

**COMMENTAIRES DU GOUVERNEMENT CONCERNANT LE RAPPORT
SUR LA BULGARIE**

ANNEXE

L'annexe qui suit ne fait pas partie de l'analyse et des propositions de l'ECRI concernant la situation en Bulgarie.

L'ECRI rappelle que l'analyse figurant dans son rapport sur la Bulgarie est datée du 20 juin 2008, et que tout développement intervenu ultérieurement n'y est pas pris en compte.

Conformément à la procédure pays-par-pays de l'ECRI, le projet de rapport de l'ECRI sur la Bulgarie a fait l'objet d'un dialogue confidentiel avec les autorités bulgares. Un certain nombre de leurs remarques ont été prises en compte par l'ECRI, qui les a intégrées à son rapport.

Cependant, à l'issue de ce dialogue, les autorités bulgares ont demandé à ce que leurs points de vue suivants soient reproduits en annexe du rapport de l'ECRI.

“Observations on the ECRI Fourth Report on Bulgaria

The Bulgarian authorities note positively that, including subsequent to the confidential dialogue, the present ECRI report provides a more realistic view with regard to various aspects of the human rights situation in Bulgaria (particularly in comparison with its previous Third Report).

In this context it is regrettable that some of the comments submitted on the Draft Fourth Report within the dialogue process have not been given due consideration by ECRI, as they would have further improved the quality of this report. Consequently, the Bulgarian authorities present the following observations aimed at addressing constructively remaining inaccuracies contained in the ECRI Fourth Report on Bulgaria.

Second paragraph of the Executive Summary:

- second sentence (and any subsequent similar sentences further in the report): It should be reiterated that there had **never been a policy of school "segregation"** – *de jure or de facto* - of Roma children in the national education system. The fact that in some neighbourhoods in certain towns particular schools were attended predominantly by pupils of Roma origin was an unintended consequence of the former administrative division of the school system. According to the rules valid for all children irrespective of their ethnic origin, admittance to any public school was linked administratively to the domicile of the family. In neighbourhoods where the population was predominantly of Roma origin, this system produced schools, attended predominantly by pupils of Roma origin. The system was abolished years ago and the authorities have taken special measures to rectify the situation. Therefore, the term "segregation" (incl. "de facto") with respect to Roma children is inaccurate.

- last sentence (and any subsequent similar sentences further in the report): Representatives of the Turkish community are members of the ruling parliamentary

coalition in Bulgaria since 2001. They occupy ministerial posts, posts of governors and vice-governors of regions and are also widely represented in municipal councils.

Third paragraph of the Executive Summary:

- last sentence (and any subsequent similar sentences further in the report): The use of firearms by police officers is strictly regulated in Bulgaria. Firearms are used exceptionally, as a last resort. However, the incidence of use of firearms in such circumstances is irrespective of the ethnic background of the persons against whom firearms may be used.

Fourth paragraph of the Executive Summary:

- third sentence (and any subsequent similar sentences further in the report): The provisions of the Criminal Code are “rarely applied” due to the fact that there are only very isolated instances of such crimes in Bulgarian society. This fact is supported by the compiled statistical data on criminal offences, which includes any racially motivated offences.

- last sentence (and subsequent similar sentences further in the report): The implementation of the Confessions Act has demonstrated that its provisions are fully in line with Article 9 of the European Convention on Human Rights.

Fifth paragraph of the Executive Summary:

- third sentence (and any subsequent similar sentences further in the report): A policy specifically designed to prevent Roma children being placed unnecessarily in establishments for children with disabilities has been introduced several years ago and is being successfully implemented ever since. Obviously, this policy will be continued.

- last sentence (and subsequent similar sentences further in the report): Bulgarian citizens, who identify themselves as Macedonians, enjoy fully and effectively all the rights and freedoms guaranteed to all Bulgarian citizens. These individuals do not face any problems which could be seen as specific only to them.

Sixth paragraph of the Executive Summary:

- second sentence (and any subsequent similar sentences further in the report): Comprehensive legislative, policy and practical measures have been taken for many years to prevent and combat any manifestations of intolerance and discrimination in all fields, including anti-Semitism.

Observations regarding issues raised and recommendations contained in the last three paragraphs of the Executive Summary are provided below with respect to the relevant parts of the Fourth Report.

With respect to paragraphs 3 & 6 of the Report (and in connection with the seventh paragraph of the Executive Summary): It will be recalled that it is a fundamental principle of public international law that the accession or non-accession to any particular international legal instrument is a sovereign choice of each State. Furthermore, the Constitution and the relevant legislation in Bulgaria guarantee full protection against discrimination to every person within its jurisdiction, irrespective of her/his nationality and/or ethnic affiliation, in accordance with internationally accepted standards.

With respect to paragraphs 7 - 10 of the Report: While noting that the contents of reports of other bodies should not normally be reproduced in ECRI country reports, and recalling further that opinions of the Venice Commission are of a non-binding nature, the authorities in Bulgaria

would draw attention to the relevant comments provided in response to the abovementioned opinion of the Venice Commission:

- The term "citizen" was employed in the Constitution of 1991 to emphasize that all individuals possess inherent dignity and rights, which are not granted and may not be taken away by the State; that the new Bulgarian State may not treat persons under its jurisdiction as "subjects" (as, unfortunately, was often in practice the case in pre-1989 authoritarian times). Consequently, the use of the term "citizen" was never intended to attempt to limit the scope of the international legal obligations assumed voluntarily by Bulgaria under the relevant international legal instruments. It may be recalled in this context, that Bulgaria is a party to all major United Nations conventions in the field of human rights and has been fulfilling its obligations fully and in good faith. Furthermore, pursuant to the provision of Article 5(4) of the Constitution of 1991, these legal instruments are part of domestic law. Consequently, the will of the legislator was perfectly obvious - that everyone within the jurisdiction of the Bulgarian State shall be secured the rights and freedoms as guaranteed by these conventions. Had this not been the case, as a minimum, the international legal instruments providing for the equal treatment of everyone, including foreigners, would not have been included in the domestic law.

- The non-inclusion of non-citizens who are not EU citizens in local elections is not in violation of any existing legal rule.

- The general principle of equal treatment/non-discrimination of all persons, including those belonging to minorities, is legally guaranteed and scrupulously observed in Bulgaria in all spheres. This has been the essential characteristic of Bulgaria's successful model of ethnic relations, based on the values of pluralist democracy and civil society. This model has withstood to pressure and has proved its value and sustainability "both in ordinary times and in times of "emergency". It is therefore of crucial importance to preserve and develop this model in accordance with its main principles.

- The Constitution of the Republic of Bulgaria expressly recognises the existence of religious, language and ethnic differences, respectively of bearers of such differences in Bulgaria. In its Decision No. 4 of 1992 the Constitutional Court recalled and reiterated this constitutional fact.

With respect to paragraphs 11 - 13 of the Report: The Constitutional Court of the Republic of Bulgaria has clearly defined the scope of Article 11(4) of the Constitution. The Court stated that Article 11(4) prohibits the existence of political parties, the membership of which is expressly limited by its articles of association to persons belonging to a particular racial, ethnic or religious group, irrespective of whether it is in a majority or in a minority. This provision does not contain limitations on - and consequently may not be used to prevent - any minority religious, ethnic or religious groups from "organising themselves at all". On the contrary, there are both political parties, the membership of which includes overwhelmingly persons, belonging to particular ethnic groups, and associations formed by persons, all of whom belong to a particular ethnic group. One of these parties is a partner in the current coalition government, and it was also one of the two parties that formed the previous government of Bulgaria. Therefore the provision of Article 11(4) could not be seen as being not in conformity with Article 11 of the ECHR or other relevant international legal obligations assumed by Bulgaria.

With respect to paragraphs 14 -16 of the Report: The principle of freedom of association is fully guaranteed by the Constitution and relevant legislation in Bulgaria to every person without discrimination in full conformity with our international legal obligations.

In this context it should be reiterated that the possible registration of any political party depends entirely on the initiative of the interested persons in conformity with the existing Bulgarian legislation. Consequently, there would be no obstacles for the registration of the said group as

a political party if all the formal requirements of the Political Parties Act in force are met. These requirements are clear and applicable to everyone without exception and/or discrimination.

It should be further recalled that Bulgaria has fully executed the judgment of the ECtHR on this case and that no obligation for the Bulgarian authorities to automatically (re)register UMO Ilindnen-PIRIN as a political party derives from the ECtHR judgment, nor does it contain any instruction for registration in case of a new application before the national court.

With respect to paragraphs 19 & 21 of the Report: It should be recalled that in Bulgaria the Constitution and the legislation in place explicitly prohibit discrimination on the grounds of religion or belief, and the State provides assistance aimed at promoting tolerance and respect among followers of different religions, as well as between believers and non-believers.

With regard to the appeal contesting the constitutionality of Sections 7 and 10 of the Act it would be recalled that it was justifiably dismissed by the Constitutional Court of the Republic of Bulgaria. In particular, the Constitutional Court observed that any existing difference is solely with respect to the conditions for acquisition of legal personality and does not affect either the free choice of religion or the right to practise such religion in a community.

In this context it should be emphasized that the Confessions Act is fully consistent with the international standards in the field of human rights. It is applied in full conformity with the relevant international legal obligations of the Republic of Bulgaria, including the International Covenant on Civil and Political Rights and the European Convention for Human Rights - i.e. in line also with the recommendations contained in Resolution 1390 of the Parliamentary Assembly.

With respect to paragraphs 22 – 25 of the Report: It would be recalled again that offences against national and racial equality are expressly criminalised in Chapter Three, Section I of the Special Part of the Criminal Code (CC). The principal characteristic of these offences, which are regulated in Article 162 and Article 163 of the CC, are the **racist or nationalist motives** of the perpetrators. The penal sanctions provided for offences against national and racial equality demonstrate that the legislator treats these offences as presenting a high degree of social danger.

The CC does not expressly provide for a racist motivation in respect of all types of offences, yet the provisions of the General Part of the CC expressly state that in determining the penal sanction, the court takes into consideration, *inter alia*, **the motives** for the commission of the act (Article 54 (1) of the CC), including possible racist motives. Besides, in case of so-called “ideal cumulation”, an offence against national and racial equality may have been perpetrated simultaneously with another offence provided for in the Special Part of the CC. The principles of determination of the penal sanction are also essential, where the court takes into account, along with the mitigating and aggravating circumstances, also the motives for commission of the crime. Where it is established that the motivation for the commission of a particular offence is racist, this in all cases is considered as an aggravating circumstance.

Consequently, the existing legal framework is sufficient with regard to considering the racist motivation as an aggravating circumstance in respect of any offence.

With respect to paragraphs 31 & 32 of the Report: As evident also from the preceding paragraphs, everything necessary is being done by the authorities both to inform the public, including persons belonging to any ethnic and religious minority groups, about the content and scope of the Protection Against Discrimination Act.

Likewise, appropriate training in racial discrimination issues is being provided. The subject of human rights is present in all full-time curricula of the National Institute of Justice (NIJ) for initial

and continuing training of magistrates. They include a training module concerning Article 14 of the ECHR (prohibition of discrimination) and the related Bulgarian legislation and case law. At the end of 2007 the NIJ published and circulated to all judicial authorities a practical guide entitled "Application of Fundamental Rights by the Courts", which is also freely accessible on the Internet site of the NIJ.

In addition, the NIJ took part in the compilation of a collection of "Case Law Regarding the Application of the Act on the Protection of Discrimination," prepared on the initiative of the Commission for Protection against Discrimination including for distribution among all magistrates.

With respect to paragraph 36, third sentence, of the Report: Unfortunately, this "opinion" may be indicative of the quality of such contributions more generally. It will, however, be recalled that the separation of powers in the Republic of Bulgaria is a fundamental constitutional principle. Therefore, the presence of former members of Parliament, who are recognised experts in issues relating to discrimination, among the members of the CPD, could in no way "limit" its independence with regard to the executive.

With respect to paragraphs 37 & 38 of the Report: The authorities are providing all the necessary resources in order to ensure the effective functioning of the Commission for Protection against Discrimination and are committed to continue to do so in the future. This is sufficiently evident also from the preceding paragraphs of the report itself.

With respect to paragraph 41 of the Report: The responsibilities of the National Council for Co-operation on Ethnic and Demographic Issues, ensuring wide powers in all relevant areas, are clearly established in its Statute, approved by the Council of Ministers of the Republic of Bulgaria.

With respect to paragraph 43 of the Report: As already stated above with respect to the Second paragraph of the Executive Summary, there had **never been a policy of school "segregation"** – *de jure* or *de facto* - of Roma children in the national education system. Therefore, the term "segregation" (incl. "de facto") with respect to Roma children is inaccurate.

With regard to the seventh sentence of the paragraph, the suggestion that less financial and human resources are allocated for schools attended predominantly by pupils of Roma origin clearly does not correspond to the facts. In Bulgaria there is a uniform standard of maintenance per pupil, consequently the amount of the state subsidy that the schools receive depends exclusively on the numbers of pupils enrolled.

With respect to paragraph 45 of the Report:

- fifth sentence: the idea that the impact of the – indeed "numerous" - programmes and action plans implemented by the Government "has not been seen" clearly contradicts the facts. All the available data indicates that there has been substantial progress in this respect.

- last sentence: the fact that there is a direct connection between the unemployment rate among the Roma community and certain educational problems facing the Roma is very well known to the authorities. As already indicated in the observations on the ECRI Third Report on Bulgaria, the problems encountered by many members of the Roma communities in Central and Eastern Europe, including Bulgaria, are mainly socio-economic in nature. The authorities in Bulgaria are aware of the magnitude of these problems and have identified its root causes.

On the basis of careful analysis of the various aspects of the situation of the Roma community in Bulgaria since its transition to a market economy, the Bulgarian authorities have elaborated

and are implementing a series of measures aimed at addressing the problems of the members of the Roma community in a comprehensive manner. This includes employment and education.

With respect to paragraphs 47 - 50 of the Report: The authorities have already been implementing all the measures (also recommended by ECRI) for many years.

With respect to paragraphs 51 - 53 of the Report: As already stated above in our observations (with respect to the Fifth paragraph of the Executive Summary), a policy specifically designed to prevent Roma children being placed unnecessarily in establishments for children with disabilities has been introduced several years ago and is being successfully implemented ever since. Obviously, this policy will be continued.

With respect to paragraphs 61 – 64, 68 and 73 - 75 of the Report: The authorities have already been implementing the measures (also recommended by ECRI), most of them for many years.

It should however be observed that there is no segregation in the area of health care in Bulgaria. The Constitution and relevant legislation expressly prohibit discrimination on any grounds.

It will be further recalled that it was clarified in the relevant extensive observations on the ECRI Third Report (2004), that the Bulgarian Government has for many years been consistently implementing concrete measures to effectively address the socio-economic problems of the Roma community, including equal access to education, employment, health care, improvement of housing conditions etc. This should also be evident from the relevant facts contained in the ECRI Fourth Report.

With respect to paragraphs 76 - 78 of the Report: For the purpose of popularising access to legal aid among a broader range of persons - socially disadvantaged persons, persons belonging to ethnic minority groups etc., the National Legal Aid Office (NLAO) has published a brochure containing information on the status and functions of the Office, the criteria, procedure and terms for provision of free legal aid, and the types of cases on which legal aid is available. The brochure has been circulated to the Social Assistance Directorates under the Agency for Social Assistance so as to familiarise the officials of these structures with the activity of the NLAO and their obligations under the Legal Aid Act, as well as to inform the socially disadvantaged persons of the possibilities for access to legal aid. The brochure will also be distributed to the specialised institutions providing social services so as to familiarise the persons placed in such institutions with the possibilities for access to legal aid.

The NLAO is also popularising access to legal aid through publication of information items in the press, as well as through oral advice on site at the office.

The public nature of the National Legal Aid Register, which is kept by the NLAO, enables all persons, who are eligible for the provision of legal aid, to choose and appoint an assigned counsel on their own.

Through joint seminars, meetings and information materials provided to all specialised state bodies, the State Agency for Refugees, the State Agency for Child Protection, the Commission for Protection against Discrimination and non-governmental organisations of the minorities, the Bulgarian Helsinki Committee etc., the NLAO ensures a possibility for access to legal aid to each person who meets the eligibility requirements under the LAA to be provided with such aid.

Furthermore, the facts contained in paragraph 77 itself obviously indicate that the “information” - from unidentified sources - suggesting that the system “does not work well”, is incorrect. Likewise, it is completely unclear how these unidentified sources have decided that only 10-15

lawyers “specialized in discrimination issues” exist among the thousands legal practitioners in Bulgaria.

With respect to paragraphs 79 - 85 of the Report: In Bulgaria the law expressly requires from the state media (BNR and BNT) to promote mutual understanding and tolerance among the people with their programmes and not to allow any broadcasts which could incite intolerance among the citizens or hatred on the ground of race, sex, religion or national origin. Media, which violate these legal obligations, are sanctioned in accordance with the law.

It will be further recalled that there are no legal restrictions in Bulgaria regarding the access of persons belonging to any ethnic, religious or linguistic minority groups to the media, All necessary measures have been taken to ensure access to the media and encourage the promotion of tolerance and cultural pluralism in the media and the promotion of cultural diversity has been established as a basic principle of national policy in the field of culture.

Likewise, in the Republic of Bulgaria the right of all citizens, irrespective of their ethnic affiliation, religion and language, to partake in the decision-making processes and mechanisms is fully guaranteed. Concretely, participation in political life is constitutionally guaranteed to all Bulgarian citizens, irrespective of their ethnic affiliation. Therefore, the level of participation depends solely on the will of the interested individuals.

As for employment to such bodies as the police and the judiciary, recruitment is based solely on relevant qualifications and not on ethnic affiliation. Any discrimination, including on grounds of ethnicity, is expressly prohibited.

Any person, who believes that he/she has been the victim of discrimination, including with respect to employment, may seek to defend her/his rights in accordance with the law – through the courts, the Commission for Protection against Discrimination or the intervention of the Ombudsman.

With respect to paragraph 88 of the Report: It would be recalled that in Bulgaria equal access to education is constitutionally guaranteed to all persons, irrespective of their ethnic affiliation. Regarding employment, as mentioned, recruitment is based solely on relevant qualifications and any discrimination, including on grounds of ethnicity, is expressly prohibited. (See also preceding comment).

With respect to paragraphs 92 & 94 of the Report: As mentioned, the provisions of the Criminal Code concerning incitement to racial or religious hatred are strictly applied.

With respect to paragraphs 95 - 97 of the Report: Ethnic identity in Bulgaria is a matter of free personal choice. Furthermore, Article 6 (2) of the Constitution of Bulgaria stipulates that “There shall be no privileges or restrictions of rights on the grounds of race, nationality, ethnic self-identity, sex, origin, religion, education, opinion, political affiliation, personal or social status or property status”.

The existence of Bulgarian citizens, who identify themselves as Macedonians, has been duly reflected in the official results of the 2001 national census – a total of 5,071 individuals as at 1 March 2001. This obvious fact does not require any further special act of acknowledgement by the Bulgarian state.

As confirmed by the Constitutional Court of Bulgaria (ref.: Judgements № 4 of 21 April 1992; № 2 of 8 February 1998) the Constitution of the Republic of Bulgaria expressly recognises the existence of ethnic, religious and linguistic diversity in the country. However, Bulgarian law does not utilize the term “national minority”, neither does a definition of this term exist in international law. Consequently, while the Bulgarian state recognises the existence of ethnic,

religious and linguistic diversity in the country, including persons who identify themselves as Macedonians, it could not afford “greater recognition” to anyone specifically as a “national” minority.

It should also be reiterated that those 5,071 individuals enjoy fully and effectively all the rights and freedoms guaranteed to all Bulgarian citizens.

With respect to paragraphs 98 - 101 of the Report: There are Bulgarian-speaking Muslims in Bulgaria (referred to as “Pomaks” in the Report). During the national census of 2001, conducted in conformity with the highest international standards, where every individual could declare her/his ethnic self-identity according with their own free choice, 49,764 individuals identified themselves as Muslim Bulgarians – “българи – мохамедани”. This fact was duly reflected in the official results of the 2001 national census. Consequently, the “separate identity” of these persons is clearly recognised.

There have been no reports indicating the existence of discrimination against the Bulgarian-speaking Muslims. Furthermore, the existing provisions in Bulgaria's legislation, expressly prohibiting discrimination on the basis of religion, are rigorously enforced.

(See also relevant comments with respect to paragraphs 79 to 97 of the Report above.)

With respect to paragraphs 105 - 107 of the Report: The importance of forming positive attitudes towards fellow-citizens belonging to any ethnic group, and of addressing any prejudices in this regard, is well recognized in Bulgarian society. As mentioned above, particularly with respect to paragraphs 79 – 85, all necessary measures have been taken to encourage the promotion of tolerance and cultural pluralism in the media.

It should also be noted that members of the Electronic Media Council are generally well aware of all issues pertaining to racism and incitement to racial hatred.

With respect to paragraphs 108 & 109 of the Report: It will be emphasized that in Bulgaria the legislation on incitement to racial hatred is applied strictly to every person under its jurisdiction and that the TV channel in question has been sanctioned.

With respect to paragraphs 111 - 113 of the Report: The Bulgarian authorities closely monitor **all** alleged acts of a racist nature against **any person** under their jurisdiction, without discrimination, and punish any such acts.

With respect to paragraphs 115 - 116 of the Report: It will be recalled that the Bulgarian authorities consistently combat stereotypes and prejudices, if and when such are manifested against persons belonging to **any** ethnic, religious or linguistic minority. The Bulgarian authorities closely monitor **all** alleged manifestations of racism and intolerance against **any person** under their jurisdiction, without discrimination, and, if necessary, resolutely take steps to punish such acts.

With respect to paragraph 120 of the Report: As already mentioned in the observations on the ECRI Third Report on Bulgaria, manifestations of anti-Semitism are practically non-existent in Bulgaria. However, the Bulgarian authorities consistently give high priority to preventing and combating anti-Semitism and have taken all necessary measures to counter any such manifestation, whatever its possible origin.

With respect to paragraphs 125 - 127 of the Report: The authorities have already been implementing these measures (also recommended by ECRI).

With respect to paragraph 128 of the Report: The Bulgarian authorities note that the State Agency for Refugees does not have on record any case of assault on applicants for refugee status or refugees at the “detention centres.” In principle, these centres are under the jurisdiction of the Ministry of Interior and access to them is controlled with regard to outsiders.

With respect to paragraphs 132 & 133 of the Report: As already mentioned, the Bulgarian authorities combat **all** acts of discrimination and intolerance, including any such possible acts directed against immigrants. The competent authorities in Bulgaria have not received reports indicating specifically the existence of manifestations of racism and intolerance on the part of the public towards immigrants, refugees or asylum seekers. The authorities are obviously aware of the existence of certain stereotypes and prejudices, which could sometimes lead to acts of discrimination. However, these are isolated acts. The competent authorities are by no means passive in the face of such acts and **do** combat and punish them.

With respect to paragraphs 135 - 138 of the Report: In addition to the many measures described in the report, a Human Rights and Police Ethics Discussion Club is established, in which faculty and trainees will participate on a voluntary basis. The idea of this club is to provide a venue for examination and analysis of particular judgments of the European Court of Human Rights so as to maintain a closer contact with representatives of non-governmental organisations active in the sphere of human rights.

With respect to paragraphs 139 & 142 of the Report: The Bulgarian authorities reiterate that in **all** cases involving supposed violations of the law by the police forces, inquiries are conducted and where these violations have been proved, the perpetrators and where necessary - their immediate superiors, are sanctioned. Thus, as previously noted also by ECRI, there are numerous cases of police officers having been dismissed from the police after they had been proven guilty of such violations. Moreover, when the facts of an inquiry indicate that a crime has possibly been committed all the collected materials are submitted to the Prosecutor’s office for further action. This is the mandatory procedure, which is followed without exception, irrespective of the ethnic self-identification of the victims of the alleged violations. In addition, the necessary practical measures are also taken by the Ministry of the Interior in order to eliminate the root causes of such violations and prevent their recurrence in the future. For instance, a special registration system for complaints of alleged ill treatment by police officers has been introduced and is closely monitored.

The competent authorities in Bulgaria are prepared to take appropriate action if concrete facts are presented to them, which would demonstrate that persons belonging to any minority groups are deliberately singled out for ill-treatment by the police.

With respect to paragraph 145 of the Report: In appointments of personnel within the Ministry of Interior system, there are no privileges based on gender, ethnic identity or religion. This approach conforms to Article 6 (2) of the Constitution of the Republic of Bulgaria, according to which no privileges whatsoever are admissible on the basis of race, nationality, ethnic identity, sex, origin, religion, education, convictions, political affiliation, personal and social status, or property status. Therefore, upon appointment of personnel in the Ministry of Interior system, no privileges may be introduced with regard to gender, ethnic identity or religion.

According to Article 168 of the Ministry of Interior Act, entry into civil service at the Ministry of Interior and the professional development of personnel is based on the principles of transparency, public openness, clear and precise criteria and procedural rules for appointment, competition, prohibition of discrimination, and equal opportunities.

When national competitive examinations are to be held, the Ministry of Interior applies an active communication policy, through which the public is informed of the vacant positions and the eligibility conditions which applicants for them must meet. This policy of transparency and

objectivity makes it possible for every Bulgarian citizen to apply for work at the Ministry of Interior, regardless of her/his ethnic affiliation.

With respect to paragraph 148 of the Report: It would be recalled again that all the essential information (gender, property status, level of education, employment, etc., etc.) with respect to all persons residing in the territory of Bulgaria, including those individuals, who freely identified themselves as belonging to a minority group, was collected during the national census of 2001. Furthermore, this information is being utilised in the decision-making process by the authorities in Bulgaria. On the basis of this information the Government elaborated different programmes in the field of employment, education, training, social services etc., which are currently being implemented. Some of these programmes contain special measures aimed at addressing the specific needs of persons belonging to particular minority groups.”