



12/02/2020

RAP/RCha/BGR/18(2020)

## **EUROPEAN SOCIAL CHARTER**

18<sup>th</sup> National Report on the implementation  
of the European Social Charter

submitted by

**THE GOVERNMENT OF BULGARIA**

Follow-up to collective complaints:  
No. 31/2005, No. 41/2007, No. 46/2007

Report registered by the Secretariat on

7 January 2020

**CYCLE 2019**



**APPROVED.**  
**Minister of Labour and Social Policy:**

**DENITSA SACHEVA**

*EIGHTEEN NATIONAL REPORT*

For the period from 1 January 2017 until 30 June 2019,  
submitted by the Government of the Republic of Bulgaria before the Council of Europe in  
accordance with Article C and Article D of the European Social Charter (revised)  
on the measures for the implementation of the provisions adopted by it

**Table of Contents:**

Introduction.....p. 3

**Follow-up actions to collective complaints versus the Republic of Bulgaria**

Collective complaint No. 31/2005 European Roma Rights Center v. Bulgaria.....p. 4

Collective complaint No. 41/2007 Mental Disability Advocacy Center v. Bulgaria.....p. 11

Collective complaint No. 46/2007 European Roma Rights Center v. Bulgaria.....p. 21

## **Introduction**

This Report was prepared after consulting and cooperating with the competent authorities.

In accordance with Art. C of the ESC (r), the Report was coordinated with the nationally representative organizations of the employers and the workers and employees.

The Bulgarian national currency is Bulgarian lev (BGN) and its exchange rate is fixed to the Euro at 1.95583 Levs for 1 Euro (0.511292 Euro for 1 Lev).

The Bulgarian party remains available for any further questions or clarifications that may arise during the review of this Report.

***I. Regarding the unsatisfactory housing conditions of Roma families and the lack of public works***

The Ministry of Regional Development and Public Works provided information for the period of 01.01.2017 – 30.06.2019 regarding the activities/projects under the Operational Programme "Regions for Growth" 2014 – 2020 that contribute to the fulfilment of the objectives of the National Strategy of the Republic of Bulgaria for Roma Integration (NSRPRI), and in particular for the objectives set under the priority named "Improving housing conditions".

1. Information regarding Objective 6, "Construction and Provision of Social Housing" of Priority 3, "Housing Conditions" of the NSRPRI (2012–2020).

According to the Guidelines for Application under Procedure BG16RFOP001–1.001–039 "Implementation of the Integrated Urban Recovery and Development Plans 2014 – 2020" of the OPRG 2014 – 2020, support for the provision of modern social housing for the accommodation of vulnerable groups of the population and other disadvantaged groups was executed within the Social Infrastructure group of activities under Investment Priority 4 "Social Infrastructure".

The social housing projects and respectively the "Rehabilitated Housing in Urban Areas" indicator for reporting the number of social housing builder are included in the Investment Programs of the following municipalities: Blagoevgrad, Burgas, Varna Municipality, Velingrad, Vratsa, Gabrovo, Gotse Delchev, Kazanlak, Kardzhali, Lovech, Lom, Montana, Pernik, Petrich, Plovdiv, Razgrad, Ruse, Svishtov, Silistra, Smolyan, Stara Zagora, Targovishte, Haskovo, Shumen and Gorna Oryahovitsa. Since the beginning of 2018, the managing authority of the OPRG has provided an opportunity for updating the Municipal Investment Programs in order to include new project proposals. According to the approved investment programs, it is foreseen 1,140 rehabilitated housing to be built in the urban areas by 2023.

To date, 9 (nine) grant contracts have been concluded, totalling BGN 28.9 million. With their help 632 homes will be repaired and 1,035 representatives of marginalized groups, including Roma, will live in improved housing conditions. 183 social housings in the Blagoevgrad municipality are reported to be repaired.

2. Information regarding Objective 9, "Construction/reconstruction of social infrastructure sites for the purposes of education, culture, etc." under the OPRG.

Regarding Objective 9: "Reconstruction of social infrastructure sites for the purposes of education, culture, etc." of the National Strategy of the Republic of Bulgaria for Roma Integration 2012 – 2020, it should be known that for measure 9.1.1, "Reconstruction of Educational Infrastructure Objects" under the OPRG 2014 – 2020 the following procedures have begun, under which the indicator "Representatives of Marginalized Groups, Including Roma, Benefiting from the Modernized Educational Infrastructure" was set:

- Procedure BG16RFOP001-1.001-039 "Implementation of the Integrated Urban Recovery and Development Plans 2014 – 2020" – 39 grant agreements for educational infrastructure were concluded, the total amount of the grant was BGN 373.2 million. The result achieved under the indicator is that currently 1 987 persons, representatives of the marginalized groups, including Roma, are using the modernized educational infrastructure and 9 grant agreements were implemented.

- Procedure BG16RFOP001-3.001 "Culture and Sport at School" with the Ministry of Youth and Sports and the Ministry of Culture as specific beneficiaries – 5 grant agreements were concluded, with total amount of BGN 14.1 million. There are still no grant agreements implemented with reported achieved results.

- Procedure BG16RFOP001-3.002 “Support for the Vocational Schools in the Republic of Bulgaria” with the Ministry of Education and Science and the municipalities as specific beneficiaries, according to a prioritized list – 40 grant agreements were concluded and the total amount was BGN 161 million. The result achieved under the indicator is that currently 1 717 persons, representatives of the marginalized groups, including Roma, are using the modernized educational infrastructure and 9 grant agreements were implemented.

- Procedure BG16RFOP001-3.003 "Support for Higher Education Institutions in the Republic of Bulgaria" 13 higher education institutions as specific beneficiaries, in accordance with the methodology for prioritizing higher education institutions for the needs of OPRG 2014 – 2020, prepared by the Ministry of Education and Science – 13 grant agreements were concluded and the total amount was BGN 41.5 million. 3 grant agreements ended and the results achieved are the following – 155 persons, representatives of the marginalized groups, including Roma, use the modernized educational infrastructure.

Please note that all the above procedures, which are implemented under the OPRG 2014 – 2020, are not targeted exclusively at Roma, but at all identified target groups.

3. Regarding measure 9, "Reconstruction of social infrastructure sites for the purposes of education, culture, etc.", of the National Action Plan 2015 – 2020 for the implementation of the Strategy of the Republic of Bulgaria for Roma Integration 2012 – 2020, it should be known that for measure 9.1.3, “Reconstruction of Social Infrastructure Sites”, under the OPRG 2014 – 2020 under procedure BG16RFOP001-1.001-039 “Implementation of Integrated Urban Reconstruction and Development Plans 2014 – 2020”, was set the indicator “Representatives of marginalized groups, including Roma, benefiting from modernized social infrastructure”. At present, 7 grant agreements with a total value of BGN 9.1 million have been concluded. It is envisioned for 2,523 representatives of marginalized groups, including Roma, to benefit from the modernized social infrastructure realised under them. Currently, 1 grant contract is executed and we expect that 300 persons – representatives of marginalized groups, including Roma – will benefit from the modernized social infrastructure.

The Ministry of Labor and Social Policy provided information on the measures implemented during the reporting period from 01.01.2017 until 30.06.2019 under the Operational Programme Human Resources Development (OPHRD) 2014 – 2020 relevant to the collective complaint:

We believe that it is necessary to continue the coordination efforts for providing full and comprehensive support to the target groups of the Roma communities, including marginalized communities, and that the interventions must continue to be implemented **simultaneously in different fields: education, employment, healthcare, *improving housing conditions, overcoming negative stereotypes, etc., as well as having an integrated approach.***

Creating mechanisms and conditions for active inclusion of the Roma, incl. them being complete citizens in the economic and social life of the country, is a key prerequisite and essential for their subsequent socio-economic integration. The OP HRD 2014 – 2020 continues implementing and developing the coordination efforts for providing full and comprehensive support to the target groups of the Roma communities, including marginalized communities, and the interventions continue to be implemented in the abovementioned different fields through the integrated approach.

Therefore, the specific investment priority "Socio-economic integration of marginalized communities such as the Roma" was laid down in the process of programming of the OPHRD 2014 – 2020. All support measures are implemented in a comprehensive and integrated manner within this priority. The main objective is to create lasting and successful coordinated mechanisms, to share experiences, to solve long-standing local problems and to involve as many interested parties as possible, incl. representatives of the Roma community and various experts working and responsible for the priorities of the Roma integration.

In this regard, the launch of an integrated scheme for the inclusion of vulnerable groups, incl. for the further development of the pilot model for the period of 2007 – 2013 for integrated

investments for vulnerable groups was approved with a decision of the Council for coordination of EU funds management from 06.10.2016.

After pre-selection, **we invited 52 municipalities to submit integrated project proposals under Component 1** of the integrated procedure for the direct award of grants entitled "Socio-economic integration of vulnerable groups. Integrated measures to improve access to education" with a Common Budget of BGN 70,000,000, incl. funds from the OPHRD (BGN 50,000,000) and funds from the OPSESG (BGN 20,000,000).

Invitations were sent to the following municipalities:

Borovo, Kubrat, Antonovo, Satovcha, Cherven Bryag, Nikola Kozlevo, Tvarditsa, Yakimovo, Septemvri, Bratsigovo, Lukovit, Tundzha, Pavlikeni, Rakitovo, Dryanovo, Zavet, Tervel, Sredets, Pravets, Ihtiman, Vidin, Samuil, Valchi Dol, Sliven, Belitsa, Gulyantsi, Lesichovo, Boychinovtsi, Hadzhidimovo, Krivodol, Polski Trambesh, Asenovgrad, Etropole, Isparih, Dve Mogili, Botevgrad, Elin Pelin, Strazhitsa, Smyadovo, Lyaskovets, Radomir, Sofia region, Krasna Polyana, Dolna Mitropoliya, Borovan, Kaspichan, Dolna Banya, Shabla, Byala (Ruse), Novo Selo, Kyustendil, Vetovo and Simitli.

After completion of the evaluation of Component 1 of the integrated procedure, **they made 48 project proposals for funding.**

The total value of the project proposals under the procedure is **BGN 37,120,542.42** (thirty-seven million one hundred twenty-five thousand five hundred forty-two leva and 42 stotinki) including funds from the **OPHRD – BGN 20,985,019.96 (ESF – BGN 17,837,266.97 and national co-financing – BGN 3,147,752.99)** and funds under the OPSESG – **BGN 16,135,522.46. (ESF – BGN 13,715,194.09 and national co-financing – BGN 2,420,328.37).**

Component 2 of the integrated procedure, targeting the large 39 beneficiary municipalities of the Operational Program "Regions for Growth" was announced on March 26, 2019. Component 2 of the procedure will be implemented with the support of the three operational programmes – OPHRD, OPSESG and OPRG. 39 municipalities – beneficiaries under Priority Axis 1 of the OPRG 2014 – 2020 whose Integrated Urban Recovery and Development Plans include measures for the construction of social housing – are eligible under this component.

By the beginning of 2019, **about 26 of these 39 municipalities** have planned to build social houses, and both of the programs – OP HRD and OP SESG – foresee identical activities with the target groups of the procedure, planning the placement in social housing to be tied to activities in the other 4 main directions – labor market, education and training, social and health services, local community development and overcoming the negative stereotypes.

The total budget of this second component is **BGN 33 million – the budget of the OPHRD is BGN 30 million and the OPSESG provides BGN 3 million.**

The application deadline for Component 2 is **December 16, 2020.**

At the same time, a number of schemes are being implemented under priority axis 2 of the OPHRD, they are not explicitly targeted at the Roma ethnic minority, but the Roma fall within their reach (**mainstream approach**) as vulnerable groups. At the beginning of **2019** the following data have been reported in relation to the Roma people included in the OPHRD:

- New alternatives – 792 Roma;
- Independent Living – 1124 Roma;
- Accept Me 2015 – 1674;
- Early Childhood Development Services – 14,193 Roma;
- Active Inclusion – 429 Roma.

The total number of people enrolled by 01.01.2019 has reached **18 510 Roma people**, and for 2018, the number was 1,559. More than 85% of all included Roma people are children between the ages of 0 and 18 as part of the two operations: Early Childhood Development and Accept Me 2015.

In conclusion, we would like to point out that the existing opportunities for the integration of Roma people as vulnerable groups under the ESIF are a lot. First steps have been



taken to resolve a variety of issues. The forthcoming implementation of the set complex and integrated measures will show **to what extent and grade the municipalities themselves, as local authorities, will solve the existing difficulties and problems at the local level** in the processes of integration of the Roma community.

In addition to the information on the integrated approach implemented by Bulgaria, we would like to provide information on the implementation of the National Strategy of the Republic of Bulgaria for Roma Integration (2012 – 2020), adopted with a decision of the National Assembly from March 1, 2012. It is a political framework document, setting guidelines for the implementation of the Roma social integration policy. The Strategy also helps with the implementation of the National Action Plan for the period of 2015 – 2020, which includes specific measures and actions implemented by different institutions to help with the socio-economic integration of the Roma.

During the period of 01.01.2017 – 30.06.2019, more than 114 thousand people were included in various activities supporting the integration of the unemployed persons self-identifying as Roma.

	<b>2017</b>	<b>2018</b>	<b>01.01. - 30.06.2019</b>
<b><i>Total number of persons covered by the various activities, including:</i></b>	46,293	43,844	24,344
<b>To increase employability and qualification of unemployed Roma persons</b>	27,031	24,508	12,588
<b>Providing employment for Roma job seekers</b>	19,144	19,251	11,756
<b>Promoting entrepreneurship, starting and running self made business</b>	118	85	65
<b>Promoting social and civic dialogue in support of the employment of Roma</b>	389	260	101

Recruitment intermediaries – Roma mediators – work to improve access to the labor market for economically inactive Roma people, incl. discouraged persons. The Roma mediators are persons who identify themselves as Roma and are employed by the Labor Office Directorates under the National Program for Activation of Inactive Persons. They motivate the economically inactive Roma people to register in the Labor Offices for the purpose of using employment mediation and training services. In this regard, mediators carry out information campaigns and individual and group meetings with inactive and discouraged persons in the neighborhoods and settlements served by the Labor Offices with a more compact Roma population. The Roma mediators have activated and motivated for registration in Labor Offices economically inactive persons who identify themselves as Roma, as follows: in 2017 – 5,506 persons; in 2018 – 5,177 persons and in the first six months of 2019 – 3,005 persons.

To facilitate access for Roma people to information about job vacancies and to provide direct contact and contracting with employers to start work we organise **labor exchanges**. Labor exchanges are visited by jobseekers belonging to more than one target group, including the Roma group. In 2017, there were 4 labor exchanges targeting the Roma community, as a result of which 211 people have started working. In 2018, there was one labor exchanges targeting the Roma community, as a result of which 121 people have started working. In the

same year, 28 specialized labor exchanges were held for persons with basic and lower than basic education and/or without qualifications, with the number of employed persons being 1,963. In the first half of 2019, 87 labor exchanges were held, 21 of them were specialized. As a result 8,876 job seekers were employed and 5,843 of them were registered in the labor offices.

## ***II. Regarding the lack of legal security regarding the ownership of a property and non-compliance of the conditions accompanying the removal of Roma families from their illegally occupied houses***

The Ministry of Justice provided information connected with the Conclusions from the collective complaint in the part which talks about the lack of legal security regarding the ownership of a property and non-compliance of the conditions accompanying the removal of Roma families from their illegally occupied houses. The information is in the context of the implementation of the group of decisions from the *Yordanova and others v. Bulgaria* of the European Court of Human Rights (hereinafter the ECHR). This group refers to the removal of illegal houses or the seizure of misused state and municipal properties, including by persons belonging to ethnic minorities.

The decision of *Yordanova and others v. Bulgaria* ( complaint No. 25446/06) states that there would be a violation of Art. 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention"), the right to respect for private and family life and housing, in the event that the municipal property on which the applicants' houses were built is seized. The decision stated that the order of the mayor for the seizure of municipal property and the subsequent removal of the applicants from their homes were lawful and pursued a legitimate aim, but in the specific case they were a disproportionate interference with the rights under Art. 8 of the Convention. The order was issued on the basis of a law that does not require a study of its proportionality. For this reason, the competent authorities, the mayor of the area and the administrative courts did not assess whether the seizure of the properties, which are a property of the Municipality, on which the applicants' houses were located and the conditions of that seizure violated the rights protected by Art. 8 of the Convention.

In order to assist the state in the implementation of the decision, the ECHR recommends legislative changes and changes in the case-law to ensure that, in similar situations when deciding to remove illegal housing or confiscate municipal or state property, the authorities will clearly identify the goals pursued, the persons concerned and the measures to comply with the principle of proportionality. It must be recognised that the implementation of the group of decisions from the case of *Yordanova and others* does not impose an obligation for the Bulgarian state to legalize the illegally constructed housing of Roma people.

The appeals against orders for the seizure of municipal and state property, constituting one's only house (Art. 80 and 80a of the LSP (Law on State Property) and Art. 65 of the LMP (Law on Municipal Property)), are currently being treated at second instance by the 3rd Department of the Supreme Administrative Court (SAC). In a number of decisions, this department ordered that, in such cases, it must be assessed whether the rights of the persons living in the property will be affected excessively by comparing their individual situation with the pursued public interest of the seizure.

The appeals against orders for the removal of illegal constructions under Art. 225 and 225a of the LLP (Law on Land Planning) are reviewed by the 2nd Department of the SAC as a cassation instance. Until recently, this department had a firm opinion that the construction control authorities were not entitled to judge if it is found that a construction was illegal and that the only possibility for them in such cases was to order its removal. The SAC considered that the bodies under Art. 225 and 225a of the LLP are not bound by the general requirement for proportionality under Art. 6 of the APC (Administrative Procedure Code), because it can be applied only in cases where the administrative body has operational autonomy. The court considered that, given the purpose of the LLP to resolve the problem of illegal construction, the

decision to remove the construction did not imply consideration of the individual circumstances of the persons using it as a sole residence.

In view of this practice and the need to harmonize the approach of the national courts, an inter-ministerial working group was set up with order ПД-02-14-652/28.06.2018 of the Minister of the Regional Development and Public Works. This group will analyse the current regulation and propose legislative changes in the LLP, the LSP and the LMP, introducing a compulsory assessment of the proportionality of the interference with the right to private and family life and the inviolability of the housing when issuing orders for the seizure of property, state and municipal property, as well as and to eliminate illegal construction. As a result of the group's activity, specific proposals for amendments of Art. 225 and 225a of the LLP, Art. 80 and 80a of the LSP and Art. 65 of the LMP were made. They state that the competent administrative authority is required to carry out an analysis of the proportionality of the intervention by examining certain non-exhaustive circumstances, where there is evidence that the property to be seized or removed is someone's only home. No new grounds for legalization of illegal construction are foreseen, beyond those already existing in the LLP. The bill for public consultation will be published soon.

Meanwhile, for the first time in decision No. 11731/03.10.2018 by administrative case No. 1517/2018, the 2nd Department of the SAC referred directly to Art. 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), to Art. 6 of the APC and to the case of Ivanova and Cherkezov v. Bulgaria, – No. 46577/15 (included in one group with the decision of the Yordanova and others case for the purposes of their implementation), accepting that prior to the issuance of an order for the removal of illegal construction under the LLP the competent administrative body shall assess whether the interference with the right to private and family life and home under Art. 8 of the ECHR is proportionate to the objective pursued. Due to the fact that in this specific case no such assessment was made by the competent administrative authority, the order for the removal of the building was cancelled. In this decision, the SAC states that a number of circumstances must be examined and discussed during the assessment, including whether the disputed person belongs to a disadvantaged social group.

Although the above case-law is not yet shared by all the compositions of the 2nd Department of the SAC, after decision No. 11731/03.10.2018, decision No. 8940/12.06.2019 was also published under the admin. case No. 12106/2018 in the records of the SAC, annulling a decision of the Plovdiv Administrative Court. This court is given mandatory instructions to collect evidence of the personal situation of the occupants of an apartment building for whose removal the mayor of Central region of the city of Plovdiv issued an order and to assess the proportionality of the interference with the right of these persons to inviolability of the home.

In addition to the above it should be noted that according to Art. 294 and the subsequent articles of the APC, the decrees, actions and inactions of the bodies implementing the administrative acts shall be subject to single instance judicial control before the administrative courts. The practice of these courts in cases of appeals against acts and actions on the execution of orders for the removal of illegal dwellings and the seizure of state or municipal property is undergoing significant development under the influence of the decisions of the ECHR, in particular of the decision of Yordanova and others. There are increasing cases of respecting appeals or suspension of enforcement after a court analysis, which concludes that enforcement actions are disproportionate interference with the personal situation of residents of the housing to be removed or seized.

In conclusion, it should be noted that in June 2019 the Committee of Ministers of the Council of Europe (CM) published its decision from its session on 4 – 6 June 2019 regarding the implementation of the Yordanova and others group of decisions of the ECHR. Paragraph 3 of this decision notes with interest the draft law and it is assumed that it seems to provide an adequate basis for assessing proportionality when issuing orders for the removal of illegal structures.

**Follow-up actions to collective complaint No. 41/200, Mental Disability Advocacy Center (MDAC) v. Bulgaria, decision on the merits of 3 June 2008**  
**Resolution CM/ResChS(2010)7**

- I. In connection with the Committee's statement that the legislation is not in line with the ESC (European Social Charter) with regard to the right to effective education for children with intellectual disabilities residing in the Homes for Children with Mental Disabilities (HCMD), and that the children from those homes who are guaranteed the right to education are very few compared to other children:

First of all, it should be noted that as of 2016 such homes (HCMD) no longer exist in Bulgaria. As the Committee has already been informed, all homes for children with physical and intellectual disabilities have been closed during the first stage of the childcare deinstitutionalisation reform. Children and young people with disabilities from these specialized institutions have been removed and are already using community services. Some were reintegrated into their biological families or adopted, and others were placed in residential community-based social services, such as family-type accommodation centers or sheltered homes.

The implementation of the principle that the family is the best environment for the upbringing and development of each child remains at the heart of children and family support policies and the ongoing process of deinstitutionalization of childcare in the implementation of the 2010 National Strategy "Vision for Deinstitutionalization of Children in the Republic of Bulgaria" and the Updated Action Plan for the Implementation of the National Strategy (Updated Plan) adopted in 2016. The policy in the field of the deinstitutionalization of childcare is also essential to guaranteeing the right to education for children, including children with disabilities.

Substantial results have been achieved in implementing the childcare deinstitutionalisation: a significant decrease in the number of children in specialized institutions by over 93% (from 7 587 children in 2010 to 526 children at the end of June 2019) and a decrease in the number of specialized institutions for children by more than 83% (from 137 specialized institutions in 2010 to 23 at the end of June 2019). According to the data of the Social Assistance Agency (SAA), as of 30.06.2019, there are 10 homes for children deprived of parental care (HCDPC) with 101 children in them and 13 homes for medical and social care for children (HMSCC) with 425 children who are accommodated and raised under the terms of the Child Protection Act. With orders of the Executive Director of the Social Assistance Agency, the placement of children in all existing HCDPCs was stopped. An order from May 2018 also stopped the placement of children up to 3 years of age without disabilities in the HMSCC. The quality of life of children removed from specialized institutions has also been improved. The number of community-based social services for children in the country has grown significantly. As of June 30, 2019, 624 social services in the community for children, which are state delegated activity and have a total capacity of 14,276 places, were opened and functioning, incl. 303 residential services with a total capacity of 3,673 beds. Out of the total number of resident type services 122 services with a capacity of 1,594 places are intended for children with disabilities (family-type accommodation centers for children/youth with disabilities and family-type accommodation centers for children/youth with disabilities with need of permanent medical care).

It is important to note that children with disabilities have been identified as a separate priority group in the deinstitutionalization process, both during the first and current stages of the process. A wide range of measures and activities are being implemented to support children with disabilities and their families, including an integrated approach to the provision of early childhood development services and early disability intervention and measures related to the

employment of children/youth leaving the care system (including for children with disabilities). The Updated Plan provides measures to support the educational process for children involved in the deinstitutionalization process (including for children with disabilities) and to support students and young people when applying to higher education institutions. These measures will be implemented with funding under the Operational Programme "Science and Education for Smart Growth" 2014 – 2020. The plan provides the increase of the efficiency of the services provided in **the day care centers for children with disabilities (DCCCD) and the centers for social rehabilitation and integration (CSRI) for children with disabilities through their restructuring** (unified management and integration of activities). The reform of the DCCCD and the CSRI envisages upgrading the activities in these services and implementing separate programs for "Early Disability Intervention" and "Individual Pedagogical Support for Children with Disabilities".

The **Law on Social Services (LSS)** was adopted in 2019 (prom., SG 24/2019) and it is effective from 01.01.2020. The law aims to improve the mechanisms for planning, financing, control and monitoring of services, as well as to improve their quality, efficiency and sustainability. The law stipulates that by 01.01.2021 all existing specialized institutions for children – HCDPC, which are managed by the municipalities, and HMSCC, which are managed by the Ministry of Health – will be closed. A ban on the creation of new specialized institutions for children has already been legislated. The adopted LSS regulates the "substitute care" as a specific activity that will provide support for parents of children with permanent disabilities, relatives or foster families, families and carers for adults with permanent disabilities who are unable to care for themselves and for old people who are unable to care for themselves. The LSS also introduces "early intervention for children with disabilities". This is specialized support for children with disabilities and children at risk of developmental delay up to 7 years old and their families, which includes early identification of child health and development risks, implementation of early impact measures to improve the wellbeing and development of the children and to build skills for their upbringing. No fee is charged for the social services through which these measures are provided.

In the context of the policies for supporting children and families and the implementation of the deinstitutionalization process, it is important to note that the placement of a child outside the family is a last resort, implemented after all options for protection in the family have been exhausted, except in cases of urgent removal of the child and serious risks for the life or the health of the child. Children with disabilities can be placed in different residential social services, for example the family-type accommodation centers for children with disabilities, the family-type accommodation centers for children/youth with disabilities and the family-type accommodation centers for children/youth with disabilities with need of permanent medical care). The development and status of the children accommodated in social services is monitored, and within the limits of their competence and powers, the parties involved in the different sectoral systems undertake the necessary and timely actions to meet their needs and to respect their rights, including the access to education, healthcare, protection against violence and all forms of abuse, etc. The social services in the residential community are places of residence for children and young people and no educational process is taking place there.

According to information from **the State Agency for Child Protection**, in 2017 the work of the Permanent Expert Working Group (PEWG) on deinstitutionalization was renewed in connection with the updating of the Action Plan for the implementation of the National Strategy "Vision for the Deinstitutionalization of Children in the Republic of Bulgaria".

The main aspects of **the Updated Action Plan** for the implementation of the National Strategy "Vision for Deinstitutionalization of Children in the Republic of Bulgaria" 2016 – 2020 include:

- measures to provide social and integrated services for early intervention and prevention in family environment;

- measures to provide care in a family environment for children at risk who are not being raised by their biological parents and the phased closure of the homes for medical and social care for children;
- measures for the provision of social services and community support for children placed in homes for children deprived of parental care and those leaving the care system;
- measures to provide social and integrated health and social services for children with disabilities;
- measures to increase the effectiveness of the system for guaranteeing children's rights;
- building the necessary infrastructure for child services.

A **service card** was developed to the Action Plan (adopted on 07.12.2016, at a meeting of the inter-ministerial working group on the management and coordination of the childcare deinstitutionalization process), which contains 149 services for 7,092 users, including the creation of:

- **66 new services, of which:**

- 23 new centres for community support (CCS) and Community Centers for Children and Families;
- 27 new DCCCDs and their families;
- 16 new day centers (DC) for children with multiple and severe disabilities and their families.

- **83 new residential services:**

- 10 new family-type accommodation centers (FTAC);
- 28 new transitional homes for children aged 15 to 18;
- 17 observed homes for young people aged 18 to 21;
- 20 new centers for specialized health and social care for children with disabilities (who need permanent medical care);
- 8 centers for specialized health and social care for children with high risk behavior (and need for special health care).

At the meeting of the inter-ministerial working group (IWG) on the management and coordination of the process of the childcare deinstitutionalization process, held on 18.07.2019, the Monitoring Report for the period of 01.01.–31.12.2018 was presented and adopted. This report presents the progress of the process of the deinstitutionalization in Bulgaria and reports the implementation of the Updated Action Plan to the National Strategy "Vision for Deinstitutionalization of Children in the Republic of Bulgaria".

The analysis of the data in 2018 shows a decrease in the number of children accommodated in the existing 27 specialized institutions on the territory of the country. The total number of children and young people in institutional care is 633, 452 of them are placed in homes for medical and social care for children (HMSSC) and 210 in homes for children deprived of parental care (HCDPC). For comparison, at the beginning of the process in 2010 there were 137 specialized institutions for children operating in the country and more than 7,500 children lived in them.

Prerequisite for the successful implementation and finalization of the childcare deinstitutionalization process is the implementation of the reform in the field of social services. In 2018, the most important moment for this reform was the developed project for the Law on Social Services (prom. in the SG No. 24/22.03.2019, in force from 01.01.2020). The information for this law is given above and the law will contribute to the successful implementation of the Updated Plan for the implementation of the National Strategy "Vision for Deinstitutionalization of Children in the Republic of Bulgaria".

In 2018, **seven homes for children deprived of parental care** were closed: the HCDPC in the town of Strazhitsa, region of Veliko Tarnovo; the HCDPC in the city of Blagoevgrad; the HCDPC in the town of Veliki Preslav, region of Shumen; the HCDPC in the town of Dolna Banya, region of Sofia; the HCDPC in the Razliv village, region of Sofia; the HCDPC in the

Totleben village, municipality of Pordim, region of Pleven; the HCDPC in the Asenovets village, municipality of Nova Zagora, region Sliven.

When removing children/young people from specialized institutions we implement complex integrated measures and activities that are tailored to the individual needs of the children.

The total number of family-type accommodation centers for children/youth in 2018 was **270** with total capacity of **3,389** places and **2,853** accommodated children/youth.

The **transitional housings** and the **crisis centers** are included to the residential social services for children/youth. In the transitional housings children acquire skills for independent living with the support of professionals. The service activities incorporate approaches to independent living in a suitable transitional environment in order to achieve social inclusion. As of 2018, the total number of the functioning **transitional housings** on the territory of the country is **18**, their capacity is 140 places and 108 children and young people live in them. As of 2018, **18 crisis centers** for children are functioning on the territory of the country, their capacity is 196 places and 114 children live in them.

**The total number of abandonment prevention cases** that was being worked on at the end of December 2018 is **3,325**. **The number of successful abandonment prevention cases for 2018 is 1,773**. The new cases from the beginning of the calendar year to 31.12.2018 are a total of 2,703.

The functioning of the PEWG – putting the main problems and challenges on the agenda and making timely and adequate decisions – is essential for the management and coordination of activities on the childcare deinstitutionalization and the development of support and prevention services.

In 2018, a working group at the SACP (State Agency for Child Protection) developed proposals for amendments in the Ordinance on the Criteria and Standards for Social Services for Children, with the aim of ensuring a higher quality of social services for children by introducing an assessment of the professional competence of the employees, who work in them.

Licensing of child social service providers is part of the deinstitutionalization process aimed at developing a network of social services to meet the needs of children and their families. The licensing regime controls in advance the quality of social services for children and monitors their activities. From 01.01.2018 to 31.12.2018, the Chairman of the State Agency for Child Protection (SACP) issued 136 licenses for providing 136 social services for children, 25 of them are for innovative services. The active licenses as of December 2018 are 338 and they provide 340 social services for children.

In 2018, the first **Center for Complex Services for Children with Disabilities and Chronic Diseases (CCSCDCD)** was opened. With the opening of this health facility of innovative type in Silistra region, we will provide support to families to prevent the abandonment of children with disabilities and their placement in specialized institutions, as well as coordination and integration of child care in the healthcare system, as well as with services in other sectors – social, educational and others, in addition to improving the health status of children with disabilities and chronic diseases and ensuring their access to all medical and social services they need.

- II.** Regarding the right to education of children with disabilities, we would like to draw your attention to the fact that **the Law on Persons with Disabilities (LPD)**, which entered into force on January 1, 2019, governs public relations related to the exercise of the rights of persons with disabilities and their support for social inclusion, and outlines the horizontal state policy on the rights of persons with disabilities. This extends the responsibilities of the central government and the local authorities in coordinating the policy in this area.

Section II "Education and Vocational Training" of Chapter Four "Support for Social Inclusion" of the LPD regulates the engagements of the state and local authorities and their structures and the providers of social services to children and students with disabilities, including children and students with special educational needs that have support for personal development in the pre-school and school education system. The support is general and additional and is implemented in accordance with the individual assessment of each child and student with disabilities, it is prepared under the conditions and in accordance with the Law on Pre-school and School Education (LPSE) and the state educational standards.

According to Art. 31 of the LPD, the institutions in the pre-school and school education system provide conditions for equal access to quality education and inclusion of children and students by giving additional support under Art. 187, para. 1 of the LPSE. The additional support for the personal development of children and students with disabilities shall be provided through a support plan prepared in accordance with Art. 187, para. 3 of the LPSE. The plan is drawn up on the basis of an assessment of the individual needs of each child or student and the assessment is carried out by a personal development support team in the kindergarten or school. The institutions in the pre-school and school education system provide access and attendance to assistants of children or students with disabilities when the support plan states that the child or student needs the support of an assistant.

According to data from **the Ministry of Education and Science**, as of 30.06.2019 children and students with special educational needs study in kindergartens and schools and are assisted by teams appointed in the kindergartens or schools or by specialists of the regional centers for support of the process of inclusive education (RCSPIE), as follows:

Resource support is provided in total to **20,368 children and students with special educational needs (SEN)** by specialists assigned in the educational institutions:

- in kindergartens – a total of 4538 children with SEN;
- in schools – a total of 15,830 children and students with SEN;

As of 30.06.2019 a total of 3,933 pedagogical specialists are appointed in all kindergartens and schools, of which: resource teachers – 986, psychologists – 741, speech therapists – 527, rehabilitators of hearing and speech – 88, teachers of visually impaired children – 142, pedagogical advisers – 702, teachers of children with mental disabilities – 33, educators – 644, other types of pedagogues – 70. Of them:

- 990 pedagogical specialists have been appointed in kindergartens in the country, of which: resource teachers – 202, psychologists – 213, speech therapists – 199, rehabilitators of hearing and speech – 43, teachers of visually impaired children – 52, pedagogical advisers – 82, teachers of children with mental disabilities – 20, educators – 111, other types of pedagogues – 68.
- 2,943 pedagogical specialists have been appointed in schools in the country, of which: resource teachers – 784, psychologists – 528, speech therapists – 328, rehabilitators of hearing and speech – 45, teachers of visually impaired children – 90, pedagogical advisers – 620, teachers of children with mental disabilities – 13, educators – 533, other types of pedagogues – 2.

A total of 931 specialists have been appointed to provide resource support to children and students with SEN in the regional centers for support of the process of inclusive education (RCSPIE) – 28 in the country – including: resource teachers – 649, psychologists – 128, speech therapists – 122, hearing and speech rehabilitators – 16, teachers of visually impaired children – 13, kinesi therapists – 3.

Out of the total number of children students with SEN – 20,368, the children and students with resource support provided by specialists of the RCSPIE in kindergartens and schools are 7,686.

As a result of the policies of the MES (Ministry of Education and Science), the psychologists have increased by 106 within the two years since the adoption of the LPSE.



### III. Regarding the policy of inclusive education for children and students with special educational needs for the period of 01.01.2017 – 30.06.2019:

With the entry into force of the **Law on Pre-school and School Education (LPSE)** from 01.08.2016 the inclusive education has been a priority education policy. The philosophy of the inclusive education requires that the comprehensive school alone takes the initiative, responsibility and leadership for its implementation. This means that individual support is the responsibility of kindergartens and schools and is provided not only for children and students with special educational needs, but for all children and students.

The law regulates opportunities for introducing and developing the inclusive education aimed at taking into account the educational needs of all children and students and providing general support for them and additional support for the personal development of children and students with special educational needs, children and students at risk, gifted children and students and children and students with chronic diseases.

The teamwork principle of the appointed specialists supporting the education and development of children and students is also established.

19 state educational standards have been developed and approved, one of which is for inclusive education – with Decree No. 232 from 20.10.2017 was adopted the Ordinance on inclusive education, prom. SG No. 86/27.10.2017. The regulation arranges the public relations related to the provision of inclusive education for children and students in the pre-school and school education system, as well as the activities of the institutions in this system for providing support for the personal development of children and students. According to the Ordinance on inclusive education the institutions in the pre-school and school education system – kindergartens, schools, centers for personal development support and the specialized service units – provide general and additional support for the personal development of children and students and their provision by teachers and other pedagogical specialists (psychologists, pedagogical counselors, speech therapists) and other professionals (social workers, kinesitherapists, etc.).

The education as a national priority is implemented in accordance with the principles of equal access to quality education and inclusion for every child and every student; equality and non-discrimination in pre-school and school education; orientation to the interest and motivation of the child and the student, to the age and social changes in his/her life; preservation of the cultural diversity and inclusion through the Bulgarian language.

To achieve these priorities, the MES is working on implementing the principles set out in the LPSE, with emphasis on providing conditions for the introduction and development of the inclusive education; creating conditions for inclusive education for children and students from migrant families and for seekers or recipients of international protection; socialization and inclusion in the educational process of children and students whose mother tongue is different from Bulgarian, while preserving and developing their cultural identity; implementation of the new functions of special schools and centers for special educational support that will provide additional support for the special educational needs children and students' personal development.

The priority policies of the Ministry are ensuring conditions for the provision of general and additional support for the personal development of children and students, as well as providing a supportive environment for participation of students with special educational needs during national external assessment and state matriculation exams.

Another major priority is the systematic training of experts from the regional education departments, of directors and pedagogical specialists related to the inclusive education and the work with children and students with special educational needs, as well as with the early assessment of children's needs.

In 2018, kindergarten pedagogical specialists were trained to work with the screening test and the psychomotor, cognitive and language development programs for early detection and prevention of learning disabilities, as part of the overall support stated in the LPSE.

The provision of conditions and resources for building a supportive environment in kindergartens and schools in order to create an inclusive education environment continues.

During the implementation of inclusive education policies coming from the LPSE, experts from the MES represent our country at the European Agency for Special Needs and Inclusive Education.

Priority is also given to activities related to the coordination of the implementation and reporting of the measures set out in the **Strategy for the Educational Integration of Children and Students from Ethnic Minorities**, incl. organizing and conducting trainings of experts from the regional education departments, directors, pedagogical specialists and mediators working in a multicultural environment for intercultural education and work with children and students from the ethnic communities; conducting information campaigns to attract and motivate the completion of primary, secondary and higher education for young people from vulnerable ethnic communities. Bulgaria is also working on the implementation of activities related to the reporting of MES policies on the implementation of the planned measures included in the “Education” priority of the National Strategy of the Republic of Bulgaria for Roma Integration, as well as taking into account the progress of our country in the field of inclusion of children and students from vulnerable groups, including Roma.

An electronic platform for recruiting and promoting good experience from the interested parties in developing and implementing policies and measures in the field of inclusive education and the educational integration of children and students from ethnic communities can be accessed from the MES website.

For implementation of the principles set out in the LPSE, the MES also carries out activities related to the inclusion of children and students seeking or receiving international protection, as well as interinstitutional cooperation for the inclusion of children and students seeking or receiving international protection and migrants in the pre-school and school education system. The Ministry of Education and Science coordinates the activities related to the education of children seeking or receiving international protection and migrants, who are in the age for compulsory pre-school and school education, in Bulgarian as a foreign language, in accordance with Ordinance No. 6 on the Acquisition of the Bulgarian Language; it coordinates activities related to specialized training of pedagogical specialists for teaching Bulgarian as a foreign language, as well as working in multicultural environment in the initial stage of students in the compulsory school education. Bulgaria systematically organizes and conducts trainings for working with children and students seeking or receiving international protection and migrants for experts from the regional education departments, principals and pedagogical specialists.

Schools and centers for personal development support help the implementation of the state policy for ensuring and providing support for the personal development of children and students by organizing activities for the development of their individual abilities and gifts in the fields of science, technology, arts and sports. They become a place for discovering, developing and expressing students’ interests and opportunities through their involvement in various projects, initiatives and programs.

The activities of the Inclusive Training project under the OP HRD continue and are upgraded within the BG05M20P001-3.003-001 project "Support for Equal Access and Personal Development", a procedure for the direct provision of BG05M20P001-3.003 "Ensuring Conditions and Resources for Building and Developing a Supportive Environment in Kindergartens and Schools for the Implementation of Inclusive Learning – Phase 1, Operational Programme "Science and Education for Smart Growth" 2014 – 2020.

Until the end of December 2017, activities were implemented to introduce the pilot model for the **early assessment of the educational needs of children of pre-school age and the prevention and early intervention of their learning disabilities** under the project “Support for Equal Access and Personal Development” under the OP SESG.

More than 3,000 children from 3 to 7 years old have been covered over the course of the project during the process of early assessment, prevention and early intervention of learning disabilities. More than 1,300 children are at risk of learning disabilities from different age groups.

**Conditions and resources to upgrade the supportive educational environment in order to deliver inclusive learning**, tailored to the individual needs of each student, were provided for another activity of the project. Good practices and models have been established in accordance with the current legislation and the capacity of mainstream schools to implement policies for inclusion and support for the personal development of children and students with special educational needs has been increased. Over the course of the project, more than 2,500 children and students with special educational needs were supported in 112 general education schools, and over 650 pedagogical specialists – psychologists, speech therapists, resource teachers, hearing and speech rehabilitators, teachers and principals – provided support for different periods of time.

The activity **“Improving access to information and communication for hearing impaired children and students through the introduction of sign language”** was also implemented under the project. Through this activity was implemented one of the measures in the Action Plan for the implementation of the Convention on the Rights of Persons with Disabilities related to the provision of resources for conducting a study in Bulgarian Sign Language with a view to its official recognition in the Republic of Bulgaria as a natural language and further training for the use and promotion of sign language in the Bulgarian society. Hearing impaired people are better able to exercise their right of freedom of opinion and expression. Bulgaria conducted a scientific study of the Bulgarian Sign Language, a scientific description of the grammar in the Bulgarian Sign Language and a dictionary of the Bulgarian Sign Language was developed for the first time.

In 2019 we created conditions to provide a modern specialized environment in the **Centers for special educational support** by modernizing the facilities under the *National Program “Provision of Modern Educational Environment” – module “Provision of Modern Specialized Environment in Special Educational Support Centers by Modernizing the Material Base for Supporting the Personal Development of Children and Students”*.

The module is aimed only at the centers for special educational support, which are 42 in the country – 34 state centers and 8 municipal.

The centers for special educational support are established in accordance with the LPSE and carry out:

1. diagnostic, rehabilitation, corrective and therapeutic work with children and students, for whom it was established from the evaluation of the regional center for support of the process of inclusive education that according to their educational needs, they can be trained in a center for special educational support under conditions and under the order defined in the state educational standard for the inclusive education;
2. pedagogical and psychological support;
3. implementation of support and training programs for the families of children and students under item 1;
4. training of children and students under item 1 in compulsory pre-school and school age and vocational training for acquiring first degree of professional qualification, etc.

The application of state and municipal centers for special educational support was carried out on a project basis for the provision of funds for purchasing specialized machines, apparatus, equipment, devices, supplies and software products, didactic materials, consumables, etc. These products support the training, therapeutic and rehabilitation activities in the specialized offices and provide support for the personal development of children and students.

A commission, determined by an Order of the Minister of Education and Science, reviewed, evaluated and ranked the submitted project proposals of the centers applying for funding under the module of the National Program. Of the 39 project proposals received, 38 were approved for a total value of BGN 1,600,000.00. The funds were provided to the centers for

special educational support in order to purchase the necessary specialized machines, equipment, technology, devices, supplies and software products, didactic materials, consumables, etc.

*Under the Operational Programme “Science and Education for Smart Growth” in May 2019 began the implementation of the activities under project BG05M2OP001-3.005-0004 “Active Inclusion in the Pre-school Education System”.* The beneficiary is the Ministry of Education and Science with the Center for Educational Integration of Children and Students from Ethnic Minorities as a partner.

One of the main activities of this project is the “Additional Bulgarian Language Training for Children from Vulnerable Groups” activity, and for this purpose there will be a specialized methodology for Bulgarian Language Training. 4,000 methodological guidelines for the teachers will also be developed, printed and delivered and 22,000 supportive tools and teaching aids for children from the vulnerable groups who do not speak or do not know very well Bulgarian. As a result of this activity, at least 85% of the children from vulnerable groups are expected to make progress in speaking Bulgarian.

Regarding the activity “Conducting Trainings, incl. Providing Training Materials and Aids” it is expected the following people to be trained: 2,000 teachers for the implementation of the specialized methodology for further training in Bulgarian language, which will be developed during the project; 1,500 teachers will be trained to apply the screening test to identify risk of learning disabilities in children from 3 years old to 3 years and 6 months; 200 non-pedagogical staff (educational mediators, social workers, etc.) and 700 other interested parties (parents, Roma leaders or representatives of the Roma community, etc.).

A representative research on the “kindergarten – family” interaction is expected to be conducted under the activity “Implementation of Activities for Pedagogical, Psychological and Social Support for Parents of Children from Vulnerable Groups and to Form in Them Motivation for Active Inclusion of their Children in the Pre-school Education System”. A Methodology for Interaction and a Compendium of Good Practices for Effective Interaction between the Family and the Kindergarten will be developed, printed and delivered. We will also make a video clip and 4 conferences and motivational campaigns for 3,600 parents of children from vulnerable groups in the six planning areas in the country.

National awareness campaigns will be conducted in the six planning areas under the activity "Carrying Out Activities for Building Positive Public Attitudes towards Pre-school Education and for Non-discrimination". This will build positive public attitudes towards the pre-school education and will prevent discrimination and will establish tolerance in 3,600 participants. The shooting of an interactive educational film is planned in order to realize the “kindergarten-family” interaction to increase their sensitivity and prevent discriminatory actions.

*The implementation of the activities under the Support for Success project with the MES as a specific beneficiary has begun under the Operational Programme “Science and Education for Smart Growth”.* The main objective of the project is to promote equal access to quality education and fuller coverage of students in school education through activities for overcoming learning difficulties and gaps in the educational content, as well as for developing their potential and capacity for successful completion of secondary education and for future social, professional and personal realization. The project is aimed at reducing the share of the children who left school and the education system early, as well as at their reintegration into the system. The focus is on students in the elementary and lower secondary stages of the basic education, and depending on individual needs, there will be activities for supplementing, developing and upgrading competences acquired during the compulsory school classes, as well as for motivating students to stay in school and to prevent their early departure.

*The implementation of the activities of the Education for Tomorrow project has started under the Operational Programme “Science and Education for Smart Growth”.* Activity 2 of the project envisages the building of a modern protected educational environment in schools and kindergartens, based on modern facilities (visualization equipment), and presentation of educational content through ICT (such as interactive whiteboards, interactive tables for kindergartens, tablets, multimedia projectors and displays for visualization of interactive content,

specialized advanced technology for children with sensory impairments, children with autism spectrum disorders, children with cerebral palsy, etc.).

The overall policy of the Ministry of Education and Science is focused on creating conditions for the development of inclusive education as a process of awareness, acceptance and support of the individuality of each child or student by including resources aimed at removing the obstacles to studying and learning and at creating opportunities for the development and participation of children and students in all aspects of community life.

*Follow-up actions to collective complaint No. 46/2007 European Roma Rights Center v. Bulgaria, decision on the merits of 3 December 2008*  
*Resolution CM/ResChS(2010)1*

- I.** In view of the Committee's conclusion that the requirements of Art. 13, § 1 of the European Social Charter were not met, since the persons who do not receive social assistance are not entitled to medical care other than emergency care, obstetrics and hospital treatment:

In Art. 82 of the **Health Act** are regulated the medical activities outside the scope of the compulsory health insurance, which are provided to Bulgarian citizens, regardless of their health insurance status. In addition to emergency, obstetric and hospital treatment, the Ministry of Health also finances:

- intensive treatment of persons without health insurance;
- inpatient psychiatric care;
- complex dispensary (outpatient) monitoring of persons without health insurance with mental illness and skin and venereal diseases;
- provision of blood and blood products;
- organ, tissue and cell transplantation;
- assisted reproduction;
- compulsory treatment and/or compulsory isolation;
- medical activities for patients with infectious diseases, including to prevent epidemiological risk;
- medical activities in patients with non-specific pulmonary diseases;
- medical expertise for the type and grade of disability and permanent disability;
- medical activities and specialized care provided to certain persons in the implementation of projects and programs financed by funds from the European Structural and Investment Funds or other international financial institutions and donors, on a list issued by an ordinance of the Minister of Health;
- treatment with methadone substitution and maintenance programs and daily psycho-rehabilitation programs.

Apart from the mentioned medical activities, the Bulgarian citizens are entitled to payment for medical and other services related to their treatment in the country or abroad, for which there are no other funding mechanisms with funds from the state budget, municipal budgets and/or from the budget of the National Health Insurance Fund. In these cases, persons up to the age of 18 are entitled to medical care beyond the scope of compulsory health insurance. This medical care includes payment with funds from the state budget for medical devices, highly specialized apparatus for individual use, dietary foods for special medical purposes and medicinal products, not included in the Positive Medication List.

The legislation also allows municipalities, with their own resources, to support the prevention and treatment of socially disadvantaged, unemployed and other persons with permanent residence in the respective municipality.

According to Art. 13, § 1 of the Charter, "The Parties undertake to ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by his condition".

With this in mind, it should be noted that the budget of the MLSP provides the payment of the value of medical care provided for the diagnosis and treatment in medical establishments of Bulgarian citizens who have no income and/or personal property, which can help them pay the mandatory health insurance contributions. This is regulated in **Decree No. 17 from 31 January 2007 (last amend. in 2017)** for laying down the conditions and procedure for the use

of the assigned funds for diagnosis and treatment in hospitals for the care of persons without income and/or personal property, which can help them participate personally in the health insurance process. The funds are earmarked for the purpose of the budget of the Social Assistance Agency and are granted to Bulgarian citizens who:

1. have not been insured under the conditions and according to the procedure of the Health Insurance Act;
2. have no income;
3. have no receivables, deposits, interests and securities whose total value exceeds BGN 500;
4. do not own movable and immovable property which can be a source of income, except for the things which the person uses on a daily basis;
5. do not have a contract for the provision of property against a maintenance and/or care obligation;
6. have not transferred any residential property, villa, agricultural or forestry property and/or ideal parts from them for a fee within the last year;
7. have not transferred any residential property, villa, agricultural or forestry property and/or ideal parts from them through a donation contract within the last year;

The value of the hospital care provided for diagnosis and treatment in medical establishments is determined by prices in accordance with the National Framework Contracts for the respective year, in which the volumes, prices and methods for valuation and purchase of the types of medical care are determined.

The funds are earmarked under the budget of the SAA in order to carry out the activity for which they are spent and are paid by the SAA through the National Health Insurance Fund.

In addition, in connection with the finding of a violation of Article 13, para. 1 of the Charter, we will also provide an up-to-date information from the Social Assistance Agency (SAA) as the institution providing financial support to families with children under the **Law on Family Allowances for Children (LFAC)**. The main purpose of the family allowances is to raise children in a family environment, thus directly protecting some of the fundamental rights of the child guaranteed by the UN Convention.

Several categories of allowances are provided under the LFAC. For each of them there is a differentiating criteria in accordance with the purpose of the particular family assistance.

The income criterion does not apply **for families with children with permanent disabilities**, with a single living parent and children living in foster families and with relatives. These families are provided with monthly family allowances, regardless of the family income and depending on the degree of disability and the need for assistance services. The family allowances are not tied to both employment and social security contributions of the persons.

The Law on Family Allowances for Children regulates the legal possibility of providing the monthly childcare allowances until completion of secondary education, monthly childcare allowances up to one year of age, and the lump sum allowances for students enrolled in first grade in kind.

The Law on the State Budget of the Republic of Bulgaria for 2017 (LSBRP – 2017) introduced amendments and supplements to the LFAC, with which, as of 01.01.2017, was introduced a new type of monthly allowance for raising a child with permanent disability up to 18 years old and until the completion of secondary education, but not later than 20 years of age in accordance with Art. 8e of the LFAC. The LSBRP – 2017 defines the amounts of the monthly allowance, which are differentiated according to the degree of disability or the degree of reduced working ability for the respective year and are in accordance with their purpose – to meet the basic and specific needs of children with permanent disabilities and to provide care and support in home and family environment for children with defined 90 percent and over 90 percent type and degree of disability or degree of permanent reduced working ability who are raised by their parents (adopters). The new assistance is also provided to the families of relatives and foster families where children with long-term disabilities are accommodated under Art. 26

of the Child Protection Law, the amounts being lower, since they do not include the means of care in the home environment, given the financial support they also receive from the Child Protection Law.

As of 03.05.2017, the amendments and supplements to the Rules for Implementation of the Law on Family Allowances for Children (RILFAC) have also entered into force. In the cases of re-certification of a child with permanent disability, the monthly allowances under Art. 8e of the LFAC shall be granted in the full amount the first day of the month during which the ground for granting them ceased.

**II.** With regard to the findings of infringement of Article E in conjunction with Article 11, para. 1, 2 and 3 and the additional information requested:

We would like to provide brief information on the specific campaigns/activities to ensure effective access to health services for the Roma population.

**The health policy of the Republic of Bulgaria is aimed at creating conditions for quality and affordable health services for all citizens of Bulgaria, regardless of their gender, age, ethnic and social background, with a particular focus on improving the health care of disadvantaged groups.**

This is reflected in the National Health Strategy 2020, developed by the Ministry of Health and adopted with a Decision of 17.12.2015 of the National Assembly.

**The maternal and child health are a top priority** of the health policy. The implementation of the “**National Program for Improving Maternal and Child Health 2014–2020**” continues.

- **More than 100 hospitals receive funding under the program for activities outside the scope of health insurance**, which have a significant effect related to the early diagnosis and comprehensive treatment of certain diseases for which no funding is provided from other sources.
- 31 maternity and child health advisory centers were opened in all regional cities and in them medical specialists, psychologists and social workers provide advices to pregnant women at increased medical risk and with pathology of pregnancy, premature infants and children with chronic illnesses and disabilities.
- The program also provides research and consultation tools within a biochemical screening for pregnant women to assess the risk of having a child with chromosomal abnormalities. The necessary kits and reagents are purchased with funds from the budget of the Ministry of Health.
- Expert committees have been created in university and specialist hospitals. They draw up individual plans for complex interdisciplinary health care and continuous health care for children with chronic illnesses (*diabetes, congenital heart malformations, congenital facial malformations, congenital neurological diseases, congenital hematologic diseases, childhood cerebral palsy and premature babies*) depending on the specific condition of each child.

**Under Ordinance No. 26/2007, the Ministry of Health provides funding for activities related to pregnancy and childbirth of women without health insurance, as well as for examinations beyond the scope of compulsory health insurance for all newborns for phenylketonuria, congenital adrenal hyperplasia and congenital hypothyroidism.**

Within the framework of the BG 07 “Public Health Initiatives” program, Bulgaria has implemented projects aimed at **improving the access for adolescents (between 10 and 19 years old) to sexual and reproductive health services. The projects are focused on vulnerable groups.**

**The Center for Family Planning, Sexual and Reproductive Health** was created. There were consultations with medical professionals and psychologists specialising in sexual health and family planning issues, health education activities and **active campaigns among the Roma population (with the support of NGOs), which have created trust based**



**relations between medical professionals and young people.** Consultations have been provided by psychologists.

In addition, under the BG 07, “Public Health Initiatives” program (funded by the Norwegian Financial Mechanism and the EEA Financial Mechanism) the following has been done:

- 436 high-tech medical devices were delivered and training was provided to 131 medical specialists. This contributed to the quality of prenatal diagnostics and neonatal care in 33 hospitals in 28 regions of the country. This is one of the reasons for the reduction of infant mortality and the increased rate of detection of malformations during pregnancy.
- **8,022 home visits with free medical examinations and consultations for pregnant women and children up to 3 years of age were carried out. They were focused on the at-risk groups, especially the Roma population.**
- More than 1,600 parent were trained. This allowed many women and children from the Roma population to receive timely medical care and treatment.

**For the implementation of the National Strategy of the Republic of Bulgaria for Roma Integration, under the Health priority, obstetric and gynecological examinations are carried out in mobile offices in settlements with compact Roma population.**

- In 2018, a total of 2,346 examinations were carried out in the four mobile gynecological offices. Bulgaria provides **prophylactic examinations for Roma patients without health insurance** and for people with difficult access to healthcare facilities. During the reporting period, the mobile gynecological offices were divided into four areas: Blagoevgrad, Burgas, Sliven and Pazardzhik. The performed prophylactic obstetric and gynecological examinations in the settlements were carried out after prior coordination, help and organizational assistance from the mayors of the municipalities and the health mediators in the Roma neighborhoods. **A number of meetings were held in the municipalities with the mayors of the settlements in order to inform the target population in the Roma neighborhoods.** All patients examined were **advised on proper monitoring in the presence of the desired pregnancy and the risks associated with it, recommendations for the usefulness of periodic examinations of women who have already given birth** and methods of preventing pregnancy at a later age.

**Under Ordinance No. 26 on the provision of obstetric care to women without health insurance and for carrying out examinations beyond the scope of the compulsory health insurance for children and pregnant women, the Ministry of Health provides the genetic laboratories with kits, reagents and consumables for biochemical screening of pregnant women for the most common chromosomal abnormalities.** The funds provided by the MH amount to **BGN 4,795,260.**

A network of **health mediators** (in 2018 there were 230 health mediators funded by the state budget) **that support both the population in the Roma neighborhoods and the healthcare professionals who serve the population** was created. Their contribution to **the aim of optimizing the scope of prevention programs among the Roma population** is significant. They support the health education and health awareness of the Roma people and carry out active social work within the community. They establish sustainable partnerships between Roma groups and local structures.

Each calendar year, newly appointed health mediators go through introductory training. The Ministry of Health provides funding for household expenditures. In 2017, according to the approved estimate, the financial resources amount to BGN 8,500, and in 2018 – to BGN 6,900.

Conducted examinations with the mobile offices for 2017 and 2018

Year	Number of examinations	Total
2017	– 734 immunizations of children with incomplete immunization status; – 1,029 fluorographic examinations;	13,282

	<ul style="list-style-type: none"> <li>– 2,299 gynecological examinations;</li> <li>– 1,696 pediatric examinations;</li> <li>– 1,033 mammographic examinations;</li> <li>– 1,583 ultrasound examinations;</li> <li>– 5 208 laboratory tests</li> </ul>	
2018	<ul style="list-style-type: none"> <li>– 283 immunizations of children with incomplete immunization status;</li> <li>– 1,122 fluorographic examinations;</li> <li>– 2,346 gynecological examinations;</li> <li>– 1,755 pediatric examinations;</li> <li>– 1,084 mammographic examinations;</li> <li>– 1,118 ultrasound examinations;</li> <li>– 5,750 laboratory tests</li> </ul>	13,458

Mobile offices where doctors provide **free examinations and vaccinations** are used to provide adequate access to healthcare for at-risk groups and disadvantaged people belonging to ethnic minorities. The offices also conduct immunizations in implementation of the National Strategy of the Republic of Bulgaria for Roma Integration. In connection with the registered measles outbreaks among the minority groups from the population in 2017, the regional health inspections and the health mediators actively sought and further immunized against measles 8,317 children, the children up to 5 years old had priority.

The National Program for **HIV/AIDS prevention and control** and sexually transmitted infections for the period of 2017 – 2020 was adopted with a decision of the Council of Ministers No. 163/23.03.2017.

Thanks to the implementation of the activities under this program for risk groups, Bulgaria remains a country with low HIV incidence – 3.4 per 100,000 people in 2017, and for the EU Member States it was 6.2 per 100,000 people.

The activities under the National Program are aimed at reducing the vulnerability to HIV of the Roma people.

In 2018, HIV and STI prevention activities among risk groups were conducted all year in the 13 Offices for Anonymous, Free AIDS Counseling and Examination (OAFACE) at the Regional Health Inspectorate (RHI) on the territory of Blagoevgrad, Burgas, Varna, Veliko Tarnovo, Vidin, Vratsa, Dobrich, Pleven, Plovdiv, Ruse, Sofia, Stara Zagora and Haskovo, as well as by two non-governmental organizations in the districts of Stara Zagora from the World Without Borders Association and on the territory of Varna region by the S.O.S – Families at Risk foundation in the period of July – November 2018.

In the OAFACEs, 661 Roma people received HIV testing and were counseled for safe sexual behavior. These services were delivered by NGO teams to 815 Roma people among the highest risk groups – users of drugs through injections, sex providers and men who have sex with men.

The program “Improving the sustainability of the National Tuberculosis Program” funded by the Global Fund to Fight AIDS, Tuberculosis and Malaria, complements and supports the implementation of the “National Tuberculosis Prevention and Control Program for the Period of 2017 – 2020”.