

**NATIONAL REPORT (INFORMATION) ¹,
PRESENTED BY THE MINISTRY OF LABOUR AND SOCIAL POLICY
OF THE REPUBLIC OF BULGARIA
REGARDING THE PREPARATION OF THE EUROPEAN SOCIAL RIGHTS
COMMITTEE'S 5-TH REPORT ON THE NON-ACCEPTED BY BULGARIA ²
PROVISIONS OF THE EUROPEAN SOCIAL CHARTER (revised)**

Article 1

Right to work

In order to ensure the effective exercise of the right to work, the Contracting Parties undertake:

1. to adopt as one of their priority objectives and responsibilities the achievement and maintenance of as high and stable a level of employment as possible with a view to achieving full employment;
2. to effectively protect the worker's right to acquire his means of subsistence through an occupation he has freely chosen;
3. to establish or maintain free employment services for all workers;
4. to provide or facilitate appropriate vocational guidance, vocational training and vocational rehabilitation.

Article 2

Right to fair working conditions

In order to ensure the effective exercise of the right to fair working conditions, the Contracting Parties undertake:

- 1. to determine a reasonable duration of the working day and the working week, whereby the working week must be gradually reduced to the extent that the increase in productivity and other relevant production factors allow;***
2. to provide for official paid holidays;
3. to provide paid annual leave of at least four weeks;
4. to prevent risks in certain dangerous or unhealthy occupations, and where it is not yet possible to completely prevent or reduce these risks significantly, to provide either reduced working hours or additional paid leave to workers exercising such occupations;
5. to provide a weekly rest period which shall, as far as possible, coincide with the day recognised as a day of rest by tradition or custom in the country or region;
6. to ensure that workers are informed in writing as soon as possible, in any event no later than two months after the date of recruitment, of the main terms of the contract or employment relationship;
7. to ensure that workers employed for night work benefit from measures which take account of the specific nature of that work.

¹ RELEVANT AS OF FEBRUARY 2025

² PROVISIONS IN **BOLD** – NOT ACCEPTED AS OF MARCH 2025

PROVISIONS IN **BOLD-ITALIC** - AS PROPOSED BY THE ECSR TO BE ACCEPTED IN THE FOURTH REPORT ON BULGARIA AS OF 2020

In the previous report of Bulgaria, we have pointed out that the provisions of the Labour Code imperatively determine the maximum duration of working hours per day and week. The law establishes a minimum standard for labour protection - the requirements for the maximum amount of hours of the working week. There is no obstacle with an individual or collective employment contract to negotiate a shorter duration of working time when the parties wish to do so. In this way, the interests of the employer and the worker can be taken into account in view of the relevant production factors and the need for greater flexibility.

In this sense, we maintain an unchanged position with regard to Art. 2, para. 1 of the ESC In our view, regulating the gradual reduction of the working week's duration by law would restrict the freedom of collective labour agreements, as well as the freedom of businesses to assess which production factors allow the reduction of working hours and which do not allow it.

Article 3

Right to safe and healthy working conditions

In order to ensure the effective exercise of the right to safe and healthy working conditions, the Contracting Parties undertake, in consultations with employers' and workers' organizations:

1. to draw up, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment; the overarching objective of this policy is to improve occupational safety and health and to prevent accidents and health damage arising, related to or occurring at work, in particular by minimising the causes of accidents inherent in the working environment;
2. to adopt legislation on occupational safety and health;
3. to facilitate the implementation of such legislation by means of control;
4. to contribute to the continuous improvement of occupational health services for all workers, primarily with prevention and consultations.

Article 4

Right to equitable remuneration

In order to ensure the effective exercise of the right to equitable remuneration, the Contracting Parties undertake:

- 1. to recognise the right of workers to a remuneration sufficient to ensure a decent standard of living for them and their families;**
2. to recognise the right of workers to an increased rate of pay for overtime, except in certain specified cases;
3. to recognise the right of men and women workers to equal pay for equal work;
4. to recognise the right of all workers to a reasonable period of notice upon dismissal;
5. to authorize deductions from wages only under the conditions and in the amounts regulated by national law or determined in collective agreements or arbitration decisions.

The exercise of these rights is secured by freely concluded collective labour agreements, by a statutory wage-setting mechanism or by other means consistent with national conditions.

In Bulgaria, the right to minimum wage is a fundamental right of workers and employees enshrined in the Constitution, Article 48, paragraph 5. The determination of the minimum wage is regulated by the Labour Code - Article 244. The determination of the minimum wage is based on consultations with representative organizations of employees and employers within the National Council for Tripartite Cooperation. The minimum wage for the country is statutory and its amount is determined annually by a decree of the Council of Ministers. The minimum

wage applies nationwide to all persons employed under an employment relationship and refers to a full working month with normal working day of 8 hours and a five-day working week.

Living standards and income policy is part of the social policy. The creation of modern measures harmonized with the implemented policies of the European Union leads to the reduction of inequality and poverty among workers, the achievement of social cohesion and the creation of equal opportunities for a full social and productive life for all social groups of the population, as well as the implementation of minimum standards to ensure an acceptable standard of living.

In connection with the provisions of Article 4, paragraph 1 and the opinion of the Committee that the situation in Bulgaria may give rise to problems for compliance with the provisions of Article 4, paragraph 1 (the minimum wage was below 50% of the national average) of the European Social Charter (revised), (ESC, r.), we would like to note that Bulgaria has taken the necessary actions in accordance with European principles and norms.

In February 2023, the National Assembly adopted amendments to Article 244 of the Labour Code, which established the manner of determining the minimum wage. According to the changes, the minimum wage for the country for the next calendar year is set by 1 September of the current year at 50 percent of the average gross salary for a period of 12 months, which includes the last two quarters of the previous year and the first two quarters of the current year. The amount of the minimum wage cannot be less than the one set for the previous year.

The 2023 amendments to the Labour Code introduce an automatic mechanism for updating the minimum wage for the country, using the recommended reference value set out in Art. 5, para. 4 of Directive 2022/2041 on adequate minimum wages in the EU – the minimum wage should be 50% of the average wage for the country. The Directive in its preamble refers to the ESC (r). The new model of the automatic mechanism was applied in 2023 for determining the minimum wage for 2024 and in 2024 for determining the minimum wage for 2025.

By Decree No. 359 of 23 October 2024, the Council of Ministers set the minimum wage for 2025 at BGN 1,077 and the minimum hourly wage at BGN 6.49 for a normal working day of 8 hours and a 5-day working week. The new amount of the minimum wage for the country from 1 January 2025 increases by 15.4 percent, or BGN 144, compared to its value of BGN 933 for 2024.

Article 5

Right to organise

In order to ensure or promote the exercise of the freedom of workers and employers to form local, national or international organizations for the protection of their economic and social interests and to join these organizations, the Contracting Parties undertake that their national legislation and its application shall not impair this freedom. The extent to which the safeguards provided for in this Article apply to the police force shall be determined by national law. The principle under which these safeguards apply to members of the armed forces and the extent to which they apply to this category of persons shall also be determined by national law.

Article 6

The right to conclude collective labour agreements

In order to ensure the effective exercise of the right to conclude collective labour agreements, the Contracting Parties undertake:

1. to facilitate joint consultations between workers and employers;
2. to assist, where necessary and appropriate, in the establishment of a mechanism for voluntary negotiations between employers or employers' organisations and workers'

organisations with a view to determining terms and conditions of employment by means of collective agreements;

3. to assist in the establishment and use of appropriate conciliation and voluntary arbitration procedures for the resolution of labour disputes;

and acknowledge:

4. the right of workers and employers to collective action in the event of a conflict of interests, including the right to strike, subject to obligations that might arise from previously concluded collective agreements.

Article 7

The right of children and young people to protection

In order to ensure the effective exercise of the right of children and young people to protection, the Contracting Parties undertake:

1. to set the minimum age for employment to be fifteen years, subject to exceptions for children employed in certain types of light work which are not detrimental to their health, morals or education;

2. to set the minimum age for recruitment to be eighteen years for certain specified occupations which are considered dangerous or unhealthy;

3. to prohibit the employment of persons who have not yet completed their compulsory education in such work that would deprive them of the opportunity to receive this education in full;

4. to limit the working hours for workers aged up to eighteen years so that it corresponds to the needs of their development and in particular to their need for vocational training;

5. to recognise the right of young workers and trainees to fair pay or other appropriate remuneration;

6. to provide for measures according to which the time spent by young people for their vocational training during the normal duration of work with the consent of the employer shall be considered as part of the working day;

7. to provide a minimum of four weeks of paid annual leave for workers up to the age of eighteen;

8. to prohibit the employment of workers up to the age of eighteen for night work, with the exception of certain occupations provided for in national legislation;

9. to provide for measures to ensure that workers under the age of eighteen employed in certain professions provided for in national legislation are subject to regular medical examination;

10. to provide special protection to children and young people against the physical and moral dangers to which they are exposed, and in particular against the dangers arising directly or indirectly from their work.

Article 8

The right of working women to maternity protection

In order to ensure the effective exercise of the right of working women to maternity protection, the Contracting Parties undertake:

1. to provide working women before and after childbirth with a leave of not less than fourteen weeks, either in the form of paid leave or in the form of appropriate social security assistance or public funds;

2. to consider unlawful the acts of an employer who notifies that he dismisses a woman from her employment during the period from the time she notifies him that she is pregnant until the end of her maternity leave or notifies her that he dismisses her on such a date that the notice period expires during that period;

3. to provide mothers who breastfeed their children with sufficient free time for this purpose;
4. to regulate the employment of pregnant women, women in the immediate postpartum period and breastfeeding women for night work;
5. to prohibit the employment of pregnant women, women in the immediate postpartum period and breastfeeding women for underground work in mines and for any other work which is unsuitable for them because of its dangerous, unhealthy or burdensome nature, and take the necessary measures to protect these women in their employment relationships.

Article 9

Right to vocational guidance

In order to ensure the effective exercise of the right to vocational guidance, the Contracting Parties undertake, as necessary, to provide or assist in the establishment of a service that helps all persons, including disabled persons, to solve their problems related to the choice of profession or professional development, taking into account the individual qualities of the person and the relationship between these qualities and employment opportunities, and this assistance shall be free of charge for both young people, including students, and adults.

Article 10

Right to vocational training

In order to ensure the effective exercise of the right to vocational training, the Contracting Parties undertake:

- 1. to provide or promote, as necessary, the technical and vocational training of all persons, including the disabled, in consultation with employers' and workers' professional organizations, as well as to provide conditions for access to higher technical and university education, including on the basis of individual abilities;**
2. to provide or assist in the establishment of an apprenticeship system and other training systems for adolescents in various professions;
3. as necessary, to provide or assist in the provision of:
 - a) suitable and easily accessible conditions for the training of adult workers;
 - b) special conditions for the professional training of adult workers which has become necessary due to technological development or new trends in employment;
4. as necessary, to provide or assist in the provision of special measures for vocational re-training and labour reintegration of persons who are long-term unemployed;
- 5. to promote the full use of the reliefs provided for in relevant regulations, such as:**
 - a) reduce or eliminate any contributions and fees;**
 - b) providing financial assistance where necessary;**
 - c) inclusion in the normal working hours of the time spent by the employee during the working day to increase his/her qualification at the request of the employer;**
 - d) ensuring, through appropriate control and in consultations with employers' and workers' organizations, the effectiveness of the apprenticeship system and any other training system for young workers, as well as the necessary protection of young workers in general.**

The Vocational Education and Training Act *regulates public relations that fully comply with the provisions of Art. 10, para. 1 of the Charter:*

- ensuring the right to vocational education and training of citizens, according to their personal interests and opportunities;

- meeting the needs of a skilled workforce that is competitive on the labour market;
- ensuring conditions for the functioning and development of the vocational education and training system, based on cooperation between its institutions and the executive authorities and the local self-government and social partners;
- validation of professional knowledge, skills and competences;

Pursuant to Article 2 of the same law, the system of vocational education and training prepares citizens for realization in the economy and in other spheres of public life, creating conditions for acquiring a professional qualification and for its continuous improvement.

In March 2024, the Amendment and Supplementation Act to the Vocational Education and Training Act was promulgated (prom. SG, issue 27 of 29 March 2024). They create regulatory conditions for reform processes in the vocational education and training system and for the implementation of the National Recovery and Resilience Plan (NRRP).

The basis of the reform processes is the List of Professions for Vocational Education and Training. The document has undergone a wide public discussion, in which various state institutions, branch organizations, vocational high schools, associations and other stakeholders participated. As a result of the public discussion, the adopted version of the List has a total number of 193 professions. By the time of the amendment, there were 248 professions with 587 specialties. An essential element of the reform is the elimination of specialties and the structuring of qualifications on the basis of broad-profile professions. The list of professions for vocational education and training was approved by Order No. ПД09-2230/09.08.2024 of the Minister of Education and Science. Vocational education and training by professions from the List will be carried out from the school year 2026 – 2027 for students admitted for training in schools in 8th grade, in the same school year and from January 2026 for persons over 16 years of age.

In parallel with the endorsement of the List, it is ensured that changes to this document can be undertaken every six months, again after public consultations. For this purpose, a procedure has been established for the development and maintenance of the List of Professions for Vocational Education and Training under Art. 6, para. 1 of the Vocational Education and Training Act, the criteria and deadlines for its updating, approved by Order No. ПД09-1474/07.06.2024.

To regulate the compliance of the new List of Professions for Vocational Education and Training, approved by Order No. ПД09-413/12.05.2003, and amended and supplemented by Order No. ПД09-1674/31.07.2023, and in compliance with the legal provisions, a Comparative Table for the Correlation of Professions and Degrees of Professional Qualification from the List of Professions for Vocational Education and Training, approved by Order No. ПД09-4546/17.12.2024 of the Minister of Education and Science has been developed.

Significant steps of the reform processes related to the new List are two framework documents for the study and examination documentation. By Order No. ПД09-4194/01.11.2024 of the Minister of Education and Science, the structure of the framework of the State Educational Standard for acquiring qualifications in professions was approved, and by Order No. ПД09-4206/05.11.2024 of the Minister of Education and Science, the structure of the framework of the National Examination Program for conducting examinations for acquiring professional qualification degrees was determined.

The reform processes will also cover the vocational training of persons over 16 years of age. For this category of learners, the new List of Occupations for Vocational Education and Training will enter into force on 1 January 2026. According to the Vocational Education and Training Act, persons over 16 years of age are provided with opportunities for short-term training to achieve a unit of learning outcome according to the State Educational Standards for acquiring a professional qualification. In addition, the amendments to the Act provide for the

transfer and accumulation of units of learning outcomes with a view to ensuring the passability of qualifications.

All graduates of vocational education (simultaneously acquired secondary education and level of professional qualification) have access to higher education without any restrictions.

Pursuant to Art. 13e, para. 6 of the Vocational Education and Training Act, the vocational education and training of students with special educational needs, as well as the vocational training of persons over 16 years of age with disabilities may be carried out under individual curricula on subjects or modules. The individual study programs are approved by the director of the training institution. The individual curricula for these students and for persons over the age of 16 provide conditions for their integration into the labour market, taking into account their individual abilities.

Since 2015, Bulgaria has been creating conditions for the validation of work-based learning (dual learning system). It enables trainees to gain real work experience, to get acquainted with the skills sought by employers, as well as with the skills that would facilitate their realization on the labour market.

At the end of 2023, the Advisory Council for Vocational Education and Training at the Ministry of Education and Science adopted a Strategic Vision for the development of dual vocational education and training in Bulgaria by 2030 and a plan for its implementation.

The National Assembly, with the Budget of the State Social Security for 2024 Act, introduced a change in the Vocational Education and Training Act, according to which from 1 April 2024 the due social and health insurance contributions for students included in dual training are entirely at the expense of the state budget.

Amendments and additions to Ordinance No. 1 on the terms and conditions for conducting training through work have been approved (SG, issue 74 of 30 August 2024).

They were carried out on the basis of amendments to the Vocational Education and Training Act and an analysis of all related normative acts in need of change in order to support and facilitate the process of dual training.

Changes in the related regulatory framework provide for conditions, flexible options that cover: changes in the forms of training between dual and daycare; synchronization of curricula in order to facilitate passability; promotion of block training and reflecting seasonality in some types of professions, as well as support for the leading role of business in this training.

For decision-making and shared responsibilities, employers' and workers' organizations related to the development of the vocational education and training system operate an Advisory Council on Vocational Education and Training to the Minister of Education and Science.

Bulgaria, through the Ministry of Education and Science, is implementing the Project “Modernization of Vocational Education and Training”, funded under the Education Program 2021-2027. A key project activity is the creation of 20 Sectoral Councils on skills. These councils are advisory expert bodies that bring together representatives of industry, educational institutions and social partners. The purpose of these councils is to provide an update of the professional skills and qualifications required for different sectors of the economy and to help synchronise education with the real needs of the labour market. Sectoral Skills Councils aim to:

- identify key skills and competencies that are needed by the workforce.
- recommend curriculum improvement and training measures.
- support cooperation between educational institutions and businesses.
- work on the development of national qualification standards and skills assessment mechanisms.

Sector Skills Councils are actively working to adapt education programmes to the new demands of the labour market, which will improve the link between education and business.

Pursuant to Art. 17, para. 1 of the Employment Promotion Act (EPA), jobseekers may engage in the following activities related to the provision of Art. 10, para. 1 of the ESC, r.:

- vocational guidance;
- adult learning;
- validation of professional knowledge, skills and competences;
- motivation for active labour market behaviour;
- employment and training programmes and measures.

Question from ECSR: Does the relevant Bulgarian legislation on vocational training guarantee equal treatment of nationals of all other States that are parties to the Convention, including nationals of non-EU countries?

Pursuant to Art. 18, para. 1 of the EPA, every Bulgarian citizen, as well as every citizen of another Member State of the European Union or of another state that is a party to the Agreement on the European Economic Area or of the Swiss Confederation, who has reached the age of 16 and is looking for work, may register in a territorial division of the Employment Agency as a jobseeker. The right to register as jobseekers (and thus access to training and other measures) may be exercised also by:

- Foreigners with a long-term or permanent residence permit in Bulgaria;
- Persons granted asylum or international protection;
- Foreigners benefiting from temporary protection under the Asylum and Refugees Act;
- Persons enjoying the rights under Art. 29, para. 3 of the Asylum and Refugees Act;
- Persons for whom this is provided for in an international treaty to which the Republic of Bulgaria is a party;
- Third-country nationals who are family members of Bulgarian nationals or of nationals of an EU Member State, a state party to the Agreement on the European Economic Area or of the Swiss Confederation;
- Family members of foreigners who have received a long-term residence permit;
- EU Blue Card holders having no work for three months or wishing to change employers.

These categories of persons, in addition to the right to registration with the Employment Agency, may also benefit from training, job mediation and other forms of support provided under the EPA.

The Employment Agency organizes adult training in accordance with the needs of the labour market, the requirements of employers and the National Employment Action Plan (NEAP) approved by the Minister of Labour and Social Policy.

The trainings are aimed at acquiring the knowledge and skills necessary to occupy the requested vacancies, as well as to meet future labour market needs for a skilled workforce. They promote productivity, competitiveness, creativity, innovation and entrepreneurship. They are an important factor in increasing employability and labour mobility in the labour market. The amount of funding is determined annually by the NEAP.

Vocational training is carried out under programs developed in accordance with existing state educational standards for acquiring qualifications in professions. It is carried out by institutions in the vocational education and training system. The professions in which the trainings are conducted are in accordance with the List of Professions for Vocational Education and Training, approved by the Minister of Education and Science, after coordination with the Minister of Labour and Social Policy, as well as with the relevant industry ministries and with representative organizations of employers and employees at national level.

Unemployed persons registered with the Labour Office Directorates (LOD) have free and equal access to training, as well as freedom to choose a profession, type and form of training. The training of the persons is in accordance with the action plan developed for them and is tailored to their individual preferences and capabilities. The inclusion of unemployed persons in training for acquiring professional qualification, organized by the Employment Agency, may be preceded by vocational guidance. It is held in individual and group form. During the training, the unemployed persons receive a scholarship, as well as funds for transport costs in the event that the training takes place in a settlement other than their place of residence.

The following are financed by the State Budget under the NEAP:

- **Trainings on projects of the social partners** (BCCI, BEC, BICA, CEIBG, CITUB, CC “Podkrepa” and UPEE), which are aimed at improving the quality of the workforce and increasing the supply of qualified personnel, in line with business demand. They implement a set of interrelated measures to target the vulnerable groups on the labour market, which will contribute to reducing the imbalances between the supply and demand of labour. Training is provided for the acquisition of professional qualifications in professions sought by employers, training in key competences, on-the-job traineeships for the acquisition of practical skills in the profession, subsidized employment and employment on the primary labour market. Many of the unemployed persons who have successfully completed vocational training are employed for a period of not less than 3 months on the primary labour market (non-subsidized employment).

- **Training of unemployed persons for acquiring a degree of professional qualification, part of a profession and key competences** in the Human Resources Development and Regional Initiatives Centre (HRDRIC) at the Ministry of Labour and Social Policy, aimed at increasing their employability.

- **Training through work under Art. 46a of the EPA (dual system of training)**, which is carried out through a partnership/contract between a training institution, one or several employers and the LOD.

- **The Program for the training and employment of refugees** supports the integration into the labour market of unemployed persons who have acquired refugee or humanitarian status or of persons enjoying the rights under Art. 29, para. 3 of the Asylum and Refugees Act through inclusion in Bulgarian language training, training for acquiring professional qualification and employment.

With funding from the **ESF+ under the Human Resources Development Program 2021-2027 (HRD)**, the following training projects are implemented:

- **“I start work” - Component 2 “Trainings”** for the purpose of providing trainings for acquiring or increasing professional qualifications or for acquiring key competences of inactive and unemployed persons.

- **“Qualification, skills and career development of employed persons”**, which provides training for the acquisition or improvement of professional qualification or for the acquisition of skills in key competences of employed and self-employed persons.

- **“Digital skills”**, enabling training with vouchers for general digital skills at basic and/or intermediate level for inactive people and training for advanced and highly specialized level for unemployed people. An opportunity is provided to sit directly for an examination and certification of digital skills acquired through independent learning.

With funds from the National Recovery and Resilience Plan of the Republic of Bulgaria (NRRP), the Employment Agency implemented **“Component 2: Training on DI-GI skills and competences”** from investment C1.I3 - PF “Provision of digital skills training and creation of an adult learning platform”, aimed at increasing the digital skills and competences

of the population in line with the new needs of the labour market and the development of digital technologies. The investment provides trainings for acquiring basic and intermediate levels of digital skills and competences, and unemployed and employed persons can apply for these trainings.

Article 11

Right to health protection

In order to ensure the effective exercise of the right to health protection, the Contracting Parties undertake to take, directly or in cooperation with public or private organizations, the necessary measures aimed in particular at:

1. elimination, as far as possible, of the causes of diseases;
2. setting up counselling and education services to improve health and develop a sense of individual responsibility in health matters;
3. prevention, as far as possible, of epidemics, pandemics and other diseases, as well as accidents.

Article 12

Right to social security

In order to ensure the effective exercise of the right to social security, the Contracting Parties undertake:

1. to establish or maintain a social security system;
2. to maintain the social security system at a satisfactory level, but not lower than the level required for ratification of the European Code of Social Security;
3. to make efforts to gradually increase the level of the social security system;
4. to take steps by concluding relevant bilateral and multilateral agreements or otherwise and subject to the conditions provided for in such agreements, to secure:
 - a) equal treatment of nationals of other Contracting Parties with their own nationals in respect of the right to social security, including the retention of benefits provided by social security legislation, irrespective of movements of such persons between the territories of the Contracting Parties;
 - b) granting, maintaining and reinstating entitlement to social security by such means as the affiliation of periods of insurance or service completed in accordance with the legislation of any of the Contracting Parties.

Article 13

Right to social and medical assistance

In order to ensure the effective exercise of the right to social and medical assistance, the Contracting Parties undertake:

1. to provide the necessary assistance to any person who lacks sufficient means and who is unable to provide such means by their own efforts or to obtain them from another source, in particular from benefits under a social security scheme, and, in the event of illness, to provide them with the care required by their condition;
2. to ensure that the political or social rights of persons receiving such assistance are not restricted for this reason;
3. to provide everyone with the opportunity to receive from competent state or private services such advice and personal assistance as is necessary to prevent, eliminate or alleviate their personal or family need;
- 4. to apply the provisions of paragraphs 1, 2 and 3 of this Article to nationals of any of the other Contracting Parties lawfully present in their territory in the same manner as to their own nationals in accordance with the obligations arising for the Contracting**

Parties from the European Convention on Social and Medical Assistance, signed in Paris on 11 December 1953.

The Agency for Social Assistance through its territorial units implements the state policy in the field of social assistance, child protection and support of vulnerable members of society.

► The right to social benefits under the **Social Assistance Act (SAA) and the Regulations for its implementation** is enjoyed by foreigners with a long-term or permanent residence permit in the Republic of Bulgaria, foreigners who have been granted asylum, refugee status or humanitarian status, and foreigners enjoying temporary protection, as well as persons for whom this is provided in an international treaty to which the Republic of Bulgaria is a party.

Benefits are granted in cases where, due to health, age, social and other reasons beyond the control of the persons, they are unable to provide for their basic living needs through their own labour or income from their property or with the help of persons obliged under Article 140 of the Family Code to support them.

Some lighter conditions are provided for refugees or foreigners with humanitarian status who apply for monthly social assistance under the Regulations for the implementation of the Social Assistance Act, for example, exemption from community service for the period of participation in programs and projects containing measures for the integration of foreigners in the Republic of Bulgaria.

Persons who are in a procedure for granting refugee status or humanitarian status, i.e. persons who have not been granted international protection status are not subject to assistance from the Social Assistance Agency.

According to data available from 07.2022 in the Integrated Information System of the SAA, foreigners assisted on various legal grounds with a long-term or permanent residence permit in the Republic of Bulgaria, foreigners who have been granted asylum, refugee status or humanitarian status, and foreigners benefiting from temporary protection, and persons for whom this is provided in an international treaty to which the Republic of Bulgaria is a party, are as follows:

For the period 01.07.2022 - 31.12.2022, the average monthly number of beneficiaries of social assistance from the Social Assistance Directorates was 2,198.

For the period 01.01.2023 - 31.12.2023, the average monthly number of beneficiaries of social assistance from the Social Assistance Directorates was 274.

For the period 01.01.2024 - 31.12.2024, the average monthly number of beneficiaries of social assistance from Social Assistance Directorates is 158.

► By **Decree of the Council of Ministers (CMD) No 17/2007**, the terms and conditions for spending the targeted funds for diagnostics and treatment in hospitals for hospital care of Bulgarian citizens who have interrupted health insurance rights and do not have an income and/or personal property that provides them with personal participation in the health insurance process, the payment of which is provided through the budget of the Ministry of Labour and Social Policy.

The right to pay for diagnostics and treatment in medical institutions for hospital care belongs 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 right is also enjoyed by persons for whom this is provided in an international treaty to which the Republic of Bulgaria is a party, as well as foreigners:

1. with a long-term or permanent residence permit in the Republic of Bulgaria;
2. who have been granted asylum, refugee status or humanitarian status;
3. beneficiaries of temporary protection.

The existence of conditions for exercising the right under Decree No. 17/2007 shall be established by the Social Assistance Directorate at the current address, on the basis of an application submitted by the person admitted for treatment through the director of the hospital that provided the health services.

► Number of applicants or beneficiaries of international or temporary protection (persons with refugee and humanitarian status), including children who have benefited from social services under the **Social Services Act** with a breakdown by status (applicants; refugee status; humanitarian status; temporary protection), type of service, age, sex, country of origin and settlement, as well as an indication of which of them are unaccompanied minors:

✓ In **December 2022**, no new applications for the use of social services by Ukrainian citizens were submitted to Social Assistance Directorates on the territory of the country.

From the beginning of the military conflict until the end of 12.2022, 28 applications were submitted for the use of social services by 27 Ukrainian citizens with temporary protection status and 1 person with dual citizenship. 28 preliminary needs assessments have been prepared and 28 users have been referred to appropriate social services as follows:

- ~ Crisis Centre – 14
- ~ Centre for Social Rehabilitation and Integration, city of Asenovgrad – 1
- ~ Community Support Centre, city of Lovech – 10
- ~ Centre for Temporary Accommodation, city of Sofia and city of Burgas – 3

✓ In **December 2023**, no new applications for the use of social services by Ukrainian citizens were submitted to Social Assistance Directorates on the territory of the country.

From the beginning of the military conflict until the end of 12.2023, 31 applications were submitted for the use of social services by 29 Ukrainian citizens with temporary protection status and 1 person with dual citizenship. 31 preliminary needs assessments have been prepared and 30 users have been referred to appropriate social services as follows:

- ~ Crisis Centre – 15
- ~ Centre for Social Rehabilitation and Integration – 1
- ~ Community Support Centre – 10
- ~ Centre for Temporary Accommodation – 3
- ~ Residential facility for adults with dementia - 1

✓ In **December 2024**, no new applications for the use of social services by Ukrainian citizens were submitted to the Social Assistance Directorates on the territory of the country.

From the beginning of the military conflict in Ukraine until the end of 12.2024, 33 applications were submitted for the use of social services by 32 Ukrainian citizens with temporary protection status and 1 person with dual citizenship. 33 preliminary needs assessments have been prepared to refer individuals to appropriate social services as follows:

- ~ Crisis Centre – 15
- ~ Centre for Social Rehabilitation and Integration – 1
- ~ Community Support Centre – 10

- ~Centre for Temporary Accommodation – 4
- ~Residential facility for adults with dementia - 1
- ~Daycare centre for children and young people with severe multiple disabilities – 1
- ~Daycare centre for adults with severe multiple disabilities – 1

■ Number of unaccompanied minors seeking or having received international protection or temporary protection, as well as those who have not applied for international protection under the Asylum and Refugees Act or for whose applications there are effective decisions for refusal of international protection, accommodated outside the family, broken down by status (asylum seekers; refugee status; humanitarian status; temporary protection), type and place of accommodation, age, gender, country of origin.

National legislation on migration, asylum and refugees takes into account the needs of unaccompanied foreign children, including refugee children. The legal framework guarantees the right of unaccompanied children, foreign citizens and refugee children to protection, taking measures under the terms and conditions of the Child Protection Act and referral to social services for children.

The Child Protection Directorate (CPD) at the Social Assistance Agency (SAA) administers data on the work of CPDs at the Social Assistance Directorates in the country in cases of unaccompanied children, foreign nationals, including refugee children. The purpose of the collected data is to provide information to the SAA about the number of cases of unaccompanied children, foreign citizens, including refugee children, with whom the CPDs have worked during the respective reporting period and for whom a protection measure has been taken under the Child Protection Act.

In 2021, (January-December), the Child Protection Department has worked on **52 cases** of unaccompanied children, foreign citizens, including refugee children, for whom protection measures have been taken under the terms and conditions of the Child Protection Act.

Countries of origin: Syria - 8; Iraq – 5; Afghanistan – 36; Turkey -1; France – 2.

Age group from 14 - 17 years Minors – 6 children.

Distribution by gender: 48 male children; 4 female children.

For the accommodation of unaccompanied children, foreign citizens, including refugee children, the capacity and resources of the available social services for children at risk in the country are used.

Used social services: 41 children have used social services for residential care (CNSTDBU; Transitional Housing; Crisis Centre), 11 children have been referred by the Social Assistance Directorate (SAD) to use “Emergency and Replacement Care/Emergency Admission” at the Complex for Social Services for Children and Families (CSSCF).

Settlements/districts: Ruse; Silistra; Sofia-city; Sofia-district; Pazardzhik; Vidin and Haskovo.

In 2022 (January-December), the Child Protection Departments in the country worked on **182 cases** of unaccompanied children, foreign nationals, including refugee children, for whom protection measures were taken under the terms and conditions of the Child Protection Act.

Countries of origin: Syria - 59; Iraq – 5; Afghanistan – 76; Ukraine – 34; Egypt – 6; Moldova -1; Morocco – 1.

Age group from 13 - 17 years

Distribution by gender: 162 male children; 20 female children.

For the accommodation of unaccompanied children, foreign citizens, including refugee children, the capacity and resources of the available social services for children at risk in the country are used.

Used social services: 150 children have used social services for residential care (CNSTDBU; Transitional Housing; Crisis Centre), 32 children have been placed with relatives.

Districts: Blagoevgrad; Pazardzhik; Ruse; Silistra; Sofia-city; Vidin; Yambol; Razgrad; Kyustendil; Shumen; Plovdiv; Kardzhali; Burgas; Haskovo; Varna.

In 2023 (January-December), the Child Protection Departments in the country worked on **120 cases** of unaccompanied children, foreign nationals, including refugee children, for whom protection measures were taken under the terms and conditions of the Child Protection Act.

Countries of origin: Syria - 69; Afghanistan – 15; Ukraine – 31; Egypt – 1; Turkey -1; Iran – 1; Haiti – 1; Ecuador – 1;

Age group: minors.

Distribution by gender: 101 male children; 19 female children.

For the accommodation of unaccompanied children, foreign citizens, including refugee children, the capacity and resources of the available social services for children at risk in the country are used.

Used social services: 88 children have used social services for residential care (CNSTDBU; Crisis Centre, Integrated Services Centre), 32 children have been placed with relatives.

Districts: Pazardzhik; Sofia-city; Sofia district; Kardzhali; Burgas; Plovdiv; Ruse; Shumen; Yambol.

In 2024 (January-November), the Child Protection Departments in the country worked on **196 cases** of unaccompanied foreign children, including refugee children, for whom protection measures were taken under the terms and conditions of the Child Protection Act.

Countries of origin: Syria - 168; Afghanistan – 6; Ukraine – 11; Egypt – 4; Iran – 1; Haiti – 1; Ecuador – 1; Iraq -2; Congo – 1; Algeria – 1;

Age group: minors.

Distribution by gender: 182 male children; 14 female children.

For the accommodation of unaccompanied foreign children, including refugee children, the capacity and resources of the available social services for children at risk in the country are used.

Used social services: 161 children have used social services for residential care (CNSTDBU; Crisis Centre); 33 children have been placed with relatives and 2 children in foster families.

Areas: Pazardzhik; Sofia-city; Kardzhali; Burgas; Plovdiv; Ruse; Shumen; Silistra; Stara Zagora; Gabrovo; Pleven; Razgrad.

The work on cases of unaccompanied foreign minors is dynamic and is carried out by the SAA, where full information on children is available. Each case is strictly individual. The SAA monitors the implementation of the protection measure taken in each specific case of an unaccompanied child, a foreign citizen, as well as the decisions of the State Agency for Refugees on the provision of international protection.

About medical assistance:

Foreigners who are allowed long-term or permanent residence in the Republic of Bulgaria, foreigners granted refugee status, humanitarian status and the right to asylum, have access to medical care within the scope of health insurance under the conditions and in accordance with the procedure for Bulgarian citizens, which includes equal access to medical supervision and care in outpatient and hospital care, as well as to medicinal products and medical devices for the treatment of chronic diseases.

In addition, according to the Health Insurance Act, at the expense of the state budget, persons in proceedings for granting refugee status or the right to asylum are also insured, and

with amendments to the law of 26 April 2022, persons in proceedings for granting humanitarian status are added to these groups.

Also, persons granted temporary protection under Art. 1a, para. 3 of the Asylum and Refugees Act have the right to medical assistance and medical services under the Health Insurance Act and the Health Act (for activities outside the scope of health insurance), under the conditions and in accordance with the procedure for Bulgarian citizens, i.e. persons with temporary protection have access to health care identical and equal to Bulgarian citizens. The health insurance rights of these persons arise from the date of granting temporary protection.

In Decree No 69 of 5 May 2022 of the Council of Ministers on health insurance for persons with temporary protection under Art. 1a, para. 3 of the Asylum and Refugees Act and for persons under Art. 39, para. 6, item 2 and Art. 40a, para. 3a of the Health Insurance Act, it is provided that the health insurance contributions for persons with temporary protection up to the age of 18 are at the expense of the state budget for the duration of the temporary protection. For persons with temporary protection aged between 18 and 63 years for women and 18 and 65 years for men, the health contribution is at the expense of the state budget for a period of 90 days from the date of granting temporary protection, unless they are subject to health insurance on another basis.

Pursuant to the provisions of Art. 81 and Art. 82 of the Health Act, medical care in emergency situations, intensive treatment of uninsured persons, preventive examinations and tests and obstetric care are also provided outside the scope of compulsory health insurance

According to the provisions of Art. 83 of the Health Act (am. and suppl. - SG No. 18 Of 2006, amended, SG issue 95 of 2006) (1) (Suppl. - SG No. 9 of 2011, amended and supplemented, SG No. 32 of 2022, effective as of 26.04.2022), foreigners who are allowed long-term or permanent residence in the Republic of Bulgaria, foreigners with refugee status, humanitarian status and the right to asylum, shall benefit from medical assistance under Art. 81 and 82 of the Health Act, under the conditions and in accordance with the procedure for Bulgarian citizens.

In addition, in accordance with the provisions of Art. 2a, para. 1 of the Ordinance on the exercise of the right of access to medical assistance, persons who reside continuously or permanently in the Republic of Bulgaria and to whom the rules on the coordination of social security systems introduced by [Regulation \(EEC\) No 1408/71](#) of the Council, [Regulation \(EEC\) No 574/72](#) of the Council and any other regulations amending, supplementing or replacing them, enjoy the rights of Bulgarian citizens under the Ordinance.

In view of the above, we believe that in Bulgaria there is equal access to medical care for citizens of other countries legally residing on the territory of the country.

Article 14

The right to assistance by social care services

In order to ensure the effective exercise of the right to assistance by social care services, the Contracting Parties undertake:

1. to promote or organize the activity of services that would contribute through the methods of social work to the well-being and development of individuals and groups in society, as well as to their adaptation to the social environment;
2. to encourage the participation of individuals and voluntary or other organisations in the establishment and operation of such services.

Article 15

The right of persons with disabilities to independence, social integration and participation in society life

In order to ensure that disabled persons, regardless of age and the causes of disability, effectively exercise the right to independence, social integration and participation in the life of society, the Contracting Parties undertake, in particular:

1. *to take the necessary measures to provide persons with disabilities with guidance, education and vocational training within the framework of general schemes where this is possible and, where this is not possible, through specialised public or private institutions;*

2. to promote their access to employment through any measures aimed at encouraging employers to recruit and retain persons with disabilities in the ordinary working environment, as well as to adapt working conditions to the needs of the disabled, and where this is not possible due to the nature of the inferiority to work, to arrange or create employment in special undertakings for disabled persons in accordance with the level of disability; in some cases, these measures may consist of special reassignment or services;

3. to promote their full social integration and participation in the life of society and in particular by taking measures, including technical aids, with a view to overcoming barriers to communication and mobility, as well as ensuring access to transport, housing, cultural events and entertainment.

The existence of non-discrimination legislation is necessary as an important tool to advance the inclusion of children with disabilities in common or mainstream education schemes. Such legislation must at least require a convincing justification for special or segregated education systems and provide an effective remedy for those found to have been illegally excluded or segregated or otherwise denied an effective right to education. Legislation may consist of general anti-discrimination legislation, specific education legislation, or a combination of both.

The Committee acknowledges the continued progress made through national legislation and programmes to promote the education of persons with disabilities in Bulgaria. The Committee reiterates its earlier opinion that there are no legal obstacles to the adoption of Article 15, paragraph 1 by Bulgaria. In order to assess the situation in practice, data on the indicators mentioned above are needed, including the number of pupils with disabilities attending mainstream and special education and vocational settings respectively. The Committee recommends that Bulgaria adopt Article 15, para. 1 as a priority, given the importance of monitoring and protecting the rights of persons with disabilities to education and vocational training.

Under Art. 15, para. 1

Information is provided within the answer under Art. 10, para. 1

In addition, we note that the following key figures are taken into account to assess the effective equal access of children and adults with disabilities to education and vocational training:

- the total number of persons with disabilities, including the number of children;
- the number of pupils with disabilities following the mainstream and special education and vocational institutions respectively;
- the percentage of students with disabilities entering the labour market after basic or special education and/or training;
- the number of persons with disabilities (children and adults) living in institutions;

- any relevant case law and complaints submitted to the relevant authorities in relation to discrimination on the basis of disability in relation to education and training.

As of 7 September 2021, 153,242 people, or 2.6% of respondents, had been severely restricted in performing their usual activities due to a health problem in the last six months or more. Restricted, but not so severe, were 381,805, or 6.5%. 4,795,642 people, or 81.2%, were not restricted. 220,500 people cannot give an answer, or 3.7%, and 351,919, or 6.0% of the persons do not want to answer the question.

People with disabilities

As of 7 September 2021, 654,547 persons had a **recognized permanently reduced work capacity or degree of disability**. Of these, 22,248 are children, and 632,299 are persons aged 16 and over. The intensity indicators are 27 per 1,000 people from the child population and 124 per 1,000 people aged 16 and over, respectively.

The distribution of children by degree of disability shows that the most numerous group is the group with 50 to 70% type and degree of disability - 8,984, or 40.4% of children with disabilities. This is followed by the group of 71 to 90% - 5,931 children, or 26.7%. The most severely disabled - over 90%, are 4,992 children, or 22.4%, and the smallest number is the group of children with up to 50% type and degree of disability - 2,341, or 10.5%.

Among persons aged 16 and over in the structure by degree of permanently reduced work capacity/type and degree of disability, the largest is the number and respectively the relative share of persons in the group from 71 to 90% - 225,342, or 35.6% of persons with disabilities for which information is available on this issue. This is followed by the group of 50 to 70%, which includes 218,038 persons, or 34.5%. The group with the most severe disabilities - over 90%, includes 135,137 people aged 16 and over, or 21.4% of people with disabilities in this age group. The share of persons with up to 50% permanently reduced work capacity/type and degree of disability is the smallest - 53,782, or 8.5%.

Under Art. 15, para. 2:

The employment of persons with disabilities is one of the main tools for their full social inclusion.

There are active policies aimed at people with disabilities for integration into the labour market. According to the national legislation in the field, they can participate without restrictions in placements on the primary labour market, in all programs and measures for training and employment, and in adult training, as well as in projects funded by the European Investment and Structural Funds and projects and programs funded by other international financial institutions and donors, provided that they meet the requirements for inclusion as the activation of persons with disabilities for inclusion in the labour market is key.

In the face of a labour market shortage, intensified migration processes and a demographic crisis, the pool of potential workforce in the face of people with disabilities is very important. Therefore, efforts continue in the direction of supporting people with disabilities and their potential to be fully used, as well as changing stereotypes in terms of their capacity and capabilities. Employment in a normal working environment implies the fastest socialization of people with permanent disabilities and will be increasingly supported, including through innovative approaches. In this way, it will be possible to create better conditions and motivation for people with disabilities to enter the labour market, with a view to obtaining income from work, having a social security contribution and the corresponding

social security rights, building social contacts, etc. The growth in employment of this target group would have a positive impact on the economy and sustainable economic development by 2030, given that income is linked to an increase in consumption, affects the tax and social security system by generating revenue for the state budget and with an effect on business. Providing adequate support for the inclusion of persons from vulnerable groups in employment and training will contribute to their integration in social enterprises, their inclusion in the conventional sector, and thus to raising their standard of living.

The field of social services is developing, which requires them to be optimally integrated, both to support the placement and retention of jobs for people with disabilities. Emphasis is placed on improving support to promote the linkage of social services to the labour market and measures to achieve a smooth transition from the protected/supported to the open labour market to work in normal conditions. Ensuring access to services, and especially access to social services and employment, is another key tool for overcoming the effects of poverty and social exclusion. Orientation to studies and analyses on the support provided to persons with disabilities is also important, mainly in relation to health, education, employment.

The Employment Agency, as a public mediator on the labour market, implements the actions aimed at people with disabilities, in accordance with the requirements of the National Strategy for Employment of Persons with Disabilities 2021-2030. Every year, projects, programs and measures for the placement of unemployed people, including the unemployed with disabilities, are included in the NEAP. They may participate without restrictions in the organization of the primary labour market in all projects, programs and training and employment measures implemented by the Employment Agency, provided that they meet the set requirements.

According to the Employment Promotion Act (EPA), all people are equal when using the services provided by the territorial units of the Employment Agency – the Labor Office Directorates (LOD), after registering as job seekers. The unemployed persons with disabilities registered as job seekers may use employment services without any form of direct or indirect discrimination.

Specialized labour intermediaries work with unemployed persons with disabilities. They take an individual approach, providing appropriate employment services tailored to their specific needs, health, education and qualifications. An action plan is drawn up for all registered unemployed persons, including persons with disabilities, setting out appropriate steps in order to arrange employment in a timely manner.

Specially for unemployed persons with disabilities, a **standardized package of services has been created**, building on the other services offered and providing specialized labour mediation:

- support for self-employment;
- motivation for active labour market behaviour;
- psychological support - support from a psychologist to cope with the state of unemployment, in the form of individual consultations and participation in group events;
- individual support from a case manager - a package of services provided by social, health and educational institutions is offered, as well as complementary mediation services that maximally meet the needs of the unemployed person concerned;
- inclusion in adult training;
- inclusion in the Job Search Workshop;
- providing information on suitable vacancies – when visiting on site or by e-mail;
- targeting suitable jobs in the primary labour market;

- inclusion in training and employment programs and measures, under the EPA, as well as in HRD projects, provided that they meet the set requirements.

There are also **specialized labour exchanges for people from vulnerable groups** on the labour market.

Unemployed persons with reduced work capacity are also included as a priority in the following services:

- **“Consultation and mentoring after starting work”** - before employment, both the person and the employer are consulted and guided by the mentor on how to ensure effective adaptation of the person with a disability. For persons with intellectual disabilities, mentor support is particularly important and necessary not only at the beginning but also during the implementation of the entire subsidised employment measure.
- **“Family labour consultant”** - the service is primarily aimed at families of unemployed persons with permanent disabilities, without or with low education and qualifications, including young people up to 29 years of age. The goal is to engage other family members in support and a positive attitude towards the opportunity to work, incl. to overcome social isolation.
- **“Mobile labor office”** – the service is aimed at unemployed and economically inactive persons and employers from small settlements, to increase the opportunities for meeting the demand and supply on the labour market and to reduce the share of discouraged persons through a quality and complex on-site service by mobile teams from the Labour Office Directorate.

The Employment Agency is receiving **notifications from employers in the implementation of the Persons with Disabilities Act (PDA)**. The acceptance of notifications from employers aims to increase the opportunities for appropriate employment of persons with disabilities through the Agency.

With funding from the state budget, the following programs and measures to promote employment aimed at unemployed persons with disabilities are implemented:

The National Programme for Employment and Training of Persons with Permanent Disabilities provides employment opportunities for unemployed persons with permanent disabilities registered with the Labour Office Directorate or for persons who have successfully undergone treatment for drug dependence at working age, as a prerequisite for overcoming their social isolation and for their full integration into society. The program has a maximum period of employment subsidy of up to 24 months.

The measure under Art. 51, para. 2 of the EPA encourages employers to hire unemployed persons with permanent disabilities by providing funds for salaries, social and health insurance. The subsidy that is granted is for not less than 3 and not more than 12 months, providing amounts up to 75 percent of the eligible costs for the subsidy period.

The new unified measure under Art. 36 of the EPA, which is implemented from 2024, encourages employers to hire unemployed persons from disadvantaged groups on the labour market, incl. persons with permanent disabilities by providing funds for salaries, social and health insurance, funds for vocational training and funds for a responsible person (mentor) to help employees acquire/restore work habits and adapt to the labour process. Employment of unemployed persons is up to 9 months, and for mentors up to 3 months.

Regional employment programs are implemented in each administrative district in order to increase employment, reduce unemployment and improve the quality of the workforce in the regions and improve the socio-economic integration of disadvantaged groups on the market, including the unemployed with permanent disabilities.

The following HRD projects are being implemented to integrate disadvantaged groups into the labour market, including people with disabilities:

- **“I start work” - Component 1 "Activation"**, aimed at activating and integrating into the labour market of inactive persons aged 16 to 65, with a focus on disadvantaged persons.
- **“I start work” – Component 3 “Employment”**, aimed at integration into the labour market of inactive and unemployed people with a focus on disadvantaged people, and persons with permanent disabilities can be included in subsidized employment for up to 24 months at an employer.

According to the Social and Solidarity Economy Enterprises Act, people with disabilities can be employed in social enterprises.

Under this Act (Chapter 4), all registered social enterprises are supported by the Ministry of Labour and Social Policy or by local authorities. In order to be registered as a Class A or A + social enterprise and to receive additional support, inter alia, at least 30% of all employed persons must be from the vulnerable groups under Art. 7, item 4, which include persons with permanent disabilities.

Under a draft of the National Recovery and Resilience Plan (NRRP), 6 regional offices have been established where employees promote the employment of persons with permanent disabilities in social enterprises.

The employees in the offices organize awareness days and meetings with employers to explain the need to hire persons with permanent disabilities.

Under the Social and Solidarity Economy Enterprises Act (SSEEA), a Register of Social Enterprises (maintained by the Ministry of Labour and Social Policy) is kept. With this step towards transparency and awareness, the real number of registered social enterprises where people with disabilities enter employment is growing.

At the end of January 2025, 136 social enterprises were registered in Bulgaria, some of them providing employment for persons with disabilities, in this regard, 1,437 persons were employed in social enterprises in the same period, of which 649 persons from vulnerable groups, of which 365 persons with permanent disabilities.

Under Art. 15, para. 3:

By ratifying the UN Convention on the Rights of Persons with Disabilities (the Convention), Bulgaria declares that it will, through its policy, increase efforts to achieve one of the main objectives of the Convention, namely to promote the strengthening of an inclusive environment for persons with disabilities in a way that enables them to lead independent lives.

The main focus of the state policy on the rights of persons with disabilities is to create conditions and opportunities for providing targeted supportive and encouraging measures for persons with disabilities, which especially in the current conditions will have a beneficial impact on improving the quality of life and preventing social exclusion. Bulgaria is strongly committed to the rights of persons with disabilities and their inclusion in society on an equal basis with others. Bulgarian legislation provides legal guarantees for equal opportunities for all by providing protection from all forms of violence, prevention of harassment and discrimination. All national policies related to the implementation of the Convention and other international treaties in this area follow a human rights-based approach and are developed in close consultations with persons with disabilities and their organisations.

As a fundamental step in achieving the full implementation of the Convention, as of 01.01.2019, the Bulgarian state adopted the Persons with Disabilities Act (PDA)¹, which repealed the Integration of Persons with Disabilities Act, in force until 31.12.2018. The law

introduced a new comprehensive legal framework for regulating public relations related to the exercise of the rights of persons with disabilities in the Republic of Bulgaria.

The new legal framework clearly outlines the horizontal nature of the policy on the rights of persons with disabilities and all sectoral policies that should be engaged in supporting persons with disabilities. New forms of support have been identified through an individual needs assessment.

The law aims to promote, protect and ensure the full and equal enjoyment of the rights and freedoms of persons with disabilities; to create conditions for social inclusion of persons with disabilities; to promote respect for the inherent human dignity of persons with disabilities; to provide support for persons with disabilities and their families.

The areas of support for persons with disabilities under the Act are: health, education, employment, housing, accessible environment in urban areas and public buildings, transport, culture, sports, personal life, public and political life, justice and others.

In order to continue the policy pursued in terms of guaranteeing the rights of persons with disabilities, after the expiration of the Action Plan of the Republic of Bulgaria for the implementation of the UN Convention on the Rights of Persons with Disabilities (2015-2020) and the National Strategy for Persons with Disabilities (2016-2020), actions were taken to prepare an Action Plan for the implementation of the final recommendations and a new National Strategy for Persons with Disabilities (2021-2030)².

At the beginning of 2021, by a decision of the Council of Ministers, an Action Plan for the implementation of the final recommendations to the Republic of Bulgaria made by the UN Committee on the Rights of Persons with Disabilities (2021-2026)³ was adopted. Its main goal is, through a consistent policy and appropriate measures, to respond to the comments and recommendations made to our country regarding the implementation of the provisions of the Convention.

The final recommendations to Bulgaria are related to the respect of the rights of persons with disabilities in various areas – education, employment, health, economic and social support, participation in political and public life, violence, trafficking, stereotypes and discriminatory practices, women and girls with disabilities in an unequal position, legal framework for equality, complaint mechanism, marriage and family relations, the institute of guardianship, etc.

It sets out measures and activities aimed at improving the legislation of the country in terms of guaranteeing the rights of people with disabilities; activities to overcome stereotypes and discriminatory practices; expanding the opportunities for participation of people with disabilities in the labour market; active participation in political and public life; information and awareness activities, promotion of the Convention, etc. The main objective of the implementation of the Action Plan is to support the implementation of the commitments of the Republic of Bulgaria under the UN Convention on the Rights of Persons with Disabilities by contributing to better conditions and environment for active inclusion and independent living in the community of persons with disabilities by providing adequate support measures.

In accordance with the current national legislation and the definition of the horizontal nature of the policy on the rights of persons with disabilities and all sectoral policies that should be involved in supporting persons with disabilities, a new National Strategy for Persons with Disabilities with a time range for implementation 2021-2030 was prepared and adopted at the end of 2020.

The National Strategy for Persons with Disabilities 2021-2030 is an expression of the government's political and social commitment to support Bulgarian citizens with disabilities.

The objectives and priorities of the Strategy are formulated in line with the realisation of the commitments on the implementation of the UN Convention on the Rights of Persons with Disabilities. The implementation of the Convention, as part of the domestic law of the country,

requires the existence and observance of clear plans for the implementation of the obligations undertaken and is related to the promotion of good coordination and fruitful dialogue between all stakeholders to improve the situation of persons with disabilities.

The measures in the Strategy correspond to the leading policies for promoting social inclusion outlined in other strategic documents at national and European level, as well as in compliance with Principle 17. “Inclusion of persons with disabilities” of the European Pillar of Social Rights.

The main objective of the Strategy is to improve the quality of life of people with disabilities by creating conditions and providing opportunities for their full and equal participation in the community. The document sets four strategic objectives, the first of which implies the implementation of measures to enhance the opportunities for leading an independent lifestyle on an equal basis with others in an accessible environment and facilitating inclusion in the community with the possibility of free expression of opinion and informed choice.

To implement the strategic document in force in the country, an Action Plan for the period 2021-2022 for the implementation of the National Strategy for Persons with Disabilities 2021-2030⁴ and an Action Plan for the period 2023-2024 for the implementation of the National Strategy for Persons with Disabilities 2021-2030⁵ were adopted.

It is important to keep in mind that the Plan for the period 2023-2024 was preceded by a report on the implementation of the Plan for the period 2021-2022, which ensures a clear traceability of the implementation of the planned activities and measures. Currently, there is a process underway to report on the 2023-2024 Plan and prepare a 2025-2026 Plan.

The developed and adopted strategic documents aim at creating opportunities for increasing personal development and independent living and improving the chances of inclusion of persons with disabilities in the educational system and professional realization on the labour market by providing high-quality and high-tech auxiliary technical tools, devices, equipment and specialized software programs; creating an accessible environment related to mobility, communication and free movement, and/or the necessary technological renewal/device/equipment, according to individual needs.

There is also a focus on encouraging manufacturers and providers of auxiliary devices and technologies, taking into account individual aspects of mobility and accessibility of persons with disabilities. In this way, it supports the development and introduction of innovative techniques and technologies, which are prerequisites for improving the quality of life of this vulnerable group of persons.

The activities of media service providers are encouraged, which should ensure in their services the full exercise of all rights of persons with disabilities without discrimination on the basis of disability, by providing information in various program territories in an accessible format for them and through technologies suitable for different types of disabilities – inclusion of specialized subtitles, sign language, audio-description, audio-subtitles, accessible multimedia, as well as other written, sound, in a simplified language, vocabulary, augmentative and alternative means of communication. Mass media are encouraged to be accessible to persons with disabilities and to present the topic of disability in order to raise civic awareness.

Pursuant to Art. 15, para. 3 of the European Social Charter and in accordance with the requirements of the UN Convention on the Rights of Persons with Disabilities, the Persons with Disabilities Act and the Spatial Planning Act, **Ordinance No. P/1-02-20-2 of the Minister of Regional Development and Public Works of 2021 on determining the requirements for accessibility and universal design of the elements of the accessible environment in the urbanized territory and of the buildings and facilities was issued (promulgated, SG, No. 12 of 2021, effective as of 13.03.2021).** The Ordinance repealed Ordinance No. 4 of 2009 on the design, execution and maintenance of buildings in compliance with the requirements for an

accessible environment for the population, including people with disabilities (promulgated SG No. 54 of 2009).

Currently, a draft National Housing Strategy is being prepared, which will define the general framework for the development of the housing sector. It will be implemented with national/targeted programs aimed at meeting the specific objectives and finding adequate long-term solutions to the problems in the housing sector. Its adoption aims to carry out an analysis and assessment of living conditions among vulnerable groups, housing and a general review of institutions and policies, including the implementation of specific actions to improve housing conditions, providing access to housing for disadvantaged groups, prerequisites for the creation of financial mechanisms to provide access to housing purchase and rental for low-income families, etc.

Significant progress in terms of guaranteeing the rights of persons with disabilities was achieved through the Bulgarian Sign Language Act (BSLA) (prom. SG, No.9 of 2 February 2021, in force from 06.02.2021) which regulates the public relations related to the recognition of the Bulgarian sign language as a natural independent language and the respect of the right of deaf and deaf-blind persons to expression and information through the Bulgarian sign language.

In order to regulate the terms and conditions for providing a free translation service in Bulgarian sign language, Ordinance No. ПД-06-51 of 27.08.2021, in force from 01.09.2021, was issued by the Minister of Labour and Social Policy.

Through the adoption and implementation of the BSLA, on the one hand, the necessary legal basis was created for the realization of the right to free translation service in Bulgarian sign language for deaf and deaf-blind persons, which is extremely important from the point of view of legality, and on the other hand, conditions were created for the removal of restrictions in the communication of this vulnerable social group and in the use and access to information through Bulgarian sign language, which ensures not only access to information and communication, but also better access to education, better professional realization and personal socialization of deaf and deaf-blind people, and hence improving their quality of life.

The law regulates the rights and obligations of institutions in the system of pre-school and school education in relation to providing conditions for learning, mastering and using the Bulgarian sign language. There is an opportunity for early impact and early support through Bulgarian sign language for deaf and deaf-blind children, as well as consultations and trainings in Bulgarian sign language for parents. Effective from 15.09.2026, there is an opportunity to conduct training for the study of the Bulgarian gesture in a special educational field in kindergartens and as a special subject in schools. For students without hearing loss, such an opportunity will also be provided for the acquisition of additional training in Bulgarian sign language in the optional classes, and for children without hearing loss – training for the study of the Bulgarian sign language in additional forms of pedagogical interaction. The training will be carried out by pedagogical specialists with acquired professional qualification “Teacher of Bulgarian sign language”. The Bulgarian Sign Language Act also regulated a new regime regarding interpretation services. Deaf or deaf-blind persons exercise their right to receive an interpretation service in Bulgarian sign language through an interpreter of their choice.

In February 2023, an Ordinance on the acquisition of a qualification in the profession of “Interpreter from and into Bulgarian Sign Language” was amended and approved by the Minister of Education and Science. At the same time, an addition has been made to the Bulgarian Sign Language Act that the interpreter from and to Bulgarian Sign Language can also be a person who has acquired a bachelor's degree in the specialty “Bulgarian Sign Language” from the professional field of Philology.

In addition, state institutions and local self-government bodies are obliged to provide interpretation into Bulgarian sign language when requesting and/or receiving administrative services from the executive authorities and the local self-government, as well as when conducting

events organized by them, with the participation of deaf and deaf-blind persons, when the persons have previously requested an interpreter from and into Bulgarian sign language. The law also introduced the provision of gestural interpretation of news and current affairs and publicity broadcasts with economic and political themes by providers of audiovisual media services.

In recent years, the Ministry of Education and Science has provided interpretation from and into Bulgarian sign language to persons with impaired hearing during administrative services or during events and workshops with their participation. News in Bulgarian sign language in the field of education are periodically prepared and provided by the Ministry of Education and Science.

A Council for the Bulgarian Sign Language was established with the Minister of Education and Science and a Rulebook on the Organization and Activities of the Council for the Bulgarian Sign Language was issued.

Given the importance of the application of Bulgarian Sign Language in the educational system and its support for the educational and social inclusion of deaf children and with a view to presenting best practices with a focus on the development and application of Bulgarian Sign Language in the educational system, in the period 12-14 October 2022 the Ministry of Education and Science organized and held, in partnership with the Regional Centre for Support of the Inclusive Education Process (RCSIEP) –Sofia-city and with the Listen Up Foundation, the first international scientific conference of its kind in Bulgaria: “Sign Language in Education and Science”.

In the academic year 2021/2022 at the Department of Special Pedagogy at the Faculty of Sciences for Education and the Arts at Sofia University “Sv. Kliment Ohridski” the first Master's degree program “Sign Language in Education” for acquiring a Master's degree was presented. The program has the ambitious task of providing graduate students with the opportunity to obtain a professional qualification “Special pedagogue – teacher of sign language”. A professional qualification in the profession of “Special pedagogue – teacher of Bulgarian sign language” is to be developed.

In recent years, the Ministry of Education and Science has initiated and supported scientific developments by higher education institutions and non-profit legal entities. The following methodological guides were developed: Methodological guide for training in Bulgarian sign language in preschool and primary school age; Methodological guide for the training of interpreters in Bulgarian sign language; Methodological guide for training of deaf-blind people in Bulgarian sign language and alternative means of communication. There have also been scientific studies of children's vocabulary in the Bulgarian sign language, as well as three ongoing studies of the grammar of the Bulgarian sign language. A children's dictionary in Bulgarian sign language has also been published (research and educational resource for specialists and parents of deaf children). The work on the preparation of a Digital Online Dictionary and a site in Bulgarian sign language in support of the training of children with impaired hearing (4 – 11 years old) with all lexical units and word combinations in simple sentences in Bulgarian sign language, presented by deaf young people, prepared manual forms for each sign lexeme, was also accepted.

The section “Inclusive education”, set out on the website of the Ministry of Education and Science, periodically publishes up-to-date information regarding the Bulgarian sign language.

Currently, programs are also being developed with a focus on the development and application of the Bulgarian sign language in the educational system.

The Ministry of Education and Science also stimulates research on the upgrading and popularization of the Bulgarian sign language by funding scientific research on the vocabulary and grammar of the Bulgarian sign language, the creation of electronic educational resources and methodological guides for its application in education.

In favour of people with disabilities, in 2022, changes were made in the regulatory framework related to the activities of prescribing, granting, paying for and controlling aids, devices, facilities and medical devices (ADFMDs) for people with disabilities by the National Health Insurance Fund (NHIF) and the Regional Health Insurance Funds (RHIF) in the country.

The activities related to the prescribing, granting, payment and control of ADFMDs for people with disabilities went into the competence of the National Health Insurance Fund (NHIF) and the Regional Health Insurance Funds (RHIF).

State Gazette, issue 50 of 01.07.2022 promulgated Decree No. 144 of 29.06.2022 of the Council of Ministers amending and supplementing the Regulations for the Implementation of the Persons with Disabilities Act, which regulates the transition of the provision of ADFMDs by the Social Assistance Agency (SAA) to the NHIF and the RHIF in the country.

This has led to a reduction in the administrative burden for citizens, relaxation of the granting regime and faster provision to those in need.

Pursuant to the new mechanism, which entered into force on 01.07.2022, to finance and provide ADFMDs, people with disabilities are entitled to those outside the scope of compulsory health insurance, determined individually by a medical document issued by a medical advisory commission (MAC), a territorial expert medical commission (TEMC) or a national expert medical commission (NEMC), based on their specific needs and according to a specification approved by the NHIF. It is envisaged that the person with a disability or their representative, after receiving the relevant medical document, shall submit an application to the manager of the NHIF through a director of the RHIF, respectively to a director of the RHIF.

Depending on the value of the ADFMDs, respectively the repair, competent to approve the application is the manager of the NHIF, when this value exceeds BGN 1,000, or the director of the RHIF, when the value of the ADFMDs, respectively the repair, is lower than BGN 1,000. The application shall be submitted through the information database referred to in Art. 108a, para. 1 of the Health Act within the framework of the procedure for issuing the medical document, which determines the specific needs for ADFMDs. The application for repair shall be submitted in person, by letter with notice of delivery (return receipt) via a licensed postal operator or electronically in accordance with the requirements of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and certification services for electronic transactions in the internal market and repealing Directive 1999/93/EC and the Electronic Document and Electronic Certification Services Act. The application shall specify the medical documents submitted by the person necessary for the provision of the ADFMDs.

The submitted applications shall be subject to preliminary control for compliance with the requirements of the specification and the specification-list, under the ordinance under Art. 30a, para. 4 of the Medical Devices Act, approved by the NHIF, in which the medical conditions, the operating terms and the necessary medical documents for the provision of each specific ADFMD, as well as the value paid by the NHIF are determined. Applications are approved within 7 days of their submission. The person with disability receives a notice of the result of the application examination procedure in accordance with Art. 18a, para. 4 and para. 7-10 of the Administrative Procedure Code, respectively.

The activities for provision, reporting, control and payment of ADFMDs for people with disabilities are carried out automatically through specialized software specially created in the NHIF, which will make it easier for individuals to exercise their right to access the necessary ADFMDs. It is regulated that persons with disabilities receive the relevant ADFMD, including their development or repair, only from persons entered in the register kept and maintained by the Bulgarian Drug Agency and those who have concluded an individual contract with the NHIF.

When the ADFMDs individually determined by the medical document cannot be provided, manufactured or repaired at the current address and the presence of the persons is necessary, there is an opportunity to obtain monetary compensation for travel costs in the country. The monetary compensation shall be paid by the Social Assistance Directorates at the Social Assistance Agency upon submission of an application by the entitled person, and for this purpose, within one month of receipt of the ADFMD, the person with disability shall submit to the Social Assistance Directorate at the current address an application form approved by the Executive Director of the SAA and shall enclose the following documents:

- a ticket for travel in both directions within the country – in second class on a fast or passenger train, or by bus, issued in accordance with the requirements of the Railway Transport Act and the Road Transport Act;

- a document from the person entered in the register under Art. 88, para. 1 of the PDA and who has concluded a contract under Art. 45, para. 16 of the Health Insurance Act, who prepares, provides or repairs ADFMDs, proving an appearance to take a measure, sample or to receive the ready ADFMD by the person with disability.

As evidenced by the information above, our country pursues a consistent policy in the context of disabilities, which includes positive measures for action to achieve the goals of social integration and full participation of persons with disabilities in public life. At present, these measures have a clear legal basis by enabling persons with disabilities to participate in the processes of policy development, implementation and monitoring, which in turn is a prerequisite for improving coordination at all levels, as well as for identifying the need for its timely improvement.

Regardless of the progress made, reaching a level of policy development that fully meets all the needs of people with disabilities does not depend only on the competence of the Ministry of Labour and Social Policy, and this in turn is an obstacle to giving a firm answer on the implementation of the commitments that Bulgaria would have made with the ratification of Article 15 of the ESC (r).

The ratification of Article 15 of the European Social Charter still poses risks, as the implementation of the measures set out in the strategic documents in practice poses a serious challenge, both in terms of time and resources. Last but not least, it is important to note that an essential factor for the successful implementation of the disability policy is the level of coordination and synchronization of all direct and indirect actors in the processes related to the independent and full inclusion of persons with disabilities.

In view of the above, **we maintain the opinion expressed so far that, regardless of what has been achieved until now, we could not commit to actions for ratification of Article 15 of the ESC(r) at this stage.** In addition, it is important to note that high standards have been set in relation to the implementation of the UN Convention on the Rights of Persons with Disabilities and specific measures have been identified to protect the rights of persons with disabilities and ensure their social inclusion. This will create more favourable conditions for ratification of Article 15, without prerequisites for collective complaints related to non-insurance and/or violation of rights of persons with disabilities.

Article 16

The right of the family to social, legal and economic protection

In order to ensure the conditions necessary for the comprehensive development of the family, which is a basic cell of society, the Contracting Parties undertake to contribute to the economic, legal and social protection of family life by such means as social and family benefits,

tax relief, the provision of family housing, assistance to newly married families and other appropriate measures.

Article 17

The right of children and young people to social, legal and economic protection

In order to ensure the effective exercise of the right of children and young people to grow up in an environment that creates conditions for the full development of their personality and their physical and mental capabilities, the Contracting Parties undertake, directly or in cooperation with public and private organizations, to take all necessary and appropriate measures aimed at:

1. a) ensuring for children and young people, and taking into account the rights and obligations of their parents, the appropriate care, assistance, education and training they need, in particular by providing conditions for the establishment or maintenance of institutions and services sufficient and appropriate for this purpose;

b) protecting children and young people against neglect, violence or exploitation;

c) providing protection and specialized assistance by the state for children and young people temporarily or permanently deprived of family protection;

2. providing children and young people with free primary and secondary education, as well as encouraging regular school attendance.

The principle of ensuring the best interests of the child guides the activities of all sectoral systems relevant to child and family policies. Bulgaria has gone through a dynamic and challenging path of large-scale reform in childcare, which is already in its final stage. The basis of its implementation is the application of the principle that the family is the best environment for the upbringing and development of each child. The targeted and systematic efforts of everyone involved in the process of de-institutionalization of childcare – at national, regional and local/municipal level, have led to significant results.

The most important among them are:

✓ Almost all specialized institutions for children have been closed. Compared to 2010, when their number was 137, the last 3 (three) homes for medical and social care for children (HMSCC) are currently functioning – in Varna, Pleven and Stara Zagora, which are managed by the Ministry of Health, and they are also to be closed;

✓ The number of children in specialized institutions also decreased significantly (by almost 98%) – from 7,587 children in 2010 to 101 children at the end of December 2024 (only in the three remaining HMSCCs);

✓ However, the most important result of the reform is the prevalence of care in a family environment. Compared to 2010, many more children in public care are currently being raised in a family environment (in families of relatives and in foster families), comparing them with children in residential care services. As of the end of December 2024, the number of children placed in families of relatives is 3 846, the number of children placed in foster families is 1 483, and the number of children/youth placed in residential care services (in family-type accommodation centres and transitional housing) is 2,942;

✓ There has been a threefold increase in the number of social services for children and families – from 241 in 2010 to 760 at the end of December 2024, supporting more than 20,700 children and families. Consultative and daily forms of social services in the community are prevailing both in terms of number of services (451) and in terms of number of users (17,657);

✓ The measures for prevention of abandonment, reintegration into a family environment, adoption and foster care have developed significantly and have a key role in the implementation of the process;

✓ Targeted support is provided to children with permanent disabilities, both financially and through social day care services, therapy and rehabilitation, counselling, training and home-based services;

✓ The quality of life of children removed from specialized institutions has also improved significantly.

Measures to support children and families, including risk prevention, will continue to be the focus of the implemented national policies. Therefore, the efforts of the institutions involved continue to be aimed at increasing the quality and efficiency of social services, implementing an integrated approach and promoting cross-sectoral cooperation, improving the capacity of specialists who work with children and families and implement policy at the local level, etc. Another major focus is supporting children and young people to live independently after leaving the care system. Many measures are also implemented in the field of employment and vocational training, with a special emphasis on promoting youth employment.

The process of de-institutionalization of child care is also supported by the Social Services Act (SSA), which entered into force on 01.07.2020 and laid the foundation for the reform in the field of social services. The role of social services in providing support to children and families, including in the implementation of measures taken to protect children at risk, is important. The SSA sets out special rules for the provision of social services. For example, the law introduces an obligation for the social service provider to immediately notify the Social Assistance Directorate and the child's parents, guardian or guardian when a child requests support. The SSA introduced additional guarantees to limit the entrance to residential care and change the model of child care. At the legal level, it is already regulated that the provision of residential care to children under 3 years of age is not allowed. The term for the use of residential care for children, which may not be longer than two years, is also explicitly regulated and must be reviewed every 6 months. It is important to note that all social services for children, which are state-delegated activities, have always been free of charge for both children and their parents/guardians/custodians or carers. Also, taking into account the importance of the support measures and in order to prevent the risks of separation of the child from the family, the Social Services Act explicitly regulates that social services for support for the formation of parenting skills; for counselling and support to parents on issues of early childhood development and child care and for early intervention of disabilities for children are not paid.

De-institutionalization is not an isolated and independent process, it is an integral part of policies to support children and families. The development of integrated policies and measures to ensure comprehensive care and protection of children is at the core of the adopted in November 2022 Action Plan to implement Council Recommendation (EU) 2021/1004 on establishing a European Child Guarantee (2030). The plan includes a wide range of measures to support children and families, which are grouped into six thematic areas of impact in line with the directions of the Guarantee – early childhood education and care; inclusive education and school activities; health; healthy nutrition; adequate housing and other tools to overcome social exclusion and reduce child poverty. The Action Plan outlines the main target groups of children, including children in alternative care and children with disabilities, who are identified as some of the most vulnerable groups in a national context. The plan includes a number of measures and activities to support children and families, risk prevention and raising children in a family, early intervention, support for young people who have left alternative care.

In 2023, changes were made to the Regulations for the Implementation of the Child Protection Act (RICPA) (prom., SG No. 49 of 2023). The main change is related to linking the financial benefits and funds provided (for prevention and reintegration, raising the child with

relatives and in foster families) with the poverty line as a basis for determining the criteria for access and their amount, instead of the guaranteed minimum income. The changes made have led to an increase in the amount of aid and funds provided under the RICPA.

At the end of 2023, the National Assembly of the Republic of Bulgaria adopted amendments to the Family Code (FC) (promulgated, SG, No. 106 of 2023), one part of which concern adoption. In 2024, by order of the Minister of Labour and Social Policy, Ordinance No. ПД-06-46 of 04.11.2024 was approved on the procedure for registering, keeping, storing, maintaining and functioning of the National Electronic Information System for Full Adoption (promulgated, SG, No. 97 of 15 November 2024). In 2024, changes were made to the Ordinance on the terms and conditions for application, selection and approval of foster families and placement of children in them (promulgated, SG, No. 64 of 30 July 2024). The main changes are related to the need to synchronize the ordinance with the current legislation in the field of child protection and social services. Requirements for the care of children accommodated in foster families are also regulated, and a special annex to the ordinance has been developed.

In connection with the implementation of the provision of Art. 17, para. 1, letter “b” (*protection of children and young people against lack of care, violence or exploitation*), it should be noted that the policy of the Republic of Bulgaria is durable and consistent, especially with regard to the fight against violence, including domestic violence and violence against children and women, its prevention and protection of victims. According to the Protection from Domestic Violence Act (PDVA), domestic violence is any act of physical, sexual, mental, emotional or economic violence, as well as the attempt to such violence, the forcible restriction of privacy, personal freedom and personal rights against persons who are in family ties, who are or have been in a family relationship or in factual cohabitation. Any form of domestic violence committed in the presence of the child is also considered psychological and emotional abuse. The Penal Code criminalizes the infliction of bodily harm, and bodily harm to minors is regulated as a crime for which bigger punishments are provided. The Child Protection Act regulates the right of every child to protection against involvement in activities unfavourable to their physical, mental, moral and educational development.

We are also long-term engaged with children in conflict with the law. Given the vulnerability of this category of persons, it is essential for us to provide sufficient guarantees for the observance and exercise of procedural rights, as well as the provision of effective care to injured children. Over the past few years, a number of legislative changes have been adopted to implement this state policy. Legal mechanisms have been introduced to protect victims of violence, including free legal assistance before all court instances at the expense of the state budget and persons victims of domestic or sexual violence who do not have the means and wish to benefit from legal protection, compensation of victims, protection services, incl. in actions with an international element. All forms of domestic violence are criminalized, thus ensuring adequate and comprehensive criminal and legal protection from all acts of violence against women, including domestic violence. Measures have been taken in prosecuting and punishing the perpetrators, protecting and compensating the victims.

The following measures can be identified as actions taken in the period 2020-2024 incl. and falling within the scope of this provision:

1. By the Amendment and Supplementation Act of the Penal Code (prom., SG, No. 16 of 2019), an addition to the Criminal Procedure Code has also been adopted. The changes introduce an obligation for the competent authorities to immediately inform the victim

with specific protection needs in cases where the detained perpetrator of the violence escapes or is released temporarily or permanently.

2. By the Amendment Act of the Criminal Procedure Code (promulgated, SG No. 83 of 2019) a new Art. 369a has been created, according to which a shortened judicial investigation in the cases under [Art. 371, item 2](#) shall not be allowed in case of intentional death.

3. In 2023, legislative amendments to the Criminal Procedure Code were adopted (promulgated, SG, No. 48 of 2023). They introduced Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA and Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings. In accordance with the requirements of Directive 2012/29/EU, the list of procedural rights of victims is extended:

- ✓ the right to be accompanied by a person of their choice is added; The assistance and moral support that this person can provide will contribute to the victim's better interaction with the authorities of the pre-trial proceedings during the performance of the investigative measures;
- ✓ it is envisaged that the questioning of child witnesses with a specific need for protection shall take place in the presence of a pedagogue or psychologist. Where necessary, the questioning shall also take place in the presence of the parent, guardian or custodian. In cases of domestic violence or a crime against gender integrity, at the request of the victim the interrogation may be carried out by a person of the same sex;
- ✓ it is arranged to carry out, without undue delay, an individual assessment of the victim after the first contact of the competent authorities with them. It should determine the physical and mental condition of the victim as a result of the crime suffered and establish specific protection needs. In this regard, amendments to the Assistance and Financial Compensation for Victims of Crime Act (AFCVCA) are proposed;
- ✓ possibility is provided for the family members of the victim, who have suffered from material and non-material harm from crimes of a general nature, to also receive assistance under the AFCVCA. For the sake of clarity, a separate definition of “family members” of the victim is introduced.

4. With the amendments to the Penal Code (promulgated, SG No. 67 of 2023), another serious step forward was made in terms of criminal law protection of victims, and the requirement for systematic acts of violence was removed from the definition of “crime committed in conditions of domestic violence”.

5. Amendment and Supplementation Act to the Protection from Domestic Violence Act, which was adopted in 2023 (promulgated, SG, No. 66 of 2023).

The Act provides for:

- expanding the scope of the law and formulating the main purpose of the law in order to assess the legality of the acts issued;
- synchronization with the forms of domestic violence according to the European acts, introduction of an additional mechanism for protection against domestic violence, which aims to reduce the cases of domestic violence against minors exercised by one parent before the other, without the latter taking action, as well as the cases of domestic

violence against vulnerable persons who are in a helpless state as a result of severe disability, illness or old age or are placed under guardianship;

- ensuring the obligation of the state to pursue a consistent state domestic violence policy by coordinating, implementing, monitoring and evaluating policies and measures to prevent and combat domestic violence;
- expanding the range of legal entities that are granted protection under the Protection from Domestic Violence Act;
- expanding the range of legal entities that may initiate proceedings for issuing a protection order.
- facilitation of access to justice;
- increasing the measures for protection from domestic violence that can be imposed by the competent authorities and regulating their duration;
- establishment of a National Council for Prevention and Protection from Domestic Violence as a permanent collective and consultative body for the implementation of the state policy on prevention and protection from domestic violence;
- regulation of a coordination mechanism between all competent authorities, municipalities and the judiciary to establish clear rules of action and coordination to ensure reliable, timely and adequate protection of victims of violence;
- regulation of a national information system for the prevention and protection against domestic violence and a national register of cases of domestic violence, in which information on domestic violence is systematically collected;
- optimization of judicial proceedings, incl. by expanding local jurisdiction in domestic violence cases;
- Regulation of prevention and protection programs and specialized services providing protection, assistance and support to persons victims of domestic violence or at risk, providing protection from the period of committing domestic violence to the full recovery of victims and their social inclusion in society, as well as specialized programs for work with perpetrators. The provided specialized services under the PDVA are a national helpline for assistance to persons victims of domestic violence or at risk, a consultative centre and a protected home.

6. At the end of 2023 - January 2024, the Ministry of Justice prepared a draft Coordination Mechanism for assistance and support to victims of domestic violence. The document regulates the main procedures of interaction between the executive authorities at central and local level, the local self-government bodies and the local administration, legal entities, providers of specialized protection, assistance and support services or recovery programs under the PDVA and providers of specialized services for victims of domestic violence under the Social Services Act.

Its finalization is forthcoming with the adoption of the draft Decision of the Council of Ministers.

7. The alignment of the Regulations for the Implementation of the Protection against Domestic Violence Act in accordance with the amendments to the PDVA (promulgated, SG, No. 74 of 2024)

8. A major challenge remains the adoption of the draft Educational Measures against Persons Who Have Committed as Minors a Crime or Administrative Offence Act. In 2019, the Ministry of Justice prepared a draft Educational Measures against Persons Who Have Committed as Minors a Crime or Administrative Offence Act and motives thereto. The purpose of the bill was to build a system of measures to protect the best interests of the juvenile

offender while respecting their dignity, as well as the dignity of the victim of the violation. The main principles set out in the project are: individualization of the educational impact measures taking into account the physical, intellectual, moral and social development of the juvenile offender, as well as their right to education; implementation of the least restrictive measure by which the purpose of the law can be achieved; special knowledge of the participants in the educational activity on the rights of the child and international standards for working with minors and persons of young age; interaction with parents, guardians and other persons legally caring for the juvenile offender, unless this is contrary to their best interest or would significantly impede the course of the proceedings; access to judicial control over the limitations of the rights of the person referred to educational measures; compulsory lawyer defence for minors, with the possibility of obtaining legal aid under the terms and conditions of the Legal Aid Act; speed of proceedings.

However, no consensus was reached on the scope of the draft Educational Measures against Persons Who Have Committed as Minors a Crime or Administrative Offence Act, the scope of which currently excludes minors, and in this regard, the possible need to further develop appropriate advisory and support services for them, as well as on the “special foster family supervision” proposed by the bill.

The implementation of the existing since 2010 **Coordination mechanism for interaction at work in cases of child victims or at risk of violence and for interaction in crisis intervention** is monitored annually. In this regard, the annual report is prepared. The coordination mechanism for violence is regulated by the Child Protection Act.

Bulgarian legislation provides for support and protection of children raised in alternative care – family-type accommodation centres for children with and without disabilities and foster care. These children have a protection measure determined by the authority and confirmed by the court. Children raised in alternative care are removed from their families as a last resort to protect their lives and health. Children are monitored by social workers as responsibility of the staff of the resident service in which the children are raised, or it is the foster parents to report any changes in the child or the risk situation to which it is exposed. Providers of social services for children are also supportive in the care of children raised in alternative care – these are municipalities and licensed private providers who manage the service after delegating the activity.

Specialists working with children are also obliged to alert for child abuse the protection authority, with timely psychological support from psychologists. In recent years, the activity of social service providers for children, including working with child victims of violence, has developed. An Agency for Qualitative Social Services has been established to monitor compliance with the quality of the services provided. The State Agency for Child Protection monitors the rights of children raised in alternative care.

Children from vulnerable groups and their parents receive support from professionals in various fields, including social services in the community. Opportunities to support children in situations of risk, including violence, as well as working with their parents to increase their parental capacity are realized through expanded opportunities for support from social service providers – municipalities and licensed providers. Specialised support for children victims of violence is mainly provided through social services in crisis centres. The state shall take measures for the physical and mental recovery and social integration of all children victims of violence, neglect, abuse and exploitation.

Under the Coordination Mechanism for Violence, Social Assistance Directorates (SAD) create a multidisciplinary team to provide protection to a child at risk or a victim of violence or exploitation. Team members work together until the case is closed and develop an action plan

to protect the child or prevent violence against them. The protection of a child at risk or a victim of violence or exploitation is undertaken following an investigation of the case by the multidisciplinary team and according to its proposed action plan. The Action Plan contains health, social and educational services to prevent violence or to restore the child. When the violence is committed by a parent, the person caring for the child or the person to whom the child is entrusted, the child victim may receive protection through placement outside the family in a social service.

The Child Protection Act provides for an obligation to assist, whereby a person who becomes aware that a child needs protection is obliged to immediately notify the SACP, the Social Assistance Directorate or the Ministry of Interior. The same obligation applies to any person to whom this has become known in connection with his or her profession or activity, even if it is bound by professional secrecy. The Child Protection Act also regulates the imminent risk of abandonment, and anyone who becomes aware that there is an imminent risk of abandonment of a child or that it has been neglected is obliged to immediately report this to the relevant authorities.

The National Helpline for Children 116 111 was established in Bulgaria in 2009 under the Child Protection Act. The helpline is 24/7, free of charge and accepts calls from all over the country. The State Agency for Child Protection (SACP) manages and administers the helpline. To improve its functioning, a new software product has been built for processing and storing phone call data. The helpline provides an opportunity for both children and adults to receive informational and psychological support from a specialist. They may also report a child at risk. Since June 2021, the SACP is an official member of the global network of helplines for children – Child Helpline International. Together with the Regional Directorate of Education, a banner with a link to the site of the national helpline was uploaded on the sites of all educational institutions. The banner is placed on the websites of ministries, protection authorities, regional and national media and non-governmental organizations.

2022 marked the beginning of the participation of the SACP as a partner in the implementation of a project of Child Helpline International (CHI) and the UNICEF Regional Office for Europe and Central Asia (UNICEF ECARO) to support Ukrainian children in Ukraine and in neighbouring countries. The programme “Hearing the Voices of Ukrainian Children and Young People: Child Helplines Responding to the Ukraine Crisis” consists of three parts:

- Improve and maintain the capacity of children's helplines to provide quality services to children and young people in need of care and protection, with a particular focus on children affected by the Ukrainian conflict;
- Raise public awareness, with particular emphasis on Ukrainian children and parents, of the existence of helplines for children (especially the harmonized number 116111) for children and families;
- Ensure the inclusion and amplification of children's voices and generate evidence of influence on policy-making through reliable national and regional data collection, analysis and sharing.

Within the framework of the project, the SACP conducted a number of activities: creation and dissemination of information materials; creation and dissemination of materials to support the mental health of children and their personal development; meetings in places with accommodated Ukrainian citizens with children to promote the National Helpline for Children (NHC); translation of the website of NHC; visit to exchange experience with the Latvian helpline for children; adding a chat on the website of the NHC; training of Child Helpline International in the city of Sofia for NHC 116 111 consultants, SAA and SAR staff on the support for children and young people affected by the war in Ukraine.

The chat service, which was developed under the project, started from August 2023 and with initial working hours on Tuesday and Thursday from 14:00 to 16:00 and from 1 January 2025 the working hours have been extended to every day from 13:00 to 18:00. The chat service is an even more accessible way for children to share if something is bothering them, to get advice and support, and to be encouraged to talk to their loved ones about all topics, so that they are protected from everything. Children use the chat service on all issues that concern them in the same way as NHC 116 111.

By Decision No.51 of 23 January 2023 of the Council of Ministers, the **National Program for Prevention of Violence and Abuse of Children (2023-2026)** and the Action Plan for the Implementation of the National Program for Prevention of Violence and Abuse of Children (2023-2024) were adopted. The National Program for Prevention of Violence and Abuse against Children (2023 – 2026) is envisaged as a four-year strategic document that sets the national policy framework in the field of violence against children through a mechanism for coordination and communication between state authorities, representatives of civil society and the non-governmental sector, the support of the network of professionals working with children, the support of parents, raising children's awareness, improving the regulatory framework, protection of children against violence and exploitation based on their needs, support for children victims of violence for recovery and rehabilitation.

It outlines certain factors that influence society, the relationships between children and parents – caregivers, and public attitudes.

The programme focuses on prevention measures and services that are most likely to reduce the incidence of violence against children. Changing public attitudes is one of the expected results of the implementation of the programme. For example, the leading cause of the large number of cases of early births is also rooted in public tolerance of cohabitation among adolescents, minors, from a certain ethnic community, which in some cases is defined as a type of sexual violence by adult men against girls.

All identified problems and strategic goals for achieving sustainable results for the prevention of violence and abuse of children are achieved through clear and specific operational goals defined on the basis of the different target groups targeted by the programme. 5 Strategic goals and 28 operational goals are outlined, with 113 specific measures.

The progress reports on the implementation of the measures set out in the Action Plan for each quarter since the adoption of the strategy document are published on the official website of the Agency in the Violence Prevention Section. Accountability is in a reporting form adopted by the members of the inter-institutional working group “Prevention of violence and abuse of children”, which has been approved as a model by the Chairperson of the State Agency for Child Protection.

The implemented measures are mainly related to changes in the current regulatory framework, such as training of professionals working with children, raising children's awareness of their rights. For the one-year period of the implementation of the strategic document, there is a clear trend of strengthening the role of municipalities and initiatives at local level. Many campaigns, inter-institutional meetings, competitions and initiatives have been implemented. The basis is also laid for the development of documents that will methodically support the work of specialists in various fields. Work continues on the development of indicators that will take into account violence against and by children.

First of all, the progress related to the direct involvement and active participation of municipalities in the implementation of the planned measures and activities at local level should be taken into account. If 94 municipalities have provided a report for the first six months from the adoption of the Action Plan, then for the one-year period from the adoption of the report on implementation reports were provided by twice as many municipalities – 189, and this period is accompanied by direct communication with the experts of the State Agency for Child

Protection, seeking solutions and offering ideas for joint initiatives and activities on the topic related to the prevention of violence against children.

In 2023, a number of normative changes contributed to a more comprehensive protection of the rights of children who are victims or witnesses of violence, also in terms of ensuring the rights of perpetrators of criminal offences, and also with regard to children involved in civil proceedings, related to the adoption of amendments to the Mediation Act, as well as relevant amendments to the Civil Procedure Code, the Judiciary Act, amendments to the Criminal Procedure Code and the Assistance and Financial Compensation of Victims of Crimes Act relating to the implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA; the introduction of Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, and the above-mentioned amendments to the CPC also satisfy the requirements of Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and in European Arrest Warrant proceedings and on the right to notify a third party in detention and to communicate with third parties and consular authorities during the period of detention.

In continuation of the targeted actions to ensure the rights of children in conflict with the law, by Order of the Chairperson of the SACP, an inter-institutional working group was established with representatives of the Supreme Judicial Council, Supreme Prosecutor's Office of Cassation, SACP, Ministry of Interior, SAA, NAMRB, NGO-Social Activities and Practices Institute, a judge from a District Court, regional prosecutor from the Regional Prosecutor's Office, representatives of the Institute of Psychology of the Ministry of Interior, the Academy of the Ministry of Interior developed a Methodology for use and work in specially designated "blue rooms" for hearing children and conducting interviews by trained specialists in a sparing atmosphere, in the presence of all envisaged participants. The "blue rooms" were mapped and an interactive map was prepared for the professionals. This year, the methodology has been approved by the Minister of Interior, the Prosecutor General, the Supreme Judicial Council, the Chairman of the SACP and the Executive Director of the SAA and has been brought to the attention of all workers with children, victims or witnesses of violence, participants in criminal and civil proceedings.

The amendments to the Family Code, which eliminated the possibility of marriage for persons under the age of 18, are in line with the implementation of the recommendations of the UN Committee on the Rights of the Child, as well as a step in the direction related to the fight against early marriage among children. In this regard, targeted actions have been taken by the State Agency for Child Protection to improve inter-institutional interaction at local level in the municipality of Sliven, where most cases of early childbirth have been registered. A series of meetings were held with local institutions, educational and health mediators, local community leaders, pastors, and field workers.

The focus of the work in 2023 was to create guarantees for respecting the rights of children with disabilities and in particular children with complex communication needs – with impairments or missing functional speech, children with Special Educational Needs. A report has been prepared by the State Agency for Child Protection on the current situation of children with disabilities, including with complex communication needs, on the basis of information received from the Ministry of Health, the Ministry of Education and Science, the Agency for People with Disabilities, the SAA, from municipalities providing Family-type Accommodation Centres services, from centres for special educational support, based on the results of inspections carried out in all centres. An inter-institutional working meeting and a round table on the topic were held. They discussed the main difficulties, challenges in working with children who have complex communication needs (with impaired or missing functional

speech), the necessary steps and follow-up actions to be taken by all institutions so as to fully guarantee the child's right to protection against various forms of violence, including lack of care or negligent treatment, taking into account the special needs of these children. ASSIST – Assistive Technologies Foundation, which has many years of experience in working with children with complex communication needs and the use of augmentative and alternative communication, has presented a report on the topic containing data on a global scale and presenting also foreign experience.

Significant steps in the direction of ensuring the rights of children with complex communication needs were taken by the Ministry of Education and Science through active work in 2023 on a draft Decree amending the Ordinance on Inclusive Education, which were adopted this year, as part of the amendments are in terms of augmentative and alternative communication (AAC). Supplemented were norms regarding the provision, if necessary, of technical means and software for AAC, which provides an opportunity for their use by children and students with physical disabilities and motor limitations, with communication disorders, with sensory disabilities, with multiple disabilities. Provisions have been established that when carrying out the assessment of the individual needs of children and students with physical disabilities and movement limitations, with communication difficulties/impairments, with sensory impairments, with multiple disabilities, if necessary, use technical means and software for augmentative and alternative communication (AAC), as well as means for alternative access to a computer, such as eye-tracking devices and specialized software for their use, switches, software for voice computer control, alternative keyboards and mice, etc., and positioning systems. Provisions have also been made to provide technical tools and software to support the education of children and students with specific learning disabilities – dyslexia, dysgraphia, dyscalculia.

Training programs have been developed by experts from the National Centre of Public Health and Analyses and trainings have been conducted for specialists from nurseries, including those on the peculiarities and prevention of violence against children at an early age. The National Centre of Public Health and Analyses has developed 4 information and educational materials for parents of children aged 0-7 on topics of violence and prevention of violence and bullying against children at an early age; educational methods and approaches related to violence and to acquire knowledge and skills to use positive educational styles and means.

In 2023, the National Centre of Public Health and Analyses developed and issued a “Guide to Psycho-social Support for Refugees” to raise awareness of mental health issues and improve access to available services, including mental health. Materials have also been developed by the State Agency for Child Protection for children and their families seeking international or temporary protection on the territory of our country.

Methodological guidelines for work in cases of domestic violence, including with the participation of children, have been developed by the Ministry of Interior.

The SACP turned to the Ministers of Education and Science, of Health, of the Interior, of Culture and of Youth and Sports, separately the mayors of municipalities, in their capacity as child protection authorities, with a request for assistance on the implementation of the activity set out in the Action Plan related to the regulation of the official characteristics of all people working directly with children or having contact with children of the obligation to notify under Art. 7, para. 1 and para. 2 of the Children Protection Act. In this regard, action has been taken by all responsible ministries, as well as by mayors of municipalities.

In 2023, a list of Methodological manual/guidelines/instructions on indicators of violence against and by children was launched by experts from the State Agency for Child Protection, Ministry of Labour and Social Policy, Ministry of Foreign Affairs, Ministry of Education, Ministry of Interior, Ministry of Justice, Ministry of Youth and Sports, Ministry of Health, Ministry of Culture, Social Assistance Agency, National Statistical Institute, National

Social Security Institute, Central Commission for Combating Juvenile Delinquency, National Commission for Combating Trafficking in Human Beings, National Centre of Public Health and Analyses, UNICEF, National Network for Children, National Association of Municipalities in the Republic of Bulgaria, National Association of Resource Teachers, For Our Children Foundation, Social Activities and Practices Institute, ASSIST – Assistive Technologies Foundation. Regular meetings were held, as well as a series of meetings of SACP representatives with the responsible institutions to specify the indicators. The Working Group should carry out a comprehensive review of the data collected in the institutions, on the basis of which it should develop key indicators for measuring violence against children, with a uniform methodology for carrying out the collection of reliable and comparable data on violence according to the proposed indicators. Work on the development of appropriate indicators for the collection of sufficient and reliable data on cases of violence by and between children is to be finalized.

Municipalities report numerous initiatives in schools and kindergartens, social services related to the celebration of various international days, such as World Anti-Bullying Day, International Children's Day – June 1, Pink T-shirt Day, etc.; organizing competitions and sports holidays; holding talks by members of the Local Commissions for Combating Juvenile Delinquency and inspectors from the “Children's Pedagogical Room”, theatre performances, holidays organized by the municipality. Another resource in this direction is the activity of opened social services in some settlements, which also work with the community by conducting campaigns, organizing screenings, etc. In some places, advisory offices to the Local Commissions for Combating Juvenile Delinquency and/or social services for prevention and psychological support have been established. Municipalities provide information on various projects they develop, on numerous trainings of specialists from social services and educational institutions on the topic of prevention of various types of violence, trafficking in human beings, use of psychoactive substances, together with the Prevention and Information Centres.

With the support of all ministers, child protection authorities, the SACP organizes and implements a National Information Campaign for the Prevention of Violence and Abuse of Children, which aims to guarantee the right to protection from violence to all children, especially children at high risk of vulnerability, as well as to mobilize the community and lead to a change in public attitudes. The national campaign is under the “Be brave, be good!” motto. The National Campaign to Prevent Violence and Child Abuse officially opened with a press conference on 17 September 2024. The envisaged campaign activities, which were implemented in partnership with the other responsible ministries, institutions and municipalities are:

- Children's essay and photography/collage contest on the topic of “The world is a better place without violence”. The contest was announced immediately after the launch of the National Campaign on 19 September. 722 works were submitted in the categories of essay, photography and collage.

- Outdoor sports activities. On 30 September, sports activities were implemented in 145 municipalities. By actively supporting the municipalities and attracting sports clubs and organizations operating on the territory of the respective municipality, at the same time sports events were organized for all municipalities – outdoor cross-country with the participation of children of different age categories, organizing a basketball game, a football game, etc. Special signs have been provided by the State Agency for Child Protection for the participating children and incentive symbolic awards for the 15,000 children who took part in the activity.

- Planting a tree in every municipality with a message to children against violence. On 23 October, about 500 saplings were planted in 125 municipalities by children. The SACP received full support for the implementation of the activity from the Ministry of Agriculture and Food, the Executive Forestry Agency and their territorial structures.

- Illumination of landmark buildings in municipalities under the title of the fight against violence. The date of 20 November, which marks the 35th anniversary of the adoption of the founding international act on the rights of the child – the UN Convention on the Rights of the Child, has been chosen for the event. Landmark buildings have been illuminated in 40 municipalities across the country.

Video messages from celebrities to children about violence, its harmful consequences, kindness have been distributed and various other relevant information materials have been created.

The Committee welcomes the willingness expressed by the Bulgarian authorities to adopt Article 17, paragraph 1 of the Charter and encourages them to continue their actions for adoption. In this regard, the Committee reiterates its earlier finding from the 2016 report that there are no obstacles to the adoption of this provision by Bulgaria.

Article 18

Right to engage in gainful activity in the territory of other Contracting Parties

In order to ensure the effective exercise of the right to engage in a gainful activity in the territory of any other Contracting Party, the Contracting Parties undertake:

- 1. to apply existing legislation liberally;**
- 2. to simplify existing formalities and reduce or eliminate state and other claims and fees payable by foreign workers or their employers;**
- 3. to liberalize on an individual or collective basis the legislation regulating the employment of foreign workers;**
and acknowledge:
4. the right of their nationals to leave their country to engage in a gainful activity in the territory of the other Contracting Parties.

In the field of labour migration, measures to attract and integrate third-country workers into the labour market are increasingly being taken at both European and national level by Member States. It is within the competence of the Employment Agency (EA) to apply the national legislation and the administrative procedures provided for therein with regard to access to the labour market and employment of foreigners, nationals of third countries on the territory of the Republic of Bulgaria, which are in accordance with the legislation and practice of the European Union in this field. The Republic of Bulgaria has implemented in its national legislation all the provisions of the special directives concerning labour migration (those on the Single Residence and Work Permit, the EU Blue Card, seasonal workers, intra-corporate transfer, researchers, students and trainees, etc.). The provisions of the Labour Migration and Labour Mobility Act (LMLMA) and the Foreigners in the Republic of Bulgaria Act (FRBA) regarding the obtaining of a “Single Residence and Work Permit”, “EU Blue Card”, “Permit for a Person Moved in an Intra-Corporate Transfer”, “Seasonal Worker Permit”, “Work Permit” and “Freelance Permit” by foreigners shall apply. The Employment Agency applies the terms and conditions for the admission of migrants who arrive legally in the country for work, study or other reasons and have grounds to stay in Bulgaria, in view of the Bulgarian interest and in accordance with the law in the field of migration.

With the amendments to the Foreigners in the Republic of Bulgaria Act of 2021 (promulgated, SG, No. 21 of 12.03.2021), the Labour Migration and Labour Mobility Act (LMLMA) was amended, thus completing the process of ensuring full compliance of Bulgarian legislation with European directives. These amendments to the legislation ensure not only the normative, but also the practical introduction of the principle of “one-stop-shop” administrative services. This facilitated the uniform procedure for submitting, reviewing and receiving documents concerning the access to the national labour market of third-country nationals under

all European regimes (seasonal worker, EU Blue Card, Single Residence and Work Permit and in cases of intra-corporate transfer).

In response to the growing demand for labour in the last few years in some economic sectors such as hospitality, agriculture and livestock, highly qualified employment, etc., some changes were made in the LMLMA, facilitating the access to the labour market of third-country nationals, such as the dropping of the preliminary study of the labour market (the so-called “market test”) when applying for the EU Blue Card. In addition, some facilitations apply to seasonal employment, posted workers and intra-corporate transfers, to researchers, students and trainees, as well as to freelancing.

In order to facilitate the procedures for access to the labour market for third-country nationals, in 2023 and 2024, within an interdepartmental working group, a draft Amendment and Supplementation Act to the Foreigners in the Republic of Bulgaria Act was developed, which also makes some changes to the Labour Migration and Labour Mobility Act. Reliefs are provided in any procedure for access to the labour market, such as the cancellation of requirements for the submission of documents by the applicant and the performance of inspections by professional means, the possibility of changing employer, etc. The draft is to be submitted for consideration and adoption to the National Assembly of the Republic of Bulgaria.

In connection with the optimization of the work process and improving the quality of the administrative services provided by the Employment Agency and the Migration Directorate at the Ministry of Interior, actions have been taken to digitalise the processes for issuing residence and work permits to foreigners from third countries. In 2024, a project was implemented by the Ministry of Electronic Government to build a Unified Platform for the production and issuance of residence and work permits, through which to submit and receive the documents necessary for third-country nationals and their employers in connection with the obtaining of work permits for foreigners in the Republic of Bulgaria. According to Decision No. 239/01.04.2024 of the Council of Ministers of the Republic of Bulgaria, the system has been developed and currently operates in a production environment.

All of the above measures have been introduced or are to be introduced in the Bulgarian legislation in order to facilitate access to the labour market for specialists from third countries of all qualification levels (high, medium and low qualification), which are necessary for the economy of the Republic of Bulgaria – both for specific sectors and in general. The reasons for all these measures are complex, but most of all they are related to the negative demographic trends, the processes of emigration over the past 30 years and the still insufficient degree of overcoming the lag in Bulgaria's economic development and competitiveness compared to other Member States and globally.

With the legislative changes in 2021 and 2023, related to access to the labour market of foreign citizens in the FRBA, LMLMA and the Regulation on its implementation, the requirements in terms of the applied procedures were optimized and eased. As a result of the amendments, the deadlines for processing the files have been shortened, and their volume has significantly increased compared to previous years (in 2021 their number is 9,307, in 2022 there are 11,979, in 2023 there are 15,598 applications, and in 2024 their number is 27,452).

Over the past five years, the Employment Agency has allowed access to the Bulgarian labour market to more than 93,000 workers and specialists from third countries. They are representatives of 65 countries. Despite the increased number of permits for access to the Bulgarian labour market for workers - third-country nationals, the number of workers arriving from outside the EU is still limited and mostly concentrated in several economic sectors (hospitality, construction, manufacturing, ICT technologies, transport).

The Employment Agency provides employment intermediary services by assisting third-country nationals to exercise employment in the implementation of international

agreements and agreements regulating labour migration within the meaning of the Labour Migration and Labour Mobility Act.

Article 19

Right of migrant workers and their families to protection and assistance

In order to ensure the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any Contracting Party, the Contracting Parties undertake:

1. to maintain or ensure that appropriate and free services are in place to assist such workers, in particular in obtaining accurate information, and to take all appropriate measures, as far as national legislation allows, against misleading propaganda concerning emigration and immigration;

2. to adopt appropriate measures within their jurisdiction to facilitate the departure, travel and reception of these workers and their families and within their jurisdiction to provide them with the necessary sanitary and medical care and hygienic conditions during the journey;

3. to promote, as appropriate, cooperation between social assistance services, public and private, from emigration and immigration countries;

4. to the extent that such matters are regulated by legislation or are under the control of the administrative authorities, to guarantee to workers lawfully within their territory treatment no less favourable than their treatment of their nationals in respect of the following matters:

a) pay and other working conditions and employment;

b) trade-union membership and use of the benefits offered by collective agreements;

c) accommodation;

5. to ensure that workers lawfully within their territories are treated no less favourably than nationals with regard to taxes, fees and contributions payable in respect of employees;

6. to facilitate, as far as possible, the reunion of the family of the migrant worker who is allowed to settle in their territory;

7. to ensure that workers lawfully within their territory are treated no less favourably than their own nationals in legal proceedings relating to matters referred to in this Article;

8. to guarantee that workers lawfully within their territory will not be expelled from their territory, unless they endanger national security or violate public order and good morals;

9. to allow, within legal limits, migrant workers to transfer abroad as much of their profits and savings as they wish;

10. to extend the protection and assistance provided for in this Article to self-employed migrant workers insofar as such measures are applicable;

11. to promote and facilitate the teaching of migrant workers and their family members in the host country's national language and, if there are several, in one of these languages;

12. to encourage and facilitate, as far as practicable, the teaching of the migrant worker's children in their respective mother tongue.

The Republic of Bulgaria has implemented in its national legislation all the requirements of the EU directives in the field of labour migration, concerning the rights and obligations of workers - third-country nationals.

Pursuant to Art. 7, para. 1, item 2 of the LMLMA, access to the labour market of workers - third-country nationals is allowed when the offered working conditions and pay are not less favourable than the conditions for Bulgarian citizens for the respective category of labour.

According to Art. 49, para. 2 of the LMLMA, the holders of a Single Residence and Work Permit, of the European Union Blue Card and family members, of a Seasonal Worker Permit, the holders of a long-term residence permit as researchers, students, trainees, pupils and volunteers are equal to Bulgarian citizens in terms of:

1. access to information on advertised vacancies;
2. the use of information and employment mediation;
3. working conditions, including pay, working hours and breaks, termination of employment, minimum age for starting work, participation in collective bargaining;
4. occupational safety and health;
5. the conditions of access, subordination to obligations and enjoyment of social security rights within the framework of European Union law. Family allowances and unemployment benefits are not included when the permit is issued for employment of up to 6 months.
6. access to goods and services, including public;
7. education and vocational training. The use of this right also includes access to scholarships under the procedure for Bulgarian citizens;
8. the recognition of diplomas of completed education;
9. the recognition of certificates and other evidence of professional qualifications in accordance with the Recognition of Professional Qualifications Act;
10. payments of acquired statutory old-age, invalidity and death pensions related to income and previous employment in the amount applicable under the law of the debtor Member State or Member States when moving to a third country, without prejudice to the provisions of Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending the scope of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not yet covered by these Regulations solely on the grounds of their nationality (OJ, L 344/1 of 29 December 2010), as well as to existing bilateral agreements with third countries; the same applies to payments for surviving spouses;
11. the freedom of association, affiliation and membership in organizations of workers and employees or employers, as well as in professional organizations, including with regard to the privileges granted by such membership, except where Bulgarian citizenship is required by law, statute or other normative act, without prejudice to public order and public security;
12. the rights to use tax relief under the conditions and in accordance with the Personal Income Tax Act.

The rights under Art. 49, para. 2 of the LMLMA are also enjoyed by family members of third-country nationals: with a long-term or permanent residence permit in the Republic of Bulgaria; with the right to asylum or with international protection in the Republic of Bulgaria; who are family members of Bulgarian citizens and who are family members of a national of a Member State of the European Union, of a State party to the Agreement on the European Economic Area, or of the Swiss Confederation, who, by virtue of international agreements concluded with the European Union, have the right of free movement. The rights under Art. 49, para. 2 are also enjoyed by third-country nationals with permitted long-term or permanent residence in the Republic of Bulgaria under the Foreigners in the Republic of Bulgaria Act.

The rights under Art. 49, para. 2, items 1 - 9 are also enjoyed by foreigners who are victims of trafficking in human beings for the period of permitted residence on the territory of the Republic of Bulgaria.

Regarding the terms and conditions of employment in the Republic of Bulgaria, third-country national workers transferred in an intra-corporate transfer enjoy the right to equal treatment with posted workers and employees in the framework of the provision of services. Foreigners transferred under intra-corporate transfer are equal to Bulgarian citizens in terms of the rights under Art. 49, para. 2, items 4, 6 - 11. They are equal to Bulgarian citizens in terms of the rights under Art. 49, para. 2, item 5, not including family allowances and unemployment benefits when the permit is issued for employment with a duration of up to 9 months.

The rights under Art. 49, para. 2, items 3 - 9 are also enjoyed by foreigners who have received a work permit or a permit to carry out a freelance activity, as well as by foreigners posted or sent to the Republic of Bulgaria by their foreign employer for a period of up to three or six (for activities in the tourism sector) months within 12 months.

The rights under Art. 49, para. 2, items 3 - 6, 8 and 9 are also enjoyed by foreigners with access to the labour market under international agreements regulating labour migration with third countries.

Pursuant to Art. 49, para. 4 of the LMLMA, the scope of the rights in the field of social security does not include family allowances and unemployment benefits when the permit is issued for employment of up to 6 months.

The new provision of Art. 50a of the LMLMA provides that foreigners under Art. 9, para. 1, item 12 of the LMLMA (enjoying the rights under Art. 25 of the Combating Trafficking in Human Beings Act) shall benefit from the rights provided for in Art. 49, para. 2, items 1 – 9 of the LMLMA, namely: access to information on advertised vacancies; the use of information and employment mediation; working conditions, including with regard to pay, working hours and breaks, termination of employment, minimum age for starting work, participation in collective bargaining; safety and health at work; conditions for access, subordination to obligations and the enjoyment of social security rights within the framework of European Union law; access to goods and services, including public; education and vocational training; recognition of diplomas of completed education; recognition of certificates and other evidence of professional qualification in accordance with the Recognition of Professional Qualifications Act.

With regard to the housing requirement, such provision is made only for seasonal workers. Pursuant to Art. 28, para. 1 of the LMLMA, the seasonal worker shall be provided by the employer or shall be provided with the assistance of the employer with an appropriate housing meeting all requirements for safety and health until the expiration of the employment contract. In the case of a rental agreement, the rental price of the housing must comply with the remuneration received by the seasonal worker and the quality of the housing and shall not be automatically deducted from the remuneration of the seasonal worker.

In response to the refugee wave due to the military aggression in Ukraine, regulatory changes were made adopted by the Amendment and Supplementation Act to the Promotion of Employment Act (prom. SG, issue 41 of 03.06.2022) regulating the facilitated access to the labour market for third-country nationals enjoying temporary protection. The changes entitle foreigners benefiting from temporary protection under the Asylum and Refugees Act to register

with the Labour Office Directorate and to use employment mediation, incl. subsidized jobs, without requiring a permit for access to the labour market for the duration of temporary protection.

The Employment Agency observes its obligation introduced in Art. 7, para. 4 of the LMLMA by providing information on all documents necessary for the registration of employment and for providing access to the labour market for the issuance of a work permit at the request of a local employer or of the local person accepting a posted or sent third-country employee, for the issuance of a permit for self-employment by a third-country national, including the rights and obligations of the third-country worker, as well as information on the documents concerning employment under Art. 24i (“Single Residence and Work Permit”, 24k – “Seasonal Worker”), 33k (“EU Blue Card”) and 33p (“Residence of third-country nationals for the purposes of the intra-corporate transfer”) of the Foreigners in the Republic of Bulgaria Act.

With regard to the housing requirement, such provision is made only for seasonal workers. Pursuant to Art. 28, para. 1 of the LMLMA, the seasonal worker shall be provided by the employer or shall be provided with the assistance of the employer with an appropriate housing meeting all requirements for safety and health until the expiration of the employment contract. In the case of a rental agreement, the rental price of the housing must comply with the remuneration received by the seasonal worker and the quality of the housing and shall not be automatically deducted from the remuneration of the seasonal worker.

The family members of the holder of the “EU Blue Card” and of a person relocated in an intra-corporate transfer, as well as the members of the families of researchers, have the right to work under an employment relationship and to carry out freelance activity on the territory of the Republic of Bulgaria for the period of residence of the persons, with the permission of the Executive Director of the Employment Agency for access to the labour market under the LMLMA.

- Given the requirements of Art. 19, para. 6 of the Charter, it should be borne in mind that national legislation guarantees the respect of the right to family life.

From the point of view of residence, the procedures are fully organized in accordance with the requirements of European legislation in the field of legal migration and in this sense the introduction of additional conditions is undesirable.

Family reunification complies with all the requirements of *Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification*. In this sense are the texts written in the Foreigners in the Republic of Bulgaria Act (FRBA) and the Regulations for the Implementation of the Foreigners in the Republic of Bulgaria Act (RIFRBA).

Bulgarian legislation introduces an obligation only for the holder to have an authorized right of long-term residence for a period of one year. For the purposes of family reunification, there is no requirement for the foreigner to have resided for one year on the territory of the country. There is also no requirement for foreigners to pass language tests in order to be granted residency.

Pursuant to Art. 12, para. 1 of the RIFRBA, for obtaining the right of long-term residence on the grounds of [Art. 24, para. 1, item 5, 13 and 22](#), [Art. 24f, para. 1](#), [Art. 33d, para. 4](#), [Art. 33o, para. 1 and 2](#) and [Art. 33r, para. 1 of the Foreigners in the Republic of Bulgaria Act](#), in order to reunite the family, the foreigner with a *residence permit of not less than one year* on the territory of the Republic of Bulgaria shall submit to the Migration Directorate or the Regional Directorate of the Ministry of Interior an application form in accordance with [Annex No. 3](#), to which they shall attach:

- a copy of a regular passport or a replacement document of the family member with a

period of validity of not less than 6 months from the date of submission of the application with the pages of the photo and personal data;

- evidence of secured housing;
- evidence of stable, regular, predictable and sufficient means of subsistence for family members, without resorting to the social assistance system, in an amount not less than the minimum monthly salary or the minimum pension for the country, for the period of residence on the territory of the Republic of Bulgaria;
- a criminal record certificate of the family member issued on the date of submission of the documents by the state of which the foreigner is a national or by the state of his habitual residence
- upon initial submission of the application;
- marriage certificate or birth certificate;
- documents regarding the circumstances for the support of family members and the need for personal care due to health reasons in the cases under [Art. 2, para. 4 of the Foreigners in the Republic of Bulgaria Act](#).

The requirements for secured housing and sufficient means of subsistence in the amount of the minimum wage or the minimum pension under the legislation of the Republic of Bulgaria for the period of residence are the exceptional minimum necessary for living in the country and are envisaged in order to avoid recourse to the social assistance system. In this regard, we do not consider the minimum requirements introduced as too restrictive.

With regard to Art. 19, para. 7, letters “a” and “b” of the ESC:

“Right of migrant workers and their families to protection and assistance

In order to ensure the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any Contracting Party, the Contracting Parties undertake:

7. to ensure that workers lawfully within their territory are treated no less favourably than their own nationals in legal proceedings relating to matters referred to in this Article;”

1. Adopted amendments to the Legal Aid Act (promulgated, SG., No. 102 of 2022);

The amendments are based on analyses of the legal aid provided, aiming to expand free legal aid, on the grounds of admission of legal aid and on the exemption of persons admitted to legal aid from court fees. The scope of legal aid is extended to cover representation:

- before the arbitration courts;
- before specialized administrative bodies, including the State Agency for Refugees, the Commission for Protection against Discrimination, the Commission for Consumer Protection;
- for out-of-court settlement of disputes and mediation.

The range of persons eligible for legal aid has expanded to include:

- persons under Articles 143 and 144 of the Family Code, persons under the age of 21, as well as persons over the age of 21, under maintenance obligations arising before the age of 21, in accordance with Council Regulation (EC) No 4 of 2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ, L 7/1 of 10 January 2009) and the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (OJ, L 192/51 of 22 July 2011);

- persons who have been granted international protection or who benefit from temporary protection under the Asylum and Refugees Act, for whom the provision of legal aid is not based on another legal provision;

- persons whose interdiction is requested, as well as persons placed under interdiction and
- persons with disabilities receiving monthly support under the Persons with Disabilities Act whose monthly income is not sufficient to authorize a lawyer.

Provision is made for exemption from court fees for persons who have been granted legal aid.

2. In 2024, the Ministry of Justice developed a draft Amendment Act to the Bar Act. The reasons that require amendments to the Bar Act (BA) are dictated by the need to align the requirements for foreign lawyers from member states of the Organisation for Economic Co-operation and Development (OECD) who are outside the European Union with the Bulgarian ones and to prevent inequalities, thus bringing the BA in line with the OECD Codes of Liberalisation.

The proposed amendment to Art. 10, para. 1 and 5 extends the procedural capacity in which a foreign lawyer may appear before the authorities of the judiciary of the Republic of Bulgaria – from “defender or trustee”, as stated in the current version of the norm, which limits the range of cases in which a foreign lawyer may appear to criminal, to a “procedural representative”, which also includes civil and administrative cases. The requirement for this to be provided for in a contract between the Bulgarian and the respective foreign country or on the basis of reciprocity is waived. The requirement is kept for the foreign lawyer to make a preliminary request to the Chairman of the Supreme Bar Council, while at the same time they must meet the following requirements:

1. to be fluent in Bulgarian;
2. to have at least two years of legal experience, respectively 5 years of legal experience - when appearing before the Supreme Court of Cassation and the Supreme Administrative Court;
3. to have an insurance contract concluded for the damages that may occur as a result of culpable non-fulfilment of their obligations, covering risks on the territory of the Republic of Bulgaria.

In this regard, the previous paragraph 2 of Article 10 is repealed, according to which the countries with which there is reciprocity are determined by the Minister of Justice at the request of the Chairman of the Supreme Bar Council.

The transitional provisions of the draft regulate the existing situations. It is envisaged that foreign lawyers, admitted as defenders or trustees of their fellow citizens before a judicial authority until the entry into force of this Act, will retain their rights. The applications of foreign lawyers to be admitted as defenders or trustees of their fellow citizens before a body of the judiciary, submitted until the entry into force of this Act, are considered under the current order.

The draft was published for public consultations in the period 23.12.2024 to 22.01.2025.

What is stated in the statement of the Committee **under Art. 19, para. 8**, regarding the lack of guarantees for the appeal of the expulsion orders is not in accordance with the current legal framework, and it should be taken into account that:

The expulsion order, like all coercive administrative measures, is an individual administrative act, the issuance of which must take into account the individual circumstances of each specific case, as is also the requirement under Art. 44, para. 2 of the FRBA:

“When imposing coercive administrative measures, the competent authorities shall take into account the length of stay of the foreigner on the territory of the Republic of Bulgaria, the

categories of vulnerable persons, the existence of proceedings under the Asylum and Refugees Act and the procedure for renewal of a residence permit or other permit granting the right of residence, their family status, as well as the existence of family, cultural and social ties with the person's country of origin.”

Pursuant to Art. 46, para. 1 and 2 of the FRBA, orders for the imposition of coercive administrative measures may be appealed under the conditions and in accordance with the Administrative Procedure Code, and according to para. 2, orders for expulsion shall be subject to appeal before the respective administrative court under the APC, and the decision of the court shall be final. The appeal against the order does not suspend enforcement, except where the order under para. 2, item 3 was issued on the grounds of a serious threat to public order (para. 3). When the appeal against an order under para. 2, item 3 contains substantiated claims for the existence of a significant risk under Art. 44a, para. 1, the court may of its own motion suspend the preliminary execution under Art. 166, para. 3 of the APC upon receipt of the complaint. Until the court rules, the measure is not implemented.

In addition, the institute of legal aid applicable in this hypothesis should be taken into account. Pursuant to Art. 22, item 9 of the Legal Aid Act, the legal aid under Art. 21, items 1 and 3 is free of charge and is provided to foreigners who have been subject to a coercive administrative measure and foreigners placed in a special home for temporary accommodation of foreigners under the Foreigners in the Republic of Bulgaria Act who do not have the means and wish to benefit from legal protection. The type of legal aid is defined in Art. 21, items 1-4 of the LAA - consultations and/or preparation of documents with a view to reaching an agreement before the commencement of court proceedings or for filing a case, for initiating or conducting proceedings for the issuance of an individual administrative act and/or its contestation by administrative procedure, procedural representation, including representation in out-of-court procedures.

In conclusion, the migration legislation guarantees the rights of migrant workers and their family members when residing on the territory of the Republic of Bulgaria.

With regard to para. 10, we note the following:

Pursuant to Art. 54, para. 1 of the LMLMA, foreigners who have obtained a work permit or a permit to carry out a freelance activity are equal to Bulgarian citizens in terms of:

- working conditions, including pay, working hours and breaks, termination of employment, minimum age for starting work, participation in collective bargaining;
- occupational safety and health;
- the conditions of access, subordination to obligations and enjoyment of social security rights within the framework of European Union law.
- access to goods and services, including public;
- education and vocational training.
- the recognition of diplomas of completed education and
- the recognition of certificates and other evidence of professional qualifications in accordance with the Recognition of Professional Qualifications Act;

II

Under paragraph 12:

➤ *to encourage and facilitate, as far as possible, the teaching of the migrant worker's mother tongue to the migrant worker's children.*

According to the Pre-school and School Education Act (Art. 17, para. 1), children and students of compulsory pre-school and school age who reside in Bulgaria, regardless of their citizenship, are provided with free training in Bulgarian.

Prepared and approved by the Minister of Education and Science are two curricula in Bulgarian as a foreign language – one for students seeking or receiving international protection and for migrants, and the other – a curriculum for adults seeking or receiving international protection.

Additional training in Bulgarian as a foreign language is carried out under the conditions and in accordance with Ordinance No. 6 of 11.08.2016 on learning Bulgarian literary language. According to Article 13, paragraph 12 of the Ordinance, additional training in Bulgarian as a foreign language is conducted for children and students seeking or having received international protection and for migrants within 12 months.

The training may be conducted in full or in part intensively during vacations or at other appropriate times, at the request and application by the parent (guardian, custodian, representative of unaccompanied minors seeking or having received international protection). The above-mentioned Ordinance also successfully applies to children and pupils from Ukraine granted temporary protection.

For the 2021/2022 year, additional education has been provided for 286 children and pupils. In the next 2022/2023 school year, additional training was conducted for 1,298 children and students, and in the 2023/2024 school year – for 892 children and students.

Continuing qualification of pedagogical specialists teaching Bulgarian as a foreign language is also provided. In 2023, 200 pedagogical specialists were trained to teach Bulgarian as a foreign language, and in 2024, 90 pedagogical specialists were trained.

Bulgarian language teaching aids have been prepared for students seeking or granted protection as follows:

- In 2022, the Ministry of Education and Science, under the National Programme “Textbooks, Teaching Sets and Teaching Aids”, prepared a textbook in Bulgarian for the primary stage for pupils seeking or granted international protection and migrants, level A1 and A2, which is published on the Ministry's website and access is free. The textbook was printed on paper and distributed to schools with students with temporary protection.
- In 2023, the Ministry of Education and Science, under the National Programme “Textbooks, Teaching Sets and Teaching Aids”, prepared a textbook in Bulgarian for the lower-secondary stage for students seeking or granted protection and migrants, level A2 of the Common European Framework of Reference for Languages.
- In 2024, the Ministry of Education and Science, under the National Programme “Textbooks, Teaching Sets and Teaching Aids”, prepared a textbook in Bulgarian for the lower-secondary stage for students seeking or granted protection and migrants, level B1 of the Common European Framework of Reference for Languages.

The United Nations High Commissioner for Refugees, together with the Personal Development Support Centres (PDSC), organizes Bulgarian language training through

language courses for the preparation of primary school pupils within 60 hours in personal development support centres in the cities of Sofia, Plovdiv, Burgas and Varna *before the start of the 2024/2025 school year*. 195 students took part in the training.

Article 20

Right to equal opportunities and equal treatment in employment and occupation without discrimination on the grounds of sex

In order to ensure the effective exercise of the right to equal opportunities and equal treatment in the field of employment and occupation without discrimination on grounds of sex, the Contracting Parties undertake to recognise this right and to take appropriate measures to ensure or promote its application in the following areas:

- a) access to work, protection from dismissal and occupational reintegration;
- b) vocational guidance, training, retraining and vocational rehabilitation;
- c) conditions of employment and working conditions, including pay;
- d) professional career, including promotion.

Article 21

Right to information and consultation

In order to ensure the effective exercise of the right of workers to be informed and consulted within the undertaking, the Contracting Parties undertake to adopt or promote measures enabling workers or their representatives, in accordance with national legislation and practice:

- a) to be informed regularly or at the appropriate time and in a comprehensible manner of the economic and financial situation of the undertaking employing them, on the understanding that the provision of certain information which could be detrimental to the undertaking may be refused or made subject to the requirement of confidentiality; and
- b) to consult them promptly on proposed solutions that could substantially affect the interests of workers, in particular on those decisions that could have a significant impact on employment in the undertaking.

Article 22

Right to participate in defining and improving working conditions and the working environment

In order to ensure the effective exercise of participation in the definition and improvement of working conditions and the working environment in the undertaking, the Contracting Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice, to contribute:

- a) to defining and improving working conditions, work organisation and working environment;
- b) to protecting safety and hygiene at work in the enterprise;
- c) to organizing social and socio-cultural services and conditions in the enterprise;
- d) to controlling compliance with legislation in these areas.

Article 23

Right of elderly people to social protection

In order to ensure the effective exercise of the right of elderly people to social protection, the Contracting Parties undertake to adopt or promote, directly or in cooperation with public or private organisations, appropriate measures designed:

- to give elderly people the opportunity to remain full members of society for as long as possible with the help of:

a) means sufficient to enable them to lead a decent life and play an active role in public, social and cultural life;

b) providing information about services and conditions available to elderly people and their opportunities to use them;

- to give elderly people the opportunity to freely choose their lifestyle and to lead an independent life in their usual environment, while they want and are able to, with the help of:

a) provision of housing suited to their needs and the state of their health, or of adequate assistance to adapt their housing;

b) healthcare and care required by their condition;

- guarantee appropriate assistance to elderly people living in relevant facilities, while respecting their privacy, as well as their participation in decision-making on living conditions in the facility.

In connection with the opinion under Art. 23, letter “a” of the European Committee on Social Rights on the latest national report from 2020 that the minimum level of old-age insurance benefits is inadequate and the comment that information on the minimum level of pensions and other additional cash benefits available for the elderly has not been provided, which impedes the assessment of the adequacy of resources, we provide the following information:

The social security system, as part of the social protection system, aims to provide adequate support to vulnerable groups, including the elderly.

Given the numerous crises (health, economic, demographic, etc.) that many countries have faced in recent years, efforts in Bulgaria are aimed at improving the adequacy of pensions with a view to limiting the risk of poverty among pensioners.

In the period 2020-2024, the minimum amount of the retirement pension has increased significantly – from BGN 250 at the end of 2020 to BGN 580.57 at the moment (an increase of 132%). This also affects the minimum amounts of other labour pensions, which are increased by the same percentage.

A significant increase is also reported in the amount of the social old-age pension, which is not related to the social security contributions of persons and aims to support pensioners with the lowest incomes – from BGN 141.63 as of 1 July 2020 to BGN 307.07 at the moment (an increase of 116% for the last 5 years).

As a result of the measures to increase the minimum pension amounts, as well as their annual updating/recalculation, the average amount of pensions paid by the state social security has increased significantly, from BGN 536.71 for 2021 to BGN 1,030.84 in July 2024 (an increase of 192%).

The employment of the elderly is one of the main tools for their integration in all areas of public life. Unemployed people over the age of 55 are one of the groups targeted by active labour market policy, which includes measures for their social and economic integration.

In implementation of the priority “Promoting active ageing in the field of employment” of the National Strategy for Active Life of Older People in Bulgaria (2019-2030), the Employment Agency provides unemployed people over 50 years of age with a wide range of services that support their integration into the labour market.

The standardized package of services for this group covers activities to motivate active behaviour in the labour market and participation in lifelong learning, inclusion in a Job Search Workshop, provision of the Family Labour Consultant service, referral to appropriate

jobs in the primary labour market, inclusion in EPA programs and incentive measures, as well as in employment projects and HRD training, provided that they meet the requirements for inclusion. The aim is to provide opportunities for a flexible, personalised approach tailored to the individual profile of persons in order to ensure a rapid transition to sustainable employment.

The National Retirement Allowance Program supports the transition from unemployment to work and retirement. The target group of the program are unemployed persons over 60 years of age who are looking for work and are registered in LODs. In order to use their expertise, persons from this group with high educational status and qualifications may be appointed as consultants to support employers and to pass on the experience gained between generations. The activities for the implementation of the program provide employment for persons included in the program for a period of not less than 3 months and not more than 24 months.

The Programme for Training and Employment of Long-term Unemployed Persons as a priority includes long-term unemployed persons registered in LODs and who have concluded Employment Integration Agreements, including persons over the age of 50. The main goal of the programme is to increase their employability by engaging in training to increase their knowledge, skills and qualifications.

The new unified **measure under Art. 36** of the EPA also encourages employers to hire unemployed persons over the age of 55 by providing funds for their salaries, social and health insurance contributions, funds for vocational training and funds for a responsible person (mentor).

The Employment Agency, as a specific beneficiary of grant award procedures under the **Human Resources Development Program 2021-2027**, is implementing a number of projects related to the provision of employment opportunities and training for unemployed persons, including persons over 50 years of age to improve their qualifications and their integration into the labour market.

In regard to letter “b”:

The social and health services for long-term care in Bulgaria are provided by two separate systems – the social services system and the healthcare system. Long-term health services are regulated in the Health Act and the Medical Institutions Act and are provided in various types of specialized medical institutions, such as hospitals for post-treatment and long-term treatment, hospitals for rehabilitation, state psychiatric hospitals, as well as mental health centres and hospices. Financial support is governed by the Social Assistance Act, the Persons with Disabilities Act and the Personal Assistance Act. Social services, including long-term care services, are regulated in the Social Services Act. Social services in the country are created, organized, financed, provided, supervised and closed in accordance with the provisions of the SSA and its secondary legislation, which includes the SSA that entered into force in mid-2020, as well as its bylaws – Regulations for the Implementation of the Social Services Act³, Ordinance on the Labour Pay Standards of Employees Performing Activities for the Provision of Social Services, which are financed from the State Budget⁴, Rules of Organization of the Agency for Qualitative Social Services⁵, Tariff of Fees for the Issue and Renewal of a License

³ Adopted by Decree of the Council of Ministers No. 306 of 09.11.2020, promulgated, SG, No. 98 of 2020

⁴ Adopted by Decree of the Council of Ministers No. 343 of 07.12.2020, promulgated, SG, No. 105 of 2020

⁵ Adopted by Decree of the Council of Ministers No. 220 of 18.08.2020, promulgated, SG, No. 75 of 2020

for the Provision of Social Services⁶, Ordinance on the Planning of Social Services⁷, Ordinance on the Quality of Social Services⁸. By a decision of the Council of Ministers, a National Map of Social Services was adopted⁹, and by an Order of the Minister of Labour and Social Policy a Code of Ethics for employees performing activities related to the provision of social services was approved¹⁰.

Social services in Bulgaria are decentralized. Municipalities are the main provider of social services, and they are responsible for their management and provision at local level and the lawful spending of the funds provided to them from the state budget. They initiate the creation of new social services, which are financed from the state and municipal budget in accordance with national priorities and service needs. In addition to municipalities and legal entities specially created by them for the provision of social services, social services can also be provided by private providers. The provision of social services is based on a referral from the Social Assistance Directorates or from the municipalities. The provision of the services itself is based on an individual needs assessment and an individual plan for support of the person, which are carried out by the social service provider chosen by the person and after the conclusion of a contract between the person and the social service provider.

Various social services for elderly people are provided in Bulgaria with funding from the state budget, in order to provide them with support and the opportunity to stay in their usual living environment for as long as possible. The most commonly provided social services include information and consultation, advocacy and mediation, therapy and rehabilitation, skills training and day care. These services are organized in day centres for people with disabilities and the elderly, as well as in centres for social rehabilitation and integration. As of December 2024, there are 265 social services in the community for adults, serving 9,346 users. A significant share of social services is provided in a home environment, such as assistant support for persons dependent on care (persons with disabilities and the elderly). Despite the developed network of services in the community and in the home environment, the demand for residential services continues, which are organized in family-type accommodation centres, protected and monitored housing, with 395 such social services for residential care in the community operating in the country as of 31.12.2024, serving 4,206 consumers. The SSA explicitly stipulates that the use of social services for residential care is allowed only when the possibilities for support through services at home and in the community have been exhausted.

“Assistant Support” (AS) is one of the social services under Art. 15 of the Social Services Act (SSA) and is one of the main forms of support in the home environment, which is in line with the main objectives of the SSA, namely - guaranteeing the right of every person to support life in the home environment and in the community. “Assistant Support” is defined as a specialized social service that includes support from an assistant for the following: self-service; motion and movement; changing and maintaining the position of the body; performing daily and household activities. The target groups that can benefit from the social service are: persons over working age who are incapable for self-care and who are not duly certified with a degree of reduced working capacity or children with permanent disabilities and adults with permanent disabilities with assigned outside assistance, who do not use assistant support,

⁶ Adopted by Decree of the Council of Ministers No. 267 of 25.09.2020, promulgated, SG, No. 85 of 2020

⁷ Adopted by Decree of the Council of Ministers No. 133 of 06.04.2021, promulgated, SG, No. 29 of 2021

⁸ Adopted by Decree of the Council of Ministers No. 135 of 22.06.2022, promulgated SG, No. 48, 49 and 50 of 2022

⁹ Adopted by Decision of the Council of Ministers No. 574 of 08.08.2024, promulgated, SG, No. 68 of 2024

¹⁰ Approved by Order No PA-06-45 of 28.05.2021 of the Minister of Labour and Social Policy

assistance for the provision of assistant support or for whom no home care assistance is received under another law.

At the beginning of 2021, the provision of the social service AS, as a state-delegated activity, was launched, taking into account the parameters of the funding provided by the state budget. As a result, in the development of the service, it can be pointed out that in addition to adequate support in a domestic environment, it also contributes to the prevention of institutionalization. The available data in terms of scope and number of users are as follows:

- In 2021, the service was established in 264 municipalities with the possibility of supporting 19,894 users.
- In 2022, the service was developed by 264 municipalities with the possibility of supporting 20,226 users.
- In 2023, the service was developed by 263 municipalities for a total of 21,710 users, and in 2024 for 21,769 users.

The process of de-institutionalization of care for people with disabilities and the elderly continues, which is implemented through the adopted strategic documents – National Strategy for Long-Term Care, Action Plan for the period 2018-2021 for the implementation of the National Strategy for Long-Term Care and Action Plan for the period 2022-2027 for the implementation of the National Strategy for Long-Term Care. The following groups of measures are regarded as key in the current Action Plan:

- measures to provide support in the home environment to persons with disabilities and elderly people dependent on care;
- measures to develop quality and accessible social and integrated health and social services, closing 41 homes for people with disabilities and reforming 82 existing homes for the elderly;
- measures to increase the effectiveness of the system for long-term care;
- measures to build the necessary infrastructure to deliver the services.

The process of de-institutionalization is supported, in addition to the state budget, by the Human Resources Development Program (BGN 632 million) and the Regional Development Program (up to BGN 139.7 million). According to the National Recovery and Resilience Plan (NRRP), the investments amount to BGN 753 million. These include the creation of new 254 social and integrated health and social services for residential care and specialised social services to provide care and support for 10,000 people with disabilities. Part of the funding is also aimed at reforming nursing homes by carrying out construction work, equipment and furniture. Activities for energy efficiency, renovation, equipment and furnishing of a large part of the existing social services financed by the state budget are also envisaged.

With the adoption of the National Map of Social Services in the second half of 2024, an opportunity and requirement for planned development of social services throughout the country was created. The Map includes all social and integrated health and social services at municipal and regional level, for which funding is provided from the state budget. By planning social services at the national level, the state has committed to creating a full network of social services across the country in the long term. This will also ensure equal access to social services for all persons who need them. The Map also defines the maximum number of users of all social services for which full or partial funding from the state budget is provided.

Another essential component related to ensuring sufficient user awareness is the commissioning of the developed integrated information system of the Social Assistance Agency on social services on the territory of the country. In it, social service providers will enter information about the activities carried out by the provider, the employees in the service, the users and the contracts concluded with them for the use of social services, those waiting for the use of social services and other data. The system provides access to information that is useful

for guiding older people about what social services they can use, their location, availability of vacancies and other information necessary for the user.

A special emphasis in the SSA is placed on the quality and efficiency of social services, and for this purpose a comprehensive system for quality management of the social services provided in the country has been established and operates, which includes the relevant mechanisms and bodies carrying out activities on monitoring, control, methodological support and dealing with discrepancies. In 2020, the Agency for Qualitative Social Services (AQSS) was established, the main functions of which are related to the control and monitoring of the provision of social services. Among the powers of the AQSS is the licensing of social service providers, the development of criteria for the analysis of good practices for high quality and efficiency of social services, and others. AQSS performs checks on compliance with the requirements of the SSA and the normative acts adopted in implementation of the law, on the activity of social service providers, municipalities, the territorial structures of the SAA and other bodies responsible for their implementation. The Agency also checks compliance with the rights of users of social services. AQSS is the body that periodically checks the quality of services, as well as provides methodological support and methodological guidance to improve the quality of care and the living conditions in the homes and services for the elderly and for people with disabilities where there is a need for this. In 2022, an Ordinance on the quality of social services (OQSS) was adopted. This is a basic normative act for the social services sector, which sets new and more precise standards for the quality of all social services, regardless of their form of ownership and the way they are financed by public or private sources of funds. The legal framework for social services, which also includes the OQSS creates the necessary prerequisites and requirements for quality management of services by the providers themselves, municipalities and AQSS, and in this process there is a serious involvement of users of social services through mechanisms for collecting and analysing feedback from them, inclusion in self-assessment activities, and in quality development programs, user advice that is mandatory for social services for residential care, etc. It is important to mention that in the standards and quality criteria set out in the OQSS, over 30% of the indicators refer to the collection of information and feedback from the users of the service.

In the field of social services, all necessary prerequisites have been created at legal level to prevent practices related to violence against persons using social services, as well as cruel and inhuman or degrading treatment or punishment. The Ordinance on the quality of social services is a key regulatory act in this regard. The Ordinance also regulates specific standards and criteria to guarantee the rights of users, to develop a procedure for protection from violence, abuse, harassment and discrimination. Included are those for access to advocacy, mediation and redress services, development and validation by the provider of a procedure to avoid conflicts of interest for users placed under limited or complete interdiction. Measures to physically restrict users of social services are not allowed. Specific training of employees is provided to control the manifestation of unacceptable behaviour and aggression and team/individual supervision in cases of users with problematic behaviour. The focus of the standards is on empowering people using the services and promoting their independence and social inclusion. The standards are designed to take into account the opinions of users at each stage of the service, and a large part of the indicators to the criteria formulated for each standard include survey of users' opinions. The social service provider should ensure the utmost respect for the personal dignity of users and their protection from abuse and violence. In this process, the self-participation of service providers as well as users is important – for example, through the creation and operation of advice to users of residential care services, which can also be created in all other social services. These advices aim to enable the participation of users in decision-making regarding the organization of daily activities and the improvement of the quality of service.

Article 24

Right to protection in the event of early dismissal

In order to ensure the effective exercise of the right of workers to protection in the event of early dismissal, the Contracting Parties undertake to recognise:

- a) the right of all workers not to be dismissed without valid reasons related to their capabilities or behaviour or based on the current requirements of the undertaking, institution or service;
- b) the right of workers who are dismissed without good cause to adequate compensation or other appropriate compensation.

To this end, the Contracting Parties undertake to provide the worker who considers that he has been dismissed without a justified reason with the right to appeal to an independent body.

Article 25

The right of workers to protection of their claims in the event of insolvency of their employers

In order to ensure the effective exercise of the right of workers to the protection of their claims in the event of insolvency of their employers, the Contracting Parties undertake to ensure that workers' claims arising from employment contracts or employment relationships are guaranteed by a guaranteeing institution or by another effective form of protection.

Article 26

Right to respect for dignity at work

In order to ensure the effective exercise of the right of all workers to respect for their dignity at work, the Contracting Parties undertake, in consultation with employers' and workers' organisations:

1. to promote awareness, information and prevention of sexual harassment in the workplace or in connection with work and to take all necessary measures to protect workers from such behaviour;
2. to promote awareness, information and prevention of manifestly degrading or highly negative behaviour directed at certain workers in the workplace or in relation to work and to take all necessary measures to protect workers from such behaviour.

Article 27

The right of workers with family responsibilities to equal opportunities and equal treatment

In order to ensure the exercise of the right to equal opportunities and equal treatment for working men and women with family responsibilities, as well as between such workers and other workers, the Contracting Parties undertake:

- 1. to take the necessary measures to:**
 - a) enable workers with family responsibilities to get a job and keep it, as well as to return to work after an absence due to these obligations, including measures in the field of vocational guidance and qualification;**
 - b) take into account their needs in terms of employment conditions and social security;**
 - c) introduce and support the provision of services, public or private, in particular for full-time childcare and other similar childcare;**
2. to enable any of the parents to obtain, after the expiry of maternity leave, parental leave, the term and conditions of which shall be determined by national law, collective agreements or practice;

3. to provide assurance that family responsibilities alone cannot constitute a valid reason for early dismissal.

An essential element in the policies planned for the long term in the Employment Strategy of the Republic of Bulgaria 2021-2030, adopted by the Council of Ministers by Decision No. 515/2021 and amended by Decision of the Council of Ministers No. 368/2022, are the measures aimed at ensuring equality on the labour market and creating conditions for reconciling personal and professional life. The work-life balance, which is one of the principles of the European Pillar of Social Rights, focuses on the right to parental leave, flexible working hours and the provision of childcare.

The Employment Promotion Act defines the regulatory framework of national policy in this area. In order to achieve the objectives of increasing employment, various instruments have been regulated, such as training and employment programmes, incentives for employers who create jobs and hire unemployed persons from vulnerable groups, measures to promote entrepreneurship, vocational training and training for the acquisition of key competences, information and employment intermediary services, etc.

One of the disadvantaged groups on the labour market, defined in §1, item 4a of the Additional Provisions of the Employment Promotion Act, to which training and employment programs and measures are prioritized, covers unemployed parents with young children. In 2023, steps were taken to improve the legislation and the scope of the group was refined to ensure equal access to employment promotion tools for both the mother and the father (prom., SG No.82 of 2023). The group includes unemployed parents (adoptive parents) with children up to 4 years of age. They are included in the target group of the reformed incentive measure under Art. 36 of the Employment Promotion Act. The measure provides incentives for employers who employ unemployed people from disadvantaged groups on the job market. With funds from the state budget, expenses for remuneration, social security and health insurance are financed, as well as funds for vocational training and remuneration of a mentor.

In implementation of the Employment Promotion Act, a National Employment Action Plan is developed and implemented annually, which sets goals and priority directions that address the challenges of the labour market through specific programs and incentive measures funded by the state budget and European funds. Active labour market policy through a set of measures contributes to successful transitions in the labour market, including for parents with young children. The mediation services provided by the labour offices in the country, the opportunities for vocational training, participation in programs and incentive measures provide opportunities for effective, timely and tailored to their needs support. Unemployed women, as well as unemployed men, have equal access to and participate in all programs, projects and incentive measures for training and employment, which are financed from the state budget and under the Human Resources Development Program 2021-2027.

Parents with children can actively participate in all types of training provided for adults in the Republic of Bulgaria, namely:

- trainings for acquiring professional qualification in professions and specialties tailored to the needs of the business;
- training for acquiring key competences;
- on-the-job training in the form of apprenticeships, internships, and work-based learning (dual training)

Under the Human Resources Development Programme 2021-2027, the Employment Agency has successfully implemented the Parents in Employment project. The budget of the project amounts to BGN 42,000,000, the implementation period – from 01.01.2023 to 31.12.2026. The main objective of the project is to support a better work-life balance for parents by providing a free childminder. In addition to childcare opportunities, services are also provided to facilitate access to employment.

In connection with paragraph 1, letter “a”, we note that during the period covered by this report, changes in labour legislation have been adopted that contribute to ensuring equal opportunities and equal treatment for working men and women with family responsibilities in terms of maintaining the employment of workers and employees with family responsibilities.

In 2022, amendments to the Labour Code (LC) were adopted to introduce the requirements of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (Directive (EU) 2019/1158). An individual right to paid leave for fathers for raising a child up to the age of 8 years is settled in the amount of 2 months, in the event that they have not used leave for raising a child up to the age of 2 years in this amount with the consent of the mother (Art. 164c of the Labour Code). Where the father (adoptive parent) has used parental leave up to the age of 2 for a period of less than two months, he is entitled to a leave equal to the difference between the two months and the leave used. During the leave of the father (adoptive parent), monetary compensation is paid. The time during which the employee is on leave is recognised as work experience.

In view of the above and in view of the information provided in the previous 4-report, we believe that there is no obstacle to the adoption of Art. 27, para. 1, letter “a” of the ESC with regard to enabling workers with family responsibilities to get and keep a job, as well as to return to work after an absence due to these obligations.

In regard to Art. 27, para. 1, letter “b” We note that during the period covered by this report, changes in labour legislation have been adopted that contribute to ensuring equal opportunities and equal treatment for working men and women with family responsibilities in terms of taking into account their specific family care needs.

In 2022, amendments to the Labour Code (LC) were adopted to introduce the requirements of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (Directive (EU) 2019/1158). A legal opportunity has been arranged for workers who are parents (adoptive parents) of a child up to the age of 8 or take care of a parent, child, spouse, brother, sister and parent of the other spouse or other relatives in a direct line due to serious medical reasons, to propose to the employer an amendment for a certain time to the duration and distribution of their working time, to switch to remote work and other amendments to the employment relationship to facilitate the reconciliation of work and family obligations (Art. 167b of the Labour Code). The amendment of the employment relationship shall be made by mutual consent of the parties, expressed in writing, where such a possibility exists in the enterprise. The employee may, before the expiration of the specified time, request that his employment relationship continue under the conditions immediately prior to the amendment. When the employer refuses to change the employment relationship, he is obliged to provide the employee with a reasoned written response within 14 days. When an employee first enters the undertaking, they may benefit from these rights when they acquire at least 4 months' service.

With regard to social security, the provisions of the Social Security Code are applicable. It provides that for retirement insurance, without making social security contributions, the following time shall be taken into account:

- paid and unpaid parental leave;
- paid and unpaid leave for temporary incapacity for work, for pregnancy and childbirth leave and for adoption of a child up to 5 years of age;
- unpaid leave of up to 30 working days in a calendar year;
- during which the person has received unemployment benefit, regardless of the reason for the unemployment.

The length of insurance is credited to the person who has taken the relevant leave, regardless of whether it is a man or a woman.

The periods of pregnancy and childbirth, adoption and care of a child are considered to be length of insurance upon retirement and for self-insured persons who are insured for general illness and maternity.

The time spent caring for a person with certain assistance shall also be taken into account for retirement. The traineeship shall be credited to one of the following persons: spouse, parent (adoptive parent) or one of the parents of the mother or father of the person with a disability. A length of insurance shall be credited, provided that the carer has not been insured during this time and has not received a personal pension. Upon retirement, for the period considered as an insurance period, social security contributions shall be paid at the expense of the state budget.

The time during which a non-working mother has taken care of a child up to the age of 3 is also considered to be a length of insurance upon retirement, and the social security contributions are at the expense of the state budget.

Through these legislative decisions, persons caring for family members do not suffer adverse consequences from this in the assessment of the right to a pension and in determining its amount.

In view of the above and in view of the information provided in the previous 4-report, we believe that there is no obstacle to the adoption of Art. 27, para. 1, letter “b” of the ESC in terms of social security.

Article 28

The right of workers' representatives to protection
in enterprises and to relief for their work

In order to ensure the effective exercise of the right of workers' representatives to perform their functions, the Contracting Parties undertake to ensure that in their enterprises:

- a) effective protection against acts prejudicial to them, including dismissal on the grounds of their status or activity as workers' representatives in enterprises;
- b) appropriate conditions to enable them to carry out their functions quickly and efficiently, taking into account the system of industrial relations in the country, as well as the needs, size and capabilities of the given enterprise.

Article 29

Right to information and consultation in the event of mass redundancies

In order to ensure the effective exercise of the right of workers to be informed and consulted in the event of mass redundancies, the Contracting Parties undertake to take the necessary measures so that employers inform and consult in a timely manner workers' representatives prior to such mass redundancies on ways and means to avoid or limit mass redundancies and to mitigate their consequences, for example, by taking accompanying and social measures aimed in particular at supporting the relocation to another job or the retraining of affected workers.

Article 30

The right to protection against poverty and social exclusion

In order to ensure the effective exercise of the right to protection against a state of poverty and social exclusion, the Contracting Parties undertake:

- a) to take measures within the framework of a comprehensive and coherent approach to support the effective access of persons living or threatened by social exclusion or poverty, as well as their families, to assistance primarily in employment, housing, training, education, as well as cultural, social and medical assistance;**
- b) to analyse these measures with a view to amending them, if necessary.**

As noted in our previous report, a leading strategic document that outlines the vision, goals and measures for policy development in the field of poverty and social exclusion in Bulgaria by 2030 is the National Strategy for Poverty Reduction and Promotion of Social Inclusion (NSPRPSI) 2030. The main goal of NSPRPSI 2030 is to improve the quality of life of vulnerable groups in Bulgarian society and to create conditions for their full realization through adequate income support, including a labour market and access to quality services.

The strategy is implemented through biennial action plans, which are adopted by the Council of Ministers and outline specific measures and activities, performance indicators and responsible institutions. Plans and reports on their implementation are available on the MLSP website (in Bulgarian) <http://www.mlsp.government.bg/sotsialno-vklyuchvane>.

By the end of 2024, the measures of the second two-year Action Plan for the period 2023-2024 for the implementation of the Strategy were implemented. It focused on measures to integrate economically inactive and unemployed people into the labour market, including from disadvantaged groups, as well as to increase the adaptability of employees. During this period, activities were also implemented to encourage the start-up and development of social enterprises, as well as to provide employment for persons from vulnerable groups. The focus was also on increasing the coverage of children and students in compulsory pre-school and school education, reducing the share of dropouts and early school leavers, improving the access of vulnerable groups to medical care. Measures to expand the network of services for early childhood development and the development of services for the prevention and early intervention of disabilities for children, which will continue to be implemented as a priority, including in the context of the European Child Guarantee, were also important.

In addition, implementing the European Pillar of Social Rights Action Plan and in line with the European target to reduce the number of people at risk of poverty or social exclusion by 15 million by 2030, in 2021 Bulgaria set a national target to reduce the number of people at risk of poverty or social exclusion by 787,000 by 2030. With the implementation of this target, the share of the population at risk of poverty or social exclusion in 2030 is expected to be 23.6%, compared to 33.2% in the base year 2019, which represents a decrease of 9.6 percentage points. In line with the European target, which places a special focus on reducing child poverty, a specific sub-target targeting children at risk of poverty or social exclusion is formulated to the national target: Reducing the number of children under 18 at risk of poverty or social exclusion by 196,750 (25% of the total national target). The current review of the implementation of the national target and its sub-target shows a positive trend related to the reduction of the share of persons (including the share of children) at risk of poverty and social exclusion in recent years.

Reducing child poverty is an essential element of an overall policy to fight poverty and support vulnerable groups. The efforts are aimed at implementing an integrated approach and a set of interrelated measures within the scope of different sectoral policies – employment, education, health, social transfers, tax policy, housing, etc. As stated, the Action Plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee (2030) aims to create a comprehensive framework covering leading measures and

interventions to reduce child poverty and promote their social inclusion. An important role in the implementation of the Plan is played by the ESF + through the Human Resources Development Programme and the Education Programme for the period 2021-2027. In total, more than EUR 136 million (EU support) has been allocated under both programs, and it is expected to reach over 200,000 children.

The implementation of the policy in the field of social inclusion is monitored by the National Council for Social Inclusion at the Council of Ministers, established by Decree No. 112 of the Council of Ministers of 13.05.2009, in its capacity as a body for the implementation of coordination, cooperation and consultation in the development, implementation, monitoring and evaluation of the state policy in the field of social inclusion. The Council includes representatives of all stakeholders – state institutions, social partners, municipalities, non-governmental organizations, academia. According to its Rules of Procedure, the main functions of the Council include preparing opinions on draft strategic documents in the field of social inclusion; supporting cooperation and consultation with non-profit legal entities for the formation, conduct and monitoring of the state policy on social inclusion; developing, discussing and approving reports, analyses and evaluations of the implementation of the state policy on social inclusion; assisting in the monitoring of the implementation of the state policy on social inclusion. The aim is to monitor the achievement of results from the activity on the implementation of the priorities in the field of social inclusion, as well as to actively involve stakeholders in the implementation of the evaluation and monitoring.

In order to track the progress in the implementation of the targets set in the Strategy, the Action Plan for the period sets intermediate (for 2024) and target (for 2030) values of the leading indicators of poverty and social inclusion, including the Gini coefficient, the share of the population at risk of poverty and the share of the population at risk of poverty or social exclusion.

Active labour market policy includes the implementation of employment programs, incentive measures under the Employment Promotion Act, projects under the Human Resources Development Program 2021-2027 and the National Recovery and Resilience Plan to preserve and increase employment, curb unemployment by subsidizing jobs, as well as to improve the quality of the workforce by conducting adult training, acquiring professional qualifications, acquiring and improving key competencies and motivating active behaviour in the labour market, career counselling and development.

In addition to the wide range of programs, projects and measures that promote the active inclusion of the people furthest from the labour market – inactive people, long-term unemployed, unemployed young people, people with low education, people with disabilities, etc., the Employment Agency also implements the following measures:

- The measure under **Art. 42, para. 3 of the EPA** promotes the territorial mobility of unemployed persons. The provision of employment for an unemployed person in a settlement more than 50 km from their place of residence is supported. In 2024, subsidies for the person include monthly amounts for fees incurred for nurseries, kindergartens, housing rent and Internet usage fees. The subsidy period is up to 12 months.

- Under the terms of the measure under **Art. 51, para. 1 of the EPA**, employers are encouraged to hire unemployed persons from disadvantaged groups on the labour market. Employment is subsidised for a period of not less than 3 months and not more than 12 months.

- The measure under **Art. 55e of the EPA** stimulates the creation of “green jobs” related to the production of goods and the provision of services that help protect the environment.

The measures under Art. 47, 48, 49, 49b and Art. 50 of the EPA for the **promotion of entrepreneurship**, incl. through the development of entrepreneurial culture, are also implemented.

Next, we note that poverty line for the country is a monetary indicator for identifying the poor in society and is determined annually in accordance with the European methodology “Statistics on Income and Living Conditions EU-SILC”. The poverty line is applied in the development of state policy in the field of income and living standards and in the definition of social protection measures. It is also the basis for determining the amount of financial support for people with disabilities under the Persons with Disabilities Act, social benefits under the Social Assistance Act, financial benefits and funds (for prevention of abandonment and reintegration, raising the child in a family of relatives or relatives and in a foster family) under the Child Protection Act, as well as for determining access to a social old-age pension under the Social Security Code.

In response to the social and economic challenges, the Ministry of Labour and Social Policy took the necessary action by aligning the national poverty line and the poverty line used by the EC, which is in line with the poverty reduction policy.

Decree of the Council of Ministers No.328 of 30.09.2024. (SG, No. 84 of 4.10.2024) sets a fixed amount of the poverty line for the country of BGN 638 for 2025 in accordance with the poverty line used by the European Commission (EU-SILC), which is in line with the poverty reduction policy.

Updating the poverty line for the country determined by the Eurostat study “Statistics of Income and Living Conditions (EU-SILC)” ensures that poverty will be objectively measured, reflecting economic reality. The poverty line in the country is updated annually in accordance with the European principles and norms according to Decree No.241 of the Council of Ministers of 24 September 2019.

The social protection system is essential for poverty reduction.

The promulgated in the State Gazette (SG), No. 64 of 03.08.2021, Decree of the Council of Ministers (CM) No. 257 of 28.07.2021 amending and supplementing the Regulation on the Implementation of the Social Assistance Act (RISAA) changed the percentages in determining the Differentiated Minimum Income (DMI) for the different categories of persons or families applying for monthly assistance under Art. 9 of the RISAA, and for 2023 and 2024 a subsequent increase in the percentages was regulated. The changes entered into force on 01.01.2022.

By the Amendment and Supplementation Act of the SAA, prom., SG, No. 102 of 23.12.2022, which entered into force on 01.06.2023, the following changes were made:

The range of entitled persons was expanded, adding persons assigned to care for children under the Child Protection Act (CPA), including adoptive parents, guardians or custodians;

It is regulated that social benefits be determined on the basis of the amount of the poverty line for the respective year, determined by the Council of Ministers. For 2023, the poverty line determined by Council of Ministers Decree No. 286/21.09.2022 amounted to BGN 504, and with Council of Ministers Decree No. 212/02.11.2023 the determined amount for 2024 was BGN 526.

In response to the social and economic challenges, it is envisaged that the national poverty line and the poverty line used by the EC will be aligned, which is in line with the poverty reduction policy.

➤ The period for deprivation of the right to monthly benefits for unemployed persons who have refused to participate in employment programs has been reduced from 1 year to 6 months;

➤ The possibility of making deductions from social payments in the cases of funds received in bad faith from social benefits established by an administrative act that has entered into force is regulated;

➤ The term for deprivation of persons who have received social benefits in bad faith has been reduced from two to one year;

➤ The possibility of enforcement of receivables under this Act is regulated, with the exception of the funds under Art. 14, para. 3;

➤ Changes in the activities of the Social Protection Fund are regulated.

SG, No. 44 of 19.05.2023 promulgated Decree No. 74 of 15.05.2023 amending and supplementing the RISAA, which ensures the implementation of the changes made to the SAA. The RISAA also entered into force on 01.06.2023.

The differentiated income is determined by the support base (SB), whose monthly amount is 30% of the poverty line for the respective year (for 2023 – BGN 151.20, and for 2024 - BGN 157.80), adjusted by the respective percentage for the group to which the person belongs.

After the changes, the amount of social benefits is already determined depending on the poverty line in the country and is not tied to the guaranteed minimum income. The previous over 20 groups of persons under Art. 9, para. 3 have been reduced to 5 main groups.

The conditions for access to monthly social benefits have also been significantly alleviated: the requirement for the size of the housing was dropped; the requirement for persons not to be registered as sole traders and not to be owners of the capital of a commercial company was changed: to not carry out activity as a sole proprietor and to not have a participation in the capital of a commercial company; the requirement for persons not to own movable and immovable property, which can be a source of income, has been waived and it is regulated that income from movable and immovable property for each member of the family should not exceed the poverty line; the period within which persons must not have transferred through a contract for donation or payment of real estate has been reduced from 5 years to 2 years; the right of students in higher education institutions and students from private schools to receive monthly social benefits is granted. In addition, the period for compulsory registration of unemployed persons of working age from 6 months to 3 months has been reduced, with persons who study in a higher education institution in a specialty for which only a full-time form of education is provided being added to the persons for whom registration is not required. It is regulated that the requirement for 3-month registration in LOD does not apply to persons who have registered in LOD within one month of completing their secondary education, but not more than 20 years of age.

The term for performing community service has been reduced from 14 days of 4 hours to 40 hours per month, as well as the penalties for repeated refusal to perform community service – the term in which the refusal was made has been reduced from 5 years to 3 years, and the term for which the person is deprived of the right to social benefits has been reduced from 2 years to 6 months.

When providing monthly targeted rent assistance, the requirement for children to attend school regularly was lifted.

Two new aids were created: pursuant to Art. 11a – targeted assistance for a period of 3 months in cases where an unemployed person or an unemployed family member receiving monthly assistance under Art. 9 starts working; and pursuant to Art. 16c - monthly targeted assistance to cover the initial needs of young people from 18 to 21 years of age who, until the age of this age, have used a social or integrated health and social service for residential care and leave it for the first time.

The RISAA regulates the possibility for an application for granting social benefits to be submitted in any SAD on the territory of the country, as well as the methods of submission.

With the increase in the amount of the poverty line and the easing of the conditions for granting social benefits, the amount of social benefits granted under the RISAA has increased, as well as the number of their recipients. This has a beneficial impact on vulnerable and lowest income groups from the population.

For the period from 01.01.2020 to 31.12.2024, the total monthly, targeted and one-off social benefits granted and paid under the RISAA are as follows:

2020 - 38,301 for BGN 34,984,823
2021 – 47,064 for BGN 98,724,863
2022 - 35,894 for BGN 43,964,667
2023 – 31,518 for BGN 58,357,964
2024 - 42,894 for BGN 109,161,837

In 2024, there was an increase in the total number of cases of supported persons and families under the SAA and RISAA compared to 2023 by 11,376 cases (about 28%). The significant difference reported is due to the above-mentioned regulatory changes that entered into force on 01.06.2023.

SG, No. 50 of 09.06.2023 promulgated Ordinance amending and supplementing Ordinance No. ПД-07-5 of 16.05.2008 on the terms and conditions for granting targeted heating aid, by which:

–The concept of Basic Income for Heating is repealed and in line with the changes in the SAA and the RISAA, the granting of targeted assistance for heating is linked to the poverty line;

–The differentiated heating income (DHI) is determined by the support base, the monthly amount of which is 30% of the poverty line for the respective year, adjusted by the respective percentage for the group to which the person belongs.

The targeted heating aid shall be granted for a period of 5 months and shall be paid once at the latest by the end of the month following the month of issuance of the order.

The assigned heating aid and the amounts paid for the period 01.01.2020 to 31.12.2024 are as follows:

- For the 2020/2021 heating season – 283,680 for the amount of BGN 140,195,819.
- For the 2021/2022 heating season – 288,296 for the amount of BGN 144,043,546.
- For the 2022/2023 heating season – 365,332 for the amount of BGN 207,881,685.
- For the 2023/2024 heating season – 324,674 for the amount of BGN 176,849,155.
- For the 2024/2025 heating season – 339,761 for the amount of BGN 187,123,639.

Article 31

The right to housing

In order to ensure the effective exercise of the right to housing, the Contracting Parties undertake to take measures aimed at:

- 1. supporting the provision of housing of an appropriate standard;**
- 2. preventing and reducing homelessness in order to gradually eliminate it;**
- 3. regulating housing prices so that they are accessible to those with insufficient resources.**

Preventing and reducing homelessness with a view to its gradual elimination.

Art. 14 of the RISAA regulates the right of persons over 70 years of age living alone and a parent raising a child/children alone to monthly targeted assistance for the payment of rent of municipal dwellings, if the accommodation order is in their name and their income from the previous month is up to the poverty line for the respective year.

The amendments to the RISAA, in force from 01.06.2023, remove the requirement for children to attend school/preparatory group regularly as a condition for granting the aid.

Children are only required to be included in compulsory pre-school and school education.

For the period from 01.01.2020 to 31.12.2024, the benefits granted under Art. 14 of the RISAA and the amounts paid are as follows:

- 2020 – average monthly number – 136 persons for BGN 68,569
- 2021 – average monthly number – 102 persons for BGN 87,215
- 2022 – average monthly number – 45 persons for BGN 34,402
- 2023 – average monthly number – 28 persons for BGN 20,528
- 2024 – average monthly number – 37 persons for BGN 30,084

The homelessness policy is a cross-sectoral priority that is implemented by all institutions concerned, as the problems of the homeless are complex. On the one hand, there is the desire to provide appropriate living conditions, with municipalities and their housing policy playing a key role here. On the other hand, efforts are aimed at providing appropriate forms of services, including social, health and employment services, to support the homeless and promote their social inclusion.

Within the meaning of the SSA, the definition of a homeless person is: “Homeless persons” are persons who do not own or co-own a residential property on the territory of the whole country and have been left without shelter due to accidental circumstances, as well as persons who have chosen homelessness as a way of life.

Homeless people use social services without paying a fee. The use of state-funded social services is free and is for:

- *providing shelter to homeless people;*
- urgent provision of support in the event of a crisis situation - until the urgency ceases;
- support and provide shelter to victims of domestic violence and victims of trafficking.

Shelters are the most suitable social service for homeless people. There are 7 shelters in the country with a total capacity of 150 seats. They are in the cities of Varna (capacity 50 seats), Gorna Oryahovitsa (capacity 15 seats), Dobrich (capacity 15 seats), Pazardzhik (capacity 25 seats) and Plovdiv (at capacity 25), in the municipalities of Tundzha and Pernik with a capacity of 10 seats each. The other option is to accommodate them in Temporary Accommodation Centres (TAC), which are 16 in number with a total capacity of 735 seats. The terms and conditions for the use of social services are regulated in the Social Services Act and the regulations for its implementation. The regime for access to the social services TAC and Shelter is relaxed, given the urgent nature of the accommodations. In most cases, it concerns helpless people, people with disabilities and families with young children. Only those persons who have turned to the territorial divisions of the SAA for help are supported. In practice, it is observed that the majority of homeless people are unwilling to receive support from social workers or in social services.

For the first time, the Social Services Act introduced national planning of social services financed by the state budget through the development of a National Map of Social Services (the Map). Thus, the state is committed to creating a complete network of social services across the country in the long term. National planning is of particular importance, as it is the basis for defining the package of social services at the level of the municipality and the district, for which full or partial funding from the state budget should be provided. The planning of social services at the national level through the National Map aims to ensure equal access to social services throughout the country. It includes all social and integrated health and social services at municipal and regional level, for which full or partial funding from the state budget is provided, as well as the maximum number of users of these services. All social services that are financed in whole or in part from the state budget and are included in the Map are services that correspond to the priorities of the state policy in the field of social services.

By Decision No 574 of 8 August 2024, the Council of Ministers adopted the National Map of Social Services.

In order to provide the identified need for social services for homeless people at municipal and regional level, in addition to the number of places of the above-mentioned existing social services, an additional 319 places are planned in the Map.

By including in the map of social services for homeless people with 1204 maximum number of users (existing and additionally planned), their funding from the state budget through the budgets of the municipalities is also legally guaranteed, and those that were not created until its adoption are created by 1 January 2035.

At this stage, no definite answer can be given regarding the adoption of Article 31, para. 1, 2 and 3.