

„What we promise is to spare no energy, enthusiasm or will to perform even better this year and help even more people!“

Maya Manolova, Ombudsman of the Republic of Bulgaria

SUMMARY OF THE ANNUAL REPORT OF THE WORK OF THE OMBUDSMAN

2018



March 2019

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Introduction



There is no such thing as “This can’t be done”...

There is no such thing as “This can’t be done”... As long as the cause that one supports is good. In 2018 I was convinced that no matter how difficult and impossible an undertaking may appear at first, second or even third sight, justice shall finally prevail. It is a pity that valuable time is wasted, too much energy is spent in vain and a lot of efforts are involved to urge and sometimes even force those who can solve apparent problems. Problems which literally crush people, suppress their dignity and are a flagrant example of violated human rights.

As if it was not more than evident that the mothers of children with disabilities were absolutely right to require action and protest against the system that by its arrogant and inhuman approach, indifference and even cruelty condemned people with disabilities. Day after day, year after year, seven national protests that ran into a wall of bureaucratic irresponsibility and complete lack of empathy. It took even me almost a year to convince the Members of Parliament to adopt legislative amendments which are crystal clear, urgent and even compulsory. The most recent example are the Personal Assistance Act and Persons with Disabilities Act. Tens of hours spent in working groups, meetings with people with disabilities and organisations, asking for and insisting on changes. Finally these were adopted. And here I would like to thank from the bottom of my heart the mothers of children with disabilities for standing up and finally combatting the system. I admit that in the course of these long months when nothing happened, when the authorities turned a blind eye, when attempts were made to oppose one group of persons with disabilities to another, I would lose hope. But I never lost the direction. And the direction was towards Parliament, at the tent camp of the mothers and their children where together with the colleagues from the Ombudsman institution we would recharge our batteries and go on. Till victory. Because it was not just laws that were adopted. It was a group of brave women teaching the Bulgarian institutions and politicians a lesson that people’s voice must be heard.

This is very similar to the campaign that the Ombudsman institution launched together with Mrs Zlatina Hadzhipanayotova, a widow and mother of three, to protect the rights of children who have lost one or both parents. We drew up the new legislative provisions and amended the absurd legal regulation as regards children orphans, repealing the financial means test so that all children orphans receive financial benefits. However, it

took us almost a year to convince the State that fate has already punished these children and there was no need for the State to punish them, too.

In 2018 it appeared that insults and bitterness as a result of the system may be seen not only in the mothers' eyes. I saw these on the faces of the miners from Bobov dol. The hard-bitten men who have spent the better part of their lives under the ground, working the hardest physical work, were crushed by the obvious injustice of depriving them of their right of early retirement. So the battle took the known road – meetings with the competent institutions, ministers, and parliamentary standing committees... the attempt to deny them the social privilege failed. The Ombudsman submitted a draft law reinstating the previous position.

I can give many more examples of this incessant play on the nerves with the system. Each of the close to 13,000 complaints that the Ombudsman institution received in 2018 is citizens' collision with the system. We helped many, although some are perhaps not completely satisfied. But I assure you that we have approached every signal responsibly, not formally.

In 2018 I had the chance to experience how ill-meant actions turn out to have positive results. Without going in depth, I will only say that the decision to take away the office car of the Ombudsman that used to bring me fast to citizens everywhere in the country opened new opportunities and scope for action such as improvised receptions on the train and more contacts with people so that I can be even closer to them and their problems.

A priceless service, for which I am thankful!

МАЯ МАНОЛОВА

ОМБУДСМАН НА РЕПУБЛИКА БЪЛГАРИЯ

MAYA MANOLOVA
OMBUDSMAN OF THE REPUBLIC OF BULGARIA

A Year of Achievements

2015	2016	2017	2018	
16 214	27 037	34 908	36 892	Citizens and representatives of organisations that received support from the Ombudsman
3 925	17 362	22 369	24 634	Citizens and representatives of organisations admitted and consulted in the reception of the Ombudsman
6 202	10 640	12 635	12 890	Complaints and signals submitted to the Ombudsman
1 645	3 138	3 060	3 009	Complaints and signals from consumers of public services
761	1 429	1 790	1 989	Complaints and signals related to violations of social rights
889	1 169	1 228	1 296	Complaints and signals related to property issues
15	77	97	139	Places in the country where the Ombudsman has met citizens, including ad hoc and mobile receptions
4	18	20	30	Round tables and public discussions
2	11	10	11	Legislative initiatives
7	6	4	2	Referrals to the Constitutional Court/ Requests for interpretative decisions
1	4	11	13	National campaigns and initiatives / European campaign

Priorities for 2018

1. Protection of the rights of persons with disabilities
2. Protection of the labour rights of workers and employees
3. Protection of citizens' rights against abuse by the monopolies
4. Protection of the rights of the child

Campaigns and Initiatives in 2018

Legislation for Persons with Disabilities



After eight months of protests, the National Assembly adopted the Personal Assistance Act elaborated by the Ombudsman and the mothers of children with disabilities. This is by far the most criticised, denied and denigrated draft law ever, which went a long and difficult way to its unanimous and applauded adoption in Parliament.

„This is not a simple law, it is a law that the brave mothers of children with disabilities suffered through and gave a lesson to the Bulgarian public at large, Bulgaria's citizens and institutions, that a cause, even if impossible, may succeed if it is just and if there is belief till the very end. They taught the institutions and politicians a lesson that people's voice must be heard“, the Ombudsman said during a briefing in Parliament minutes after the Personal Assistance Act elaborated by the Ombudsman and mothers of children with disabilities was adopted at second reading.

Double Standard in Foods



A petition against the double standards in foods was launched by the Ombudsman, Deputy Ombudsman, the actor Kamen Donev, National Professional Union of Bakers and Confectioners, Bulgarian Medical Association, National Network for Children, National Representation of Students' Councils and Bulgarian Centre for Not-for-Profit Law. The petition was admitted for review by the Committee on Petitions in the European Parliament.

„An OLAF is needed in relation to the double standards in foods – a strong European body that persecute and imposes severe sanctions for frauds regarding foods, and not just a centre for enhancing knowledge about food quality that follows food frauds among other things“, the Ombudsman said during a press conference about the international forum from the calendar of events of the Bulgarian EU Presidency “Double standards in foods in the EU – let us put the problem on the table”. The forum was under the auspices of the Prime Minister and the Ombudsman, in cooperation with the Ministry of Agriculture, Forests and Foods, Ministry of Economy, Ministry of Health, the Bulgarian Food Safety Agency and the Commission for Consumer Protection.

20th session of the UN Committee on the Rights of Persons with Disabilities in Geneva



„Bulgaria has ratified the UN Convention on the Rights of Persons with Disabilities in January 2012, however despite the efforts of several governments, so far the national legislation does not fully comply with the standards laid down in the Convention“, the

Ombudsman said during the 20th session of the UN Committee on the Rights of Persons with Disabilities in Geneva.

The Ombudsman, Deputy Ombudsman and experts from the Ombudsman team are part of the Bulgarian delegation that represents the State before the Committee.

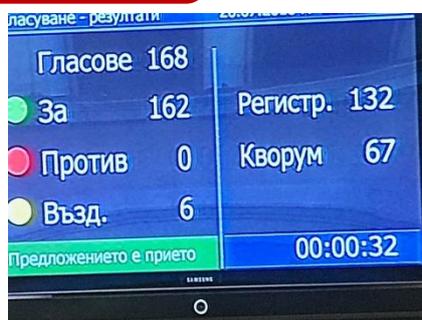
Campaign in support of children left without one or both parents



The Ombudsman and Mrs Zlatina Hadzhipanayotova, a mother of three, submit in Parliament draft legislative amendments regarding the conditions for children left without one or both parents to receive survivor's and personal pension.

„Children orphans are once punished when they are left without one or both of their parents. Then they are punished again, this time by the Bulgarian State refusing to grant them any support. For a child left without a parent to receive a survivor's pension, his or her parent must have paid his or her social insurance contributions for one, three or five years in a row, depending on the child's age. However, the child is not to blame that his or her parent has not paid his or her social insurance contributions for some reason”, the Ombudsman explained.

Miners' Pension Rights



The MPs adopted by 162 votes in favour, six abstentions, and not a single vote against legislative amendments in the Social Insurance Code proposed by the Ombudsman. These reinstate the previous terms and procedure for early retirement of miners – upon turning 45 years and four months of age.

No Fees for Kindergartens Campaign



„We launch a campaign for exemption of fees for kindergartens. Despite legal provisions rendering pre-school education mandatory, in particular for children at the age of five or six, and therefore free of charge, there a number of municipal councils in the country that have introduced fees. The monthly charges are an obstacle for many children to attend kindergartens“, the Ombudsman explained during a Bulgarian-Polish scientific conference on the rights of the child in historical and modern context.

„The investment in pre-school education has the greatest returns. Every government, every authority that thinks about the nation’s future should endorse the cause of exemption of fees for kindergartens, even if that means securing additional funds“, the Ombudsman explained at the first meeting of the expert interagency working group held in follow up of the Exemption of Kindergarten Fees Campaign, which the national defender symbolically launched on 1 June. The campaign intended to secure equal access to quality education and child care by encouraging nationally responsible policies in this regard.

Balkan Ombudspersons Network



The Ombudsman was elected chairperson of the Balkan Ombudspersons Network that was set up by 13 countries from the region, among which Serbia, Montenegro, Croatia, Romania etc. A declaration for cooperation and partnership was also signed during the forum upon the initiative of the Ombudsman.

Social Kitchen



The Ombudsman and Bulgaria's 'golden girls' launched a campaign targeted at the socially disadvantaged citizens in need or temporary difficulty. The campaign was supported by the Bulgarian Red Cross and gained the blessings of His Holiness the Bulgarian Patriarch and Sofia Metropolitan Neofit. It is conducted in a specially set up space in the yard of St. St. Cyril and Methodius church where citizens receive hot lunch every day.

Golden Apple Award



Номинирай своя
„ГЕРОЙ НА ДЕЦАТА“
на www.1june.nmd.bg

The Ombudsman was awarded Golden Apple during the National Annual Meeting of the National Network for Children comprising 150 non-governmental organisations working for the protection of the rights of the child in Bulgaria.

2018 National Campaign “Easter for Everyone”



In the framework of the third edition of the “Easter for Everyone” campaign, funds and food were collected for elderly people who do not receive additional allowance for Easter. The idea is to support people whose pension exceeds the minimum threshold by little. The collected funds are turned into vouchers of BGN 20 each and distributed following lists approved by the National Insurance Institute. Thus pensioners will be able to purchase food in 5,000 locations throughout the country. The elderly receive their vouchers in the post offices. With the support of the social patronage service, food is distributed to socially disadvantaged and poor people in the week before Easter.

The Case of Hitrino



More than 100 of the inhabitants of the village of Hitrino expressed their dissatisfaction during a meeting with the Ombudsman held on 18 September 2018. They explained to the Ombudsman their objections to the allocation of funds provided by the Social Protection Fund under a bilateral cooperation agreement signed between the Fund and the Municipality of Hitrino in the framework of the project “Social Support for the Population of Hitrino Village for Overcoming the Consequences of the Railway Incident of 10 December 2016”.

Status under the Principles relating to the Status of National Institutions (The Paris Principles)

All recommendations made by the UN Subcommittee on Accreditation have been followed and in October 2018 the national Ombudsman filed an application for accreditation with status A.

The UN Subcommittee on Accreditation will hold a session in March 2019.

The Year 2018 in Figures (Statistics)

Chart: Number of signals and complaints filed in over the period 2009-2018

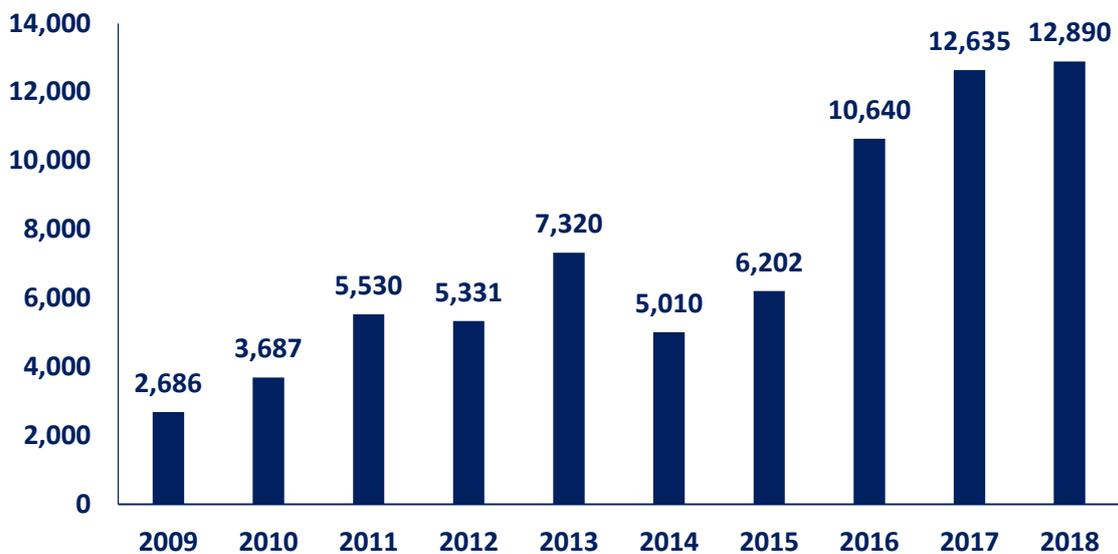


Table: Number of complaints filed in the course of 2018

I	II	II	IV	V	VI	VII	VIII	IX	X	XI	XII
1151	1019	898	841	955	871	766	709	1002	2576	1228	874

Chart: Percentage of complaints filed in 2018

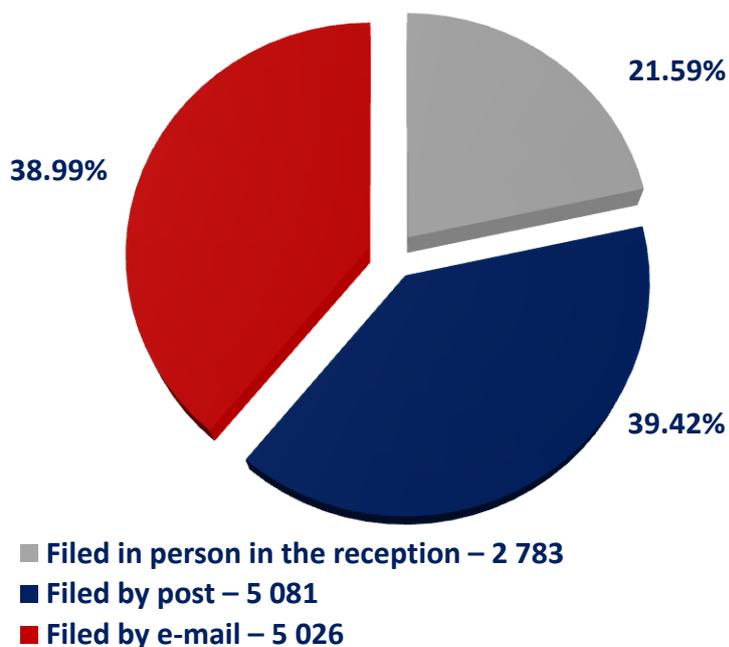


Table: Number and percentage of complaints and signals filed in the period 2016-2018, distributed per administrative regions.

Region	2015		2016		2017		2018	
	Number	%	Number	%	Number	%	Number	%
Blagoevgrad	168	2,71	243	2,28	311	2,46	290	2,25
Burgas	215	3,47	354	3,33	438	3,47	463	3,59
Varna	353	5,69	569	5,35	665	5,26	575	4,46
Veliko Tarnovo	151	2,43	261	2,45	323	2,56	312	2,42
Vidin	65	1,05	112	1,05	111	0,88	167	1,30
Vratsa	146	2,35	279	2,62	350	2,77	299	2,32
Gabrovo	92	1,48	180	1,69	166	1,31	130	1,01
Dobrich	68	1,10	167	1,60	177	1,40	160	1,24
Kardzhali	47	0,76	53	0,50	83	0,66	62	0,48
Kyustendil	113	1,82	272	2,55	260	2,06	218	1,69
Lovech	84	1,35	179	1,68	227	1,80	207	1,61
Montana	71	1,14	210	1,97	209	1,65	176	1,37
Pazardzhik	116	1,87	198	1,86	235	1,86	237	1,84
Pernik	113	1,82	218	2,05	290	2,30	261	2,02
Pleven	188	3,03	322	3,03	406	3,21	316	2,45
Plovdiv	336	5,42	654	6,15	797	6,31	570	4,42
Razgrad	45	0,73	71	0,67	96	0,76	73	0,57
Ruse	132	2,13	279	2,62	273	2,16	182	1,41
Silistra	38	0,61	66	0,62	67	0,53	113	0,88
Sliven	117	1,89	189	1,78	171	1,35	201	1,56
Smolyan	62	1,00	115	1,08	129	1,02	112	0,87
Sofia region	115	1,86	250	2,35	282	2,23	237	1,84
Sofia city	2 131	34,36	3 521	33,09	3 718	29,43	3 109	24,12
Stara Zagora	219	3,54	307	2,86	414	3,28	322	2,50
Targovishte	55	0,89	90	0,85	121	0,96	112	0,87
Haskovo	105	1,69	179	1,68	217	1,72	253	1,96
Shumen	48	0,77	126	1,18	161	1,27	267	2,07
Yambol	85	1,37	139	1,31	172	1,36	118	0,91
Unknown	724	11,67	1 037	9,75	1 766	13,97	3 348	25,97
Total:	6 202	100	10 640	100	12 635	100	12 890	100

Table: Number of signals and complaints filed in over the period 2015-2018

Distributed according to the type of violation	Number of complaints			
	2015	2016	2017	2018
Rights of the child	103	297	426	362
Rights of persons with disabilities	94	291	314	395
Discrimination	18	22	35	25
Protection in enforcement proceedings	183	601	1 401	832
National Preventive Mechanism and fundamental rights and freedoms	136	1 289	1 031	1 344
Right to education	131	186	300	439
Right to healthcare	272	421	494	607
Right to clean environment	112	190	213	330
Social rights	761	1 429	1 790	1 989
Consumer rights	1 645	3 138	3 060	3 009
Right to good administration	340	547	575	825
Right to property	889	1 169	1 228	1 296
Requests for referral to the Constitutional Court	269	69	43	119
Requests for legislative amendments	141	233	297	306
Requests for interpretative rulings	24	18	12	13
Other violations	963	482	1 208	872
Lack of specific violation	121	258	208	127
Total:	6 202	10 640	12 635	12 890

Chart: Number of completed complaints and signals over the period 2015-2018

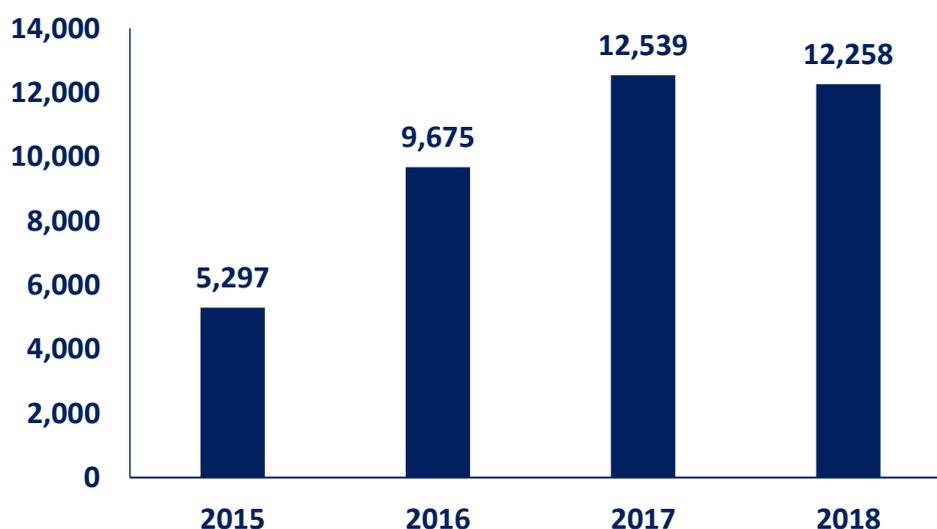


Chart: Number of finalised complaints and signals according to the alleged violator over the period 2015-2018

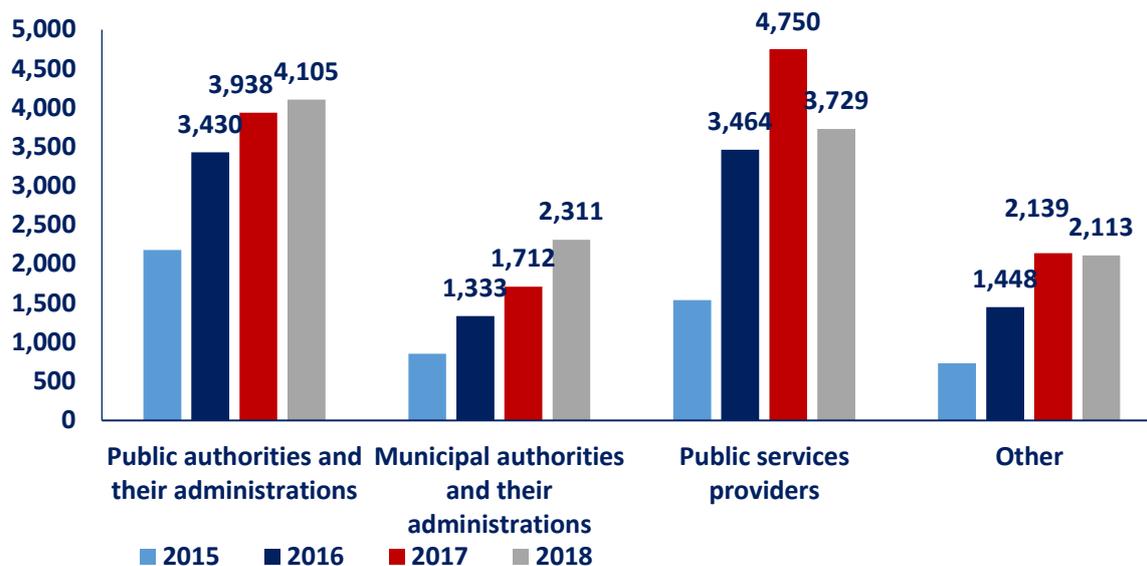


Chart: Outcome of the inspections upon signals and complaints over the period 2015-2018 (1)

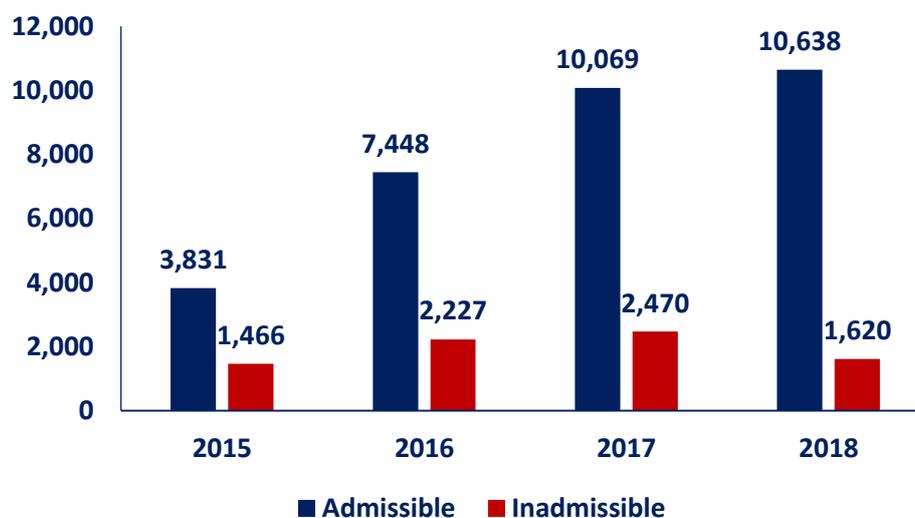


Chart: Outcome of the inspections upon signals and complaints over the period 2015-2018 (2)

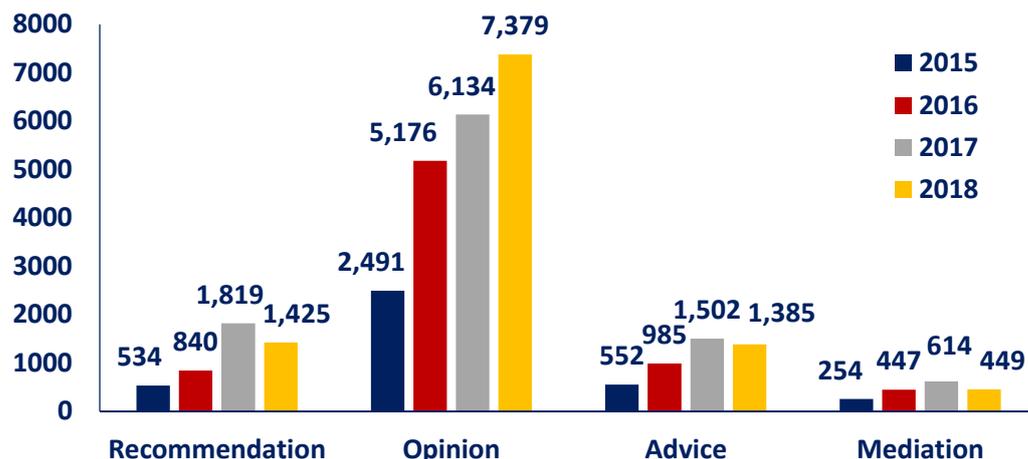


Table: Number of citizens who have sought support from the Ombudsman over the period 2015-2018

Inspections, number of admitted and consulted citizens	Number			
	2015	2016	2017	2018
Completed inspections upon citizens' case files	5 297	9 675	12 539	12 258
Admitted and consulted citizens in the Ombudsman's reception	3 925	5 583	6 682	6 935
Advice, consultations and phone inquiries	5 926	10 403	11 819	12 001
Citizens admitted by the Ombudsman	436	1 109	2 465	3 172
Citizens admitted by the Deputy Ombudsman	No admittance	267	1 124	1 824
Citizens admitted by the head of cabinet	No admittance	No admittance	156	309
Citizens admitted by the chief secretary	No admittance	No admittance	123	393
Total number of citizens who received immediate assistance:	16 214	27 037	34 908	36 892

Chart: Out-of-office reception days over the period 2016-2018

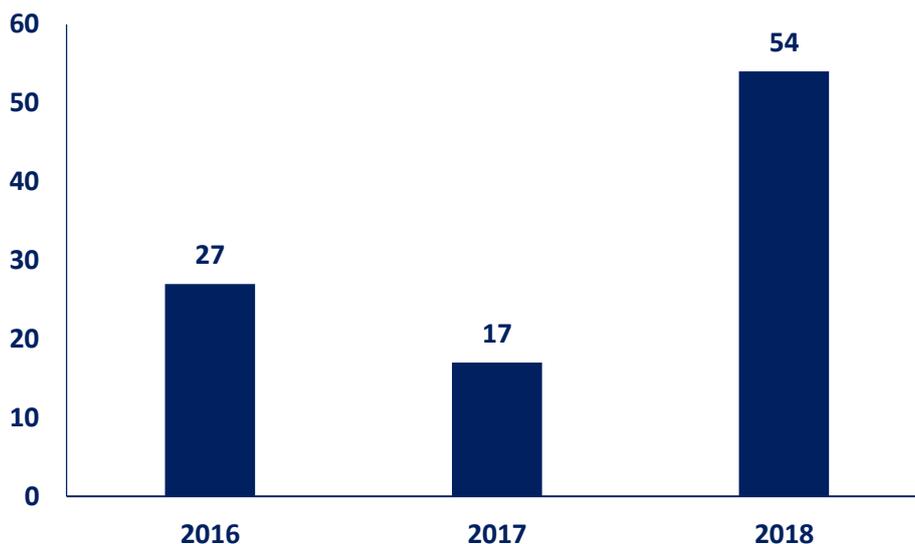
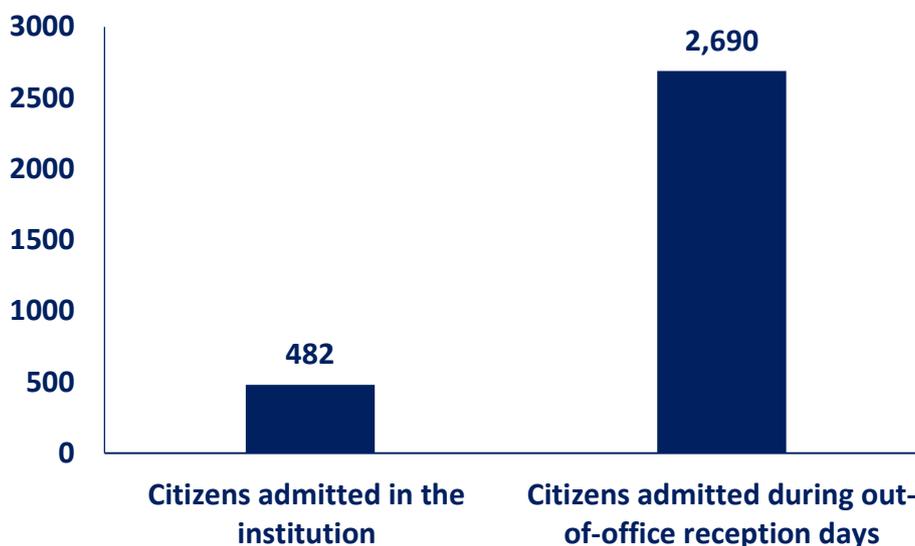


Chart: Citizens admitted personally by the Ombudsman in 2018



54 out-of-office reception days in 2018 (compared to 17 in 2017): Gorna Oryahovitsa (twice), Kyustendil, Varna, Vratsa (twice), the village of Borovan, Byala Slatina, Kozloduy, Krivodol, Mezdra, Mizya, Oryahovo, Roman, the village of Hayredin, Alfatar, Glavinitsa, Dulovo, the village of Kaynardzha, Silistra, the village of Sitovo, Tutrakan, Veliki Preslav, the village of Venets, Varbitsa, Kaolinovo, Kaspichan, the village of Nikola Kozlevo, Novi Pazar, Smyadovo, the village of Hitrino, Shumen, Dimitrovgrad, Ivaylovgrad, Lyubimets, Madzharovo, the village of Mineralni bani, Svilengrad, Simeonovgrad, the village of Stambolovo, Topolovgrad, Harmanli, Haskovo, Belogradchik, the village of Boynitsa, Bregovo, Vidin, Gramada, Dimovo, Kula, the village of Makresh, the village of Novo selo, the village of Ruzhintsi and the village of Chuprene.

4 mobile receptions – Sofia – Varna train (twice: Sofia – Varna and Sofia – Gorna Oryahovitsa), Sofia – Svilengrad train and Sofia – Vidin train.

CHAPTER ONE.

The Ombudsman Protecting Citizens' Rights

Chapter One analyses the complaints reviewed in 2018:

- Ombudsman's reception
- Rights of Persons with Disabilities
- Rights of the child
- Consumer rights
- Social rights
- Right to education
- Right to healthcare
- Right to property and economic freedom
- Right to an environment adequate to the health and well-being
- Right to good governance and good administration
- Right to protection in enforcement proceedings
- Right to protection against discrimination and hate speech
- National Preventive Mechanism

1. Ombudsman's Reception

The Ombudsman's reception is the place where experts from the Ombudsman institution receive citizens and representatives of organisations. They register complaints and signals, make inquiries on filed complaints and provide consultations as regards specific issues. To that end the working process is organised in a flexible way through rosters of experts specialised in different areas.

- 6 935 citizens and representatives of organisations were received and consulted;
- 12 001 telecons;
- 12 890 complaints and signals;
- 54 out-of-office and four mobile receptions were organised and carried out;
- More than 80 visits in different localities on specific public problems were held;
- 20 complaints filed by foreign nationals;
- 21 requests were made for information under the terms and procedure of the Access to Public Information Act.

Table: Visits in the reception in 2018, number per month

I	II	II	IV	V	VI	VII	VIII	IX	X	XI	XII
621	611	596	631	627	536	518	458	621	562	687	467

Table: Telecons in the reception in 2018, number per month

I	II	II	IV	V	VI	VII	VIII	IX	X	XI	XII
1097	997	1019	974	982	943	1068	1034	881	1101	1073	832

Table: Complaints and signals registered in the reception in 2018, number per month

I	II	II	IV	V	VI	VII	VIII	IX	X	XI	XII
1 151	1019	898	841	955	871	766	709	1002	2576	1228	874

Table: Received citizens and representatives of organisations, in the reception in 2018, number per month

Reception day	Received citizens	Number of filed complaints and signals
Ombudsman, in total:	3 172	1 184
– Received in the institution	482	117

– Received during out-of-office receptions and visits in localities throughout the country	2 512	943
– Received during mobile receptions	178	124
Deputy Ombudsman	1 824	562
Head of Cabinet	309	87
Secretary General	393	102
Received in total:	5 698	1 935

2. Rights of Persons with Disabilities

The year 2018 was extremely turbulent for the persons with disabilities in Bulgaria. It was marked by protests by the people with disabilities, their organisations and families.

The Ombudsman supported the fair cause of the protesting throughout the year and prioritised their requests.

In response to their demands and the support sought, together with the Ombudsman they elaborated a draft Personal Assistance Act. As a result of the public pressure and the proactive position of the persons with disabilities and their representatives, and with the active mediation and involvement of the Ombudsman institution, the Ministry of Labour and Social Policy started work on a Persons with Disabilities Act.

In 2018 the Ombudsman worked to resolve the following problems:

- Social services – limited access to social services due to their low capacity and uneven distribution throughout the country, as well as due to lack of sustainability of the assistance services. The criteria in the different municipalities are very different. In most municipalities there are waiting lists.
- Cash benefits and targeted support for integration – very low amounts of the integration benefits, equal non-individualised amounts for everyone.
- Technical and medical aids and devices – the terms and procedure for granting these, their quality and exploitation period; the lack of individualised approach for granting such aids and devices; lack of adults-children differentiation of medical aids; abuse by companies that deliver such aids and devices; lack of control over their price and quality.
- Accessible environment – inaccessible architectural environment, limited number of parking lots for people with disabilities and criteria for access, insufficient reasonable facilities and no support from the state for making the existing residential buildings accessible.
 - Transport – partially accessible road and railway transport and infrastructure.
 - Administrative service – complicated and heavily bureaucratic administrative procedures, lack of public electronic services
 - Statistics and data collection - there is no public electronic register, which is an important instrument for taking adequate decisions in the design of policies for persons with disabilities and the control exercised over the provided aids and services.

- Education – not sufficient funds are earmarked for inclusive education, i.e. for resource teachers, adapted school environment and change of attitudes towards children with disabilities.
- Employment – lack of adequate job placements for persons with disabilities. The employment is of a temporary nature, under state-funded programmes. There are no genuine and working stimuli to commit employers to hire persons with disabilities.
- Healthcare – objectivity of the commissions performing the medical assessments and the long delays in certification/re-certification.
- The institute of incapacity that is currently in force – the institute has not been repealed yet and no action has been taken to make the national legislation in compliance with Article 12 of the Convention on the Rights of Persons with Disabilities.

In 2018 the protesting mothers and persons with disabilities who joined them received huge support by the Bulgarian public at large.

Their protests and firm demands for genuine reform were the cornerstone of the Ombudsman’s statements during the hearing of Bulgaria's initial report on the implementation of the UN Convention on the Rights of Persons with Disabilities in Geneva (3-4 September 2018). The Ombudsman introduced the members of the Committee to the current situation in Bulgaria and made clarifications on the issues raised, thus contributing to the formation of the final observations and recommendations of the Committee to Bulgaria.

As a result of the joint actions of the Ombudsman and the persons with disabilities, in December 2018 the National Assembly adopted the Persons with Disabilities Act and Personal Assistance Act.

Chart: *Number of filed and finalised complaints and signals related to the rights of persons with disabilities over the period 2016-2018*

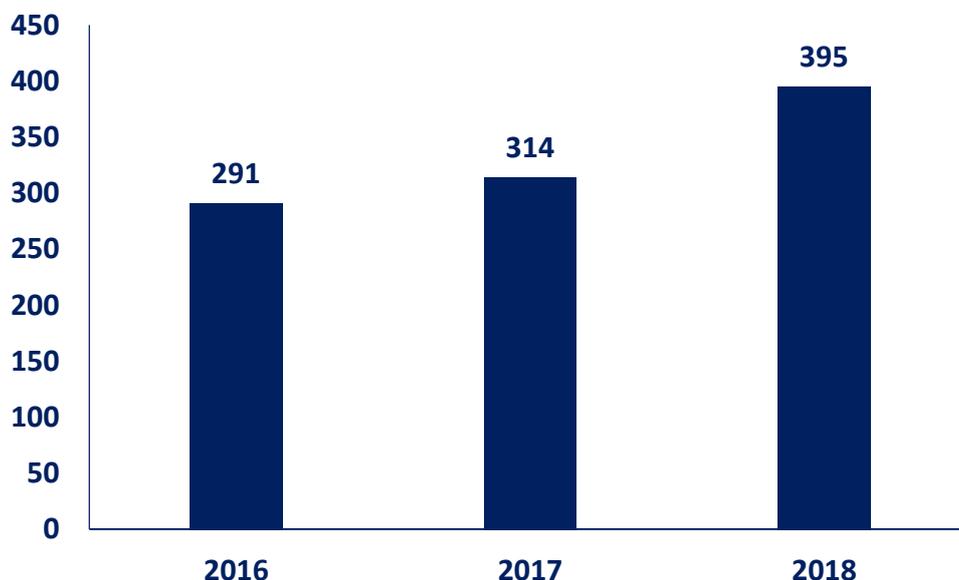
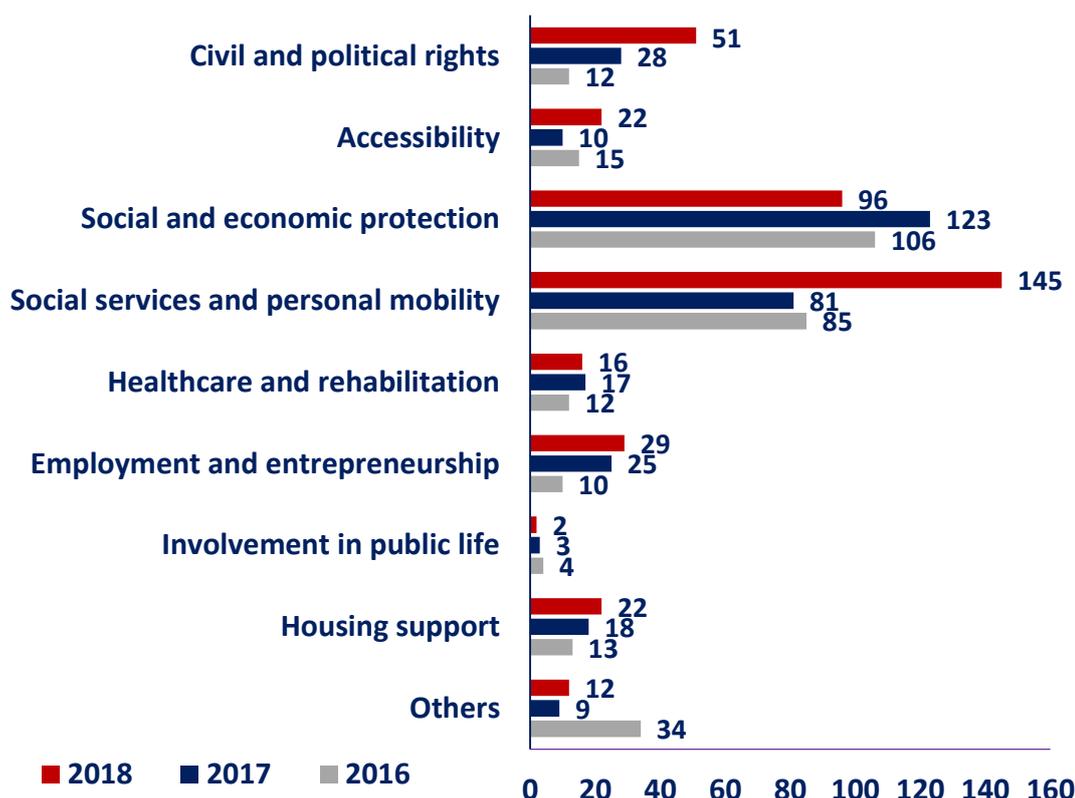


Chart: Number of registered complaints and signals disaggregated by type of violation of the rights of persons with disabilities over the period 2016-2018



Persons with Disabilities Act

The main demands of the protesting and the Ombudsman have been included in the draft, namely:

- Introducing individual approach and tailor-made support in accordance with the needs of every person with disability; conclusions from the individual assessments and referrals are mandatory for all Bulgarian authorities and institutions;
- Transfer to a new mechanism of funding and providing medical aids and devices in the framework of the healthcare system and the introduction of a procedure for granting such aids and devices in accordance with quality standards;
- Recognition of the time during which carers looked after persons with disabilities in need of specific assistance as insurance periods for the purpose of retirement under the Social Insurance Code – in force as of 2020;
- State subsidised health insurance for carers of persons with disabilities in need of specific assistance – in force as of 2020;
- Monthly financial support for all people with permanent disabilities tied down to the poverty line
- Entry into force of the support measures, including financial support, in the beginning of 2019;
- Coordination and monitoring bodies are envisaged as provided for in Article 33 of the Convention on the Rights of Persons with Disabilities;

- Elaboration of national programmes for accessible environment and support of employment of people with disabilities;
- Introduction of assisted employment and preservation of the special protection for persons with disabilities under the Labour Code;
- Support for the employment of persons with disabilities by introducing quotas for employers.

The law was adopted by Parliament in December 2018 and entered into force on 1 January 2019.

Personal Assistance Act

The proposed draft Personal Assistance Act largely addresses the problems related to the assistance services provided to people with disabilities:

- Ensure sustainable funding and better efficiency and predictability of the personal assistance service;
- Provide personal assistance on the basis of genuine individual needs assessment;
- Introduce uniform statutory criteria for acquiring personal assistance;
- Guarantee flexibility of services and empower persons with disabilities allowing them to choose their personal assistants, train them and determine how this service will be provided;
- Introduce clear mechanisms for control of the performance and quality of the service.

The law was adopted by Parliament in December 2018 and entered into force on 1 January 2019.

Despite the positive action taken, a number of arguable provisions were included in the Persons with Disabilities Act that create prerequisites for violations of the human rights of persons with disabilities and their families.

The major problems concern the following:

- Lack of clarity when and how persons with disabilities from whose current pensions BGN 30 were deducted in January 2019 will be compensated. The financial benefits are paid from February onwards, but so far pensioners have not been compensated for the January reductions – money they rely on for meeting their needs, including medication;
- Unlawful procedure has been introduced by the Social Assistance Agency for persons with disabilities who used to receive only the social pension for disability as referred to in § 22т of the Transitional and Final Provisions of the Social Insurance Code. They are now required to file an application to receive financial benefits;
- Lack of sufficient information by the competent institutions for the terms and procedure for granting benefits;
- The requirement of filing an application for monthly financial benefits and needs assessment only in the competent authority operating in the area of the applicant's current address;
- Distribution of the eligible persons in separate groups referred to in Article 70, items 3 to 5 of the Persons with Disabilities Act, which penalises persons with more than 90 pct. disabilities and assigned personal assistance, pensioners with military disabilities and persons with disabilities receiving survivor's pensions;

- Failure to take account of the different needs of persons with disabilities receiving old age pensions and entitled to personal assistance in determining the amount of the financial benefits;

- Unfair amount of the financial benefits for the persons with disabilities ranging from 71 to 90 pct., who used to receive monthly allowances for social integration under the repealed Integration of Persons with Disabilities Act, together with social pension for disability under § 22т of the Transitional and Final Provisions of the Social Insurance Code.

At the end of 2018 there are many other important issues for the persons with disabilities that have remained outside the scope of the reform and have still to be solved:

- The changes made in August 2018 as regards the medical expert assessment penalise the persons with disabilities; no progress has been made for the adoption of a new concept of medical assessment and ability to work assessment;

- The long awaited Natural Persons Act envisaging support measures has not been adopted yet;

- There are important issues regulated in the Persons with Disabilities Act and Personal Assistance Act that have still to be elaborated in bylaws in the coming years such as the methodology for individual needs assessment, monitoring authority, and state agency for persons with disabilities, terms and procedure for granting technical and medical aids etc.

Main recommendations:

- Continue the launched reform in the area of policies for persons with disabilities jointly with the very persons with disabilities and their organisations on the basis of the individual approach envisaged in the Convention; involve persons with disabilities in the elaboration of bylaws and in the trainings, awareness campaigns, analyses and studies carried out;

- Submit again in Parliament the draft Natural Persons and Support Measures Act;

- Increase the amount of the financial benefits for persons with disabilities taking into account the current incomes in the country;

- Elaborate and apply in practice an individual approach in granting monthly and cash allowances;

- Create conditions for employment of persons with disabilities by financing, promoting and developing a national programme for employment of persons with disabilities as provided for in the newly adopted Persons with Disabilities Act;

- Create appropriate family and community social services for independent living, including sign language translation;

- Ensure quality and accessible healthcare for persons with disabilities, including appropriate rehabilitation;

- Reduce the administrative burden in accessing social services and applying for social benefits;

- Introduce integrated electronic services in the public institutions for persons with disabilities and set up an effective and integrated interagency register containing all the relevant and up-to-date information to allow persons with disabilities to exercise their rights, as provided for in the Persons with Disabilities Act;

- Designate the bodies under Article 33 of the Convention on the Rights of Persons with Disabilities in charge of the implementation and independent monitoring of

the Convention, as envisaged in the Persons with Disabilities Act;

- Expedite the translation into Bulgarian and ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities;
- Make an adequate reform of the medical expert assessment and capacity to work expert assessment involving actively persons with disabilities and their representatives;
- Take action alongside the elaborated concepts for rendering the national legislation in compliance with the Convention;
- Translate into Bulgarian and take action in follow up of the observations and recommendations made by the Committee on the Rights of Persons with Disabilities on 21 September 2018.

3. Rights of the Child

In 2018 the Ombudsman continued to develop its expert potential in the area of the rights of the child by building on the basis established by its new administrative structural unit Rights of the Child Directorate.

In 2018 the Ombudsman carried out two national campaigns: National campaign for children orphans and protection of their right to survivor's pensions or personal pensions, and National campaign for exemption of fees for kindergartens. The Ombudsman further supported the initiative for setting up a National Children Park; carried out numerous meetings with children and students; elected young ombudsman of the Stara Zagora Municipality; and opened up new spaces for partnership with parents' and non-governmental organisations.

The Ombudsman aims at increasing institutional and public awareness of the rights of the child by drawing attention to critical problems in exercising children's rights, children's access to social services and family support and enhancing children's wellbeing.

The Ombudsman's efforts in 2018 were unquestionably geared towards elaborating new legislation for children and adults with disabilities and guaranteeing respect for their rights in fulfilment of the requirements of the Convention on the Rights of Persons with Disabilities. The turbulent events related to the continuous protests by mothers of children with disabilities and people with disabilities gave the necessary push for the reform in the area of the rights of children with disabilities.

Chart: *Number of complaints related to the rights of the child over the period 2016-2018*

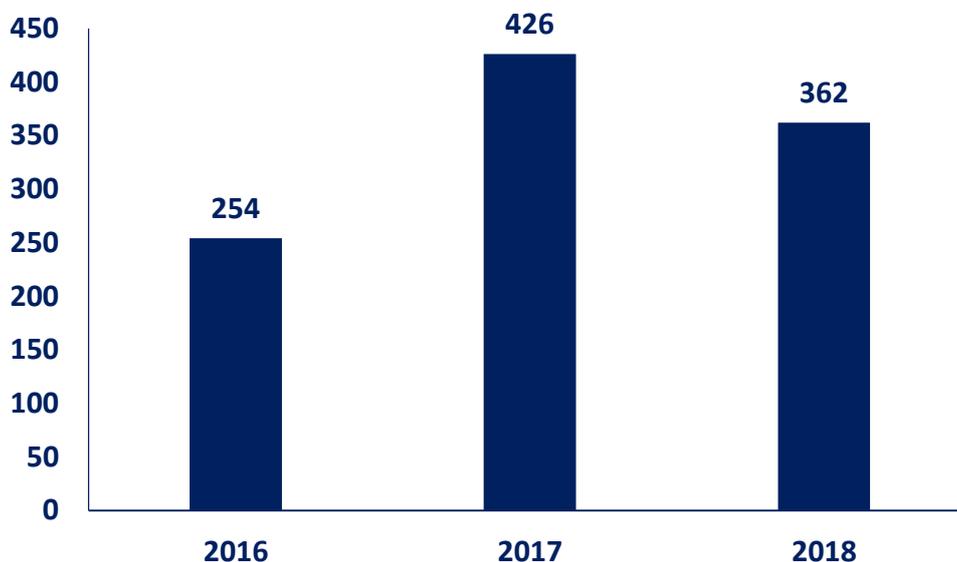
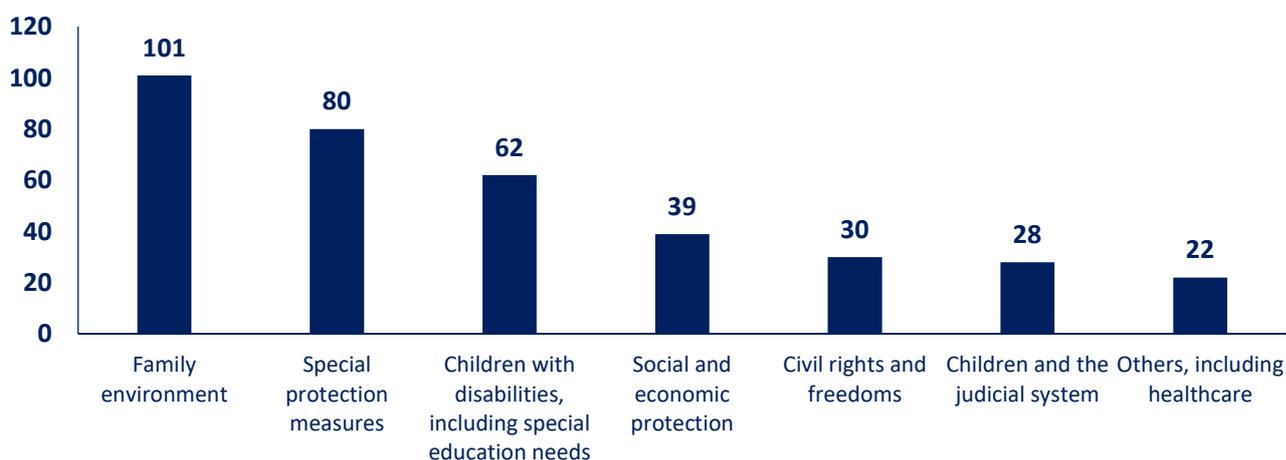


Chart: Number of complaints related to the rights of the child in 2018



Types of violations

The greatest number of complaints concern protection of children’s rights in family environment – 101, including complaints about actions of protection authorities, parental conflicts, alternative care, family problems etc.

These are followed by complaints about special protection measures taken under the Child Protection Act – 80. Problems of children with special education needs are one of the issues that is recurrently addressed in citizens’ complaints. In 2018 their number was 62.

Excessive duration of trials whereby children’s rights and interests are affected is the subject matter of 28 complaints.

The number of complaints concerning social and economic protection of children is growing. Most often the reason for the problems that children and their families

experience is poverty. Rejected social assistance or complete lack thereof are also problems about which the number of complaints is growing.

Rejected financial and organisational support for children by the Treatment of Children Fund, poor communication with its administration, lack of medicines – these are but just a few of the total of 22 complaints concerning healthcare.

In 2018 citizens continued to be concerned by the lack of social and cultural infrastructure for children in the smaller towns and villages, by the poor condition of children's playgrounds, the harmful public environment and advertisements, lack of appropriate TV programmes for children, children's access to inappropriate services through mobile operators, sale of energy candies to children etc.

The conclusions to be made are that a large part of the old problems that the Ombudsman has addressed through the years have not found effective solutions. The challenges that the protection system face are still there. There are no adequate resources for family support. No integrated approaches are employed in the work of the protection authorities. There are difficulties with the integrated education and work with children with special education needs. And these are but just some of the concerns to which new are added, stemming from legislative amendments adopted too fast, or reforms delayed too much and/or poor implementation.

Problem areas and impact

- Protection of the rights of children with disabilities;
- Right to quality care as alternative to family care;
- Right to healthcare;
- Children's right to access to integrated education – for children with special education needs;
- Protection of children against all forms of violence and corporal punishment;
- Child protection system and child protection measures – taking children out of their family environment, complaints about actions taken by social workers;
- Children and the judicial system;
- Social and economic protection of children – right to allowances, right to be heard;
- Protection of the right of the child to contacts with both parents.

The greatest number of complaints about violations of children's rights concerns violations of the children's right to personal relations with their parents. The Ombudsman is of the opinion that the child protection system has to be revised as a matter of urgency to provide for effective means for genuine protection of children's rights in parental conflicts – both violated and in risk of infringement.

Findings:

- Delayed and inconsistent reforms in the area of the rights of the child.
- Fragmented actions for the protection of children's rights by different protection authorities.
- Overloaded and poorly motivated child protection system.
- Lack of attitude and understanding of the problems of children and their parents.
- Lack of standards for work on individual cases in the child protection departments.

- Poor understanding of the nature of the integrated approach for work of the different institutions.
- Conservative education system that fails to admit and work with children who are different.
- Lack of targeted policy for support of children in their families.
- Insufficient and/or missing resources for prevention of child abandonment.
- Poor dialogue between public institutions and human rights civil society organisations.

Main recommendations:

- Discuss and adopt new legislation regarding children and families that is premised on an integrated sectoral approach, professional competences and resources;
- Adopt urgently amendments to the Family Code in relation to responsible parenthood, legitimation and child adoption;
- Reform the protection system, adopt new working and professional competence standards, ensure financial and human resources;
- Provide opportunities for exemption of fees for kindergartens;
- Improve the care and environment for children with disabilities to allow for integration in the long run;
- Develop child care in residential services by focusing on the quality of care and respect for children’s rights. A targeted policy is needed to develop human resources, ensure well-prepared staff and increase payment in the sector;
- Revise the manner of financing social services so as to correspond to children’s needs, guarantee the application of an individual approach and ensure continuous training of staff and supervision;
- Introduce an integrated approach for work with child victims of violence and ensure rehabilitation services and programmes for work with perpetrators;
- Change media policies as regards reporting on child-related issues and cases.

4. Consumer Rights

A total of 3,148 complaints were reviewed in 2018, making 189 recommendations and proposals, of which 178 were followed. Opinion was issued in relation to 2,100 complaints, advice was given in relation to 669 complaints, and mediation was carried out in relation to 190 signals.

The major problems per sector are as follows:

- Water supply and sewerage – poor quality of the provided services; unfair distribution of the general consumption costs among residents in blocks of flats; economically unjustified increase of the price of water supply and sewerage services;
- Electronic communication services – automatic inclusion of consumers in SMS games; charging people working abroad with roaming services;
- Electricity supply – poor quality of the supplied electric power; unjustified increase of prices; unilateral correction by the electric companies of consumers’ accounts; inspections and replacement of measuring devices in the absence of the consumers;

- Heating services – lack of individual contracts between the heating company and consumers; infringed right to pay the service that is actually used; infringed right to actual measurement; poor quality of the provided service;
- Public transport – poor quality of the service (delayed flights, trains, city and intercity buses; old and depreciated vehicles etc.); annual schedule of trains not corresponding to people’s needs and employment engagement; full or partial lack of secured bus transport to neighbouring cities or remote railway stations for people in small towns and villages;
- Financial services – difficulties in repaying loans due to financial or health problems; malpractice and violations by companies granting quick loans; failure to provide clear information about the parameters of the loan; excessive charges not corresponding to the provided banking or financial service;
- Insurance services – the bankruptcy of Olympic Insurance Company; increase of the motor vehicle third party liability insurance; formal checks by the Financial Supervision Commission upon signals submitted by citizens;
- Waste collection charges – the amount of waste and the services actually provided are not taken into account in determining the waste collection charges; additional conditions are placed for exemption of waste collection charges for real estates that are not used throughout the year; poor quality of the service;
- Conveyance of claims – claiming time-barred arrears; exercising psychological abuse by incessant telephone calls (including to clients’ family and relatives), making threats.

Main recommendations:

- Prioritise quality and continuity of water supply services in the water sector;
- Take immediate action for the rehabilitation of the water supply and sewerage infrastructure in need of repair;
- Amend Regulation NO. 4 of 14 September 2004 with a view to guaranteeing consumer right to pay for the actually used water supply and sewerage service;
- Amend provisions of the Water Supply and Sewerage Services Act concerning uniform pricing of water in a distinct territory and the procedure for reviewing the business plans of the water supply operators;
- Lay down clear criteria for determining the social tolerance of the price of water supply and sewerage services;
- Introduce licencing for water supply and sewerage operators;
- Provide for social assistance measures for water poor people;
- mobile operators must provide information about the conditions for using ‘Roam like at Home’ service when roaming services are activated;
- providers of electronic communication services should regulate in their General Conditions the procedure for terminating a contract by written authorisation;
- increase the number of free digital TV channels and ensure better coverage of digital television;
- prioritise quality and reliable supply of electric power in the electricity sector;
- electricity distributors should focus on the reconstruction and renewal of the electric power supply infrastructure in areas where frequent power supply interruptions occur;
- terminate the practice of making unilaterally corrections in the amounts due in

arrears for electricity supply until the Energy and Water Regulatory Commission adopts rules for the measurement of electric power and supplements the General Conditions of the electricity distributors with express provisions about the terms and procedure for notifying clients in case corrections are made;

- ensure fair distribution of responsibility among the energy enterprises in which property the measurement devices are located, and the consumers when elaborating new rules under Article 83, para 1, item 6 of the Energy Act;
- electricity distributors should respect clients' rights while conducting inspections and replacing measurement devices;
- amend the Energy Act and the Heating Regulation;
- elaborate clear Methodology for distribution of shares under the Heating Regulation to allow fair pricing;
- create conditions for promoting competition in the provision of heating services;
- elaborate template notification as an attachment to invoices or closure accounts with clear sections and additional information about the duration of accidents and due penalties;
- effective control by the heating companies in relation to the implementation of the reconstruction and investment programmes;
- adopt Personal Bankruptcy Act;
- effective control of the work of quick loans companies;
- set bank charges in correspondence with the provided financial services;
- amend the insurance legislation to guarantee protection of citizens' economic interests;
- postpone the introduction of the new system for determining the amount of the motor vehicle third party liability insurance until deficiencies are corrected;
- ensure optimal control over the work of the insurance companies;
- municipalities must determine the amount of waste collection taxes in accordance with the services that are actually provided;
- repeal provisions in municipal regulations that introduce additional requirements for exemption of waste collection taxes when the real estate is not used throughout the year;
- municipal authorities must exercise due control over the effective and quality provision of waste collection services;
- regulate the work of debt collector companies;
- reduce the possibility for public services providers to transfer their claims to external companies.

5. Social Rights

To protect their social rights, in 2018 citizens sought assistance mainly for the payment of due remunerations and benefits, receiving social and financial support, and finding employment. A total of 1,989 complaints were filed to that end. There is a significant increase in the number of complaints and signals in this area in 2017 and 2018 as compared to 2015 and 2016.

The largest portion of complaints and signals concern labour rights and employment (786 for 2017) (48.92%), followed by violations of social insurance rights and right to benefits (625 for 2017) (28.10%).

A total of 1,882 complaints and signals were finalised, thus making 788 recommendations, giving 1,548 opinions and 362 pieces of advice.

The complaints concern most often the following:

- Employers;
- Executive Agency “Chief Labour Inspectorate”;
- Employment Agency;
- National Insurance Institute;
- National Revenue Agency;
- Social Assistance Agency.

Labour Rights and Employment

A total of 932 complaints and signals were filed in 2018 in the area of labour rights and employment, an increase of 18.58% as compared to 2017 (786 for 2017). The complaints concern mostly non-payment of remunerations; unfavourable working conditions; obstructing the use of paid annual leave; impeded termination of employment; non-payment of benefits as a result of employment relations.

Main recommendations:

- Exercise timely control and provide for a mechanism to influence employers who have not fulfilled their obligations to declare and pay due social and health insurance contributions;
- Provide for an obligation for employers in case of threat of insolvency to pay due employees’ remunerations prior to launching a procedure for opening insolvency proceedings;
- The Minister of Labour and Social Policy to take action with a view to: exercising regular systemic over employers who have delayed or failed to pay remunerations; allowing for the possibility to provide the National Revenue Agency and the Executive Agency “Chief Labour Inspectorate” with information about employers who have declared due social insurance contributions but have failed to pay them, which is a prerequisite for not paying remunerations;
- Envisage a mechanism regulating the terms and conditions for employers to admit applications for termination of employment under Article 327, para 1, items 1 and 2 Labour Code (for example, due to unpaid wages), as well as for control over the fulfilment of this obligation;
- Provide for a time limit in the Labour Code for payment by the employer of redundancy benefits and expressly stipulate a possibility for the control labour bodies to prescribe coercive administrative measures for failure to pay due wages or benefits after termination of the employment;
- Increase the amounts paid for night work as well as for the time during which workers or employees remain at the employers’ disposal when outside the enterprise at a location agreed between them.

Right to social insurance and benefits

A total of 559 complaints in the area of social insurance and social benefits were filed in 2018.

Main problems concern the following:

- Undeclared due social contributions;
- Rejected unemployment benefits;
- Delayed or terminated payment of unemployment benefits or benefits for temporary incapacity for work;
- Rejected or wrongly calculated benefits for maternity, birth or raising children below the age of two;
- Delays in the setting and payment of unemployment benefits following the lack of statutory time limits for the exchange of information confirming the insurance periods between EU Member States.

Main recommendations:

- Exercise timely control and provide for a mechanism to influence employers who have not fulfilled their obligations to declare and pay due social insurance contributions;
- Look for mechanisms to speed up the procedure for payment of cash unemployment benefits to persons who have worked abroad.

Right to pension

The complaints and signals concerning Bulgarian citizens' right to pension and the problems they experience in exercising it are 486 in 2018.

The problems they discuss relate basically to the very low amounts of the pensions and the so called 'ceiling for pensions'. The provision of Article 70, para 8 Social Insurance Code, amended by SG no. 102/2018, in force as of 1 January 2019 gives rise to particular discontent. It stipulates that for pensions granted after 31 December 2018 the individual coefficient shall be calculated on the basis of the pension qualifying income for the periods after 31 December 1999 up to the date of the pension attribution for a period not less than 36 months.

Main recommendations:

- Repeal § 6, para 1 of the Transitional and Final Provisions of the Social Insurance Code;
- Recalculate the amount of all pensions;
- Update the pensions in all areas of the material and spiritual life to the average European level;
- Provide the opportunity for citizens to choose under which formula to have the size of their pensions calculated, as a solution to the problem with the calculation of the individual coefficient after 1 January 2019;
- Documents verifying the insurance periods of Bulgarian citizens who have worked in EU Member States, and in particular in the Republic of Greece;
- Adopt Elderly People Act.

Right to Social Support

The complaints about social services and social assistance that were filed in 2018 were 199.

The main problems are as follows:

- Refusal to grant one-time social assistance to meet ad hoc healthcare, education, utility or other vital needs;
- Refusal to grant targeted assistance for heating.

Main recommendations:

- Revoke the financial means test for granting monthly benefits for raising children until their school graduation, but not later than their age of 20 and/or seek for another mechanism for providing support to all children;
- Introduce flexible conditions corresponding to the actual public expectations, to allow rendering social support to citizens and families who really need it.

Right to assistance for housing

The complaints dealing with protection of the right to assistance for housing were 128 in 2018.

The municipalities do not avail of sufficient housing to meet citizens' needs, or funds for refurbishment and maintenance of the housing they have. Besides, housing from the Reserve Fund which is offered to citizens is not always fit for living, despite its explicitly determined function, namely to meet acute social needs, and the due diligence duty that municipalities have to manage them for public benefit.

Main recommendation:

- Increase the available municipal housing.

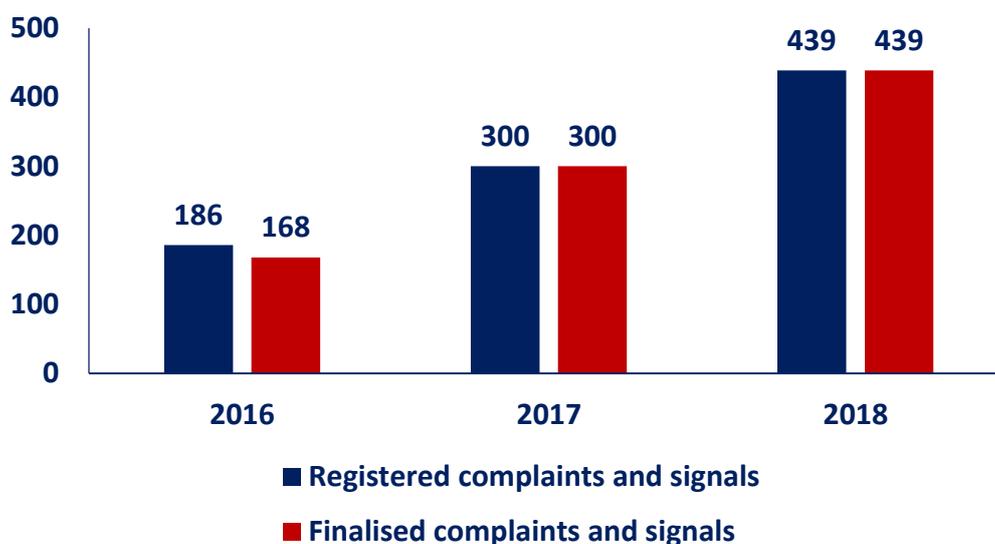
The public defender carried out legislative campaigns for the protection of citizens' rights in the field of:

- Labour Code;
- Social Insurance Code;
- Family Allowances for Children Act.

6. Right to education

The number of complaints over the past three years can be seen easily in the following chart:

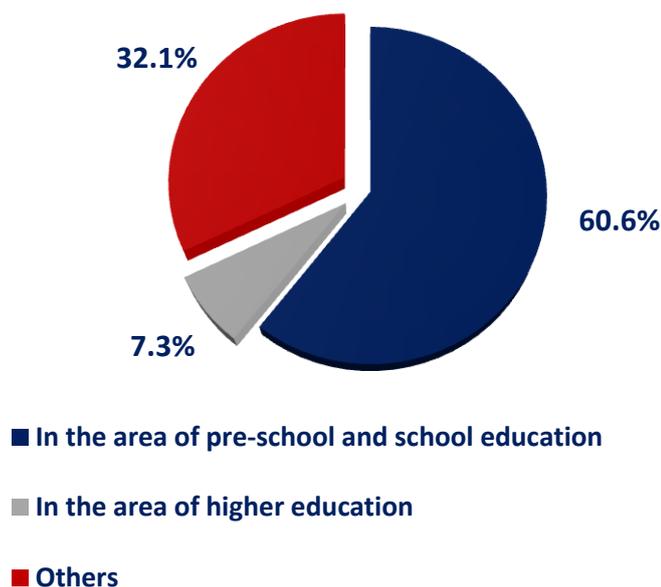
Chart: Registered complaints and signals and inspections completed in the area of education in the period 2016-2018, number



In 2018, a total of 439 complaints, whistle blows and open letters were received in the area of education, an increase by 46% in comparison to 2017 (300).

Complaints and signals submitted in the area of education in 2018:

Chart: Complaints and signals received in the area of education in 2018, %



Main problems:

- Insufficient vacancies at nurseries and kindergartens in Sofia and large cities, and high monthly fees for them;

- Need to modernise the institutions of pre-school education, schools and universities;
- The active cooperation with the parents in the process of the children's adaptation to kindergartens is poor;
- The integration of Roma in the education system and the segregation of Roma schools are a significant challenge to the education system;
- Irregular school attendance of children from minority groups and lack of ambition to master Bulgarian;
- Lack of standards for the instructive function of schools;
- Insufficient cooperation among students, teachers and parents; the parents need to be closer to the schools and the schools need to work more closely with the local communities;
- The free extracurricular activities and sports at schools are insufficient to encompass the students;
- Poor control over the work of headmasters;
- Significant administrative burden for the teachers;
- Insufficient quality of the educational and scientific results at higher educational institutions;
- Imbalances by sectors and issues with the applicability of the higher education in the labour market;
- Declining percentage of employment of university graduates;
- Insufficient control over the procedures for competitions for academic positions;
- Certain higher education institutions continue the practice to determine prices of administrative services which exceed several fold the costs of provision.

Main recommendations:

- Improve the access to education and care in early childhood;
- Improve on an ongoing basis the mechanism of joint work with the institutions to encompass and retain in the educational system children and students at the obligatory pre-school and school age;
- Introduce obligatory pre-school education for 4-year old children in the country and ensure possibilities for alternative forms of upbringing and education;
- The authorities are to finance the care in early childhood and eliminate all fees at kindergartens;
- Ensure free educational services to pre-school children and look for possibilities for a greater government support;
- Make transparency and public discussions a leading factor in the decision-making process of municipalities in order to optimise the network of kindergartens and schools; all of their actions need to be based on the children's best interest;
- Overcome the illiteracy of Roma and integrate them in the educational system. Work towards changing the attitudes of their community to the education of their children and to the need to master Bulgarian as a prerequisite for their social inclusion and employment;
- Encourage the instructive role of schools to counter the pervasive crisis of humaneness. Initiate a broad public discussion and achieve consensus about the formulation of the values schools teach to children; support the democratic student

representative structures at schools;

- Overcome the looming shortage of teachers premised on ageing; set up re-qualification programs for specialists in different areas to acquire teaching capacity and join the teaching profession. It is expected that 8,000 teachers will leave the system in 2019 alone;

- Overcome the imbalance of higher education by sectors and ensure applicability on the labour market;

- Higher educational institutions needs to rethink their policy on increasing the quality of the training they offer;

- Stimulate talented students to get involved in research activities by increasing the scholarships for Ph.D. students at universities.

7. Right to healthcare

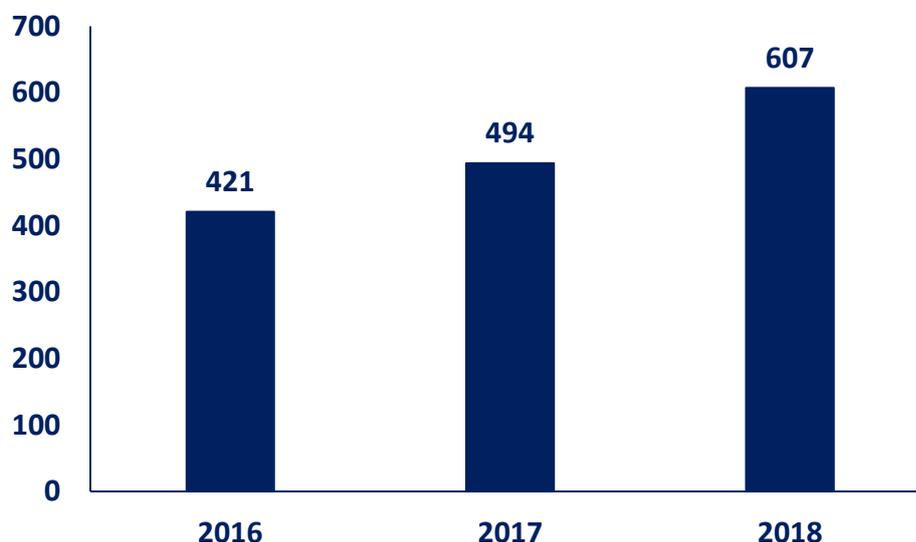
The year was characterised by serious financial difficulties for many state and municipal medical institutions impacting on the rights of their staff and patients.

The amendments related to the medical expert examinations of citizens cause a serious dissatisfaction among the persons with disabilities who lost certain rights they had until then.

As a whole, the protests submitted over the year and the increase in whistle blows show that the attempts at healthcare reforms are mainly unsuccessful and that they are not supported by the citizens or the medical specialists working in the system.

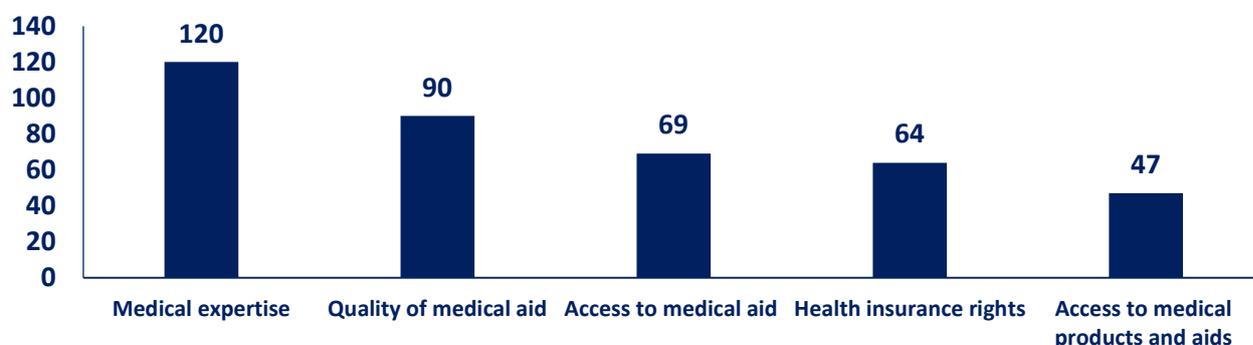
The complaints and whistle blows filed with the institution in 2018 in relation to rights in the area of healthcare, including the rights of staff of medical institutions, stand at 607 or 23% more in comparison to 2017 – 494, and 44% more than the number in 2016 – 421.

Chart: *Complaints and whistle blows submitted in the area of breached citizens' rights in healthcare in the period 2016-2018, number*



The highest number of complaints and whistle blows concern rights related to:

Chart: *Complaints and whistle blows in the area of healthcare submitted in 2018, number*



The others concern the labour rights of staff of medical institutions, assistance sought by citizens for the payment of treatment, proposals for changes, etc.

In relation 388 complaints, recommendations were issued to the authorities and institutions responsible to resolve the problems; more than half of them were implemented.

Main recommendations:

- Discuss the overall reform in the healthcare system in the country;
- Eliminate thresholds for hospital and out-of-hospital assistance, pay any activities exceeding the thresholds which have already been rendered;
- Review the prices of medical routes;
- Introduce measures to strengthen the control of medical and health institutions which are to include patients;
- Discuss measures of financial support for state and municipal hospitals and ensure their long-term financial stability;
- Guarantee an appropriate remuneration for the work of the staff in the system;
- Adopt immediate changes in the secondary legislation related to medical expert examinations and guarantee the citizens' rights;

- Take urgent measures to speed up the performance of medical expert examinations by the specialised panels of the National Expert Medical Committee and the certificates provided by the Territorial Expert Medical Committees;
- Expand the scope and the level of payment by public means for medical products and medicinal items;
- Simplify the procedure for the approval of costly treatment for citizens covered by the National Health Insurance Fund;
- Take complex measures to ensure an accessible possibility for transplantations for Bulgarian patients in need;
- Pay by public means for palliative care and conduct extended treatment in sufficient volume and duration;
- Discuss changes in the medication policy in order to prevent the lack or shortage of medical products;
- Expand the scope of prophylaxis and examinations.

8. Right to property and economic freedom

A total of 1,296 complaints were submitted regarding breaches of the right to property or 10.5% of all complaints throughout the year, a significant part of them being signatures from hundreds of citizens and their associations.

Citizens' rights in the area of territorial structure, cadastre and construction

- **Problems impacting on the right to property in procedures for the preparation and application of common and detailed territorial plans**

In their complaints and protests against procedures to develop, amend and apply general territorial plans (GTP) and detailed territorial plans (DTP), the citizens complain primarily about: insufficient information about the actual subject matter of the drafts on the part of municipal administrations; lack of action upon referrals about ex officio assignment of DTP, especially in cases of property without access; violations of the procedural rules to announce, coordinate, discuss publicly and prepare opinions about DTP environmental assessments; density of construction in residential estates, including green areas.

Standard of general territorial plans

The timeframe set for the preparation of a GTP is again postponed by two years until 1 January 2021 for the reasons pointed out in the report for the second reading of the Act to Amend the Structure of the Territory Act No. 854-01-86 (State Gazette, issue 1 of 2019). Respectively, there is a postponement in the requirement for the availability of general territorial plans as a prerequisite to make changes in the purpose of territories outside urbanised areas and other restrictions related to the creation of a DTP for certain territories of population centres and their vicinities.

Along with this, the GTP already approved or in the process of development are turning into a tool bringing them closer to a direct application of the forecasts made

through them, a significance they do not have according to the law and in relation to which they are excluded from the acts subject to judicial control for legality.

- **Problems in the development and application of detailed territorial plans**

A maximum density of buildings is sought in the development of new plans to restructure residential estates. The municipalities still do not apply the means under Article 22, para 8 of the Structure of the Territory Act for compensation with equitable property and regulation of free plots for green areas.

The Ombudsman recommends that the green system be developed and preserved, including for broad and limited public use.

- **Deregulation of the structural hygienic protection of residential areas**

The citizens protest against industrial production resulting in noise, dust, smell and other harmful emissions in the living environment (open mining activities, electricity generation facilities using biogas extracted through anaerobic digesters from stock-breeding waste with the addition of plant oils, waste use facilities) close to their homes. Committees from the affected locations turned to the European Parliament with petitions.

The problem with the legislative gaps regarding the territorial hygienic protection has been identified by the Ombudsman in previous annual reports. After the repealing of Ordinance No. 7 on the Hygienic Requirements for Health Protection of the Living Environment (State Gazette, issue 38 of 2011) in 2011, the necessary protection distances from residential areas are to be determined through an environmental impact assessment based on the health risk assessment required by the environmental authority in the course of the environmental impact assessment procedure to be provided to the state health control authorities as per the secondary legislation laid down in Ordinance No. 36 of 2009 regarding the Terms and Procedure to Exercise State Health Control. Amendments to the Ordinance on the Terms and Procedure for Conducting Environmental Impact Assessments (State Gazette, issue 3 of 2018) removed the obligation of the Minister of Health to issue a joint order with the Minister of Environment and Water on determining criteria necessary for such an assessment. Due to the lack of a statutory content of the assessment of health risk when harmful industrial facilities are placed, practically the obligation of preventive territorial hygienic protection of residential areas from industrial pollution is deregulated in violation of the citizens' constitutional rights and the requirements of Article 2, item 4 of the Health Act.

The Ombudsman recommends a faster development of a respective legislative act providing for the territorial hygienic protection of the living environment against industrial facilities. The assessment of industrial facilities already in exploitation made in order to eliminate the omission should not only cover their future impact on the environment but it should also take into account their impact as of the time they were built.

- **On the problems related to the structure of the territory**

Rights breached in relation to technical infrastructure networks and facilities which are not maintained or built and lack or availability of restricted access of properties to them. Failure to apply DTP in force

The unresolved infrastructure and public works problems limit the full exercise of the right to property, decrease the quality of life, damage the condition of buildings and exert an adverse impact on the environment. The responsibilities for building and maintaining

the technical infrastructure and beneficial environment are entrusted entirely to the municipalities.

The Ombudsman recommends to take full account of the citizens' rights, including to an accessible environment, in the management of the processes related to forming and developing the living environment.

Rights breached in procedures to create cadastre maps and cadastre registers (CMCR) of real estate

The citizens raise problems related to the quality of implementation and reliability of the cadastre map and the administrative services to provide cadastre information. The Ombudsman found that the electronic services were insufficient and posed a risk for protected personal information.

The Ombudsman recommends a clear reflection of land plots and other details as a guarantee for the right to property in cases of omissions and errors in the cadastre map and registers, optimisation of the quality of the administrative services and protection of personal information when services with cadastre information are provided to the citizens.

Rights breached as a result of illegal construction

In 2018, no significant progress was made to overcome illegal construction as a national problem. An essential reason for the ineffectiveness of the system of control in construction and its failure to meet the public expectations is that the specialised authorities under the Structure of the Territory Act do not exercise systemic preventive and ongoing control to prevent illegal construction. This results in serious negative consequences both for the public interest and the citizens affected.

A concern is the finding of the European Court of Human Rights in its judgment of 2 October 2018 in *Stoyan Lyubenov Aydarov and Others v. Bulgaria* that even after the judgment in *Ivanova and Cherkezov v. Bulgaria* the Supreme Administrative Court still adheres fully to the position that the specialised authorities of construction control do not have freedom of consideration when illegal construction is found, are not bound by the general requirement for proportionality under Article 6 of the Administrative Procedure Code and the only means they have of achieving the purpose of the law is to order their removal.

At this stage, positive comments can be made about the proposal of the new interinstitutional working group involving representatives of the Ministry of Regional Development and Public Works, the Ministry of Labour and Social Policy, the Ministry of Justice, the Ombudsman, the National Association of Municipalities in the Republic of Bulgaria and magistrates from the Supreme Administrative Court for amendments to the Structure of the Territory Act, the State Property Act and the Municipal Property Act. The bill envisages the explicit requirement for a preliminary consideration of the proportionality of administrative interference in the cases of removal of illegal construction or seizure of real estate – state and municipal property – which are an only residence.

Land relations

As regards land relations, the complaints of citizens and their associations are about:

- Violations of the right to property due to incomplete restitution procedures;
- Inequality of small and medium-sized owners and agricultural land users.

On the incomplete land restitution

In relation to the first group of complaints, the Ombudsman found: failure to provide land compensation to owners on the territory of Sofia Municipality, Varna Municipality, Rodopi Municipality – Plovdiv and others; permanent situation of unidentified old property boundaries in mountainous and semi-mountainous areas; delay in the elaboration of the plans to assign rights to owners and users in the territories under § 4 of the Transitional and Final Provisions of the Farmland Ownership and Use Act. The right to property of thousands of citizens has been infringed upon for decades, contrary to the constitutional and international standards of possession.

The setting up of an interinstitutional working group in relation to the implementation of the instructions of the European Court of Human Rights to introduce in the national legislation deadlines for the completion of the restitution procedures and a means of compensation when the deadline is not observed (order No. РД09-297/04.04.2018 of the Minister of Agriculture, Food and Forests) needs to take into account the adverse factors delaying the restitution of farmland. The Ombudsman analysed the obstacles to completing each of the restitution procedures. The Ombudsman recommends the adoption of an adequate regulatory framework for the completion of the land restitution also taking into account the problems of the excessive delay in the restoration of rights and compensating the owners of farmland.

Inequality in the use of farmland

The instances of inequality due to the monopoly position of a significant number of large owners and users in land relations found by the Ombudsman take the form of the widespread practice for large users to impose contractual terms, fail to pay the compensation for the use of the land laid down in the agreements without consequences while, at the same time, they preserve all of their rights to receive subsidies paid by area in line with the schemes and measures of the Common Agricultural Policy precisely on the basis of the non-performed contracts with the owners. The conclusion of the analysis of the complaints is that small owners are deprived of access to the benefits of the use of farmlands which, in the end, forces them to dispose of their property.

The Ombudsman confirms the position of the institution also set out in previous reports to the National Assembly concerning the urgent need for economic, legal and organisational measures to restore the breach in balance due to monopolising the land relations through:

- Introducing: adequate taxation of large land property;
- Restrictions for the ownership and use of farmland;
- Easier access to land for citizens with no or small properties;
- Introducing minimum amounts of lease/rent payments;
- Tying the provision of subsidies per area to the payment of the lease to the owners of the land as per the use contracts;
- Introducing an out-of-court procedure to resolve disputes related to the payments for the use of farmland.

Some of the proposals are also measures preventing concentration in line with the recommendations of the Voluntary Guidelines on the Responsible Management of Tenure of Land, Fisheries and Forests in the Context of National Food Security of the Food and Agriculture Organisation, the Resolution of the European Parliament of 27 April 2017 on the state of play in farmland concentration in the EU (2016/2141(INI)) and the Commission Interpretative Communication on the Acquisition of Farmland and European Union Law

(2017/C 350/05) of 8 October 2017 about expanding the regulatory and control functions of the state to restrict the monopoly of large owners and users of farmland and protect the “weak party” in land relations. And, in Bulgaria, these are the millions of minor farmland owners as well as small and medium-sized users.

Advocacy for the economic rights of farmers

The Ombudsman supported the farmers’ demands in different sectors – stock breeders, rose oil producers, cherry producers, etc. whose rights are impacted by economic imbalances, issues in the competitive environment and the inadequate state interference in covering for their losses.

The institution formulated recommendations to overcome the actual reasons for the breach of the citizens’ economic rights and the constitutional right to a free economic activity in the long term, without restricting themselves to taking timely measures to suppress the instances of civil disobedience.

9. Right to a healthy and productive environment

In 2018, 330 complaints and whistle blows were received in relation to the right to a healthy and productive environment. The citizens complain about the insufficient control to prevent the environmental and health risks in the event of investment proposals endangering nature and the main factors of a healthy living environment, the sources of drinking water supply and soils. A significant portion of the complaints concerns issues affecting the factors of the living environment in urbanized territories related to removing trees, stock breeding sites, stray dogs.

The Ombudsman’s interference to ensure environmental protection of the citizens in handling investment proposals

The complaints and whistle blows reviewed over the years are a civil protest against an approach based on obtaining economic benefits from the natural resources at any cost ignoring the impact on the natural environment. Large groups of citizens or whole communities of the population insist on a strict observance of the environmental legislation and especially exercise of the control powers of the institutions which they find insufficiently and selectively applied.

The Ombudsman assists so that the citizens’ objections are taken into account in all cases in line with the provisions of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention).

Mining activities

One of the issues in the procedure for issuance of a permit for exploration activities is the adequate information provided to the population of the affected territories about the request made. Another problem is the regime of mandatory or optional issuance of a permit for compatibility assessment when impacting or being close to territories of protected zones of the national environmental network. In the event of a decision that such an assessment is not necessary, the citizens have only the possibility to challenge the

legality of the decision before the court incurring a significant burden related to taking an active procedural position.

In such cases, the Ombudsman requests an opinion from the Minister of Environment and Waters and the Minister of Energy about the strict compliance with the requirements of the Biological Diversity Act and the case-law, about the obligatory performance of an advance compatibility assessment with the goals of safeguarding protected zones, in view of the lawful issuance of a permit to explore metal resources according to the Mineral Resources Act.

Legal uncertainty due to the lengthy procedure to grant rights to extract mineral resources

Article 39, para 2, item 3 read in conjunction with Article 29 of the Mineral Resources Act establishes a regime of granting concessions to a title holder of a permit to search for and research as well as to explore resulting in an proven commercial find. The stages from recognizing the commercial find to granting a concessions make take a period of more than 10 years. In the meantime, the affected community is at a loss about the prospects of their economic activities which would inevitably be impacted by possible extraction activities. The situation of uncertainty about the time horizon of implementing a concession depending on the investor's role in performing an environmental impact assessment may lead to a disproportionate interference in the citizens' right to ownership.

Need for strategic planning of territorial dependency of the extraction of common mineral resources

The group of questions raised in complaints about the extraction of construction and rock lining materials outlines the lack of a government policy to determine areas in granting rights which is a prerequisite for conflicts with local communities which protect the clean nature of population centres as a main long-term factor for a productive and healthy environment.

Environmental risks for properties in population centres due to non-cultivated terrains of closed mines

In a series of complaints, the citizens seek the Ombudsman's assistance in relation to the danger posed to population centres and properties by former non-safe mines due to water level rising and causing landslides as well as other potential risks.

The Ombudsman's recommendation in this area include observance of the administrative practice to perform a compatibility assessment of plans, programs, projects and investment proposals with respect to the subject matter and the goals of safeguarding protected zones in the event of issuance of permits for explorations and/or research of mineral resources, in view of the case-law regarding a mandatory assessment with the participation of the affected community; introduction of a statutory period to exercise the concession rights to extract mineral resources after the recognition of the find under Article 29 of the Mineral Resources Act; strategic planning of a reasonable territorial dependency and sustainable management of the extraction of common mineral resources; obligation for the State to cultivate damaged terrains of closed mines in the event of inaction of the operator/owner.

Other problems related to the right to a healthy and productive environment

The complaints and whistle blows submitted to the Ombudsman institution concern problems related to noise in the environment; stray animals and pets; preserving trees; activities of stock-breeding sites in population centres; placement of base stations of mobile operators; air pollution exceeding the norms.

The Ombudsman recommends that the responsible institutions locally and nationally take the necessary measures to increase their coordination and the effectiveness of the preventive and ongoing control to achieve compliance with the requirements of the national and European legislation to restrict noise and electromagnetic pollution in order to preserve and improve the quality of the citizens' life.

The Ombudsman as a public intermediary in executing measures to improve the air in Sofia

At the end of 2018, the Ombudsman received complaints from citizens of Sofia in relation to the air pollution exceeding the norms, especially during winter. They insist on the placement of additional measuring stations for the pollutants subject to control in order to receive real-time data about the indicators of pollutant concentration. The citizens also insist on the establishment of better procedures to release information about the measurements of controlled pollutants in the air in Sofia.

Upon the Ombudsman's initiative, two consecutive discussion forums were held in the beginning of 2019 with the participation of civic organisations, individuals and representatives of the responsible institutions.

The Ombudsman's recommendations include the placement of an additional measuring station in the areas of Krasna Polyana and Lyulin and ensuring compliance with the administrative practice of the Environment Executive Agency to provide data about the quality of air set by means of effective judgments issued under the Access to Public Information Act.

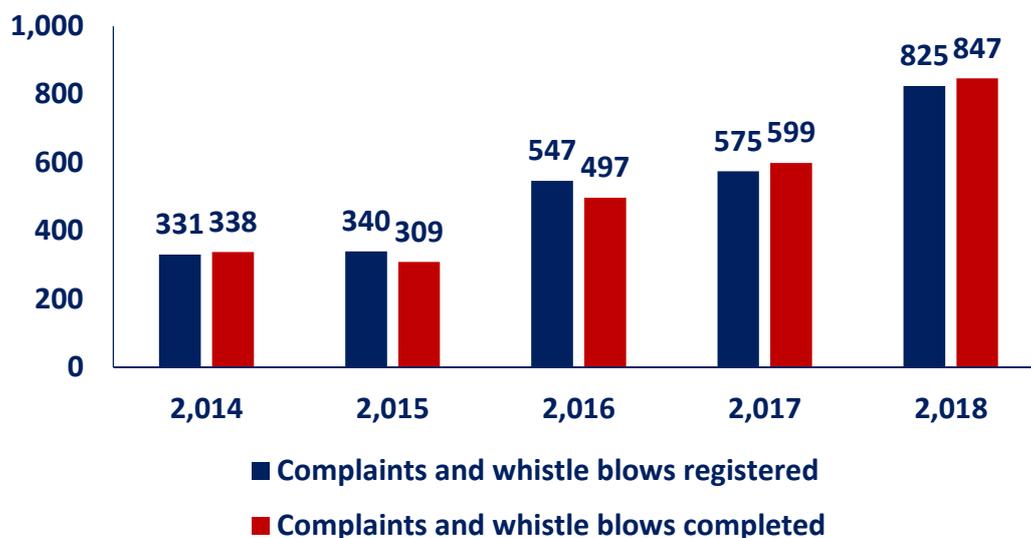
10. Right to good governance and good administration

In 2018 the Ombudsman's purpose continued to be to guarantee that when citizens face issues in their relations with state authorities they would have the Ombudsman as an advocate assisting them with the means provided for in the Ombudsman Act if their rights and freedoms are affected.

Led by the idea that the protection of the citizens' right to good administration would be more efficient if the Ombudsman's activities are more visible, in addition to inspections on specific complaints and whistle blows the Ombudsman uses the possibilities to: announce information about them, express opinions on hot topics related to good governance and administrative service, attract the public attention to specific activities, expand the direct contact with citizens and civic organizations by organizing on-site reception days, consultations and discussions, joint initiatives to boost the role of local public intermediaries.

As a result, in 2018 there was an increase in the number of complaints submitted and reviewed which is a definite indicator of the growing public trust in the Ombudsman's institution.

Chart: *Complaints and whistle blows registered and inspections completed in relation to administrative services for citizens in the period 2014-2018, number*



Main problems raised by citizens in the complaints reviewed in 2018:

- Lack of timely and adequate action of the competent institutions upon citizens' complaints and whistle blows to ensure a productive and safe environment – 411 complaints;
- Violation of statutory requirements and failure to fulfil obligations on the part of government authorities – 224 complaints;
- The quality of the administrative services provided does not meet the requirements – 115 complaints;
- Violation of the statutory term to provide administrative services and/or of Article 41 of the Charter of Fundamental Rights of the European Union to review and respond to an issue raised within a reasonable time – 54 complaints;
- Lack an effective mechanism to protect the rights of tobacco producers – 31 complaints;
- Abuse of powers of government authorities – 13 complaints.

Matters of significant public interest yet to be resolved

The work on citizens' complaints and whistle blows also identifies problems affecting a large number of citizens for which the competent institutions need to find solutions such as:

Impossibility for corrections when an e-vignette has been issued

As early as the start of the new system at the end of 2018 the citizens brought up a serious issue – impossibility to make a correction if an error is made in the putting down of the registration number of a vehicle when the vignette price is paid for. In such a case, the citizens has to pay a new vignette price which the Ombudsman finds inadmissible.

Removal of address registration

In 2018 a large number of citizens continued to seek assistance in relation to the impossibility to remove the address registration of third parties at the address of their own homes. The Ombudsman's inquiries into such cases found that close to 250 people are registered at some addresses.

The Ombudsman has already raised the problem which is important not only due to the inconveniences caused to the citizens affected. It is also essential that the unified system of population registration contains information which is not accurate and up-to-date.

The Ombudsman believes that the amendments to the Civil Registration Act already provide for a procedure for removal of address registration. However, it is applicable only when specific violations are found (of Article 92, Article 99, paras 1 and 4 or Article 99a) and does not resolve the problems with the registrations as per permanent address made before 2011 in line with the provisions effective at the time which did not set out that documents certifying the citizens' right to register at the address of their choosing were to be required upon making an address registration.

Need to update the requirements for address registrations

The national Ombudsman is contacted by many citizens who are unable to register as per their permanent and current address regardless of the fact that they can provide the documents required under the Civil Registration Act; the following issues emerge based on their complaints:

In some cases, these are citizens whose apartments are designated by both letters and numbers (44B). As Article 89, para 3 of the Civil Registration Act provides that an apartment is designated by a number made up of up to three digits, the civil registration services refuse to make address registrations of such addresses.

There are also many cases when citizens get refusals to be registered at studios they have purchased.

The Ombudsman is certain that the fact of the increasing number of studios in modern construction, especially in large cities, should not be ignored. A significant part of their owners use them for also living purposes but, at the same time, they are unable to be registered. The citizens are forced to register at another address which hampers the exercise of the right to labour, social benefits and social-economic protection, education, etc.

Main recommendations:

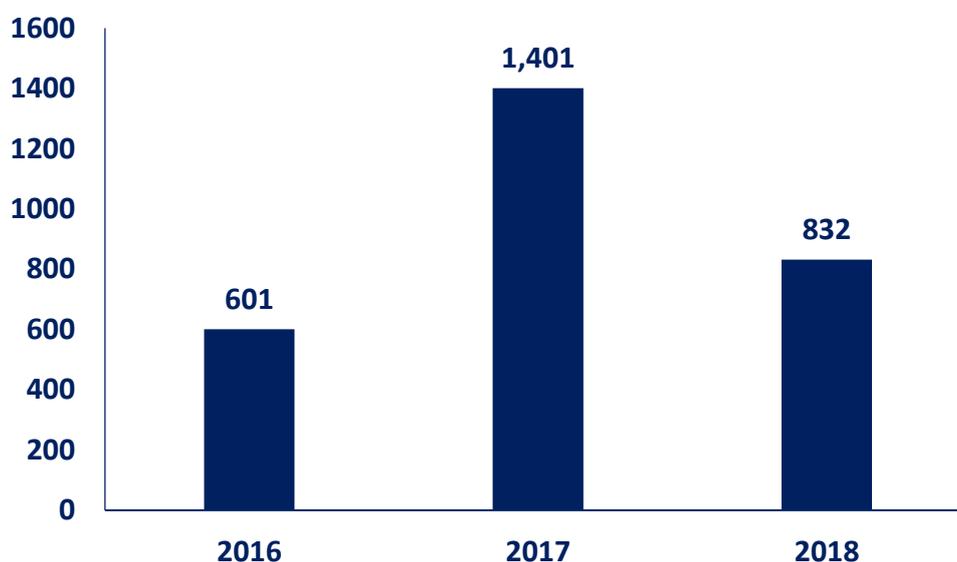
- All administrative authorities need to set clear and transparent procedures and rules guaranteeing the observance of the principles of good governance and ensure that they are applied;
- Improve the work organization ensuring adequate management decisions and timely measures to fulfil obligations and resolve problems as well optimal use of the public resources;
- Improve the cooperation among competent institutions;
- Expand the possibilities to submit requests/applications, complaints and protests, whistle blows and suggestions via the territorial units and branches of administrations as well as via municipal administrations;

- Improve the connection with the citizens by implementing a system to measure the user satisfaction with the administrative services in all administrations;
- Observance of the common standards of quality for administrative services in the state administration;
- The process of discussion and decision-making by government and local authorities, including during discussions of amendments to primary and secondary legislation, should not be formal but should ensure possibilities of broad public participation and taking into account the arguments and proposals made.

11. Right to protection in enforcement proceedings

In 2018, the upward trend in the number of complaints against enforcement officers since 2015 declined; the total number of complaints submitted throughout the year stands at 832, i.e. 41% less in comparison to 2017 (1 401 complaints), when at the of the year amendments to the Civil Procedure Code were adopted upon the Ombudsman’s initiative.

Chart: *Complaints related to the citizens’ protection in enforcement proceedings for the period 2016-2018, number*



In their complaints, the citizens insist on help and assistance in specific enforcement cases as well as on engaging the disciplinary liability of enforcement officers by the Ombudsman’s institution on account of violations made.

The citizens’ rights in enforcement proceedings are protected to a greater extent as a result of the legislative amendments adopted at the end of 2017 but an issue which emerges is the fast-track procedure for banks and other credit institutions, monopoly companies, mobile operators, receivables collection companies to obtain a writ of execution and launch enforcement against the debtor with the debtor being able to defend themselves to a sufficient extent.

12. Right to protection against discrimination and hate speech

The efforts of the Ombudsman's institution in 2018 continued to be aimed at protecting the rights of citizens who are victims of discrimination and resolving the cases of inequitable treatment.

Inequitable treatment results in breaching the citizens' rights and the findings are that the measures to prevent discrimination and its unfavourable consequences are not sufficiently effective. This is specially visible in the cases of multiple and intersectoral discrimination, inaccessible environments and discrimination at the work place.

Within their powers, the Ombudsman uses the mechanisms laid down in the Ombudsman Act to protect every citizen's right to equitable treatment. The main citizens' complaints about violations in the area of discrimination are:

- Accessible environment – citizens with difficulties in movement continue to face physical barriers which significantly restrict their possibilities to exercise their rights. This is specially visible in small municipalities and rural areas where the possibilities of the municipal budgets to carry out the necessary renovation works are highly restricted.
- Discrimination against persons with disabilities when looking for jobs and in the work environment – in 2018, the persons with disabilities continued to face unemployment and discrimination in the employment sector. A significant issue is still the low level of employers' awareness of the obligation to provide reasonable facilities at the work place as well as the low percentage of persons with disabilities transitioning from a protected work environment to the open labour market.
- Removal of illegal buildings and seizure of properties where Roma families live and which are their only residence – the problems with the removal of illegal buildings or seizure of properties continued in 2018 and no substantial progress was made. One of the areas the Ombudsman pays special attention to is the actions of authorities in relation to removing groups of people from their illegal residences where such actions impact primarily people of Roma origin. The reasons the authorities cite for the forceful removal of residences include that the buildings are illegal, they pose a threat to the life and health of those living in them, illegal taking of terrains which are municipal property or owned by other subjects.
- Hate speech – for years the Ombudsman has been making efforts to convince the heads of the responsible institutions to take adequate measures to resolve the issue with the lack of sufficient recognition and counteraction to using hate speech.

Main recommendations:

- Adopt amendments to the legislation and prohibit explicitly the refusal to ensure appropriate conditions and provide reasonable amenities as an act of disability-based discrimination in all spheres of life;
- Repeal the legislative provisions which discriminate against persons with disabilities;
- Improve the enforcement of decisions regarding disability-based discrimination, including decisions about multiple and intersectoral discrimination which persons with disabilities may be subject to;

- Ensure a possibility for persons with disabilities, including people under interdiction, to have access to the existing legal remedies in cases of disability-based discrimination;
- The competent institutions need to take the necessary responsibility and take timely and adequate measures to implement the Ombudsman’s recommendations and the acts of the Commission for Protection against Discrimination for amendments to the regulatory framework in order to stop the violations and guarantee equitable treatment;
- Take effective measures to integrate a disability perspective in all gender equality policies and laws;
- Take action to provide for the right of persons with disabilities to appropriate conditions and reasonable amenities at the work place and take measures to prevent discrimination against persons with disabilities in the work environment;
- Take measures to guarantee that there will be no inequitable treatment by applying instructional letters issued by the heads of the responsible institutions;
- Refine the regulatory framework by preparing specific and clear provisions to achieve lasting and sustainable solutions to the persistent social, administrative and economic problems related to illegal construction;
- Take action to resolve the problem with the lack of sufficient recognition and counteraction to using hate speech.

13. National Preventive Mechanism

The National Preventive Mechanism (NPM) reports a very good progress in improving the living conditions of people deprived of liberty at detention facilities in South Bulgaria. Again an essential element has been the application of the Norwegian Financial Mechanism and note should be made of the good professionalism of the staff of the Directorate General Execution of Punishments (DGEP) in performing these tasks. All prisons in South Bulgaria (with the exception of Sofia) have been renovated. New detention sections are being constructed in Sliven and Stara Zagora and the transition from the old facilities will take place in 2019. The type and volume of construction work have resulted in temporary overcrowding which could not be avoided despite the existing legal mechanism due to the lack of vacancies in the closed-type facilities.

At the same time, a minimal progress is reported in relation to the problems reflected in the 2017 Annual Report of the Ombudsman as the NPM

In the cases where the Ombudsman’s recommendations have been accepted, usually information about is obtained from mass media. We are not aware of the arguments why the other findings were accepted or accepted in principle the possible current actions. This circumstance directed the NPM activities to inspections in thematic areas and with findings which were valid for the entire system. The purpose of the inspections is to follow up on the arguments in relation to the problems raised in 2017, prompt a broader public discussion and possibly improve the legislation.

The main topics include the use of auxiliary means and weapons, as well as administrative legislative and judicial measures to observe the constitutional rights of the people deprived of liberty.

As regards the medical services in the places for deprivation of liberty, the 2018 inspections show that the health system of the penitentiary system remains unreformed and the quality of healthcare for the people deprived of liberty does not improve.

The NPM believes that a structural reform is needed in the healthcare in the penitentiary system aimed at external health services. The current provisions for the medical services in the places for deprivation of liberty and detention in custody have not been updated and do not lay down the real possibilities for healthcare for people deprived of liberty.

During the visits to the Special Homes for Temporary Accommodation of Foreigners (SHTAF) in the area of Busmantsi, Sofia, and Lyubimets, the NPM team found that the capacity of the centres was not used to the full. At the time of the inspection in Sofia, there were 186 places occupied of 400 and, in Lyubimets, 151 placed were occupied of 300.

During the interviews, the foreigners accommodated expressed their dissatisfaction with the quality and quantity of the food offered. There are canteens in both SHTAFs where people can buy additional products.

The places arranged for TV viewing are in poor conditions (flaking plaster, broken chairs) and need to be renovated. There are football, basketball and volleyball playgrounds in the yards of the homes but the stay outside is organized as per a schedule. The NPM believes that despite the efforts of the leadership to ensure conditions for recreation, sport and cultural activities, a possibility should be created for these places to be used for a greater period of time by the foreigners accommodated who are currently doing nothing during the better part of the day. In this regard, an outside children's playground is to be built at Lyubimets SHTAF.

Both homes lack a special space adjusted to the needs of families with children. They are separated in special corridors but still people continue to be accommodated in common sleeping rooms in view of their nationality and religion.

A positive finding is that in order to improve the communication with the foreigners, the SHTAF staff attend language training in English and Arabic.

During the inspection in Busmantsi, Sofia, there were five people accommodated given a capacity of 75. All people are accommodated in the same room whose space, according to the inspection team, is insufficient.

An order of September 2016 of the Chair of the State Agency for Refugees (SAR) approved the terms for accommodation and the internal order at closed-type premises at the territorial units of the SAR with the Council of Ministers.

As regards the Transit Centre in the village of Pastrogor, there is a decision of the Council of Ministers as per protocol No. 24 of 20 June 2018 under a report for the implementation of measure 168 Transforming the Pastrogor Transit Centre from an open-type into a closed-type one, whereby it was decided that the centre would continue its activities as an open-type one. However, it can create special premises or closed-type parts pursuant to Article 47, para 4 of the Asylum and Refugees Act (ARA). On the visit day, there were no such premises. Given a capacity of 320, 12 persons were accommodated.

The NPM team does not have recommendations and can only note the excellent work of the team at this transit centre.

In this regard, the NPM makes recommendations to the Minister of the Interior and the SAR Chai.

The 2018 NPM inspection again made the same findings as in previous years that the state psychiatric hospitals (SPH) were unreformed and the quality of the healthcare provided there was not improving.

At present, in the country there are 12 SPHs; 12 mental health centres (MHC); 5 psychiatric clinics at university hospitals, and 17 psychiatric wards at multiprofile hospitals. The bed capacity there makes up 10% of all hospital beds in the country.

Extended hospital treatment is provided at SPH. According to the National Centre for Public Health and Analyses, in 2016 the average stay of a patient at a psychiatric hospital was 56.7 days and 20.7 days at a MHC. If the economic indicators of the SPH and MHC are compared, it can be seen that on average in 2016 a full-board day was BGN 3.12 at MHC and BGN 2.56 at SHP. A full medicine day was BGN 2.04 at MHC and BGN 1.76 at SPH. A conclusion can be reached that despite the extended treatment provided at SPH, the funding for their activities is less than the funding for MHC. The overall costs for mental health per year stand at less than 3% of the budget of the Ministry of Health.

The different way of funding of SPH and MHC leads to a difference in payment for medical specialists for the same work and to different maintenance costs of the medical institutions.

In most cases, SPHs are located outside population centres, with a poor road and communication infrastructure (Karvuna SPH, Balchik Municipality) which diminishes the quality of the care provided and hampers the access of specialists. Moreover, the Psychiatry medical standard provides that “the psychiatry clinic or ward is to be able to use an X-ray, electroencephalogram and a clinical lab all ensuring a 24-hour access to the hospital as well as the possibility to provide medical consultations with other medical specialists – all this on the territory of the population centre – as well as electrocardiogram and oxygen installation on the territory of the hospital”.

In isolated cases, SPHs are located in cities with the ability to provide complex health and social services (Pazardzhik SPH).

In most SPHs, the facilities are obsolete and amortised.

Approximately 30% of the SPH patients in the country are on obligatory or involuntary treatment. The patients are placed in medical institutions for hospital psychiatric help under Article 153 of the Health Act and Article 89c of the Criminal Code. They are treated following informed consent.

Most SPHs are unable to comply with the Psychiatry medical standard approved by Ordinance No. 24/2004 of the Ministry of Health which lays down the provision of quality medical help in medical institutions.

The NPM inspections found that, in certain cases, statutory documents guaranteeing the patients’ rights are not observed.

Another key problem of the psychiatric help in the country is the lack of continuity between medical institutions in terms of the care and therapy as well the information about patients. There is no practice to keep a patient’s file after the patient is discharged from the medical institution or psychiatric hospital, to refer the patient to monitoring, support therapy or another type of psycho-social help with a view to the person’s

reinclusion in the community. These activities are performed chaotically, depending on the patient's condition and will or upon the initiative of their relatives.

To resolve this problem, as per a 2009 amendment to the Health Act, Article 147a provides that a National Official Register of People with Mental Disorders is to be set up and maintained. The terms and procedure for keeping and using data from the register are to be laid down in an ordinance of the Minister of Health; one has not been issued yet.

Pursuant to Article 148 of the Health Act, the main principles of treatment of persons with mental disorders include reducing the institutional dependency on extended hospital treatment and prioritizing the care in the family and the social environment.

It is of special significance to apply the provision of Article 145, para 1, item 8 of the Health Act and take action to inform the public about the problems of mental health, including through awareness campaigns to reduce the stigma for people with mental disorders. The public and the patients' relatives need to accept that they need treatment and specialized care and the isolation they find themselves in now leads to a deterioration in their condition and is a direct violation of their rights.

The sick person also needs to be familiar in detail with all possibilities for support and social services in the community – day care with medical institutions for psychiatric help, day care centres, protected homes, etc. as well as the circumstance that an application to the Social Assistance Directorate as per one's current address needs to be submitted to use social services.

Yet for another year the NPM needs to note that the Social Assistance Directorates at the Social Assistance Agency continue to place children and persons at residential social services by taking them outside of the family environment. The opinion the NPM has repeatedly expressed is that the placement of children and adults from a family environment in an institution needs to be a protection measure of last resort. The process of deinstitutionalization started in 2010 is progressing slowly and still there are not sufficient social services in the community for children and adults.

It is essential for the government institutions to support the family and relatives of the children and adults at risk of being abandoned; this process also involves municipalities, the non-governmental sector, civic associations, etc.

A major problem found during the NPM inspections at social institutions for children and adults is the lack of qualified personnel to provide adequate care for those placed in them. The reasons for this lie in the low salaries, insufficient training, lack of requirements for educational degree, remoteness from municipal centres which inevitably lead to the lack of motivation and a great personnel turnover.

In 2018, the NPM inspections at institutions for children focused mainly on the family-type accommodation centres for children and youth with disabilities (FTACCYD). A total of 4 institutions were visited – family-type accommodation centres for children with disabilities and 1 home for medical and social care for children (HMSSC). The main NPM finding is that there are systemic problems at the institutions regarding the care provided for children; the most serious one being the lack of specialized personnel such as psychologists, social workers, kinesiotherapists and others.

In 2018, the NPM carried out repeated inspections at 5 homes for adults with mental disabilities, 3 homes for adults with mental disorders and the protected residences for adults with mental disabilities and disorders set up in the respective regions.

The inspections repeat the findings of previous years that the system of providing institutional social care is still unreformed and the quality of the social service has not been improved. One of the main problems is that the homes are often located outside population centres, with a poor road and communication infrastructure which hampers the access of specialists. In isolated cases, the homes and newly created protected residences are located in cities with the possibility for complex social and health care. In most of the institutions inspected, the facilities are obsolete and amortised.

In this regard, the NPM recommends to the Minister of Labour and Social Policy to take timely action to increase the cost standards for all resident social services for the elderly in order to improve the quality of the care provided.

CHAPTER TWO.

Impact on the regulatory framework

Impact on the regulatory framework

In 2018, following consultation and discussion with the Consultative Constitutional Council with the Ombudsman, the Public Advocate submitted two requests to the Constitutional Court to establish the anti-constitutionality of legislative provisions violating the citizens' rights and freedoms.

Within the year, the supreme courts rules by means of two judgments upon requests for interpretative judgments submitted by the Ombudsman.

Opinions and legislative proposals

In 2018, the institution received: 133 requests to the Constitutional Court, 13 requests for interpretative judgments and 306 requests for amendments to the legislation.

The year was dedicated to the search of regulatory solutions to the problems of the persons with disabilities; the Ombudsman, together with protesting mothers of children/persons with disabilities, prepared and tabled before the National Assembly a Personal Assistance Act and took an active part in the preparation of the Persons with Disabilities Act and the Social Services Act.

The Public Advocate carried out legislative campaigns in protection of the citizens' rights in the areas of:

- Labour Code;
- Social Security Code;
- Election Code;
- Family Benefits for Children Act;
- Local Self-Governance and Local Administration Act;
- Ombudsman Act and the Regulations for the Organization of the Ombudsman's Work;
- National Health Insurance Fund Act, State Budget Act, State Social Security Budget Act;
- Insolvency of Individuals Act.

Campaigns and initiatives

Protection of miners' pension rights

Upon the Ombudsman's proposal, the legislator adopted amendments to the Social Security Code guaranteeing the miners' pension rights.

Protection of the right of children with one or no surviving parent

Upon the Ombudsman's proposal and with the Ombudsman's active participation and insistence, the National Assembly adopted amendments to the Family Benefits for Children Act providing for a new type of social benefits for children who do not have the right a pension from a deceased parent.

CHAPTER THREE.

Monitoring the implementation of international treaties in the area of human rights

1. European Convention for the Protection of Human Rights and Fundamental Freedoms

The monitoring of the implementation of international treaties in the area of human rights is performed by the Ombudsman of the Republic of Bulgaria pursuant to the UN Paris Principles and the Ombudsman Act. According to Article 19, para 1, item 10 of the Ombudsman Act, the Ombudsman has the express power to monitor and encourage the effective implementation of the human rights protection conventions to which the Republic of Bulgaria is a party.

10 December 2018 is the 70th anniversary of the adoption of the Universal Declaration of Human Rights by the UN General Assembly. On the day of the anniversary of the adoption of the Universal Declaration of Human Rights, the event was marked by a public lecture of the Ombudsman for students and professors at the University of National and World Economy.

General findings about the implementation of sentencing judgments against Bulgaria

The greater part of the Ombudsman's recommendations from previous years remain unchanged in the 2018 report.

Although there is certain development in the execution process for some cases, at this stage it is solely in the form of progress in the activities of the working group set up a long time ago.

As regards Bulgaria's progress in the execution of the judgments monitored by the Committee of Ministers in 2018, two main conclusions can be reached which give rise to serious concerns.

First, the total number of judgments subject to execution being monitored by the Committee of Ministers did not decline. The statistics show that as of 31 December 2018 there were 208 judgments of the European Court of Human Rights which had not been executed. For the sake of comparison, the number of this category of cases as of 31 December 2017 stood at 207.

In 2018, another 36 sentencing judgments were placed under monitoring by the Committee of Ministers. The number is higher compared to 2017 when there were 33.

In this way, it is difficult to see the effect of the otherwise positive conclusion that 36 cases were completed by a final resolution in the same year. It is apparent, however, that the number of completed cases is significantly smaller than the number of cases completed in 2017 (116).

The data show that, unfortunately, the positive 2017 downward trend for judgments to be executed did not continue in 2018 when their number was permanently high.

Second, 2018 also did not see a decline in the number of judgments placed under heightened monitoring by the Committee of Ministers because they had not been executed for many years.

A conclusion can be reached about them that their number remains traditionally high, almost unchanged in comparison to 2017, and the tendency for Bulgaria not to execute a large number of sentencing judgments over a long period of time continues.

In 2018, the judgments against Bulgaria under heightened monitoring by the Committee of Ministers stood at 102; for the sake of comparison, in 2017 there were 108.

The negative trend remains and the lack of progress in execution leaves Bulgaria trailing well behind other countries which used to be in a situation similar to Bulgaria until the previous year.

From a regional perspective, the number of judgments not executed by Bulgaria and monitored by the Committee of Ministers continues to be very high, especially when compared to countries such as Poland (56), Croatia (22), Switzerland (2), the Czech Republic (2) and countries such as Germany, Finland, Sweden and Denmark which have no cases under heightened monitoring in 2018.

Undoubtedly, there are Council of Europe Member States with a higher number of sentencing judgments than Bulgaria. They include Romania (252), Russia (1 882), Turkey (710), Ukraine (1 400) but these states are traditionally considered to have grave problems with the protection of the citizens' fundamental rights and freedoms but the relative number of their population is much higher than that of our country.

In 2018, still valid is the conclusion that this number of sentencing judgments under heightened supervision calculated as of the number of Bulgaria's population shows that we have one of the largest shares of unexecuted judgments issued by the European Court of Human Rights.

There is still a tendency for the sentencing judgments against Bulgaria to cover almost all texts of the European Convention on Human Rights which makes it necessary to take a great number of different measures.

Last but not least, there are troubling conclusions about the amounts Bulgaria paid in compensation in 2018. Unfortunately, the tendency for the amount not to go down continued in 2018 when Bulgaria paid EUR 747 161. For the sake of comparison, the amount of compensation paid in 2017 stood at EUR 641 535.

A conclusion can be reached that the amount of compensation paid by Bulgaria in compensation in 2018 is significantly higher than the amount in other Council of Europe Member States.

Main recommendations:

- Strengthen the coordination mechanisms among the institutions responsible for the execution of the sentencing judgments of the European Court of Human Rights against Bulgaria;
- The state is to take common prevention measures and ensure the political will for this;
- Strengthen the coordination role of the Ministry of Justice and the Procedural Representation of the Republic of Bulgaria before the European Court of Human Rights Directorate in the process of aligning the national legislation and institutional practice to the judgments of the European Court of Human Rights;
- Set up an interinstitutional coordination council including representatives (experts) of all national institutions which should be directly engaged in the process of coordinating and monitoring the implementation of the measures to execute the sentencing judgments of the European Court of Human Rights;
- Align the national legislation and institutional practice to the European Convention on Human Rights and the case-law of the European Court of Human Rights in order to ensure and guarantee more effectively the observance of the Bulgarian citizens' fundamental rights and freedoms;
- The national mechanism to review the compliance of the statutory acts with the European Convention on Human Rights should be applied by both the executive and the legislature;
- Legislative amendments to provide for a preliminary compliance assessment of the legislative proposals of Members of Parliament with the European Convention on Human Rights when they concern citizens' fundamental rights and freedoms.

Key judgments in 2018.

One key judgment against Bulgaria was issued in 2018 which is explicitly listed in the list of key cases of the European Court of Human Rights. This is *Hadzhieva v. Bulgaria*, no. 45285/12, 1.2.2018. The Court's judgment is final and in force as of 2 July 2018 finding a violation of Article 8 of the European Convention on Human Rights.

Judgments whose execution is completed according to the Committee of Ministers

The more than doubled number of complaints to the Ombudsman in the period 2016-2018 shows an increase in the violation of fundamental rights related to key provision of the European Convention on Human Rights.

In many cases, the citizens turn to the Ombudsman during pending judicial proceedings or after their completion. Although it is inadmissible for the Ombudsman to review such complaints, they demonstrate numerous and repeated violations and concerns from citizens. Along with this, they are an indication of the violations most often referred to the European Court of Human Rights after the domestic remedies have been exhausted.

The Ombudsman's 2018 Annual Report gives recommendations about:

- Weaknesses of investigations carried out in the event of death or inhuman treatment. Violations of the right to life and the prohibition of torture, inhuman and degrading treatment (Article 2 and Article 3 of the Convention);
 - Prohibition of torture (Article 3). Overcrowdedness and poor conditions at the places for deprivation of liberty and remedies for them (Article 3);
 - Placement of minor and underage individuals at homes, the case *A. and Others v. Bulgaria* (Article 5);
 - Problems related to the citizens' election rights. The cases *Petkov v. Bulgaria* and *Riza and Others v. Bulgaria*;
 - Criminal problems related to violations of Article 5, Article 8 and Article 13 of the European Convention on Human Rights;
 - Violations of the right to a fair trial (Article 6);
 - Appeal against the decisions of the Bulgarian National Bank to repeal banking licences and institute bank insolvency proceedings (Article 6 (1) of the Convention and Article 1 of Protocol No. 1);
 - Right to respect for private and family life (Article 8);
 - Application of the principle of proportionality in the administrative procedure to remove illegal buildings or seize properties in cases where the right to respect for private and family life and residence under Article 8 of the Convention is impacted;
 - Freedom of thought, conscience and religion (Article 9);
 - Expulsion of foreign nationals (Articles 3, 8, 13 of the Convention and Article 1 of Protocol No. 7);
 - Restitution and other matters of possession (Article 1 of Protocol No. 1);
 - Other matters of possession (Article 1 of Protocol No. 1);
 - Election rights of people deprived of liberty;
 - Bulgaria to sign and ratify Protocol No. 1 to the European Convention on Human Rights.

2. UN Convention on the Rights of Persons with Disabilities

As an independent authority protecting human rights whose activities are in line with the Constitution, the laws and international treaties to which the Republic of Bulgaria is a party and until the composition of the independent monitoring authority under Article 33, para 2 of the Convention of the Rights of Persons with Disabilities (CRPD) is set, the Ombudsman performs overall monitoring of the implementation of the said Convention. In 2018, in response to a serious public pressure and protests, the executive took action to reform the social policies regarding persons with disabilities in line with the principles enshrined in the CRPD. As a result, two new laws for the rights of persons with disabilities

were adopted – Persons with Disabilities Act and Personal Assistance Act. The development of the bills involved the active participation of representatives of persons with disabilities and parents of children/persons with disabilities supported by the Ombudsman. The Ombudsman both supported the protesters' fair demands and assisted in the development of the texts in order to achieve compliance with the CRPD requirements.

Presentation of the initial report under the UN Convention on the Rights of Persons with Disabilities in Geneva on 3 and 4 September 2018

Pursuant to Article 35 (1) of the UN Convention on the Rights of Persons with Disabilities, *“Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.”*

The initial report of Bulgaria was prepared and submitted to the Committee in 2014. The presentation of the report was scheduled for the twentieth Committee session on 3 and 4 September 2018. In relation to the presentation of the report, the Bulgarian State received a list of questions to which responses were prepared and sent.

The Ombudsman provided written comments on the report to the Committee in July 2018. The Ombudsman informed the Committee members about the situation related to the protection of the rights of persons with disabilities in Bulgaria and the progress on applying the Convention and aligning the national legislation and institutional practices to its provisions.

The problems the Ombudsman outlined also include: accessibility of the environment, difficulties with amenities and medical products, medical expert examinations and work fitness examinations, access to social services and personal assistants, employment, concept of interdiction, access to justice, lack of specific support for women with disabilities, isolation of children with grave disabilities, existence of multiple discrimination against persons with disabilities, postponement of the ratification of the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities and lack of mechanisms explicitly assigned to perform the functions of coordination authorities, points of contact and monitoring in relation to the application of the Convention.

3. UN Convention on the Rights of the Child

On 20 November 1989, the United Nations Organisation adopted the Convention on the Rights of the Child (CRC) which is the first international legal binding document promoting the human rights of all children. The CRC became effective in Bulgaria in June 1991.

An important mechanism to encourage and guarantee its implementation is the independent national institution of the Ombudsman of the Republic of Bulgaria. The Ombudsman prepares a part of the Annual Report as a result of monitoring. It reflects both the level to which the national legislation is aligned to the CRC content and the practices of its application by the national institutions. The Ombudsman's annual monitoring allows for an independent contribution to the process of reporting to the UN Committee on the Rights of the Child.

General measures for implementation and monitoring (Articles 4, 42 and 44 (6) CRC)

• Legislation

Main recommendations:

- Adopt a special procedure to assess the impact on the rights of the child and the child's wellbeing of all laws and changes made, introducing special indicators to measure the impact;
- Explore the international practice with regard to the assessment of the impact on the rights of the child of all new laws being discussed;
- Appraise new tools and methodologies.

• Universal policy and strategy

Main recommendations:

- Launch a large-scale national campaign to popularize the National Strategy for the Child where the Bulgarian Government and the National Assembly play a leading role;
- Popularize the concept of the rights of the child;
- Adopt a communication strategy to popularize the rights of the child.

• Resource allocation

Main recommendations:

- Popularise the tool to track the state investments in children prepared by the National Network for Children, the Institute for Market Economics and For Our Children Foundation;
- Implement a pilot project to create a mechanism to monitor and assess the resources necessary to apply the CRC.

• Coordination

Main recommendations:

- Urgently approve an interinstitutional mechanism to coordinate the implementation of the Committee recommendations;
- The State Agency for Child Protection, as the main authority to coordinate and apply the policies for the child, to take on the overall organization of the process for its preparation;
- The mechanism needs to encompass the monitoring of all recommendations issued for Bulgaria which have not been implemented or have been partially implemented;
- The interinstitutional mechanism is to engage not only national authorities but also local ones.

• Data gathering

Main recommendations:

- Create a unified National Information System at the State Agency for Child Protection which will allow for the integration of data from all spheres related to the support and protection for children;
- Set up a working group together with the National Statistical Institute to develop indicators to measure the results which will be unified for the entire system.

- **Independent monitoring**

The UN Committee on the Rights of the Child welcomes the steps taken by the signatory to the Convention to include the rights of the child within the Ombudsman's competence through the 2012 amendment to the Ombudsman Act along with the NPM functions but is concerned due to the lack of sufficient resources at the institutions.

The view of the National Network for Children is that the Ombudsman's institution is active in the matters of the rights of the child but needs more human resources to monitor these rights. The National Network for Children advocates for the creation of an Ombudsman for children by assigning a special position "Ombudsman for the rights of the child" within the Ombudsman of the Republic of Bulgaria whose main function will be to perform an independent monitoring of the policies and practices for children in the country.

CHAPTER FOUR. **International activities**

Forums organized by the Ombudsman under the Bulgarian Presidency of the European Council



Undoubtedly the most significant international event organised by the Ombudsman's institution during the past year was the forum under the Bulgarian Presidency of the Council of the European Union *Double Standards for EU Food – Let's Put the Problem on the Table!*

The Ombudsman has taken the lead on the topic of double standards for EU food since 2017. In Bulgaria, the Ombudsman's institution as an advocate for the citizens' rights has managed to unite institutions and citizens into a national coalition against the double standards and overcome the hesitation and scepticism that the cause could yield a result.

The Ombudsman sent a declaration to the European Commission, the European Parliament and the Council of Agriculture Ministers against the double standards for EU

food. Along with this, the Ombudsman submitted a petition to the European Parliament on 2 October 2017 signed by citizens and representatives of non-governmental organizations asking for new European legislation prohibiting the offering of food products. In 2018, the petition was allowed to proceed and, on 22 January 2019, the Ombudsman was heard by the Petitions Committee at the European Parliament and defended the definitive position against the double standards for EU food.



An important focus of the international activities of Ombudsman Maya Manolova is the meeting of Ombudspersons from the Balkan countries she organized in Sofia on 19 November 2018. The topic of the forum was *Protection of the Citizens' Rights: Challenges to the Balkan Cooperation*.



The event was again within the context of the European Presidency of the Council of the European Union and in partnership with the institution of the public advocate of North Macedonia. It was attended by representatives of 13 countries from the region, including Serbia, Montenegro, Croatia, Romania and others and held on the eve of two significant anniversaries – 70 years from the adoption of the Universal Declaration of Human Rights and marking 10 December, International Human Rights Day.

International cooperation and participation of the Ombudsman in forums for the protection of the rights of citizens and persons with disabilities, and international meetings

– Representatives of the Ombudsman took part in the international conference *European Day of Persons with Disabilities* upon the invitation of the European Commission and the European Disability Forum on 3 and 4 December 2018 in Brussels.

– Representatives of the Ombudsman took part in a separate afternoon session organized by the EU Agency for Fundamental Rights (FRA) related to the process of deinstitutionalization of the services for elderly persons with disabilities.



– With the clear awareness that this opportunity is also a significant responsibility, the Ombudsman took part in the 20th session of the UN Committee on the Rights of Persons with Disabilities (3-4 September 2018) when the hearing of the Republic of Bulgaria on the initial state report on the implementation of the UN Convention on the Rights of Persons with Disabilities was scheduled (2012-2013).

– *“The future belongs to the regional forms and cooperation.”* This is what Ombudsman Maya Manolova shared on 3 May 2018 in Skopje where she was on a visit upon the invitation of her Macedonian colleague Idzet Memeti. More than 20 Ombudspersons took part in marking the 20th anniversary of the creation of the Ombudsman institution in our western neighbour. One more anniversary was marked in Skopje – that of the public advocates from the network of Mediterranean countries set up 10 years ago.



– *“Corruption limits the possibilities of the state to ensure effective protection of human rights, especially when it’s prevalent; it leads to a decline in institutions and drastically infringes upon the economic, social, political, civil and cultural rights of people.”* This is what Deputy Ombudsman Diana Kovacheva said on 5 June 2018 during the international conference *European Practices and Possibilities to Combat Corruption* organized under the aegis of the President of the Republic of Bulgaria Rumen Radev at Balkan Hotel.

– On 8 June 2018, the Ombudsman of the Republic of Bulgaria Maya Manolova and the Public Advocate of the Republic of Serbia Zoran Pasalic signed a Memorandum of Cooperation between the two institutions in Belgrade.



– 11 June 2018 – The Ombudsman stated support for the implementation of the JUSTROM program in Bulgaria – a joint project of the European Commission and the Council of Europe aimed at ensuring access to justice for women and girls of Roma origin from the migrant communities in Bulgaria, Greece, Ireland, Italy and Romania.

– 24 and 25 October 2018 – The Ombudsman and the Deputy Ombudsman took part in the annual conference of the European Network of National Human Rights Institutions (ENNHRI 2018) and a session of the General Assembly in Athens, Greece.



The Conference of the European Network of National Human Rights Institutions is dedicated to: *National Human Rights Institutions as Human Rights Defenders: Enabling Human Rights and Democratic Space in Europe.*

International activities and cooperation of the Ombudsman as the NPM

The conferences, seminars, working groups and meetings in which the Ombudsman and NPM experts took part in 2018 are:



- 10 December 2018 – The Ombudsman hosted the 8-member delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- Training held by NPM experts for staff of the Ombudsman’s institution in Bosnia and Herzegovina;
- Participation in a conference on: *Roma Inclusion after the Roma Decade: Current Situation and Future Challenges* in the Republic of North Macedonia;
- Participation in a round table discussion on *Effective Alternatives to Detaining Migrants* held in the Republic of Montenegro;
- Participation the working group for best practices related to fundamental human rights and freedoms in actions of forced return of foreigners (27-28 February 2018) in the Republic of Latvia;
- Participation in the annual meeting of the participants in actions of forced return of foreigners (19-20 June 2018) in the Republic of Finland;
- Participation in a conference on *Access to Legal Defence and Representation in Criminal Proceedings*.

Actions related to the accreditation of the institution in line with the Principles Relating to the Status of National Institutions (Paris Principles)

All recommendations issued by the UN Subcommittee on Accreditation were implemented and, in October 2018, the National Ombudsman submitted an application for accreditation to be granted Status A.

Expense report

The State Budget Act accords the Ombudsman of the Republic of Bulgaria expenses of BGN 2 974 000.

During the year, the Ministry of Finance adjusted the institution’s budget – an increase of BGN 50 929 provided as per Council of Ministers Decree No. 15/1.02.2018 to ensure means for events from the agenda of the Bulgarian Presidency of the Council of the

European Union in 2018 to organize and hold a conference with the participation of the European Ombudsman and ombudspersons from EU Member States; an increase with transfers for costs under the Career Start program to ensure employment – BGN 6 438; a reduction of BGN 1 933 for compensatory changes made between the budgets of the Ombudsman of the Republic of Bulgaria and the Ministry of Education and Science.

The total amount of the 2018 budget of the institution following the adjustments stands at BGN 3 029 434.

Amount of 2018 revenue reported as per line items – BGN 3 179.

Amount of 2018 expenses reported as per line items – BGN 3 001 025.

The team of highly qualified professionals are the main resource of the Ombudsman of the Republic of Bulgaria. The remuneration and social security for the team make up the most substantial part of the institution's budget.

The largest relative share (42.4%) of Maintenance is the expenses for the lease of the building (private property) where the institution is housed (over the past three years the lease has been re-negotiated and gradually reduced). Regardless of the reasoned letters sent to the Prime Minister of the Republic of Bulgaria, no building – state or municipal property – has been provided.

The institution is a member of international organisations for which membership fees are paid – European Network of Ombudsmen, International Ombudsman Institute, Organisation of Ombudsmen and Mediators of La Francophonie, European Network of National Human Rights Institutions, European Network of Ombudspersons for Children.

In 2018, pursuant to an agreement with the Employment Agency, a staff member was engaged under the Career Start program for a period of nine months. The program costs stand at BGN 6 438 (salaries and social security), a transfer made by the Ministry of Labour and Social Policy.

Priorities and events in 2019

1. Take measures to guarantee the rights of citizens as consumers in their relations with banks and monopolies in line with the European legislation;
2. Find a legislative solution to the problems with the citizens' overindebtedness;
3. Refine the legislation for timely reactions in the event of involuntary enforcement;
4. Protect the rights of children in conflict with the law and of children in parental conflicts.

Cooperation with the civil society and the academic community



The third edition of the **Easter for Everyone campaign** was launched on 7 March 2018. Together with graduates of the Sofia Secondary School for Bread-Making and Confectionery Technologies and students at the 51st Primary and Secondary School Elisaveta Bagryana, under the guidance of tutors from the HRC Culinary Academy, the Ombudsman and the faces of the campaign Miro, Anelia, Krisko, basketball coach Titi Papazov, actors Desi Bakardzhieva and Toncho Tokmakchiev took part in the preparation of Easter bread and buns which were presented as gifts to elderly people from a social home in Sofia.

The campaign is implemented in cooperation with the Bulgarian Red Cross, National Social Security Institute, Bulgarian Post EAD, Bulgarian Food Bank, National Volunteer Alliance, Youth Voice National Association, representatives of the food industry, food chains and others.



The new project of the Ombudsman – **social kitchen** – was launched with the blessing of His Beatitude Bulgarian Patriarch and Sofia Metropolitan Neophyte on 17 December 2018. The initiative is aimed at people at a social disadvantage, in need or temporary need, who will receive warm lunch for free in the yard of the Sts. Cyril and Methodius church at the Women's Market.

The opening of the social kitchen was attended by the “golden girls” of the national rhythmic gymnastics team and their coaches who handed out the food to the people.

The campaign partners are: Bulgarian Red Cross, Bulgarian Orthodox Church, Ministry of Agriculture, Food and Forests, Kaufland, Lidl, Billa, T-Market, Lactima Balkans, Plastic Sofia, Association of Meat Processors in Bulgaria, National Branch Chamber of Bread Producers and Confectioners.



The Ombudsman, the Confederation of Independent Trade Unions in Bulgaria and the Support Labour Confederation organized a press conference on 19 January 2018 to announce the joint actions to protect the citizens’ labour rights.

The reason to meet with reporters was the non-paid salaries in the context of the latest amendments made by the National Assembly and the judgment of the Constitutional Court allowing employers to pay only up to 60% of the remuneration to workers.

On 22 January 2018, the public advocate together with the two trade unions – Confederation of Independent Trade Unions in Bulgaria and Support Labour Confederation – tabled amendments to the Parliament relating to Article 245, para 1 of the Labour Code allowing employers to pay workers only 60% of the remuneration due when workers perform their duties in good faith.



On 23 April 2018, the Ombudsman and the National Association of Local Public Mediators in the Republic of Bulgaria submitted to the National Assembly amendments to the Local Self-Governance and Local Administration Act relating to the election and powers of the public mediators at Bulgarian municipalities. This was done following a public discussion organised at the Parliament to elaborate on the possible solutions to simplify the election procedure.



One of the most active campaigns in 2018 was upon the initiative of the Technical School Electronic Systems (TSES) which reached out to the Ombudsman calling for support to preserve the 30-year model of the school. Parents of TSES students, the Association of TSES Graduates and the Technical University in Sofia all united to protect this unique school which prepares specialists for avant-garde technologies and strategic areas.

The school was set up as part of the structure of the Technical University in 1988. Its curriculum and program are specific and updated every year in line with the latest trends in the Information Technology sector. Upon the proposal of the Ministry of Education and Science, the model of the school would be changed and the school would be transferred from the Technical University to the Regional Education Directorate which means that, in practice, all of its achievements would be obliterated.

The Ombudsman supports the demands for amendments to the Higher Education Act and the creation of possibilities to set up secondary schools at universities. The partnership established between the Ombudsman's institution and TSES continues and is developing via diverse joint initiatives.

In performance of the 2018 priority to ensure safe and healthy food for children, the Ombudsman implemented:

– On 6 February 2018, expert conference *A Future in Good Health for Europe: Healthy Nutrition for Children* within the Bulgarian Presidency of the Council of the European Union. The introduction of unified European legislation and a common European control authority to monitor the double standards for food and the use of supplements in it is among the Ombudsman's demands.

– On 21 February 2018, a forum on healthy nutrition for children was held jointly with the National Branch Chamber of Bread Producers and Confectioners, the food industry, the Ministry of Health and the Ministry of Education and Science.

The public advocate presented official statistics that more than 26% of the children in Bulgaria aged from 5 to 18 are overweight. According to the World Health Organisation, our country ranked fifth in terms of child obesity. Every fourth first-grader was overweight and every sixth child had some form of obesity. The Ombudsman added that approximately 70% of the annual costs for healthcare were to combat chronic illnesses due to the lack of healthy food.



On 23 May 2018, upon the Ombudsman's initiative, there was a public discussion on the issues in healthcare. The invitees included Members of Parliament, the responsible government authorities, the Minister of Health, the Governor and Members of the General Assembly of the National Health Insurance Fund, experts and citizens, the Bulgarian Medical Association, the National Association of General Practitioner Doctors, the Association of Regional Hospitals, the National Association of Private Hospitals, the Bulgarian Hospital Association, the Association of Municipal Hospitals, the Bulgarian Association of Healthcare Professionals, the Bulgarian Industrial Association, the Centre for Protection of the Rights in Healthcare and other branch, professional and patient organisations. It was prompted by numerous complaints submitted to the institution in relation to the problems of professional organisations, medical nurses, general practitioner doctors, young doctors specializing in fields, medical expert examinations, the work of certain Work Fitness Medical Committees, of citizens from different cities and towns in the country related to the problems at the hospitals there, of the staff of the hospital there. The Ministry of Health was preparing a plan to stabilize the grave financial position of some medical institutions.



On 12 June 2018, the Association for Legal Aid to Consumers and the Ombudsman organised a joint discussion of the new environmental fees in the event of import of vehicles; a decision was made during the event to send a recommendation to the Minister of Environment and Waters Neno Dimov insisting on publicity and transparency as to how the funds gathered via the so called environmental fees were spent. The discussion also involved representatives of the Association of the Bulgarian International Haulers, the Association of Importers of Vehicles, the Bulgarian Recycling Association and the environmental organisation Nature for People and the Regions.



Together with the Bulgarian Institute for Legal Initiatives Foundation, the Ombudsman presented the concept behind a Personal Insolvency Bill at a forum at the Representation of the European Commission on 27 March 2018. At the forum, the Global Metrics Sociological Agency presented the results of the first national survey of the matters of personal insolvency which showed that 82.3% of the Bulgarian citizens were looking forward to the adoption of such a law.



“The Roma population has the highest percentage of children dropping out of school. The educational level of the Roma community is the lowest among all ethnic groups in Bulgaria.” This is what the Ombudsman stated on 14 May 2018 at the forum *Status of the Roma Educational Integration: From the innovative class model to the innovative school* organized by the Amalipe Centre for Interethnic Dialogue and Tolerance and the National Network for Children under the aegis of the Ambassadorial Group for Roma Inclusion.



Upon the invitation of the Youth Council at the Lumos Foundation, Maya Manolova visited the social kitchen in Varna on 14 August 2018. The young people familiarized her with the work of the institution.



On 2 March 2018, Deputy Ombudsman Diana Kovacheva hosted a group of students in law and public administration at the University of Groningen, the Netherlands. Wishing them health, success and luck, she presented them with *martenitsas*.



On 16 April 2018 – *“I was pleased to accept the invitation not only because I am an alumna of the University of National and World Economy, that is I am part of you, part of the community in this hall, but also because I have learned from own experience that critical thinking, the creative spirit living in this building, is the stimulus to give rise to great ideas, great solutions to the most important problems of the Bulgarian society. And the Ombudsman is where the problems are, especially when these problems concern social justice and the rights and dignity of the Bulgarian citizens,”* Maya Manolova shared before close to 100 students at her lecture *The Ombudsman’s Role to Protect the Citizens’ Economic Interests in a Market Economy* at the University of National and World Economy.



On 28 May 2018, the Ombudsman took part in the Polish-Bulgarian Research Conference *The Rights of the Child in a Historical and Modern Context* at Sofia University.



On 14 November 2018 – A memorandum united four institutions to develop the initiative *Anti-Corruption Academy*. The document was signed by Ombudsman Maya Manolova, University of National and World Economy Rector Prof. Stati Statev, D. SC., the Chair of the Anti-Corruption and Illegal Assets Forfeiture Commission Plamen Georgiev and the Chair of the Commission to Combat Corruption, Conflicts of Interest and Parliamentary Ethics of the National Assembly Boris Yachev.

Brief overview of 2018

The main events of the institution in 2018 include:

January



8 January – The Ombudsman met with miners from Bobov Dol, Prime Minister Boyko Borisov, Finance Minister Vladislav Goranov, Social Minister Biser Petkov and National Social Security Institute Governor Ivaylo Ivanov.



15 January – The Ombudsman and Animus Association partnered to organize the round table discussion on *Labour Exploitation vs. Labour Rights in Bulgaria – Legislative Framework and Challenges*.



15 January – The Ombudsman sent an opinion to the Chair of the Energy and Water Regulatory Commission Ivan Ivanov in relation to the upcoming rise in water prices in Dobrich Region. She emphasized that the Regulator’s report did not indicate the source of the data about the average monthly income per person in a household in the region.



24 January – The Ombudsman supported the setting up of the Patients’ Centre at the Specialised Oncology University Hospital.

February



16 February – Amendments to the legislation providing that the currently obligatory kindergarten for 5 and 6 year olds would be free – this was one of the main topics of the meeting of the Ombudsman with the local public advocates.



19 February – The Ombudsman organized a public discussion on the topic of *Social-Economic Protection of Children with One or Two Deceased Parents*. Maya Manolova would initiate legislative amendments to facilitate the process of obtaining a hereditary and personal pension for children with one or two deceased parents as well as changes in the rules for granting school scholarships to orphaned children.

21 February – Maya Manolova demanded urgent measures to save the University Multiprofile Hospital for Active Treatment Prof.Dr. Stoyan Kirkovich AD in Stara Zagora following a meeting with hospital staff.

March



7 March – Official launch of the third edition of the Easter for Everyone campaign. Together with graduates of the Sofia Secondary School for Bread-Making and Confectionery Technologies and students at the 51st Primary and Secondary School Elisaveta Bagryana, under the guidance of tutors from the HRC Culinary Academy, the Ombudsman and the faces of the campaign Miro, Anelia, Krisko, basketball coach Titi Papazov, actors Desi Bakardzhieva and Toncho Tokmakchiev will take part in the preparation of Easter bread and buns which will be presented as gifts to elderly people from a social home in Sofia.

19 March – The Ombudsman referred to the Constitutional Court with a request to declare the anti-constitutionality of a provision from the Energy Act preventing the citizens from appealing before the court decisions of the Energy and Water Regulatory Commission about the threshold prices for the supply of hydro and electric energy, natural gas and water.



27 March – Presentation of the concept behind the Personal Insolvency Bill at the Representation of the European Commission organized jointly with the Bulgarian Institute for Legal Initiatives Foundation.

April



2 April – The Ombudsman together with representatives of the Public Council at the Technical School Electronic Systems at the Technical University in Sofia and a representative of the University met with the Chair of the Education and Science Committee of the 44th National Assembly Milena Dimitrova.



15 April – At the Peroto Club, National Palace of Culture, the Ombudsman supported the petition of the National Civil Initiative 7000 for a change in the status quo by tabling a bill on individuals and support measures before the National Assembly.



17 April – A meeting with 200 seamstresses who did not receive their salaries from their employer Trend Fashion Textile EOOD.

May



9 May – The Ombudsman committed to the case of more than 200 employees of the Trend Fashion Textile EOOD dressmaking company who had not received their salaries since March because the company was insolvent.



11 May – The Ombudsman visited Satovcha Municipality where she met with the Mayor Dr. Arben Mimenov and more than 200 people who referred to her with issues related to facilitating the regime to extract rock and lining materials in the area.



15 May – The Ombudsman convened a public discussion on the topic of *Violence against Children: Legal Aspects of Preventing, Identifying, Reporting, Responding and Intervening by the Institutions in Bulgaria*.

22 May – Maya Manolova met with local producers of oil-yielding roses who turned to her in relation to the low purchase prices for their produce. The Ombudsman referred to the Competition Protection Commission with suspicions of cartel agreements in the rose production industry which, according to her, wiped out the competition and brought the prices down.



23 May – A public discussion convened by the Ombudsman in the problems of healthcare. The invitees included Members of Parliament, all responsible government authorities, the Minister of Health, the Governor and Members of the General Assembly of the National Health Insurance Fund, experts and citizens, the Bulgarian Medical Association, the National Association of General Practitioner Doctors, the Association of Regional Hospitals, the National Association of Private Hospitals, the Bulgarian Hospital Association, the Association of Municipal Hospitals, the Bulgarian Association of Healthcare Professionals, the Bulgarian Industrial Association, the Centre for Protection of the Rights in Healthcare and other branch, professional and patient organisations.

June

1 June – National campaign *No Fees in Kindergartens*. The purpose of the initiative is to ensure equal access to quality pre-school education for the children in Bulgaria by eliminating fees for kindergartens.



6 June – The Ombudsman held a working meeting with the parents of children/individuals with disabilities who had protested for five days in a row in front of the National Assembly against the lack of adequate support for the people with grave disabilities and their families. Manolova discussed with the parents the Personal Assistance Bill drafted by her team aiming to create conditions for an independent life of the people in need of constant care.



11 June – During her visit to the Bobov Dol coal mine together with experts from the Ministry of Labour and Social Policy, the National Social Security Institute and the Employment Agency, the Ombudsman decided to send a letter to the Speaker of the National Assembly and the leadership of all parliamentary groups asking for a meeting together with the miners who had been laid off in order to find a solution to the issue with their pensions.



12 June – The Ombudsman and the Association for Legal Aid to Consumers organized a joint discussion of the new product fees (environmental fees) in the event of import of vehicles. She will send a recommendation to the Minister of Environment and Waters Neno Dimov insisting on publicity and transparency as to how the funds from the so called environmental fees would be expended.



29 June – The Ombudsman tabled before the National Assembly a Personal Assistance Bill reflecting the proposals made following the public discussion at the institution of the public advocate. The mothers of children with disabilities and the dozens non-governmental organisations supporting them since Monday, 25 June 2018, insisted on the submission of the bill which would allow for an independent life of the persons with disabilities and their families.

July



4 July – The Ombudsman referred to the Supreme Administrative Prosecutor's Office against the decisions of the Energy and Water Regulatory Commission to raise the prices of electricity and heating as of 1 July 2018.



4 July – The Ombudsman took part in a meeting of the Parliamentary Labour, Social and Demographic Policy Committee of the National Assembly to discuss the Bill to Amend

the Integration of Persons with Disabilities Act submitted by Member of Parliament Svetlana Angelova and a group of Members of Parliament.



6 July – The public advocate met at the institution with persons with disabilities who protested in front of the National Assembly against the Personal Assistance Bill drafted by her team and the mothers of children with disabilities and defended the three laws providing for persons with disabilities.



16 July – Manolova visited the village of Sharkovo, Yambol Region, where she met with stock breeders whose herds of sheep and goats had been subjected to euthanasia due to the ovine rinderpest affecting ruminants. She found violations of the owners' fundamental rights because they had not received adequate and timely information from the authorities as to why their animals would be put to sleep and what compensation they would get.



17 July – The Ombudsman visited the Day Care Centre for Elderly People with Disabilities in Pazardzhik upon the invitation of the Bulgarian Association of Persons with Intellectual Disabilities.



30 July – The Ombudsman held a working meeting at the institution about problems related to accounting for the professional length of service of teachers in Bulgarian schools abroad organized together with the Association of the Bulgarian Schools Abroad and the Trade Union of Bulgarian Teachers. It was attended by representatives of the Ministry of Education and Science, the Ministry of Labour and Social Policy, the Ministry of Foreign Affairs, the National Social Security Institute and the State Agency for Bulgarians Abroad as well as current principals and teachers in Bulgarian schools abroad.

August



7 August – At a brief after the meeting at the Council of Ministers with the mothers of children with disabilities, the organisations of persons with disabilities represented nationally, Deputy Prime Minister Tomislav Donchev and Minister of Labour and Social Policy Biser Petkov, the Ombudsman stated: *“There will be no compromise; the three laws providing for the persons with disabilities need to be discussed as a package by the Parliament.”*



8 August – In Dimitrovgrad, the Ombudsman met with protesters against the construction work in Nikola Vaptsarov Park. Upon her explicit insistence, the Mayor Ivo Dimov put a stop to the construction activities in the park.



10 August – *“The discussion of the Persons with Disabilities Bill is starting all over again. This is a scandalous situation because everything we talked about, wrote about, proposed has not been taken into account and other texts are included due to certain unclear circumstances. But we will stand here firmly and will fight for every text.”* This is what the Ombudsman shared on her way out of the meeting of the working group at the Ministry of Labour and Social Policy developing the new legislative texts.

September





26 September – “Given that we had the same price of natural gas in 2015, why is there an increase in the price for heating by more than 20% now?” the Ombudsman asked the Chair of the Energy and Water Regulatory Commission Ivan Ivanov during the open session about yet another increase of the prices of heating and hot water. The Ombudsman asked the regulator to reconsider the decision or, least of all, provide “bullet-proof arguments” to explain the increase of the price of heating.



27 September – Participation in the round table discussion on *Discrimination Practices against the Elderly in Bulgaria* held at Yunashki Salon in Varna.

October



3 October – Visit to the hemodialysis centre in Vidin after phone calls to the Ombudsman that a person had died and another one was in a coma.



9 October – The Ombudsman, the authorities and the protesting mothers agreed on a common action plan in relation to the laws providing for persons with disabilities at the Ministry of Labour and Social Policy signed by the executive represented by Finance Minister Vladislav Goranov and Minister of Labour and Social Policy Biser Petkov, the Ombudsman, parents of children with disabilities and national representative organisations of persons with disabilities aimed at guaranteeing that the reform of the social system for persons with disabilities would begin for real.

12 October – In the halls of the National Assembly where the Members of Parliament were voting on the Family Benefits for Children Act at the second reading.



15 October – The Ombudsman organized a meeting at the institution of the public advocate with former employees of Air Via who turned to the Ombudsman due to the failure to receive their salaries and compensation for months.



22 October – The Ombudsman insisted on specific measures and clear commitments in relation to the road close to Svoge at a working meeting at the institution

with protesting citizens from the Initiative Committee in Svoge and the responsible bodies and institutions.

Гласуване - резултати		26.10.2018 г. 11:29:28	
Гласове	174	Регистр.	127
За	174	Кворум	64
Против	0		
Възд.	0		
Предложението е прието		00:00:59	

Гласуване - резултати		26.10.2018 г. 12:21:10	
Гласове	129	Регистр.	127
Зa	129	Кворум	64
Против	0		
Възд.	0		
Предложението е прието		00:00:53	

26 October – *“This is not a victory for the Ombudsman, and not for the mothers of children with disabilities from the tent; this is a victory for absolutely all persons with disabilities. We need to be able to rejoice at the victories, even when they are not final.”* This is what the Ombudsman shared before reporters in the Parliament minutes after the Members of Parliament adopted the two bills – on the persons with disabilities and on personal assistance – at the first reading.

November



6 November – The Ombudsman organized the first reception desk on the Sofia – Varna train; she met with citizens in carriage one, class two, compartment No. 2.



8 November – A public discussion of the amendments to the Insurance Code submitted as a proposal between the first and the second readings to the Budget and Finance Committee.

12 November – The Road Infrastructure Agency took on the commitment to place crash barriers along the infamous turn on the road close to Svoge where dozens of people died and were hurt on 25 August this year. This transpired during the second meeting organized by the Ombudsman at the institution with representatives of the Ministries of Regional Development and Public Works, of Foreign Affairs, of Transport, of Information Technologies and Communication, the leadership of Road Infrastructure Agency and Svoge Municipality.



26 November – Discussion on *Pros and Cons of Machine and Remote Electronic Voting* organized by the political party Bulgaria for the Citizens Movement where the Ombudsman stated that she would refer to the Constitutional Court in relation to yet another postponing of electronic voting, this time on the account of the Transitional and Final Provisions of the Transit of Foreign and Allied Armed Forces through Bulgaria Bill.



28 November – The Ombudsman and experts from the institution in yet another train reception desk – a practice introduced by Maya Manolova for the first time.



29 November – In Dimitrovgrad, the Ombudsman met with 29-year old Maria Ivanova who had received assistance to obtain an electric wheelchair. Thus, the young woman’s dream to step outside of her house would come true. Maria had not left her house for almost 2 years because her “ring” wheelchair was too heavy.

December





6 December – *“This is not an ordinary law; this is a law for which some of the bravest women – the mothers of children with disabilities – have suffered; they taught the Bulgarian society, the Bulgarian citizens, the Bulgarian institutions the lesson that a cause, as impossible as it may seem, can be successful if it is fair and if people believe in it, standing firm to the end. They also taught the institutions and the politicians the lesson that they need to listen to the people’s voice.”* This is what the Ombudsman said at the brief at the National Assembly minutes after the adoption at the second reading of the Personal Assistance Bill drafted by the Ombudsman’s team and mother of children with disabilities.



17 December – *“I stand here because of the citizens’ concerns caused by the upcoming increase in the prices of all water and sewerage associations and the dozens of complaints submitted to the institution in relation to the price of water, the quality of the service and, in general, the relations between the citizens and water and sewerage companies.”* This is what the Ombudsman shared at the meeting at the Energy and Water Regulatory Commission to discuss the report about the requested change in the approved prices of water and sewerage services as of 1 January 2019.



19 December – The Ombudsman meets personnel of the Maternity Ward at the Hristo Botev Multiprofile Hospital for Active Treatment in Vratsa.

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