



REPUBLIC OF BULGARIA

Ministry of Labour and Social Policy

Sofia...⁰⁹...October 2026

DEAR MR. O'FLAHERTY,

In response to your letter Ref: CommHR/MOF/sf 133-2026 concerning the human rights of elderly persons in residential care, I would like to draw your attention to our responses to the observations set out in your letter.

The issues raised and the recommendations made are fully in line with the priorities of the ongoing reform in the field of long-term care. The Bulgarian State has a clear determination and a firm commitment – which it is fulfilling – to change the model of care for people with disabilities and elderly people living in residential care by providing high-quality and personalized support. A key focus of the reform is the process of deinstitutionalization through the phased closure, by 2035, of homes for people with disabilities offering unsatisfactory living conditions, as well as the reform of care homes for elderly people in line with quality standards, which is already underway. Guided by the understanding that people should remain in their own homes and amongst their loved ones, a significant part of the efforts is directed towards providing support in the home and within the community, so that placement in residential care remains the exception – which is also a fundamental principle of the legislation in this area.

We share the view that at the heart of the reform lies precisely the change in the model of care, which should be provided by qualified professionals – an emphasis that will continue to be central in the next phase of the reform (2028–2035), aimed at completing deinstitutionalization, establishing the full range of community-based and home-based services, closing the remaining institutions, and ensuring appropriate support both for those still living in them and for those working in the sector.

**TO
MICHAEL O'FLAHERTY
COMMISSIONER FOR HUMAN RIGHTS
COUNCIL OF EUROPE
AVENUE DE L'EUROPE F-67075 STRASBOURG CEDEX, FRANCE**

We also recognize the need for better integration between the health and social care sectors to ensure an approach that meets people's complex needs. Such an approach is already enshrined in law through the Social Services Act, and we will continue our efforts towards better coordination and cooperation between the social care and health systems.

We reaffirm the state's commitment to stepping up measures in response to identified violations in unregulated private care homes for vulnerable elderly people, including through enhanced monitoring and better public awareness. Amendments to the Criminal Code in this regard, as well as to the Social Services Act, providing for increased oversight and sanctions, are already in force. We take note of the recommendations concerning independent monitoring and the role of civil society, as well as the need for effective investigation of allegations of rights violations. Since 2020, the Social Services Act has introduced independent monitoring of service quality by international, European and national organizations, alongside state oversight by the Agency for the Quality of Social Services, oversight by local authorities and internal oversight by the service providers themselves.

With regard to persons placed under guardianship, the regulatory framework governing social services already contains the necessary safeguards to prevent violations of human rights and the right to choose in the process of referring and providing social services. The Social Services Act attaches paramount importance to the wishes of persons under guardianship when using social services, in accordance with their personal choice. Their legal protection is guaranteed both in the Social Services Act and in the Ordinance on the Quality of Social Services, including through access to justice and to support services for the exercise of their rights, as well as through the obligation on service providers to put in place procedures to avoid conflicts of interest in relation to these persons. Furthermore, the Legal Aid Act provides for the provision of free legal aid to persons using social or integrated health and social care services for residential care, thereby providing an additional guarantee for the protection of their legitimate interests.

The Bulgarian State is confident that cooperation with the Commissioner for Human Rights will continue, as the objective and constructive assessment provided by the institution he represents is valuable for the implementation of national reform.

Sincerely yours,



NATALIA EFREMOVA
MINISTER