



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

STRATEGIC GOALS AND ANNUAL PLAN OF PRIORITIES OF THE OMBUDSMAN INSTITUTION 2020-2025

"I am committed to ensuring that the Ombudsman is where the problems of citizens are and to uphold with all my strength the principle that all people are born free and equal in dignity and rights!"

**Assoc. Prof. Dr. Diana Kovacheva,
Ombudsman of the Republic of Bulgaria**

INTRODUCTION

On the basis of Art. 91a of the Constitution of the Republic of Bulgaria (new - SG, issue 27 of March 31, 2006) the National Assembly elects an Ombudsman, who advocates for the rights and freedoms of citizens.

The activity of the institution is regulated by the Ombudsman Act, adopted on 23.05.2003 and entered into force on 01.01.2004 and its subsequent amendments and supplements. The Ombudsman is a first level budget administrator (Art. 7 of the Ombudsman Act). The activity of the ombudsman and his administration shall be financed by the state budget and/or other public sources.

The organization and activities of the Ombudsman and his administration are regulated in the Rules of Procedure of the Ombudsman (RPO) of 04.09.2012 on the basis of Art. 3, para. 2 of the Ombudsman Act, supplemented by SG, issue 53 of June 26, 2018.

The Ombudsman is a democratic institution based on respect for the fundamental rights of the individual and the principle of the rule of law. The institution differs significantly from all other state bodies – it is neither a court nor an administrative body. Despite the fact that it is not authorized to exercise state power, the Ombudsman assists citizens in their relations with the state.

The mission of the Ombudsman institution is to be a stabilizing factor in society by providing every citizen with a free and easily accessible means of impartial control over the actions of state and municipal bodies and their administrations, as well as persons entrusted with providing public services and private entities from the point of view of the principles of good governance and good administration.

In 2019, the Ombudsman institution of the Republic of Bulgaria was accredited with the highest UN STATUS “A” in accordance with the Paris Principles as a National Institution for the Protection of Human Rights.

The trend in recent years of increasing the number of complaints is a result of the high trust in the Ombudsman, the assistance received by citizens and organizations, and last but not least, the consistent policy pursued to actively open the institution to society through meetings with non-governmental organizations and professional associations, meetings with citizens united to solve a certain socially significant problem.

GUIDING PRINCIPLES

The strategic objectives of the Ombudsman are built on the basis of a thorough assessment of the results achieved in the activity and ensuring continuity in the policies and practices of the institution in the protection of human rights and fundamental freedoms.

The Ombudsman will continue to have an active position, resulting from both his work on individual complaints and signals from citizens, and from inspections on his own initiative.

The Ombudsman will continue to examine and evaluate the activities of all institutions, organizations and private entities through the prism of the protection of human rights and the basic standards of good governance, which the Republic of Bulgaria has committed to implementing under the Constitution and as a member state of the Council of Europe, the European Union, the United Nations and other international organizations.

In his activities, the Ombudsman will continue to adhere to the following basic standards:

- Transparency and public access to the legislative process through the active participation of the Ombudsman in the preparation, development, discussion and submission of draft regulations that affect citizens' rights;
- Engaging the direct participation of citizens - the Ombudsman's legislative proposals are based on broad discussions with competent civil society organizations and authoritative experts and bear the measure of public interest;
- Ensuring equal access of citizens to all instruments for effective protection of human rights, including the constitutional complaint, the deployment of policies on the Ombudsman's own initiative, etc.;
- Supporting all forms of active advocacy for human rights - within local communities, national politics and international organizations.

STRATEGIC OBJECTIVES 2020 – 2025

A main priority for the overall policy of the Ombudsman institution are the efforts to protect the fundamental rights of citizens and to establish and respect the right to good governance and the provision of quality services as a public norm and clear rules of conduct in the practice of state and municipal bodies and their administrations, organizations providing public services, as well as private entities.

The main strategic objectives of the Ombudsman in the period 2020 - 2025 are:

1. Ensuring the full and equal exercise of rights and freedoms in the Republic of Bulgaria through a policy of active support for citizens and their organizations in their interaction with state and municipal bodies and their administrations, organizations providing public services, as well as private entities;
2. Improving the quality of services provided to citizens by state and municipal bodies and their administrations, organizations providing public services, as well as private entities through a policy of active support for compliance with the right to good administration and good governance;
3. Creating conditions for effective citizen control over public policies;
4. Strengthening the authority of the Ombudsman institution as an independent constitutional body for the protection of human rights and strengthening the trust of citizens and their organizations.

SPECIFIC STRATEGIC GOALS 2020 - 2025

The specific strategic objectives of the Ombudsman are determined by the dynamics of public relations in sectoral policies, in relation to which the institution has legal powers to protect the rights and freedoms of citizens (Art. 19, para. 1 of the Ombudsman Act).

The activity of implementing the specific strategic objectives of the Ombudsman is reported in the annual reports of the institution to the National Assembly of the Republic of Bulgaria (Art. 22, paras. 1 and 2 of the Ombudsman Act).

Strategic objectives of the Ombudsman by main areas of activity in the period 2020 - 2025:

1) Civil and Political Rights

Guaranteeing the full and equal exercise of civil and political rights in the Republic of Bulgaria through a policy of active support for vulnerable groups, citizens and their organizations.

Specific areas of intervention:

- Political rights and the electoral process;
- Protection from domestic violence;
- Citizen participation in the law-making process.

2) Access to justice

Guaranteeing effective and equal access to justice for all citizens by engaging the Ombudsman with the instruments of constitutional complaint and requesting interpretative decisions from the supreme courts.

Specific areas of intervention:

- Protection of citizens in enforcement proceedings;
- Right to a fair trial.

3) Fundamental rights and freedoms and NPM

Guaranteeing the full and equal exercise of fundamental rights and freedoms in the Republic of Bulgaria by supporting the rights of persons deprived of their liberty.

Specific areas of intervention:

- Effective control over compliance with the rights of persons deprived of their liberty in places of detention in accordance with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other international legal treaties to which the Republic of Bulgaria is a party;
- Monitoring the development of Bulgarian legislation in accordance with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the EU Charter of Fundamental Rights, the European Convention on Human Rights of the Council of Europe, etc.

4) Child Rights

Respect for children's rights at all levels in public policies, measures for their implementation and practices for children's empowerment, including through the tools of enhanced monitoring and cooperation with civil society organizations.

The independent national ombudsman institution is an important mechanism for the promotion and protection of children's rights. The role of the ombudsman is to support the development of systems that are accountable to children, to identify barriers in the different sectors of children's rights and measures to overcome them.

Specific areas of intervention:

- Rights of children in conflict with the law;
- Rights of children involved in parental conflicts;
- Rights of children with disabilities and special educational needs.

5) Consumer Rights

Guaranteeing access to quality services at a fair price for all citizens through active control over the processes of public service delivery and advocacy for the improvement of legislation and practices in sectoral policies.

The amendment to the Ombudsman Act in 2018 provides the National Public Defender with the legal authority to protect all rights and freedoms of citizens violated by private entities. The new mandate of the National Ombudsman, in line with the provision of Art. 91a of the Constitution, is of great importance for the institution's ability to support and effectively protect all rights of Bulgarian citizens as consumers of public services.

Specific areas of intervention:

- Right to access to drinking water;
- Rights of consumers of district heating and electricity supply services;
- Rights of consumers of financial services and protection from monopolies, payday loan companies and debt collection companies.

6) Rights of persons with disabilities

Persons with disabilities shall fully enjoy all rights and access to quality support services in the community.

On 1 January 2019, the new Law on Persons with Disabilities (LDP) entered into force. The implementation of the LDP largely determines the changes in policies for persons with disabilities that are important for citizens. The Law on Personal Assistance, adopted as a result of the insistent demands of protesting parents of children and persons with disabilities, also entered into force in 2019. The launch of this law was also accompanied by difficulties and the risk of violating the rights of persons with disabilities. In March 2019, the Law on Social Services was also adopted, the implementation of which is also related to the provision of services for persons with disabilities.

Specific areas of intervention:

- Effective representation of persons with disabilities and problems in exercising rights – LDP Monitoring Council;

- scope and quality of social services, socio-economic protection, employment,
- accessible environment, healthcare and rehabilitation, education.

7) Right to good administration and good governance

Citizens enjoy the right to good administration and good governance.

Specific areas of intervention:

- Quality of administrative services;
- Transparency and accountability in the activities of administrative structures at all levels.

8) Right to protection from discrimination and hate speech

Guaranteeing the right of every citizen to equal treatment in accordance with the powers of the Ombudsman under the Law on Human Rights.

Specific areas of intervention:

- Accessible environment;
- Hate speech;
- Rights of the Roma community.

9) Right to Health

Guaranteeing the rights of citizens as patients and health insured persons, enshrined in the Constitution, the country's legislation and international treaties.

Specific areas of intervention:

- Right to timely medical expertise
- Right to access and quality medical service;
- Right to access to medicinal products and medical devices.

10) Right to a Safe Environment

Guaranteeing the right to access to a healthy and favorable environment in accordance with the constitutional principle of the protection and reproduction of the environment and biodiversity, the rational use of the country's natural wealth and resources.

Specific areas of intervention:

- Air pollution;
- River protection;
- Safe waste treatment.

11) Right to Education

Ensuring equal access to quality education and scientific activity through active support for the rights of students and employees in the education and science system in the Republic of Bulgaria, with particular emphasis on the rights of vulnerable groups.

Specific areas of intervention:

- Equal access to pre-school education;
- Quality of school education;
- Social rights of students in the higher education system.

12) Property Rights and Economic Freedom

Guaranteeing the right to effective exercise of property.

Specific areas of intervention:

- Territorial development;
- Use of agricultural and forestry properties;
- Restitution rights.

13) Social Rights

Ensuring quality and dignified living conditions by creating a favorable environment for citizens to exercise their social rights in accordance with national and international standards.

Specific areas of intervention:

- Respect for labor and social security rights,
- Pension rights and integration of the elderly,
- Right to social support or access to housing

14) Rights of Whistleblowers (new, since 2023)

Guaranteeing the rights of whistleblowers in line with EU standards and national legislation.

Specific areas of intervention:

- Protection of confidentiality;
- Support measures;
- Effective inter-institutional cooperation.

PRIORITIES FOR 2020

A **key priority** for the Ombudsman institution in 2020 is the creation of mechanisms for effective protection of citizens' rights in the context of an emergency epidemic situation, with particular emphasis on:

1. Protection of the citizens' social and economic rights;
2. Protection of the citizens against monopolies, in enforcement proceedings and in the event of overindebtedness;
3. Protection of the rights of women and children.

A **specific priority** in 2020 will be the protection of the citizens' rights in emergency situations focusing on the persons from vulnerable groups.

PRIORITIES FOR 2021

A key priority for the Ombudsman institution in 2021 is the effective protection of the citizens' rights in the continuing emergency epidemic situation with an emphasis on:

- Right of children to equal access to quality education and overcoming the digital inequality;
- Citizens' rights to access to effective healthcare;
- Rights of consumers in their relations with monopolists;
- Rights of victims of domestic violence;
- Rights of vulnerable groups to access to quality social services.

Specific priorities by categories of rights in 2021

- Advocacy for introduction of timely juvenile justice in Bulgaria;
- Access of persons with disabilities to healthcare, including implementation of the reform in providing and financing medical items and auxiliary means for persons with disabilities;
- Protection of the best interest of the child when protection measures are applied and assessment of their effectiveness;
- Overcoming systemic problems related to spatial planning;
- Overcoming the status quo in land relations of inequality between small and medium-sized owners and farmers;
- Guaranteeing the citizens' right to access to healthcare in keeping with the principles of timeliness, sufficiency and quality;
- Effective protection of the pension and social security rights of the Bulgarian citizens;
- Support for the rights of inactive persons to have access to the labour market and to ensure safe return to work after the effects of the pandemic have been overcome;
- Building a regulatory framework for the citizens' over-indebtedness.

PRIORITIES FOR 2022

A key priority for the Ombudsman institution in 2022 is the effective protection of the citizens' rights in the conditions of newly emerging crises with a focus on:

- Rights of consumers in their relations with monopolies;
- Citizens' rights in their relations with private entities in conditions of over-indebtedness;
- Rights of victims of domestic violence;
- Children's rights in their relations with the judiciary and the introduction of modern juvenile justice;

Specific priorities by categories of rights in 2022

- Advocacy for the rights of vulnerable groups regarding access to quality social services;
- Ensuring the right of citizens to access to healthcare in compliance with the principles of timeliness, sufficiency and quality;
- Effective protection of the pension and social security rights of the Bulgarian citizens;
- Access of persons with disabilities to healthcare, including implementation of the reform in providing and financing medical items and auxiliary means for persons with disabilities;
- Support to young people leaving residential and foster care;
- Support for the rights of inactive persons to have access to the labour market and to ensure safe return to work after the effects of the pandemic have been overcome;
- Overcoming systemic problems with address registration of citizens and registration of registered offices of companies;
- Advocacy for the implementation of a systematic approach and addressing the problems with road infrastructure;
- Access of citizens to integrated administrative services and e-services;

- Spatial protection of the living environment in settlements;
- Overcoming systemic problems related to spatial planning;
- Overcoming the status quo in land relations of inequality between small and medium-sized owners and farmers and finalisation of restitution.

PRIORITIES FOR 2023

A keypriority for the Ombudsman institution in 2023 is **the effective protection of citizens' rights in the conditions of newly emerging crises** with a special focus on:

- ✓ Rights of consumers in their relations with monopolies;
- ✓ Citizens' rights in their relations with private entities in conditions of over-indebtedness;
- ✓ Rights of victims of domestic violence;
- ✓ Children's rights in their relations with the judiciary and the introduction of modern juvenile justice;
- ✓ Ensuring equal access to education for children with SEN.

Specific priorities by categories of rights in 2023

- Advocacy for the rights of vulnerable groups regarding access to quality social services and social support;
- Ensuring the rights of patients, providing equal access to healthcare for all citizens in compliance with the principles of timeliness, sufficiency and quality;
- Effective protection of the pension and social security rights of the Bulgarian citizens;
- Ensuring the right of persons with disabilities to medical expert examination and provision/renewal of appropriate support without delay;
- Support to young people leaving residential and foster care;
- Support for children whose parents live or work outside Bulgaria and children at risk;

- Assistance to workers or employees in protecting their employment and social insurance rights;
- Overcoming systemic problems with address registration of citizens and registration of registered offices of companies;
- Advocacy for the implementation of a systematic approach and addressing the problems with road infrastructure;
- Access of citizens to integrated administrative services and e-services;
- Spatial protection of the living environment in settlements;
- Overcoming systemic problems related to spatial planning;
- Overcoming the status quo in land relations of inequality between small and medium-sized owners and farmers and finalisation of restitution.

PRIORITIES FOR 2024

A key priority for the Ombudsman institution in 2024 is **the effective protection of citizens' rights by sustainably addressing key issues** with a special focus on:

- ✓ Rights of consumers in their relations with monopolies;
- ✓ Citizens' rights in their relations with private entities in conditions of over-indebtedness;
- ✓ Children's rights in their relations with the judiciary and the introduction of modern juvenile justice;
- ✓ Rights of persons with mental illness.

Specific priorities by categories of rights in 2024

- Advocacy for the rights of vulnerable groups regarding access to quality social services and social support;
- Ensuring the rights of patients, providing equal access to healthcare for all citizens in compliance with the principles of timeliness, sufficiency and quality;
- Effective protection of the pension and social security rights of the Bulgarian citizens;
- Ensuring equal access to education for children with SEN;
- Ensuring the right of persons with disabilities to access disability pensions guaranteeing the right to a dignified life;
- Support to young people leaving residential and foster care;
- Support for children whose parents live or work outside Bulgaria and children at risk;
- Rights of victims of domestic violence;
- Assistance to workers or employees in protecting their employment and social insurance rights;
- Overcoming systemic problems with address registration of citizens and registration of registered offices of companies;

- Advocacy for the implementation of a systematic approach and addressing the problems with road infrastructure;
- Access of citizens to integrated administrative services and e-services
- Spatial protection of the living environment in settlements;
- Overcoming systemic problems related to spatial planning;
- Overcoming the status quo in land relations of inequality between small and medium-sized owners and farmers and finalisation of restitution.

PRIORITIES FOR 2025

A key priority for the Ombudsman institution in 2025 is **the effective protection of citizens' rights by sustainably addressing key issues** with a special focus on:

- ✓ Rights of consumers in their relations with monopolies;
- ✓ Advocacy for the rights of vulnerable groups regarding access to quality social services and social support;
- ✓ Children's rights in their relations with the judiciary and the introduction of modern juvenile justice;
- ✓ Promoting the right to safe environment in local communities;
- ✓ Rights of persons with mental illness.

Specific priorities by categories of rights in 2025

- Ensuring the rights of patients, providing equal access to healthcare for all citizens in compliance with the principles of timeliness, sufficiency and quality;
- Effective protection of the pension and social security rights of Bulgarian citizens;
- Ensuring equal access to education for children with SEN;
- Ensuring the right of elderly people to access pensions guaranteeing the right to a dignified life;
- Support to young people leaving residential and foster care;
- Support for children whose parents live or work outside Bulgaria and children at risk;
- Rights of victims of domestic violence;
- Assistance to workers or employees in protecting their employment and social insurance rights;
- Overcoming systemic problems with address registration of citizens and registration of registered offices of companies;
- Advocacy for the implementation of a systematic approach and addressing the problems with road infrastructure;

- Access of citizens to integrated administrative services and e-services
- Overcoming systemic problems related to spatial planning;
- Overcoming the status quo in land relations of inequality between small and medium-sized owners and farmers and finalisation of restitution.