



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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**Responses to the list of issues and questions with regard
to the consideration of combined fourth, fifth, sixth and
seventh periodic reports**

Bulgaria*

* The present document is being issued without formal editing.

Information provided by the Bulgarian authorities with regard to the list of issues to be taken up by the UN Committee on the Elimination of All Forms of Discrimination against Women in connection with the consideration of the IV-VII consolidated report of Bulgaria (CEDAW/C/BGR/Q/4-7)

General

Question 1. The State party's combined fourth to seventh periodic report (hereinafter: the report) was due in March 1995 and received in September 2010. Please explain the reasons for the failure to submit the report on time in line with Article 18 of the Convention. Please provide information on the process of preparing the report and the extent of consultations with non-governmental organizations (NGOs). Please also explain whether the report was submitted to Parliament and adopted by the Government.

The Convention on the Elimination of All Forms of Discrimination against Women took effect with respect to the Republic of Bulgaria on 10 March 1982, after being duly ratified. However, it was promulgated in 2010. (see SG, No. 17/2 March 2010).

Indeed, in the preceding decade Bulgaria had delays in its reporting to the competent UN treaty bodies in the field of human rights. During that period, Bulgaria made tremendous efforts in order to synchronize its domestic legislation with the EU norms and principles, including in the field of human rights protection. The process required substantial legislative reviews and amendments, building up new mechanisms for implementation and monitoring, and last but not least — administrative capacity. It is for that reason that Bulgaria was not able to provide, within the prescribed time-limits, the required reports. It should be noted, however, that by now, Bulgaria has already submitted consolidated versions of all its pending reports to the various UN treaty bodies in the field of human rights.

Regarding the consolidated 4-7 report on the implementation of the *Convention on the Elimination of All Forms of Discrimination against Women*, the first draft was prepared by an NGO — the *Center of Women's Studies and Policies Foundation*, following an open public procurement procedure announced by the Ministry of Labor and Social Policy of the Republic of Bulgaria (MLSP). Some specific details were later added to the initial draft by the competent Bulgarian authorities. The whole process was coordinated by the Department on Gender Equality and Antidiscrimination at the MSLP.

All members of the participation in the *National Council on Equality between Women and Men* at the Council of Ministers which includes also representatives from the non-governmental sector were duly informed of the preparation of the current document. The initial draft was posted for public discussion on the website of the MLSP (the Gender Equality Section) at <http://www.mlsp.government.bg/equal/publ.asp>.

Legal status of the Convention and legislative and institutional framework

Question 2. Please provide information on the measures taken by the State party to raise awareness about the Convention, its Optional Protocol and the Committee's general recommendations. Please also provide information on the outcome of the cases mentioned in paragraph 13 of the report, especially on any sanctions imposed,

as well as updated information on cases decided by the courts and the Commission for Protection against Discrimination related to sex-based discrimination and sexual harassment, and indicate whether the provisions of the Convention were directly applied or invoked in any such cases.

The MSLP has been implementing a number of gender equality and antidiscrimination projects with the main purpose to increase public sensitivity through information campaigns, seminars and round tables. The participants in these events are introduced to the legal framework for gender equality, Bulgaria's international commitments as a party implementing a number of international conventions and legal acts in the field of human rights, including the *Convention on the Elimination of All Forms of Discrimination against Women*, the *Optional Protocol* and the Committee's General Recommendations.

Within the projects, more than 3000 representatives of the bodies of central and local government, the judicial system, the social partners and the civil society have received training in the field of gender equality, conditions of work, equal remuneration for women and men, reconciling professional and family life of men and women, etc. Information materials and brochures have been prepared, printed and disseminated within the projects. Websites have been developed, and they are continuously updated with a view to raising gender equality awareness.

Victims of discrimination have the alternative whether to submit a complaint before the *Commission for Protection against Discrimination* or before the court. The *Commission* is an established anti-discrimination body, which cooperates closely with civil society and the media, carries out trainings, surveys, organized awareness raising campaigns, etc. Since its establishment in 2005, the complaints and signals lodged at the *Commission* are constantly rising which demonstrates increased confidence in this institution. The procedure before the *Commission* is free of charge for complainants. All costs are born by the state budget.

As for statistics, since its establishment in 2005, the complaints and signals lodged at the CPD are constantly rising which demonstrates increased confidence in this institution. In 2005, there were 27 complaints, and in 2009 — 1039, in 2010 — 838. Cases alleging discrimination against women disaggregate by year as follows: 3 in 2006; 10 — in 2007, 10 in 2008; 6 in 2009, and 10 in 2010.

One specific example is Decision No. 201/15.09.2010 on complaints on gender-based discrimination where the *Commission* explicitly has examined the application of the *Convention on the Elimination of All Forms of Discrimination against Women*. (Additional relevant information is available at <http://www.kzd-nondiscrimination.com>).

As regards the implementation of decisions of the *Committee on the Elimination of All Forms of Discrimination against Women*, and in particular the Komova complaint, the MSLP has already undertaken the necessary steps to implement the recommendations of the Committee. Information on the progress will be presented in due course.

Question 3. Please provide information on the steps taken by the State party to adopt specific law on gender equality, in line with the recommendation accepted by the State party during its Universal Periodic Review (UPR) in 2010 (see A/HRC/16/9 and Add.1). Please also provide information on the steps taken to

implement the other UPR recommendations related to women's rights accepted by the State party during the UPR of Bulgaria (see ibid.).

Gender equality is guaranteed by the existing Bulgarian legislation — the *Constitution of the Republic of Bulgaria*, the Social Insurance Code, the Civil Servant Act, the Public Education Act, etc. The matters of the equal treatment of women and men are incorporated also in a special act — *the Law on Protection against Discrimination*. Information on the steps undertaken to implement other recommendations of the Universal Periodic Review (UPR) with regard to the rights of women is presented below (see the answers to questions 10 and 12).

Question 4. Please describe the mandate and powers of the Ombudsman in relation to gender equality and indicate whether there are plans to appoint a special Ombudsperson for women or a Deputy Ombudsperson specialized in women's issues.

The *Ombudsman* of the Republic of Bulgaria, being an important part of the national institutional protection mechanisms, protects human rights and safeguards the public interest.

The *Constitution of the Republic of Bulgaria* (Article 91a) provides for the set up of the Ombudsman institution as an independent body. The *Ombudsman Act* underlines the independence of the Ombudsman (Article 3 (1)), laying down that “the Ombudsman shall be independent in their activities and shall obey only the Constitution, the laws and the ratified international treaties whereto the Republic of Bulgaria is a party”.

The *Ombudsman* is elected by the National Assembly on a proposal by the national representatives (Article 10 of the *Ombudsman Act*). The conditions for election of the *Ombudsman* are the same as those for national representatives. The *Ombudsman* enjoys the same immunity as a national representative (Articles 9 and 16 of the *Ombudsman Act*).

The *Ombudsman* intervenes when citizens' rights and freedoms have been violated by actions or omissions of the State and municipal authorities and the administrations thereof, as well as by the persons commissioned to provide public services (Article 2 of the *Ombudsman Act*). Furthermore, the *Ombudsman* and the *Deputy Ombudsman* notify the National Assembly of individual cases of violation and disrespect of rights and freedoms.

According to the *Ombudsman Act* and the *Rules on the Organization and Activities of the Ombudsman*, the institution has the following powers:

- Examine complaints and alerts on violations of rights and freedoms;
- Make proposals and recommendations for reinstatement of certain violated rights and freedoms and for elimination of the reasons and conditions that have created prerequisites for the violations;
- Mediate between the administrative authorities and the persons concerned for overcoming the violations committed and reconciling their positions;
- Express publicly their opinion on the respect of rights and freedoms;
- Notify the Constitutional Court when they are of the opinion that it is necessary to interpret the Constitution or to declare a law unconstitutional;

- Notify the Chief Prosecutor of the results of their inspections when there are reasons to believe that an offence has been committed;
- Act on their own initiative when they establish that the necessary conditions for the protection of the rights and freedoms of citizens are non-existent.

Within the institution of the Ombudsman, gender equality is under the competence of “Rights of the Child, People with Disabilities and Discrimination” Department. The *Deputy Ombudsmen* is not in charge of specific violations of rights and freedoms; they have general competence, like the *Ombudsman*.

National machinery

Question 5. Please provide detailed information on the mandate and the human and financial resources of the Women and Men’s Equal Opportunity Sector in the Ministry of Labour and Social Policy (see report, at para. 19) and on the role of the 22 coordinators/experts on equal opportunities in different ministries (para. 32), as well as on the results achieved through these mechanisms.

The policy of the Republic of Bulgaria in the field of gender equality and non-discrimination on grounds of gender combines the efforts and actions of the executive at all levels, as well as that of local self-government. The Bulgarian Government cooperates closely on the matter of equality between women and men with the non-governmental sector and the social partners. This cooperation has resulted in the development of the *National Program for Promotion of Gender Equality 2009-2015*, in fulfillment also of *the Convention on the Elimination of All Forms of Discrimination against Women* and other relevant UN documents, the recommendations of the Council of Europe, the EU’s strategic documents — European Roadmap for Equality between Women and Men (2006-2010), European Pact for Equality between Women and Men, the good practices of the EU Member States, etc.

As an issue permeating all spheres of social life and economic activity, gender equality has been aimed at through an integrated gender mainstreaming approach of all relevant governmental policies and strategies. A sustainable model of inter institutional cooperation and cooperation with the social partners and the civil society has been achieved through their participation in *the National Council on Equality between Women and Men* at the Council of Ministers. The Council is presided by the Minister of Labor and Social Policy.

Since 2005, MLSP develops annual national action plans for promotion of equality between women and men which aim at concerted efforts of all institutions towards implementation of policies for equal opportunities of women and men in all spheres of the economic, political and social life. The National Plan includes activities to promote equality of women and men towards achievement of equal degree of economic independence, better reconciliation of professional and family life, promotion of the equal participation of women and men in the decision-making processes, prevention of gender-based violence, elimination of gender-based stereotypes, counteraction of multiple discrimination, work with the media, etc.

Within the MSLP, the Equal Opportunities, Antidiscrimination and Social Assistance Department is entrusted with the promotion of equality between women and men”. Its functions include coordination of the actions of all relevant institutions and organizations tasked with responsibilities for the equal treatment of women and men

at national level, as well as of all matters related to monitoring and reporting of these activities to the international institutions.

Since 14 November 2011, the Equal Opportunities of Women and Men Sector at the Ministry of Labor and Social Policy (mentioned in the consolidated 4-7 report of Bulgaria) has been restructured into Equal Opportunities, Antidiscrimination and Social Assistance Department within the Policy for People with Disabilities, Equal Opportunities and Social Assistance Directorate. The department is staffed with 9 experts. It carries out the following activities in the field of equality between women and men:

- Coordinates the implementation of the Strategy for Gender Equality with a horizon up to 2015 which provides guidelines and a methodological framework for integration of the equal opportunities approach in decision making.
- Develops on an annual basis a National Plan for the Promotion of Equality between Women and Men in accordance with the National Strategy for Gender Equality (2009-2015) and the European Strategy for Equality between Women and Men, 2010-2015.
- Coordinates and carries out activities in the field of equal opportunities between women and men within the consultation process with DG Justice of the European Commission and other directorates.
- Organizes training of civil servants and representatives of the local authorities for the introduction of a gender mainstreaming approach in the formulation of policies addressing the situation of women and men.
- Coordinates Bulgaria's participation in the PROGRESS Program in the field of Gender Equality which includes consultation, development, implementation and control of projects financed from European Commission's program and capacity building for participation in the program.
- Administrative and technical servicing and organization of the work of the National Council for Equality of Women and Men at the Council of Ministers.
- Informs the public on the gender equality policy and develops the social and civil dialogue in its implementation.
- The department's work is financed from the general budget of the Ministry of Labor and Social Policy within which the 2011 allocations for the Equal Opportunities program amount to BGN 160000.
- The gender focal points in the different institutions have the following functions:
 - Take part in the meetings of the National Council for Equality between Women and Men as authorized representatives of the Council's members, as well as in the working groups set up at the Council.
 - Develop proposals for the inclusion of measures in the annual National Plans for the Promotion of Equality between Women and Men.
 - Prepare the reports on the implementation of the measures laid down in the annual National Plans for the Promotion of Equality between Women and Men.
 - Design and maintain special sections on Equality between Women and Men in the websites of the respective institutions.

- Provide answers to questionnaires and letters requesting opinions and references on gender equality arriving in the respective institutions.
- Take part in gender equality forums, etc.

Question 6. Please describe the results achieved so far through the implementation of the National Strategy for Promotion of Gender Equality (2008-2015) and explain how the Strategy is in conformity with the Convention (see report, at para. 9).

The *National Strategy on Gender Equality (2009-2015)* states that in the Republic of Bulgaria, gender equality is a fundamental human right, a matter of social justice and a fundamental value. Promotion of gender equality and respect of the rights of women and girls are of key importance for the attainment of the goals laid down in a number of international documents, including the *Convention on the Elimination of All Forms of Discrimination against Women*.

In fulfillment of the *National Strategy for Promotion of Gender Equality (2009-2015)*, the Bulgarian Government adopts on an annual basis *National Plans for the Promotion of Equality between Women and Men*. The measures included in the *2012 National Action Plan for the Promotion of Equality between Women and Men* are structured in several sections covering various fields of action of the European Strategy for Equality between Women and Men, 2010-2015, the Europe 2020 Strategy and the draft New European Pact for Gender Equality:

- Close the gender pay gap;
- Better reconcile professional, personal and family life;
- Dignity, integrity and prevention of gender-based violence;
- Eliminate gender stereotypes and counteract multiple discrimination.

The institutions have undertaken a number of measures to achieve better balance in the representation of women and men through policies for antidiscrimination, gender equality and equal pay for work of equal value, aiming to eliminate gender-based differences in the field of employment. Expert estimates show progress, especially horizontally.

The policy for reconciling professional and family life pursued by the Bulgarian Government promotes the development of flexible forms of employment as well as child raising and dependent family members care services.

According to the national legislation, child care leaves-of-absence can be taken by fathers as well. This is of key importance for the balanced participation of men and women in work and for sharing family obligations.

Temporary special measures

Question 7. Please provide concrete examples of temporary special measures, including quotas, adopted to promote and accelerate de facto or substantive equality of women and men, such as measures under Articles 24 (employment) and 38 (balanced representation in public bodies) of the Law on Protection against Discrimination (see report, at paras. 37-39). Does the law establish any sanctions for non-compliance with such quotas?

The Bulgarian legislation does not provide for quotas for the participation of women and men in all spheres of social life. It regulates the equality of women and men and protection against discrimination, including on grounds of gender.

Traditional stereotypes

Question 8. What measures is the State party taking to eliminate traditional stereotypes on the roles and responsibilities of women and men in the family and in society, which overemphasize the role of women as mothers and wives and that of men as the main breadwinners of a family (see para. 43)? What measures are being taken to address discrimination against women, in media and advertisements, including the portrayal of women as sex objects in some media?

The *Council for Electronic Media (CEM)* carries out, in accordance with its powers under the *Radio and Television Act*, regular supervision of the programs of line media service providers. A special focus is placed on the provisions concerning the prevention of discrimination on grounds of gender in accordance with the new requirements of the EU Audiovisual Media Services Directive transposed in the Bulgarian legislation.

Monitoring shows that media service providers generally observe the legal requirements in their programs. The Council takes due note of the correct and legal behavior of the media service providers who aim to satisfy special audience interests while not allowing risk trends or overt discrimination in the positioning and creative realization of the respective shows and programs. Commercial messages in their different forms, in particular possibly sexist advertisements, remain potentially risk-bearing objects of monitoring. Some advertising works presenting traditional products in a non-trivial advertising package periodically raise doubts.

The ultimate result of the joint actions undertaken by the *National Council for Self-Regulation* and the *Council for Electronic Media (CEM)* is that they put an end to the dissemination of advertisements with disputable content. Where cases of gender inequality and discriminatory treatment are detected, CEM works in close cooperation with the *Commission for Protection against Discrimination (CPD)* and takes actions within its powers following a decision of the CPD.

Violence against women

Question 9. Please indicate if there are criminal law provisions specifically criminalizing domestic violence and subjecting it to ex officio prosecution, and describe their relationship with the Law on Protection against Domestic Violence (see report, at paras. 45-49 and 312-317). Please provide information on the 2010 amendments to the Law (para. 316), as well as updated information on the number of complaints, prosecutions, convictions and the sentences imposed in cases of domestic violence, disaggregated by sex and age of victims and perpetrators. Please also indicate whether marital rape is specifically criminalized and describe the types of support, counselling and rehabilitation available to women victims of rape.

The Bulgarian Government conducts continuous and targeted policy against domestic violence. The latter is considered part of the gender-based discrimination phenomenon and of gender-related issues.

The *Protection Against Domestic Violence Act (PADVA)* is in force since 29 March 2005. Chapter I (Articles 1 to 6) specifically defines the term “domestic violence” and determines the circle of individuals who are the target of protection as well as the measures that can be applied against offenders. More specifically, protection is extended to a wide range of persons who may be in relations during marriage and following termination thereof, de-facto conjugal co-cohabitation, guardianship,

custody, foster parenting, consanguinity and affinity up to certain degrees. Alleging being victims of domestic violence, the complainants might have looked for protection under PADVA, as they undoubtedly belong to the circle of individuals protected by the law.

The protection procedure provided in Chapter II of PDVA (Articles 7 to 22) is *sui generis*, of judicial-administrative type, resembling fast-track civil proceedings. The proceeding contains elements of a criminal proceeding but remains within the framework of a civil proceeding, which makes it possible to shift the burden of proof in favour of the victims.

There are six measures that can be imposed on the perpetrator for a period of one month to one year, and they include unfavourable financial repercussion as well:

- obligation of the perpetrator to desist from committing domestic violence;
- removal of the perpetrator from the cohabited dwelling for a period determined by the court;
- prohibition for the perpetrator to approximate the dwelling, workplace or places of socializing and recreation of the victim, on conditions and for a period determined by the court;
- temporary determination of the child’s residence with the victim parent or with the parent who has not committed the violence, on conditions and for a period determined by the court, unless such arrangement is contrary to the child’s interest;
- obligation the perpetrator of the violence to attend specialized programmes;
- referral of the victims to recovery programmes;
- in any case, the court shall also impose on the perpetrator a fine from BGN 200 to 1000.

In case of non-compliance with the court order, the police body that has established the offence may apprehend the offender and immediately inform the prosecution authorities thereof.

In order to expedite the procedure, the request or application is entered into a special register and is assigned to a court panel on the day of its receipt, and there are guarantees that judgment will be rendered within one month. In instances where the victim’s life or health is at serious risk, an emergency procedure for the issuance of an urgent protection order applies, and in such case the order is issued within 24 hours within an *ex parte* court proceeding. There are guarantees that after emergency measures are taken for the victim’s safety, this proceeding will continue as a standard proceeding for the issuance of a protection order. The documents issued by organisations working in support of victims of violence are admissible evidence in this proceeding.

In summary, the main principles of PADVA are fastness and even urgency of the procedure; quick separation of the offender from the victims; special protection of the victims; accessibility of court proceedings; variety of protection measures; combining court protection through court administration with administrative measures and measures for social protection and rehabilitation; cooperation between

the state authorities and the non-government sector. The option of immediate protection is an actual guarantee for the victims' protection.

Besides the special protection under PDVA, protection is also provided by the penal legislation in Bulgaria, as the act of domestic violence constitutes a criminal offence under the *Penal Code* (PC). Such course of action is not just an alternative, but an obligation with regard to crimes of general nature.

The possible types of legal qualification with respect to acts of domestic violence could be the following:

- Crimes against life: Murder is the gravest crime against the person — Section I of Chapter II of the Penal Code. In case of murder of a spouse, the punishment stipulated is deprivation of liberty for ten to twenty years (Article 115, PC). The close relations between the perpetrator and the victim can be considered aggravating circumstances by the court when determining individual punishments.
- Crimes against the inviolability of the body: Criminal liability for bodily injuries can be applied on a general basis. The immediate target of said crimes is public relations ensuring the inviolability of human health and physical integrity of the individual. The medium bodily injury of a spouse is a crime for which penal prosecution is instituted on the basis of complaint by the victim (Article 161, para 1, PC). This does not change the punishable illegality of the act, only the procedural rules for instituting and conducting the penal procedure. Both PC and PPC provide for two ways of carrying out the prosecution for crimes committed: prosecution by the state (the so named penal cases of general nature) and prosecution instituted on the basis of complaint by the victim (criminal cases of private nature). As regards the latter, the right to decide whether to seek penal liability from the perpetrator or not, belongs to the victim. The stipulated punishment for medium bodily injury under the basic hypothesis is deprivation of liberty for a period of up to five years.
- Crimes against the freedom of will: The threat to commit a crime towards a spouse is a very frequent crime. The basic hypothesis is provided for in Article 144, para 1 PC. For this crime penal prosecution is instituted on the basis of complaint by the victim. The act is committed by threatening to commit a crime against the person or the property of the victim. The threatening person can be anyone, including a spouse.
- Crimes against the sexual inviolability of the person and against the sexual morality: The criminal sexual intercourse with a female against the will of the victim is provided for in Article 152, para 1 PC. The marriage between the perpetrator and the victim, or the existence of a de-facto conjugal cohabitation, does not exclude the possibility of committing the said crime, if the sexual intercourse takes place against the will of the female.
- Crimes against the inviolability of the home: According to Article 33, para 1 of the Constitution of the Republic of Bulgaria the home shall be inviolable and no one shall enter a home or stay in a home without the consent of the occupant thereof. A reflection of this constitutional stipulation is Article 170, para 1 PC: “A person who enters the dwelling of another by using therefore force, threat, ruse, dexterity, abuse of power or special technical means, shall

be punished by deprivation of liberty ...” The perpetrator could be any criminally liable person, including a former spouse. Another frequent hypothesis is the one of para 4 of the same article: “A person who illegally remains in another person’s dwelling in spite of an express invitation to leave, shall be punished by deprivation of liberty for up to one year.” Unlike the previous crime this is a crime of simple commission, the form of the act is inaction, and it is prosecuted on the basis of a complaint by the victim. The form of guilt is direct intent. In such cases citizens can refer to the police authorities who are obligated to assist victims.

- Crimes against the family: The penal legislation assigns great significance to the protection of the family and the growing generation. Encroachments upon these are incorporated in one chapter of PC, whose systematic place immediately follows the crimes against the person and the rights of citizens. The crime of endangering a relative has been provided for in Article 181, para 1 PC. The victim is an individual who is related to the perpetrator, e.g. a spouse, who, even though legally obligated to take care of the victim, fails to do so, even though the victim is incapable of taking care of himself/herself. Another special case of endangering is provided for in Article 182, PC. The perpetrator of the crime can be a parent or a guardian and the act is committed through inaction — “who leaves a person who is under parental care or guardianship, without supervision and sufficient care”.

Non-compliance with a court decision on the exercise of the parental rights is criminalized. The crime is a resultant one in the form of creating a danger for his physical, mental or moral development of the victim.

The non-payment of financial support — Article 183 PC, and the non-compliance with a court decision — Article 182, para 2 PC, are also criminalized. Since 2004, the order for implementation of the penal procedure for the said crimes has changed. According to Article 193 A PC, for the crimes under Article 182, para 2 and Article 183 PC, prosecution of general nature is instituted on the basis of a complaint by the victim filed with the Prosecution Office and may not be terminated upon the victim’s request. The perpetrator of the crime regarding the non-payment of financial support can be a parent, a relative of ascending or descending line, a brother or sister, or a spouse. Objectively, there has to be an act of the court in effect, concerning the payment of financial support. The criminal act is committed through non-payment of two or more monthly installments. The form of guilt is direct intent.

The information above clearly proves the existence of possibilities for the protection of the victims of domestic violence. Encroachments on the person or rights of the citizens have been criminalized, thus creating prerequisites to seek criminal liability from the perpetrators. The lack of qualification of criminal acts committed within the hypotheses of domestic violence can be corrected in the process of individualization of a crime. By applying Article 54, para 1 of PC the court may consider the fact that the particular crime has been committed in the context of domestic violence an aggravating circumstance. It can be said that the penal law provides protection for the victims of domestic violence by employing methods which are classic for this branch of the law.

In addition, it should be pointed out that the Bulgarian authorities together with the national human rights institutions, relevant non-governmental organizations (many

of them members of the *Alliance for Protection against Domestic Violence*, which has been existing in Bulgaria for more than ten years), and media, carry out regular public campaigns and initiatives aimed at raising the general awareness of the phenomenon of domestic violence as a crime and increase the knowledge about the existing protection procedures. Such activities are regularly included in the *National Programme for Prevention and Protection against Domestic Violence* which the Government adopts on an annual basis. Funds for their implementation are allocated in the state budget.

Furthermore, on the basis of agreements between the Ministry of Interior and NGOs, many joint initiatives have been implemented aimed at strengthening prevention of violence based on gender and human trafficking. For example, since August 2009, a 24-hours national free phone line 0800 186 76 has been operating. The line provides opportunities for consultation with psychologist, for information and for legal assistance for victims of violence.

Question 10. Please provide information on number of geographically distributed state-funded shelters and centres available to women victims of violence, including domestic violence, and their children and on the measures taken to provide adequate support to NGOs offering shelter and legal, social and psychological assistance to those victims (see CEDAW/C/49/D/20/2008, at para. 9.16.)

The social services which offer support to women victims of violence, including domestic violence, and to their children include crisis centers and “Mother and Baby” units. These are community-based social services and the terms and procedure for their setting up, provision and use are regulated in the *Social Assistance Act* (SAA) and its Implementing Regulations (SAAIR). The crisis center is a set of social services for individuals, who have suffered violence, traffic or other form of exploitation, provided for a period of 6 months and aiming to provide individual support, meeting of daily needs and provision of legal advice to users or social and psychological assistance in cases where immediate intervention is needed, including through mobile crisis intervention teams. The “Mother and Baby” units provide temporary accommodation for up to 6 months to pregnant women and mothers at risk of abandoning their children through social, psychological and legal counseling and support. While the service targets basically pregnant women and mothers at risk of abandoning their children, some of its users include also pregnant women and mothers who have become victims of domestic violence.

As of 30 November 2011, there are 13 crisis centers in Bulgaria, including 3 crisis centers with a capacity of 36 people for accommodation of individuals — victims of violence and traffic and 10 crisis centers for accommodation of children victims of violence and traffic with a capacity of 109 people. The crisis centers for individuals are located in Varna, Pernik and Stara Zagora and the crisis centers for children are in Burgas, Veliko Turnovo, Montana, Pazardzhik, Pleven, Plovdiv, Silistra, Sofia City and Sofia Region. There are 10 “Mother and Baby” units, with a capacity of 75 persons and they are located in Varna, Vratsa, Gabrovo, Pazardzhik, Plovdiv, Sliven, Sofia, Stara Zagora, Targovishte and Shumen.

The crisis centers work in cooperation with the local social services under the Coordination Mechanism for referral and care of cases of unaccompanied children and children victims of crime returning from abroad. The Coordination Mechanism corresponds with the Coordination Mechanism for cooperation in working with cases of children victims of violence or at risk of violence and for cooperation in

crisis intervention, created in implementation of Article 6a (3) of the Child Protection Act. The above mechanism states that the crisis center provides urgent placement of children victims of traffic and prepares an assessment of the urgent needs of the child.

Under Article 6 (7) of PDVA, financial support is provided by the state budget projects of non-profit legal entities, and the amount of the allocations is determined annually with the Law on the State Budget of the Republic of Bulgaria. These financial subsidies granted to non-governmental organizations (NGOs) aim at ensuring the functioning of a working mechanism for prevention of domestic violence through the implementation of programs and projects to improve the professional qualification of the experts working with victims of domestic violence, foster zero-tolerance among the public towards violence, support victims of domestic violence by offering them a different alternative, contribute to their social rehabilitation, etc.

Question 11. Please provide sex-disaggregated statistical data on the number of protection orders issued per year, the possibility for the police to issue emergency protection orders, and on the standard of proof required for issuing interim protection orders and other protection orders in cases of domestic violence (see report, at paras. 46 and 313).

The amendments to the *Penal Code* (SG, No. 27/2009 and No. 102/2009) criminalize the failure to comply with an order for protection against domestic violence as a general crime punishable with imprisonment for up to three years or a penalty of up to five thousand BGN — Article 296 (1) of the *Penal Code*.

The *Protection against Domestic Violence Act* has been amended to broaden the definition of violence by adding emotional and economic violence to physical, sexual and mental violence. The circle of individuals against whom victims can seek protection is broadened by adding relatives up to fourth degree in the collateral line and relatives by marriage up to the third degree of affinity. It further provides for compulsory eviction of the perpetrator of violence from the cohabited home if he or she does not leave it voluntarily in fulfillment of a measure to that effect imposed by the court.

The procedure for issuance of an emergency protection order is not opened in all cases but only in those specified in the law, where there is data about direct, immediate or subsequent threat to the life and health of the victim.

According to Article 18 of PDVA, where the application or request contains data about a direct, immediate or subsequent threat to the live and health of the victim, an emergency protection order (EPO) shall be issued. In such cases the regional court, sitting *ex parte* and *in camera* shall issue an emergency protection order within 24 hours from receipt of the application or request. This norm has been provided with a view to preventing possible unfavorable consequences and separating the parties. Therefore, the application or request, without evidence and without an opinion by the defendant party, is sufficient for the issuance of the order. The latter is temporary and in force until the enactment of the conclusive judicial act (an order or a refusal) following adversary proceedings.

The trial is scheduled on the very date on which the emergency protection order is issued, or in the absence of conditions for issuance of such, on the date on which the

application or request is deposited with the court, for a date falling on the 20th-30th day thereafter.

The court schedules an open hearing within no later than one month and together with the summons and the transcript of the application or request it notifies to the defendant of latter's obligation to submit evidence. The decision is announced in an open hearing.

Emergency protection orders are issued within a couple of hours and the 24-hour term provided in Article 18 (1) of PDVA is adequate as it enables the court to enact a decision and to complete the technical formalities for the preparation of the judicial act.

The effect of the emergency protection order elapses with the issuance of the final order or refusal. The enacted judicial act is subject to immediate and preliminary execution regardless of whether an appeal procedure has been instituted.

With a view to ensuring the application of the provision of Article 21 of PDVA, an organization for collection of data about protection orders imposed under PDVA has been created. By the 25th day of each month, the officials designated as regional coordinators on domestic violence, collect and submit to the national coordinator in Directorate General Security Police of the Ministry of Interior (MoI) information on the issued protection orders.

The directors of the Sofia and the regional directorates of MoI have the obligation to create the organization for making the information on the protection orders issued across the country available in the Operational Center On Duty/Operational Unit On Duty at the Regional Police Office for the timely making of inquiries, if necessary, with a view to proper implementation by the police authorities of their obligations in accordance with the *Protection against Domestic Violence Act*.

All offices having police powers in the Sofia and the regional directorates of MoI should be made aware of the possibility to make inquiries about the protection orders issued. With the enforcement of the *Protection against Domestic Violence Act* all regional directorates, as well as the Sofia directorate of MoI were ordered to designate and appoint regional domestic violence coordinators. These are the officers whom citizens and non-governmental organizations can apply to for assistance or for information about protection orders imposed under PDVA.

Table 1. Presents information on the orders issued by regional directorates of MoI for the period January 2009-October 2011:

No.	Regional Directorate of MoI/Sofia Directorate of MoI	2009	2010	Up to 01.11.2011
1.	Blagoevgrad	43	75	102
2.	Burgas	122	179	120
3.	Varna	84	110	153
4.	Veliko Turnovo	49	31	31
5.	Vidin	8	7	15
6.	Vratsa	40	45	28
7.	Gabrovo	23	25	25
8.	Dobrich	44	42	35

No.	Regional Directorate of MoI/Sofia Directorate of MoI	2009	2010	Up to 01.11.2011
9.	Kardzhali	38	37	14
10.	Kyustendil	12	7	3
11.	Lovech	0	1	0
12.	Montana	6	16	17
13.	Pazardzhik	14	21	24
14.	Pernik	54	47	46
15.	Pleven	34	48	25
16.	Plovdiv	231	255	209
17.	Razgrad	35	30	25
18.	Ruse	37	71	52
19.	Silistra	13	10	6
20.	Sliven	12	11	8
21.	Smolian	11	16	15
22.	Sofia (capital city) Directorate of MoI	107	79	98
23.	Sofia	41	40	33
24.	Stara Zagora	26	30	33
25.	Targovishte	18	15	23
26.	Haskovo	89	81	51
27.	Shumen	43	55	54
28.	Yambol	19	24	25
	TOTAL	1 253	1 408	1 270

Table 1. Orders issued by regional directorates of MoI for the period January 2009-October 2011.

The information below refers to data gathered by the Prosecutor's Office of the Republic of Bulgaria regarding cases in 2010 of domestic violence under Article 296 (1), sentence 3 of the *Penal Code* — failure to comply with an order for protection against domestic violence:

- Instituted pre-trial proceedings — 21;
- Prosecutor's acts for bringing the case to court — 18;
- Sanctioned decisions (including verdicts) — 9;

First nine months of 2011:

- Instituted pre-trial proceedings — 10;
- Prosecutor's acts for bringing the case to court — 6;
- Sanctioned decisions (including verdicts) — 4.

Trafficking and exploitation of prostitution of women and girls

Question 12. What measures is the State party taking to fight the root causes of trafficking in human beings such as poverty and social exclusion and to what extent is the specific vulnerability of Roma and refugee women and girls reflected in the National Programme on Prevention and Counteracting Human Trafficking and Protection of Victims (see report, at para. 71)?

The Government of the Republic of Bulgaria has been undertaking a number of measures, including long-term, to address the problems of poverty and social exclusion. Prevention has a key role in institutions' efforts. This is particularly relevant for the policies to curb intergenerational poverty transmission and social exclusion. The focus is placed on the support for children and families, especially belonging to social groups at risk.

In the context of the Europe 2020 Strategy, in 2010 the Government adopted a *National Target for promoting social inclusion*, in particular through the reduction of poverty by 2020. The goal is to lift 260 thousand people out of the risk of poverty. Four sub-targets are defined, namely:

- Reducing the number of children in the 0-18 age group living in poverty by 78 thousand (30% of the national target and 25% of the number of poor children in 2008);
- Reducing the number of individuals aged 65+ living in poverty by 52 thousand (20% of the national target and 10% of the number of poor elderly people in 2008);
- Reducing the number of unemployed in the 18-54 age group living in poverty by 78 thousand (30% of the national target and 25% of the number of unemployed in the 18-64 in 2008);
- Reducing the number of employed persons in the age group 18-64 living in poverty by 52 thousand (20% of the national target and 22% of the number of working poor in the 18-64 age group in 2008).

In April 2011, in implementation of the Europe 2020 Strategy, the Government adopted the *National Reform Program of the Republic of Bulgaria (2011-2015)*. The measures in the program include: development of a new Child Act; investment in integrated early childhood development services (for children aged 0-7); deinstitutionalization of child care (a network of community services, programs for those leaving the specialized institutions, foster care, among others); support for families with children; projects targeted at children at risk, etc.

In early 2010, Bulgaria launched the deinstitutionalization process by adopting the National Strategy "Vision for the Deinstitutionalization of Children in the Republic of Bulgaria". The purpose of deinstitutionalization is to avoid the negative effect of institutionalized child care, including the threat of their getting into risk environments conducive of involvement in human trafficking schemes.

The specific vulnerability of the Roma is covered by the *National program for prevention and counteraction of human trafficking and protection of victims*, in particular Section II, Prevention, Item 1.4, Conducting explanatory activities on the rights of victims of human trafficking and the opportunities for help and protection in the Republic of Bulgaria among the groups at risk (in particular ethnic minorities

and economically underdeveloped communities); Item 1.6, Inclusion of outstanding leaders from the Roma communities in counteracting human trafficking in the Roma communities, and Item 1.10, Development of a family planning policy with a view to educate young people of Roma origin to plan pregnancy, with a view also to long-term prevention of trafficking pregnant women abroad for the purpose of selling newborns.

Two state shelters for victims of human trafficking were opened in Varna and Burgas in the period 2009-2010.

The National Referral Mechanism for Victims of Trafficking in Human Beings (NRM) was officially adopted in November 2010. It is a framework for cooperation through which the ministries and the state institutions fulfill their victim care obligations, coordinating their efforts in a strategic partnership with the civil society. The main objectives of the National Mechanism are to ensure respect of the human rights of the victims of trafficking and to provide effective care and referral of the victims to the respective services.

Question 13. Please provide information, disaggregated by sex, age and nationality, on the number of reported cases of trafficking in persons, prosecutions, convictions and the sentences imposed on perpetrators since 2008. Please also indicate whether women victims of trafficking receive legal assistance during criminal proceedings and whether special protection, including temporary residence permits, is granted to victims who are unwilling or unable to cooperate with the prosecution authorities (see report, at para. 57).

The *Combating Trafficking in Human Beings Act* (CTHBA) holds women and children as most vulnerable to human trafficking. Though victims of trafficking are not always willing and ready to cooperate for detection of the crime, they nevertheless receive access to placement in centers, medical, legal social and psychological assistance, as well as to the other measures provided under CTHBA and the National Referral Mechanism for victims of trafficking in human beings.

In implementing the measures envisaged in the NRM, the victims of trafficking receive equal treatment regardless of their race, ethnic group, sex, sexual orientation, age, religious beliefs and practices, political orientation, social and cultural belonging and without prejudice on account of having been exploited, humiliated, forced to carry out illegal activities or to work in the sex industry.

Where a foreign national has been identified as a victim of trafficking, he/she has the right to receive support through the standard operational procedures of the NRM. The illegal resident status of such individual is cancelled and the person is granted the status of a foreigner permitted long-term residence pursuant to the *Combating Trafficking in Human Beings Act* (CTHBA, Article 24 (17)).

The *Penal Procedure Code* of the Republic of Bulgaria regulates the provision of legal assistance to victims of crime, including trafficking in human beings (Article 122 (2)). The *Combating Trafficking in Human Beings Act* provides for special protection of victims. This protection is granted by the prosecutor to individuals whose life is threatened, and who have declared their willingness to collaborate in the investigation.

Table 2 presents the data available at the State Agency for Child Protection (SACP), as the coordinating body on child protection issues, on cases of trafficking in Bulgarian children in the period January 2008-November 2011:

<i>Number of children</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>Up to 30.11.2011</i>
Registered cases of unaccompanied Bulgarian children abroad victims of traffic	71	31	48	42
Children repatriated from abroad	25	11	11	11
Children placed in the Crisis Center service after their return to Bulgaria.	25	11	11	11
Opinions for imposition of an administrative measure pursuant to Article 76a of the Bulgarian Identity Documents Act, issued by the President of SACP	51	31	32	33

Table 2. Data submitted by the SACP on cases of trafficking in Bulgarian children in the period January 2008-November 2011.

The *National Commission for Combating Trafficking in Human Beings* maintains its own database for collection and management of information on cases of trafficking in human beings. The information in the database is updated on a continuous basis (see *Table 3*). *Tables 4, 5 and 6* contain data available at the Prosecutor's Office.

<i>Year</i>	<i>January-April 2011</i>	<i>2010</i>	<i>2009</i>	<i>2008</i>
Total number of victims	154	432	297	187
Women	131	394	220	151
Men	9	38	31	13
Minors	14	70	46	23
Pregnant women	18	6	19	0

Table 3. Victims of trafficking in human beings for the period 2008-April 2011.

<i>Year</i>	<i>New pre-trial proceedings opened</i>	<i>Convicted persons</i>
2008	219	34
2009	215	108
2010	163	130
2011 (January-September)	98	64

Table 4. Aggregated statistical information on human trafficking according to data available at the Supreme Prosecutor's Office of Cassation.

<i>Year</i>	<i>January-June 2011</i>	<i>2010</i>	<i>2009</i>	<i>2008</i>
Total victims of trafficking	313	432	316	187
Women	279	394	220	151
Men	34	38	31	13
Minors and juveniles	40	70	46	23
Pregnant	12	7	6	0

Table 5. Registered victims of trafficking in human beings according to data by the Supreme Prosecutor's Office of Cassation.

<i>Year</i>	<i>January-September 2011</i>	<i>2010</i>	<i>2009</i>	<i>2008</i>
Instituted pre-trial proceedings	101	134	135	107
Prosecutor's acts for bringing the case to court	61	72	70	62
Convicted persons with effective verdicts	85	97	99	54

Table 6. Data within the competence of the Prosecutor's Office of the Republic of Bulgaria regarding cases of trafficking in human beings for the period January 2008-September 2011.

Participation in political and public life and decision-making

Question 14. In light of the low number of women in Parliament (see report, at para. 89), women Ministers (para. 94), women mayors and municipal counsellors (para. 115), as well as women in decision-making positions of the judiciary (para. 117), please explain: (a) The reasons why "neither the election laws nor the Political Parties Act provide for quotas for women for electoral positions" (report, at para. 77); (b) Any plans to amend the Election Law with a view to introducing quota for the underrepresented sex; and (c) What measures, including temporary special measures, the State party is taking or envisaging to increase the representation of women at decision-making levels in the judiciary and in the public administration, including at the local level.

The selection for appointment to an administrative position is regulated by the provisions of the *Labor Code* and Article 39 of the *Law on Protection against Discrimination*. The career development is governed by the relevant in-house rules, which also abide strictly by the principle of non-discrimination, including on grounds of gender.

In the past 20 years, many political parties encouraged the participation of women in the political process by electing them to senior positions in the party structures and through their participation at senior positions in the executive.

The women's organizations of the major political parties lead intensive organizational life and organize on their own or in cooperation with women's non-

governmental organizations many public events at national as well as at local level, targeting women and the society. Many of these organizations elaborate and carry out specialized trainings for their members with a key focus on women's in the election process, the rights of women, etc.

Regarding women's status in the political life of the country, it should be noted that since the mid-1990s women have been occupying senior political and government positions: prime minister (1994-1995); deputy prime minister, ministers, chairpersons of various state agencies. The Chairperson of the current 41st National Assembly is a woman. The ratio of women to men vice-chairpersons (one chairperson from each parliamentary party) is 1 to 5. Women serve as Chairpersons of the parliamentary standing committees. Currently women chair 6 of the 17 committees: the Budget and Finance Committee, the Legal Affairs Committee, the Labour and Social Policy Committee, the Environment and Water Committee, the Agriculture and Forests Committee, and the Culture, Civil Society and Media Committee. Since the mid-1990s women have been occupying senior political and government positions: prime minister (1994-1995); deputy prime minister, ministers, chairwomen of state agencies etc.

Women constitute a majority of state and municipal administration employees, and their proportion in certain bodies exceeds 65%. In the Council of Ministers, three (18,75 %) of the Ministers are women: the Minister of Justice, the Minister of Regional Development and Public Works, and the Minister of Environment and Water. 16 (one-third) of the deputy ministers are women. The entire leadership (minister and deputy ministers) of the Ministry of Environment and Water consists of women. Women prevail at the level of director and head of department within the central government administration except in the Ministries of Defence, Interior, and Foreign Affairs, as well as the Ministry of Culture. Women in the diplomatic service in the Ministry of Foreign Affairs system account for some 40% of the personnel holding diplomatic rank. The Ministry's Spokesperson is a woman.

The two representatives that Bulgaria has nominated for members of the European Commission — Mrs. Meglena Kuneva and Mrs. Kristalina Georgieva, are women. They both were elected respectively for an EU Commissioner on Consumer Protection, and EU Commissioner on International Cooperation, Humanitarian Aid and Crisis Response.

Women are actively represented in the management and administration of the local authorities. Thirty per cent of the municipal councillors in the country's 264 municipalities are women. In the regional and municipal administration, women are up to 70% of employees, and they prevail at the decision-making level. For example, the Mayor of Sofia and the Head of the Inspectorate of Sofia are women. Women judges are two-thirds of the magistrates at all levels and in all types of courts in Bulgaria. As many as 43% of the magistrates in the prosecuting magistracy are women, one of the Deputy Prosecutors General is a woman. Female judges in Bulgaria are well represented at the international level: for a third consecutive term of office, the Bulgarian judge at the European Court of Human Rights in Strasbourg is a woman. Bulgarian women are members of the Constitutional Court of Kosovo (one international judge) and of the International Criminal Court.

Education

Question 15. Please provide detailed information on the enrolment and drop-out rates of Roma girls and boys at the primary and secondary levels of education and on the participation of Roma women and girls in higher education. What measures are being taken to avoid segregation of Roma children in schools and to raise awareness among Roma parents about the importance of sending their daughters to school?

The Bulgarian authorities continue their efforts to encourage the integration and socialization of Roma children and school students, preventing early dropouts from the educational system, increasing the quality of education and improving the educational facilities. All measures are discussed with relevant NGOs.

Table 7. below presents data with regard to the level of education of the Roma in Bulgaria, gathered during official censuses in 2001 and 2011 by the *National Statistical Institute (NSI)*. It shows improvement of the educational attainment of the Roma during the past 10 years.

<i>Education/Years</i>	<i>Roma</i>	
	<i>2001</i>	<i>% 2011</i>
Tertiary	0.2	0.5
Secondary	6.5	9.0
Basic	41.8	40.8
Elementary	28.3	27.9
Elementary uncompleted and illiterate/never attended school	23.2	21.8

Table 7. Data with regard to the level of education of the Roma in Bulgaria, gathered by the NSI.

Various measures have been undertaken to foster the integration of Roma children within the mainstream school system. Among them:

- Programmes have been developed for pupils and students in risk of dropping out from school, in cooperation with the regional inspectorates of education, the municipalities, the school boards and other bodies and organizations. They foresee additional educational options, such as organizing and carrying out individual programs for psychological influence on the student, additional work with the students during classes and holidays, extra-curricular and out-of-school activities tailored to the individual needs and interests of the students, consultations and vocational guidance;
- In accordance with the updated Strategy for Integration in Education of Children and Students from the Ethnic Minorities (2010), each school has to draw up an annual plan which is reported to the Regional Inspectorates of Education and the Ministry of Education, Youth and Science. The Regional Inspectorates of Education have designated experts and tasked them with obligations on the integration of children and students belonging to the ethnic minorities;

- The 2010 National Classification of Occupations and Duties includes the position “assistant teacher” developed by the Ministry of Education, Youth and Science back in 2003. The assistant teachers facilitate the integration of children and students belonging to the ethnic minorities, including Roma children, thereby supporting the access to education. The monitoring during 2011 of the projects involving assistant teachers with a view to integrating the children and students from the ethnic minorities has shown that this creates notable benefits for the trainees, in particular in an ethnically mixed educational environment. The assistant teacher position was introduced on the proposal of Roma non-governmental organizations and was approved in the *Framework Program for Equal Integration of Roma in the Bulgarian Society*;
- The funds in the 2010 state budget for these activities amount to BGN 12 million. In addition, the Centre for Educational Integration of Children and Students from Ethnic Minorities cooperates with the Roma Education Fund in Budapest and co-finances specific projects encouraging the integration of Roma children in mainstream education and preventing early drop-outs;
- The Consultative Council on the Education of Children and Students Belonging to Ethnic Minorities set up with an order of the Minister of Education, Youth and Science continues to play an important role in elaborating specific measures to foster the educational integration of Roma children.
- In accordance with the Protection against Discrimination Act, the Ministry of Education, Youth and Science (MEYS), through the Regional Inspectorates on Education (REI), has instructed directors of all schools and kindergartens to include in all job descriptions of teachers the obligations to prevent all forms of discrimination.

Question 16. In light of the comparatively low participation of women in traditionally male dominated fields of vocational education (see report, at para. 148) and their concentration in traditionally female-dominated fields of studies (para. 160), please provide information on the efforts made by the State party to promote the diversification of such choices and encourage women and men to choose non-traditional fields of training and education.

Aiming at promoting equality between women and men in the armed forces, the Ministry of Defense (MD) abrogated Ordinance No. 14/2005 on the military service, thus creating conditions for equal treatment of all personnel irrespective of their gender. This was done in compliance with Article 7 (1) 2 of the *Protection against Discrimination Act*. The effect of this measure is that all positions in the armed forces of the Republic of Bulgaria are now open to both sexes.

According to data provided by the Ministry of Interior, there have been no problems or statistically detected significant differences among women and men with regard to their career development of women and men in the police structures. This was documented also in the comparative study on the establishment of the Women Police Officers Network (WPON) in Southeast Europe which was carried out by the Ministries of Interior of the SEE countries members of the Southeast Europe Police Chiefs Association (SEPCA).

Employment and social security

Question 17. Please provide information on the measures taken to address the significant gender pay gap in both the public and private sectors, e.g. by promoting the diversification of women's professional career tracks, and to promote the development and use of objective job evaluation, particularly in the private sector (see report, at paras. 196-197, 206). What measures are in place to mitigate the adverse impact of women's lower wage levels and earlier retirement age on their pensions and to address the feminization of poverty (paras. 190, 206)?

The effective legislation in Bulgaria provides for equal pay for equal work and work of equal value. Legal guarantees have been provided to prevent gender pay gap for workplaces (duties or positions) requiring work of equal complexity and responsibility and the same level of education, vocational qualification and performance. The pay systems, salary and wage formation rules, including additional incentivizing pay (bonuses) existing nationally and in the different organizations do not provide for gender pay gap. Similar is the situation with the collective and individual employment contracts.

According to Article 14 (1) and (2) of the *Protection against Discrimination Act*, the employer shall ensure equal remuneration for equal work and work of equal value. This rule is applied to all remunerations paid directly or indirectly in cash or in kind, regardless of the term of the employment contract and the working hours. Thus the principle of equal treatment is not limited only to discrimination by gender.

The *Labor Code* (Article 243) stipulates that women and men have the right to equal pay for equal work and work of equal value and this shall be applied to all remunerations paid under employment legal relationship. The basic salary is determined on the basis of assessment and gradation of the positions and duties and is agreed in the employment contract between the parties to the employment legal relationship. The assessment of the job takes account of the complexity, responsibilities and heaviness of work and the parameters of the working environment.

The amounts and/or mechanisms of formation of the basic salary are agreed in a collective labor contract and/or by the parties to the individual employment legal relationship and are included in the internal rules on the salaries and wages of the organization. Starting basic salaries and wages by position and duty can be negotiated in the collective labor contract.

In the budgetary organizations and activities, the ceilings and/or the range of the basic salaries and wages by position and duty level are regulated with a normative act — Article 5 of the *Ordinance on the structure and organization of salaries and wages* (OSOSW). The imperative provisions of the labor legislation guarantee equal pay to women and men on the basis of an objective assessment of their performance.

The Ministry of Labor and Social Policy undertook in cooperation with the other institutions and the social partners a number of measures to overcome segregation and to balance the representation of women and men through policies for non-discrimination, equal opportunities, including equal pay for equal work, which aim to eliminate the differences by gender in employment. Working women in Bulgaria are well aware of their labor rights. However, the labor market segmentation poses certain problems. Education, healthcare, the sewing industry and different activities

financed from the local budgets and the state budget remain feminized. In these sectors the pay is usually lower even for a more qualified labor.

According to data by the *National Social Security Institute* (NSSI), the average contributory income (CI) of women increased from 89.1% of the national average to 93.6% in 2009. In the same year the contributory income of men is 106.1% of the national average. A closing of the gap between the CI of women and men is registered. In 2010, CI of women registers slight decrease to 93.2%, whereas CI of men increases to 106.6%. The difference between the CI of women and of men is 13.4 percentage points.

In 2010, the gender pay gap in Bulgaria is 13.7%, compared to an EU average of 18%.

In June 2011, the first Monitoring of the progress towards the employment targets set in the National Reform Programs of Member States identifies as a good practice for Bulgaria the identified low gender employment and pay gap.

According to data provided by the *National Statistical Institute* (NSI), in the second half of 2011 the employment rate of women in the age group 20-64 is 60.6%. The gender employment gap is 5.7 percentage point and the value of the indicator for men stands at 66.3%. In 2010, the employment rate of women in the 20-64 age group is 61.7%, and of men — 69.1%. Compared to the previous year, the employment rate of women has decreased by 2.3 percentage points, and of men — by 4.7 percentage points. The value of the employment rate indicator for women in Bulgaria is only 0.4 percentage points below the EU average.

The data of the NSI shows that in the second half of 2011 the unemployment rate of women in the age group 15-64 is 10%, by 2.4 percentage points lower than the value of the indicator for men. In 2010, the value of the indicator is 9.5% for women and 11% for men. The increase of female unemployment compared to the previous year is 2.8 percentage points whereas male unemployment is up by 3.9 percentage points. According to EUROSTAT data, in July 2011 female unemployment in Bulgaria stood at 10.5%, only 0.8 percentage points above the EU average.

Participation of women in paid labor is determined by many factors, including structure of the economy and economic cycles, educational attainment and vocational qualification, established and legally guaranteed opportunities to work, family status, household income, etc. An important factor is also the traditions, the established stereotypes of the role of women and men in the family and in the raising of the children, the participation in the socioeconomic and political life.

Article 9 (2) items 1 and 2 of the *Social Insurance Code* (SIC) explicitly provides that the periods of paid and unpaid child-care leave, paid and unpaid leave for temporary disability and of pregnancy and child-birth leave shall count as contributory service without making social insurance contributions. The time during which a non-working mother has taken care of a child until attainment of the age of three shall also count as contributory service at retirement. Social insurance contributions for such periods shall be remitted at the rate for the Pensions Fund for the account of the executive budget on the minimum wage applicable at the date of granting of the pension (Article 9 (7) of the Social Insurance Code). Thus mothers, whether working or not, acquire contributory length of service also for the time in which they take care of a small child.

Furthermore, in order to prevent the unfavorable effect of these periods when determining the amount of the pension of women who have not worked during certain time intervals — child care, special provisions on determining the income on the basis of which the pension is calculated have been provided. According to Article 702 (2) items 2 and 3 of the *Social Insurance Code*, upon determination of the average monthly contributory income, the income during periods of child-care leave during which a benefit has been received and of the time counting as contributory service for non-working mothers shall be ignored. These provisions are included in order to prevent a lower amount of the pension due to inclusion of lower income in the first case (the amount of the ordinary child-care benefit is close to the minimum wage) or due to inclusion of periods in which the person is not entitled to any compensation — in the second case in which the time counts as contributory service of non-working mothers.

More favorable is also the method of determining the average monthly contributory income for the time of temporary disability leave or pregnancy and child-birth leave during which a cash social insurance benefit has been received — the income on which the benefit is calculated is taken into account as it is always higher than the benefit itself.

The Bulgarian legislation allows and does not restrict women to work after they reach retirement age, and the contributory years after that age have greater weight than the other contributory period in determining the amount of the pension. Each woman has an opportunity to continue working and adding contributory time towards reaching an acceptable level of the pension income compared to that of men. Bulgarian legislation allows individuals to work and at the same time receive the full amount of their pension.

Question 18. In light of the unequal distribution of family responsibilities (see report, at para. 200), please provide additional information on: (a) Whether the measures aimed at facilitating the reconciliation of work and family responsibilities provided for in legislation and collective agreements, such as child care leave in respect of children up to two years of age (para. 170), are also available to fathers; (b) The percentage of fathers making use of paternity leave, parental leave and flexible work arrangements for raising young children (paras. 199-201, 204); and (c) The progress made in extending the coverage of care services and facilities for young children and other dependent family members (para. 199).

The provisions of the *Labor Code* reflect the principles of equality of women and men in the labor and family duties related to child-care. This approach is applied also in the regulation of maternity leaves. Mothers insured for general illness and maternity are entitled to cash benefits for pregnancy and child-birth for a period of 410 calendar days, including 45 days before child-birth, at an amount of 90% of the average daily gross labor remuneration for the previous 18 months. If the mother decides to continue her professional career and go back to work, this benefit can be paid to the father if he is insured for general illness and maternity, after the child reaches the age of 6 months, for the time remaining until completion of 410 calendar days. After the lapse of the period of entitlement to a benefit for pregnancy and child-birth (after the 410 days) until the child reaches the age of 2 years the mother is paid a monthly cash benefit at an amount determined annually in the *Public Social Insurance Budget Act*. This benefit can be paid to the father or to

another person who undertakes responsibility for caring of the child when the mother goes back to work.

Since 1 January 2009, fathers insured for general illness and maternity are entitled to 15-day leave and a public social insurance benefit for child-birth. This encourages fathers to take higher responsibilities for caring of their child from the first days after birth. This innovation is an important step towards overcoming some gender stereotypes. The decision to grant fathers the right to such leave and benefit not only when the mother and father live in a marriage relationship but also when they are in a cohabitation relationship in one household is in line with the modern views. Care is focused on the child and it doesn't matter whether the child is born in actual marital cohabitation. The leading idea is on one part equality of the mother and the father (the woman and the man) and on the other — to guarantee the best interest of the child to receive care from two responsible parents.

The provision of Article 164 (1) of the *Labor Code* stipulates that after the leave for pregnancy, childbirth or adoption has been used, in case the child is not placed in a child-care establishment, the female employee shall be entitled to an additional leave for raising a first, second and third child until they reach 2 years of age, and 6 months for each subsequent child. With the consent of the mother (adoptive mother), this leave can be granted to the father (adoptive father) or to one of their parents in case they work under an employment relationship.

The *Labor Code* contains an explicit provision — Article 165, which stipulates that after having used the leave under Article 164 (1), the family worker or employee having four and more children, upon request, shall have the right to an unpaid leave until the child reaches 2 years of age, if the child has not been placed in a child institution. With the consent of the mother, this leave may be used by the father or by one of their parents when they work under an employment relationship.

According to Article 167a (1) of the *Labor Code*, after having used the leaves under Article 164 (1) and Article 165 (1), any of the parents (adopters), if they work under a labor contract and the child has not been placed in an institution on full public support, shall, upon request, have the right to use unpaid leave up to 6 months for taking care of a child before he/she becomes 8 years old. In the light of the foregoing, the legally regulated measures for reconciling work and family obligations are applied not only to mothers but also to fathers.

The structure of the benefits until lapse of the 410 days (including pregnancy, childbirth and care of the child until he/she reaches one year of age) is characterized by full dominance of women and a negligible share of the men. Following the regulatory changes in the spirit of gender equality promotion, the share of men using benefits in the cases provided by law increased from 0.1% in 2008 to 2.5% of the benefit users in 2010. In absolute terms the number of men receiving this cash benefit increased from 281 in 2008 to 18 707 in 2009 and reached 20 625 in 2010.

The relative share of women (99.1%) in the recipients of child care benefits for children up to 2 years of age is also absolutely dominant compared to the share of men (0.9%). In the period 2008-2010, the number of benefits paid to fathers increased two times from 2 713 in 2008 to 5 652 in 2010.

The following cash benefits are paid under the state social insurance under terms and at the amount of the cash benefit for temporary disability due to general illness:

- Attendance or urgent accompanying for medical examination, tests or treatment in Bulgaria or abroad of a sick family member over the age of 18: up to ten calendar days per calendar year for each insured person;
- Attendance or urgent accompanying for medical examination, tests or treatment in Bulgaria or abroad, of a sick child under the age of 18: up to 60 calendar days per calendar year total for all insured family members;
- Attendance of a quarantined child under the age of 18 suffering from communicable disease: until expiry of the quarantine term;
- Attendance of a sick child under 3 years of age placed in a hospital-care facility together with the insured person: for the time during which the insured person was in the facility;
- Care of a healthy child sent back from a kindergarten due to quarantine: for the duration of the quarantine.

The members of the family of the insured person include his/her straight line ascendants and descendants, the husband and the wife. All these benefits can be paid to both the woman and the man in the family. However they do not release them from the need to take personal care of the dependent family members.

A key field of the employment promotion policy includes implementation of a set of measures to encourage women's participation in the labor market and reduce the gender unemployment, employment and pay gap. Initiatives, programs and measures are implemented, aiming to increase women's competitiveness in the labor market through inclusion in vocational and key competence training, providing employment to unemployed persons in the field of small children care, encouraging employers to hire unemployed persons — single parents and mothers with children up to 3 years of age, unemployed mothers with children between 3 and 5 years of age. The support for women addresses the specific difficulties they encounter in the labor market. The transition from unemployment to employment, from one job to another are supported also by applying the approach of better reconciling professional and family life and inclusion in different forms of lifelong learning. Thus, gender equality is encouraged and an access to better and more productive jobs is ensured.

Since 2009, in a situation of shrinking production and services, and negative effect of the economic crisis on employment, the concerted efforts of the Government and the social partners are focused on preventing mass and long-term unemployment and effective reorientation of laid off individuals to available vacant jobs and subsidized employment jobs, vocational guidance, requalification, encouraging territorial mobility.

Under the *National Program in Support of Motherhood*, in 2009, care for small children aged 1 to 3 was provided on average by 4,148 persons who supported mothers to get back to work earlier after the period of child-birth and child-raising. An average of 852 persons worked under the terms of the encouraging measure for single parents and mothers with children under the age of 3, and 367 persons — under the encouraging measure for unemployed mothers with children between 3 and 5 years of age.

The absorption of the funds under *Human Resources Development Operational Program* of the EU is crucial for the implementation of an active employment policy at times of economic crisis and shortage of funds. The *Getting Back to Work scheme*

was launched in 2009 with a budget of 64 MBGN for the period 2009-2012. The plan is to include 8500 persons in training and 8000 persons in employment. Working parents with children between 1 and 3 years of age participate in the scheme. Care for the small children is provided by unemployed persons registered with the labor offices. Individuals aged 50+ are given priority for inclusion in employment. Child-carers are employed under labor contracts in accordance with the *Labor Code* for a maximum period of 2 years. The labor remuneration and the compulsory payments under the labor and insurance legislation are financed with resources from *Human Resources Development Operational Program*. As of 24 November 2011, 2067 parents and 3095 unemployed persons are involved in the scheme.

As mentioned above, the terms and procedure for opening, provision and use of social services are regulated in the *Social Assistance Act and its Implementing Regulations*. According to the definition in the normative regulation, social services are activities helping and enlarging individuals' opportunities to lead independent life and are provided in specialized institutions as well as in the community. Community-based social services include: personal assistant, social assistant, household assistant, home respite care, day care center, social rehabilitation and integration center, family shelter, temporary shelter, social support center, center for work with street children, center for professional training of social workers, crisis center, foster care, temporary housing, protected housing, supervised housing, "Mother and Baby" unit, homes for the elderly (adult foster care), soup kitchen.

A characteristic feature of social services is that they are based on social work and are intended to support the beneficiaries in carrying out their everyday activities. Social services are provided in compliance with the wishes and the personal choice of the beneficiaries. Social services are decentralized and this enables municipalities to develop and manage them in accordance with municipal population's specific need of certain services. Most of these services are financed as a state-delegated activity and are free for children and families. As of the end of November 2011, total community-based services number 631 with a capacity of 15 284 persons. Of these, at the same date, 304 are the social services for children which include 74 family shelters for children, 71 social support centers, 11 centers for work with street children, 23 social rehabilitation and integration centers for children, 1 temporary shelter, 7 day care centers for children and adults with disabilities, 68 day care centers for children with disabilities, 10 crisis centers for children, 15 temporary housings for children, 5 shelters, 9 centers for professional training of social workers and 10 "Mother and Baby" units.

Of crucial importance for the expansion and development of child and family services is to invest in and develop complex and integrated services tailored to the specific needs of the beneficiaries. In that light, in 2010 the Ministry of Labor and Social Policy launched the implementation of a new approach for prevention of the social exclusion of children and families at risk through development of a network of integrated services for children between 0 and 7 years of age under the *Social Inclusion Project* financed with a 40 MEUR loan from the International Bank for Reconstruction and Development (World Bank). This project enables municipalities to develop services for early childhood development, early childhood risk prevention, better outreach and improvement of children's preparedness to enter the educational system, improvement of the family environment, etc.

The following services are being provided under the project:

- Services for children aged 0-3 and their parents — Building and developing parental skills, Early intervention for children with disability by setting up an Early Intervention Center for children with disability, Family counseling and support, Health consultation for children, Child carers, Nursery fee reduction;
- Services for children between 3 and 7 years of age and their parents — Integration of children in kindergartens and preschool groups(classes, Monitoring of school readiness, Family counseling and support, Health consultation for children, Family centers for children aged 3-7, Additional preparation for equal start at school, Individual pedagogical support for children with disabilities.

Personal Assistant and Social Assistant are one of the most successful social services in support of people with disabilities and their families. Financing has been secured for 3000 personal assistants with a view to developing the services Personal Assistant and Social Assistant under the *National Program “Assistants for People with Disabilities”*. The services will be provided with support from *Human Resources Development Operational Program* from which financing for at least 9000 personal and social assistants has been secured.

Under implementation is the project *Support for Life with Dignity* with beneficiary — the Agency for Social Assistance and partners — 262 municipalities and 23 districts of Sofia Municipality. The project purpose is to apply a new approach for provision of services in a family environment through introduction of the individual budget for personal assistant principle at national level. The specific project objectives include decentralization of the Personal Assistance service; creating opportunities for active involvement of people with permanent disabilities in service planning, individual budgeting and selection of personal assistant; support for families with a person/child with permanent disability by creating opportunities for professional development of the family members caring for the person/child with permanent disability; changing the attitude to the personal assistant’s work — beneficiaries and their families should view it as a social service and not as an activity carried out by family members; reducing the risk of dependence on institutional type of care for children and persons in need of attendance assistance. The project’s duration is 14 months — from 10 January 2011 till 7 March 2013 and its value is BGN 35 000 000, with financial support from *Human Resources Development Operational Program* co-financed from the European Social Fund. The experience gained during project’s implementation will be used to develop an individual budgets system.

These are some of the services used by children and families for which the State provides direct financial aid by opening up opportunities for free all-day care. Thus the persons caring of a child or an adult with disability are enabled to participate in full in the working and social life.

The legislation in the field of social services’ development was amended in 2010. One of the objectives of the amendments was to expand the scope and optimize the network of social services. Amendments include introduction of a new approach of regional and municipal planning of services on the basis of a precise analysis of the needs in each municipality and region. Regional strategies have been developed in all 28 regions of the country. The trainings provided helped to launch a real process

of needs assessment of the services and planning and implementation of a minimum package of guaranteed services.

Health

Question 19. Please provide information on the measures taken to further reduce the abortion rate, especially among young women and teenagers (see report, at paras. 152, 222, 226, 229 and annex, table 10), namely by providing affordable access to and information on modern contraceptives and by introducing education on sexual and reproductive health and rights in regular school curricula. In light of reports about verbal and physical abuse of women during delivery or abortion and illegal requests for additional payments by hospital staff, what measures are being taken by the State party to put an end to such conduct?

The legislative measures undertaken by the Ministry of Health to reduce abortions by providing facilitated access to information about modern contraception measures and introduction of sexual and reproductive health and rights lessons in the regular school curriculums are regulated in Article 120 (5) of the *Health Act* (promulgated, SG, No. 70/10 August 2004, latest amendment, SG, No. 60/5 August 2011 r.). The organization and carrying out of health education programs for students and for building sexual culture is an activity conducted by the health offices in the schools and the specialized institutions providing social services for children.

The students receive within the approved curriculums training on sexual behavior, prevention of sexually transmitted diseases and AIDS and prevention of unwanted pregnancy. The training of lecturers is organized by the Minister of Education, Youth and Science on the basis of curriculums coordinated with the Minister of Health. This is regulated in Article 122 (1) and (2) of the *Health Act*.

A priority area of the *National Program for Prevention and Control of HIV and Sexually Transmitted Diseases (STD)*, 2008-2015 is the implementation of an integrated approach for prevention of HIV and sexually transmitted infections and promotion of sexual and reproductive health among the young people. The measures undertaken by the Ministry of Health to guarantee equal access of all children and young people to adequate, modern and science-based information in these fields, modern interactive health education, services appropriate for the young people and access to reliable condoms, contraceptives and other means include:

- In the period 2004-2009, through the program HIV/AIDS Prevention and Control financed from the Global Fund to Fight AIDS, Tuberculosis, and Malaria, the Ministry of Health supported 156 pilot schools in 14 Bulgarian regions which provide sexual health education with special focus on HIV/AIDS prevention as an optional subject. In the course of 4 school years, 21 756 students, mostly girls, were outreached and provided on a systematic basis with sexual health education (more than 30 school hours per year).
- Health education is provided as an optional subject in another 39 pilot schools under Project BUL1R205/BUL1R303 Improving the Sexual and Reproductive Health of Young People in Bulgaria, 2004-2009, implemented jointly by the Ministry of Health, the Ministry of Education, Youth and Science and the United Nations Population Fund (UNFPA).
- The Ministry of Health is also responsible for the implementation of activities included in the National Integrated Plan for Implementation of the UN

Convention for the Rights of the Child (2006-2009). Towards fulfillment of Objective 7: Training of pedagogical and medical experts to work on programs for sexual health education and consulting on sexual and reproductive health issues, in 2008 the National Center for Protection of Public Health at the Ministry of Health provided training to pedagogical and medical experts from 35 schools in 7 pilot municipalities. In fulfillment of the above programs and projects, total 223 schools in 29 Bulgarian municipalities have developed their own health education programs with focus on sexual and reproductive health and prevention of HIV and sexually transmitted infections.

- In 2009, within Component 7 of the Program “Prevention and Control of HIV/AIDS” financed from the Global Fund to Fight AIDS, Tuberculosis, and Malaria, the Ministry of Health provided training to 60 social workers and psychologists from 30 homes for children deprived of parental care (HCDPC) who lead health education groups with more than 850 children.

In fulfillment of the national policies and the national HI/AIDS program in Bulgaria, the access to information on HIV/AIDS and sexually transmitted infections at national and regional level is provided also through:

- Development of municipal strategic plans for sexual health and HIV prevention among the young people in 15 municipalities, in the period 2004-2009;
- Conducting annual national and local Anti-AIDS campaign since 2001 in all 28 Bulgarian regions. In 2005, the National Anti-AIDS Campaign under the motto “You Decide!” was with specific focus on girls and young women;
- Functional national network for provision of services for voluntary counseling and testing for HIV since 2003 which includes 19 Voluntary HIV Counselling and Testing Centers;
- Functional national network of 18 youth centers at non-governmental organizations working in the field of sexual and reproductive health and prevention of HIV among young people at risk.

In Bulgaria, since 2007 the work on the basis of the “peer education” approach is supported also by the *International Center Y-PEER PETRI — Sofia (Peer Education Training and Research Institute)* at the *National Center of Public Health Protection*. The Center works with all Eastern Europe and Central Asia countries.

The health protection of the reproductive health of citizens is secured through the provision of Article 126 (1) 1 of the *Health Act*. The measures undertaken include: promotion and consultations on protection of the reproductive health of children and people in reproductive age; ensuring access to specialized consultation assistance on reproductive health and family planning; prophylaxis and treatment of infertility and specialized information, consultations, prophylaxis and treatment of sexually transmitted diseases and AIDS.

Item 4.31 of the *Action Plan to the National Health Strategy (2008-2013)* regulates the development and approval of a *National Program for Sexual and Reproductive Health Improvement (2012-2020)*. The program has been designed and envisages measure to promote and develop family planning for people in reproductive age and reduce unwanted pregnancy and willful abortion among the young people under 19. These measures will be implemented through:

- Improvement of individual’s and couple’s knowledge and skills as regards the right of free choice as to the number of children and when to have children;
- Improvement of the access to modern contraceptives;
- Development of health consultation and health information services within the system of primary health care to cover the needs of the population and nurture responsible sexual behavior;
- Enhancing the active involvement and responsibility of men in the process of informed decision making on sexual and reproductive health matters and promotion of the use of contraceptive methods for men;
- Creating conditions for the implementation of national onco-screening programs in the field of sexual and reproductive health;
- Introduction of systemic health and sexual education at school within the implementation of the National Health Strategy;
- Building a health and sexual education system based on the peer education approach;
- Establishment of specialized consulting rooms providing medical, psychological and social services in the field of sexual and reproductive health to young people;
- Supporting the building of a network of structures and a system of adequate services for young people in the field of sexual and reproductive health;
- Raising adolescents’ awareness and work with the media;
- Developing the capacity of the regional Ministry of Health structures towards strengthening their coordination and expert role in the promotion of sexual and reproductive health and prevention of unwanted pregnancy and willful abortion among young people under 19;
- Institutional strengthening and development of the capacity of non-governmental organizations towards strengthening their innovative and expert role in the promotion of sexual and reproductive health, adequate health services for young people, health and sexual education, prevention of unwanted pregnancy and willful abortion among young people under 19.

Disadvantaged groups of women

Question 20. Please provide detailed information on measures, including temporary special measures, taken to eliminate multiple forms of discrimination against women belonging to minorities, in particular Roma women and girls, including in political and public life and in the areas of education, employment and health. Please also provide detailed information on early and forced marriage of Roma girls, including statistical data and information on the measures taken by the State party to address this problem (see report, at paras. 295-296).

On 5 January 2012, the Government adopted the *National Strategy for Integration of Roma in the Republic of Bulgaria (2012-2020)* which combines the measures under implementation with accordance to all existing thus far strategic documents of Bulgaria on the equal integration in the Bulgarian society.

With regard particularly to early childbirth, the data provided to the *State Agency for Child Protection* show that in 2010, 64 girls of minor age and 334 juvenile girls gave birth to children.

The Bulgarian authorities continue to view this phenomenon as a risk factor for the life and health of both children — the mother and the newborn, and the impossibility for adequate care to be provided to a child born by a child. That is why, in 2011, the Chief Prosecutor of the Republic of Bulgaria issued methodological guidelines on improvement of the prosecution activity in instituting and closing criminal proceedings under Article 151 (1) and Article 191 (3) of the *Penal Code* which criminalize the copulation with individuals who have not accomplished 14 years of age. The guidance instructs the prosecutor's offices across the country to investigate for culpability any alert submitted by social and health workers on cases of minors or juveniles for whom criminal copulation has been registered.

The Executive Director of the Social Assistance Agency also issued instructions to all Social Assistance Directorates, pointing particularly the need:

- To approach without fail the regional prosecutor's offices as the competent body to pronounce on the existence or absence of data calling for institution of criminal proceedings for each alert;
- To take the necessary measures for protection of both the minor/juvenile mother and the newborn child;
- When taking measures for protection of the child in a family environment, the safety and security of the environment should be precisely assessed;
- The social workers in the Departments for Child Protection should follow on each particular case until the mother becomes of age, with a view to preventing forthcoming risks for the child;
- The social workers, the prosecutor's office and the officers of the Ministry of the Interior should work in cooperation to reduce the cases of early marriages.

The good practices of the Ministry of Health realized to date will continue until the end of the programming period and are focused on the implementation of preventive health policy. In 2011, the Council of Ministers approved an *Action Plan for the period 2011-2015 to the Health Strategy for Disadvantaged People Belonging to the Ethnic Minorities*. The document lays down a number of measures to improve the health culture of the minority groups and to ensure equal access to health services, such as:

- Active cooperation by mediators in GP's efforts to outreach and register pregnant women by the fourth month of pregnancy, consultations with an obstetrician and timely hospitalization for medical assistance at childbirth. The target is minimum 75% of the women giving birth to a child outreached by the fourth month of pregnancy and covered by medical examination and consultation with an obstetrician, as well as timely hospitalized at labor and delivery;
- Provision of obstetrical examinations through mobile medical teams in settlements with compact Roma population. Provision of contraceptives to

willing socially weak individuals. The target is minimum 6,000 examinations per year conducted through the mobile medical teams;

- Delivering lectures to adolescents and young people and their parents on the methods of protection against unwanted pregnancy, on the risks of early pregnancy for the mother and the baby, the risk of giving birth to children with genetic abnormalities and hereditary illnesses, and on the prophylaxis methods. The target is minimum 250 lectures per year delivered on the above topics;
- Conducting genetic consultations and testing of affected families and communities;
- Conducting prenatal diagnostics of pregnant women at risk; target — minimum 75% of the pregnant women at risk covered by prenatal diagnostics;
- Organization of 5 consultation rooms in settlements, quarters and neighborhoods with prevailing Roma population on issues of sexual and reproductive health, family planning, methods of protection against sexually transmitted infections. Target — 5 consultation rooms opened.

Sofia, 13 January 2012
