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## I. LAND AND PEOPLE

1. The Republic of Bulgaria covers a total area of 110,993.6 km<sup>2</sup>. It is situated in south-eastern Europe - on the Balkan peninsula - between 41°14' and 44°13' latitude and 22°22' and 28°37' longitude. Its total frontier is 2,245 km in length of which 1,181 km are land borders, 686 km are frontier rivers and 387 km are coastline. Bulgaria borders on Romania, the Federal Republic of Yugoslavia (Serbia and Montenegro), the former Yugoslav Republic of Macedonia, Greece and Turkey. It is flanked to the east by the Black Sea.

2. Geographically, Bulgaria is divided by the Stara Planina (the Balkan Range) mountains into two parts: northern - the Danube plain and southern - comprising the upper Thrace lowland as well as several mountains and highlands including Rila, Pirin, Sredna Gora and the Rhodopes. Sixty per cent of the total area is covered by hills and mountains. The highest mountain is Rila at 2,925 m.

3. The climate is temperately continental and subtropical (Mediterranean) with four seasons. The average temperatures of the coldest part of the year (January-February) range from +1.1° C to +5.6° C in the plains and lowlands to below -7° C in the mountains. The average July-August temperatures are between +21° C and +26° C in the plains and lowlands and +8° C and +10° C in the mountains. The average annual temperature is +10.5° C.

4. By the end of 1995 Bulgaria had a population of 8,384,718 inhabitants of whom 4,103,370 were male and 4,281,348 female. The population density is 75.5 inhabitants per km<sup>2</sup>. The urban population was 67.8 per cent and the rural population 32.2 per cent.

5. A total of 4,745,423 people or 56.59 per cent of the population is of working age (between 16 and 59 years for men and 16 and 54 for women). The proportion of the population under 15 years of age is 19.06 per cent (48.7 per cent of them are female) and the proportion of those over the working age is 24.34 per cent (61 per cent female). As at October 1995, the number of registered unemployed persons was 423,773 of whom 235,793 were female. By the end of 1992 the number of illiterate people was 152,955 or 1.96 per cent of the population over seven years of age.

Population

	1960	1980	1990	1992	1993	1994	1995
Population as of 31 Dec. 1995 in thousands	7 905.5	8 876.6	8 669.3	8 484.9	8 459.8	8 424.4	8 384.7
Density of population per km <sup>2</sup>	71.4	80.0	78.1	76.4	76.2	75.9	75.5
Natural increase - per 1 000	9.7	3.4	-0.4	-2.2	-2.9	-3.8	-5.0
Life expectancy at birth - years	69.6	71.1	71.3	70.9	71.2	70.8	70.6
Life expectancy - male	67.8	68.1	68.1	67.6	67.7	67.3	67.1
Life expectancy - female	71.4	70.6	74.8	74.4	75.0	74.8	74.9
Average age - years	32.4	35.8	37.5	38.1	38.4	38.5	38.9
Crude birth rate - per 1 000	17.8	14.5	12.1	10.4	10.0	9.4	8.6
Total fertility rate	2.30	2.05	1.81	1.54	1.46	1.37	1.24
Infant mortality - per 1 000 live births	45.1	20.2	14.8	15.9	15.5	16.3	14.8

6. According to the 1992 census, the structure of population by ethnic groups and by mother tongue is as follows:

## Population by ethnic group

Ethnic group	Total	In towns	In villages
Total	8 487 317	5 704 552	2 782 765
Bulgarian	7 271 185	5 209 069	2 062 125
Turkish	800 052	253 119	546 933
Roma	313 396	163 896	149 500
Armenian	13 677	13 417	260
Tatar	4 515	2 045	2 470
Jewish	3 461	3 296	165
Gagaouz	1 478	1 037	441
Circassian	573	297	276
Other	78 980	58 385	20 595

## Population by mother tongue

Mother tongue	Total	In towns	In villages
Total	8 487 317	5 704 552	2 782 765
Bulgarian	7 275 717	5 210 738	2 064 979
Turkish	813 639	263 333	550 306
Roma	310 425	162 602	147 823
Armenian	9 996	9 916	80
Tatar	7 833	4 852	2 981
Hebrew	780	745	35
Gagaouz	402	203	199
Other	68 525	52 163	16 362

7. According to Bulgaria's 1991 Constitution, the official language of the Republic is Bulgarian. Article 36 (2) of the Constitution provides for the right of everyone to study and use his/her mother tongue, when it is different from the official language; article 53 (5) stipulates that citizens and organizations are free to found private schools. Under article 54 (1) "Everyone shall have the right ... to develop his/her own culture in accordance with his/her ethnic identity". In 1995, by number of students and teachers, mother tongues were studied as follows:

	Hebrew	Armenian	Roma	Turkish
Number of students	1 690	980	3 400	55 041
Number of teachers	17	15	45	968

8. The right to freedom of thought, conscience and religion is regulated by the Law on Religious Denominations and guaranteed under the 1991 Constitution which stipulates that religious institutions are separated from the State and shall not be used for political ends. The traditional religion in the Republic is Bulgarian Eastern Orthodox. However, after the beginning of the democratic changes in 1989, public interest in religion increased considerably and a number of new religious denominations and movements appeared, while the traditionally existing ones became more active. As a result there are some 30 denominations and about 70 religious communities officially registered in Bulgaria. According to the 1992 census, the structure of population by religion is as follows:

Religion	Total	%
Total	8 487 317	100
Eastern Orthodox	7 274 592	85.71
Catholic	53 074	0.62
Protestant	21 878	0.25
Muslim-Sunnis	1 026 758	12.09
Muslim Shiite	83 537	0.98
Jewish	2 580	0.03
Armenian-Gregorian	9 672	0.11
Other	15 226	0.17

9. After 1989 Bulgaria embarked on the course of transition to a market economy, democracy and the rule of law. The result was considerable progress in building democratic institutions and promoting and protecting human rights and fundamental freedoms. The national economy, however, was adversely affected by a number of external and internal factors. Domestic problems, coupled with world business conditions and global economic processes, have continually hindered developments in the national economy. The structural reforms proved to be much more difficult and complicated than expected. The external debts (more than US\$ 10 billion) and the losses suffered by the Bulgarian economy due to the strict implementation by the Government of the United Nations Security Council sanctions against Iraq, the Libyan Arab Jamahiriya and - until recently - against the Federal Republic of Yugoslavia (amounting in total to almost US\$ 8 billion) are also posing a heavy burden on the effective realization of economic reforms. As a result, the economic

situation has significantly deteriorated - industrial output and agricultural production have fallen considerably; inflation has remained high; living standards have dropped; poverty and unemployment have taken on mass proportions. A slight tendency of recovery, however, was observed in 1994-1995. Thus, in 1995 the nominal Gross Domestic Product reached 871.4 billion leva which represents a real growth of 2.5 per cent compared with 1994, marking a second consecutive year of real increase. GDP per capita was 103,663 leva (US\$ 1,543). Total household income per capita, in cash and kind, was 64,034 leva.

## Main macroeconomic indicators

Indicator	Year			
	1992	1993	1994	1995
Inflation - %	79.42	63.86	121.94	32.9
GDP growth - %	-7.3	-2.4	1.4	2.5
Industrial production growth - %	-15.9	-10.9	8.5	4.6
Unemployed - registered	535 848	626 141	488 442	423 773
Unemployment - %	15.3	16.4	12.8	11.1
Value added by private sector - gross, as % of GDP	18	25.3	27.2	40
Central interest rate - %	45.1	44.8	63.9	50.1
Budget deficit - %	6.3	11	6.4	6.2

## II. GENERAL POLITICAL STRUCTURE

A. History

10. The Bulgarian State, in which Slavs and proto-Bulgarians were brought together, has a 13-century-long history. It dates from 681 A.D. when it was recognized by the Byzantine Empire. As a result of wars with Byzantium Bulgaria expanded south of the Balkan mountains and north of the Danube River. Orthodox Christianity was introduced in 865 by Khan Boris who received the title of king. In the second half of the ninth century the Old Bulgarian script was invented by the brothers Cyril and Methodius. Under King Simeon (893-927) Bulgaria expanded to the Black, Aegean and Adriatic Seas. The time under his rule went down in national history as the Golden Age of Bulgarian culture.

11. After waging a lot of wars with varying success, in 1018 Bulgaria was finally conquered by the Byzantine Empire but succeeded in regaining its independence in 1185. The Second Bulgarian Kingdom was established under the rule of King Peter IV (1185-1197). In the first half of the thirteenth century it achieved new ascent under the rule of King Kaloyan and King Ivan-Assen II. A most dramatic period for the Bulgarian State was in

the late fourteenth century when Bulgaria was subjected to continuous Ottoman invasions. After long and stiff resistance, in 1396 it was conquered by the Ottoman Empire. Many attempts of people's resistance to achieve independence, including the 1876 April Uprising in South Bulgaria, proved to be unsuccessful. Bulgaria remained part of the Ottoman Empire until the Russian-Ottoman war in 1877-1878. With the assistance of Bulgarian and Romanian volunteers, Russia defeated the Ottoman Empire and Bulgaria regained its freedom. Shortly after the war, however, the Treaty of Berlin divided the territory of the newly liberated State into five parts and it was only the Principality of Bulgaria, situated north of the Balkan Range, that became an independent State, while the southern part of Bulgaria (Eastern Roumelia) was granted autonomy in its dependence on Turkey. The other three territories, inhabited predominantly by a Bulgarian ethnic population, were given to other States. On 6 September 1885 the unification of the Principality of Bulgaria and Eastern Roumelia into one State was declared. However, full independence from Turkey was officially recognized and proclaimed only in 1908. In the first half of the twentieth century, the intricacies of Balkan and world politics, as well as the desire to regain former territories with a Bulgarian ethnic population, led the Third Bulgarian State to take part in a series of conflicts, the two world wars included (on the side of Germany). Yet Bulgarian Jews were not deported to Germany and Bulgarian troops were not sent to military operations against Russia during the Second World War.

12. On 9 September 1944, a new government of the Fatherland Front, including Communists, Agrarians, Social Democrats and members of Zveno, was formed. In September 1946 a referendum was held and in 1947 Bulgaria was proclaimed "a People's Republic" with all characteristic features of this type of social order.

13. Since the end of 1989 Bulgaria has been undergoing a difficult period of transition towards a market economy (see para. 9) and genuine democracy, based on the rule of law, political pluralism, and respect for and observance of human rights. In July 1991 the democratically elected Great National Assembly established the new Constitution of the Republic which is the supreme law of the country. The division of powers of the State among the executive, the legislature and the judiciary became a basic constitutional principle (article 8 of the Constitution) and fundamental human rights and freedoms constitutionally guaranteed.

#### B. The legislature

14. According to the 1991 Constitution Bulgaria is a parliamentary republic with a one-chamber directly elected and permanently acting National Assembly (Parliament). The Parliament is vested with legislative authority and parliamentary control. It consists of 240 members elected for a four-year term. Every Bulgarian citizen of 21 or above, who does not hold another citizenship and is not under a judicial interdiction or is not serving a prison term, is eligible for the National Assembly. While holding their seat, members of Parliament cannot occupy a State post or engage in any activity defined in law as incompatible with their status. They are considered to represent not only their constituencies but the entire nation and cannot be held criminally liable for their votes or opinions expressed in the National Assembly.

15. Usually, the Parliament is assisted in its work by standing or ad hoc commissions. The latter may also conduct inquiries and investigations. In any case, any official or citizen summoned by a parliamentary commission is under the obligation to testify and present any document that may be required. With rare exceptions sessions of the National Assembly are held in public.

16. The 1991 Constitution specifies that the Parliament may pass laws, resolutions, declarations and addresses. It adopts the State budget bill; establishes taxes; schedules the elections for President of the Republic; elects and dismisses the Prime Minister and - on his/her motion - the members of the Cabinet; elects and dismisses the Governor of the National Bank and the heads of other institutions established by law; on a motion by the President or the Prime Minister introduces martial law or a state of emergency; decides on the declaration of war and the conclusion of peace; grants amnesty, etc. It also ratifies or denounces by a law certain international instruments having a political or military nature, or concerning Bulgaria's participation in the international organizations, or dealing with fundamental human rights, etc. (see para. 42). Each parliamentary act is promulgated in the State Gazette.

17. Since the adoption of the new Constitution free and democratic general parliamentary elections have been held twice - in October 1991 and December 1994.

#### C. The President

18. The President is the head of State and is to embody the unity of the nation and to represent the State in its international relations. He is assisted in his actions by a Vice-President. Both the President and the Vice-President are elected directly for a five-year term and are eligible for only one re-election to the same office. Eligible for President is any natural-born\* Bulgarian citizen over 40 years of age and qualified to be elected to the National Assembly, who has resided in the country during the five years preceding the elections. The President and the Vice-President cannot engage in any other State, public or economic activities or participate in the leadership of a political party. They are not to be held liable for actions committed in the performance of their duties except for high treason or a violation of the Constitution.\*\* No criminal proceedings can be initiated against them and they cannot be placed under detention.

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\* In accordance with the interpretation given by the Constitutional Court (decision 12/23.07.1996 on case 13/1996), a natural-born Bulgarian under article 93, paragraph 23, of the Constitution is any person who acquires Bulgarian citizenship by virtue of origin (if at least one parent holds Bulgarian citizenship) or place of birth in accordance with the national law existing at that time.

\*\* In such cases the Constitution provides for a procedure of impeachment.

19. The President may issue decrees, addresses and messages. Despite his/her being directly elected, under the 1991 Constitution he/she has relatively limited powers. For instance, he/she schedules parliamentary and local elections and national referendums pursuant to a resolution of the National Assembly; concludes international treaties in cases established by law; on a motion from the Government appoints and dismisses the heads of Bulgaria's diplomatic missions and certain officials established by law; awards orders and medals; grants Bulgarian citizenship and asylum; exercises the right to pardon, etc. Following consultations with parliamentary groups, the President appoints the Prime Minister-designate nominated by the party holding the largest representation in the National Assembly. He/she is also the Supreme Commander in Chief of the nation's armed forces, and - on a motion of the Council of Ministers - appoints and dismisses their higher command. With a subsequent endorsement by the Parliament, the President may proclaim a state of war, martial law or any other state of emergency whenever the National Assembly is not in session or cannot be convened. The head of State may veto only once a bill of the National Assembly, which may be overruled by a majority of all the members of the Parliament.

20. Since the adoption of the new Constitution presidential elections have been held twice - in October 1991 and October-November 1996.

#### D. The Council of Ministers

21. The Council of Ministers (Government) is responsible for the implementation of the State's domestic and foreign policy. It consists of a Prime Minister, deputy prime ministers and ministers. The Prime Minister is to head, coordinate and bear responsibility for the overall policy of the Government. He/she also appoints and dismisses deputy ministers. Usually, each member of the Council of Ministers heads a ministry. The Constitution, however, provides for exception to this rule if the National Assembly so decides.

22. Eligible for election to the Government is any Bulgarian citizen qualified to be elected to the National Assembly. Members of the Council of Ministers cannot hold posts or engage in any activity incompatible with the status of a member of Parliament. In addition, the National Assembly is free to determine any post or activity incompatible with membership of the Government.

23. The Council of Ministers adopts decrees, ordinances and resolutions and promulgates rules and regulations. It is difficult to identify all the responsibilities of the Government, but in accordance with the relevant constitutional provisions it ensures public order and national security, exercises overall guidance over the State administration and the armed forces, manages the implementation of the State budget, organizes the management of the State's assets, concludes, confirms or denounces international treaties when established by law, etc.

24. There is no fixed term of office for a minister. In accordance with the Constitution the authority of the Government expires upon a vote of no confidence on the Council of Ministers or the Prime Minister, the resignation of the Government or the Prime Minister or the latter's death. After

parliamentary elections, the outgoing Council of Ministers submits its resignation to the newly elected National Assembly. In any case, the outgoing Government continues to act until the election of a new Council of Ministers.

25. The 1991 Constitution provides for the possibility of establishing an interim government. This might happen if - following consultations - the biggest, the second largest and one of the minor parliamentary groups consecutively fail to form a government within the period established by law (seven days per parliamentary group). In the case of such a lack of agreement, the President is to appoint an interim government, dissolve the National Assembly and schedule new elections.

#### E. The judiciary

26. An important principle of the State based on the rule of law is the independence of the judiciary. Within the constitutional system of Bulgaria based on the division of powers, the judicial branch is given a particularly strong position. The judiciary is to safeguard the rights and the legitimate interests of all citizens, legal entities and the State. This obligation is reiterated in the legislation on the courts of law and the Prosecutor's Office and is common to all institutions of the judiciary within the framework of their competence. In exercising their judicial power in the name of the people, all judges, prosecutors and investigating magistrates while performing their functions are subservient only to the law. They enjoy the same immunity as the members of the National Assembly.

27. In June 1994, Parliament passed a law on the reform of the judiciary, which established the legal set-up of the structure and functions of the courts, including the Supreme Court of Cassation and the Supreme Administrative Court (as provided for in arts. 124 and 125 of the Constitution). These two institutions, which, according to the Constitution shall be empowered with exercising "supreme judicial supervision as to the precise and equal application of the law by all courts" (Supreme Court of Cassation), and with exercising "supreme judicial supervision as to the precise and equal application of the law in administrative justice" (Supreme Administrative Court), are still in the process of being established. In accordance with article 119 of the Constitution, in addition to the Supreme Court of Cassation and the Supreme Administrative Court, justice is administered by courts of appeal, courts of assizes, courts-martial and district courts. The same article stipulates that "there shall be no extraordinary courts".

28. The Prosecutor's Office ensures observation of legality by bringing charges against criminal suspects and supporting charges in common criminal trials, by overseeing the enforcement of penalties and other measures of compulsion, by acting for the rescission of illegal acts and by taking part in civil and administrative suits whenever required to do so by law. The investigating authority which is vested with the performance of the preliminary investigation in criminal cases is also within the system of the judicial branch.

29. Justices, prosecutors and investigating magistrates are elected, promoted, demoted, reassigned and dismissed by the Supreme Judicial Council, consisting of 25 members.

#### F. The Constitutional Court

30. The Constitutional Court is also a new institution established in 1991 and operating outside the judicial system. It consists of 12 justices, 4 of whom are elected by the Parliament, 4 by a joint meeting of the Supreme Court of Cassation and the Supreme Administrative Court, and 4 appointed by the President. They are elected/appointed for a nine-year term and cannot be re-elected or reappointed. The basic law specifies that eligible for the Constitutional Court are lawyers of high professional and moral integrity and with at least 15 years of professional experience. The status of the members of the Constitutional Court is incompatible with a representation mandate, or any State or political post, or membership in a political party or trade union, or with the practising of a free, commercial, or any other paid occupation. They enjoy the same immunity as the members of the National Assembly.

31. The main function of this institution is to provide mandatory interpretations of the Constitution and to rule on queries concerning the constitutionality of the acts of the National Assembly and the President. The Constitutional Court also rules on the Constitution's compatibility with international instruments concluded but not yet ratified by Bulgaria, as well as on whether domestic laws are compatible with the universally recognized norms of international law and with the international instruments to which Bulgaria is party. This function in fact makes the Constitutional Court one of the guarantees of the fulfilment of the obligations accepted by Bulgaria with its accession to the international instruments. The Constitutional Court also rules on challenges to the legality of the election of the President, the Vice-President or a member of the National Assembly, to the constitutionality of political parties or associations, as well as on impeachment by the Parliament of the President or the Vice-President.

32. The Constitutional Court cannot act on its own initiative; it becomes active only on an initiative from at least one fifth of the members of the Parliament, the President, the Council of Ministers, the Supreme Court of Cassation, the Supreme Administrative Court or the Chief Prosecutor.

### III. GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

33. Bulgarian legislation does not provide either for any specialized institution or authority (including a judicial one) to monitor human rights observance, nor for any judicial or administrative procedure for the protection of the rights of citizens. But this does not mean that such a protection is altogether non-existent. In such cases concerned parties resort to the general civil, penal and administrative procedures. As a matter of fact, this is the constitutional duty of the judicial and of the other national and local State authorities and institutions. For instance, a standing Commission on Human Rights was set up with the National Assembly. Citizens and non-governmental organizations may address to the Commission

claims for human rights violations. A National Council on Demographic and Social Issues has been set up with the Council of Ministers. The Council deals with the rights of persons belonging to various ethnic groups and coordinates the activities of non-governmental organizations on issues relating to women's rights. Furthermore, the setting up of a governmental interministerial commission on human rights is envisaged. Several domestic non-governmental organizations are also concerned with the promotion and protection of human rights and fundamental freedoms.

34. The judiciary is an important component of the national legal protection system which, under article 117 of the Constitution, should protect the rights and legitimate interests of citizens. This obligation is reiterated in the legislation on the courts of law and the prosecutor's offices. The said obligation is common to all institutions of the judiciary within the framework of their competence.

35. Special jurisdictions have been established for the protection of certain rights. For example, labour disputes may be resolved both in court and by labour dispute commissions. The decisions of the latter do not exclude appeals addressed to the courts of law.

36. The Constitutional Court also has certain human rights protection functions. It is only natural that its broadly formulated competence would include the question of whether legal acts meet the human rights requirements contained in the Constitution. In a way, the Constitutional Court also guarantees the fulfilment of the obligations accepted by Bulgaria with its accession to the international human rights instruments.

37. Bulgaria is a party to the European Convention on Human Rights and has recognized the jurisdiction of the European Court of Human Rights. Against this background, any individual, non-governmental organization or group of individuals claiming that Bulgaria has violated the rights provided for in the Convention, may - after all domestic remedies have been exhausted - apply to the European Commission on Human Rights and file a complaint. If no friendly settlement is achieved then the case may be brought to the European Court. The decision of the latter is final (with no possibility for appeal) and binding on Bulgaria.

38. The protection of citizens' rights is done ex officio by the judicial authorities. For instance, pursuant to article 27 of the Code of Civil Procedures, the Prosecution may file a claim in the interest of another person, whereas according to article 43 of the Code of Penal Procedures "... the Prosecution shall raise and maintain charges for offences of a general nature". In respect to certain violations, the judicial procedure requires that the parties concerned bring them to the attention of the judicial authorities. Thus, article 97 of the Code of Civil Procedures states that "... anyone may file a claim in order to restore his/her right when it has been violated ...". In a similar way article 56 of the Code of Penal Procedures entitles the victim of a crime, subject to legal proceedings upon complaint from the victim, to raise and maintain charges as a private plaintiff.

39. In general, with penal law official interference is predominant, while in civil law a citizen's claim would be necessary. The Administrative Proceedings Law regulates still another procedure for the protection of citizens' rights - regardless of the fact that State authorities are obliged to act *ex officio* in order to protect citizens against violations of their rights, every citizen who considers that his or her rights have been violated may request the intervention of a competent State body. In this case an Administrative Act is issued allowing the concerned citizen to defend his/her rights (chapter Two of the Law). In the event that such request is addressed incorrectly, it is forwarded by official channels to the respective competent institution. Generally, every decision of a State body may be subject to appeal before a hierarchically higher authority (chapter Three, section One, of the Law). This holds true for the judicial authorities as well. If citizens are not satisfied with the decision of the body to which they had brought their appeal, they may appeal that decision (chapter Three, section Two).

40. Citizens whose rights are or have been violated may demand the halting of such violations, restoration of violated rights and monetary or moral compensation. The type of compensation is determined in view of the nature of the violation, its duration, whether it would be possible to restore the rights, and other circumstances. A special procedure in this respect is provided for in the 1988 Law on State Liability for Damages Inflicted to Citizens. The grounds for such a liability lie in the damages having been caused by illegal acts both of administrative bodies (art. 1) and the law-enforcement bodies (art. 2). According to article 4 of the Law, the liability of the State is realized in the form of indemnities for all property and non-property damages stemming directly and/or indirectly from the damaging effect. The Law in its article 5 regulates also the grounds for freeing the State from liability (in case the damage has been caused through the exclusive fault of the damage-suffering party), and also the grounds for diminishing the liability of the State (in the case when the damage has been caused through the fault of the damage-suffering party). It should be noted that this law, though adopted as far back as 1988 when the 1971 Constitution was still in force, has proved its relevance also in the present 1991 Constitution which enshrines as one of its basic precepts in its article 7 that "the State is liable for damages caused by illegal acts or actions of its organs or officials".

41. There is no separate law or charter of human rights in Bulgaria. The basic document regulating this issue is the 1991 Constitution, the second chapter of which - Fundamental Rights and Obligations of Citizens - follows the logic and methodology of the International Covenants on Human Rights and in many cases quotes their texts verbatim. The human rights provisions of the Constitution are irrevocable (art. 57). They are directly enforceable, which means that they are in full force and may be applied even without the adoption of any particular legislation. Nevertheless, the 1991 Constitution contains no norms concerning the mechanisms and procedures for the protection of these rights. Therefore, these issues are regulated and made more specific by legal acts of a material or procedural nature. The Constitution itself has set a period of time during which the National Assembly has to adopt certain laws, many of which have a direct bearing on human rights. That will generally mark the completion of the overhaul of Bulgarian legislation to make it compatible with the international standards.

42. As far as the status of the international instruments in the field of human rights in the structure of national legislation is concerned, before 1991 the provisions of all international instruments to which Bulgaria was party were implemented indirectly by the adoption of corresponding national legislation. The 1991 Constitution adopted a basically new approach to the issue of the correlation between Bulgarian national law and international law giving clear precedence of the latter. For instance, under article 5, paragraph 4, of the 1991 Constitution, "... international instruments which have been ratified by the constitutionally established procedure, promulgated and come into force with respect to the Republic of Bulgaria, shall be considered part of the domestic legislation of the country. They take precedence over conflicting domestic legislation". In accordance with this constitutional provision and under certain conditions (see para. 43), existing international standards become an inseparable part of Bulgarian national law.

43. The Constitution also defines the scope of those international instruments which become part of Bulgaria's domestic law. Under article 85 (1) of the Constitution:

"The National Assembly shall ratify or denounce by a law all international instruments which:

"1. are of political or military nature;

"2. concern the participation of the Republic of Bulgaria in international organizations;

"3. envisage corrections to the borders of the Republic of Bulgaria;

"4. contain financial commitments by the State;

"5. envisage the State's participation in international arbitration or legal proceedings;

"6. concern fundamental human rights;

"7. affect the action of the law or require new legislation in order to be enforced;

"8. expressly require ratification."

44. Three compulsory conditions must be met to enable incorporation of international instruments as an inseparable part of domestic law: they should be ratified by the Parliament, promulgated in the State Gazette and have entered into force for the Republic. The legal consequences of the fulfilment of these three conditions are the same as the entry into force of any domestic legal act - as part of the national legislation they become binding for all State authorities, organizations and citizens. As for international instruments ratified prior to the entry into force of the 1991 Constitution, if they met the constitutional requirements, they became part of Bulgarian

domestic law from the moment of the entry into force of the new basic law. If any of the constitutional conditions has not been met, they shall enter into force after this has been rectified.

45. Under article 57 (3) of the Constitution:

"Following a proclamation of war, martial law or a state of emergency, the exercise of individual citizens' rights may be temporarily limited by law, with the exception of the rights, provided for in art. 28 [right to life], art. 29 [prohibition of torture or cruel, inhuman or degrading treatment], art. 31 (1), (2) and (3) [right to an impartial and fair trial], art. 32 (1) [protection against illegal interference in one's private life and against encroachment on one's honour, dignity and reputation] and art. 37 [freedom of conscience, thought and religion]".

#### IV. INFORMATION AND PUBLICITY

46. Official Bulgarian translation of the texts of all international instruments, ratified under article 85 (1) of the Constitution (see para. 42), as well as all domestic legal acts - including the text of the Constitution and the decisions of the Constitutional Court - are published in the official State Gazette.

47. In close cooperation with, and with the assistance of the United Nations Centre for Human Rights, the Ministry for Foreign Affairs has organized the translation and publishing in Bulgarian of the United Nations publications Human Rights - A Compilation of International Instruments; the Human Rights Fact Sheets series and ABC - Teaching Human Rights, which have been distributed free of charge by the Ministry for Foreign Affairs, the Ministry of Education and the Ministry of Justice, as well as through libraries, universities and non-governmental organizations. A United Nations Information and Documentation Centre, established within the National Library, is providing access to a number of United Nations documents. Official United Nations publications are also available through the Ministry for Foreign Affairs.

48. As a member of the Council of Europe, Bulgaria is a party to the European Convention on Human Rights and most of its Additional Protocols, and to other major European instruments in this field, which have also been published in the State Gazette and in separate booklets. An Information and Documentation Centre of the Council of Europe was established a few years ago, thus making available to the general public original documents, studies and other publications of the organization related to human rights and fundamental freedoms, including decisions on cases brought to the European Court of Human Rights.

49. Bulgarian authorities pay special attention to dissemination of awareness on basic human rights among the young population of the country. For instance, human rights law is studied in law faculties of Bulgarian universities (a Human Rights Chair is functioning in Kliment Ohridski University of Sofia) and civic education - covering also basic human rights knowledge - is included in school curricula.

50. The Ministry for Foreign Affairs bears the main responsibility for the strict compliance with the existing reporting obligations of Bulgaria under the respective international human rights instruments. Usually, reports are prepared by independent experts in close cooperation with the respective governmental agencies (Ministry for Foreign Affairs, Ministry of Justice, Ministry of Labour and Social Welfare, Ministry of Education, Ministry of Health, Ministry of Interior, Chief Prosecutor's Office, etc.). Before being officially adopted, their contents are discussed with the representative of various domestic non-governmental organizations.

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