

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**



16 December 2016

Case Document No. 2

University Women of Europe (UWE) v. Bulgaria
Complaint No 125/2016

**OBSERVATIONS BY THE GOVERNMENT
ON ADMISSIBILITY**

Registered at the Secretariat on 25 October 2016



REPRESENTATION PERMANENTE DE LA REPUBLIQUE DE BULGARIE
AUPRES DU CONSEIL DE L'EUROPE

Monsieur Henrik Kristensen
DGI-ESC

Strasbourg, le 25 Octobre 2016

University Women of Europe (UWE) c. Bulgarie
Réclamation n° 125/2016

Cher Monsieur Kristensen,

Je vous prie de bien vouloir trouver ci-joint la position du Gouvernement bulgare concernant la recevabilité de la Réclamation Collective n° 125/2016 **University Women of Europe** .

Je vous prie de croire, Monsieur Kristensen, à l'assurance de ma haute considération.

Amicalement,

Katya TODOROVA

Ambassadeur



**Position regarding the admissibility of Collective Complaint No. 125/2016
brought by University Women of Europe (UWE) against Bulgaria
under the European Social Charter (ESC) (revised)**

With regard to the admissibility of Collective Complaint No. 125 / 24 August 2016 brought by the international NGO University Women of Europe before the European Committee of Social Rights (ECSR) against Bulgaria, please find below our response:

1. University Women of Europe (UWE) is an international NGO which is made up of the European associations affiliated to Graduate Women International (GWI) – the successor of the International Federation of University Women (IFUW). The organisation is on the list of the Governmental Committee which has delegated it, for a period of 4 years starting from 1 January 2016, the powers to lodge collective complaints for violations of the European Social Charter.
2. The international NGO is competent in the field concerning the provisions of the European Social Charter cited in the complaint. According to Article 2 of the organisation's statute, the social purpose of UWE is:
 - a) to promote action consistent with the purpose of IFUW by encouraging cooperation between its European members at various levels and to enable them to collaborate with European International Organisations as well as to promote in Europe the programme of IFUW;
 - b) to participate in the progressive development of European Civil Society, by working to achieve the programmes of the Council of Europe and the European Women's Lobby and other European governmental and non-governmental organisations as is deemed appropriate by the aims and programmes of UWE;
 - c) to promote lifelong education, especially for women and girls.
3. The action is brought against a country – Bulgaria, to which the Charter applies and which has accepted the system of collective complaints. On 29 March 2000, the National Assembly of the Republic of Bulgaria passed the act ratifying the ESC (revised) which was promulgated in State Gazette, No. 30 / 11 April 2000. With the same act, on 7 June 2000 Bulgaria ratified the Additional Protocol of 9 November 1995, effective 1 August 2000, which enables bringing collective complaints.
4. The action indicates the extent, as seen by the applicant, to which the State has failed to apply ESC or has applied it inadequately, giving reasons in that regard.
5. The action has been lodged in writing and it specifies the name and contact information of the applicant organisation.
6. It is signed by a person authorised to represent the applicant organisation.
7. The action is drawn up in the French language which is one of the two official languages of the Council of Europe.
8. The action concerns provisions of the ESC (r) (Article 1, Article 4 § 3, Article 20) which Bulgaria has ratified, but it also makes reference to the 1998 Additional Protocol which our country has not signed or ratified. The applicant further points out to a violation of Article 4

of ESC (r) in its entirety. It should be noted in that regard that our country has made a declaration accepting paragraphs 2-5 of the above article, exclusive of paragraph 1, and, in that light and according to the admissibility criteria, the reference to provisions and acts which the party against which the action is lodged has not approved makes the action inadmissible.

In conclusion, we find the complaint inadmissible and we point out again that it refers to the non-fulfilment of provisions and acts which the Republic of Bulgaria has not approved.