations;
- 13,017 laboratory tests.

All children and persons diagnosed after the examinations and tests are directed to relevant specialists for aftercare.

Examinations in designated regions are preceded or accompanied by lectures, talks and campaigns. The topics discussed are contraceptives, sexually transmitted infections, breast cancer, cervical cancer, healthy eating, immunisations, patient rights, socially significant diseases, environment and health, osteoporosis and the harm of smoking. The improvement of health knowledge is largely done through information materials – brochures and leaflets in which the relevant health problem is explained in an easy to understand form.

In 2014, the mobile rooms were distributed in 13 regions of the country (Burgas, Blagoevgrad, Vidin, Dobrich, Kyustendil, Montana, Pazardjik, Plovdiv, Sliven, Sofia, Stara Zagora, Shumen and Yambol). In 2015 mobile rooms were distributed in 17 regions of the country (Burgas, Blagoevgrad, Varna, Vidin, Vratsa, Kyustendil, Montana, Pazardjik, Pernik, Pleven, Plovdiv, Silistra, Sofia, Stara Zagora, Targovishte, Haskovo and Shumen) . In 2016 mobile cabinets are distributed in 11 regions of the country (Burgas, Blagoevgrad, Varna, Kyustendil, Montana, Pleven, Plovdiv, Sliven, Sofia, Stara Zagora and Haskovo).

Between 2014 and 2016, activities related to the validation of the model of health mediators were carried out. The position of Health Mediator is included in the National Classification of Occupations and Posts in the Republic of Bulgaria. The aim of the mediation programme is to overcome the cultural barriers in the communication between the Roma communities and local medical staff, overcome existing discriminatory attitudes in providing healthcare to the Roma, optimise the implementation of preventive programmes among the Roma population, Roma health education and active social work in the community, and especially with vulnerable Roma groups.

Health mediators have made a significant contribution to the implementation of prevention programmes among the Roma population and especially among young children (examinations, immunisations, etc.). They support health education and health awareness of the Roma, and are actively engaged in social work within the community, creating sustainable partnerships between disadvantaged communities and local and national institutions. The network of health mediators is expanding every year. In 2014, health mediators were 150 in 79 target municipalities in 25 regions of the country, in 2015 their number increased to 170 in 110 target municipalities in 25 regions, and in 2016 health mediators were 195 in 112 municipalities in 115 target municipalities.

Over the years, a good practice has been established by the Ministry of Health to interact with non-governmental organisations, and in December 2016 MH sent to the National Association of Municipalities in the Republic of Bulgaria (NAMRB) the job description and the form for reporting the work of health mediators developed by the Ministry of Health. For its part, the NAMRB sent the form for reporting to the target municipalities, which are on the list for the distribution of the number of health mediators for 2017. This guarantees not only transparency in the activity of the health mediators, but also creates conditions for activation of the role of the municipalities in the process of assignment, control and accountability of the work of the health mediator at the local level.

The positive results in the work of health mediators evidence the need for mediators to improve the health status of the Roma population from isolated minority communities and approximate the health status of the rest of the population of Bulgaria. There is a need to increase the number of health mediators because they contribute to improving awareness and access to health and social services for vulnerable groups with a focus on the Roma, overcoming cultural barriers in communication between the Roma population and local medical staff and overcoming existing discriminatory attitudes in the field of health services for the Roma on the ground.

During this period, the Ministry of Health participated in the implementation of activities under two programmes funded by the Global Fund to Fight AIDS, Tuberculosis and Malaria –

“Prevention and Control of HIV/AIDS” Programme, Component 5: “Reduction of the vulnerability to HIV among those in the Roma community who are at greatest risk (aged 15-25) by increasing the reach of the community-based service group for prevention and guidance and under the Strengthening the National Tuberculosis (TB) Programme in Bulgaria. Such services are of the utmost importance for addressing the health problems with regard to prevention and control of HIV/AIDS that Roma communities face.

Under the “Prevention and Control of HIV/AIDS” Programme in 2014, among the Roma community activities were carried out by teams of 10 non-governmental organisations with 8 health and social centres for work in the Roma community – Burgas, Varna, Sliven, Stara Zagora, Plovdiv, Pazardjik, Sofia and Yambol.

In the period 01.01.2014 – 31.12.2014, the following results were achieved under the key indicators through field work in the Roma community:

- 20,264 representatives of the Roma community were reached with HIV prevention services and services for raising awareness of disease prevention;
- 5,549 clients received free counselling and HIV testing, and learned their results;
- 1,991 examinations in order to make a diagnosis and provide treatment of sexually transmitted infections were carried out with persons from the Roma community;
- 751 clients received the “Case Management” service for persons with highest risk, including HIV-seropositive;
- 395,671 condoms and 29,369 health-education materials were distributed in the community;

In 2015, there are 10 health and social centres for work in the Roma communities – Burgas, Varna, Sliven, Stara Zagora, Plovdiv, Pazardjik, Sofia and Yambol under the Prevention and Control of HIV/AIDS Programme, and in the towns of Kyustendil and Haskovo, for the first time, such health and social centres were established for the purpose of providing services for reducing the negative factors for the health and social status of the Roma, for instance maternal and child health programmes, HIV/AIDS prevention and control programmes, tuberculosis prevention and control programmes, and other social inclusion and social participation activities. These centres aim to become key places to build basic life and health skills as part of health education for the prevention of HIV and sexually transmitted infections.

During the period 01.01.2015 – 31.12.2015, the following results were achieved regarding key indicators through field work in the Roma community:

- 19,729 representatives of the Roma community were reached with HIV prevention services and services for raising awareness of disease prevention;
- 6,759 clients received free counselling and HIV testing, and learned their results;
- 1,944 examinations in order to make a diagnosis and provide treatment of sexually transmitted infections were carried out with persons from the Roma community;
- 659 clients received the “Case Management” service for persons with highest risk, including HIV-seropositive;
- 399,176 condoms and 40,275 health-education materials were distributed in the community;

In 2016, under the “Prevention and Control of HIV/AIDS” Programme, the activities were carried out on the territory of five regions: Burgas, Varna, Pazardjik, Plovdiv and Sofia. The services were provided on the ground by teams of non-governmental organisations of the Regional Roma Union Foundation (Burgas), Association “Sauchastie” (Varna), Association “Badeshte” (Pazardjik), Panacea 97 Foundation (Plovdiv) and “Initiative for health” Foundation (Sofia).

In 2016, the following results were achieved regarding key indicators through field work in the Roma community:

- 6,368 representatives of the Roma community were reached with HIV prevention services and services for raising awareness of disease prevention;
- 142 clients received the “Case Management” service for persons with highest risk, including HIV-seropositive;
- 133,248 condoms and 7,634 health-education materials were distributed in the community

Four community-based educational campaigns were carried out in the community to mark significant dates for the fight against AIDS.

Tuberculosis prevention and control activities were also implemented within the framework of the Strengthening the National Tuberculosis Programme in Bulgaria funded by the Global Fund to Fight AIDS, Tuberculosis and Malaria by the teams of 15 NGOs working in the following areas: Burgas, Varna, Vidin, Vratsa, Gabrovo, Kyustendil, Pazardjik, Plovdiv, Sliven, Sofia, Sofia – region, Montana, Stara Zagora, Haskovo, Yambol. During the period 01.01.2014 – 31.12.2014, the following results were achieved regarding the key indicators through field work in the Roma community:

- 9,339 individuals were screened for the risk of tuberculosis, of these 1,802 were medically examined (sputum analysis, Mantu test or X-ray test) for the early diagnosis of tuberculosis;
- a total of 2,144 persons received a medical examination, of these 55 persons had active tuberculosis and 168 persons had latent tuberculosis infection;
- all persons with active tuberculosis were offered free of charge treatment with first-line antitubercular medicines, and the rest of the costs related to treatment, including diagnostic procedures, medicines and hospitalisation, were covered by the budget of the Ministry of Health.
- 1,187 high-risk individuals were referred to and/or accompanied to healthcare establishments.
- a total of 22,586 clients were reached with services, including educational activities and individual counselling.
- over 24,300 health education and information materials were distributed

In 2015, the following results regarding the key indicators were achieved through field work in the Roma community:

- 7 697 individuals were screened for the risk of tuberculosis, of these 1,487 were medically examined (sputum analysis, Mantu test or X-ray test) for the early diagnosis of tuberculosis;
- a total of 1,704 persons received a medical examination, of these, 44 persons had active tuberculosis and 168 persons had latent tuberculosis infection;
- all persons with active tuberculosis were offered free of charge treatment with first-line antitubercular medicines, and the rest of the costs related to treatment, including diagnostic procedures, medicines and hospitalisation, were covered by the budget of the Ministry of Health.
- 828 high-risk individuals were referred to and/or accompanied to healthcare establishments.
- a total of 15,895 clients were reached with services, including educational activities and individual counselling.
- more than 20 891 health education and information materials were distributed.

In the period 01.01.2016 - 31.12.2016, tuberculosis control capacity at national and regional level was significantly increased by implementing planned activities of different type and scope. The following results have been achieved among the Roma community:

A total of 23 non-governmental organisations through 24 on-the-ground teams performed activities among the Roma community under the “Improving the Stability of the National Tuberculosis Programme”, working among compact Roma communities in the following 21 districts: Blagoevgrad, Burgas, Varna, Dobrich, Vratsa, Gabrovo, Kyustendil, Montana, Pazardjik, Pernik, Pleven, Plovdiv, Ruse, Sliven, Sofia-city, Sofia region, Stara Zagora, Haskovo, Shumen and Yambol. More than 120 representatives of non-governmental organisations participated in field work teams and carried out Tuberculosis prevention and control activities among this vulnerable group.

In the period 01.01.2016 – 31.12.2016, the following results were achieved regarding the key indicators through field work in the Roma community:

- 14,477 individuals were screened for the risk of tuberculosis, of these 4,671 were medically examined (sputum analysis, Mantu test or X-ray test) for the early diagnosis of tuberculosis;
- a total of 5,366 individuals have received a medical examination (sputum analysis, Mantu test or X-ray test) in order to detect tuberculosis early, 76 of these persons had active tuberculosis and 380 persons had latent tuberculosis infection;
- all persons with active tuberculosis were offered free of charge treatment with first-line antitubercular medicines, and the rest of the costs related to treatment, including diagnostic procedures, medicines and hospitalisation, were covered by the budget of the Ministry of Health.
- over 2,103 high-risk individuals were referred to and/or accompanied to healthcare establishments;
- a total of 19,575 clients were reached with services, including educational activities and individual counselling.
- over 20,193 health education and information materials were distributed.

It should be borne in mind that these data do not include the activities performed by the health establishments and the regional health inspectorates in relation to the Global Fund to Fight AIDS, Tuberculosis and Malaria, as they provide aggregated reports on their activities, without discriminating against patients on an ethnic basis. The data provided are only from the work of NGOs that perform the Global Fund to Fight AIDS, Tuberculosis and Malaria activities specifically in the Roma community.

Besides fulfilling the commitments included in the National Strategy Documents, the Ministry of Health has been carrying out activities under the National Programme for the Improvement of Maternal and Child Health 2014-2020, adopted by Decision No. 510 of 17 July 2014 of the Council of Ministers. The health services provided under the Programme are paid by the Ministry of Health budget and are accessible to all citizens regardless of their health insurance status.

Through the Programme, a mass auditory screening of neonates was introduced for the early detection and timely intervention in case of hearing distortions in neonates, including all healthcare establishments in the country where maternity wards are established. From the start of the Programme in September 2015 to 31.12.2016, 60,051 examinations were made.

31 Health and Counselling Centres for Maternal and Child Health in all district towns and in some university hospitals were established where doctors, psychologists and social workers provide consultative and logistic activities related to the organisation of the complex medical observation of children with disabilities and chronic diseases, pregnant women with increased

medical risk, pregnancy pathology or the presence of chronic diseases and disabilities. From the start of the Programme in September 2015 to 31 December 2016, 8,537 medical consultations, 6,133 psychological consultations were established; counselling was provided to 5,194 children, and home visits were made to 1,420 disabled children with chronic diseases, and premature babies. In order to provide highly specialised counselling for children with certain diseases, in the Health Consultation Centres 13 commissions for comprehensive medical supervision of children with the following diseases were established in 5 specialised/university hospitals: diabetes, congenital heart malformations, congenital facial malformations, congenital haematological diseases, premature children, and Child Cerebral Palsy. The commissions draw up individual medico-social plans for the children, depending on the particular situation.

Within the Programme, funds are also provided to pay for tests and counselling in the framework of biochemical screening for pregnant women to assess the risk of giving birth to a child with Down's disease, other aneuploidy, spina bifida, anencephaly, and severe abdominal wall defects. During the reporting period, 21,806 tests were conducted.

For the fulfilment of its objectives, the Ministry of Health also implements activities on various projects with external financing in some priority areas, which correspond to the maximum extent to the national priorities in the health sector. The Ministry is designated as a Programme Operator under the BG 07 Public Health Initiatives Programme which is implemented with the financial support of the European Economic Area Financial Mechanism and the Norwegian Financial Mechanism 2009 – 2014. The Programme aims to contribute to improving governance in the field of health; improving access to and quality of health services, including reproductive health and prevention; improving mental health services and addressing specific health challenges for the Roma.

At the beginning of 2017, the Small Grant Scheme under the BG 07 Public Health Initiatives Programme, providing financial support to Roma students, PhD students and postgraduates trained in medical specialties at accredited universities or colleges in Bulgaria was successfully implemented. The total amount of the funds earmarked for financial support of students, PhD students and postgraduates of Roma origin amounted to BGN 801 095. As a result of the implementation of the Small Grant Scheme, financial support was provided to 35 students for the academic year 2014/2015 and to 100 students for the academic year 2015/2016, thus fully achieving the set goals for improving the education and qualification of specialists of Roma origin. The financial support included annual training fees payable on a semester basis, as well as scholarships to cover costs for study books, transport, hostels and other household expenses. 34 mentors were appointed to assist the scholarship holders, to supervise their activity and to provide assistance. Two advocacy training sessions were held within two camps for students and mentors.

Within the BG 07 "Initiatives for Public Health" Programme projects under Measure 2 "Improved access to quality services for sexual and reproductive health of adolescents aged 10 to 19 with a focus on vulnerable groups, especially Roma and people who live in remote areas" and Measure 6 "Providing health home services to pregnant women and children up to 3 years of age for groups at risk with a focus on the Roma".

Under Measure 2, three projects have been implemented targeting vulnerable groups in remote areas and especially Roma population.

Under the project 'Prevention of sexual and reproductive health of adolescents aged 10 to 19 with a specific focus on vulnerable groups, particularly Roma population in Razgrad region', implemented by the Kubrat Multiprofile Hospital for Active Treatment EOOD in partnership with the Ethnic Minorities Health Problems Foundation, medical examinations of 600 children and 300 gynaecological examinations of women and laboratory tests of 900 young

people for Chlamydia, Wasserman and CBC have been carried out. 25 psychological consultations with problem children have been conducted. 276 participants from the region have participated in 7 educational events on sexual health, reproductive health and drug prevention among young people. 348 people participated in 7 educational events on sexual health, reproductive health and oncological diseases among women in the region. Educational events on sexual health and drug prevention were carried out with pupils from Correctional boarding school for minor delinquents (CBS), Razgrad sports school and youth in schools in the region.

Under the project “Creation of a Centre for family planning and prevention of reproductive health in children and adolescents aged 10-19”, the operator - Saint George University Multiprofile Hospital for Active Treatment EAD, Plovdiv, 604 young people at risk have been examined through specialized gynaecological examinations, instrumental and laboratory tests for sexually transmitted infections (50% of them in the Roma population). 96 patients from the target groups (50% of them in the Roma population) have been consulted. The consultations have been carried out by leading medical specialists of the respective healthcare institution. Young people have been trained to be “peer educators”. Educational brochures and presentation materials for health-educational events have been produced and disseminated. Training has been carried out by conducting 32 health-education activities of the target group (50% of the participants are of Roma origin).

The project “Mission Possible: better sexual and reproductive health of young people from vulnerable communities - ways to overcome health inequalities”, which is implemented by the Bulgarian Family Planning and Sexual Health Association (BFPA) in partnership with the National Network of Health Mediators (NNHM) includes activities to raise the awareness of the target groups – setting up groups for mutual assistance and dissemination of information, organising various information events, elaborating information materials, introducing the peer-to-peer approach, individual counselling. The results achieved are as follows:

- 86 trained health and social specialists on the ground;
- 26 trainings for young people from target communities;
- 785 trained young people;
- 28 health information events;
- 11 self-help groups.

Under the project, medical services, including counselling and testing for HIV, Hepatitis B and C have been provided. Conditions for counselling and testing for syphilis and various other sexually transmitted infections (gonorrhoea, trichomoniasis, and chlamydia) and conditions for placing intrauterine spirals to women from marginalised communities who want to use this method of contraception have been created.

The indicators of the activities are as follows:

- 5,306 consultations on sexual and reproductive health;
- 3,000 tests performed for HIV, Hepatitis B and C;
- 1,516 tests for syphilis;
- 906 tests for gonorrhoea, chlamydia and trichomoniasis;
- 551 women using intrauterine spirals;
- 574 cytological and microbiological tests;

Under Measure 6 three projects covering health care and services for pregnant women and children up to the age of 3 with a focus on groups at risk and in particular the Roma population have been successfully completed.

The Project “Accessible health services for pregnant women, women **have recently given birth** and children up to 3 years of age from groups at risk” is implemented by St. Sophia First specialised obstetric and gynaecological hospital for active treatment EAD in partnership with the Bulgarian Association for Family Planning and Sexual Health. The project is aimed at pregnant women and women **have recently given birth**, newborns and children up to 3 years of age and their families who are representatives of vulnerable groups with a focus on the Roma population living on the territory of Sofia Municipality. A total of 64 experts, including 15 obstetrician-gynaecologists, 21 midwives, 9 field workers (mediators), 3 trainers and others, have worked for the successful completion of the project. Over 1,600 people took part in the “School for Parents”, the goal of which is to raise the awareness and formation of attitudes and behaviour of the target group for a healthier lifestyle during pregnancy and protect the health of newborns and the children up to 3 years of age. 2,500 studies have been performed for the genetic carriers of thalassemia. More than 6,500 participants were interviewed on medico-social risk factors. Over 500 health-uninsured women have passed free through gynaecological examinations. More than 200 urological examinations of health-uninsured women and their family members have been made. Over 76% of the participants in the project are representatives of the Roma population.

The Project “Providing health services to the homes of pregnant women and children up to 3 years of age with the emphasis being placed on groups at risk with a focus on the Roma population on the territory of Ruen Municipality, Kameno Municipality and Burgas Municipality” has been implemented by the Association of Burgas Hospitals in partnership with Deva Maria University Multiprofile Hospital for Active Treatment EOOD, Burgas, and St. Sofia Medical Centre, Burgas. The overall objective of the project is to improve the access and quality of health services, including reproductive health and children’s healthcare for representatives of vulnerable groups in the municipalities of Burgas, Kameno and Ruen.

A total of 21 informational meetings and 10 open days have been held in over 20 settlements where more than 500 participants were present. As a result of the implementation of the project, 1,263 child consultations, 1,309 paediatric examinations, 2,193 consultations of pregnant women and young mothers have been conducted in order to create conditions for improving maternal and child health; offering neonatal and paediatric services; providing medical activities for pregnant women and children; supporting the improvement of parental skills and childcare, incl. breastfeeding, eating, bathing, massages, stimulating the development of the child; conducting disease prevention.

Within the project, 20 training sessions for 303 participants were held on the following topics: healthy lifestyle during pregnancy; protecting the health of the newborn; parenthood; the health of the child up to 3 years of age; childcare; feeding the child; disease prevention; homecare for the pregnant woman and woman have recently given birth; sexually transmitted diseases; contraception; family planning and others.

Within the additional activities of the project, a sustainable mobile activity has been created for the provision of health consulting services to 950 pregnant women and mothers with children under 3 years of age, of these 540 being of Roma origin. 10 information meetings and trainings with 150 representatives of the target group have been also held.

The project “Improvement of Maternal and Child Health by Providing Health Services to the Homes of Pregnant Women and Children Up to 3 Years of Age” has been implemented by Sheinovo Second Specialised Obstetrics and Gynaecology Hospital for Active Treatment

EAD in partnership with Ihtiman Multiprofile Hospital for Active Treatment. The project has included health information campaigns to protect the health of children and women during pregnancy and in the period of bringing up children from birth to 3 years of age.

750 home visits of pregnant women have been made. The share of home visits of pregnant women, representatives of the Roma target group, is 40.4% or 303. 3001 home visits to children under 3 years of age have been made. The share of home visits of children up to the age of 3, representatives of the target group of Roma origin is 60% or 1,801. The pregnant women involved in the project are 253. The share of pregnant women, representatives of the Roma target group involved in the project, is 70%.

The number of children up to the age of 3 who are included in the project is 850. The share of children up to the age of 3 who are representatives of the Roma target group included in the project is 53%. Neonatal and paediatric services have been proposed and policies for reproductive maternal health and family planning have been implemented through:

- 253 primary AG examinations;
- 854 primary paediatric examinations;
- 253 secondary AG examinations;
- 1702 secondary paediatric examinations;
- 100 vaccines made;
- 350 central nervous system and abdominal screening procedures;
- 400 hearing screening procedures.

By the end of 2017 the implementation of the predefined project “Improved quality of prenatal diagnostics and neonatal care” with the Ministry of Health as beneficiary will continue. The specific objectives of the project are to achieve improved methods for prenatal diagnostics, improve the knowledge and skills of doctors – specialists in obstetrics and gynaecology in the field of prenatal diagnostics and fetal morphology, and improved neonatal care. The main target groups of the project are pregnant women, newborns and specialists in obstetrics and gynaecology.

Up to now, 400 high-tech medical devices have been purchased and delivered to 34 hospitals to reduce existing regional differences in the quality of prenatal diagnostics and modernisation of neonatal care units in each of the 28 districts in Bulgaria.

By the end of the project, 33 2D ultrasound apparatuses and 4 3D ultrasound apparatuses will be purchased and delivered, and more than 100 key Bulgarian specialists in obstetrics and gynaecology will be trained in the field of fetal morphology.

The Agreement on the Thematic Fund for Reforms related to the Inclusion of Roma and Other Vulnerable Groups under the Bulgarian-Swiss Cooperation Programme runs from 21.01.2013 to 31.05.2019. The Programme is implemented jointly with the Ministry of Labour and Social Policy, Ministry of Education and Science and the Ministry of Health and supports the efforts of the Bulgarian Government to implement the National Strategy of the Republic of Bulgaria for Roma Integration 2012-2020. The Programme is coordinated by a Management Unit based in the Ministry of Labour and Social Policy, which manages the grant and the national co-financing of the projects implemented under the Programme.

The Ministry of Health is involved in the implementation of activities and measures related to improving the access and quality of maternal and child healthcare, better awareness of family planning and reproductive healthcare, as well as helping to increase the number of health mediators and improve their work.

In implementation of the Programme for Support for Social Inclusion of Roma and Other Vulnerable Groups, the Swiss Cooperation Office and the Programme Management Unit

organise meetings involving representatives of the Ministry of Health, Ministry of Labour and Social Policy, Ministry of Education and Science, the Bulgarian Association for Family Planning and Sexual Health, Open Society Foundation, the National Association of Health Mediators and others. At the meetings brief information about the projects financed under the Programme is presented regarding the municipalities of Burgas, Rousse, Sliven, Montana, Plovdiv and Shumen, which implement integrated projects for social inclusion of Roma and other vulnerable groups with components of education, health, empowerment and awareness.

At the last meeting held on 16 November 2016, the planned activities to improve coordination in implementing the commitments of the Parties were set out. It was proposed to set up working groups of experts in each of the three ministries to facilitate operational work, including by developing proposals for policy changes at the operational and legislative levels. The Ministry of Health has already set up a working group to support the implementation of municipal projects funded under the Programme and to develop policy proposals aimed at improving access to healthcare for vulnerable groups under the Programme.

Article 1(1) – Full employment policy

“Article 1 – The right to work

With a view to ensuring the effective exercise of the right to work, the Parties undertake:

1.to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;”

Conclusions 2016 of the European Committee of Social Rights (EWC)

The Committee of Experts concluded that the situation in Bulgaria is not in line with Article 1(1) of the Charter on the grounds that it is not established whether the employment policy efforts are adequate in combating unemployment and promoting job creation.

Analysis of the labour market in relation to this request for additional information under Article 1 of the Charter

In the period 2015 – 2016, the positive downward trend in unemployment which started in 2014 was maintained. In 2016, a slight decrease in the number of people employed in comparison with 2015 was reported, due to the decrease in the number of employed in the fourth quarter of 2016. The number of employed persons¹ aged 15-64 in 2016 was 2,954.3 thousand, by 19.2 thousand less compared to 2015. **The employment rate for the population aged 15-64 increased from 62.9% in 2015 to 63.4% in 2016.** Compared with the EU-28 average (66.6%)² in 2016, the employment rate for Bulgaria was lower by 3.2 percentage points (pp). The employment rate for men aged 15-64 was 66.7% and that for women in the same age group was 60%. Compared to 2015, the indicator for men increased by 0.8 percentage points (pp) and that for women increased by 0.2 percentage points. Compared to the EU-28 average in 2016, the employment rates for men and women in Bulgaria were lower by 5.2 percentage points and 1.4 pp. respectively. **Employment among 55-64 year-olds has been increasing steadily since 2012**, both in number and as a relative share of the population in the same age group. In 2016, the employment rate for the 55-64 age group in completed years was 54.5%, increasing by 1.5 pp compared to 2015. Compared to the EU-28 average for 2016, the employment rate for the age group 55-64 in Bulgaria was lower by only 0.8 pp.

Unemployment has been decreasing continuously since 2014. The number of unemployed aged 15 and over in 2016 was 247.2 thousand³, by 57.9 thousand less than in 2015. The unemployment rate decreased from 9.1% in 2015 to 7.6% 2016. In 2016 for the second consecutive year the unemployment rate in Bulgaria was lower than the EU-28 average, which in the same year was 8.6%⁴. A decrease in the number of unemployed was reported for all age groups. Since 2014, there has been a positive downward trend in youth unemployment. In 2016, the unemployment rate for young people aged 15-24 was 17.2% at 21.6% in 2015. The unemployment rate for young people aged 15-24 in Bulgaria in 2016 was lower by 1.5

¹ According to data of the Labour Force Survey of the National Statistical Institute (NSI)

² According to data of Eurostat

³ According to data of the Labour Force Survey

⁴ According to data of Eurostat

pp. compared to the EU-28 average (18.7%). Long-term unemployed persons have been continuously decreasing since 2014 in number and as a relative share of the working population. In 2016, the long-term unemployment rate was 4.5%, with an EU-28 average of 4% in the same year.

In the period 2015-2016, the unemployment rate was also decreasing according to the data of the Employment Agency. In 2016, unemployed persons registered with the Employment bureaus were 284,707, less by 46,109 compared to 2015. During the same period, according to EA data, the unemployed persons decreased in all observed disadvantaged groups on the labour market (young people below 29 and 24, persons over 50, long-term unemployed, people without qualifications and people with disabilities).

The positive dynamics of employment and unemployment on the labour market in Bulgaria has continued in 2017.

The main strategic document underlying the implementation of the labour market policy during the reporting period (2014-2016) was the Updated Employment Strategy 2013 – 2020; its vision is “providing conditions and opportunities for improving the quality of the labour force and raising of employment in an economy with smart, sustainable and inclusive growth for the purpose of raising the living standards and promoting social inclusion”. To implement the Strategy, over the last three years Bulgaria has planned and implemented its policy of reducing unemployment in the country and supporting employment through the National Employment Action Plans – one-year operational documents defining the target groups of unemployed persons having priority to be provided with employment and training, priorities and objectives of employment policy. Consequently, in the National Employment Action Plans, employment-related visions have been formulated in the real economy as a sustainable approach to overcome unemployment. In addition, the annual objectives are also related to increasing employment through the implementation of the actions included in the National Employment Action Plans.

To support labour integration, an *individual approach* is applied in servicing the jobseekers in order to provide appropriate employment services tailored to the personal characteristics of the unemployed. Job mediators help the unemployed people *by promoting their active behaviour on the labour market and self-seeking employment* in the first three months after preparing their individual action plan. The unemployed are directed to *suitable subsidised jobs*. The implementation of the activities in the National Action Plan for Employment has helped to *include in subsidised employment more than 73,000 unemployed persons*, mostly from the target groups on the labour market. The persons in these groups are the most vulnerable and hard to start working in the real economy without the support of labour mediators. Subsidised employment is an opportunity for them to return to the labour market and subsequently remain in employment. Young people, as one of the most risky groups in the labour market, are also involved in subsidised employment – to acquire work habits and first work experience so as to become an attractive workforce to their employers. *More than 53,000 young people were included in subsidised employment* between 2014 and 2016. They account for 29% of all unemployed people in subsidised employment. The long-term unemployed persons included in subsidised employment account for 44% of all the unemployed, and the unemployed persons aged 50+ account for 47% of all those included in programmes and measures for employment funded by the state budget.

Employment mediation is a major instrument of active employment policy to curb unemployment and increase employment. Efficient and accurately addressed primary labour market services are a prerequisite for a rapid transition to sustainable employment. As a result of the active actions of the labour mediators with the employers and the selection among the unemployed, along with the improvement of the economic situation in the country, the

number of unemployed persons entering the primary labour market increased and in the period 2014 – 2016 there were 606,376 unemployed people. A considerable part of those entering the primary labour market were young people up to 29 years of age – 125,606.

The number of unemployed persons included in employment (subsidised employment or the primary labour market) shows that the scope is expanding while at the same time the labour market situation is improving and the number of newly registered unemployed is decreasing. The result is also positive about the reach of young people. According to data from the monitoring on the implementation of the Youth Guarantee (conducted by the European Commission), in 2015, 35.9% of the young people (15-29) received an offer (by 8.3 percentage points more than in 2014). Data for Bulgaria show that the situation is similar at the EU-28 level - the scope still needs to be expanded to reach all young people (EU-28 proposals received 40.3% of young people).

Increasing employment	2014 г.	2015 г.	2016 г.	Total
Involved in subsidised employment	23 314	27 468	22 238	73 020
<i>incl. young people</i>	<i>14 894</i>	<i>15 742</i>	<i>23 106</i>	<i>53 742</i>
Having started work on the primary labour market	188 475	200 117	217 784	606 376
<i>incl. young people</i>	<i>43 173</i>	<i>42 164</i>	<i>40 269</i>	<i>125 606</i>
Total	211 789	227 585	240 022	679 396

Ensuring conditions and opportunities for employment for the **long-term unemployed** is one of the main priorities of the active labour market policy implemented in line with the EU Council Recommendation on the integration of long-term unemployed into the labour market. In the context of economic growth (after 2014), activities have been carried out to improve the employability of people in this vulnerable group on the labour market, to facilitate the transition to employment and to prevent poverty and social exclusion. By including the long-term unemployed in training and subsequent employment at subsidised jobs and/or in the primary market, prerequisites have been created for their integration into the labour market.

In 2015, the implementation of the Programme for Training and Employment of Long-term Unemployed Persons, financed by the state budget, started. The Programme enables long-term unemployed persons of working age, registered in the Employment bureaus to acquire and build up knowledge and skills by participating in training and forming working habits. Since 2016, the Programme for Training and Employment of Long-term Unemployed Persons has been implemented in two components – for private sector employers, who create jobs in all sectors of the economy (under Component 1) and for public sector employers (under Component 2). Unemployed young people up to 29 years of age, unemployed persons over 50 years of age and persons subject to monthly social assistance are included with priority. The Programme is implemented on the territory of the whole country; **unemployed persons from regions with unemployment above the national average for the previous year are included with priority.**

The activities under the Program include the following:

- providing services to the target group such as psychological assistance, career counselling, vocational guidance, inclusion in job search studios, mediation to solve complex problems, removing long-term unemployed from the labour market etc., which are conducted by case managers and by the psychologists in the Directorate “Employment Bureaus”;
- motivation for active labour market behaviour for learning and searching for a job and successful presentation to an employer;

- organising and conducting training to acquire professional qualification from a training organisation, indicated by the employer, followed by subsidised employment or non-subsidised employment;
- providing subsidised full-time or part-time employment for up to 12 months in the private or public sectors;

The **National Programme “Assistants for People with Disabilities”**, included in the annual National Action Plans for Employment, was implemented during the period under review. The Programme is aimed at ensuring the employment of unemployed persons in activities related to improving the quality of life of people with permanent disabilities or seriously ill single people – “Personal Assistant” and “Social Assistant”. In 2017, the new Assistant Educator activity was launched to support the physical, social, emotional and intellectual development of children with disabilities.

The Social Assistance Agency through its territorial divisions – the Social Assistance Directorates – is the employer under the Programme. The Social Assistance Directorates identify those who most need the Assistant Educator Service, in accordance with the requirements of Article 9 of the Regulation on the Implementation of the Social Assistance Act.

The Programme provides full-time or part-time employment for unemployed. The state budget provides funds for the remuneration of the employees under the Programme and for the social security contributions due at the expense of the employer.

Legislative amendments made during the reporting period

In 2015, co-financing by the employers of the unemployed persons who are employed under employment promotion measures during the subsidised period was introduced.

- An amendment to the Law on Employment Promotion in 2015, introduced a new measure to encourage the **employment of unemployed persons with permanent disabilities and people from other disadvantaged groups in the primary labour market** through “outsourcing of supported employment services”. The law regulates the provision of targeted funds from the state budget under this measure to assist the unemployed persons from the target group for the purpose of starting work at non-subsidised jobs. Additional opportunities have been created to provide individualised, targeted and quality services to people with disabilities and other disadvantaged groups on the labour market in order to achieve permanent integration in the primary labour market. Registered private recruitment agencies can apply for a grant for each unemployed person with disabilities or a person from other disadvantaged groups on the labour market, referred by the EA unit, whom they have employed at a non-subsidised job for a minimum period of 12 months.

The selection of the contractor(s) for the supported employment shall be carried out in accordance with the Public Procurement Act. In 2017, funds from the state budget were provided for the supported employment services rendered to unemployed persons with permanent disabilities.

- In 2014, by amending the Vocational Education and Training Act in Bulgaria, the implementation of the dual system started as a specific form of vocational training. Dual learning is implemented in partnership between a training institution and specific employers, and ensures a more effective linking of vocational education and training with practice.

Amendments to the Law on Employment Promotion of December 2015 regulated the provision of financial incentives to employers who have created **jobs for work-based**

learning (dual learning). For a workplace created for dual learning for unemployed persons registered in the Directorate “Employment Bureaus”, employers are provided with remuneration to be paid to the trainee for the entire duration of the training, including for mentoring. For each person, funds are also provided to the training institution which is a partner in the dual training.

- In 2017, the Employment Agency has launched two new incentives to promote the employment of unemployed persons from vulnerable groups on the labour market. Employers are given the opportunity to use preferences financed by the state budget, respectively under the terms and conditions of Article 51(1) (encouraging employers to hire unemployed persons from disadvantaged groups on the labour market) and paragraph (2) (encouraging employers to hire unemployed persons with permanent disabilities) of the Law on Employment Promotion, which are provided in the form of state aid schemes in compliance with the requirements of Regulation (EU) No 651/2014 and the EU regulations. The subsidy granted to employers for having created jobs is for the time the person is working but for not less than 3 months and not more than 12 months.

Employers are granted state budget amounts of up to 75 % of the eligible costs for the subsidised period (wage and social security costs) for each created workplace where an unemployed person with permanent disability is hired and/or sums of up to 50 % of the eligible costs for the subsidised period (wage and social security costs) for each created workplace where an unemployed person with a continuously maintained registration of not less than 6 months is hired, an unemployed young person under the age of 24; an unemployed person of primary and lower education and/or an unemployed person over 50 years of age.

As an innovative approach, the EA has provided the “Job Search Workshop” service. The service is provided to all Directorates “Employment bureaus” in the country to extend the scope of the employment services offered to jobseekers. Through the Job Search Workshop jobseekers are given the opportunity to improve their job search and performance skills, incl. preparing documents for job application, interview with an employer, preparing his/her behavioural and career plan, etc. The Job Search Workshop provides the opportunity to respond to the person(s) need(s) identified at the meetings with labour mediators. Jobseekers can be directed either by their labour mediator or decide by themselves in which area to be assisted. The leading person of the Job Search Workshop is a psychologist or an employment mediator who has the necessary skills. When the Work Centre is operative, the Job Search Workshop is conducted at the Centre, with the Centre’s expert or a psychologist being the leading person of the Job Search Workshop. In cases where there is no operative Work Centre in the Directorate “Employment bureau”, the Job Search Workshop is held in a room for group work, where a labour mediator or a psychologist is the leading person. Referring the jobseeker to participate in the Job Search Workshop is done by entering it as a Participating in a group event step in the individual action plan.

Since 2014, case managers and psychologists appointed under the National Programme “Activating Non-Active Persons” (Component 4 “Psychological Support, Motivational Training and Counselling of Unemployed Persons”) have been providing support services in the Employment bureaus to unemployed persons. The *Case Manager* performs the function of an intermediary between people from vulnerable groups on the labour market and institutions that provide appropriate social, health, educational, and other services that effectively complement the mediation services provided by the Directorates “Employment bureau”. The psychologists in the Directorates “Employment bureau” provide specialised services, advice, and motivate and provide support to unemployed people from vulnerable groups on the labour market when seeking and starting work. Depending on individual needs and identified problems, psychologists provide the unemployed with one or more services: individual

counselling, psychological research, group counselling, joint consultations with other professionals.

The Employment Agency is currently piloting holistic profiling of jobseekers. For the needs of the EA, a new electronic module “**Personal profile of a jobseeker**” has been developed, which integrates tools for self-identification of the key competences possessed by the individuals and the possible development trainings in order to support their realisation on the labour market. The module gives clear expectations and opportunities for job-seekers to make better decisions about their career development. The aim is that the tools used will lead to better targeting of the services provided to individual groups of clients, preparation of an individual action plan and sustainable and effective activation.

In 2016, the main priority in the intermediary activities in the Directorates “Employment bureau” was to intensify the work of labour mediators with long-term unemployed and to attract new employers. In response to the Recommendation of the Council of the European Union on the integration of long-term unemployed into the labour market, in the beginning of 2016 a Methodological Handbook with guidelines for working with registered long-term unemployed persons was prepared. Job mediators assisted by psychologists and case managers perform activities to identify individuals at risk of falling into the long-term unemployed group, diagnosing and analyzing each person’s problems to clarify the reasons that keep them in a state of long-term unemployment and inactivity, analyse and update the individual action plans and outline work guidelines and actions to remove them from the long-term unemployed group.

The Employment Agency also applies innovative approaches to working with employers, including:

- Creating mobile teams for work with key employers in the second half of 2016 for the regions of the Regional Employment Service Directorate, Sofia and the regions of the Regional Employment Service Directorate, Plovdiv, which are a single point of contact and provision of services for this type of employers. Teams represent a type of individual employment mediator with regard to employers. In August 2017, the model was multiplied and applied in all Regional Employment Service Directorates based on the elaboration of the “Guidelines for Creation and Work of Task Forces to Work with Key and Systematically Relevant Employers”;
- conducting “*Employer Days*” – information meetings in the Directorates “Employment bureaus” to present employers to jobseekers. During the meetings, employers present companies’ activities, working conditions and workforce needs;
- *organising a meeting/information day of the type of “quick meeting”* between unemployed persons and employers, within which a specific company is presented and a discussion about the working conditions and the requirements for occupying certain positions is held. Quick 5-minute interviews are held as well as filing of documents/signing of a contract;
- organising and conducting periodic events with employers, social partners, local government representatives, private employment agencies, temporary employment agencies and non-governmental organisations to discuss employment opportunities for young people, long-term unemployed, people with disabilities and others;

An integrated approach to working with unemployed persons from vulnerable groups has been implemented since 2015. Joint Teams of EA and the Social Assistance Agency provide coordinated employment and social assistance services at the ***Centres for Employment and Social Assistance*** under *Project BG05M9OP001-3.002 Face to Face Services* of the **HRD OP 2014-2020**. The main objective is to improve coordination and interaction between the SAA and the EA through the implementation of a pilot model for joint integrated services for

the members of vulnerable groups and individualisation of services. Through the implementation of the project activities, a model of administrative integrated service is tested by providing and supporting the activities of the Employment and Social Support Centres which provide counselling, guidance and information to unemployed persons and persons receiving social benefits for employment for the purpose of employment and more opportunities for social inclusion through more active services reducing the period of social assistance. The model is pilot-tested in joint service centres across the country.

The data from the recent **net evaluation of the effect of the active labour market policy**⁵ shows that the participation of unemployed persons in measures and programmes for employment and training increases their chances of employment. The evaluation was carried out in 2017 in implementation of the project “Increasing the efficiency of the implemented employment policy” under the Operational Programme “Human Resources Development” 2014-2020. The programmes and measures for employment and training included in the National Employment Action Plan for 2015 were the subject of the evaluation. The results of the evaluation show a **significant improvement compared to the survey carried out in 2014**, namely that with estimated total gross effect of post-employment of 58.3% after the completion of the surveyed programmes and measures (against total effect of 47.4% of the survey conducted in 2014), a substitution effect of 0.6% (against 0.4% in 2014), a displacement effect of 4.1 (against 4.4% in 2014), and a “deadweight” effect, of 39.1 (against 29.6% in 2014), the **final net effect** is 14.5%. The measured net effect of the survey conducted in 2014 showed a total net effect of 13.2%. **The net effect analyses in 2014 and 2017 were conducted using one methodology and allowed a full comparison of the results.**

⁵ Published on the MLSP website in the “Employment” section, under “Strategies, research, reports” <https://www.mlsp.government.bg/index.php?section=POLICIESI&I=248&lang=>

Article 1(2) – Freely chosen work (non-discrimination, prohibition of forced labour, and other aspects)

“Article 1 – The right to work

With a view to ensuring the effective exercise of the right to work, the Parties undertake:

.....

2. to protect effectively the right of the worker to earn his living in an occupation freely entered upon;”

Conclusions 2016 of the European Committee of Social Rights

The Committee concluded that the situation in Bulgaria was not in line with Article 1(2) of the Charter on the grounds that:

- **the restrictions on the access of foreign nationals of countries that are Parties to the European Social Charter, other than the EEA countries, to public administration positions are excessive and therefore constitute discrimination on grounds of nationality.**

At the meeting of the Government Committee in May this year, Bulgaria was asked to include in this report information on the number of persons in the state administration, nationals of countries that are parties to the Charter and are not EU Member States or Parties to the EEA Agreement and the Swiss Confederation. The request is in connection with Article 1 – Right to engage in work, Paragraph 2 – Freely chosen work (non-discrimination, prohibition of forced labour, and other aspects), 1st aspect – Prohibition of discrimination in employment.

The Employment Agency informed that as of 09.08.2017 no applications were received from such persons for work in the state administration and the Employment Agency has not granted access to the labour market for such persons.

Attached to this report you can find the ORDINANCE ON THE APPLICATION OF THE CLASSIFIER OF ADMINISTRATIVE POSITIONS IN THE ADMINISTRATION, in Bulgarian and in English, requested by the Secretariat of the Committee.