



ОМБУДСМАН  
НА РЕПУБЛИКА БЪЛГАРИЯ

**“I will be the ordinary Bulgarian’s hope for justice!”**

Maya Manolova, Ombudsman of the Republic of Bulgaria

# Summary of the National Ombudsman’s activities 2017



## The Ombudsman institution

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### Mission

To create conditions for decent life for each Bulgarian citizen and to protect citizens' rights in a social and institutional environment of respect

### Vision

Accountability and integrity by all Bulgarian institutions that work for the benefit of Bulgarian citizens while they respect the right to good governance

### Principles

- Commitment
- Integrity
- Fairness
- Respect

### Strategic goals

- To enable Bulgarian citizens to fully exercise their rights
- To maintain high standards of conduct within the Bulgarian administration
- To exercise active civil society control on the authorities
- To build confidence between the citizens and the administration

### Priorities in 2017

- Protection of the rights of children
- Protection of the rights of citizens against mistreatment by monopolies
- Protection of the rights of citizens who are at risk of social exclusion



### **“Like a madman with a machinegun...”**

**Battles.** *This an honest and short account of what the Ombudsman institution did in 2017. Of course, I may say “rights” as well for each of these battles was a battle for the Bulgarian citizens’ rights. Therefore, each victory is very important and very precious regardless of whether it solved a problem of a community or of an individual.*

*One example is granny Zylbie from the village of Hitrino: her house virtually melted in the freight train explosion. Following our interference she got fair compensation despite a decision taken by a famously unknown civil servant that being 90 years old she would not be in need of the full sum awarded to other people who suffered damages as bad as hers. Another example is Stefan from Smolyan who the Sofia District Heating Company charged with bills, following legal action, at a domicile where he had never been but where another Stefan with the same surname but a resident of the capital city, resided. That man had toured all possible institutions that did not adequately solve his problem and some even refused to hear him. In the long run our interference made bureaucracy surrender and the man who for many months had been living in what seemed an absurd Kafkian novel only that the story was not fiction, obtained justice.*

*I admit that there had been moments when I did not see any prospect for an adequate resolution of certain problems. That is why the favorable outcome at the end of the year is an exceptionally important victory for me, for my team and for the citizens alike. One example is the termination of the practice where arbitration courts tried citizens; another example is the limitation of the excessive powers of private enforcement agents and the passage of clear rules that disallow to try citizens who are unaware that they face trial and that was a common situation in Bulgaria. And not least, though it took me a year to persuade the Members of Parliament to change the legislation, we placed arrogant employers where they belonged and dozens of thousands of workers were paid what they had honestly earned and what was due to them out of the fund of guaranteed claims.*

*I am proud of the legislative amendments that took effect some months ago and that make it binding on employers to pay their workers’ salaries before they transfer their company. These amendments were discussed by several parliamentary committees before the floor discussion and the process took almost a year and prior to their submission to Parliament, they were discussed by the Constitutional Consultative Committee that I set up and for which renowned legal experts were coopted: Prof. Vassil Mruchkov, Prof. Plamen Kirov, lawyer Mihail Ekimdjiev, Prof. Katya Mihaylova, Prof. Krasen Stoichev, to mention but some.*

*The main purpose of the changes that I proposed was to put an end to the brutal exploitation of workers who worked but were not paid whereas the employers transferred companies to some street dwellers in order to withhold the payments to their employees while they went unpunished.*

*The text that provided for that was Art. 129, para 1 of the Commerce Act and not its Art. 15. Dishonest employers resorted to it to transfer company shares and companies without any obligation to the employees.*

*I have come across such cases time and again: the dressmakers in Doupnitsa and in Vetren, the staff of a chain with retail outlets across the country, the workers in the Rousse Shipyard, to mention but a few. They all were trying, in vain, to trace their new owner who most often was a penniless man whereas the institutions helplessly shrugged shoulders and explained that nothing could be done.*

*Well, this is no longer the case. An employer shall be free to transfer a company share providing there are no unpaid payable wages.*

*I heard allegations that it is not fair. However, I could not understand what was not fair and to whom. It is only cheating employers, that is, employers who transfer a company as they seek to withhold payments they owe who face this problem.*

*After all, I don't work for their sake. By the way, these moves earned me the highest praise that I heard and that probably was intended to insult me: I was compared to "a madman with a machinegun". I have some news for these original minds: I will keep walking.*

*Haven't we had enough of normality and of leaders who promise again and again? Where has this brought us? Perhaps some madness is needed to lift the stone that is pressing us down. To quote the classic: "Mad-mad! God bless them!"*

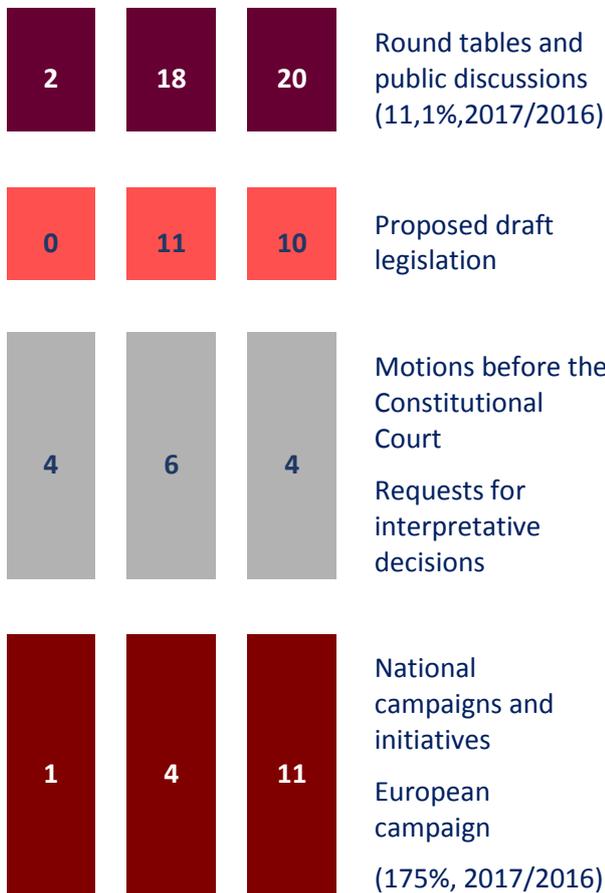
MAYA MANOLOVA

OMBUDSMAN OF THE REPUBLIC OF BULGARIA

## Reported year of achievements

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2015	2016	2017	
15 584	27 037	34 908	Citizens who approached the Ombudsman with a plea (29.1%,2017/2016)
10 287	17 362	22 369	Citizens who received advice in the Ombudsman's reception office (28.8%,2017/2016)
6 202	10 640	12 635	Complaints and whistle blows filed with the Ombudsman (18.8%,2017/2016)
1 645	3 138	3 060	Complaints against public services providers
761	1 429	1 790	Complaints reporting violations of social rights (25.3%,2017/2016)
183	601	1 401	Pleas for protection in enforcement proceedings (133%, 2017/2016)
16	77	97	Ombudsman's local meetings/ad hoc away reception office (26%, 2017/2016)



**We achieved the following results in 2017:**

The growing public confidence in the Ombudsman institution in the Republic of Bulgaria in 2017 is to be attributed to the energetic work and the results achieved in the protection of the citizens’ rights and interests. The process is most visible in the Ombudsman’s reception office which was daily visited by some 25 to 30 citizens while the incoming telephone calls were over 50.

No doubt, the high public confidence that the institution enjoys increased the number of complaints year over year.

In 2017 again the bulk of complaints and whistle blows about consumer rights involved the telephone connections, central heating, electricity, water supply, sewerage disposal pipes system, financial operations, Internet and television; they totaled 3060 which makes up 24.22% of all grievances. Next come complaints and whistle blows reporting violations of social rights – 1790 (14.17%) and pleas for protection of citizens in enforcement proceedings – 1401 (11.09%).

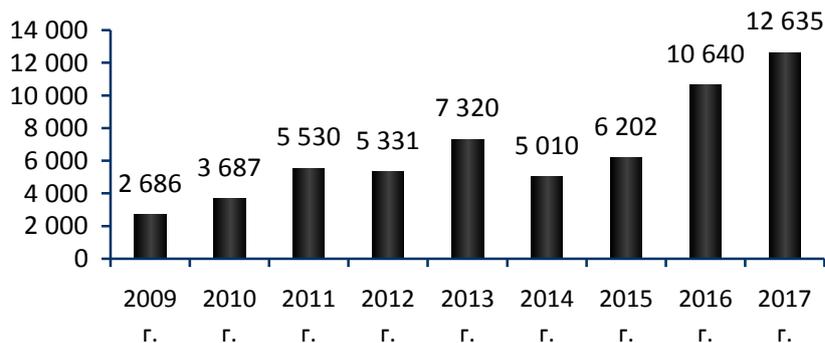
The number of complaints and whistle blows submitted by initiative committees and by large groups of citizens who sign up a petition for or against one thing or another increased.

In 2017 the Ombudsman launched a broad public awareness campaign to let children know what functions the Ombudsman has in the protection of the rights of children. An outcome of this campaign was the total of 20 complaints that were filed by children. It is important to note that the institution had never before been approached by children to file their complaints.

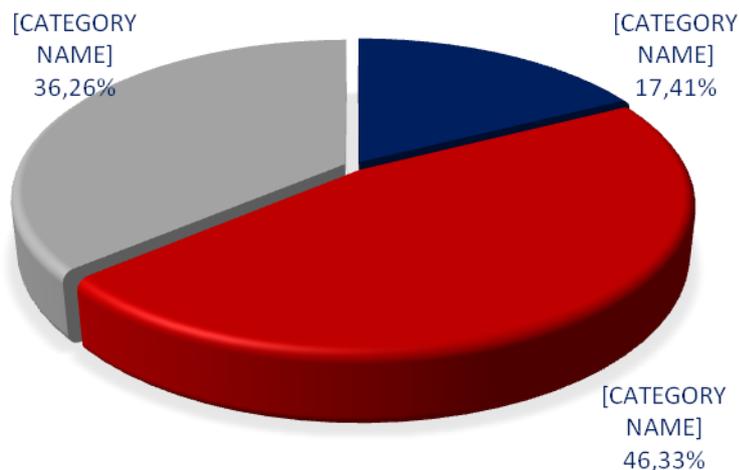
A total of 28 complaints and whistle blows were filed by foreign (i.e. non-Bulgarian) citizens (Azerbaijan, Germany, Greece, the Netherlands, Pakistan, Poland, Russia, the United Kingdom). Most of the complaints were written in English (15) and the rest were in Bulgarian (12) and German (1). The greatest part of the complaints and whistle blows were about consumer rights (8), while the right to clean environment was on the bottom (1). The remaining grievances pertained to fundamental rights and freedoms, the right to healthcare, the right to property and the rights of children.

The institution handled 14 requests from citizens who sought information under the Act on Access to Public Information.

### Complaints and whistle blows filed in 2009-2017 (number)



### Complaints and whistle blows filed in 2017, %



### Complaints and whistle blows filed in 2016 and 2017, breakdown by regions (number and %)

Област	2016 г.		2017 г.	
	Брой	%	Брой	%
Благоевград	243	2,28	311	2,46
Бургас	354	3,33	438	3,47
Варна	569	5,35	665	5,26
Велико Търново	261	2,45	323	2,56
Видин	112	1,05	111	0,88
Враца	279	2,62	350	2,77
Габрово	180	1,69	166	1,31
Добрич	167	1,60	177	1,40
Кърджали	53	0,50	83	0,66
Кюстендил	272	2,55	260	2,06
Ловеч	179	1,68	227	1,80
Монтана	210	1,97	209	1,65
Пазарджик	198	1,86	235	1,86
Перник	218	2,05	290	2,30
Плевен	322	3,03	406	3,21
Пловдив	654	6,15	797	6,31
Разград	71	0,67	96	0,76
Русе	279	2,62	273	2,16
Силистра	66	0,62	67	0,53
Сливен	189	1,78	171	1,35
Смолян	115	1,08	129	1,02
София-област	250	2,35	282	2,23
София-столица	3 521	33,09	3 718	29,43
Стара Загора	307	2,86	414	3,28
Търговище	90	0,85	121	0,96
Хасково	179	1,68	217	1,72
Шумен	126	1,18	161	1,27
Ямбол	139	1,31	172	1,36
Неизвестна	1 037	9,75	1 766	13,97
<b>Общо:</b>	<b>10 640</b>	<b>100</b>	<b>12 635</b>	<b>100</b>

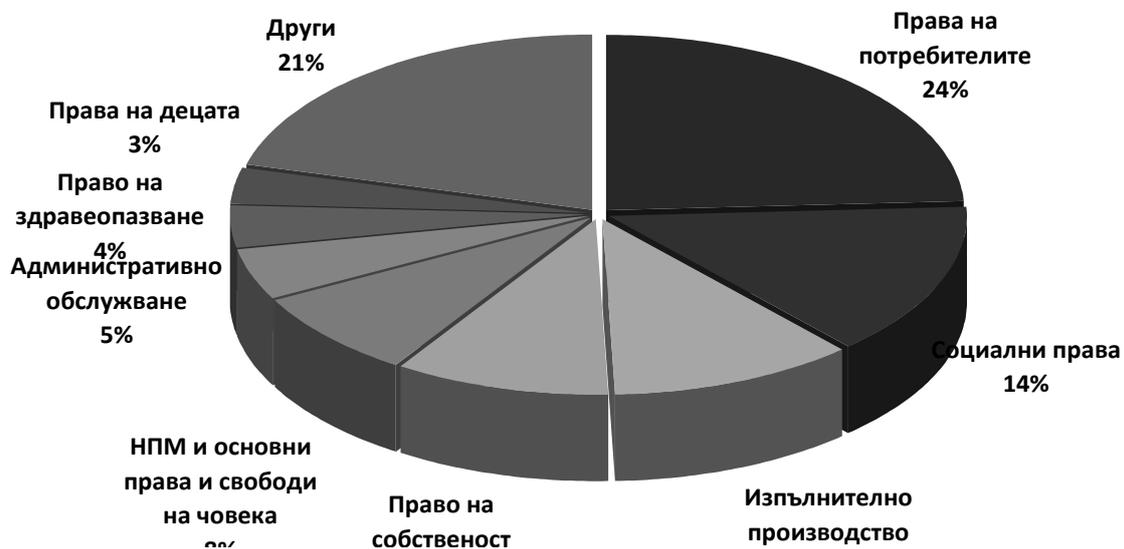
Region	number	%	number	%
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Blagoevgrad  
 Bourgas  
 Varna  
 Veliko Turnovo  
 Vidin  
 Vratsa  
 Gabrovo  
 Dobrich  
 Kurdjali  
 Kyustendil  
 Lovech  
 Montana  
 Pazardjik  
 Pernik  
 Pleven  
 Plovdiv  
 Razgrad  
 Rousse  
 Silistra  
 Sliven  
 Smolyan  
 Sofia-Region  
 Sofia-Capital City  
 Stara Zagora  
 Turgovishte  
 Haskovo  
 Shoumen  
 Yambol  
 Unidentified  
 TOTAL

**Complaints and whistle blows filed in 2016 and 2017 (number)**

Breakdown of violations reported	Number of complaints		Increase (2017/2016)
	2016	2017	
Rights of children	297	426	43,4%
Rights of people with disabilities	291	314	7,9%
Discrimination	22	35	59,1%
Protection of citizens in enforcement proceedings	601	1 401	133,6%
Right to education	186	300	61,3%
Right to healthcare	421	494	17,3%
Social rights	1 429	1 790	25,3%
Right to good administration service	547	575	5,1%
Right to property	1 169	1 228	5,0%
Pleas for revisions in the legislation	233	297	27,5%
Other violations	5 466	5 810	6,3%
<b>Total</b>	<b>10 640</b>	<b>12 635</b>	<b>18,8%</b>

**Complaints and whistle blows reporting violations of rights and filed in 2017 (%)**



Rights of children (3%)  
 Right to healthcare (4%)  
 Administrative service (5%)  
 NPM and fundamental human rights and freedoms (8%)  
 Right to property (10%)  
 Enforcement proceedings (11%)  
 Social rights (14%)  
 Consumer rights (24%)  
 Other rights (21%)

#### *Citizens who approached the institution in 2016 and 2017 (number)*

Checks, citizens who were received and counseled	Number	
	2016	2017
Completed checks on citizens' applications	9 675	12 539
Citizens who were received and counseled in the Ombudsman's reception office	5 583	6 682
Advice, counsel and information by telephone	10 403	11 819
Citizens received by the Ombudsman	1 109	2 465
Citizens received by the Deputy Ombudsman	267	1 124
Citizens received by the Head of the Ombudsman's Office	None	156
Citizens received by the Secretary General	None	123

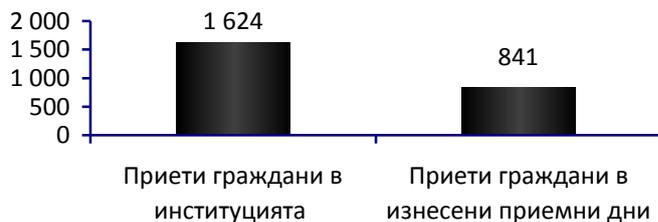
The growing public confidence in the Ombudsman institution in 2017 is to be attributed to the energetic work done and the results achieved in the protection of the citizens' rights and interests. The process is most visible in the Ombudsman's reception office which was daily visited by some 25 to 30 citizens while the incoming telephone calls were over 50.

**Away reception office was opened in 17 towns and villages:** Hitrino, Kurdjali, Yambol, Rousse, Lovech, Ispereh, Bratya Daskalovi, Gurkovo, Gulubovo, Kazanluk, Muglizh, Nikolaevo, Opan, Pavel Banya, Radnevo, Stara Zagora and Chirpan.

A total of 841 citizens visited the away reception office and were advised while the office that was opened for all municipalities in Stara Zagora Region was visited by 115 people. Not least, it is needed

to add the Ombudsman’s visits to over 80 towns and villages to deal with citizens’ unresolved problems.

### **Citizens received personally by the Ombudsman in 2017**

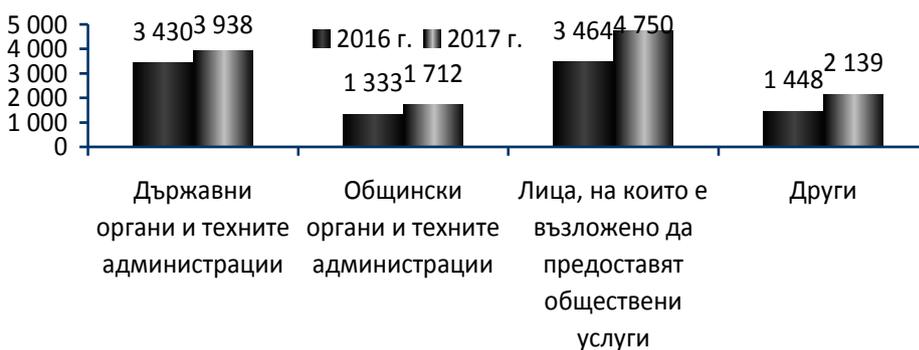


#### **In the headquarters**

#### **In away reception offices**

The growing number of visits and calls are a result of the institution’s expert activity and of the individual approach to each citizen’s problem. Data clearly indicate the trend: 6682 citizens were received and counseled; 11,819 telephone calls were answered and provided specific advice and counsel and information. By way of comparison: the visits in 2016 were 5583, or 1099 fewer (19.68% increase), the calls were 10,403, or 1416 fewer (13.61% increase).

### **Finalized complaints and whistle blows in 2016 and 2017 (number), breakdown by the implicated agency**



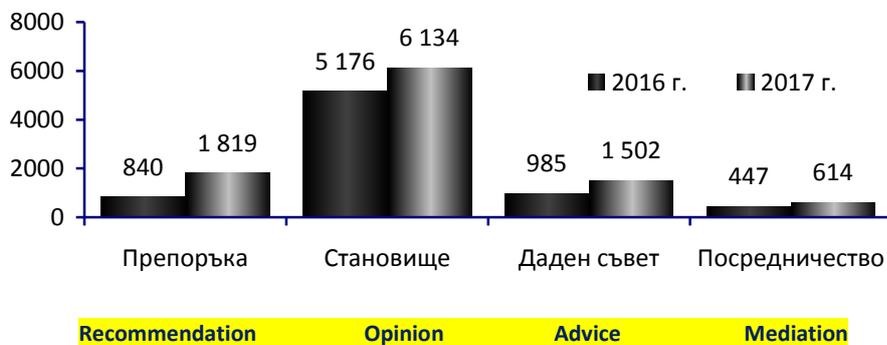
#### **Government institutions and their administrations**

#### **Local authorities and their administrations**

#### **Public utilities service providers**

#### **Other**

### **Results of checks on complaints and whistle blows in 2016 and 2017 (number)**



### Impact on the legislation

In 2017 following discussions and consultations with the Constitutional Consultative Committee with the institution the Ombudsman approached the Constitutional Court with two challenges of the constitutionality of a law that, as claimed, violated citizens' rights and freedoms and the Supreme Administrative Court with two requests for an interpretative decision to address controversial jurisprudence.

### Positions and proposed draft legislation

In 2017 the institution received as follows: 43 requests that the Ombudsman approach the Constitutional Court; 297 requests for changes in the legislation and 12 requests for interpretative decisions.

During the year the Ombudsman successfully engaged with a legislating process to protect citizens' rights that covered:

- the Code of Civil Procedure, the International Commercial Arbitration Act
- the Code of Civil Procedure, the Private Enforcement Agents Act
- the Labor Code, the Commerce Act, the Act on Factory and Office Workers' Claims Guaranteed in the Event of Their Employer's Bankruptcy, the Public Procurement Act
- the Road Traffic Act
- the Agricultural Land Ownership and Use Act, the Farming Lease Act
- the National Health Insurance Fund Budget Act
- the Election Code
- the Social Insurance Code
- the Act to Settle the Rights of Citizens with Long-Standing Home Purchase Savings Deposits
- the Physical Education and Sports Bill.

### Monitoring on the enforcement of international human rights acts

Amendments to the Ombudsman Act were introduced in early 2018 to align the institution to the highest standards of human rights protection as in the United Nations Paris Principles.

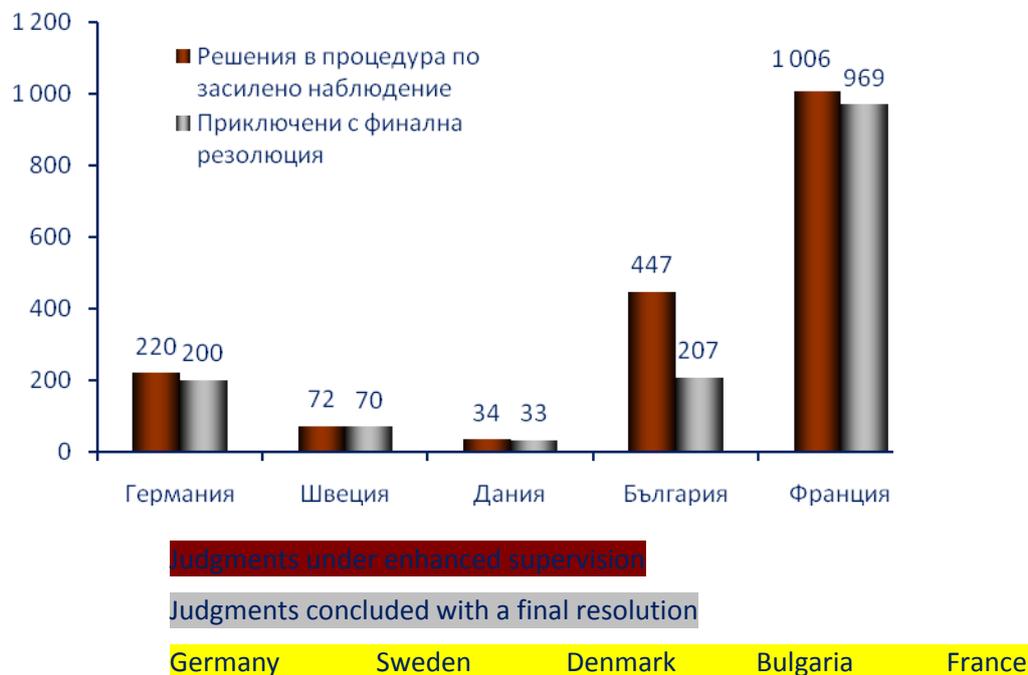
In 2017 the number of cases pending before the European Court of Human Rights (ECHR) and the cases under enhanced supervision on a general level, for all member states of the Council of Europe, tended to decrease.

Since 1992 a total of 654 judgments against Bulgaria have been under enhanced supervision. A total of 447 judgments out of these were concluded with a final resolution and were counted as executed. As of yearend 2017 the Committee of Ministers monitored 207 judgments against Bulgaria.

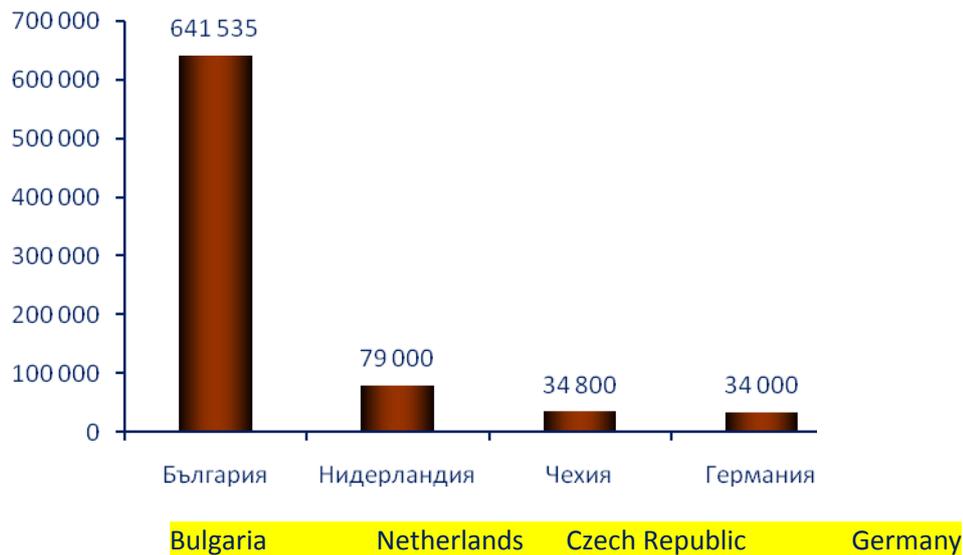
To compare, with 220 judgments under enhanced supervision Germany procured a final resolution on 200 judgments and was left with just 20 cases under the supervision of the Council of Ministers. With 72 judgments under enhanced supervision Sweden complied with the recommendations on 70 and

was left with just 2 cases under supervision. With 34 judgments under supervision Denmark conformed on 33 and was left with just one case under enhanced supervision. With 1006 judgments under enhanced supervision France coped with 969. Currently France has still 37 judgments to execute and these are supervised by the Committee of Ministers.

**Total number of judgments under enhanced supervision and concluded with a final resolution before December 2017 – breakdown by states**



**Compensations paid under ECHR judgments in 2017 (Euro)**



## Campaigns and initiatives



### Interdiction on arbitration courts to try citizens

Acting on a proposition of the National Ombudsman the National Assembly approved amendments to the Code of Civil Procedure whereby consumer disputes cease to be subject to arbitration.

### Campaigns to parry abuse by public utilities service providers

The Ombudsman supported civil society associations in their legal dispute over the natural gas, heating and electricity tariffs.

The Ombudsman approached the Supreme Administrative Prosecutor's Office to claim the illegitimate decision to increase the water supply and sewerage disposal prices in 14 regions.

## **Amendments to legislation to protect citizens' rights in enforcement proceedings**

The Ombudsman initiated amendments to the Code of Civil Procedure and to the Private Enforcement Agents Act to codify certain changes in the mode of notification and thus disallow to try citizens who are unaware, give a chance to debtors to make the settlement within the framework of the trial and before their debt is transferred to a private enforcement agent, make commensurate the security and enforcement provisions with the amount of the debt, allow to contest the appraisal of the immovable property and the selling price of the tenement, to set a ceiling on the fees and costs to be borne in enforcement proceedings by citizens who failed to settle after the notification.

## **Amendments to protect employees against their dishonest employers**

The National Assembly enacted the Ombudsman's proposed amendments to guarantee the rights of factory and office workers.

The Ombudsman set up a hotline/a direct telephone linkup to be used by citizens to report against cheating employers and to get advice how to proceed to be paid their unpaid wages from the Fund "Guaranteed Claims of the Factory and Office Workers" in the event of bankruptcy of the employer.

## **The Ombudsman: an advocate for fair freehold/leasehold land deals and an objector to "squatting"**

The Ombudsman proposed amendments to the Agricultural Land Ownership and Use Act and to the Farming Lease Act to protect the farmland owners. It was proposed to pose extra requirements to the entities that are willing to conclude contracts for farmland use and to formulate and establish clear rules that would enable notaries and registrars to verify the performance of the contracts so as to prevent grounds that are valid only on their face and that allow entities that are not owners to lease farmland. Rules were proposed as to how to strike off the registrations of contracts that have been concluded by non-owners.

## **"Our child" – a campaign to protect the rights of children and to make them aware of what the Ombudsman is and does**

"Hard childhood" was the video that featured eminent Bulgarians to make children aware of what the Ombudsman institution is and does.

A special booklet that was released within the framework of the campaign is an introduction to the rights of children with an adapted version of the UN Convention on the Rights of the Child to explain the rights and also the institutions for their protection. Meetings were held with over 3000 children and pupils and over ten schools around the country were visited.

## **"Donation, not Dumping" – a campaign that advocates exempting food donations from VAT**

The amendments to the Value Added Tax Act in effect from 1 January 2017 exempt food donations from VAT.

## “Easter for Everyone – Give a Gift to Grandma and Grandpa”

In 2017 the Ombudsman’s fund-raising initiative reported over one million leva in cash and in kind (food). Dozens of thousands of pensioners across the country who were not eligible to an Easter bonus to their pension and socially vulnerable people received vouchers and food products for the great Christian feast.

## Campaign against double standards on foodstuffs within the European Union

Within the campaign the Ombudsman had a meeting with Mrs. Věra Jourová, Commissioner for Justice, Consumers and Gender Equality, and with the European Ombudsman Mrs. Emily O’Reilly. A petition was submitted to the European Parliament by the Ombudsman, citizens and NGOs against the ministers of agriculture; the petition was signed by the participants in a public discussion “Europe with double standards on foodstuffs: are the rights of Bulgarian consumers protected”; the discussion was organized by the National Ombudsman.

The Ombudsman represented Bulgaria at the summit for equal quality of products for all that was held in Bratislava, Slovakia and made a commitment for the organization of a forum with a focus on unfair and misleading marketing of food products that discriminates citizens of Eastern Europe and for putting it on the agenda of the Bulgarian Presidency in 2018.

## International activities



In 2017 the Ombudsman energetically engaged in international activities to promote cooperation with European and world partners. International cooperation was of substantial significance to the solution of current problems on the international agenda that impinge on the Bulgarian citizens’ rights and that call for concerted action on the part of the competent institutions.

The National Ombudsman's full membership in international organizations that seek to exchange experience and to promote mutual understanding about human rights as a universal value equally contributed to international cooperation. Some of these are:

- the International Ombudsman Institute;
- the European Network of Ombudsmen;
- L'Association des ombudsmans et médiateurs de la Francophonie (the Association of Ombudsmen and Mediators of the French-speaking World);
- the European Ombudsman Institute;
- the network of National Human Rights Structures with the Council of Europe;
- the Children's Rights Ombudsmen Network in South-East Europe (CRONSEE);
- the Ombudsman is an associated member of the European Network of Ombudspersons for Children (ENOC).

One of the issues which the National Ombudsman brought into the focus of attention of the international community in 2017 was the double standard on food products from the same brand in Eastern, Central and Western Europe.

On 14 March 2017 the Ombudsman sent letters to Mrs. Věra Jourová, Commissioner for Justice, Consumers and Gender Equality, and to the European Ombudsman Mrs. Emily O'Reilly to insist that an end be put to the attitude of discrimination and double standards to the Bulgarian consumers.

In 2017 the Ombudsman of the Republic of Bulgaria engaged in closer and vigorous international cooperation in the rights of children with the European Network of Ombudspersons for Children and with children's organizations that operate in Bulgaria.

### **Project "Strengthening the capacity of the Ombudsman of the Republic of Bulgaria to perform independent monitoring and to promote the rights of children"**

In 2017 the Ombudsman completed a project "Strengthening the Capacity of the Ombudsman of the Republic of Bulgaria to perform independent monitoring and to promote the rights of children". The project was funded under a Grant Agreement № BG 01-UF-01/7.01.2016 signed between the Fund for Bilateral Relations at National Level under the Financial Mechanism of the European Economic Area and the Norwegian Financial Mechanism 2009-2014 and the Ombudsman of the Republic of Bulgaria. The official partners are UNICEF-Norge and UNICEF-Bulgaria and the informal partner is the Ombudsman for Children in Norway. The project completed provides a good steppingstone for the National Ombudsman to function as an independent monitoring authority to protect the rights and interests of children and to publicize the UN Convention on the Rights of the Child.

## **Priorities and events in 2018**

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1. **Protection of citizens with excessive debts** and motion of a bill on the insolvency of natural persons.
2. Campaign to be launched **to support citizens in their deals with the banks** in view of the banking institutions' privileged status.



3. Advocacy for **citizens' rights if impinged on by debt collection companies.**
4. Trimming the possibility for **fast credit lenders to encroach on citizens' rights.**
5. Third national campaign "Easter for Everyone – **Give a Gift to Grandma and Grandpa**".
  - **„Sufficiently sufficed” – campaign against food dumping.**
  - **Safe and healthy child nutrition.**
6. **Submission of a Special Report on the Rights of Children to the National Assembly.**
7. Organization of a High-level Forum **„Time to Table the EU Double Standards on Foodstuffs”.**
8. Commemoration of the 70<sup>th</sup> anniversary of the adoption of **the Universal Declaration of Human Rights.**

## 2017 Overview

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**It was an eventful year. Here are some significant events:**

**12 January 2017**



The Ombudsman: *„Today's victory over the arbitration courts and the monopolies is historic.”*

The Members of Parliament approved on second reading the amendments as proposed by the Ombudsman to the Code of Civil Procedure whereby consumer disputes cease to be subject to arbitration and the legal advice fees went down almost sixfold.

**17 January 2017**

The Ombudsman appealed to the National Assembly Speaker Mrs. Tsetska Tsacheva and to the chairpersons and co-chairpersons of all parliamentary groups in the 43<sup>rd</sup> National Assembly to support and approve the bill amending the Obligations and Contracts Act. The amendment set a ceiling on interest arrears.

**20 January 2017**

Following the Ombudsman's interference the Bobov Dol miners were paid their delayed compensations long before the deadline that was initially agreed between them and the management of Vagledobiv Bobov Dol. The Ombudsman interfered after the protesters, the miners, reported to her the default on the payments due to them for statutory leaves, salaries and food vouchers and after the two-day denied access to the lorries carrying coal from the mines to the Bobov Dol Thermal Power Plant.



31 January 2017



*“As an Ombudsman I stand ready to contribute to make sure that deinstitutionalization becomes an irreversible process, to participate in the communication of the problems, to seek solutions and to be behind the problems and the fate of each and every child. The deinstitutionalization of children is a cause I would not retreat from.”* The statement was made by the Ombudsman at a conference on the deinstitutionalization of children in Bulgaria. The conference was organized by the Know-how Center for Alternative Childcare with the New Bulgarian University.

2 February 2017



A sum total of 2,076,495 leva was what the national charity campaign of the Bulgarian Red Cross (BRC) raised for the villagers of Hitrino. This was announced at the second sitting of the National Public Council in charge of fundamental management, chaired by the National Ombudsman Maya Manolova and the BRC President Hristo Grigorov.

7 February 2017

The Ombudsman attended the signing of the bilateral agreement between the Italian businessman Luigi Capriotti and delegates representing the workers of the dressmaking firm Abbondanza in Doupnitsa. The workers protested and turned to the Ombudsman as the businessman owed two salaries each, or some 150,000 leva. The agreement materialized on 17 February 2017 owing to the effort of the Ombudsman and the institution's experts who helped in the wording of the document.



15 February  
2017

The Ombudsman put on pajamas to support children with cancer diagnosis. The initiative was organized jointly with the Association for Children with Oncohematological Diseases to give publicity to the problems of children who struggle with the grave and insidious disease.



23 February  
2017



Following a discussion with the Ombudsman the Ministry of Interior increased the bonuses it pays to policemen. The National Ombudsman stated at the meeting:  
*"The chaos that the latest amendments to the Mol Act caused must be eliminated. What a ministry of a caretaker government can do immediately is to make changes in the secondary legislation, yet these will not be sufficient."*

2 March 2017



The Ombudsman met protesters, workers from the shoemaking factory in the town of Vetren, who turned to her to plea for the salaries, paid leaves and compensations that had not been paid them after they were made redundant.

7 March 2017

The second “edition” of the campaign “Easter for Everyone” under the patronage of the Ombudsman was launched with a prayer for success and the blessing of His Holiness Patriarch Neofit. The donations made in 2017 amounted to 1 million leva in cash and in kind (food). The cash was converted into vouchers, each with a value of 20 leva for 33,000 pensioners who had the choice to spend them in 5000 shops across the country. This year again the value of each voucher will be 20 leva and again the choice will be 5000 shops across the country.



10 March 2017



Following a meeting at the Ombudsman headquarters three ministries promised: the VAT act concerning food donations will go into effect within two weeks.



*“The rights of children are identical all over as they are placed under the protection of universal standards and institutions. However, the level of protection and performance varies from state to state depending on the capacity and experience of the institutions, on the attitude and tolerance within society and not least, on the efficient child-oriented policies,”* the Deputy Ombudsman said.

This was the welcoming statement to the experts from Norway and Bulgaria who attended a three-day training course within the project “Strengthening the capacity of the Ombudsman of the Republic of Bulgaria to perform independent monitoring and to promote the rights of children”, implemented in partnership between the Ombudsman of the Republic of Bulgaria, UNICEF-Bulgaria and UNICEF-Norge.



No doubt, the most interesting part was work with young people from Teodor Trayanov Secondary School No. 10 in Sofia who are members of a UNICEF club for the rights of children. They discussed with enthusiasm current issues like brutality and aggression at school and their access to institutions in Bulgaria.

12 April 2017



The Ombudsman and the Bulgarian Foodbank make a donation: the first several tons of food exempt from VAT.

20 April 2017

10-year old Niya became the Ombudsman’s first ambassador in the town of Silistra.

The Ombudsman met Niya Atanassova from Silistra who came specially to the institution to take an interview. The girl is working to prepare a project on the protection of the rights of children for her participation in the national Olympiad on citizenship education organized by the Ministry of Education and Science.



21 April 2017



The Ombudsman approached the Constitutional Court with a challenge of the constitutionality of Art. 245, para 1 of the Labor Code (LC) which makes it binding on employers in financial difficulties to pay their employees a remuneration in an amount of up to 60% of the owed remuneration.

25 April 2017



The Ombudsman will submit to the National Assembly amending texts to parry the misconduct and acts of outrage by private enforcement agents, banks, monopolies and fast credit lenders. This was announced at a discussion on “How to protect citizens against the misconduct on the part of private enforcement agents, banks and monopolies”, organized by the Ombudsman.

3 May 2017

A solution could be the establishment of a National Fund to accumulate money to be paid for compensation in the event of overbuilding. The idea was launched by the Ombudsman at a meeting with residents of Trakia Quarter in Plovdiv who complained against the large-scale construction in the residential area opposite the kindergarten. The people insisted that children’s playgrounds should exist around their blocks of flats rather than a two-storey car park.



9 May 2017



*I will always take your side. It is true that your teachers and the headmaster are free to appeal to the Ombudsman, yet, if there is a dispute, I will take your side as they are old enough to cope with difficulties in complicated situations".* This is what the Ombudsman promised students from Vassil Karagyozov School at a meeting.

11 May 2017

A sum of 1810 leva was raised at a charity evening to support children and young people with disabilities in the Siyanie family-type centers in Kyustendil.

*"The idea of this event was to present the foundation and to make the children from the Siyanie centers more visible to the people in Kyustendil. They are our children, they are not less endearing, less talented or in lesser need of attention, love and care",* Ombudsman Maya Manolova said.



1 June 2017



The Ombudsman, 100 kila, Anelia, Yana Marinova, Alex Surchadjieva, Mihaela Fileva and the SkandaU boy band gave the kickoff to Our Child campaign.

With the premiere release of a video the Ombudsman launched the national campaign Our Child. The purpose of the initiative is to raise public awareness of children's rights whose protection is among the Ombudsman's top priorities.

9 June 2017



The Ombudsman presented the first mobile boarding ramp for people with disabilities in the Sofia Metro.

19 June 2017



The Ombudsman: “The rights of children are daily violated”, at the closing forum of the project “Strengthening the capacity of the Ombudsman of the Republic of Bulgaria to perform independent monitoring and to promote the rights of children”, implemented in partnership with UNICEF-Norge and UNICEF-Bulgaria.

The event was attended by: Anne Lindboe, Ombudsman for Children in the Kingdom of Norway; Maria Jesus Conde, UNICEF Representative in Bulgaria; Ivar Stokkerei, Manager in UNICEF-Norge; Ass. Prof. Dr Velina Todorova, member of the UN Committee on the Rights of the Child.

Maya Manolova distinguished the first ambassadors of the Ombudsman among children: Niya Atanassova from the town of Silistra, Emiliyana Stankova (Ema) from the town of Pernik, the school ombudsman of Vassil Karagyozov Foreign Languages High School in the town of Yambol – Ivana Yaneva, and her deputy Iveta Hristova. The children will have the responsible task to promote the role of the institution of the Ombudsman as a guardian of the rights and interests of children.

5 July 2017



The Ombudsman supported the establishment of a traffic safety agency at a meeting organized by NGOs and by friends and relatives of people who were killed in traffic accidents to discuss road traffic safety and security. The Ombudsman joined the street protesters in their peaceful march to the Council of Ministers to demonstrate compassion for all Bulgarian families who had suffered the death of a family member or who had been injured in road traffic accidents.

7 July 2017

The Members of Parliament unanimously trimmed the powers of private enforcement agents.

From the rostrum of the National Assembly the Ombudsman thanked the MPs right after the unanimous adoption of the four bills that incorporated new texts into the Code of Civil Procedure.



4 August 2017



The Ombudsman met again employees of the Piccadilly store chain whose last employer was Select Trade EOOD and informed them what the institution had done on their complaints reporting a nonpayment of their salaries since December 2016 and ongoing default. The Ombudsman informed them about the letters in which she insisted that the case be examined and which she sent to the Prosecutor General Sotir Tsatsarov, the National Revenue Agency (NRA), the Fund “Guaranteed Claims of Factory and Office Workers”, the General Labor Inspectorate Executive Agency and the National Social Security Institute (NSSI).

9 August 2017

The Ombudsman sent a letter of reminder to the Central Elect Commission to caution that within the next five months and e shorter the CEC should carry out three simulations of rem electronic voting as per the election legislation in force.



**24 August 2017**



Ombudsman Maya Manolova: *“Over 21,000 children dropped out of school within a year.”* The Ombudsman stated this fact at the National Roundtable that was held in the town of Assenovgrad and that was dedicated to real policies and efficient solution of the problems of ethnic integration. The Ombudsman visited the Roma neighborhood in Assenovgrad and got confirmation that in general children cannot speak Bulgarian.

**4 September  
2017**



The Ombudsman made a presentation of her proposed amendments to the Agricultural Land Ownership and Use Act and the Farming Lease Act before she submitted them to the National Assembly. The problem arose after an amendment that the 43<sup>rd</sup> National Assembly approved virtually on its last day for the Farming Lease Act. The amendment abolished the required sketch of the property that had to be lodged upon the registration of a lease contract with the Registry Agency.

**8 September  
2017**



The Ombudsman met Mariya Gabriel, Commissioner for Digital Economy and Society. The Ombudsman and the Commissioner discussed the key areas in which they are willing to cooperate and to exchange experience such as personal data protection, cyber security, civil society organizations, and the citizens' complaints that are filed with the Representation of the European Commission in Bulgaria. Maya Manolova made a commitment to assist, if need be, in the solution of their problems.

18 September  
2017

**The Ombudsman insisted on single legislation against the double standard on foodstuffs within the EU.**

The Ombudsman, the Deputy Ombudsman Diana Kovacheva, the Minister of Agriculture, Food and Forestry Rumen Porodzanov, the Deputy Minister of Health Svetlana Yordanova, the Members of the European Parliament Andrey Kovatchev, Emil Radev (by e-mail), Momchil Nekov, Iskra Mihaylova, Georgi Pirinski, Svetoslav Malinov and Vladimir Urutchev



signed a declaration to the European Commission, the European Parliament and the Council of Ministers of Agriculture to oppose the double standard on foodstuffs within the EU. The document was presented at a forum that the Ombudsman organized in the National Assembly under the heading “Europe with double standards on foodstuffs: are the rights of Bulgarian consumers protected” and insisted that single legislation be passed on food.

18 October 2017



The Ombudsman trimmed the powers of private enforcement agents.

*“This is the first parliament that had the courage to take the important step and to trim the excessive powers of private enforcement agents.”* This is what the Ombudsman stated from the rostrum of the National Assembly after the final approval of the amendments to the Code of Civil Procedure.

The texts that were initiated by the Ombudsman terminate the possibility to try citizens who are unaware that they face trial. Debtors are given a chance to make the settlement within the framework of the trial and upon demand and before their debt is transferred to a private enforcement agent. The reprisal and enforcement measures imposed on the debtor are made commensurate with the amount of the debt.

25 October 2017



The Ombudsman and the Executive Director of the National Network for Children Georgi Bogdanov had a joint lecture for students of the Bulgarian School of Politics “Dimitry Panitza”.

**7 November  
2017**

The Ombudsman and the BRC President Hristo Grigorov insisted that the EVN electricity distribution company write off the November electricity bills of the households that were hit in the floods in the Municipality of Kameno.



*“Over 250,000 leva are now on the Bulgarian Red Cross bank account. The fund-raising continues and anyone willing to contribute by an SMS should dial 1466”, the Ombudsman said as she visited some of the disaster areas.*

**7 November  
2017**



A total of 1016 reports of abuse of children were filed with the Child Protection Units between January and September; the coordinating mechanism of interaction was put into operation for 694 of the reported cases. The fact was communicated at a roundtable titled “Challenges to and recommendations for guaranteeing the rights of children who suffer/suffered in maltreatment”. The roundtable was organized by civil society organizations and with support from the Ombudsman.

**14 November  
2017**



The Ombudsman required that a perpetual moratorium be declared on the extraction of subsoil oil and gas providing there is farmland on the surface.

15 November  
2017



The Ombudsman supported the mayors of small towns and villages who asked for financial decentralization at a meeting of the National Association of Mayors of Mayoralties that took place in the city of Plovdiv.

16 November  
2017



The Ombudsman attended the opening of the 5<sup>th</sup> national meeting of delegates of the students' parliaments – the Leaders Academy “School for Tolerance”, organized by the Amalipe Center.

20 November  
2017



The Ombudsman and experts from the institution participated in the forum „Voice It 2017: Youth Opinion Matters” that was organized for a third year in a row on the World Children’s Day by the National Network for Children and the Megaphone Youth Network.

The Ombudsman appealed to all participants to support the petition of the Association of Bulgarian Schools Abroad to the European Parliament: *“We want to give our children a chance to sit at*

matriculation exams in Bulgarian language in the EU member counties, like their coevals whose mother tongue is English, French, Italian, German, Spanish”, “Maya Manolova explained.

21 November  
2017



The Ombudsman attended a youth forum: “Education, training and work is the path to success”.

30 November  
2017



The Ombudsman: “In 2017 Bulgaria was sentenced to pay compensations to the amount of some 800,000 Euro.” This figure was reported by the Ombudsman at a conference that the institution organized to mark the 25<sup>th</sup> anniversary of the ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The heading of the forum was “European standards of human rights protection: the impacts of the Strasbourg Court jurisprudence on the national legislation and on the institutions.”



Co-organizers of the forum were: the Bulgarian Helsinki Committee, the Access to Information Program Foundation, the Open Society Institute – Sofia, the Association for European Integration and Human Rights and the Bulgarian Lawyers for Human Rights.

1 December  
2017

The Ombudsman opened an exhibition of people with disabilities, “Beyond the Visible” that was arranged in Parliament.





3 December  
2017



The Ombudsman strapped a backpack to her shoulders. It was heavy – 6 kilograms plus something, and is what a sixth grade pupil carries every day. With this burden to carry the Ombudsman ran a couple of yards along the alleys of the Southern Park in Sofia. Together with the children and their parents the Ombudsman supported the rally organized by mothers from all over Bulgaria, the motto being “Everything looks easy when someone else does it” to protest against the heavy “luggage” that children from the fourth to the seventh grade at school have to carry every day.

6 December  
2017



The Supreme Administrative Court ruled for the Ombudsman in the case the Ombudsman vs the Sofia District Heating Company/Toplofikatsiya Sofia EAD.

7 December  
2017 г.

The Ombudsman lodged a claim against the water price with the prosecutor’s office.  
The Ombudsman would insist that the Energy and Water Regulatory Commission (EWRC) comply with the Water Supply and Sewerage Services Regulation Act whereby it provides for the regulatory authority to determine the general terms and conditions of the contracts with the water supply and sewerage disposal service providers. That is to say individual contacts are to be concluded with consumers and the modus operandi heretofore with general



terms about the services provisions is to be abandoned.

13 December  
2017



*“Anyone who was not paid his or her wages by their dishonest employers in the past three years, will be paid their unpaid wages from the Fund for Guaranteed Claims of Factory and Office Workers from Bankrupt Enterprises.”* This is what the Ombudsman stated at a briefing in the National Assembly today, after the final approval on second reading of the amendments to the Labor Code that strip dishonest employers of the loophole that made it possible for them to withhold salaries, social security contributions and overtime wages and to default on social commitments to their employees.

15 December  
2017



The Ombudsman delivered a lecture on the functional powers of the institution in the protection of the rights of children for an audience of schoolboys and schoolgirls from the forth, sixth and seventh grade of Krakra Pernishki Primary School No. 8 in the town of Pernik. The Ombudsman was invited by 13-year-old Emiliyana Stankova who is one of the first to become a child ambassador of the institution.

21 December  
2017

The Ombudsman: *“The people of the Municipality of Kameno are Bulgaria’s heroes.”* This is what the Ombudsman told the media in the village of Cherni Vruh in the Municipality of Kameno after she “cut the ribbon” of the kindergarten that was renovated after the flood disaster in the Region of Bourgas.



The money for the renovation was a bulk of unclaimed vouchers in an amount of 23,000 leva for the Easter for Everyone campaign. The money was spent to buy new beds and mattresses for the children and for some indispensable repairs.

28 December  
2017



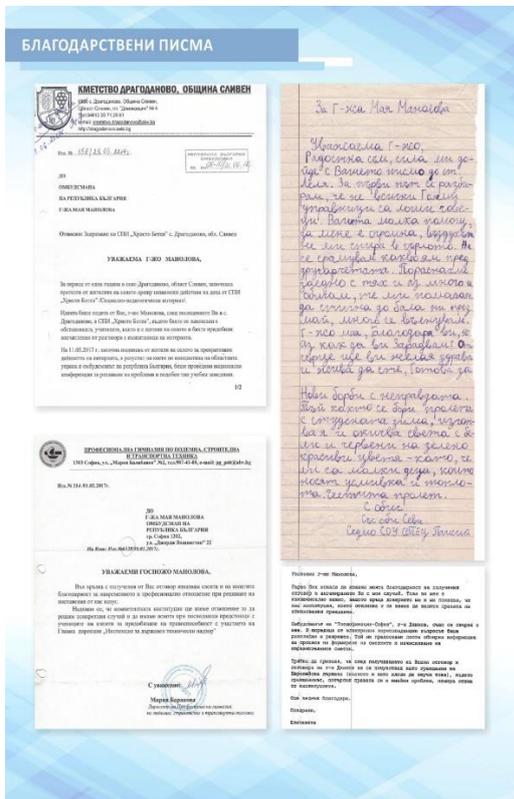
The Ombudsman met the NSSI Governor to submit texts that would protect the miners' retirement and pension rights.

29 December  
2017

The Ombudsman launched a campaign to support single-parent children, in response to an angry letter to Santa Claus that was written and sent by a single mother of three children, Zlatina Hadjipanayotova by name, who turned to the Ombudsman, among other institutions, to appeal that assistance be provided to children who, for some reason, have only one parent.



## Letters of gratitude



## The institution of the Ombudsman of the Republic of Bulgaria was established in 2005, following the adoption of the Ombudsman Act by the National Assembly.

### What is an ombudsman?

An ombudsman is an advocate for the rights of people and a defender of the public interest. The ombudsman is a supreme and independent Constitution-established authority that is elected for a five-year term in office by the National Assembly. The ombudsman is independent in his/her activities of the other authorities and obeys only the Constitution, the laws and the international treaties that have been ratified and come into force with respect to the Republic of Bulgaria.

### Who can appeal to the ombudsman?

Every citizen (Bulgarian or non-Bulgarian) is free to approach the ombudsman to complain against or report about the actions of omissions of:

- Central government and local government institutions and their administrations;
- Public service providers – e.g. district heating, electricity supply, telecommunication service, water supply, sewerage disposal, education, healthcare, etc.
- The administration of the Judiciary – in the event of unjustified yearlong lingering litigation.

### Who is the Ombudsman of the Republic of Bulgaria?

- Mr. Ginyo Ganev, 2005-2010
- Mr. Konstantin Penchev, 2010-2015
- Mrs. Maya Manolova, 20 October 2015 --

## The National Ombudsman: contact details



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