



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

Constitutional Case No. 14/2021

RIGHT TO PENSION

REJECTED REFFERALS TO THE CONSTITUTIONAL COURT



LIMITATION OF RIGH TO PENSION – challenging the reduced pension for life in the occasion of earlier retirement even if with required insurance length of service

- Request for establishing the unconstitutionality of Art. 68a, para 1, sentence 2 in the part “for life” of the Social Insurance Code (SIC) stipulating the possibility for citizens who have the required insurance length of service to retire one year earlier than the age required in Art. 68 (1) SIC and in case they exercise this right, they will receive a reduced pension for life.
- According to the Ombudsman, the disputed text does not contribute to the protection of the right to work and puts the citizens who have chosen to take advantage of the opportunity in a less favourable position than other citizens, which contradicts the provisions of Art. 6, paragraphs 1 and 2 (the principle of equality before the law), Art. 16 (the principle of guarantee and protection of work), Art. 4, paragraphs 1 and 2 (the principle of the rule of law) of the Constitution, as well as of its Preamble.
- **Constitutional case No.14/2021** was instituted on the request.
- **By Ruling No. 4 of 19 April 2022 the Constitutional Court rejected the request.**