



General Assembly

Distr.: General
28 July 2010

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Ninth session
Geneva, 1-12 November 2010

**Summary prepared by the Office of the High Commissioner
for Human Rights in accordance with paragraph 15 (c) of the
annex to Human rights Council resolution 5/1**

Bulgaria*

The present report is a summary of 12 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to United Nations translation services.

I. Background and framework

A. Scope of international obligations

1. JS2 recommended that Bulgaria ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.² ECRI recommended the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.³

B. Constitutional and legislative framework

2. BHC stated that the legal framework for protection against discrimination of ethnic minorities was deficient and as a consequence some ethnic minorities faced widespread discrimination. It stated that the Constitution prohibited the formation of political parties along ethnic and religious lines which was also criminalised by the Penal Code. BHC indicated that these provisions were selectively enforced against Muslims.⁴ ECRI recommended that Bulgaria enshrine in its Constitution the protection of rights of national and ethnic minorities.⁵

3. BHC stated that the legal framework for protection against racially and other bias motivated crimes was narrow and did not take into account the motives that lead to the commission of these crimes.⁶ ECRI recommended that Bulgaria include a provision in its Penal Code stating that racist motivation for an ordinary offence constituted an aggravating circumstance.⁷

4. ILGA stated that the Penal Code did not criminalise conduct motivated by hatred against lesbian, gay, bisexual and transgender people, although it banned hate crimes based on ethnicity, religion or beliefs, race, and political association. It recommended that Bulgaria take legislative measures to impose appropriate criminal penalties for violence, threats and incitement to violence, and related harassment, based on the actual or perceived sexual orientation or gender identity of any person or group of persons.⁸

5. ILGA stated that the national law did not recognise same-sex marriage or any other same-sex partnership and consequently did not recognise the relation between children and parents in families of lesbian, gay, bisexual, and transgender people. It urged Bulgaria to ensure that legislation and policy recognise the diversity of family forms.⁹

6. JS1 stated that the Law on Protection against Domestic Violence (LPADV) provided civil remedies to victims of domestic violence, by allowing them to petition the regional court for protection.¹⁰ It indicated that the subsequent amendments to the Penal Code and the LPADV marked a positive step in addressing challenges for the effective implementation of the LPADV by, inter alia, expanding the definition of domestic violence and criminalising a violation of an order for protection.¹¹ However, the Penal Code hindered the prosecution of alleged abusers by providing for penal prosecution solely on the basis of complaints by victims. Moreover, in cases where victims have suffered trivial injuries the alleged offender may only be prosecuted through private prosecution, without the assistance of a prosecutor.¹² JS1 recommended an amendment of the criminal law to allow state prosecution in cases of low and medium-level violence.¹³ It also recommended that prosecutors pursue charges against alleged offenders without the consent or even involvement of the victims.¹⁴

7. BHC stated that the Penal Code did not provide for a specific crime of torture as provided in CAT, as recommended by the Committee against Torture on several occasions.¹⁵

C. Institutional and human rights infrastructure

8. PACE welcomed the creation of the institution of Ombudsman in 2005 and called on Bulgaria to introduce transparent procedures for the appointment and dismissal of the Ombudsman by the National Assembly by a qualified majority of votes.¹⁶

9. NNC recommended that Bulgaria introduce a system of a child ombudsman at national and regional level.¹⁷

10. ECRI noted the satisfactory work of the Commission for the Protection against Discrimination which was empowered to receive complaints under the Protection against Discrimination Act. It recommended that Bulgaria provide this Commission with the necessary resources to set up and run local offices and to train its staff on issues of racial discrimination.¹⁸

D. Policy measures

11. PACE stated that the situation of Roma people continued to be of concern.¹⁹ It noted that the Decade of Roma Inclusion action plans (2005-2010) led to some improvements of the situation but efforts must be continued, particularly in areas of housing, education and employment.²⁰ JS2 recommended that Bulgaria ensure that the initiatives in the context of these plans were adequately funded and implemented.²¹

12. While noting a number of measures implemented by Bulgaria to improve the integration of Roma children in schools, ECRI indicated that a long-term strategy for school integration of Roma children was yet to be devised and that the impact of the numerous programmes and action plans regarding this issue was yet to be seen.²² ECRI recommended coordinating and implementing the various programmes and action plans more effectively and ensuring their funding from the State budget.²³

II. Promotion and protection of human rights on the ground

Implementation of international human rights obligations

1. Equality and non-discrimination

13. BGRF stated that women were subjected to discrimination as a consequence of advertisements which portrayed women as sex objects or products for sale or consumption. This undermined women and their contribution to society, and also led to discrimination in other spheres such as the labour market, education, decision-making, policy and family.²⁴ These advertisements violated international standards, as well as the Bulgarian Law on Protection against Discrimination.²⁵

14. ILGA urged Bulgaria to eliminate and prohibit discrimination on the basis of gender identity in public and private employment.²⁶ It also urged Bulgaria to ensure that families with lesbian, gay, bisexual, and transgender parents were not subjected to discrimination on the basis of sexual orientation or gender identity of any of its members.²⁷

15. BHC stated that Roma faced exclusion and discrimination in education, housing, medical care, employment and in the criminal justice system. Several government

programmes were adopted to address this exclusion and discrimination, but these programmes remained by and large only on paper.²⁸ ECRI indicated that there was an apparent degree of intolerance and persistent prejudices against Roma in everyday life with a negative image of Roma projected by media.²⁹ It recommended that Bulgaria conduct campaigns in cooperation with NGO's and the media, to promote tolerance and respect towards Roma.³⁰

2. Right to life, liberty and security of the person

16. BHC stated that excessive use of force by law enforcement officials continued to be a serious problem in the work of the Bulgarian police, which was practiced with impunity, and condemned by the European Court of Human Rights.³¹ ECRI recommended that Bulgaria investigate allegations of excessive use of force by the police, particularly against members of ethnic minorities.³²

17. CPT recommended that Bulgaria regularly remind its police officers that ill-treatment of detainees was unacceptable, that offenders will be severely sanctioned, and that no more force than that which was strictly necessary should be used when apprehending a suspect.³³ CPT stated that it was surprising that prosecutors did not, at their own initiative, investigate ill-treatment of detained persons, particularly as they made unannounced visits to police establishments and investigation detention facilities, during which they were supposed to check all documentation and speak in private with detained persons.³⁴ It recommended that the authorities instruct all prosecutors that, even in the absence of a formal complaint, they were under a legal obligation to undertake an investigation whenever they come across credible information that ill-treatment of persons deprived of their liberty may have occurred.³⁵

18. PACE called on Bulgaria to address human rights abuses by law enforcement officials by setting up systematic human rights training and by taking concrete measures to eradicate impunity and the lack of accountability for such abuses.³⁶

19. NCC stated that there were no clearly defined rules for identification and registration of cases of violence against children, as well as no policies in relation to the establishment of a secure and safe environment for children.³⁷ NNC recommended that Bulgaria provide clearly defined mechanisms for identification of cases of violence against children.³⁸

20. JS1 mentioned that domestic violence was a widespread problem and that Bulgaria had taken several positive measures to protect against, prevent and punish acts of domestic violence, including provision of funding to ensure effective implementation of the legislation on domestic violence.³⁹ It recommended that Bulgaria (1) provide sufficient support and funds to NGOs to enable them to continue specialized training on women's rights and domestic violence, which should be mandatory for police, prosecutors, judges, and child protection authorities; and (2) support domestic violence prevention programs in schools and other educational institutions.⁴⁰

21. BGRF stated that there was a prevalence of cases of gender-based violence in minority communities, as well as a prevalence of impunity for such violence.⁴¹ It indicated that Roma women and women from other minority communities who were victims of gender-based violence did not have information of available intervention services, as well as access to justice.⁴² It stated that there was a need for services for victims of gender-based violence, particularly in the Roma and other minority communities.⁴³

22. ILGA mentioned that violence against lesbian, gay, and transgender persons was present and widespread. It recommended that Bulgaria (1) take measures to prevent and provide protection from all forms of violence and harassment related to sexual orientation and gender identity; (2) undertake awareness-raising campaigns in order to combat the

prejudices that underlie violence related to sexual orientation and gender identity and (3) investigate such violence and prosecute those allegedly responsible.⁴⁴

23. BHC indicated that the conditions in some of the prisons were inhuman and degrading and that Bulgaria was criticised on numerous occasions by the European Court of Human Rights for these conditions.⁴⁵ It noted that most prisons and investigation detention facilities were overcrowded.⁴⁶ CPT recommended that Bulgaria bring conditions in its investigation detention facilities in line with basic requirements which should include cells for overnight detention being enlarged to at least six metre squared.⁴⁷

3. Administration of justice, including impunity, and the rule of law

24. On the issue of racist offences, ECRI noted that NGO's have observed that Bulgaria has not given due attention to prosecuting people who commit racist offences.⁴⁸ In this regard, ECRI recommended that Bulgaria ensure that racist offences are duly prosecuted and that Bulgaria continues to foster awareness among the judiciary about punishing perpetrators of racist offences in accordance with the law.⁴⁹

25. CPT stated that during its visit to Bulgaria in 2006, the delegation spoke to detainees who alleged that their complaints of ill-treatment had not been taken seriously or had been ignored by judges before whom they were brought.⁵⁰ It recommended that where a detained person brought before a judge alleged ill-treatment by the police, such an allegation should be recorded in writing, a forensic medical examination immediately ordered, and all necessary steps taken to ensure that the allegations are properly investigated.⁵¹

26. CPT noted that during its visit to Bulgaria in 2006 the delegation established that the period of 72 hours spent in detention prior to being brought before a judge, as prescribed by the law, was not always observed.⁵² It recommended that the authorities ensure that detention of suspects was carried out in strict conformity with the legislative provisions and invited the authorities to reduce, to a maximum of 72 hours, the total period for which suspects may be deprived of their liberty before they are brought before a judge.⁵³ Furthermore, some detainees alleged that police officers had suggested that they decline their right to contact a lawyer, as they did not need one.⁵⁴ In this regard, CPT recommended that police officers be reminded of their obligation to grant access to lawyers from the very outset of the deprivation of liberty, and that Bulgaria also take steps to ensure that the system of legal aid is effective.⁵⁵

27. MDAC stated that persons denied legal capacity have no legal standing before the courts on matters arising from a violation of their rights. This places them in a situation of having their rights taken away and being prohibited from doing anything about it.⁵⁶ MDAC asserted that when the courts adjudicated on legal capacity matters very often the adult in question was not notified and /or was prevented from presenting evidence or challenging the evidence, denied state-funded legal aid, appellate rights and reasonable accommodation in the judicial system on account of disability.⁵⁷

28. CPT stated that a number of juveniles alleged that they had not been allowed to contact their parents for several days after being apprehended. Further, it appeared that they had been questioned and made to sign statements admitting to criminal offences without the benefit of the assistance of a person of trust or a lawyer.⁵⁸ It recommended that juveniles detained by police should be effectively guaranteed the right to inform a family member or guardian of their situation, and that these juveniles should not make any statements or sign any documents related to the alleged offence without the benefit of a lawyer.⁵⁹

29. BHC stated that children can be sanctioned for anti-social behaviour. However, the legislation did not provide for a precise definition of 'anti-social behaviour' and the sanctioning procedure lacked due process guarantees. BHC indicated that CRC recommended abandoning the "anti-social behaviour" process, in favour of the setting-up

of juvenile courts for children over the age of fourteen. Cases of children under the age of fourteen should be addressed outside the criminal justice system through social and protective mechanisms. According to BHC, Bulgaria has not implemented this recommendation.⁶⁰

30. NCC stated that the current system dealing with the behaviour of children was inefficient and was characterized by an absence of a specialized training of nearly all the professionals involved in it.⁶¹ It recommended (1) adoption of new legislation in relation to youth justice, based on international standards, where cases were handled by specially trained professionals in conditions appropriate to the child; and (2) development of a system of youth justice that allows for the participation of NGOs, foster families, and centres for treatment programmes.⁶²

31. ECRI recalled its earlier recommendation to Bulgaria to keep a close watch on the right of access to counsel of detainees and accused, both Roma and others.⁶³ It described the subsequent adoption of the Legal Aid Act as an important development in this regard and recommended that Bulgaria continue to improve access to justice to everyone, including members of the ethnic minority, by inter alia ensuring that all people were informed about the existence of the National Legal Aid Office and have full access to its services.⁶⁴

4. Right to privacy and family life

32. BHC stated that the secret surveillance by security forces allowed for arbitrary invasion of privacy and lacked appropriate safeguards against abuse. It indicated that following the criticisms from the European Court of Human Rights, in 2007, Bulgaria adopted legislation which established an external body to supervise special surveillance. However, after the change in Government, this legislation was changed for the worst.⁶⁵

33. NNC stated that there were very few adoptions of children, the adoption process was fragmented, and there was a lack of adequate services for the adopted children and the adoptive parents. It recommended the development of programmes for fostering a positive and supportive attitude towards adoption, and the regulation of obligatory training and post adoption support for adoptive parents.⁶⁶

34. NNC stated that the practice of “secrecy of adoption” where the origin and the family ties of the children were hidden and/or erased from their dossiers, violated the rights of the adopted children. NNC recommended that a legal prohibition of this practice would guarantee the rights of adopted children to know their origins.⁶⁷

5. Freedom of movement

35. MDAC stated that persons placed under guardianship could be removed from their own homes and placed in institutions for the rest of their lives, where they were de facto detained in locked units.⁶⁸ These persons had no right to decide independently on their place of residence,⁶⁹ and were deprived of access to courts to challenge their institutionalization.⁷⁰ MDAC stated that cases have shown that some people with mental disabilities remained institutionalised because families opposed their return, which rendered their right to liberty contingent on the good-will of the family.⁷¹

6. Freedom of religion or belief, expression, association and peaceful assembly and right to participate in public and political life

36. BHC stated that the Religious Denominations Act was restrictive and discriminatory. This Act, which envisaged the recognition of the Bulgarian Orthodox Church and provided for compulsory unification of a split religious community under a single leadership, was criticised by the European Court of Human Rights in 2009.⁷²

37. IRPP indicated that there were instances of discrimination in relation to the construction of places of worship for many religious groups.⁷³ It also indicated that there have been reports of societal abuses towards non-traditional religious groups.⁷⁴

38. EAJCW stated that despite the issuance of a building permit to construct a place of worship for Jehovah's Witnesses, the construction was stopped following pressure from a political party.⁷⁵ It also stated that a peaceful meeting of Jehovah's Witnesses was stopped by officers;⁷⁶ that people were prevented from entering the place of worship by some political parties;⁷⁷ that the authorities stopped Jehovah's Witnesses from talking to people about the Bible in a public place;⁷⁸ and that the authorities spread defamatory information about Jehovah's Witnesses.⁷⁹ EAJCW called on the Government to allow Jehovah's Witness to build places of worship, hold worship services, and share information from the Bible with others, without interference or harassment.⁸⁰

39. ECRI noted that, in general, the procedure for registering denominations worked well, but it noted some pending problems with the registration of local branches of a denomination registered at national level. ECRI recommended that Bulgaria continue the process of amending the Confessions Act in order to ensure that Article 9 of the European Convention on Human Rights, which concerned freedom of religion, and the relevant case law of the European Court of Human Rights, were respected in all circumstances.⁸¹

40. IRPP stated that the Anti-Discrimination Commission ruled in two separate decisions that where school uniforms were required in schools, female students could not wear headscarves as it violated the dress code and where there was no requirement of school uniforms, the headmaster had the discretion not to allow headscarves. IRPP indicated that in 2009, the Government approved a bill to ban headscarves in schools, and the bill was yet to be approved by parliament.⁸²

41. PACE referred to reports of murders, physical assaults, threats and of harassment of journalists and stated that freedom of the press has to be guaranteed and cases of violence and harassment against journalists thoroughly investigated.⁸³ It mentioned that major media entities were controlled by important political and influential persons, which contributed to a climate of mistrust towards the media and the perception of their lack of independence.⁸⁴ PACE called on Bulgaria to guarantee a greater diversity of opinion on national television, and ensure independence of the media.⁸⁵

42. PACE noted that insult and libel were punishable under the Penal Code, and those convicted acquired a criminal record. It suggested that sanctions for defamation against journalists should be removed from the sphere of criminal law.⁸⁶

43. BHC stated that hate speech against ethnic and religious minorities and persons with different sexual orientation was widespread and remained unpunished. Its sources included the media and political parties.⁸⁷ ECRI expressed concern about information relating to manifestations of intolerance and incitement to racial, ethnic or religious hatred in the press and on television. It reiterated its recommendation that Bulgaria make efforts to prosecute and punish members of the media who incite racial hatred.⁸⁸

44. ECRI expressed concern that a right-wing party had been launching verbal attacks on, among others, Turks. It called for firm public action against racist speeches in politics, to combat all verbal or physical manifestations of racial or religious intolerance.⁸⁹ It recommended that Bulgaria (1) apply the legislation on incitement to racial hatred to all politicians making racial and/or xenophobic speeches or remarks;⁹⁰ and (2) encourage victims of racist violence to lodge complaints, through campaigns to foster awareness of the seriousness of racist crimes.⁹¹

45. ILGA stated that there were a substantial number of publications, using politically incorrect and harassing language against lesbian, gay, bisexual and transgender people. It

recommended (1) that Bulgaria take explicit legal measures to ensure that the exercise of freedom of opinion and expression did not violate the rights and freedoms of persons of diverse sexual orientations and gender identities; (2) that media outputs are pluralistic and non-discriminatory in respect of issues of sexual orientation and gender identity; and (3) that speech motivated by homophobia and transphobia did not remain unpunished.⁹²

46. BHC mentioned that in 2009, the courts refused to register several organisations of Macedonians and, by way of illustration, referred to a court decision denying such registration with the justification that there is no distinctive Macedonian ethnos in Bulgaria.⁹³ ECRI recommended that Bulgaria ensure that the principle of freedom of association is respected without any discrimination.⁹⁴

47. ECRI noted the low participation of Roma in the political processes and recommended that Bulgaria take steps to increase the participation of Roma in the political process by encouraging civic education schemes and strengthening the capacity of civil society organisations.⁹⁵

7 Right to work and to just and favourable conditions of work

48. BGRF stated that Bulgaria should in its national employment plans increase its focus on creating high quality jobs, which ensure long-term employment, career development, security, and guaranteed minimum income.⁹⁶

49. ECRI noted that Roma remain largely excluded from the job market both because of their lack of qualifications and also because of discrimination particularly in recruitment. It recommended that Bulgaria continue to strengthen the measures taken to integrate Roma into the labour market.⁹⁷

8. Right to social security and to an adequate standard of living

50. NNC indicated that social services for children and families continued to be unsatisfactory and that the situation was exceptionally serious in the small-populated areas where children and families had little access to these services. It stated that social workers responsible for child protection had a case-load well above the number of cases prescribed by European standards, and that the quality of social services were frequently unsatisfactory. NCC recommended that Bulgaria review the child protection system and ensure adequate capacity for its effective functioning.⁹⁸

51. BGRF stated that although the Constitution provided for free access to health care, there was no practical implementation of this provision.⁹⁹ It indicated that access to health care was regulated by a national framework agreement which provided for health insurance. Representatives of vulnerable groups and ethnic and other marginalised groups were deprived of health insurance and had thus limited access to healthcare.¹⁰⁰

52. ECRI noted that Roma continued to encounter health problems stemming from various socio-economic factors and that programmes implemented by Bulgaria were a start towards improving the health of Roma. It expressed concern about reports on discrimination against Roma in the health field, including instances of pregnant Roma women being placed in separate wards and ambulance services refusing to go to Roma areas.¹⁰¹ ECRI urged Bulgaria, to continue with existing measures to improve the health of Roma, and to carry out investigations into allegations of discrimination and segregation of Roma in the area of health care, and take the necessary measures to combat this phenomenon.¹⁰²

53. STP stated that in 2009, the European Committee on Social Rights found Bulgaria to be in violation of the European Social Charter by failing to meet its obligations to ensure that Roma have adequate access to the health care system and to social assistance.¹⁰³

54. NNC stated that methods for early diagnoses of illnesses in medical facilities – including in the prenatal stage- were outdated.¹⁰⁴ It recommended programmes that would educate medical staff about the modern methods of diagnosis, treatment and rehabilitation of children with disabilities, and that would also open clinical paths for effective treatment and rehabilitation of children.¹⁰⁵

55. MDAC stated that in cases of people with mental health disabilities, the Bulgarian psychiatric and social care institutions were heavily criticised for their inhuman conditions and absence of therapeutic care.¹⁰⁶ Institutions were plagued by inappropriate funding mechanisms, lack of community-based services, and low political will¹⁰⁷ and the authorities have failed to provide independent and effective investigations into deaths and ill treatment of people.¹⁰⁸

56. JS2 stated that violation of the right to housing of Roma citizens increased and that many Roma resided in inadequate housing that was overcrowded, lacked access to water, sanitation and electricity, and fell short of international standards.¹⁰⁹ ECRI expressed similar concerns and recommended that Bulgaria step up its measures to address the problems of housing experienced by the Roma people.¹¹⁰

57. JS2 stated that since 2009 threats of and actual forced eviction of Roma communities have increased.¹¹¹ It described cases of forced evictions of Roma households in 2009 and noted that none of the people forcibly evicted or threatened with forced eviction were offered alternative housing, no meaningful consultation took place, and attempts at achieving due process and judicial remedies were fruitless.¹¹² JS2 recommended that evictions should only take place in exceptional circumstances and that a moratorium be implemented on all mass evictions until the proper legal framework is in place.¹¹³

58. NNC stated that a significant number of the children in institutions were under the age of one year and that this was in conflict with the United Nations Guidelines for the Alternative Care of Children, which provided that children under the age of three years should be cared for in family-based settings. It recommended that Bulgaria commit to discontinuing the practice of leaving children in institutions, to taking measures to prevent the abandonment of children, and to introduce an effective system of support to families.¹¹⁴

59. WECF stated that 30 years after ratification of ICESCR, there were significant flaws when looking at the present situation of access to water and sanitation. It indicated that the quality of the technical infrastructure in rural areas has deteriorated significantly due to under-investment in infrastructure development and maintenance. Sewage treatment systems and waste collection were missing in 70 percent of the villages, which negatively impacted on the quality of life and environment.¹¹⁵ WECF claimed that 25 percent of the population in Bulgaria were most in need of improved sanitation.¹¹⁶

9. Right to education

60. MDAC stated that thousands of children with intellectual disabilities were denied their right to education, due to disability based discrimination.¹¹⁷ NNC recommended that educational institutions be adapted to meet the needs of children with disabilities.¹¹⁸ It also recommended that general education schools and kindergartens should be encouraged to admit children with special educational needs and their teachers should be trained to teach these children.¹¹⁹

61. BHC indicated that most of the Roma children were schooled in territorially segregated schools.¹²⁰ PACE noted that the segregated schools, which were in charge of the education of 70 percent of Roma children, have poorer infrastructure and less resources and materials than that of mainstream schools.¹²¹ NNC stated that Roma children had the highest school drop-out rate.¹²² It also noted the low percentage of participation of Roma children in the pre-school education.¹²³ STP stated that a larger investment by Bulgaria in

inclusive and quality education for Roma children, including early childhood education and lifelong learning opportunities for Roma adults was required.¹²⁴

62. BHC mentioned that despite not having any disabilities, some Roma children were placed in special schools for children with disabilities.¹²⁵ ECRI urged Bulgaria to take steps to remove Roma children who are not handicapped from specialised establishments. It recommended taking steps to avoid such placements in future.¹²⁶

63. ILGA stated that the educational curricula in Bulgaria was strictly gender biased, represented strong hetero-normative and sexist role of men and women, and excluded lesbian, gay, bisexual and transgender people. It urged Bulgaria to ensure that educational methods, curricula and resources serve to enhance understanding of and respect for, *inter alia*, diverse sexual orientations and gender identities.¹²⁷

64. ECRI stated that Turks had a lower standard of education as compared to people of Bulgarian extraction.¹²⁸ It recommended that Bulgaria take steps to improve the standard of education for Turks, which should include the learning of their mother tongue.¹²⁹

10. Minorities and indigenous peoples

65. PACE noted the situation of ethnic Turks considerably improved and the community was represented in the National Assembly and in local municipalities. ECRI was pleased to note that Turks became better integrated in politics and encouraged Bulgaria to continue their efforts to improve the situation of the Turkish community, particularly regarding the protection of their economic, social and cultural rights.¹³⁰

66. PACE indicated that that the Roma situation continued to be of concern and human rights issues of Roma required a global approach and active support from the Government.¹³¹ In this regard, it noted that the new Government terminated the National Council for co-operation on Ethnic and Demographic Issues which was set up 10 years ago under the responsibility of the Council of Ministers, and thus abolished the only proper institution dealing with Roma issues, and transferred the responsibilities to a unit of two persons in the Ministry of Labour.¹³²

67. BHC stated that Bulgaria denied the identity of those citizens who self-identify as Macedonians and suppressed expression of Macedonian identity, especially peaceful assemblies, citizens' associations and political parties of ethnic Macedonians.¹³³ PACE made similar observations.¹³⁴ ECRI recommended that Bulgaria establish a dialogue with the Macedonian representatives to find a solution to the issues affecting this group.¹³⁵ PACE called on Bulgaria to improve the rights of persons belonging to minorities and ensure their respect, especially in teaching in the language of persons belonging to minorities, promoting knowledge of the culture and identity of minorities and fostering intercultural dialogue and tolerance through education.¹³⁶

11. Migrants, refugees and asylum-seekers

68. ECRI stated that Bulgaria was yet to introduce policies for assessing immigrants, and those immigrants were discriminated against, particularly in respect of access to employment and in daily life. It noted that civil society reports indicated that some immigrants were held in detention for up to two years, although the law only provided for a period of three to six months. ECRI recommended that Bulgaria pay special attention to the situation of immigrants to ensure that they are integrated into society, and if they are detained, such detention complied with the law.¹³⁷

69. ECRI noted that some asylum seekers were transferred to detention centres rather than to reception facilities and expressed hope that measures would be taken to remedy this

situation.¹³⁸ ECRI recommended that Bulgaria continue to expand its capacity to take in asylum seekers and refugees.¹³⁹

III. Achievements, best practices, challenges and constraints

N/A

IV. Key national priorities, initiatives and commitments

N/A

V. Capacity-building and technical assistance

N/A

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil society

EAJCW	The European Association of Jehovah's Christian Witnesses, London, UK.
JS1	Bulgarian Gender Research Foundation, Bulgaria; The Advocates for Human Rights, USA.
BGRF	Bulgarian Gender Research Foundation, Bulgaria.
ILGA	The European Region of the International Lesbian and Gay Association*, Brussels, Belgium.
NNC	National Network for Children, Sofia, Bulgaria.
BHC	Bulgarian Helsinki Committee, Bulgaria.
MDAC	Mental Disability Advocacy Centre, Budapest, Hungary.
JS2	Equal Opportunities Association, Sofia, Bulgaria; Centre on Housing Rights and Evictions*, Geneva, Switzerland.
WECF	Women in Europe for a Common Future*, Germany.
STP	Society for Threatened People*, Göttingen, Germany.
IRPP	The Institute on Religion and Public Policy*, Alexandria, USA

² JS2, p. 5.

³ ECRI, p. 11.

⁴ BHC, p. 3.

⁵ ECRI, p. 12.

⁶ BHC, p. 4.

⁷ ECRI, p. 15.

⁸ ILGA, p. 3.

⁹ ILGA, p. 5

¹⁰ JS1, p. 3.

¹¹ JS1, p. 3.

¹² JS1, p. 8.

¹³ JS1, p. 9.

¹⁴ JS1, p. 9.

¹⁵ BHC, p.5.

¹⁶ PACE, pp. 2-3.

¹⁷ NNC, p. 3

¹⁸ ECRI, p. 7 -18.

- 19 PACE, p. 10.
- 20 PACE, p. 10.
- 21 JS2, p.5.
- 22 ECRI, pp. 19-20.
- 23 ECRI, p. 20.
- 24 BGRF, p. 4.
- 25 BGRF, p. 5.
- 26 ILGA, pp. 4-5.
- 27 ILGA, p. 5.
- 28 BHC, p. 3.
- 29 ECRI, p. 27.
- 30 ECRI, p. 28.
- 31 BHC, p. 5.
- 32 ECRI, p. 391.
- 33 CPT, p. 73.
- 34 CPT, p. 14.
- 35 CPT, p. 73.
- 36 PACE, p. 3.
- 37 NNC, p. 3.
- 38 NNC, p. 4.
- 39 JS1, pp. 1-4.
- 40 JS1, pp. 8-9.
- 41 BGRF, p. 5.
- 42 BGRF, p. 5.
- 43 BGRF, pp. 5-6.
- 44 ILGA, p. 3.
- 45 BHC, pp. 5-6.
- 46 BHC, p. 6, see also PACE p. 16
- 47 CPT, p. 76.
- 48 ECRI, p. 15.
- 49 ECRI, p. 15.
- 50 CPT, p. 15.
- 51 CPT, pp. 15-74.
- 52 CPT, p. 12.
- 53 CPT, p. 73.
- 54 CPT, p. 18.
- 55 CPT, p. 75.
- 56 MDAC, p. 3.
- 57 MDAC, p. 3.
- 58 CPT, p. 20.
- 59 CPT, p. 75.
- 60 BHC, p. 6.
- 61 NNC, p. 4.
- 62 NNC, p. 4.
- 63 ECRI, p. 26.
- 64 ECRI, p. 27.
- 65 BHC, p. 7.
- 66 NNC, p. 6.
- 67 NNC, p. 6.
- 68 MDAC, p. 4.
- 69 MDAC, p. 4.
- 70 MDAC, p. 3.
- 71 MDAC, p. 5.
- 72 BHC, p. 6.
- 73 IRPP, p. 3.
- 74 IRPP, p. 4.

- 75 EAJCW, p. 3.
76 EAJCW, p. 5.
77 EAJCW, p. 5.
78 EAJCW, p. 4.
79 EAJCW, p. 4.
80 EAJCW, p. 5.
81 ECRI, pp. 13-14.
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