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**ADVISORY COMMITTEE ON THE  
FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

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## **Fifth Report submitted by Bulgaria**

**Pursuant to Article 25, paragraph 2 of the Framework  
Convention for the Protection of National Minorities –  
received on 22 October 2021**



**REPUBLIC OF BULGARIA**

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**FIFTH REPORT OF THE REPUBLIC OF BULGARIA  
PURSUANT TO ART. 25 (2) OF THE FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

**Sofia, October 2021**

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## **I. Introduction**

The Republic of Bulgaria is a party to all major international legal instruments in the field of human rights. The State consistently fulfils its commitments in order to ensure full protection and realisation of human rights on its territory. This fully applies to the Council of Europe Framework Convention for the Protection of National Minorities (hereinafter "the Framework Convention"). The Republic of Bulgaria ratified the Framework Convention on 7 May 1999, and it entered into force on 1 September 1999.

The first national report was submitted in accordance with the provisions of the Framework Convention on 9 April 2003. At the moment, the Republic of Bulgaria presents its Fifth National Report in accordance with the provisions of Art. 25 (2) of the Framework Convention.

The fourth resolution CM/ResCMN(2021)1 on the implementation of the Framework Convention was adopted on 13 January 2021, during the 1392<sup>nd</sup> meeting of the Committee of Ministers of the Council of Europe. The Republic of Bulgaria carefully familiarised itself with the fourth opinion of the Advisory Committee to the Framework Convention, as well as with the adopted resolution.

Taking into account the recommendations made to the State, as well as the rules for the preparation of national reports within the fifth monitoring cycle, the Ministry of Foreign Affairs prepared the Fifth National Report on the Implementation of the Framework Convention with the assistance of the National Council for Cooperation on Ethnic and Integration Issues, the Ministry of Interior, the Ministry of Justice, the Ministry of Education and Science, the Ministry of Culture, the Ministry of Labour and Social Policy, the Ministry of Regional Development and Public Works, the Supreme Prosecutor's Office of Cassation, the National Commission for Combating Trafficking in Human Beings, the National Statistical Institute, the Council for Electronic Media and the Commission for Protection against Discrimination.

The current report presents Bulgaria's efforts, latest developments and achievements in the implementation of the Framework Convention. The draft report was consulted with the above listed institutions and sent for information to the Ombudsman of the Republic of Bulgaria. The policies of the Republic of Bulgaria to achieve the objectives of the Framework Convention during the last reporting period marked significant progress, particularly in the field of culture and education.

The information in the report covers the period from the submission of the Fourth National Report, more specifically from December 2017, until August 2021.

## **II. Practical measures taken at national level to disseminate the results of the fourth monitoring cycle of the FCNM**

On the website of the National Council for Cooperation on Ethnic and Integration Issues (NCCEII) at the Council of Ministers there is a specially created section dedicated to the

Framework Convention for the Protection of National Minorities<sup>1</sup> (FCNM). After the end of the fourth monitoring cycle for Bulgaria, information about its results was published in this section. The information, in addition to a brief overview of the Fourth Report of Bulgaria, also contains a reference to the opinion of FCNM's Advisory Committee.

Although the emergency measures taken to limit the spread of the coronavirus pandemic coincided in time with the preparation of the Fifth National Report under the Framework Convention, during its meetings with civil society representatives, the NCCEII discussed the implementation of this international act. The talks were part of the discussions on the preparation of the draft National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation 2021-2030.

The NCCEII also discussed in advance the information on the fifth monitoring cycle of implementation of the Framework Convention with representatives of the civil society.

### **III. Measures taken in response to the recommendations of the Committee of Ministers requiring immediate implementation**

#### **1. Recommendation no. 1 of the Resolution**

*"Develop, adopt, implement and regularly evaluate, with the effective participation of members of the Roma communities and other stakeholders, a comprehensive new Strategy for Roma inclusion for 2021 onwards."*

The preparation of the draft National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation 2021-2030 began in 2019. During the preparation of the draft, NCCEII organised discussions with many stakeholders, observing the following work principles:

- partnership and teamwork for reaching of an agreement, sharing information, knowledge and ideas;
- consultation and coordination with all stakeholders, including civil society organisations and institutions;
- public disclosure, transparency and civic participation through wide-ranging public discussions, forums and working groups.

The process of Strategy development is structured in three stages.

The first stage includes the preparation of a report and analysis by the Bulgarian Academy of Sciences for the purpose of determining the progress and helping the evaluation of the integration policies targeting the Roma in Bulgaria for the period 2012 - 2019, as well as analysis and evaluation of the implementation of the Strategy for the previous period. The information that has been used is available in the System for Monitoring, Evaluation and Control<sup>2</sup> of the National Roma Strategy, as well as data from consultations with the civil sector, including three discussions with some of the most active Roma organisations.

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<sup>1</sup> This section is available at: <http://www.nccedi.government.bg/bg/node/186>

<sup>2</sup> Publicly available at: <https://nrcpsystem.government.bg>

The results and recommendations of the analysis served as a basis for the development of the Strategy. They were presented to the competent institutions in July, 2020 for consideration and preparation of the goals and measures in the Strategy as well as an Action Plan.

The second stage involves the actual preparation. The report was disseminated to various relevant agencies to take into account its conclusions before engaging in the preparation of the draft National Strategy. During this stage, the NCCEII Secretariat, through its participation in the regular meetings of the National Contact Points in Brussels, also took into account the guidelines of the Directorate-General for Justice and Consumers of the European Commission. Subsequently, the draft strategy was sent to the Commission for Implementation of the National Strategy for Roma Integration (2012-2020) for proposals and further discussion.

The third stage envisages conducting public consultations and promotion campaigns in order to achieve comprehensive involvement of all stakeholders in the process of the preparation of the draft National Strategy. In this regard, the following were held:

- 13 meetings within the "TEAM2 - Together we achieve more" project, funded by the "Rights, Equality and Citizenship" (2014-2020) programme of the European Commission with the participation of representatives of relevant ministries, regional administrations, local authorities, mediators, regional experts on ethnic and integration issues, teachers, academics, Roma activists, civil society representatives from various NGOs;
- 6 additional meetings with the participation of the Bulgarian Commission for Protection against Discrimination, together with civil society organisations;
- 3 sessions of public online consultations<sup>3</sup> through the official Portal for public consultations, as well as through the official website of NCCEII<sup>4</sup>

In the course of the draft Strategy preparation, with Order no. P-32/5.03.2021 of the Deputy Chairman and Chairman of NCCEII, an Interdepartmental Expert Working Group was established with the participation of representatives of institutions and civil society organisations. The working group prepared a draft National Strategy of the Republic of Bulgaria for Equality, Inclusion and Participation of the Roma 2021-2030, based on the version of the Strategy reflecting the notes and comments of the public consultations. The main priorities of the Strategy 2021-2030 were presented at a number of public events, including a round table on the National Strategy for Combating Discrimination in the Labour Market, organised by the Commission for Protection against Discrimination, an online National Round Table of the "Integro" Association as part of an international project to combat anti-Roma discrimination, etc.

The public consultation, as well as the guidelines for the development of the Action Plan were also presented at a meeting of the National Roma Youth Platform, organised by Roma Youth

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<sup>3</sup> The public consultation on the draft National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation 2021-2030 can be followed at: <https://strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=5708>

<sup>4</sup> The information is published at: <http://www.nccedi.government.bg/bg/node/383>

Voices in cooperation with Arete Youth Foundation - Bulgaria, the Centre for Interethnic Dialogue and Tolerance “Amalipe” and the Permanent Roma Conference, on 29 January 2021. The event was marked by the strong interest towards the discussed documents.

The delay in the adoption of the new National Strategy is also due to two rounds of extraordinary parliamentary elections in Bulgaria, after the impossibility for forming a government from the 45th National Assembly, elected on 4 April 2021 and the 46<sup>th</sup> National Assembly, elected on 11 July 2021. It is expected that after the successful formation of an elected government, the next strategic document on Roma issues will be adopted.

*"The authorities should continue prioritising access to education for Roma children, extend the education mediators programme and combat segregation."*

*Access to education: inclusive policies*

The inclusion into the education system of children of compulsory pre-school and school age, as well as the ensuring of equal access to education for all citizens of the Republic of Bulgaria, including Roma children, is a major priority in the work of every Bulgarian government. The Ministry of Education and Science (MES) is directly involved in this process. The inclusive education is a priority policy, which in the context of the Pre-school and School Education Act, guarantees the implementation of a differentiated and individualised approach towards each child according to his/her needs, abilities and interests, regardless of his/her ethnicity. This facilitates the implementation of inclusion policies in which the education system is flexible and adapts to the needs of the children, including those from vulnerable groups, including Roma, instead of requiring the children to adapt to the system.

The Republic of Bulgaria has developed several programme tools relating to the inclusive educational policies. In addition to the National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation 2021-2030, an important document is the Strategic Framework for the Development of Education, Training and Learning in the Republic of Bulgaria (2021-2030)<sup>5</sup>, adopted by the Council of Ministers on 24 February 2021. It guarantees the fulfilment of the commitments undertaken by the Republic of Bulgaria under international legal instruments in the field of human rights.

The Centre for Educational Integration of Children and Students from Ethnic Minorities (CEICSEM) also supports the policies of the Ministry of Education and Science to promote cultural diversity, prevent discrimination and foster tolerance.

The pre-school and school education system applies a new approach to children of compulsory school age, including those of Roma origin, while it also aims at prevention of the early school dropout.

In order to overcome the latter problem, with Decree no. 100 of 08.06.2018, amended with CMD no. 259/14.10.2019, a special permanent Mechanism for joint work of the institutions for coverage, inclusion and prevention of dropping out of the education system of children

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<sup>5</sup> More information on the Strategic Framework can be found at: <https://www.mon.bg/bg/143>

and students of compulsory pre-school and school age (hereinafter referred to as "Mechanism") was introduced.

This Mechanism regulates the functions of the individual institutions at national, regional and municipal level as well as the activities of the outreach teams in the process of searching for and including the children of pre-school and school age not enrolled in the education system. The measures apply to all children, regardless of their ethnic origin, citizenship and nationality, as well as to stateless children, regardless of their usual place of residence. The regional departments of education and the individual institutions responsible for pre-school and school education, the mayors of the municipalities and the municipal administration are included in the mentioned Mechanism. The employees of the Ministry of Interior also actively participate in the activities under the Mechanism.

The joint efforts of the outreach teams along with the parents/family environment have a leading role in this process. The outreach teams include representatives of the regional education departments, of the relevant institutions in the system of pre-school and school education from their respective region, of the respective municipality, of the respective Social Assistance Directorate and of the respective regional directorate/district administration of the Ministry of Interior. They take measures for the inclusion into the education system of the identified children and students in compulsory pre-school and school age. The teams also participate in the analysis of the results of the implementation of measures regarding each child and student identified as not covered, as having dropped out or as threatened by dropping out of the education system, and interact directly with the parents, guardians or carers of the kid. In the course of these activities, the teams attract and work with mediators and local communities.

In connection with the implementation of effective measures for education inclusion of children and students from vulnerable groups, including Roma, with the amended Ordinance on inclusive education, adopted by Decree no. 232 of the Council of Ministers, prom. SG, no. 86 of 27.10.2017, as amended, no. 105 of 18.12.2018, the number of pedagogical situations by modules for teaching the Bulgarian language in the groups for pre-school preparation for 5- and 6-year-old children, for whom Bulgarian is not their mother tongue, has been increased, in order to equalise their initial opportunities with those of other children.

The number of hours for the compulsory additional education in the subject Bulgarian Language and Literature as well as in other subjects for students for whom the Bulgarian language is not their mother tongue, has also been increased and the education can also be conducted over the holidays if necessary. The hours for additional study in subjects for students who have gaps or difficulties in mastering the curriculum have also been increased, while this type of support is also available for students for whom this approach is recommended.

In addition, an Information System under the Mechanism has been established, containing a database for its functioning, as well as for ensuring the exchange of information and coordination between the persons and institutions involved.



*Statistics with respect to children and students under 18 years of age in the education system*

School year	Children returned to the education system	Re-dropped (not contained) children	Newly dropped out from the education system	Balance
2017/18	21 917	1 221	14 058	6 638
2018/19	19 077	822	5 210	13 045
2019/2020	11 110	343	3 718	7 049
2020/2021	9 630	279	2 313	7 038
<b>Total values for the period 2017-2021</b>	<b>61 734</b>	<b>2 665</b>	<b>25 299</b>	<b>33 770</b>

From the above data it is evident that since the beginning of the operation of the Mechanism until now, the outreach teams have returned back to the schools and kindergartens or have enrolled for the first time 61,734 children and students, while 2,665 of them have not been retained and new 25 299 individuals have dropped out. However, for the whole period of the functioning of the Mechanism, the balance is positive.

In 2018, an amendment was made to Ordinance no. 10 of 01.09.2016, relating to the organisation of the school education activities. As a result, the work of municipalities in the field of integration of vulnerable groups, including Roma, has been facilitated. The amendments allow the municipalities to direct children whose mother tongue is not Bulgarian, including persons of Roma origin, to schools designated by them at the request of the parents and under conditions and order determined by the municipality. This is a measure that has a positive impact on the effectiveness of educational integration policies.

The efforts to implement the Mechanism from 2020 on are aimed at overcoming the effects of the COVID-19 pandemic. Measures have been implemented to help schools in providing additional methodological and technical support to students belonging to vulnerable groups and socially disadvantaged families, as well as to adapt the interaction between institutions on the implementation of targeted measures for prevention of isolation of children and students from vulnerable groups from the educational process, including those of Roma origin.

During the COVID-19 pandemic, information technology became a key factor in the newly created distance learning environment. From the very beginning of the epidemic situation, the Ministry of Education and Science has taken concrete measures aimed at simultaneously minimising the negative consequences on the education system. Efforts were also invested into planning and implementing medium-term measures that would visibly increase distance learning opportunities, as well as into ensuring the full use of modern technologies, including in the normal learning process. The identified issues, due to which some students in the country initially remained partially isolated from the education process - the lack of Internet access and the lack of electronic devices through which they can connect to virtual classrooms, have been overcome to a great extent.

*Access to education: achieving social equality*

Since 2017 the Ministry of Education and Science has been making active and consistent efforts to provide and maintain the conditions for inclusive education and differentiated care for children and students, including those from vulnerable groups, by compensating existing learning difficulties leading to the accumulation of knowledge gaps and subsequent lagging in education, lack of motivation and inability to complete a school grade, a stage or an education level.

The implementation of specific measures to encourage participation in the education process depends on the, so-called, criteria for vulnerable groups. These are formed on the basis of indicators for risk factors. One of them is the low or missing education status of the parents, which measures the percentage of those who have lower than secondary or primary education. The related unfavourable realisation on the labour market, as well as the subsequent danger of social exclusion, are considered risk factors in the context of the need to trigger special measures regarding the inclusion of children in the education system.

With the funds of the programme implemented by the Ministry of Education and Science, financed by the financial mechanism of the European Economic Programme "Local Development, Poverty Reduction and Improved Inclusion of Vulnerable Groups", the efforts are focused on the strengthening of the economic and social cohesion, particularly in order to support the social and economic development of disadvantaged municipalities, to improve the social inclusion of children and young people, as well as to create better factors for Roma inclusion.

Systematic efforts are being made to further develop the potential of students, including those whose mother tongue is different from Bulgarian and who do not speak the Bulgarian language. It should be noted that the insufficient command of the Bulgarian language significantly hinders not only the good performance of children and students, but also the achievement of wider opportunities for the realisation of children and students from vulnerable groups. As a result of the measures for outreach and inclusion of children and students at the primary and pre-high school stage, in the long run, there is an expectation for an increase of the number of successful completions of the first and second high school stage.

The amount of funds for the work with children and students from vulnerable groups has been significantly increased, as through the state budget for 2019 alone BGN 25,307,800<sup>6</sup> have been provided for the work with children and students from vulnerable groups. These funds are being provided not only in the primary and pre-high school stage, but also in the high school stage as well, including in vocational schools. The amount of additional funds for work with children and students from vulnerable groups in 2020 is BGN 29,114,334. In 2021, a total of 455 kindergartens, 908 general education schools and 152 vocational high schools will be able to use the additional funds, which are 30% higher in comparison to 2018 and amount to BGN 30,651,041.

The implementation of measures since 2018, aimed at educational institutions with a concentration of children and students from vulnerable groups, allowed for the allocation of additional resources by the state to kindergartens and schools attended mainly by Roma

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<sup>6</sup> According to the fixed exchange rate, the value of BGN 1 is equal to EUR 0.51.

children, as well as helped to improve the conditions for conducting the education process in them.

Decision no. 172 of 29 March 2019 of the Council of Ministers gave approval to the National Programme “Support of Municipalities for the Implementation of Activities for Educational Desegregation”. The aim is to provide the municipalities with funds for equal access to quality education for children in compulsory pre-school education and students attending the relevant educational institutions, through the implementation of an inclusive education process. Among the main goals of the programme are:

- Realisation of activities in hosting educational institutions with the purpose of providing inclusive educational environment that encourages mutual communication among children in compulsory pre-school education, students, parents and pedagogical specialists;
- Institutionalisation of the educational mediators’ activities through active participation in the process of educational inclusion.

As part of the programme, free transportation is also provided for children in the compulsory pre-school education and for students attending educational institutions, for the purpose of training, educating and socialisation, materials and aids are also provided, and since the beginning of the pandemic - tablets for students as well. The municipalities participating at the begin of the programme in 2019 were 6, in 2020 the participating municipalities were 7. In 2021, 9 municipalities have applied, however at the time of data gathering for the present report, the procedure is still ongoing.

The right of the students to acquire knowledge about the different dimensions of cultural identities and about the main characteristics of intercultural interactions, which form a positive attitude towards the variety in all spheres of human life, is set as a legal principle and is further developed by the provisions of Ordinance no. 13 of 21.09.2016 for civic, health, environmental and intercultural education, issued by the Minister of Education and Science.

The Ministry of Education and Science has urgently prepared an amendment to the Ordinance on Inclusive Education, which provides a legal opportunity for additional training in various subjects (under Article 17 and Article 27, paragraph 1, item 1) to be carried out for students who, during the suspended school hours as a consequence of the introduced anti-epidemic measures in the country, did not participate in the distance learning through the use of information and communication technology or who were partially trained with teaching materials on paper. This change in the legislation largely applies to children from vulnerable groups. A normative opportunity has been created for the training under Art. 14, para. 2 of the Ordinance on inclusive education, namely education through additional modules, for children who do not speak Bulgarian or for whom the Bulgarian language is not a mother tongue, to be conducted in additional forms of pedagogical interaction during non-school hours, including during the summer vacation. The education of children in additional forms of pedagogical interaction during non-school time has a total duration of up to 40 astronomical hours, as well as the additional education of students, with a total duration of up to 120 school hours in one or more subjects. Additional forms of pedagogical interaction and additional training should be conducted individually or in groups of up to 10 children or

students, including children and students from vulnerable groups. The aim is for the pedagogical interaction to take place as much as possible, for which an organisation for strict observance of the anti-epidemic measures prescribed by the Minister of Health has been established in kindergartens or schools, preventing the accumulation of children, students and teachers.

### *Cooperation with educational mediators*

Since 2018, through the Ordinance on the financing of institutions in the system of pre-school and school education, educational institutions have been provided with additional funds for working with children and students from vulnerable groups, including the appointment of educational mediators. Educational mediators can be appointed in both labour and non-labour legal relations with the purpose of aiding the access to education and preventing the risk of dropping out from the education system.

Additionally, Ordinance no. 15 of 22 July 2019 on the status and professional development of teachers, principals and other pedagogical specialists determines the professional profiles of persons holding the positions of pedagogical specialists in the institutions of the pre-school and school education system, including the position of "pedagogical advisor", which is a figure in kindergartens, schools or centres for the support of personal development, with functions significantly overlapping with the functions of the mediators. They include:

- advising and assisting students, teachers, parents and school management in implementing and maintaining relationships between family, school and society;
- participation in the development and implementation of school policies in the field of education, socialisation and protection of children and students;
- consulting children and students, pedagogical specialists, parents and other stakeholders to overcome problems related to the educational process, mediation in resolving conflicts;
- supporting and advising students on issues related to the educational process and the choice of activities according to personal interests;
- working on the prevention of addictions, symptoms of the influence of different types of psychoactive substances on students, risky sexual behaviour, manifestations of various forms of aggression and violence; participation in the development and implementation of counteraction programmes and impact measures;
- participation in the institutional team for support of personal development, which assesses the individual needs of the children and students with the aim of providing additional support, and in the absence of a psychologist in the given institution, supports and coordinates the activities of the team;
- participation in activities, which motivate children and students to overcome their problematic behaviour, and activities to prevent dropping out of school;
- supporting the personal development and the adaptation of children and students to the educational environment;

- career guidance and counselling of students;
- maintaining the communication between the parents and the institution in the course of work on cases, cooperation with the competent child protection authorities and participation in inter-institutional team meetings.

*Measures aimed at achieving economic integration and equality*

The fight against poverty, the creation of preconditions for social inclusion of people living in poverty, as well as the implementation of adequate measures for the prevention of social exclusion are the main priorities of the 2014-2020 Operational Programme "Human Resources Development" (OP HRD).

Also in the programming process a specific investment priority has been set, aimed at the socio-economic integration of people from marginalised communities, such as the Roma. The main goal is to create lasting and successful coordinated mechanisms, as well as the involvement of the maximum number of stakeholders, including representatives of the Roma community and various experts working and carrying the responsibility for the priorities of the Roma integration.

The main support under OP HRD is given to marginalised communities, including members of the Roma community, people originating from other countries, people at risk and/or victims of discrimination, people inhabiting territories with low population density, rural and isolated areas, parts of populated areas with concentration of a variety of issues that create risks of poverty and social exclusion.

By 2021 a total of 11,958 persons have been covered by contracts concluded under the OP HRD, of which 10,508 have identified themselves as Roma. Subsidised employment or internship opportunities have been provided to 1,063 people, and 867 people have been included in various types of training for a professional qualification or for the acquisition of key competencies. 1270 children have access to education and training, and over 9,000 people are involved in other types of project activities.

As of 1 September 2021, 23 project proposals have been submitted by the following municipalities: Stara Zagora, Plovdiv, Lovech, Razgrad, Pernik, Gotse Delchev, Ruse, Petrich, Velingrad, Burgas, Shumen, Montana, Haskovo, Svishtov, Lom, Varna, Smolyan, Vratsa, Kazanlak, Blagoevgrad, Vidin, Targovishte and Kardzhali. In most of the projects in the labour market sphere, the municipalities envisage to include the target groups in different types of trainings for professional qualification and key competencies, and to subsequently provide subsidised employment within 12 months. 14 project proposals foresee the establishment of centres for providing social services, including integrated intersectoral services according to the specific needs of the specific beneficiary municipalities.

So far, 13 contracts have been concluded with the municipalities of Stara Zagora, Plovdiv, Lovech, Razgrad, Pernik, Gotse Delchev, Ruse, Petrich, Velingrad, Burgas, Shumen and Montana, and the remaining 10 project proposals are under evaluation. The term for execution of the contracts under the procedure is until 30 June 2023.

Between 2018 and 2021, 23 contracts were concluded of a total value of BGN 3.4 million. The total number of persons included is 1,361, of which 1,151 have identified themselves as Roma, and 1/3 of them were under the age of 25.

### *Measures aimed at increasing employment and education of Roma*

Unemployed persons registered with the employment offices, including those who self-identified as Roma, enjoy all rights and obligations under the Employment Promotion Act (EPA). Any direct or indirect discrimination, privileges or restrictions based on various grounds, including on the ground of ethnicity, are strictly forbidden (Article 2 of the EPA).

The Employment Agency provides data on the ethnicity of the unemployed persons registered in the labour offices on the basis of each person's voluntary self-identification as Roma at the time of his/her registration. Unemployed persons who self-identify as Roma are included in the measures and programmes for employment and training depending on their educational and qualification characteristics, age and duration of unemployment.

During the period January 2018 – March 2021, more than 120 000 unemployed people who identified themselves as Roma were included in the support measures. The reduction in the number of services in 2020 follows the trends in the labour market and the constraints caused by the epidemic situation, which have led to a reduction of the group work with the unemployed persons, including the execution of physical attendance trainings.

<b>Indicators</b>		<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>01-03. 2021</b>
Total number of services by different activities*		43 844	42 658	29 241	4 793
Increasing the employability of unemployed Roma	number	24 508	23 948	11 565	1 304
Providing employment to Roma jobseekers	number	19 251	18 625	17 521	3 370
Promoting entrepreneurship	number	85	85	155	65
Promoting social and civil dialogue	number	260	235	76	21

\* A person can be a user of more than one service

Labour intermediaries-Roma mediators work for the improvement of the access to the labour market of economically inactive persons of Roma origin. In the period January 2018 - March 2021, as a result of the work of Roma mediators, 19,686 economically inactive persons who identified themselves as Roma, were registered in the labour offices.

In support of the employment of persons of Roma origin, in the period January 2018 - March 2021, 592 meetings were held with Roma leaders and local organisations in support of Roma employment. The hired Roma mediators have significant contribution for the implementation of the measure, since they – together with the Roma leaders and

organisations – carry out field activities for motivation and registration of the inactive representatives of the Roma community in the labour offices.

*"Evictions of Roma from informal housing should be carried out only as a last resort and in compliance with the principles of non-discrimination and proportionality. The necessary legislation should be swiftly adopted."*

Pursuant to Art. 137, para. 1. of the Spatial Planning Act (SPA), depending on the characteristics, significance, complexity and risks of usage, the constructions are categorised into six categories. Illegal buildings in the predominant number of cases are constructions of the fifth and sixth category according to the nomenclature of the types of constructions. These are residential buildings with low construction (up to 10 m high) - fifth category, and farm buildings for an agricultural purpose and complementary constructions - sixth category. It should be borne in mind that with the entry into force of the Amendments to the Spatial Development Act (promulgated SG, issue 82/2012), the implementation of administrative control over spatial planning and construction, the prevention of illegal construction and the removal of its consequences upon the constructions of the fourth, fifth and sixth category according to the nomenclature of the types of constructions, such as the constructions in question, are entirely part of the obligations and powers of the mayor of the respective municipality.

For the existing cases of orders for removal of illegal constructions, which had been issued by the head of the National Construction Control Directorate (NCCD) to the Minister of Regional Development and Public Works, and had entered into force concerning residential buildings, invitations for voluntary execution are sent to the authors of illegal constructions. Only after duly established non-fulfilment, within the term determined in the invitation, actions are taken, according to Ordinance no. 13/23.07.2001 for compulsory execution of orders for removal of illegal constructions or parts of them by the NCCD bodies.

The established practice of the NCCD in all cases, in which there is an issued order for the removal of an illegal construction - housing, is that before proceeding with the enforcement of the order, to request information by the mayor of the municipality and the director of the respective Social Assistance Directorate on whether the illegal construction is the only dwelling for its occupants. In cases where the dwelling is the only home or the municipality is not able to accommodate the person in an alternative dwelling, the NCCD does not proceed with enforcement.

The Bulgarian legislation regulates the principle of proportionality in art. 6 and art. 272, para. 1. item 1 of the Administrative Procedure Code (APC). The cited norms stipulate that the administrative bodies shall exercise their powers in a reasonable manner, in good faith and in a fair manner, while the administrative acts and their implementation may not affect rights and legitimate interests to a greater extent than is necessary for the purpose for which the act has been issued.

In exercising the powers under Art. 222, para. 1 of SPA, including when taking actions for the execution of entered into force orders for the removal of illegal constructions, the NCCD bodies shall observe the rights and freedoms of the citizens, as well as the principle of proportionality, regulated in Art. 6 of the APC.

In accordance with the interim measures ordered by the European Court of Human Rights in June 2018, the NCCD authorities refrain from actions related to the demolition of the only dwelling, including the demolition of illegal housing of Roma families.

When initiating proceedings relating to the removal of illegal constructions, the competent administrative authorities do not establish the origin and ethnicity of the perpetrators of the illegal constructions, but merely comply with the legal provisions established in the interest of the society and the state.

At the proposal of the Ministry of Justice, by Order no. RD-02-14-652/28.06.2018 of the Minister of Regional Development and Public Works, an interdepartmental working group was established with the participation of experts from the Ministry of Justice, the Ministry of Regional Development and Public Works, NCCD and judges of the Second Division of the Supreme Administrative Court. The aim of the working group is to analyse the current legislation and to propose the necessary legislative changes in the SPA, the State Property Act and the Municipal Property Act. The proposal was made in connection with the decisions of the European Court of Human Rights (ECtHR) in the cases "*Yordanova et al. v Bulgaria*" and "*Ivanova and Cherkezov v Bulgaria*".

The interdepartmental expert working group has prepared a draft law for the amendment of SPA. The draft envisages legislative changes in the powers of the mayors of the municipalities in the direction of postponing the issuance and implementation of orders for the elimination of illegal construction.

## **2. Recommendation no. 2 of the Resolution**

*"Ensure the independence, impartiality and effectiveness of the Commission for Protection against Discrimination by introducing functional immunity regarding decisions taken by its members during their term of office, continuing to depoliticise its appointment procedure and providing for sufficient funding to enlarge its regional presence to all 28 provinces;"*

The independence, impartiality and effectiveness of the Commission for Protection against Discrimination (CPD) are fully guaranteed by the existing national legislation.

The CPD is an independent specialized state body for the prevention of discrimination, providing protection to victims of discrimination and ensuring equal opportunities for all members of society. The status of CPD is legally enshrined in Art. 40, para. 1 of the Protection against Discrimination Act (PADA), which stipulates that in the exercise of its powers CPD is **not subordinated** to other state bodies. Pursuant to Art. 40, para. 5 of the PADA, the Commission shall submit to the National Assembly by 31 March each year a report on its activities, which shall also include information on the activities of each of the permanent and specialised panels.

The CPD reviews signals and complaints in cases of alleged discrimination and subsequently issues quasi-judicial decisions. The initiation of proceedings is carried out by panels and takes place in two phases: investigation and open hearing. The panels may invite the parties to negotiate agreements or to request evidence and the examination of witnesses.



The decisions of the CPD are taken on the basis of internal conviction and are finalised by a simple majority of the members of the panel, pursuant to Art. 64 of the PADA.

### *Functional immunity*

The Constitution of the Republic of Bulgaria in its Art. 69, Art. 103, para. 1, art. 108, para. 2 and 3, Art. 132 and Art. 147, para. 6, regulates which state bodies shall enjoy functional immunity. The institutions with a scope of competence that is closest to the functions of the CPD are the Judiciary and the Ombudsman of the Republic of Bulgaria.

The Decision 14/1992 of the Constitutional Court of the Republic of Bulgaria states that, in principle, privileges are violations of the principle of equality. Etymologically “privilege” comes from *privus legis*, i.e. outside the law. Therefore, in a state governed by the rule of law, they must be considered pre-excluded. In certain cases, however, the privileges that the Constitution allows are publicly necessary and socially justified.

On the other hand, it should be noted that the Principles adopted by UN General Assembly Resolution 48/134 (the so-called "Paris Principles") on the status and powers of national human rights institutions do not require that these institutions are granted functional immunity. Recommendation no. 2 of the European Commission against racism and intolerance recommends functional immunity in view of the independence of national institutions from state influence, specifically affecting the administrative independence of the institutions, but not the immunity of their members from civil and/or criminal jurisdiction.

The independence from state influence has already been achieved with regard to the CPD. As a quasi-judicial body, the CPD is completely separate from the state's legislative, executive and judicial branches. In Art. 44, para. 1 of the Law on Protection of Discrimination (PADA) regulates the cases in which the term of office of a member of CPD may be terminated early. These are (1) a personal request with such a purpose, (2) inability to perform their official duties for a period of more than 6 months, (3) a conviction for an intentional crime of a general nature, (4) legal incompatibility or (5) upon entry into force of an act establishing a conflict of interest under the Counter Corruption and Unlawfully Acquired Assets Forfeiture Act. Upon the occurrence of these grounds, the Chairman of the CPD shall send a motivated proposal for dismissal to the National Assembly or the President of the Republic of Bulgaria.

The decisions of the CPD may be subject to judicial review by the Supreme Administrative Court, pursuant to Art. 68-70 of the PADA.

### *De-politicisation of the appointment and funding procedure*

The CPD consists of five members elected by the National Assembly and four others appointed by the President. The combination of two electoral procedures - one by a body composed by a national popular vote and the other by the Head of State - is similar to the ones generally used to determine the composition of other national and international bodies, which need to follow the principles of independence and balance.

A similar principle has been observed in the establishment of election procedures in the Council of Europe, involving both the Parliamentary Assembly and the Committee of Ministers, for the appointment of bodies responsible for the independent and impartial assessment of human rights standards in the Member States.

### **3. Recommendation no. 3 of the Resolution**

*“Ensure that racially or ethnically motivated attacks and discrimination are identified, recorded and effectively investigated and that those responsible are brought to justice; take measures to raise awareness of the remedies available to reduce underreporting of hate crime. Furthermore, the authorities should combat and firmly condemn all instances of anti-Gypsy discourse by politicians and other public figures and actively support awareness-raising measures against anti-Gypsyism in society;”*

All illegal acts with a racist and xenophobic motivation, which are duly reported to the police authorities, are registered and investigated. In cases of statements by politicians and public figures containing hate speech, the Prosecutor's Office has the legal authority to order the initiation of an investigation, as well as pre-trial proceedings in the presence of sufficient evidence of a crime, obtained under Art. 208, item 2 and item 4 of the Code of Criminal Procedure. Pre-trial proceedings are initiated upon an alert relating to an allegedly committed crime and containing the respective legal reason and sufficient data. In the course of the investigation, the investigating authorities have the obligation to establish all relevant motives, including discriminatory ones, as well as to gather all the evidence related to the incriminated act. The collected materials are reported and sent to the relevant prosecutor's office having the respective competencies.

#### *Statistical information*

The statistical activity in Bulgaria is carried out by the National Statistical Institute (NSI) and the statistical bodies in accordance with the Law on Statistics, and the European and national legislation (in particular, the Personal Data Protection Act and the Electronic Governance Act), and in compliance with the principles of the European Statistics Code of Practice.

Pursuant to Art. 21, para. 2 of the Law on Statistics, individuals may not be obliged to provide the statistical authorities with data on race, nationality, ethnicity, religion, health, private life, political party affiliation, offences, philosophical and political views. The information received from the respondents is stored and processed in accordance with the requirements of the Personal Data Protection Act.

In the official statistical reports of the Prosecutor's Office of the Republic of Bulgaria, data on the so-called “hate crimes” are collected on the following main criminal offences of the Criminal Code: Art. 108, Art. 162 ÷ Art. 166, Art. 416 ÷ Art. 419a.

The information about the qualified criminal offences of Art. 116, para. 1, item 11; Art. 131, para. 1, item 12 and Art. 172, para. 1 of the Criminal Code for the period January 2018 - March 2021 is provided by the Unified Information System of the Prosecutor's Office. This information is presented in summary, without distinction of factual, objective and subjective

elements of the criminal offence, and in particular without distinction of each of the qualifying elements contained in the texts (motivation relating to hooliganism, racism or xenophobia). Therefore, for example in the cases of criminal offences under Art. 131, para. 1, item 12 of the Criminal Code, it is objectively more probable that the predominant part of the acts were committed only under the first proposal – out of hooligan motives, and not under the last two - out racist or xenophobic motives. Establishing the distinctions between the concrete elements of the criminal offences listed above requires immediate acquaintance with the materials from each of the pre-trial proceedings monitored by the Prosecutor's Office, initiated for this type of crime, which due to their large number is practically impossible.

*Statistics on main criminal offences from the Criminal Code:*

Year	Text from the Criminal Code	Newly initiated pre-trial proceeding	Pre-trial proceedings filed in court	Prosecutorial acts filed in court, persons under them		Convicted and sanctioned persons with effective sentences / judgements	Acquitted persons with entered into force acquittals / decisions
				Total number of prosecutorial acts filed in the court	Total number of persons under the prosecutorial acts filed in the court		
2018	Art. 108	4	2	2	2	1	0
	Art. 162	7	1	1	1	4	0
	Art. 163	0	0	0	0	0	0
	Art. 164	10	0	0	0	0	0
	Art. 165	1	0	0	0	0	0
	Art. 166	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0
2019	Art. 108	3	0	0	0	0	0
	Art. 162	9	1	1	1	1	0
	Art. 163	0	0	0	0	0	0
	Art. 164	18	0	0	0	2	0
	Art. 165	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0
2020	Art. 108	3	1	1	1	0	0
	Art. 162	4	1	1	1	1	0
	Art. 163	0	0	0	0	0	0
	Art. 164	17	2	2	2	2	0
	Art. 165	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0
	Art. 108	0	0	0	0	0	0
	Art. 162	1	0	0	0	0	0
	Art. 163	0	0	0	0	0	0

1st quarter of 2021	Art. 164	5	0	0	0	0	0
	Art. 165	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0

Year	Text from the Criminal Code	Newly initiated pre-trial proceeding	Filed in court pre-trial proceeding	Prosecutorial acts filed in the court, persons under them		Convicted and sanctioned persons with effective sentences / judgements	Acquitted persons with entered into force acquittals / decisions
				Total number of prosecutorial acts filed in the court	Total number of persons under the prosecutorial acts filed in the court		
2018	Art. 116, para. 1, item 11	0	4	4	5	3	0
	Art. 131, para. 1, item 12	942	309	348	392	364	27
	Art. 172, para. 1	1	0	0	0	0	0
2019	Art. 116, para. 1, item 11	1	2	2	3	3	1
	Art. 131, para. 1, item 12	886	326	377	427	351	16
	Art. 172, para. 1	0	0	0	0	0	0
2020	Art. 116, para. 1, item 11	0	2	2	2	4	0
	Art. 131, para. 1, item 12	787	266	303	347	283	7
	Art. 172, para. 1	2	0	0	0	0	0
1st quarter of 2021	Art. 116, para. 1, item 11	0	1	1	1	0	0
	Art. 131, para. 1, item 12	160	81	90	96	56	0
	Art. 172, para. 1	0	0	0	0	0	0

For the same period (January 2018 - March 2021) the Republic of Bulgaria has the following information on the number of victims in the newly initiated pre-trial proceedings related to hate crimes.

Year	Texts from the	Individuals						Legal entities
		Total		Total		Total		
			of them:		of them:		of them:	

	Criminal Code		juvenile <sup>7</sup> (14 ÷ 18)	minor <sup>8</sup>		juvenile (14 ÷ 18)	minor		juvenile (14 ÷ 18)	minor	
2018	Art. 108	0	0	0	0	0	0	0	0	0	0
	Art. 162	1	0	0	1	0	0	0	0	0	0
	Art. 163	0	0	0	0	0	0	0	0	0	0
	Art. 164	3	0	0	3	0	0	0	0	0	0
	Art. 165	0	0	0	0	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0	0	0	0	0
2019	Art. 108	0	0	0	0	0	0	0	0	0	0
	Art. 162	0	0	0	0	0	0	0	0	0	0
	Art. 163	0	0	0	0	0	0	0	0	0	0
	Art. 164	3	0	0	2	0	0	1	0	0	0
	Art. 165	0	0	0	0	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0	0	0	0	0
2020	Art. 108	0	0	0	0	0	0	0	0	0	0
	Art. 162	1	0	0	0	0	0	1	0	0	0
	Art. 163	0	0	0	0	0	0	0	0	0	0
	Art. 164	3	0	0	3	0	0	0	0	0	0
	Art. 165	0	0	0	0	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0	0	0	0	0
1st quarter of 2021	Art. 108	0	0	0	0	0	0	0	0	0	0
	Art. 162	0	0	0	0	0	0	0	0	0	0
	Art. 163	0	0	0	0	0	0	0	0	0	0
	Art. 164	1	0	0	0	0	0	1	0	0	0
	Art. 165	0	0	0	0	0	0	0	0	0	0
	Art. 166	0	0	0	0	0	0	0	0	0	0
	Art. 416 ÷ Art. 419a	0	0	0	0	0	0	0	0	0	0

The information about the victims of the criminal offences under. 116, para. 1, item 11; Art. 131, para. 1, item 12 and Art. 172, para. 1 of the Criminal Code for the period January 2018 - March 2021 has been derived from the Unified Information System of the Prosecutor's Office.

<sup>7</sup> The term “juvenile” is used in its meaning according to Art. 4 of the Persons and Family Act, denoting persons between the ages of 14 and 18.

<sup>8</sup> The term “minor” is used in its meaning according to Art. 3 of the Persons and Family Act, denoting persons under 14 years of age.

Year	Texts from the Penal Code	Individuals									Legal entities	
		Total			Male			Female				
		Total individuals	of them:		Total male	of them:		Total female	of them:			
			juvenile (14 ÷ 18)	minor		juvenile (14 ÷ 18)	minor		juvenile (14 ÷ 18)	minor		
1	2	3	4	5	6	7	8	9	10	11	12	
2018	Art. 116, para. 1, item	0	0	0	0	0	0	0	0	0	0	0
	Art. 131, para. 1, item	997	82	23	822	72	22	175	10	1	0	0
	Art. 172, para. 1	1	0	0	0	0	0	1	0	0	0	0
2019	Art. 116, para. 1, item	2	0	0	2	0	0	0	0	0	0	0
	Art. 131, para. 1, item	905	75	13	761	63	11	144	12	2	0	0
	Art. 172, para. 1	0	0	0	0	0	0	0	0	0	0	0
2020	Art. 116, para. 1, item	0	0	0	0	0	0	0	0	0	0	0
	Art. 131, para. 1, item	777	61	15	672	49	10	105	12	5	0	0
	Art. 172, para. 1	0	0	0	0	0	0	0	0	0	0	0
1-st quarter of 2021.	Art. 116, para. 1, item	0	0	0	0	0	0	0	0	0	0	0
	Art. 131, para. 1, item	155	9	3	135	8	3	20	1	0	0	0
	Art. 172, para. 1	0	0	0	0	0	0	0	0	0	0	0

In addition to the above information, the National Statistical Institute has data on the cases of relevant criminal offences of the Criminal Code, including hate crimes, as well as their further development within the justice system. Data collected for the period 2018-2020 is presented in tabular form (*detailed statistical information is presented in Appendix I*).

Regarding the number of accused and convicted persons for the relevant criminal offences, including hate crimes, in the period 2018-2020, the National Statistical Institute has provided data (*detailed statistical information is presented in Appendix I*).

#### *Cases of racist or ethnically motivated acts and discrimination, reviewed by the Commission for Protection against Discrimination*

The Commission for Protection against Discrimination (CPD) can take decisions on cases of alleged discrimination, brought before it, when these cases do not require a criminal investigation. According to Art. 59, para. 4 of the Protection against Discrimination Act (PADA) and Art. 33 of the Administrative Violations and Sanctions Act, the CPD rules on cases classified as presenting a lower degree of public danger and constituting administrative violations.

PADA clearly defines the limits of the material competence of CPD in Art. 4, para. 1, which states that any direct or indirect discrimination based on sex, race, nationality, ethnicity,

human genome, citizenship, origin, religion or faith, education, beliefs, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or any other grounds established by law or in an international treaty to which the Republic of Bulgaria is a party, is prohibited.

Art. 5 of PADA also states that “Harassment on the basis of the characteristics under Art. 4, para. 1, sexual harassment, incitement to discrimination, persecution and racial segregation, as well as the construction and maintenance of an architectural environment that hinders the access of persons with disabilities to public places, shall be considered discrimination.”

The CPD can receive complaints and alerts about discrimination and incitement to forms of discrimination in the media and social networks. Upon finding a violation of the PADA by its specialised panels, the CPD imposes administrative fines in accordance with the law. In 2018, 10 decisions were issued in connection with hate speech, in 2019 - 6, and in 2020 - 2 decisions.

Since 2010, the CPD has been the contact point of the Republic of Bulgaria with the Organization for Security and Co-operation in Europe (OSCE). As such, it annually collects statistics on hate crimes as instructed by OSCE's Office for Democratic Institutions and Human Rights.

*New legal framework in the field of media with the purpose of preventing and combating hate speech and hate crimes*

On 22 December 2020, a new law amending the Radio and Television Act (RTA) was promulgated, introducing definitely into the Bulgarian legal order the provisions of Directive (EU) 2018/1808 of the European Parliament and the Council, of 14 November 2018, amending Directive 2010/13/EU on the coordination of certain provisions, specified in laws, bylaws and administrative acts in the Member States concerning the distribution of audio-visual media services (the so-called “Audiovisual Media Services Directive”).

According to the changes in Art. 8 para. 1 of the RTA, media services must not contain incitement to violence or hatred directed at a group of persons or a member of a group, on the basis of any of the grounds specified in Art. 21 of the Charter of Fundamental Rights of the European Union, as well as public incitement to terrorism within the meaning of the Criminal Code. In exercising its supervisory powers under this article, the Council for Electronic Media undertakes such actions as are necessary and proportionate, while respecting the rights and safeguarding the principles set out in the Charter.

A similar provision is foreseen for the new subjects of regulation, covered by the RTA, namely, the video sharing platforms. According to Art. 19e of the RTA, without prejudice to the application of Art. 13 - 17 of the Electronic Commerce Act, providers of video sharing platforms shall take appropriate measures to protect the audience from user-generated videos and audio-visual commercial communications:

- the content of which incites violence or hatred directed at a group or a member of a group, on the basis of any of the grounds specified in Art. 21 of the Charter of Fundamental Rights of the European Union;

- with content, the distribution of which constitutes a crime under the Criminal Code - public incitement to commit terrorist acts, crimes related to child pornography, and crimes related to racism and xenophobia.

At the same time, the provisions of Art. 10, para. 1, item 5 and item 6 of the RTA (*basic principles in the activity of media service providers: non-admission of programmes that suggest intolerance between citizens and non-admission of programmes that contradict good morals, especially if they incite hatred based on racial, gender, religious or national characteristic*) and of Art. 17, para. 2 RTA (*prevention of broadcasts suggesting national, political, ethnic, religious and racial intolerance*) remain in force after the amendment of the law.

For violation of any of the above provisions, the RTA foresees pecuniary sanctions.

In the period 2018-2020, the CEM has issued several penal decrees related to violations of the Radio and Television Act in relation to the cited legal norms: NP no. RD-10-42/11.12.2018<sup>9</sup> (entered into force), NP no. RD-10-9/14.05.2019<sup>10</sup> (entered into force), NP no. RD-10-23/28.8.2019<sup>11</sup> (revoked by the court) and NP no. RD-10-9/22.06.2020<sup>12</sup> (revoked by the court).

A suitable example from the practice of CEM is the performed focused monitoring of news and current affairs broadcasts. At the beginning of 2020, a review of the television programmes of BTV Media Group EAD and NOVA TELEVISION of Nova Broadcasting Group EOOD was made with respect to the coverage of a serious criminal case in which the perpetrator was a citizen of Roma origin. The monitoring was carried out in the period 11-13 January 2020 and encompasses the two commercial televisions with the largest audience. The purpose is to monitor whether there is a violation of the RTA and the Code of Ethics, while covering the case.

The results of the monitoring show that no violations of RTA were established during the case coverage in the news and current affairs broadcasts of NOVA TELEVISION and BTV. Nowhere, except the very first news broadcast on BTV, there is an explicit mention that the story takes place in the Roma neighbourhood, nor are there any insinuations relating to ethnic issues.

### *Awareness raising measures*

Awareness-raising measures are targeting several areas, some focusing on the work of civil servants tasked with preventing hatred and discrimination, while others are aimed at the general public with a view to promoting tolerance, mutual respect and peaceful coexistence of all citizens.

The Academy of the Ministry of Interior (AMI) conducts regular trainings in which the main topic is domestic and international human rights law. They include modules related to the jurisprudence of the European Court of Human Rights, as well as to the topics of combating discrimination, racism, intolerance, and the work of police officers in a multi-ethnic

<sup>9</sup> The penal decree is available at: <https://www.cem.bg/controlbg/1221>

<sup>10</sup> The penal decree is available at: <https://www.cem.bg/controlbg/1244>

<sup>11</sup> The penal decree is available at: <https://www.cem.bg/controlbg/1278>

<sup>12</sup> The penal decree is available at: <https://www.cem.bg/controlbg/1330>



environment. These topics are included in the disciplines "Protection of human rights", "Police law" (*in particular, in relation to the work with persons belonging to minority groups*) and "Protection against discrimination" (*including separate topics on hate crimes, including investigation and protection of victims*).

Every year AMI conducts a 5-week distance-learning course to update the professional qualification on "Police practices and human rights".

AMI is implementing the project "Protection of human rights and training to acquire the necessary knowledge and skills of police officers working in a multi-ethnic environment, including among the Roma community", funded by the Norwegian Financial Mechanism 2009-2014. Within the project, manuals have been developed and are constantly used in the training process with respect to employees of the Ministry of Interior.

The Directorate General "National Police" has a liaison officer on the issues, related to Antisemitism, and the Directorate General "Countering Organised Crime" has a liaison officer on the issues, related to illegal content and hate speech found on the Internet. The district administration in the neighbourhoods in which a significant part of the population belongs to a non-Bulgarian ethnic group, there are police officers which belong to the same ethnicity. They work with the respective citizens, as they speak the relevant language and are familiar with the specific cultural features of the respective ethnic group.

The Prosecutor's Office of the Republic of Bulgaria also conducts training events with the participation of prosecutors and investigators on topics related to hate crimes and discriminatory crimes (*detailed information is provided in Appendix II*).

The CPD also organises - independently or in partnerships - information campaigns, seminars and trainings in the field of prevention of racial discrimination and hate crimes. The events are aimed at employees of the local and national authorities of the Republic of Bulgaria, court employees, magistrates, lawyers, trainees, and citizens. In addition, the CPD supports and participates in national campaigns, initiatives, and other events, which are directly aimed at promoting the culture of various ethnic groups (Roma, Turks, Jews, Armenians, etc.) that are inclusive of vulnerable groups, trade unions and others, and the purpose of which is achieving tolerance and raising awareness of the possibilities and mechanisms for protection against hate crimes and discrimination.

On 29 May 2018, the NCCEII Secretariat organised an international conference, entitled "Roma integration - where we are and what the direction is", which was held in Sofia as part of the Bulgarian Presidency of the Council of the European Union. The event brought together representatives of the European Union, national, regional and local public authorities, civil society organisations, members of academia and other stakeholders.

#### **4. Recommendation no. 4 of the Resolution**

*"Promote mother tongue education, in close consultation with representatives of minority groups, by introducing it at preschool and secondary levels, providing for the teaching of different subjects in mother tongue and introducing a standard procedure for informing parents of the local possibilities of accessing teaching in or of mother tongue."*

Regarding the recommendation to promote the study of mother tongue in close cooperation with representatives of individual ethno-cultural groups, Bulgaria's position is elaborated on in the government comments of the Republic of Bulgaria to the Fourth Cycle of the Framework Convention for the Protection of National Minorities.

Among the principles for exercising the right to education, enshrined in the Pre-school and School Education Act (PSEA), are equality and non-discrimination, humanism and tolerance, preservation of the cultural diversity and inclusion through the Bulgarian language.

According to the PSEA, the official language in the pre-school and school education system is Bulgarian. Pre-school and school education is provided in Bulgarian, with the exception of the cases foreseen in the PSEA. Pre-school education ensures the school readiness of children, including in the sphere of language development. In pre-school education, the complex realisation of the linguistic development of the pre-school-aged child stands in the foreground. At this age, the practical ability of using the Bulgarian language is a priority as a basis for communication.

In 2017, by Order no. RD 09-5835/07.12.2017 of the Minister of Education and Science, the new curricula for the following subjects were approved: Mother tongue - Turkish, Mother tongue - Hebrew, Mother tongue - Armenian, and Mother tongue - Romani language.

By orders of the Minister of Education and Science in 2018, evaluation and approval procedures were opened for drafts on study sets for grade I or from first year of education to grade VII or to the seventh year of education in the elective classes and/or in facultative classes in Mother tongue - Turkish, Mother tongue - Hebrew, Mother tongue - Armenian, and Mother tongue - Romani. Study sets in Mother tongue – Turkish have been approved for students from grade I to grade VII. The approved study sets are being used in school education from the school year 2019/2020.

The subject Mother Tongue may be and is being studied from grade I to grade XII, and the decision for this must be made voluntarily and at the initiative of the parents. The State has provided all the necessary conditions (legal, administrative, financial, technical ones) for the study of these mother tongues.

<i>Information on the number of students from grade I to grade XII in all schools, studying a foreign language as a mother tongue - in the school year 2020/2021 with data as of 15.09.2020</i>	
<b>Language</b>	<b>Number of students</b>
Turkish	3984
Armenian language	111
Hebrew	92
Romani language	0
<b>TOTAL</b>	<b>4187</b>

The forms of language learning are based on objective criteria, as provided in all laws and regulations in this regard. Mother tongue curricula are developed jointly with the interested communities concerned, in view of the specific needs and goals at a given time, and especially

for the sake of preservation of their identity, culture, etc., i.e. in the interest of the respective language users.

The Republic of Bulgaria provides the opportunity for the establishment and maintenance of private schools, which offer the option of learning foreign languages, according to the State education standards and approved school plans and curricula. In these schools, as well as in the municipal and state ones, the opportunity to learn the mother tongue is given. According to Art. 29, para. 3, in conjunction with Art. 330, para. 1 of the PSEA, private schools acquire the status of legal entities, are being established, changed and terminated in compliance with the requirements of the PSEA and under the terms and conditions of the Commerce Act, the Non-Profit Legal Entities Act, the Cooperatives Act or according to the terms and conditions of the legislation of a Member State. The established legal entities may not have any other subject of activity than activities as a school and to carry out their activities in compliance with the State education standards under Art. 22 of the PSEA.

Students in private schools are educated according to an education contract between the parents and the school. The admission of students is regulated by the private institution.

#### **IV. Other measures taken to improve the implementation of the FCNM**

##### **1. Article 3 of the Framework Convention (scope of application) and Further recommendation no. 1 of the Resolution**

*"Enter into a dialogue with groups having expressed an interest in the protection afforded by the Framework Convention and consider the possibility of applying its provisions to persons belonging to such groups on an article-by-article basis; furthermore, ensure that the right to free self-identification of persons belonging to minority groups is strictly respected in the upcoming 2021 population census and that they are consulted on its methodology;"*

The position of the Republic of Bulgaria regarding the personal scope of the Convention has been duly clarified in the course of the previous monitoring cycles (see all State reports and government comments on the Advisory Committee's opinions).

The cited recommendation is considered entirely in the context of the said position of the Republic of Bulgaria on the application of Art. 3 FCNM.

*"Furthermore, ensure that the right to free self-identification of persons belonging to minority groups is strictly respected in the upcoming 2021 population census and that they are consulted on its methodology;"*

The toolkit (counting cards and instructions), which will be used during "Census 2021" has been developed in line with the current UN recommendations on the facilitation of the census cycle. The basic principles relating to the asking of questions connected with the ethno-cultural characteristics of the population, namely - freedom of self-determination, open answers, voluntariness, have been safeguarded. "Census 2021" is held in the period 7 September – 3 October 2021.

After its initial development, the "Census 2021" toolkit went through several stages of coordination, including with the NCCEII, the Directorate for Religious Affairs at the Council

of Ministers, the National Council of the Religious Communities in the Republic of Bulgaria, on issues related to ethnicity, mother tongue and religion. These questions are completely identical in both the electronic and paper census cards, and in both methods of data collection, the National Statistical Institute (NSI) ensures the security of personal information through the appropriate technical means and organisational measures.

All counters and controllers, engaged in the direct collection of information in the field, will undergo trainings, including on issues related to the ethno-cultural characteristics of the population, such as: mandatory reading of the question, full and accurate recording of the information, declared by the counted persons, filling in the answers only with a pen, etc.

In the process of preparation for the upcoming census, NSI representatives held meetings with various civil society organisations, defending the rights of individuals who have self-identified as belonging to various ethnic communities and/or belonging to vulnerable groups. During the talks, the toolkit of “Census 2021” has been presented and the opportunities for interaction between the NSI team and the leaders in the different ethnic communities were discussed with respect to the clarification of the meaning and benefits of the census.

The NSI has taken all necessary measures and actions to guarantee the right to free self-determination of all Bulgarian and foreign citizens, subject to the census.

## ***2. Article 4 of the Framework Convention (legal and institutional protection against discrimination)***

Information on this topic is provided in Part II. 3 of this report.

## ***3. Article 5 of the Framework Convention (protection and promotion of culture) and Further recommendation no. 2 of the Resolution***

*"Significantly increase the budget allocated to the preservation and development of cultures of minority groups and create an effective mechanism for representatives of minorities to participate in the design of cultural policies and distribution of funding;"*

For the benefit of all citizens of the Republic of Bulgaria, the Ministry of Culture has developed its programmes for conducting and achieving the State policy goals in the field of culture by creating and implementing effective mechanisms for partnership and coordination with municipalities, NGOs, museums, galleries and other cultural institutes, community centres, libraries and publishing houses, in compliance with the principle of promoting cultural diversity.

The Ministry of Culture with its programmes in various fields (cultural heritage, performing arts, amateur art, library work and publishing) annually provides equal access and participation in cultural life, while regularly providing financial support for the organisation of festivals, fairs, competitions, performances and other events, which serve as access to and a form of participation in the public cultural life, develop and promote traditional culture (including that of various ethnic communities), as well as the achievements in contemporary arts.

Through the website of the Ministry of Culture, all the rules, according to which the competition sessions under the programmes are implemented, go through a public discussion procedure within one month. This enables representative organisations of ethnic communities to participate in regulating the distribution of financial resources. Information campaigns are also conducted and daily consultations on the topics of the programmes are provided with future candidates (cultural institutes, cultural organisations, including ethnic communities, etc.).

To deal with the effects of the COVID-19 pandemic, the budget of the Ministry of Culture has been increased in order to implement a package of possible temporary effective economic measures. These include: guaranteed salaries and insurances for the state cultural institutes in the field of performing arts for the period of the state of emergency; support for self-employed artists in the field of culture and arts in the amount of one minimum wage and accrued social security for two months from the time of the state of emergency until its abolition; opportunity to apply with projects to the Ministry of Culture and the National Culture Fund under existing programmes.

In 2021, the Ministry of Culture continues to create new programmes to provide equal access for individuals and legal entities to the funds intended for the development and preservation of culture and cultural diversity. Currently, two new sessions have been announced: a session for financing projects in the field of movable cultural heritage, museums and visual arts, as well as a competition session to support creative projects of individuals active in all genres in the field of literature.

Additional opportunities have been created for the implementation of projects through the Cultural Entrepreneurship, Heritage and Cooperation Programme, the Result 3 of which - "Improved awareness of the arts and culture of ethnic and cultural minority groups" focuses on the representatives of the Roma ethnic community. All projects and activities, financed by the EEA Financial Mechanism are based on the following common values: respect for human dignity; freedom; democracy; equality; rule of law; respect for human rights, including the rights of persons belonging to minority groups. The Ministry of Culture continues to work on the phased implementation of the programme, which focuses on the role of culture and cultural heritage as resources for local and regional development. The programme finances projects guaranteeing equal access to improved cultural heritage management (innovation and digitalisation), improved access to art and culture, and improved awareness of the arts and culture of ethnic and cultural minority groups.

Calls for projects have been announced under: Result 2, "Improved access to arts and culture"; Call for project proposals under Sub-result 1.1 "Cultural heritage presented in revitalized, restored and renovated places"; Call for project proposals under Sub-Result 1.2 "Digitally accessible cultural heritage sites". A call to apply for projects under Result 3: "Improved awareness of arts and culture of ethnic and cultural minority groups" (with a focus on the Roma community) will be announced, which will support projects amounting to 1,300,000 euros in the following areas :

- Cultural and educational initiatives to present the culture of ethnic and cultural minority groups, including with the participation of representatives of these groups;

- High quality professional cooperation between Roma and non-Roma artists;
- Joint research and historical work between local museums, libraries, community centres and local representatives of the Roma community or the relevant representative organisation to show the contribution of Roma to the development of the city, the contribution to local/national history/culture;
- Presenting sustainable models of cultural cooperation, events and attracting audiences to contribute to artistic cooperation and cultural dialogue at local, regional, national and international levels;
- Presentation of cultural events/initiatives to attract new audiences, including in remote areas and/or areas with poor access;
- Arts (cinema, theatre, dance, music, literature, visual arts, creative industries), culture and crafts of ethnic and cultural minority groups, which can be combined and presented to the public;
- Support for community artistic projects in which professional artists (Roma and non-Roma) work for a longer period in Roma communities and create common artistic products together with Roma participants;
- Support for the publication of books by Roma poets and writers, as well as joint literary projects between Roma and non-Roma writers, organisation of creative writing activities for children, youth, and adults with the participation of professional writers (Roma and non-Roma) and involvement in training of representatives from different ethnic communities;
- Upgrading or creating educational forms and activities for art education, for exchange of cultural experience and knowledge and for popularisation of different cultures, visits to cultural institutes, schools and kindergartens, participation in educational activities and events in cultural institutes (museums, libraries, theatres), participation in educational activities and events in community centres such as local cultural and education centres, including those initiated by the Roma community;
- Improving the situation of the Roma population in Bulgaria, using culture and art as means of developing skills/capacity and/or as a path to education; stimulating cultural cooperation, educational activities, exchanges between professional and non-professional artists (Roma and non-Roma), which can be presented as theatre, dance, short film, through the visual arts, literature, etc., with the aim of achieving more - a wide audience, in front of which the Roma should present sides of their culture, knowledge, skills, achievements and to stimulate their development as equal participants in joint cultural projects. Stimulating cultural cooperation is a prerequisite for overcoming anti-Roma stereotypes;
- Support and development of local Roma initiatives, including in cooperation with local cultural institutions such as community centres and local authorities;

- Encouraging the partnership, pooling of resources between the chitalishte<sup>13</sup> network and the relevant representative organisations of the Roma community or other non-governmental organisations working in this field, as the established partnerships may have a greater geographical scope. Partnerships between more experienced organisations and smaller local organisations, including Roma-led organisations, are encouraged;
- Projects that aim to promote bilateral cooperation and exchange of good practices between organisations from donor countries, as well as organisations from Bulgaria with experience and expertise in projects with a focus on the Roma community.

The Ministry of Culture continues to work on the phased implementation of the programme, which focuses on the role of culture and cultural heritage as resources for local and regional development. Projects for improved cultural heritage management (innovation and digitalisation), improved access to art and culture and improved awareness of the arts and culture of ethnic and cultural minority groups are supported. The grant for the implementation of projects under the programme amounts to 10 million euros, in partnership with the Norwegian Arts Council. The measures of the EEA and the Norwegian Financial Mechanism include a multilevel approach based on the already established priorities, respect the principles of equality between all citizens of the Republic of Bulgaria and are in line with the National Strategy for Roma Integration.

The above shows that in recent years there has been a significant increase in financial resources in the field of culture, which expands the possibility of preserving the culture of ethnic communities and the creative development of their representatives. The programmes of the Ministry of Culture have an important integrative function - they create conditions for social inclusion and promotion of the culture of an ethnic group, as well as for free intercultural communication within a society (*detailed information is provided in Appendix III*).

The NCCEII also supports and promotes the history, culture, languages and religion of the different ethnic groups (*detailed information is provided in Appendix IV*).

#### ***4. Article 6 of the Framework Convention (tolerance and intercultural dialogue. Protection against threats, discrimination, hostility and violence)***

Information on this point has already been provided in Part III.3 of this report.

In addition, it should be noted that the promotion of tolerance and intercultural dialogue is included in the education process in each part of the country. An example of this is the civic education curriculum for grade XI, which has already started in the previous school year 2020/2021 and which includes a section "Identities and differences in society" with 3 themes to it. Students will be trained on topics related to the role of language, religion, ethnicity and traditions of social connectedness and differences in society. As part of the

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<sup>13</sup> "Chitalishte" is a traditional Bulgarian public institution and building that serves several functions at once, such as a community centre, library, and a theatre.

education process, different types of policy concepts are being discussed concerning persons belonging to minority groups, incl. the concepts of assimilation and integration, while the students are expected to develop critical thinking and to express their own positions on the raised issues. Part of the practical tasks included in the learning process consist in the research on the sources of identity of the main minority groups in the country or in a particular settlement. In them, the representatives of each minority group will be able to present their ethnic affiliation and culture in a constructive dialogue.

With regard to the protection of minority groups from threats and violence, consistent efforts are being made by the National Commission for Combating Trafficking in Human Beings (NCCTHB) to protect persons from minority groups (mainly belonging to the Roma community) from exploitation and violence.

In 2020 and 2021, the NCCTHB and the Local Commissions for Combating Trafficking in Human Beings conducted several campaigns and events aimed at raising public awareness. One of them is the campaign for prevention of trafficking in pregnant women perpetrated with the purpose of selling the new-born children (November 2020-2021). The campaign is implemented on the initiative and under the project of the Local Commission in Burgas, the Association "Equilibrium" and the Municipality of Burgas. Information meetings were held in 5 schools in the town of Sozopol, the villages of Ravna Gora, Zidarovo, Krushevets and Rosen, which were attended by adolescents and their parents, mostly of Roma origin.

The NCCTHB regularly carries out activities among members of the Roma community in order to prevent human trafficking and raise awareness of the existing dangers of job search. The activities are carried out in the settlements that have a significant share of inhabitants, belonging to vulnerable groups (*detailed information is provided in Appendix V*).

*Protection and support of formally and informally identified victims of trafficking (including representatives of vulnerable groups in the Roma community)*

In 2021, the NCCTHB operational services for victims of human trafficking include the Shelter for Temporary Accommodation and Protection, the Support Centre and the Shelter for Temporary Accommodation and Subsequent Reintegration of Victims of Trafficking. The accommodation places are on the territory of Sofia, as well as on the territory of the regions of Varna and Burgas. The services they offer include the possibility of accommodating adults, together with their children, immediately after their return to the country in cases of cross-border traffic or, if necessary, in cases of domestic traffic.

In the period January-June 2021, a total of 21 victims of trafficking received support in specialised services for victims. This figure includes both victims of sexual and labour exploitation. In some cases, accommodation of abused women together with their children was facilitated, in view of the need for protection.

**5. Article 7 of the Framework Convention (freedom of peaceful association and gathering) and Further recommendation no. 3 of the Resolution**



*“Ensure that all interested groups can exercise the freedom of association, as guaranteed by Article 7 of the Framework Convention. To this end, the authorities should strive to ensure legal certainty in the application of the new registration procedure for non-governmental organisations representing minority groups;”*

Since 1 January 2018, the existing court registration procedure has been replaced by a new administrative mechanism for registration of non-profit legal entities in Bulgaria. At its launch, the new registration procedure showed some shortcomings, but the Bulgarian authorities made efforts to ensure its proper functioning, which were assessed as positive in the decisions of the Committee of Ministers of the Council of Europe. The latter is being regularly informed about the steps taken by the Bulgarian authorities to resolve the issues in this group of cases. The last updated Action Plan was sent on 23 March 2021

On 17 June 2019 Methodical guidelines for the work of the registration officers and for the establishment of uniform rules and criteria for the consideration and adjudication of cases were published on the official website of the Registry Agency. The Methodological guidelines are subject to regular supplementation, updating and amendment. With regard to the recommendations of the Committee of Ministers on the development of additional methodological guidelines for registration officials, the proposal is currently being analysed by the Registry Agency.

The latest statistics from September, 2020 show a steady positive downward trend in the percentage of refusals for initial registration of associations, which is an indication of the gradual increase in the efficiency of the new registration procedure. The lack of criticism of the registration mechanism in Bulgaria by the European Court of Human Rights in its recent decisions on similar applications is an indication of its effectiveness and compliance with the standards of the Convention.

#### **6. Article 8 of the Framework Convention (freedom of religion)**

The position of the Republic of Bulgaria on ensuring freedom of religion under the Convention has been duly clarified in previous monitoring cycles (*see all State reports and government comments on the Advisory Committee's opinions*).

#### **7. Article 9 of the Framework Convention (broadcasting in minority languages) and Further recommendation no. 4 of the Resolution**

*“Facilitate, in co-operation with persons belonging to minority groups, public and/or private broadcasting of television and radio programmes of sufficient duration as well as support the regular publication of written news (printed or online news publications) in mother tongue to meet the needs;”*

The Republic of Bulgaria does not apply geo-blocking on its territory. For this reason, various radio and television channels are accessible to all citizens in the country.

A test research of the services offered by cable TV providers covering the whole country shows that channels are offered in almost all mother tongues. For example, the availability of Russian channels is between 3 and 22 different channels, and of Turkish channels -

between 1 and 47, depending on the area. Channels in other mother tongues are also available (Serbian, Greek, Armenian, Romanian and Romani).

In addition, the internet access to live radio and television channels is also seamless, with a large number of municipalities in the country providing free high-speed internet in public places.

As far as the state-sponsored radio and television broadcasting in different mother tongues is concerned, various programmes dedicated to ethnic groups, their traditions, way of life and problems are regularly broadcasted by the Bulgarian National Television.

The "BNT 1" channel of the public provider Bulgarian National Television continues the broadcasting of a 10-minute news programme in Turkish from Monday to Friday, as the broadcasting time has been changed from 16:15-16:30 to 12:35-12:45 h. In the programme "Small stories" of the same provider topics and problems from the life of the Roma community in Bulgaria are often discussed.

Regarding the regional programme of "Radio Kardzhali" of the national public provider - Bulgarian National Radio, in operating from 08.09.2020, the programme includes programmes in Turkish throughout the week in the time frame: 08:00-09:00., 13:00-14:00 and 20:30-21:30 (programme "Radio Bulgaria" in Turkish). There is also available content in Turkish on the website of the Bulgarian National Radio.

In the public register of CEM Roma TV 1 EOOD (service provider on request "Pay to watch" with the name ROMA TV) and Savore Foundation - Samokov (provider of linear audio-visual service with the name "Romani Yak") that provide content created by and focused on people from the Roma community,<sup>14</sup> are entered.

#### **8. Article 10 of the Framework Convention (use of minority languages) and Further recommendation no. 5 of the Resolution**

*"Assess the need for the use of mother tongue in dealings with the authorities in areas inhabited traditionally or in substantial numbers by persons belonging to minority groups. In doing so, the authorities should determine, in line with clearly established criteria, the municipalities in which Article 10.2 of the Framework Convention applies to the respective minorities and ensure, including by providing financial assistance, that the local authorities take the necessary practical steps to implement this provision."*

The position of the Bulgarian side regarding the use of mother tongue has been duly clarified in previous monitoring cycles (*see all State reports and government comments on the Advisory Committee's opinions*).

#### **9. Article 11 of the Framework Convention (bilingual topographical indications) and Further recommendation no. 6 of the Resolution**

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<sup>14</sup> Savore - Samokov Foundation has postponed the start of the program, whereas the new announced date is May 6, 2022.

*"Refrain from abolishing official place names in languages of persons belonging to minority groups and, in co-operation with the representatives of minority groups, restore recently abolished place names at least as co-official names together with the new Bulgarian names."*

According to the Constitution of the Republic of Bulgaria and the Local Self-Government and Local Administration Act, the competent bodies in connection with the naming and renaming of sites are the President of the Republic of Bulgaria - with respect to sites of national importance and settlements, as well as the municipal council - in naming and renaming of streets, squares, parks, engineering facilities, villa zones, resorts and resort areas, and other sites of municipal importance.

The Geodesy, Cartography and Cadastre Agency (GCCA) maintains a Register of Geographical Names and aims to ensure uniformity and sustainability in the use of geographical objects. It is an open platform containing over 259,000 updated geographical names in Bulgarian, regardless of their origin, a transliterated name of the geographical object, as well as an alternative/old name, if any such is known. The Register of Geographical Names does not maintain information on the origin of the names of the objects.

According to § 2 of the Additional Provisions of the Cadastre and Property Register: "Geographical sites are indicated in the cadastre with their established official names." The use of the established geographical names is obligatory for all users of geographical names in the country.

Numerous examples may be cited regarding names of sites of national importance that are not of a Bulgarian origin, such as: Musala, Bakadjik, Hainboaz, Kardzhali, Karadere, Karagyol, Madan, etc.

A significant part of the topographic names in the Republic of Bulgaria are connected to the extremely complex historical period of the Ottoman Empire. One of its characteristics has been the systematic elimination of already existing geographical names of Bulgarian and Slavic origin and their forcible replacement with foreign ones. The current change of these names aims to return them to their linguistic and cultural roots and to reinforce their centuries-old connection with the Bulgarian nation. It should also be borne in mind that this change is the result of democratic decisions of the relevant local authorities, carrying the respective competences. In addition, such decisions have also received the approval of the Bulgarian public and do achieve precisely the overcoming of differences, generated in the cause of history, as well as the unification of all Bulgarian citizens.

## Appendix I

### *1. Information on the cases of the relevant criminal offences of the Penal Code, including hate crimes, and their development within the justice system (Source: NSI)*

Crimes by chapters and articles of the Criminal Code and by outcome of the cases - 2018										
Chapters and articles of the Criminal Code	Crimes in which cases have been completed						Crimes with completed with conviction			
	total	with an effective sentence	with a suspended sentence	with acquittal	with termination of the case	with release from punishment	total	committed by one person	committed by two persons	committed by three or more persons
Total for the country	31154	10176	14989	794	295	4900	25165	23944	868	353
Art.116, para. 1, item 11 (completed)	1	-	-	1	-	-	-	-	-	-
Art.116, para. 1, item 11 (attempts)	2	2	-	-	-	-	2	-	2	-
Art.131, para. 1, item 12, minor bodily injury (general nature)	124	72	42	10	-	-	114	89	20	5
Art.131, para. 1, item 12, moderate bodily injury (general nature)	58	25	28	3	2	-	53	46	6	1
Art.131, para. 1, item 12, severe bodily injury (general nature)	3	1	2	-	-	-	3	3	-	-
Art.162, para. 1	1	-	1	-	-	-	1	-	1	-
Art.162, para. 2	1	-	1	-	-	-	1	-	1	-
Art.164, para. 1	1	-	1	-	-	-	1	-	1	-

Crimes by chapters and articles of the Criminal Code and by outcome of cases - 2019										
Chapters and articles of the Criminal Code	Crimes in which cases have been completed						Crimes with completed with conviction			
	total	with an effective sentence	with a suspended sentence	with acquittal	with termination of the case	with release from punishment	total	committed by one person	committed by two persons	committed by three or more persons
Total for the country	30276	10577	14385	669	270	4375	24962	23706	937	319
Art.116, para. 1, item 11	1	1	-	-	-	-	1	-	-	1

Art.116, para. 1, item 11 (attempts)	1	1	-	-	-	-	1	-	-	1
Art.131, para. 1, item 12, minor bodily injury	129	78	45	6	-	-	123	110	12	1
Art.131, para. 1, item 12, moderate bodily injury	57	19	35	1	1	1	54	45	7	2
Art.162, para. 1	2	1	1	-	-	-	2	2	-	-
Art.162, para. 2	1	-	1	-	-	-	1	1	-	-
Art.163, para. 1, item 2	1	-	1	-	-	-	1	-	-	1
Art.164, para. 1	4	1	1	2	-	-	2	2	-	-
Art.164, para. 2	1	-	1	-	-	-	1	1	-	-

Crimes by chapters and articles of the Criminal Code and by outcome of cases - 2020										
Chapters and articles of the Criminal Code	Crimes in which cases have been completed						Crimes with completed with conviction			
	total	with an effective sentence	with a suspended sentence	with acquittal	with termination of the case	with release from punishment	total	committed by one person	committed by two persons	committed by three or more persons
Total for the country	28727	10633	13007	726	289	4072	23640	22532	868	240
Art.116, para. 1, item 11	1	1	-	-	-	-	1	1	-	-
Art.116, para. 1, item 11 (attempt)	1	1	-	-	-	-	1	-	-	1
Art.131, para. 1, item 12, minor bodily injury	119	74	35	10	-	-	109	90	14	5
Art.131, para. 1, item 12, moderate bodily injury	43	10	27	-	6	-	37	31	5	1
Art.131, para. 1, item 12, severe bodily injury	1	1	-	-	-	-	1	1	-	-
Art.162, para. 1	1	-	1	-	-	-	1	1	-	-
Art.164, para. 2	1	1	-	-	-	-	1	1	-	-

2. *Information on the number of accused and convicted persons under the criminal offences, including the cases of hate crimes in the period 2018-2020 (source: NSI)*

Defendants and convicted persons under Chapters and articles of the Criminal Code and the outcome of cases in <b>2018</b>										
Chapters and articles of the Criminal Code	Defendants in cases that have been completed						Persons convicted			
	total	with an effective sentence	with a suspended sentence	with acquittal	with termination of the case	with release from punishment	total	for one crime	for two crimes	for three and more crimes
Total for the country	30007	9663	14310	718	305	5011	23973	21499	2107	367
Art.116, para. 1, item 11 (completed)	2	-	-	2	-	-	-	-	-	-
Art.116, para. 1, item 11 (attempt)	4	3	1	-	-	-	4	4	-	-
Art.131, para. 1, item 12, minor bodily injury	101	61	27	13	-	-	88	48	27	13
Art.131, para. 1, item 12, moderate bodily injury	64	24	36	2	2	-	60	50	9	1
Art.131, para. 1, item 12, severe bodily injury	2	1	1	-	-	-	2	2	-	-
Art.162, para. 1	2	-	2	-	-	-	2	-	2	-
Art.164, para. 2	2	-	2	-	-	-	2	-	2	-

Defendants and convicted persons under Chapters and articles of the Criminal Code and the outcome of cases in <b>2019</b>										
Chapters and articles of the Criminal Code	Defendants in cases that have been completed						Persons convicted			
	total	with an effective sentence	with a suspended sentence	with acquittal	with termination of the case	with release from punishment	total	for one crime	for two crimes	for three and more crimes
Total for the country	28774	9939	13450	585	293	4507	23389	20621	2339	429
Art.116, para. 1, item 11 (completed)	3	3	-	-	-	-	3	3	-	-
Art.116, para. 1, item 11 (attempt)	3	3	-	-	-	-	3	3	-	-
Art.131, para. 1, item 12, minor bodily injury	91	64	22	5	-	-	86	57	22	7
Art.131, para. 1, item 12, moderate bodily injury	66	19	41	4	1	1	60	50	7	3
Art.162, para. 1	1	-	1	-	-	-	1	-	1	-
Art.162, para. 2	1	-	1	-	-	-	1	-	1	-

Art.164, para. 1	1	1	-	-	-	-	1	1	-	-
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Defendants and convicted persons under Chapters and articles of the Criminal Code and the outcome of cases in 2020										
Chapters and articles of the Criminal Code	Defendants in cases that have been completed						Persons convicted			
	total	with an effective sentence	with a suspended sentence	with acquittal	with termination of the case	with release from punishment	total	for one crime	for two crimes	for three and more crimes
Total for the country	27008	9735	12154	650	296	4173	21889	19256	2215	418
Art.116, para. 1, item 11	1	1	-	-	-	-	1	1	-	-
Art.116, para. 1, item 11 (attempt)	4	4	-	-	-	-	4	4	-	-
Art.131, para. 1, item 12, minor bodily injury	86	56	22	8	-	-	78	58	16	4
Art.131, para. 1, item 12, moderate bodily injury	43	10	30	-	3	-	40	33	7	-
Art.131, para. 1, item 12, severe bodily injury	1	1	-	-	-	-	1	-	1	-
Art.162, para. 1	1	-	1	-	-	-	1	1	-	-
Art.164, para. 2	1	1	-	-	-	-	1	1	-	-

**Appendix II***Information*

*on conducted training events with the participation of prosecutors and investigators on topics related to hate crimes and discriminatory crimes*

<b>Subject of the seminar</b>	<b>Organizer</b>	<b>Number of prosecutors</b>	<b>Number of investigators</b>
<b>2018</b>			
<b>3 trainings on the topic: "Hate crimes"</b>	Prosecutor's Office of the Republic of Bulgaria in partnership with the OSCE / ODIHR	35	
Hate crimes	Judicial Training Committee, Malta National Institute of Justice	2	
Hate speech and restriction of freedom of speech on social media	Academy of European Law (ERA)	1	
<b>Total 5 trainings</b>		<b>38</b>	
<b>2019</b>			
Public lecture on the topic: "Responsibility for false, disgraceful information and hate speech. Balancing freedom of expression and protection of privacy in ECtHR practice "	National Institute of Justice	<b>13</b>	
Anti-discrimination law within the EU	European Academy of Law	1	
<b>Total 5 trainings</b>		<b>14</b>	
<b>2020</b>			
Implement the EU anti-discrimination legislation	NIP and ERA online international webinar	<b>7</b>	



### **Appendix III**

#### *Information*

*on initiatives, events, and publications, promoting and/or popularising the culture of different ethnic groups (with the assistance of the Ministry of Culture)*

In the period 2018-2021, the Ministry of Culture has cooperated in organising a number of events promoting and/or popularising the culture of various ethnic groups.

In the field of performing arts, in 2016 the organisation "Raiza Vilm Productions" was financially supported with BGN 3,000 for the realization of the show "Gypsy Wheels", dedicated to the various customs of the Roma people, with the participation of the first Bulgarian professional actress of Roma origin Nataliya Tsekova. The show continues to be performed. In 2020, the same organisation received financial support in the amount of BGN 11,600 for the project "Call me by my name", a documentary theatre play aimed at people affected by the so-called "revival process". Nataliya Tsekova also participates in it. The show is very well received by people from the Turkish community in Bulgaria and the trope visited the city of Kardzhali, as well as a number of other places, including border areas with a predominant population of Turkish origin. A tour in the Republic of Turkey and a meeting with the Bulgarian communities there is forthcoming.

The National Culture Fund annually conducts the "Socially Engaged Arts" Programme, established in 2018 with a focus on funding projects from all fields of art and culture that address social issues and causes, or apply a creative approach to working with disadvantaged communities and groups. The programme aims to implement creative projects thematically related to social problems of environmental, economic, ethnic character or human rights, promoting creative activities with disadvantaged groups and underrepresented social groups in creative processes, development of marginalised groups and communities through arts, generating creative energy and desire for positive social change through art, which affects and addresses socially significant issues, creating preconditions for positive changes in the attitudes and involvement of society in various social situations, attracting attention and resources to socially significant topics. Under this programme for 2020, BGN 1,147,699 have been allocated for 83 projects.

The National Culture Fund has developed and annually conducts the Cultural Heritage competition programme with various priorities over the years. The programme supports projects for protection, research and promotion of the intangible cultural heritage of Bulgaria and development of tools for access to cultural heritage through digital technologies, research and cultural tourism. In 2020, a total of 110 candidates took part in the two modules of the competition with projects worth a total of BGN 1,654,012 and a requested amount of BGN 848,375, of which 19 projects received funding totalling BGN 181,167. For the first time in 2020, an invitation was opened in the module "Cultural Entrepreneurship in the Field of Cultural Heritage" in addition to the regular module "Preservation and Promotion of Cultural Heritage".

As part of the programme on targeted subsidies, funds were spent on projects of national importance, and in 2020 the project of the Roma community centre "Simona 2002" was supported with BGN 3,100 for holding a traditional Roma holiday "Vasilitsa" - the Roma New Year.

In 2020, as part of the pandemic measures and within the One-year programme for strategic financing of organisational and programme expenditures in support of independent and private Bulgarian organisations active in the field of culture, the Roma Savore Foundation was supported. This foundation aims to support the integration of minority groups in the country's social and cultural life, to build mechanisms for the protection of human rights and to support their contacts with state and municipal authorities, as well as to support and develop national and regional initiatives for cultural, social and legal exchange.

In addition to the above, for the period 2018 - 2021 the following projects have been implemented with the financial support of the Ministry of Culture, aimed at ethnic communities:

- 1) In 2018 the National Chitalishte "Stoyanka Sokolova - 1999", Sofia was supported to celebrate "Vasilitsa" - Roma New Year. BGN 2,500 have been allocated for events in the field of arts and culture for the XIII National Festival of Ethnic Groups "Bulgaria for All", organised by the National Chitalishte "Hristo Botev 1928" - Varna. This project of the Chitalishte is co-financed in 2020 and 2021, respectively, with BGN 3,800 and BGN 7,300.
- 2) In 2019 financial support in the amount of BGN 4,800 was received by the Association "Cultural Centre for Social Democracy and Protection of Human Rights" - Vidin, for holding the "20th National Jubilee Ethno-Festival with international participation and celebration 55 years of creative path of the choreographer, director Metodi Filchev".
- 3) In 2020 the National Chitalishte "Stoyanka Sokolova 1999", Sofia was supported with BGN 2,150 for the project "Solemn initiatives on the occasion of the celebration of Vasilitsa - Roma New Year" and National Chitalishte "Prosveta - 1944", Chernik, Silistra district with BGN 2,126.40 for the project "NEVRUZ" - Spring holiday of the aliens.
- 4) In 2021 the ROMINTERNE - RIGHT TO LIFE Foundation was subsidized with BGN 6,200 for the jubilee celebration on April 8 - World Roma Day, for holding the International Festival "Kings of Roma Music".

At the moment, no projects have been received for the sessions for funding in the field of museums, but according to the data from the Register of Museums for educational programmes conducted with the participation of minority groups, in 2018, 53 classes were conducted in 17 museums, in 2019 - 141 classes in 32 museums, and in 2020 - 174 workshops in 23 museums were conducted. Data for 2021 are yet to be obtained.

## Appendix IV

### *Information*

*about initiatives, events and publications promoting and/or popularising the culture of different ethnic groups (with the support of NCCEII)*

In the period 2018-2021, the National Council for Cooperation on Ethnic and Integration Matters has cooperated in organising the following events that promote and/or popularise the culture of different ethnic groups:

- Annual national literary youth competition "He who saves one human life, saves an entire universe", organised by the "Alef" Centre for Jewish-Bulgarian Cooperation, Burgas.
- Topic in 2018: the 75th anniversary of the rescue of Bulgarian Jews during World War II.
- Topic in 2019: "To love despite ...", focused on stories of friendship, understanding, love and mutual assistance between Jews and Bulgarians.
- Topic in 2020: "I am one of them - the Bulgarian righteous in the world" - essays about the Righteous among the nations who risk their lives during the Holocaust to save people of Jewish origin.
- National Ethno Festival - Vidin (2018 and 2019), organised with the Association "Cultural Centre for Social Democracy and Human Rights".
- The 25th and 26th editions of the National Festival of Karakachans, organised with the Federation of Cultural and Educational Societies of Karakachans in Bulgaria, 2018 and 2019
- 19th and 20th International Folklore Festival of Wallachian-Romanian Song and Dance, Association of Wallachs in Bulgaria.
- Sports festival dedicated to the International Children's Day and aimed at the inclusion of children of Roma origin, organized jointly with "Football Club - ICF. Roma 2015 ", Sofia.
- Knowledge for Work Initiative, organised by the Roma Solidarity Association, Yambol.
- Theatrical performance "Gypsy Wheels" - presented in Budapest, Hungary, 2018.
- Forum "Talk about domestic violence", organised by the association "Team Globe", Samokov.
- Regional Public Expert Forum "Problems and Prospects for the Social Integration of Roma in Northwestern Bulgaria Beyond 2020", organised by the Institute for Modern Politics and the Active Society Association, Vidin.

- Electronic platform aimed at overcoming negative stereotypes and hate speech, implemented by the Carpe Diem Association, Sofia.
- Celebration of the International Human Rights Day, December 10, 2020, organised by the Talents Association, Sofia.
- Information campaign "No to drugs in the Roma neighbourhoods of Sofia", New Opportunities Association, Sofia.
- World Football Championship for homeless people, Perushtitsa, organised by "Sports Management Bulgaria", Sofia.

In the period 2018-2021, the National Council for Cooperation on Ethnic and Integration Issues also provided cooperation for:

- Publication of the seventh edition of award-winning student essays from the competition "He who saved one human life saves an entire universe."
- Publication of the magazine "Armenians in Bulgaria and the Balkans, ethnicity and language with a 2000-year history" of the "Centre for Aromanian Language and Culture in Bulgaria".
- Translated poetry of Armenian poets from the Middle Ages to the present day - on the occasion of the 70th anniversary of the translator and fiction writer Agop Melkonyan, 2018
- Bilingual edition of Armenian proverbs and sayings: "From the rose - the scent, from the man - humanity." At the initiative of the Armenian school association "Stepanos Hovagimyan", Sofia, 2019
- Brochure "Talk about domestic violence".
- Selected works by Hristo Hristov, a poet of Roma origin, at the suggestion of the Rominterne - Right to Life Foundation.

## **Appendix V**

### *Information*

*about activities aimed at preventing trafficking in human beings and raising awareness among the Roma community*

The National Commission for Combating Trafficking in Human Beings regularly carries out activities aimed at preventing trafficking in human beings and raising the awareness of the Roma community:

- Conducting a seminar in Montana on the BRIGHT project in Bulgaria - information day "Municipality working in support of the Roma."
- Training for Roma health, education and labour mediators in Pleven and Lovech municipality, which in addition to representatives of the Roma community, was attended by experts from municipal administrations and civil society representatives providing health services and protection for women and children, victims of violence.
- Conducting information and discussion events with unemployed young individuals under the age of 29 in Ruse on "Employment of young people - opportunities and problems", as well as meetings jointly organised by institutions and organisations working on the problem of human trafficking aimed at vulnerable members of the Roma community.
- Conducting a discussion meeting on "Early pregnancy and childbirth by minors" in Ruse.
- Conducting a series of preventive meetings with vulnerable groups in Sliven.
- Specialised training for professionals on the project "Access to Justice for Roma Women" and "Equality between Women and Men and Non-Discrimination" with the participation of local commissions for combating trafficking in human beings, organised under the joint programme of the European Commission and the Council of Europe - JUSTROM 3.