

Ref: CommHR/MOF/sf 133-2026

Nataliya EFREMOVA

Minister of Labour and Social Policy
Republic of Bulgaria

Strasbourg, 1 October 2026

Dear Minister,

I am writing to follow up on our discussions on the human rights of older persons in residential care during my visit to Bulgaria from 29 June to 3 July. I appreciated your engagement with this issue and would like to share a few further observations for the consideration of authorities with responsibilities in this area.

I welcome the ongoing reform of the long-term care system, which offers an important opportunity to improve the availability and quality of services as Bulgaria's population ages and demand for long-term care increases. The efforts to modernise residential institutions and to strengthen compliance with quality standards are encouraging, as is the commitment of many of the staff I encountered. At the same time, challenges persist in ensuring consistent quality and in delivering care that is personalised, safe, and respectful of residents' rights.

Staff shortages remain a significant obstacle, with low pay and narrow prospects for professional development reportedly contributing to the problem. As discussed during my visit, geriatric expertise has declined since geriatrics ceased to be offered as a distinct medical specialisation, while availability of dementia care is limited, with lengthy waiting lists for those requiring it. I was also informed of varying levels of qualification and training among social care workers. I encourage measures to strengthen geriatric expertise and dementia care capacity and to make care professions more attractive, notably by improving working conditions and enhancing training opportunities.

The organisation of care also merits further attention. I observed that residential facilities can struggle to combine medical and social care approaches, leaving residents in bare and impersonal surroundings. I recommend considering ways to improve cooperation between health and social care services and adopting a more integrated approach that better reflects the complexity of residents' health, social and everyday needs.

I welcome the measures introduced in response to serious abuses in unlicensed and private care institutions, including stronger quality standards and inspections, reporting mechanisms and a more robust criminal law response. To promote effective reporting and systematic follow-up, it would be helpful to continue making information on these procedures readily accessible to residents, staff and others concerned. In light of past incidents, particular consideration should be given to safety requirements, notably regarding fire safety, as highlighted by the Ombudsman.

Independent monitoring of long-term care facilities, both public and private, should be strengthened, including through adequate support for the Ombudsman's role and facilitation of the relevant work of civil society organisations. It is essential that allegations of abuse, neglect or other violations of residents' rights are promptly and effectively investigated, and that those responsible are held accountable. Accessible legal assistance and other forms of support would further reinforce the protection of residents' rights.

Finally, I remain concerned about the legal capacity framework, which still provides for excessively restrictive regimes involving deprivation of legal capacity and placement under plenary guardianship, and allows for conflicts of interest to arise, for example when institutions act as guardians. As noted in my end-of-visit statement, it would be beneficial to reform this framework to introduce supported decision-making arrangements that fully respect the autonomy, dignity and rights of the individuals concerned and include appropriate safeguards. Advance directives could also be provided for, enabling

people to express their wishes concerning medical care and other matters should they later experience difficulties communicating them.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael O'Flaherty". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Michael O'Flaherty