



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

CONTENTS

THE CONVENTION.....	1
UN CRPD IMPLEMENTATION IN BULGARIA 2023.....	1
THE OMBUDSMAN IN DEFENCE OF PERSONS WITH DISABILITIES	11

THE CONVENTION

The Convention on the Rights of Persons with Disabilities (CRPD) is an international human rights treaty of the United Nations (UN) aimed to protect the rights and dignity of persons with disabilities. The Convention does not proclaim new human rights the main motive of the UN for adopting CRPD is the continued discrimination and isolation of people with disabilities, despite the existence of previously adopted international legal instruments.

The text was adopted by the United Nations General Assembly on 13 December 2006 and opened for signature on 30 March 2007.

On 23 December 2010, the Convention was also ratified by the European Union and on 26 January 2012 the National Assembly of the Republic of Bulgaria ratified the CRPD.

According to Article 33, para 2 and para 3 of the CRPD States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, including Civil society, in particular persons with disabilities and their representative organizations, to promote, protect and monitor implementation of the CRPD.

UN CRPD IMPLEMENTATION IN BULGARIA 2023

In order to monitor whether the actions of the responsible authorities are in compliance with the requirements of the CRPD, the Ombudsman's activity of monitoring the implementation of the international instrument in Bulgaria is of decisive importance, on the basis of Article 12 of the Ombudsman Act and pursuant to Article 11 et seq. of the Persons with Disabilities Act (PDA) as part of the Monitoring Council.

Pursuant to the provision of Article 12, paragraph 4 of the PDA, from October 2023 the Presidency of the Council for the next two years is assumed by the institution of the Ombudsman of the Republic of Bulgaria.

Monitoring Council activities in 2023



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

The Monitoring Council held three meetings in the past year, and a possibility exists for the meetings to be held a hybrid format.

First meeting of the Monitoring Council in 2023

The meeting was held on 30 May 2023 and the draft Annual Report on the Council's activities in 2022 was discussed and adopted.

The Council's programme for 2023 was discussed and adopted.

Information was provided by the Commission for Protection against Discrimination in relation to the replies received from the Ministry of Health on the recommendations made by the Monitoring Council with regard to Ordinance No 16 of 30 July 2014 on the conditions and procedure for the registration of rare diseases and on expert centres and reference networks for rare diseases. The difficulties encountered in the treatment of people with spinal muscular atrophy in the country were discussed.

Members of the working group for the preparation of the Communication Strategy were elected.

Second meeting of the Monitoring Council in 2023

The second meeting was held on 1 September 2023.

Prof. Dr. Kostadin Angelov, Chairman of the Health Committee of the 49th National Assembly, was invited to the meeting to discuss issues related to the rights of people with rare diseases and Ordinance No. 16 of 30 July 2014 on the conditions and procedure for the registration of rare diseases and on the expert centres and reference networks for rare diseases.

Representatives of non-governmental organisations related to the problems of people with disabilities and people with rare diseases also participated.

The Retina Bulgaria Association presented a draft amendment to Ordinance No 16 of 30 July 2014, on which a team of experts in the field of rare diseases had worked in cooperation with representatives of people with rare diseases.

The Ombudsman stressed that she supported the need to amend Ordinance No. 16, as the problem with the registration of rare diseases was serious. Due to the lack of adequate action, the affected citizens do not receive timely diagnosis, adequate treatment, rehabilitation, aids and the necessary support from the State.

The issue of the limitations in the Health Act, which prevent all people with disabilities whose treatment started before the age of 18, from being able to continue treatment after their 18th birthday, was raised.

In connection with the meeting on 28 September 2023 representatives of the Monitoring Council participated in the conference organised by the Retina Bulgaria Association, which discussed the amendments to Ordinance No. 16 of 30 July 2014 and subsequently, in the joint meeting organised between the Commission on Health and the Commission on Labour, Social and



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

Demographic Policy on the topic "Provision of comprehensive care for people with disabilities and rare diseases: challenges and possible solutions". The discussion also included representatives of organisations of and for people with disabilities who are directly involved in the rights of people with rare diseases, as well as responsible institutions, and steps were proposed and adopted to seek solutions to the problems.

Third meeting of the Monitoring Council in 2023

The last Council meeting for 2023 was held on 1 December 2023.

The meeting is the first one after the reassumption of the Presidency of the Council by the institution of the Ombudsman of the Republic of Bulgaria.

The meeting was attended by the MP, Mr. Andrey Runchev, Deputy Chairman of the Transport and Communications Committee in the National Assembly, in relation to the problems with the lack of uniform criteria for the issuance of preferential parking cards under Article 99a of the Road Traffic Act, as well as with the possibilities for disabled people to park near their homes.

Prof. Dr. Maurice Greenberg presented the challenges and perspectives of augmentative and alternative communication for children with communication disorders.

Possible actions in relation to the deadline for ratification of the Optional Protocol to the CRPD were discussed. It was decided to send a recommendation for the ratification of the international instrument as soon as possible.

The meeting was held in the light of 3 December, i.e. the International Day of Persons with Disabilities, in connection with which the photo exhibition "Mirrors of Love. About love from the first person" was opened.

Implementation of the Convention by the bodies of the executive

As in the previous Annual Reports, this report presents findings and recommendations of the Ombudsman on the implementation of the CRPD, which are based on inspections and analyses in relation to citizens' complaints, the institution's participation in organised public discussions, participation in interdepartmental working groups, reflecting the activities of public institutions directly responsible for the formation and implementation of policies related to people with disabilities.

In order to collect the necessary information for the fulfillment of the obligations under the CRPD, letters with questionnaires were sent to the Ministry of Labour and Social Policy and the Ministry of Health, in their capacity as bodies for the formation and implementation of such policies.

IIo Based on information from the Ministry of Labour and Social Policy:

In fulfillment of the activities of the National Council of Persons with Disabilities, as an advisory body to the Council of Ministers, for cooperation in the development and implementation



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

of policy on the rights of persons with disabilities, a report was prepared for the period January – December 2023.

Concepts on bringing the Bulgarian legislation in line with CRPD

In response to the need for full implementation of the CRPD, within the implementation period of the Action Plan of the Republic of Bulgaria for the implementation of CRPD (Plan 2015-2020), concepts for changes in the regulatory framework were prepared to ensure the rights of people with disabilities. Detailed information on the question raised was provided in the Ombudsman's 2021 Annual Report

The Action Plan for the implementation of the concluding recommendations to the Republic of Bulgaria by the UN Committee on the Rights of Persons with Disabilities (2021-2026) does not provide for the development of specific concepts and plans for their implementation within 2023.

In 2023, the First Report on the implemented measures and activities for the period 2021-2022 envisaged in the Action Plan for the implementation of the concluding recommendations addressed to the Republic of Bulgaria by the Committee was prepared.

For the consistent and targeted implementation of the National Disability Strategy 2021-2030, an Action Plan for the period 2023-2024 for the implementation of the Strategy was developed and adopted in 2023.

Measures taken under the Action Plan for the implementation of the Concluding Recommendations addressed to the Republic of Bulgaria by the UN Committee

The activities to be implemented under the 2023 Action Plan are mainly related to recommendations on the implementation of Article 6 on Women with Disabilities, Article 23 on Respect for Home and Family, Article 24 on Education and Article 26 on Habilitation and Rehabilitation.

Application of Article 6 – women with disabilities

Pursuant to §18 of the Recommendations, point "a" on the insufficient implementation of measures to combat intersectional forms of discrimination, gender-based violence and ill-treatment of women and girls with disabilities in the country, a National Policy on Gender Equality is being implemented, which is supported by the adopted in 2016 Gender Equality Act.

The National Action Plan for the Promotion of Gender Equality for the period 2023-2024 has been developed in accordance with the Gender Equality Act and the National Strategy for the Promotion of Gender Equality 2021-2030, adopted by Decision No. 969 of the Council of Ministers of 30 December 2020. This Action Plan follows the principles, objectives and priorities of the National Strategy and covers the two-year period 2023-2024.

Bulgaria continues to implement its commitments to promote gender equality in line with the Beijing Declaration and Platform for Action, the UN Convention on the Elimination of All Forms of Discrimination against Women, the Sustainable Development Goals and the 2030 Agenda for Sustainable Development, the European Pillar of Social Rights, etc.



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

On Article 23 "Respect for Home and Family"

In order to create a sustainable policy to increase the human, technical and financial resources at national and local level to provide primary support services for children with disabilities, and in response to § 46 of the Recommendations of the UN Committee on the Rights of Persons with Disabilities, a policy to eliminate institutional care for children is being implemented in Bulgaria.

With the adoption of the National Strategy "Vision for the Deinstitutionalization of Children in the Republic of Bulgaria" in 2010, Bulgaria initiated a systematic change towards the abolition of the institutional care model for children and the closure of institutions for children, including children with disabilities.

The process of deinstitutionalization of child care is also supported by the Social Services Act adopted in 2019, which is effective from 01.07.2020.

Mobile services for children with disabilities and chronic diseases are also provided in the children's centre or in the children's home.

The development of comprehensive policies and measures to ensure comprehensive care and protection of children and comprehensive support to families with children is also at the core of the Action Plan for the implementation of Council Recommendation (EU) 2021/1004 on the establishment of a European Child Guarantee (2030) (adopted by Council of Ministers' Decision No. 879 of 09.11.2022).

The Ministry informs that, in addition to the state budget, the implementation of the plan is expected to receive substantial financial support from the European Social Fund+ through the Human Resources Development Programme and the Education Programme for the period 2021-2027.

Application of Article 24 – "Education"

Following the enactment of the Pre-School and School Education Act in 2016, special schools have adopted new functions that are in line with the inclusive education policy

In order to replace the practice of segregated systems with quality inclusive education; to develop the new functions of special schools aimed at supporting the inclusion of children and pupils with sensory impairments, 5 special schools for pupils with sensory impairments – hearing impaired and visually impaired – are functioning in the system of pre-school and school education in the country, with a total number of 711 children and pupils.

Under the "Education for Tomorrow" project, financed under the Operational Programme "Science and Education for Smart Growth", with the Ministry of Education as the specific beneficiary, funds in the amount of BGN 250,000 are earmarked for the special schools for hearing



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

impaired and visually impaired pupils for the provision of assistive technologies: FM systems, reading cameras, eye-control systems, etc. By the end of 2023, special schools are to be equipped with the envisaged assistive technologies.

In 2023, the now traditional international conference on "Augmentative and Alternative Communication" was held for the fifth time by the Assistive Technology Foundation in partnership with and with support from the Ministry of Education.

Application of Article 26 – "Habilitation and Rehabilitation"

To ensure the long-term vision for the development of the health sector, the strategic goals and priorities, as well as the specific policies for their implementation, the National Health Strategy 2030 was developed and adopted. It addresses the existing challenges related to the health of Bulgarian citizens and the functioning of the Bulgarian health system in order to ensure its sustainability and create conditions for achieving economic growth and social well-being through optimal investments for better health. The overall health sector policy includes programmes set out in the Action Plan 2023-2026 for the implementation of the National Health Strategy 2030. These aim to modernize and develop the long-term care, rehabilitation and geriatric care system. This is in line with Paragraph 56 of the Committee's Recommendations.

Application of Article 27 – "Work and Employment"

Activities related to addressing the limited employment opportunities of people with disabilities are implemented in a phased and targeted manner.

Under the National Programme for Training and Employment of Persons with Permanent Disabilities, priority is given to persons with and above 71% reduced working capacity; persons with military disabilities; persons with sensory disabilities; persons with mental disabilities. In 2023, the Programme provided employment to 1,468 persons, with 494 unemployed persons with permanent disabilities included in new employment. On average, 176 persons were employed per month. The State budget funds spent amounted to BGN 15,672,901.

Under Article 51, paragraph 2 of the Employment Promotion Act employers are encouraged to create jobs for unemployed persons with permanent disabilities.

Under Article 52 of the Employment Promotion Act to encourage employers to create full-time or part-time jobs for unemployed persons with permanent disabilities. In 2023, the employment of 45 persons with permanent disabilities was secured, with 1 person with a permanent disability newly employed.

The employability of the unemployed is improved by including them in a dual training system (training through work under Article 46a of the Employment Promotion Act).

As a result, and despite a number of challenges faced by persons from vulnerable groups on the labour market, 6,352 persons with disabilities found employment in 2023. During the year, with the active support of the labour offices, 5,105 people with disabilities started work on the primary market.



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

To improve the general digital skills of inactive and unemployed persons, including young people, by involving them in digital competence trainings, a "Digital Skills" operation is foreseen under HRDP 2021-2027.

Under the National Programme for Employment of Persons with Disabilities, following the call for proposals of employers/recruitment bodies, 38 projects were funded in 2023. 127 jobs for people with permanent disabilities were created, adjusted and adapted, which represents a 2.5-fold increase compared to the previous year. The total amount of funding allocated is BGN 1,700,000, which is 5 times more than in the previous year.

Under the Programme for Start-up and Development of Self-employment for People with Disabilities in 2023, two calls for projects were held. 18 projects of people with disabilities for starting and developing self-employment were financed, for a total amount of BGN 330,817.37. 18 new jobs were created.

Until February 2024, 4 projects under the Programme for the financing of projects for the establishment of sheltered employment centres are still being implemented. In 2023, 1 project was funded, worth BGN 700,724.04.

Under the Programme for financing targeted projects of specialised enterprises and cooperatives of people with disabilities, contracts were concluded with 13 beneficiaries in 2023 for projects with a social focus, worth BGN 462,746.

The Register of Specialized Enterprises and Cooperatives of Persons with Disabilities, which is maintained by the Agency for People with Disabilities, lists 197 enterprises and cooperatives employing about 1,757 people, of whom 863 (49%) are persons with disabilities. In 2023, 6 new specialised enterprises were registered.

The Ministry informs that a new Employment Promotion Act is being developed

Establishing a State Agency for People with Disabilities

The People with Disabilities Act provides for the establishment of the State Agency for Persons with Disabilities (SAPD), a legal entity under the budget of the Council of Ministers with its seat in Sofia, to coordinate the implementation of the policy on the rights of persons with disabilities.

In implementation of a specific measure of the Programme of Governance for the period June 2023 – December 2024, an inter-ministerial working group in the MLSP is developing a Concept and proposals for normative changes to increase the effectiveness of disability rights policy (the Concept). In order to achieve efficiency as a result of the envisaged structural change for the succession of APA to a state agency, the relevant functions and powers need to be clearly defined. The need to amend the APA to regulate the status and functions of the SAPA to serve as a cross-sectoral platform for coordination in the development and implementation of policies, programmes, legislative and institutional changes pertaining to persons with disabilities is recognized.



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

An inter-ministerial working group was established by Order of the Minister of Labour and Social Policy to develop proposals for amendments to the People with Disabilities Act on the conversion of the AHU to the SAHU.

International Classification of Functioning, Disability and Health in needs assessment

In recent years, the MoH, in collaboration with the MLSP, has taken steps to develop a new model of disability expertise, applying an approach based on the World Health Organization's (WHO) International Classification of Functioning, Disability and Health (ICF), focusing on functionality, potential and social inclusion measures for people with disabilities. The activities in this direction are implemented within the project BG05M90P001-3.010 "Expertise of the working capacity", financed under the Operational Programme "Human Resources Development" 2014-2020 with the beneficiary MLSP and MoH and National Social Security Institute as partners. As a result of the project activities, Bulgaria has an official translation of the ICF and a Guide for the Implementation of the WHO Disability Assessment Schedule (WHODAS 2.0).

The methodology for carrying out an individual assessment of support needs for people with disabilities, adopted by the Council of Ministers, is based on the bio-psycho-social model in line with the ICF.

The Concept of Work Capacity Assessment under preparation highlights the fundamental proposals for normative changes and guidelines for the subsequent development of disability policy to improve its effectiveness.

The need for changes in the People with Disabilities Act to regulate an additional component in the individual assessment to assess the person's capacity for work, according to their residual functionality, is recognised. This should lead to a change in the Individual Needs Assessment Methodology.

National Map of Social Services

The proposal for the National Map of Social Services has been developed by the APA in accordance with the Regulation on the planning of social services based on the analyses of the needs for social services prepared by the municipalities and the proposals for the planning in each municipality of the social services at municipal and regional level, which are fully or partially financed by the state budget.

The official proposal for the National Map of Social Services was sent by the APA on 19 January 2024. Once the procedure is completed, the proposal for a National Map of Social Services should be submitted to the Council of Ministers for adoption.

Ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities

At present, the ratification of the Optional Protocol to the CRPD by Bulgaria is foreseen in the Action Plan for the implementation of the Concluding Observations of the UN Committee on the Rights of Persons with Disabilities (2021-2026), in relation to the defence of the first national



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

report on the implementation of the CRPD (CRPD/C/BGR/CO/1). According to the set of possible solutions/measures for implementation, by 2025, the state authorities, nationally representative organisations of and for persons with disabilities, as well as all stakeholders, should draft the necessary additional legislative changes to regulate the implementation of the Optional Protocol to the CRPD. Once this has been implemented, it is envisaged that the Ministry of Foreign Affairs will undertake the overall preparation of the ratification process of the Optional Protocol, to be completed before the submission of the next national report to the Committee on the Rights of Persons with Disabilities, in 2026. There is currently no change in the timelines for ratification of the Optional Protocol to the CRPD.

On information from the Ministry of Health:

Medical expert examinations

In order to align the assessment of medical expertise more fully with the needs of people with disabilities, the following activities were carried out in 2023:

In the State Gazette No. 10 of 31 January 2023, Decree of the Council of Ministers No. 13 of 26 January 2023 amending and supplementing the Ordinance on medical expertise adopted by Decree No. 120 of the Council of Ministers of 2017 was promulgated.

The most significant is the change in the Methodology for the application of reference points for the assessment of permanently reduced working capacity (type and degree of disability) in percentages. What is essential in this change is the consideration of each disability in the overall assessment, regardless of the percentages corresponding to it, and regardless of the percentage of the leading (most severe) disability.

Another inequity related to the inability to determine someone else's assistance for persons with mental illness who are determined to have less than 90% permanent impairment was eliminated.

The percentages of certain reference points for the assessment of permanently reduced capacity for work and of the type and degree of impairment were increased, which should lead to fairer assessment under these conditions.

Pursuant to the recommendations of the Ombudsman, persons who were certified or recertified in the period before the entry into force of this Decree and for whom it establishes more favourable conditions for the assessment of disability are entitled to submit an application-declaration for recertification outside the cases provided for in Regulations on the structure and organisation of the work of the medical expertise bodies and the regional medical expertise registers, and no time limit is set for such recertification.

In the period from March 2023 until the end of the year, the work and the procedure for amending the Regulations on the structure and organisation of the work of the medical expertise bodies and the regional medical expertise registers continued.



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

By the end of 2023, the amending act had undergone public consultation and inter-ministerial coordination, with only the opinion of the Ministry of Finance missing, as well as the approval of the financial justification to submit the package of documents to the Council of Ministers.

The procedure for the adoption of the changes continued in 2024.

So far, actions have been taken on regulatory changes in medical expertise which are more organisational in nature.

According to MoH information, there is no clear vision at the political and inter-ministerial level for the introduction of ICF in medical and work capacity expertise, and the issue has not been discussed between the MoH and the MLSP, which are the lead bodies on the issue.

It is noted that within various inter-ministerial groups this issue is commented on, but not with the necessary depth and expertise. The shortcomings of the current system of medical expertise are noted, as well as the lack of incapacity assessment bodies, which medical expertise bodies cannot be in terms of the required level of competence. Various organisations of people with disabilities have raised the issue of the need for a comprehensive reform in this area, but a concrete vision and proposals in this direction are lacking.

The IT system for control of medical expert examinations

In 2024, the implementation of Activity 2 of the Technical Specification to the project proposal on the optimisation of existing functionalities in the Electronic System for Medical Expert Examinations started, including activities for upgrading with new functionalities and continuing the process of optimisation of existing ones in the Electronic System for Medical Expertise, such as: development of a module for expertise on temporary incapacity for work; improvement of the functionalities on appeal of the decisions of REMC and NEMC; development of the public part of the system, which is used by citizens; development of supplementary reports; processing of complaints of interested parties in relation to issued expert decisions; automated creation of documents; sending messages from the system to interested parties and authorities, access to electronic documents; provision of the possibility to retrieve data for user and statistical reports and control, etc.

Assistive devices, devices, equipment and medical devices for people with disabilities

With changes to Ordinance No. 7 of 2021, promulgated in No. 105 of the State Gazette of 2023 and entered into force on 19 December 2023, the possibility has been regulated, when it is reasonably proposed to include in the specification new groups/subgroups or individual aids, devices, equipment and medical devices beyond the funds provided for by the State Budget Act and the NHIF Budget Act for the respective calendar year, to separate them in a separate section and not to include them in the procedure for negotiating the value for the upcoming calendar year. They will be automatically included in the specification for the following calendar year if financial resources are provided by the State Budget Act and the NHIF Budget Act

A committee has been constituted by an order of the Director of the NHIF to prepare a draft specification of aids, devices, equipment and medical devices and repairs for 2024.



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

In the course of its work, the committee will consider how it can regulate the limits to which aids, devices, equipment and medical devices are funded and the inclusion of new groups of them in the NHIF 2024 specification.

Findings:

- The responsible authorities make efforts to overcome the existing problems in the individual areas of the rights of people with disabilities;
- Measures taken in the field of employment of people with disabilities are not sufficient to respond to all jobseekers with disabilities;
- The measures needed are not sufficient to overcome the difficulties for people with disabilities to be certified/recertified by the medical expertise bodies and the significant delays in issuing expert decisions;
- Actions are being taken to improve the organisation of the work of the medical expertise bodies, but not to carry out a comprehensive reform in the field;
- Measures to update the lists of aids do not contribute to the inclusion of devices tailored to the needs of those in need;
- Insufficient action is being taken to overcome the delay in ratifying the Optional Protocol to the CRPD.

Main recommendations:

1. To seek additional mechanisms to support the employment of people with disabilities, especially by increasing resources under the National Programme "Employment and Training of People with Permanent Disabilities";
2. To take action to continue the reform of medical and disability expertise, including through the implementation of international standards, with the active involvement of representatives of people with disabilities in broad public discussions and publicity;
3. Actions to be taken to adequately update the lists of aids and medical devices and to improve their quality;
4. Speed up the ratification procedure of the Optional Protocol to the CRPD.

THE OMBUDSMAN IN DEFENCE OF PERSONS WITH DISABILITIES



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA SUMMARY OF REPORT 2023

The difficulties experienced by citizens with disabilities and their families in the past year resulted in a near doubling of the number of complaints received in this field, as compared to 2022 (87%).

In January 2023, the Ombudsman's legislative proposals on the People with Disabilities Act and the Health Act (promulgated in State Gazette, No. 8 of 25 January 2023) were recognised and adopted by MPs, as a result of which people with disabilities will continue to enjoy their rights arising from their expert decisions in case of delay by the medical examination bodies until the new expert decision is issued.

Amendments were adopted to the Methodology for the application of the reference points for the assessment of permanently reduced working capacity (type and degree of disability), which allows people with comorbidities not to be deprived of social rights.

The recommendations concerning the update of the monthly allowances under Article 8e of the Family Allowances for Children Act have been partially implemented. The 2024 State Budget of the Republic of Bulgaria Act updated the monthly allowances but did not introduce a mechanism for their automatic updating.

Last but not least is the fact that in October 2023 the Ombudsman took over the chairmanship of the Monitoring Board, the body monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities, for the next two years.

Complaints received in 2023 regarding violation of the rights of persons with disabilities numbered 961.

On the complaints where violations were found – 626, 312 recommendations were made and 291 opinions were expressed. **Over 200 of the recommendations were fully or partially implemented.** Successful mediation was carried out in 8 cases and advice was given in 20.

In the complaints where no infringements were found, 17 recommendations were made and implemented. Mediation was successful in 6 cases. An opinion was expressed in 130 of the complaints and advice was given in 93 of them.

- **Most common problems in the complaints of citizens with disabilities and their families**

Complaints from citizens with disabilities and their families about difficulties in accessing socio-economic protection ranked first in terms of number of complaints in the past year. The vast majority of cases relate to delayed medical examinations and the cumbersome procedure for the resumption and payment of disability pensions due after the issuance of expert decisions by REMCs/NEMC.

Next in number in 2023 are complaints about problems with the organisation of the work of the medical expert examination bodies.

Citizens' complaints about difficulties in using social services and exercising their right to personal mobility ranked third last year.



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA

SUMMARY OF REPORT 2023

In 2023, the Ombudsman was consistently and actively working to protect the rights of children and people with disabilities.

The MPs acknowledged and adopted **the legislative proposals drafted and submitted by the Ombudsman regarding the Persons with Disabilities Act and the Health Act** (promulgated in State Gazette No. 8 of 25 January 2023). Under the adopted provisions, **persons with disabilities continue to enjoy all the rights and support resulting from RMEC/NMEC decisions in the event of delay by the medical expertise authorities until the new expert decision is issued, without interruption.**

The Ombudsman was actively working in support of the amendments to the **Methodology for the application of reference points for the assessment of permanently reduced working capacity** (type and degree of disability) in percentages in the Ordinance on the Medical Expertise (amended and supplemented in State Gazette No. 10 of 31 January 2023), which will ensure that **people with actual and concomitant diseases and disabilities will not be deprived of social rights.**

On 29 May 2023, the public consultations on the draft Decree of the Council of Ministers on the amendment and supplementation of the **Regulation on the structure and organisation of the work of medical examination bodies and regional medical expertise registries** ended. In the course of the public consultation, the public defender expressed a strong position in favour of the need for these changes, noting the possible problems, inconsistencies and ambiguities in the proposed texts.

Throughout the year, the Ombudsman reminded in opinions that the adoption of the legislation **had been postponed until the end of 2023, but no alternative solutions to the existing problems had been suggested.**

A partially positive solution was reached on the issue of **not updating the monthly benefits for raising a child with a permanent disability until the age of 18 and until completion of secondary education, but not exceeding the age of 20**, provided for in Article 8e of the Family Allowances for Children Act. The 2024 Republic of Bulgaria's State Budget Act **updates the monthly allowances but does not introduce a mechanism for their automatic updating.**

In October 2023, the Ombudsman again took over the chairmanship of the Monitoring Council for the next two years. This is the monitoring body for the implementation of the UN Convention on the Rights of Persons with Disabilities. The Council held its first meeting on **1 December 2023, at the same time as part of the Ombudsman's National Campaign for the Rights of Children and People with Disabilities**, the Ombudsman organised the photo exhibition **"Mirrors of Love. About love from the first person" – a photo project by Rositsa Bukova**, an active defender of the rights of people from vulnerable groups.

The initiative was implemented in partnership with the Bulgarian Mothers' Movement Foundation and the Down Syndrome Bulgaria Association, with the idea to show that people with



CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES IN BULGARIA SUMMARY OF REPORT 2023

the Down Syndrome can live life with dignity when they are cared for by their supported family and when the community accepts this as something absolutely normal.



At the same time, as part of the **Ombudsman's National Campaign “For the Rights of Children and Persons with Disabilities”**, on **30 November**, Ombudsman Diana Kovacheva, together with the Minister of Education and Science, Prof. PhD Galin Tsokov, organised the discussion “Inclusive Education: Problems and Solutions”.





CONVENTION
ON THE RIGHTS
OF PERSONS
WITH DISABILITIES



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