



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined sixth and seventh periodic reports submitted by Bulgaria under article 44 of the Convention, due in 2022^{*}, ^{**}

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* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.



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Introduction

1. The Republic of Bulgaria has the honour to submit its combined sixth and seventh periodic report to the Committee on the Rights of the Child on the implementation of the UN Convention of the Rights of the Child. The report is constituted as a response to the list of issues presented by the Committee of the Rights of the Child in document [CRC/C/BGR/QPR/6-7](#).
2. The present report is drafted in accordance with the Committee's General Guidelines and the simplified reporting procedure. It covers the period from January 2016 to December 2021. It is prepared with the contribution of all institutions and bodies engaged with the implementation of the Convention.
3. The report was approved by the National Council on Child Protection, presented to the Children's Council to the Chairperson of the State Agency for Child Protection (SACP) and was published for public consultations on the website of SACP.
4. Statistical and additional information is provided in the annexed documents. It is prepared in compliance with the list of issues.

I. New developments

Reply to paragraph 2 (a) of the list of issues prior to submission of the combined sixth and seventh periodic reports of Bulgaria

5. The Republic of Bulgaria supports and develops initiatives to assert the rights of the child on the international stage, within the UN and other international organizations. As a co-chair of the Group of Friends of Children and the UN Sustainable Development Goals, the Republic of Bulgaria has consistently advocated for the integral inclusion of children's rights in all major intergovernmental processes. The Republic of Bulgaria also supports the Global Call "*For every child all rights*".
6. As a member of the UN Human Rights Council (HRC) for the period 2019–2021, the Republic of Bulgaria identified the protection and promotion of the rights of the child as one of its priorities. The adoption of the resolution "*Rights of the child: empowering children with disabilities for the enjoyment of their human rights, including through inclusive education*"¹ on 22 March 2019 at the 40th regular session of the HRC was one of the significant achievements of Bulgaria's membership in the Council. The resolution was co-sponsored by 83 Member States and its adoption by consensus was not accompanied by comments, disassociation from the consensus or explanation of vote or position. The topic of empowering children with disabilities through inclusive education was proposed and actively developed by Bulgaria more than two years before the adoption of the resolution. UNICEF and representatives of the civil society were engaged in the campaign. During the 39th session of the Council (September 2018), Bulgaria read a joint statement on empowering children with disabilities, including through inclusive education, which was co-sponsored by 102 Member States from all regions. This statement was the basis for achieving broad consensus and smooth adoption of the resolution at the 40th session of the HRC.
7. At its 73rd session, the United Nations General Assembly adopted without a vote the resolution "*Commemoration of the thirtieth anniversary of the adoption of the Convention on the Rights of the Child*"². The Republic of Bulgaria and Pakistan were co-facilitators of the process, and had a leading role in presenting the resolution and gaining support for its adoption. The Republic of Bulgaria as a co-facilitator contributed to finding a compromise language regarding the participation of civil society, which is traditionally one of the most controversial issues.
8. In July 2020, the Child Protection Act (CPA) was amended to ensure inter-agency cooperation and notification of imminent risk of abandonment, abandonment of a child after

¹ Doc. [A/HRC/RES/40/14](#).

² Doc. [A/RES/73/301](#).

birth and prevention of abandonment of a child with a disability. The implementation of the Coordination Mechanism against Violence, which has been in force since 2010, is also regulated by law. It provides protection of a child, a victim of violence or exploitation. Interagency interaction and the establishment of a multidisciplinary team to develop an action plan for child protection or violence prevention are also regulated. The main emphasis is on providing timely and targeted support to children and their parents by the competent authorities.

9. In 2019, the Regulations for the implementation of the CPA were amended with provisions introducing preventative measures against the abandonment of children and their placement in institutions. The amendments also included measures for the reintegration of abandoned children and their protection in a family environment, as well as specific family support activities. The provisions of the Regulations were brought in line with the CPA, the Social Services Act and the Family Code.

10. In the period 2016–2022, a number of major amendments were made to the Family Benefits for Children Act (FBCA), namely:

- A new type of monthly allowance for raising a child with a permanent disability has been introduced, which is granted regardless of the family's income and is differentiated according to the degree of the child's disability and in accordance with its purpose;
- A legal possibility has been introduced to determine a different income criterion for granting family benefits, depending on the right of granting benefits and their amount (so-called "income test");
- A new type of monthly allowance is regulated for a child without inheriting pension rights from a deceased parent;
- The double income criterion is introduced for granting monthly family allowances for raising a child until the completion of secondary education;
- One-time assistance has been introduced for students enrolled in eighth grade and the universal approach to supporting families with children, etc. has been extended.

11. In 2019, the Social Services Act (SSA) was adopted. It entered into force on 1 July 2020. The SSA main objectives are to ensure equal access to social services, to guarantee their quality and efficiency and the right to life at home and in the community, as well as to promote an integrated approach and public-private partnership. It stipulates that the state-funded social services are free for children, parents or persons who take care of children.

12. The Regulations for the Implementation of the Social Assistance Act (SAA) provide for a new social monthly-targeted assistance in the event of a declared state of emergency or a state of emergency epidemic situation for families with children up to 14 years of age.

13. In 2019, the Personal Assistance Act entered into force. It regulates a new type of assistance provided to persons and children with disabilities to exercise their rights, to participate fully in society, to carry out activities that meet their individual needs of personal, domestic or social nature and to overcome the barriers to their functional limitations. The mechanism is based on state-guaranteed financial support, individual needs and choices of people with disabilities.

14. In 2019, two ordinances were amended. Those are the Ordinance on the Terms and Conditions for the Implementation of Measures to Prevent the Abandonment of Children and their Placement in Institutions, as well as Their Reintegration and the Ordinance on the Criteria and Standards for Social Services for Children.

15. In 2020, the Council of Ministers adopted the National Strategy for Poverty Reduction and Promotion of Social Inclusion 2030. The main goal of the strategic document is to improve the quality of life of vulnerable groups in Bulgaria and to create conditions for their full realization through adequate income support, including the labour market and access to quality services. *More detailed information is given in reply to para.23a.*

16. In 2019, the Law on People with Disabilities entered into force. It provides the necessary and adequate socio-economic support to people with disabilities from the state,

through which they can be maximally integrated into society. It is in line with the provisions of the National Strategy for People with Disabilities.

17. On 5 February 2021, the National Strategy for People with Disabilities 2021–2030 was adopted. It aims to improve the quality of life of people with disabilities, including children with disabilities and their families, by creating conditions and providing opportunities for their full and equal participation in the community.

18. On 15 June 2022 the National Youth Strategy 2021–2030 was adopted in line with the main priorities of the European youth policy. *More detailed information is given in reply to para.16d.*

19. In 2016, the Bulgarian government adopted an Updated Action Plan for the Implementation of the National Strategy “Vision for the Deinstitutionalization of Children in the Republic of Bulgaria”. The main priority of the action plan is to guarantee the right of children to a family environment and access to quality care and services according to their individual needs. The plan provides the conditions for the implementation of the reform for deinstitutionalization of child care in Bulgaria, focusing on six main groups of measures, namely:

- Provision of social and integrated services for early intervention and prevention in a family environment;
- Provision of family care for children at risk who are not raised by their biological parents;
- Provision of social services and community support for children placed in homes for children deprived of parental care and for children from these homes leaving the care system;
- Provision of social, health and integrated health and social services for children with disabilities;
- Increase of the efficiency of the children’s rights guarantee system;
- Provision of the necessary infrastructure.

Impact of COVID-19

Reply to paragraph 2 (b) of the list of issues

20. A number of urgent, timely and adequate measures have been undertaken within the field of social policies to address the challenges posed by the COVID-19 pandemic. They aim at supporting and stimulating businesses, including in order preserving jobs, and providing financial support to those in need. Regarding the field of family support, a number of actions have been undertaken to alleviate conditions for accessing various types of family benefits.

21. During the peaks of the pandemic, the social service teams introduced a flexible approach by providing remote services to individuals in strict compliance with anti-epidemic measures. Specific instructions have been given for the implementation of the educational process, predominately to children with special educational needs. Telephone lines for consultations and psychological assistance, including specialized ones for children, were opened in most of the municipalities.

22. A special section “Child” was introduced in the COVID-19 Unified Information Portal of the Council of Ministers, as well as the section “Ask here on COVID-19” was introduced in the official website of the SACP.

23. Social service providers have organized their activities for continuous support of children and individuals in the context of the COVID-19 pandemic. In order to prevent restrictions and violations of the rights of people from vulnerable social groups, they introduced a temporary relaxation of the terms and conditions for granting social benefits.

24. In 2020, amendments were made to the Preschool and School Education Act (PSEA) and the Ordinance on Inclusive Education regarding support for personal development. Depending on its specifics, support for personal development may be carried out by a decision of the director of the institution in person and/or remotely in an electronic environment, including synchronously, using the means of information and communication technologies.

Reply to paragraph 3 of the list of issues

25. The National Development Programme “BULGARIA 2030” was adopted by the Council of Ministers on 2 February 2020. The strategic framework document describes in detail the areas of impact that will be subjected to targeted interventions by 2030. The document introduces three strategic objectives which will be implemented by government policies, grouped into five development areas (axes) and defines 13 national priorities. The goals are an accelerated economic development, demographic growth and reduction of inequalities.

26. The main focus is set on achieving development through boosting the competitiveness of the Bulgarian economy and transforming it into an economy based on knowledge and smart growth. Providing quality education for everyone throughout life, enhancing the role of science in the country’s economy, while simultaneously providing an environment conducive to the creation of new products and markets and developing innovative enterprises have the potential to create a high-tech industrial base and bring the economy to a new and higher growth trajectory. Within this context, the Government defines three national priorities: education and skills, science and scientific infrastructure and smart industry. Education and training policy cover each of the stages of personal development, following the principles of lifelong learning. They are to be oriented towards increasing the scope and quality of education and training, with an emphasis on acquiring analytical skills and developing creative thought, enhancing people’s ability to adapt to the technological transformation in time and the resulting changes in the labour market. The envisioned measures will contribute to achieving certain aspects of Goal 4 “Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” from the UN Sustainable Development Goals. The sustainable implementation of policies for inclusion and integration of children and students in pre-school and school education and the redaction of early school leavers will continue.

27. The Republic of Bulgaria confirmed its readiness to support the participation of children and promote the implementation of practical mechanisms for the comprehensive participation of children in decision-making at the Global Forum for Children and Youth. Bulgaria was an active participant in the initiative to hold a Summit of the Group of Friends of Children and the Sustainable Development Goals, on 7–9 December 2021 in New York.

28. The Republic of Bulgaria is committed to continuing its efforts to reduce child poverty. 200,000 children will be supported through the implementation of the European Child Guarantee and other accompanying programmes by 2030. *More detailed information is given in reply to para.23a.*

29. Another important commitment that Bulgaria is working on is that by 2030, the share of children aged 4 in pre-school education should reach at least 91%, and of children aged 7 – 98%. The Code of Ethics for those working with children (social workers, doctors and medical staff, teachers, police officers, judges, etc.) is to be upgraded. Special training programmes will be developed on how to talk to children in an understandable and accessible language.

30. In the period October 2018–May 2020 the project “*Developing effective policies for the observance of children’s rights*” under the Human Resources Development EU Operational Programme was implemented. The main recommendations of the analysis are to develop and support children’s participation at the local level, as well as to create conditions at the national and local level for children to share their opinions. The Implementation of these recommendations will be achieved through close cooperation between children, parents and professionals working with children.

31. The Children’s Council with national representation, under the Chairperson of the SACP, has been fully functioning since 2009. Children from all over the country, aged 13 to 18 years, including children from vulnerable and marginalized communities, participate in the Council on a voluntary basis. It is a forum that enables children to express their views and participate in the drafting of legislation and in the formulation of policies that affect them, thereby influencing decisions about their lives and futures.

II. Rights under the Convention and the Optional Protocols

A. General measures of implementation

Legislation

Reply to paragraph 4 of the list of issues

32. In 2020, amendments in the Family Code were adopted to expand the possibilities of proving paternity and contesting recognition, which is in defense of the rights of parents and children. They achieve full compliance and coherence of the legislation of the Republic of Bulgaria with the Convention for the Protection of Human Rights and Fundamental Freedoms with regard to the right to respect for private and family life.

33. The draft law No 054-01-111, amending Child Protection Act, was not adopted due to inconsistencies with the national legislation in the field of child protection.

34. The Law on Normative Acts requests a preliminary impact assessment to be prepared when adopting draft laws, as well as when amending and/or supplementing existing laws and by-laws. It is mandatory to assess each of them, according to the goals set to be achieved, the positive and negative impacts of the respective option, as well as the identified potential risks in its implementation.

35. A wide range of stakeholders is involved in the process of developing or amending legislation concerning children. They include representatives of all governmental bodies and institutions involved, international and non-governmental organizations with experience and expertise in children’s rights issues, academia, etc. The National Council for Child Protection also has the right to give a preliminary opinion on the draft normative acts, which contain provisions related to the rights of children, before their submission to the Council of Ministers.

36. The Council of Ministers adopted Decision 324/20.05.2022 approving an Action Plan for the Implementation of the Recommendations Adopted by the Republic of Bulgaria within the Third Cycle of the Universal Periodic Review of the UN Human Rights Council. The Action Plan envisages the preparation of a new detailed study of the readiness of the Republic of Bulgaria to accede to the Optional Protocol to the Convention on the Rights of the Child on a communication procedure by 2025.

Comprehensive policy and coordination

Reply to paragraphs 5 and 29 of the list of issues

37. The National Development Programme “BULGARIA 2030” gives priority to integrated policies that ensure the right of every child to quality education and dropout prevention, with a focus on children and students from vulnerable groups. *Additional information on the Programme is provided in reply to para. 3.*

38. In 2021, the SACP elaborated the first “White Paper on the Child”. The document is a result of in-depth work with the participation of ministries, agencies and organizations. The White Paper provides information on what has been achieved so far and sets out a number of challenges in various areas covered: welfare and social inclusion, children’s health, education, sport and culture, children’s participation and security and justice. The White Paper aims to reach a consensus on the decision-making process on topics related to the children of Bulgaria.

The White Paper was distributed in Bulgarian and English to the institutions and partners involved.

39. On 24 March 2022, the National Council for Child Protection decided to resume the work of the interagency working group to prepare a draft of a National Strategy on the Child.

40. The National Programme for Prevention of Violence and Child Abuse was implemented in the period 2017–2020. The programme sets the national policy framework for countering violence against children through a mechanism for coordination and communication between public authorities, civil society and the non-governmental sector in relation to the necessary measures for the prevention of violence in all its forms.

41. In April 2021, a National Programme for Improving Maternal and Child Health 2021–2030 was adopted. It envisages the continuation of the implementation and upgrading of the measures guaranteeing equal access to quality health care, including qualified care for pregnant women, regardless of their health insurance status. Research funded by the Programme for Pregnant Women is provided to prevent the health risk of children from vulnerable groups and the birth of a child with disabilities.

42. In order to protect vulnerable groups, a Handbook on Strengthening the Procedural Rights of Persons with Intellectual and/or Psycho-Social Disabilities in Criminal Procedure “Worthy in the Trial” was issued. A training for police officers on non-discrimination against members of the Roma minority community was conducted, and a Handbook and training materials for police officers on the prevention of discrimination, hate crimes and issues of the Roma minority community were issued. In 2018, an international project was implemented with representatives of various state institutions, local authorities and non-governmental organizations working on the protection of human rights and ethnic and demographic issues from Bulgaria, Greece, Ireland, Italy and Romania. A number of training seminars on topics such as “Anti-Semitism and Hate Crimes” and “Investigation of Hate Crimes on Homophobic and Transphobic Motives” were held. The “*Improving coordination and dialogue between the police and Roma society*” project was also implemented.

43. The draft Law on Amendments to the Code of Criminal Procedure (CCP) provides for amendments to the Law on Assistance and Financial Compensation to Victims of Crime. The draft Law aims at the full implementation in national legislation of Directive 2012/29/EU establishing minimum standards of rights, support and protection of victims of crime, and at the implementation of Directive (EU) 2016/800 on procedural guarantees for children suspected or accused in criminal proceedings.

44. A draft Law on amendments to the Criminal Code proposes amendments aimed at ensuring full implementation of the requirements of Directive 2011/93/EU on combating sexual abuse and sexual exploitation of children, as well as child pornography and replacing Council Framework Decision 2004/68/JHA.

45. An interdepartmental expert group is set up within the National Council for Child Protection to develop a mechanism for implementing the recommendations of the UN Committee on the Rights of the Child. It is mandated to establish an institutional mechanism to coordinate, monitor and report on all activities towards implementing the Committee’s recommendations. Meetings of the expert group have been held as well as regular communication with the members is maintained.

Allocation of resources

Reply to paragraph 6 of the list of issues

46. The financing of the social services is provided by the state budget, the municipal budgets and from the private providers of social services, whereas the basic means are provided from the state budget. There is an annual increase in the standards for financing social services, which are activities, delegated by the state.

47. In 2020, in the conditions of an extraordinary epidemic situation, additional state funds in the amount of BGN 15 million were provided from the state budget. In 2021, with the Law on the State Budget of the Republic of Bulgaria, the budget allocations for activities

related to children in the social sectors were increased and amounted to a total of BGN 421.9 million, of which BGN 159.6 million were for financing social services for children.

48. Under the budget of the Ministry of Labour and Social Policy until the end of 2019 two budget programmes were implemented – the programme “*Support for families with children*” and the programme “*Protection of children during the transition from institutional care to alternative care in a family environment*”. Since 2020, the programme “*Support for Children and Families*” has been implemented, which combines the two programmes mentioned above. Under this programme twelve types of family benefits are provided, including benefits for prevention and reintegration, for raising a child in a family of relatives or in a foster family, remuneration of professional foster families and benefits for children with disabilities, etc.

Data collection

Reply to paragraph 7 of the list of issues

49. An information system has been built regarding the implementation of the policy on the rights of people with disabilities. This enables the exchange of data on health, qualifications, education, personal opportunities for social inclusion, professional realization, socio-economic status, and demographically relevant data. The data is used for monitoring and analyzing the socio-economic status of people with disabilities, for planning activities related to meeting their individual needs, and for developing sectoral policies.

50. In 2018, an automated information system for combating juvenile delinquency and child protection was created under a project funded by the Bulgarian-Swiss Cooperation Programme. Cases of illegal acts of children, cases with children at risk and victims of crime, as well as accommodation in a Home for temporary accommodation of minors are registered.

51. In order to improve the collection and quality of disaggregated data relating to the implementation of the UN Convention on the Rights of the Child, the work has been optimized by systematizing the incoming information, exchanging and sharing it with other inspectors in the country. The work on individual cases has been coordinated, which reduces the time for resolving a specific case and allows for methodological assistance by the police. The system allows for the creation of indicators that through analysis and evaluation lead to changes in policies and standards, and improvement of legislation.

52. Under a project, “*New approaches to generate data on hard-to-reach groups of the population at risk of violating their rights*” of the National Statistical Institute (NSI), a study was conducted. It collected disaggregated data and presented results for key indicators at national and regional level. Special emphasis is placed on four groups that are often identified as being at high risk of poverty, social exclusion and rights violations: Roma, children, people with disabilities and elderly. The project is implemented in partnership with the European Union Fundamental Rights Agency (FRA).

53. A report on the state of health of citizens in the Republic of Bulgaria and the implementation of the National Health Strategy is drawn up annually. The analysis and identified trends (including data on infant mortality, children with disabilities, etc.) are used as a basis for planning policies, programmes and activities to improve the situation in the field.

54. An in-depth analysis of the achievements in the implementation of the 2014–2020 National Programme for Improving Maternal and Child Health was conducted. Based on the analysis and the data from the national health statistics, a new strategic document with a horizon 2030 was prepared.

Dissemination, awareness raising and training

Reply to paragraph 8 of the list of issues

55. The newly adopted SSA regulates the mandatory introductory and upgrading trainings, supervision, as well as mandatory mentoring of new employees. The law explicitly regulates

the obligation of the employees carrying out activities for referral use and provision of social services for participation in trainings, including participation in the activities organized for them in exchange of experience and acquaintance with good practices.

56. The Code of Ethics for employees performing activities for the provision of social services was approved in 2021.

57. The Ministry of the Interior (MoI) organizes continuous training of police authorities to work with minors, victims and witnesses of crimes. Trainings are organized by the Academy of the MoI with the participation of magistrates, psychologists, pedagogues and other specialists, as an additional guarantee for raising professional qualification. Courses and trainings of the investigative bodies are conducted in order to increase the professional qualification on topics related to work with children, such as “Specialized hearing of children, victims of or at risk of violence” and “Investigation of crimes involving minors”.

58. The project “*Developed effective policies for observing children’s rights*” was implemented in the period October 2018–May 2020. Trainings were organized for 100 people, including SACP staff and representatives of interested institutions.

59. The Ombudsman’s institution has organized several national campaigns on the rights of the child over the years. It has sent a number of recommendations to the National Assembly, the Council of Ministers, national and local executive bodies and urged active actions. Information materials were created and disseminated to promote the Ombudsman’s functions in the field of the rights of the child.

Independent monitoring

Reply to paragraph 9 of the list of issues

60. The Ombudsman monitors the implementation of the UN Convention on the Rights of the Child by developing special indicators. The results of the monitoring of the Convention are submitted to the National Assembly for consideration. In 2017, the Ombudsman published the second revised and extended edition of the Institutional Book “Rights of the Child”. The book contains useful information on the rights of the child, about the child protection bodies in Bulgaria, about the laws and about the Convention.

61. The Ombudsman took a number of actions to monitor constantly the situation of the children in the country and the impact of anti-epidemic measures on their rights. Several special reports on children’s rights have been prepared during the pandemic.

62. The Ombudsman has established a Directorate for the Rights of the Child within the institution. The Directorate signed a Memorandum of Understanding with UNICEF Bulgaria.

63. The Ombudsman Institution is sufficiently funded, which guarantees gradual improvement of the work of the institution. The officers’ remunerations are adequate to the salaries in both the public and the private sector. The budget is adopted and increased on an annual basis, following the adoption of the Law on State Budget. For instance, in 2016, the budget of the institution was BGN 2 778 000, whereas BGN 1 667 000 were staff expenditure and in 2022, it is BGN 3 607 900, whereas BGN 2 517 900 are staff expenditure.

Children’s rights and the business sector

Reply to paragraph 10 of the list of issues

64. The Corporate Social Responsibility Strategy 2019–2023 was adopted to improve the quality of life of the population through transparent, socially responsible business practices. One of the measures set out in the Implementation Plan of the Strategy is to integrate corporate social responsibility in teaching, education and research.

65. Deriving from this, cooperation has been established with the Centre for Training Companies of the Ministry of Education and Science to conduct joint activities on the topic of corporate social responsibility. An annual competition for a socially responsible business

is held at the Corporate Social Responsibility Academy, where various projects of high school and vocational high school student teams are evaluated.

B. Definition of the child (art.1)

Minimum age of marriage

Reply to paragraph 11 of the list of issues

66. Pursuant to Art. 6, para. 1 of the Family Code, a person who has reached the age of 18 may marry. Exceptionally, if important reasons require, a person who has reached the age of 16 may also marry with the permission of the district judge at the permanent address of the person or at the address of one of the persons to be married at their choice, taking into account the opinion of the adult marrying partner, the parents or the guardian, which may also be given in writing with a notarized signature.

67. A non-exhaustive review of case law shows that in most cases exceptional reasons for marrying before the age of eighteen are pregnancy and childbirth. According to the National Statistical Institute, in the period 2010–2020 in Bulgaria, 4 883 marriages of women aged 16 or above, but under 18, were concluded, which is 1.76% of the total marriages.

68. In order to limit early marriage, the legislator has envisaged a number of criminal offenses under the Criminal Code. Measures are undertaken to prevent more effectively child marriages and forced marriages, which are criminalized.

C. General principles (arts.2–3, and 12)

Non-discrimination

Reply to paragraph 12 (a) of the list of issues

69. The protection of the fundamental rights of citizens is guaranteed in the Constitution of the Republic of Bulgaria, according to which all people are born free and equal in dignity and rights.

70. The legislation in the field of child protection, including the Child Protection Act, does not allow discrimination of children on any grounds. Appropriate protective measures are undertaken for each child at risk, depending on the identified risk, needs, the best interests of the child, as well as the individual characteristics of each case. The newly adopted SSA ensures equal access to social services, guaranteeing their quality and efficiency, the right to life at home and in the community, and promote an integrated approach and a public-private partnership. Direct or indirect discrimination is not allowed.

71. According to the 2020 amendments to the Radio and Television Act, media services must not contain incitement to violence or hatred directed at a group of persons or a member of a group. *Additional information is provided in reply to para. 23a.*

Reply to paragraph 12 (b) of the list of issues

72. Bulgaria is pursuing a consistent policy aimed at preventing and eliminating any forms of discrimination and creating understanding and tolerance among persons belonging to different groups of the population. Bulgaria has an adequate and solid legal framework for combating all cases of discrimination, hate crimes, racism, intolerance and xenophobia.

73. The Protection from Discrimination Act prohibits any direct or indirect discrimination based on 19 specifically listed grounds, including sexual orientation, or on any other grounds established by law or in an international treaty to which the Republic of Bulgaria is a party.

74. The authorities would also like to underline that, in the context of biological development and maturing, individuals need to be given the opportunity to make a conscious

and informed decision, including regarding their sexual orientation. Under the legislation of the Republic of Bulgaria, this choice is available for adults over the age of 18.

75. The Republic of Bulgaria also takes this opportunity to recall its national position on the notion “gender”, with respect to the Constitutional Court’s decisions N. 13/27.07.2018 and N. 15/26.10.2021. Under Bulgarian law, “gender” is understood in the biological meaning of “sex”, as male and female. All references to “gender”, “gender identity” or “gender equality” are understood as referring to “sex” and “equality between women and men” in line with art. 2 and art. 3 of the Treaty on the EU, art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the EU.

Reply to paragraph 12 (c) of the list of issues

76. The Commission for Protection against Discrimination (CPaD) operates under the specialized Protection from Discrimination Act, which aims to guarantee everyone the right to equality before the law, equality in treatment and opportunities to participate in public life and an effective protection against discrimination. A consistent and purposeful policy is pursued for the protection of vulnerable groups, including children, guided by the principles of non-discrimination, respect for human dignity and ensuring equal opportunities and equal treatment of all Bulgarian citizens.

77. By order of 15 February 2019, the Chairman of the CPaD established a permanent working group to be responsible for cases of discrimination against children. The working group is determined to provide independent assistance, aid and methodological support to children-victims of discrimination.

Best interest of the child

Reply to paragraph 13 of the list of issues

78. The Constitution of the Republic of Bulgaria states that children are under the protection of the state and society. The principle of special protection of children is established as a basic principle in the Family Code.

79. The Child Protection Act introduces principles for child protection in the Republic of Bulgaria. Pursuant to Article 3, para 2 of the Child Protection Act, one of the principles is ensuring the best interest of the child. The law also provides a clear set of criteria for the assessment of “the best interest of the child”. The interest of the child is considered a priority and its provision is the responsibility of all state bodies and institutions. This principle is also leading in the formation of policies for children and families, in the development of regulations in this area, in the preparation of programmes, plans and other strategic documents related to children.

80. In any administrative or judicial proceedings affecting the rights or interests of a child, he or she shall be heard if age conditions are met, if this would not harm his or her interests and depends on the degree of his or her development. The hearing shall be conducted in an appropriate setting, that is appropriate to the age of the child, and it is mandatory to provide him or her with the necessary information to form his or her own opinion and to be informed about the possible consequences of his or her wishes and about any decision of the judicial or administrative body. In each case, the court or administrative body notifies the Social Assistance Directorate.

81. The rights of minors in criminal proceedings are regulated. The status of children who have suffered from a crime, who have committed a crime or who have witnessed a crime is regulated by the provisions of the Criminal Procedure Code. A guarantee for the observance of the rights of the child in criminal proceedings is the special order according to which the investigation against juvenile offenders is conducted in the pre-trial phase of the process. Only certain penalties may be imposed on minors. The Criminal Procedure Code also contains special norms for the interrogation of child witnesses, in the presence of specialists in the field of pedagogy and psychology, and, if necessary, their parents. The interests of underage witnesses are also protected by obligation of the investigating authority, in case of

doubt regarding the ability of such witnesses to give a credible testimony, to appoint the relevant expertise.

Respect for the views of the child

Reply to paragraph 14 of the list of issues

82. The Republic of Bulgaria has undertaken measures to ensure the effective and active participation of children at local and national level and to promote practical implementation of mechanisms for the comprehensive participation of children at all levels of decision-making.

83. Within the Children’s Council under the Chairperson of the SACP, children express their views and participate in the drafting of legislation and in the formulation of policies that affect them, and thus influence decisions about their lives and future.

84. Art. 12 of the CPA stipulates that every child has the right to freely express opinions about all the issues concerning his/her interest. He/she can request cooperation from the bodies and persons to whom has been assigned his/her protection under the CPA.

85. Since the adoption of the CPA in 2000, it was regulated that in any administrative or judicial proceeding in which the rights or interests of a child are affected, he or she must be heard if he or she has reached the age of 10, unless if this would harm his or her interests. When the child has not reached the age of 10, he or she may be heard, depending on the stage of his or her development, and the decision to be heard shall be reasoned.

86. In the period October 2018–May 2020, the SACP implemented a project “*Developed effective policies for observing children’s rights*”. The project examined the good practices for children’s participation in six EU member states. The main conclusions and recommendations of the analysis are that it is necessary to develop and support children’s participation at the local level, as well as to create conditions at national and local level for sharing children’s opinions. Please see para. 30.

D. Civil rights and freedoms (arts.7–8 and 13–17)

Access to appropriate information

Reply to paragraph 15 of the list of issues

87. The SACP prepares materials in a language suitable for children. The booklet “Rules to be safe online” has been developed by the SACP in partnership with the Directorate General for the Fight against Organized Crime, the National Centre for Safe Internet, the Ministry of Education and Science and other institutions in order to guarantee the right of children to have access to relevant information and materials on the web.

88. The National Strategy for People with Disabilities (2021–2030) and the Action Plan for the Implementation of the Final Recommendations to the Republic of Bulgaria made by the UN Committee on the Rights of Persons with Disabilities (2021–2026), promote conditions to achieve full access to information and communication, including information and communication technologies. Measures are taken to ensure access to information through sign language, in electronic format, in Braille and in Easy Read format throughout the country, including in remote and rural areas. It is planned to provide innovative, modern, high-quality and high-tech technical aids, incl. appropriate computer configuration; specialized software programs; electronic technical means for compensating for sensory deficits, adapted technical and medical devices, etc., according to specific needs, as well as providing aids for creating an accessible environment related to mobility and free movement.

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Freedom of the child from all forms of violence

Reply to paragraphs 16 (a) and (b) of the list of issues

89. The Bulgarian legislation provides for a general prohibition on all forms of violence, including the corporal punishment of children. According to the Protection against Domestic Violence Act (PDVA), domestic violence is any act of physical, sexual, mental, emotional or economic violence, as well as the attempt at such violence, the forced restriction of privacy, personal freedom and personal rights committed against persons who are related, who are or have been in a family relationship or in de facto cohabitation. Psychological and emotional violence against a child is also considered any form of domestic violence committed in his or her presence.

90. The Law for the Amendment to the Criminal Code of 22 February 2019 criminalizes all forms of domestic violence.

91. The Criminal Code criminalizes infliction of bodily harm, and bodily harm to minors is regulated as a crime for which higher penalties are provided. The CPA regulates the right of every child to protection against involvement in activities unfavourable for his or her physical, mental, moral and educational development.

92. The new draft Protection against Domestic Violence Act is to be elaborated. The draft includes recommendations from all international and regional monitoring bodies and aims to regulate a set of measures. The measures aim to create a reliable and effective protection and guarantee for the protection of the life, health and rights of persons at risk of domestic violence and to strengthen institutions in order to implement a coherent state policy in the field of domestic violence. The scope of protection of victims' rights is to be extended, and all legal procedures are to be simplified. A new National Commission for Prevention and Protection against Domestic Violence as a specialized permanent collegiate body is to be established, as well as a national information system on cases of domestic violence. Additional funding, as well as easier access to free legal aid are also envisaged.

Reply to paragraph 16 (c) of the list of issues

93. Since the establishment of the National Information System, the SACP has received annual statistical information from various primary sources. In 2018, new cards for electronic filing were developed, which departments and institutions fill in online. The forms also continue to be available on paper. Numerous consultations were held in connection with the developed online platform and forms for electronic filling in and reporting of information cards, in connection with the obligation of the suppliers according to the CPA. Daily inquiries are made in the database of the developed online platform for the completed information cards from Municipalities and NGOs for reporting to the providers of social services.

94. The implementation of the Coordination Mechanism for Interaction at Work in Cases of children, victims of violence or at risk of violence and for interaction in crisis intervention, which has existed since 2010, is monitored annually. An annual report is prepared in this regard. The coordination mechanism for violence is already legally regulated in the Child Protection Act.

95. From November 2018 to June 2021, the SACP participated as a partner in the implementation of the international project "*Coordinated Response to Violence and Neglect of Children through a minimum database – from planning to practice*" (CAN-MDS II). The project envisaged that the testing of the developed CAN-MDS system is to be carried out at national and local level.

96. The SAA provides for the administration and maintenance of an integrated information system for the implementation of activities in the field of social assistance, social services and child protection. The information array of the SAA collects data on the number of received reports of violence against children from the total number of reports of children at risk. "Social Assistance", "Child Protection" and "Social Services" modules are included.

Reply to paragraphs 16 (d) to (f) of the list of issues

97. One of the instruments for the implementation of youth policies in the country is the National Youth Programme (2021–2025). Its main priority is to provide a supportive and encouraging environment for personal, professional and social realization of young people in the country. When implementing projects under the Programme, for each year of its implementation, not less than 16.5% of young people in the country must be covered, according to the official data of the National Statistical Institute for the respective years, and at least 10% of them fall into the NEET (Not in Education, Employment or Training) group.

98. The National Programme for Implementation of Youth Activities under Art. 10a of the Law on Gambling aims to create conditions for socially responsible behaviour among young people in the country by promoting a healthy lifestyle, prevention of aggression and addiction. In 2021, the programme funded 50 project proposals of non-governmental organizations in the following topic areas: “Prevention of gambling addiction among young people”, “Prevention of various forms of addiction” (drugs, smoking, alcohol, internet, online, games/computer games, etc.), “Prevention of aggression among young people” (violence, hate speech, discrimination, racism, etc.), and “Promoting a healthy lifestyle”.

99. The National Centre for Safe Internet in Bulgaria was established in 2005. Since May 2006, the Internet Hotline for Combating Illegal and Harmful to Children Content and Behaviour on the Internet has been operating, which is a full member of the International Association for INHOPE internet hotlines. Thirty state institutions, non-governmental organizations and private companies and associations that are directly involved in the security of children and young people on the Internet are members of the Public Council for Safe Internet. The members of the Public Council work actively to achieve the goals of the Centre for Safe Internet. They initiate and participate in various activities in order to promote the rules for safe use of the Internet, to raise awareness of the risks faced by minors on the Internet, as well as ways to prevent them. Any adult or minor who wishes to report online content or conduct that is illegal under Bulgarian law or may have a traumatic or harmful effect on minors can easily report it on the dedicated website – <https://www.safenet.bg/en/>.

100. Under the direction of the SACP and with the participation of the Council for Electronic Media, Criteria for assessment of content that are unfavourable or create a risk of harm to the physical, mental, moral and/or social development of children have been developed.

101. The SACP, in partnership with other institutions, has developed Rules for Safe Internet Browsing. The purpose of the Rules is to guarantee the right of the child/student to access appropriate information and materials on the web.

102. The project “*Do you see me? – the hidden vulnerability of children to sexual exploitation and violence*” was implemented in the period 2020–2021. It was focused on the particular vulnerability of children to online sexual exploitation and aimed to support the efforts of all relevant institutions. Under the project a survey was conducted among experts, school principals, school psychologists and parents.

103. The Bulgarian legislation provides for support and protection of children raised in alternative care – family-type accommodation centers for children with and without disabilities and foster care. These children are under a protection measure determined by the authority and confirmed by the court. Children raised in alternative care have been removed from their families as a last resort in order to protect their lives and health. Social workers monitor children, and it is the responsibility of the staff of the residential service where the children are raised, or foster parents to report any changes in the child or the risk situation to which they are exposed. Supporters in the care of children raised in alternative care are also the providers of social services for children – these are the Municipalities and licensed private providers who manage the service after delegating the activity.

104. The specialists working with children are also obliged to report to the protection body in case of detected violence against a child, with timely psychological support from psychologists. In recent years, the activities of providers of social services for children, including those working with children victims of violence, have developed. An Agency for the Quality of Social Services has been established, which monitors compliance with the

quality of the services provided. The SACP monitors the rights of children raised in alternative care.

Reply to paragraphs 16 (g) and (h) of the list of issues

105. Children from vulnerable groups and their parents receive support from professionals in various fields, including community social services. Opportunities to support children in situations of risks, including violence, as well as work with their parents to increase their parental capacity are realized through expanded opportunities for support from social service providers – municipalities and licensed providers. Specialized support for children victims of violence is provided mainly through social services in crisis centers.

106. As of the end of February 2022, there are 19 crisis centers for children in the country, which have the capacity to support 196 children. Children victims of violence, trafficking or other forms of abuse can use the entire network of social services in the country, including services provided in public support centers, social rehabilitation centers and integration, etc. The state takes measures for the physical and mental recovery and social integration of all children, victims of violence, neglect, abuse and exploitation.

107. Under the Coordination Mechanism against Violence, the Social Assistance Directorates (SAD) shall establish a multidisciplinary team to ensure the protection of a child at risk or a victim of violence or exploitation. The members of the team shall work together until the case is closed and shall develop an action plan to protect the child or prevent child abuse. The protection of a child at risk or a victim of violence or exploitation is undertaken after an investigation of the case by the multidisciplinary team and according to its proposed action plan. The action plan contains health, social and educational services for the prevention of violence or for the recovery of the child. When the violence is perpetrated by a parent, the person in charge of the child or the person to whom the child is entrusted, the child victim may be granted protection by being placed outside the family in a social service for children victims of violence or victims of trafficking.

Reply to paragraph 16 (i) of the list of issues

108. The CPA stipulates an obligation to cooperate, whereby a person who learns that a child needs protection is obliged to notify immediately the SAD, SACP or the Ministry of Interior. The same obligation applies to any person to whom this has become known in connection with his or her profession or activity, even if it is bound by professional secrecy. One of the functions of the SAD is to alert, if necessary, the police, the prosecutor's office and the court, which are obliged to take immediate action to protect the children. In CPA, immediate risk of abandonment is also regulated, and anyone who becomes aware that there is an imminent risk of abandonment of a child or that a child has been neglected, is obliged to immediately report it to the SAD.

109. A national network "Partnership for Learning and Action" has been established by the institutions and organizations from the public and the civil sector with experience in activities to prevent violence, exploitation and abuse of children. The network aims to exchange ideas and implement good practices in the wider field of violence against children and more specifically in the field of prevention of sexual exploitation of children.

110. A National Children's Hotline 116 111 was established in Bulgaria in 2009 under the Child Protection Act. The line is open 24/7, free of charge and receives calls from all over the country. From May 2020, the SACP also took over the service of the line. To improve its functioning, a new software product for processing and storing data from telephone calls was built. The line provides opportunity for both children and adults to receive information and psychological support from a specialist. They could also send signal for a child at risk. Since June 2021, the SACP is an official member of the global network of child helplines – Child Helpline International. Together with the Regional Education Administration, a banner with a link to the website of the national telephone line has been uploaded on the websites of all educational institutions. The banner is placed on the websites of ministries, protection bodies, regional and national media and NGOs.

111. Under the project "*Strengthening the child protection system in Bulgaria through capacity building of professionals in the fields of social services, education and police*",

funded by the Directorate-General for Justice and Consumers of the European Commission under the Rights, Equality and Citizenship Work Programme, trainings were held for professionals in all 28 districts in the country.

Harmful practices

Reply to paragraph 17 of the list of issues

112. The cohabitation of an adult with a child within the meaning of the Criminal Code is a crime. The child protection system in Bulgaria has clearly identified the problems related to the so-called “early marriages” or cohabitations with minor children, usually girls. In the sense of CPA, these children are considered as children at risk.

113. The SAD through the Child Protection Departments (CPDs) have clearly regulated functions and powers in working with these children and their families. Social services are an important part of supporting children, including prevention, family counselling and support, etc. It is within the competence of the SAD to refer the relevant bodies and the prosecutor’s office in cases of “early cohabitation/marriages” to take action within its competence (against the perpetrator or the persons who have allowed such cohabitation).

114. Methodological guidelines have been prepared regarding the work of the CPD/SAD in the cases of births given in an early age, cohabitation and marriages. The SAD alerts the regional prosecutor’s offices in the country for cases of early cohabitation and birth in an early age. In cases of children at risk or victims of violence, the Coordination Mechanism against Violence is applied.

115. In the case of surgical interventions, general anaesthesia, invasive and other diagnostic and therapeutic methods that lead to an increased risk to the patient’s life and health or to a temporary change in his/her consciousness, medical information and informed consent is provided in writing. Article 87 of the Health Act provides for the cases in which informed consent is expressed by legal representatives of the patient – parent/guardian or guardian, for minors and underage patients.

F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Children deprived of a family environment and adoption

Reply to paragraphs 18 (a) and (b) of the list of issues

116. The amendments to the Family Code from 1 July 2020 provided additional support to parents through social services in the event of a dispute over the exercise of parental rights. At the request of the SAD, the social service providers shall provide support and assistance in establishing contacts between parents and children, as well as between the parents. In case of conflict between them, and at the suggestion of the SAD the court may determine the use of mandatory social services by the parents, alone or together with the child. In connection with the identified difficulties in working on cases of children involved in parental conflicts, most often caused by a refusal of cooperation on the part of one of the parents, as well as in connection with the amendments to the Criminal Code from 2019, the SACP and the Social Assistance Agency updated the Methodological Instruction for work in case of children at risk of parental alienation in 2020.

117. The SAD employees conduct social counselling and psychological work in resolving family disputes, taking into account the risk factors and in case of identified risk of parental alienation. The functional competence of the SAD in the work on cases of family law disputes is ancillary in view of the subject scope of the rights, principles and protection measures, which should ensure the best interests of the child. The activity of the CPD staff of the SAD is expressed in counselling, assistance and support in a family environment and orientation to social service, because it is through consultation that conflicts between parents regarding the contact regime can be resolved, as well as to overcome obstacles on the part of the parent

with whom the child lives. The CPD of the SAD participates in any administrative proceedings in which the interests of a child are affected. The CPD is a guarantor for the observance of the rights of the child by examining his or her situation and expressing an opinion before the court or the administrative body.

118. Actions are being undertaken to identify risks to the health and development of children in situations of conflict in divorce and separation situations between parents and risk of “parental alienation syndrome”. Consultations are held with “alienated parents”, children at risk of parental alienation syndrome and NGOs in the area and proposals are prepared for measures to ensure the right of children to contact with both parents as a preventative measure against the syndrome’s risk.

119. In pursuance of the reform of deinstitutionalization of childcare by the end of 2020, all orphanages run by municipalities have been closed. Currently, there are only 4 Homes for medical and social care for children, and they are scheduled to be closed by December 31, 2022. The most significant result of the process is the predominance of care in a family environment. Data on children in public care show that compared to 2010, the share of those raised in families of relatives or in foster families is much higher than the share of children in residential care services. The deinstitutionalization process is also supported by SSA.

120. For information on allocation of funding from the state budget, please see para. 47.

Reply to paragraph 18 (c) of the list of issues

121. Applying the principle that the family is the best environment for the upbringing and development of every child is at the heart of policies to support children and families. The CPA defines in detail the reasons for placing a child outside the family. When undertaking measures to protect children at risk, the sequence of protection measures is being observed, with priority given to measures in the family environment. The placement of a child outside the family is a last resort, which is applied when all possibilities for support and protection in the family have been exhausted, except in cases when emergency removal is necessary or the life, health and safety of the child are endangered. Each case of placement of a child outside the family (in a family of relatives or friends, in a foster family or in a social or integrated health and social care service) is based on an individual approach. Strict compliance with the statutory procedures and most importantly, an up-to-date assessment of the possibility of taking adequate and more favourable measures for the protection of the child is applied.

122. The placement of a child outside the family can be done only by a court decision. The court is the body that makes the final decision on the placement of a child outside the family, and it has the power to both confirm and reject the administrative protection measure taken by the CPDs. With regard to the opinion and views of the child in any administrative or judicial proceedings concerning the rights or interests of the child, he or she must be heard if he or she has reached the age of 10, unless this would harm his or her interests. When the child has not reached the age of 10, he or she may be heard, depending on the stage of his or her development, and the decision to be heard shall be motivated. Prior to the hearing, the court or administrative authority must provide the necessary information to help the child form an opinion; to inform him or her of the possible consequences of his or her wishes, of his or her opinion, as well as of any decision of the judicial or administrative authority, and to provide an appropriate hearing environment for the child, appropriate to his or her age.

Reply to paragraph 18 (d) of the list of issues

123. The SSA explicitly stipulates that the provision of residential care to children under 3 years of age is not allowed, with the exception of the provision of residential care to children with permanent disabilities who need constant medical supervision and medical care when they cannot be provided otherwise.

124. The placement of children up to 3 years of age without disabilities in the Homes for medical and social care for children has been suspended since 2018.

125. The 2015 “Accept Me” procedure is aimed at improving and expanding the scope of foster care and strengthening its provision at the local level as an alternative form of raising

children at risk in a family environment. Specialized foster care for children with disabilities is also being developed. By April 2022, the number of children covered by activities under the procedure is 6,589.

Reply to paragraph 18 (e) of the list of issues

126. The use of social services for residential care is organized in a way that excludes isolation of the persons from the community. The SSA regulates the integrated approach and integrated cross-sectoral services. The aim is to provide support not only through social services, but also through services from different sectors – health, education, etc. Depending on the specific individual needs of the person and the type and profile of the social service for residential care, the individual plan for support/care of the person/child includes activities to meet these needs. The draft Ordinance on the quality of social services defines new and more precise standards for the quality of social services, including residential care services. The Pan-European guidelines for the transition from institutional to community-based care have been taken into consideration. Specific requirements are included for the place and environment for provision of the services, as well as for the appropriate environment, including proximity to other services (educational, health, therapeutic, sports, leisure and others), living conditions, for furnishing and equipment with the necessary aids, appliances and technologies, according to their functional purpose and the needs of users, and promoting their independent life.

127. Residential care services for children are provided both individually and in combination with some of the other types of services, such as information and counselling (specialized social service), advocacy and mediation, etc. Residential care is provided only in the place to live. All other services related to information and counselling, therapy and rehabilitation, etc., are provided outside of the place of residence.

Reply to paragraph 18 (f) of the list of issues

128. Pursuant to the SSA, the Agency for Quality of Social Services (AQSS), was established and made operational. It controls and monitors the provision of social services. It is also responsible for:

- the licensing of social service providers;
- development of normative standards and criteria for the quality and efficiency of social services;
- provision of methodological support for compliance with the normative standards and criteria for the quality of social services and development of criteria for analysis of good practices for high quality and efficiency of social services;
- selection of good practices and proposing their approval at the national level.

Reply to paragraph 18 (g) of the list of issues

129. Under current law, every child has the right to be informed and consulted by the child protection authority, without the knowledge of his or her parents or caregivers, if this is necessary for the best protection of his or her interests. The maintenance of a “Harmonized telephone number with national coverage for information, counselling and assistance to children” of 116 111 for providing assistance to children, accessible via a toll-free number, is regulated.

Reply to paragraph 18 (h)

130. Adoption is a protection measure that provides care for children in a family environment who are subject to adoption, with all the rights and obligations arising therefrom, same as between relatives by origin. The SAD undertakes to research potential adoptive parents in the country and to give a written opinion on their suitability to adopt a child; organizes consultations, preparation and training of prospective adoptive parents; provides monitoring of the child in the post-adoption period for a period of two years from the date of adoption. A mandatory requirement for the preparation and training of adoptive parents under the Training Programme for Prospective Adoptive Parents was also introduced.

131. Measures to improve support for prospective adoptive parents, adoptive parents and children continue to be in the focus of national policies. Social services financed from the state budget are free of charge for children, their parents, adoptive parents or persons who care for children.

132. In order to improve the activities related to the preparation of candidates for adoptive parents, the training programme for adoptive parents under the conditions of a full adoption has been updated in 2018. Methodological guidelines for preparing the child for adoption which were developed and implemented, were updated in 2021. Changes have also been made in the by-laws. Financial aid and additional leave for adoptive parents are provided. As of 1 January 2016, new family assistance is regulated in the Family Benefits for Children Act (FBCA). The law provides a one-time allowance for the adoption of a child, which is to be received regardless of the family's income.

G. Children with disabilities (art. 23)

Reply to paragraph 19 of the list of issues

133. The Persons with Disabilities Act provides the necessary and adequate socio-economic support from the state towards people with disabilities, through which they can be fully integrated into society. Principles which define personal choice, independence, equality and accessibility, full and effective participation in the public life of people with disabilities were introduced. People with disabilities according to their needs have the right to an individual needs assessment, which is complex.

134. A new model of disability expertise has been developed using an approach based on European standards and practices and the International Classification of Human Functionality, Disability and Health (ICF), focusing on capacity building opportunities and rehabilitation and social inclusion measures for children with disabilities. A National Integrated Action Plan "*Measures to improve care to help people with autism and their families*" has also been developed.

135. The Centers for Public Support implement an early childhood development programme in accordance with the services created under the Social Inclusion Project. The efficiency of the services provided in the Day Care Centers for Children/Youth with Disabilities and the Centers for Social Rehabilitation and Integration is also increased by implementing an early disability intervention programme.

136. Under the Early Childhood Development Services procedure, activities include individual and group work with children and parents, including those who are not from vulnerable groups. So far, integrated services have been provided to 49,005 children and families. In the context of the ongoing process of deinstitutionalization of childcare, the aim is to change the philosophy of childcare to emphasize risk prevention, early intervention, family support and providing a family or close to family environment.

137. The improvement of the care for children at an early age in the children's establishments of the health care system (nurseries) is set as an activity in the Action Plan 2021–2023 to the National Programme for Improving Maternal and Child Health (NPIMCH). One criteria for the quality of Early Childhood Education and Care (ECEC) systems is the access of children with disabilities and the creation of favourable conditions for this.

138. A number of programmes and projects is implemented, namely: "*Introduction of a National Framework for the Quality of Early Childhood Education and Care*", "*Programme for the Development of Sports for People with Disabilities*", "*Sports for Children at Risk Programme*" and "*Learners' Sport Development Programme*". There are many activities aimed at children, including those at risk.

139. In December 2018, a new Personal Assistance Act was adopted which regulates the terms and conditions for the provision and use of personal assistance by people and children with disabilities. The law aims to provide personal assistance to persons and children with disabilities to exercise their fundamental rights, to have a choice, independent living, active

inclusion and participation in society and access to services and activities. The provision of personal assistance is based on the principles set out in the Persons with Disabilities Act.

140. Programmes and procedures are implemented for the comprehensive inclusion of children in spheres of public life: “*Find me*”, “*Professional integration of young people from residential and community services*” and “*Ongoing support for the deinstitutionalization of children and young people*”. A toolkit for assessing the individual needs of children and young people accommodated in homes and centers has also been developed.

141. People with disabilities are under special protection of the state. Families raising children with disabilities receive social support by providing monthly allowance for raising a child with permanent disabilities. More than 60 children with Special educational needs (SEN) are educated in art schools. Resource teachers and an appropriate supportive environment are provided for them. Scholarships for gifted children, which are awarded annually, also include children with disabilities.

142. The number of social services for children and families has increased significantly. At the end of February 2022, 643 social services for children for 14,802 users were opened and functioning in the country as an activity delegated by the state. As an important part of the support of persons, including children with disabilities and their families, the Social Services Act regulates substitute care.

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

Reply to paragraph 20 of the list of issues

143. As a result of all measures taken under the priorities in the health sector, which are linked to improving access to maternal and child health services, infant mortality is decreasing annually. In 2021, it reached 5.6% compared to 6.5% in 2016. The infant mortality rate in rural areas increased slightly. In comparison, in the villages in 2016, it was 8.5% and in 2021, it was 8.7%, and in the cities, it decreased from 5.8% to 4.5%.

144. Under “*Maternal Health*” and “*Child Health*” programmes, there is a possibility of preventive examinations and tests during pregnancy for uninsured pregnant women. These examinations are provided in the Health Counselling Centers established in 2015 under the NPIMCH.

145. Normative acts regarding the medical care of the population, as well as the control over their implementation, are based on the principle of equality of all population groups. They exclude direct or indirect discrimination on the grounds specified in the Protection against Discrimination Act, particularly on the grounds of race and ethnicity. This is also explicitly provided for in the Health Insurance Act, the Health Act and other normative acts in the field of medical care. All Bulgarian citizens are guaranteed equal rights to access health services.

146. Roma women and newborns are not to be ethnically separated in obstetrics and gynecology departments of medical institutions. The organization of the activity, the reception and care of pregnant women and women in labour guarantees equality of all patients, regardless of their origin, language, national, racial or political affiliation, education, beliefs, cultural level, financial status, etc. The organization of the activity of maternity care is in accordance with the regulations for the structure, activity and internal order of the departments of Obstetrics and Gynaecology in hospitals. The segregation of patients is done according to the severity of the disease and not based on race or ethnicity.

147. In the period 2016–2020, in order to improve access to health care, a preventive examination and research of uninsured pregnant women has continued to be provided and increased over the years. In 2016, the number of uninsured pregnant women covered by preventive examinations was 2,728, and in 2020, they were 3,009.

148. For the period 2016–2020, additional immunizations and paediatric examinations were carried out with mobile teams for children from Roma communities who do not have a chosen General Practitioner and/or do not have permanent address registration. A total of 13,744 examinations were carried out through mobile offices in general practice and paediatrics in 15 regions of the country where there Roma communities are concentrated. A total of 2,618 immunizations were carried out through the mobile offices of children up to 18 years old with an incomplete immunization status according to the National Immunization Calendar.

149. In 2018, the Medical Establishments Act regulated the establishment of a new type of medical center – Centers for Comprehensive Care of Children with Disabilities and Chronic Diseases. So far, 10 centers have been established. Comprehensive services include treatment, rehabilitation, and specialized health services at home or in family-type accommodation centers, psychosocial rehabilitation, social support, etc., which will minimize the damage and its consequences in early childhood.

150. On 19 August 2020 the Ministry of Health adopted Ordinance № 1, which specified the requirements for the activities of the health mediator. Health mediators are financed as a delegated activity by the state.

151. The activities and the number of health mediators increased in the period 2016–2021. Health mediators support the access of Roma communities to health care by informing and accompanying to a medical specialist, assisting in preparing the necessary documents for restoration of health insurance rights, accommodation and/or discharge from a medical institution, etc. These activities promote health among vulnerable groups by informing on issues related to family planning, sexual and reproductive health, and vaccine prophylaxis, providing assistance to general practitioners, etc.

152. 31 health-consultative centers for maternal and child health have been opened in medical institutions for hospital care on a functional basis in all regional cities. In them medical and non-medical specialists (speech therapists, psychologists, social workers, etc.) provide specialized medical consultations, psychological support, etc. to mothers and pregnant women with pathology of pregnancy, children with disabilities, children with chronic diseases, premature babies, including at home. 13 commissions for the complex medical monitoring of children with chronic diseases have been established at university and specialized hospitals, which prepared 9,725 medical and social plans for children with disabilities and chronic diseases.

153. In April 2021, the Bulgarian government adopted a National Programme for Improving Maternal and Child Health (NPIMCH) 2021–2023. It aims to improve key indicators related to the health of young people, pregnant women, mothers and children by improving access to health services outside the scope of health insurance, health promotion and providing support for good practices in the field of integrated health and social services.

154. Health services are provided to facilitate the early diagnosis and complex treatment of certain diseases and for which no funding is provided from other sources. Neonatal hearing screening is also included. Autism screening for children under 3 years of age is being introduced in outpatient medical care, health education materials have been developed, and activities have been implemented to increase the qualification of medical and non-medical specialists from independent nurseries, Regional Health Inspections (RHIs), schools and paediatricians have been implemented.

155. Under NPIMCH 2014–2020 were carried out 44,535 medical consultations and home visits, 117,651 examinations and consultations in the framework of biochemical screening for pregnant women, and 273,250 children were covered by neonatal hearing screening.

156. The preparation and training of mothers for breastfeeding newborns is included in the main medical activities in neonatology. In the standard preventive medical activities, one of the main activities is the promotion of natural nutrition for newborns and infants. The regulations for preventive examinations include advice on newborn care and the promotion of breastfeeding as a mandatory requirement. Numerous initiatives mark World Breastfeeding Week, which promotes events and disseminates materials to promote and

support breastfeeding. An information campaign on breastfeeding is organized, including health professionals, expectant and current mothers.

Adolescent and mental health

Reply to paragraphs 21 (a) to (c) of the list of issues

157. Over the last three decades, there has been a steadily decreasing trend in the number of abortions in Bulgaria. For the period 1990–2020, the decrease is 86.6%, which is a significant achievement. During the period 2016–2021, the decrease is also significant by 28.6% – from 26,412 abortions to 18,856. Efforts should be focused more seriously on the age group of people under 15, where only in 2016 there is a slight decrease in abortions to 98 abortions (0.37%), after which in the following years the number of abortions per year remains relatively constant – 115–117, and the percentage becomes 0.5. About 9–10% of all mothers in Bulgaria in recent years are under 20 years old.

158. The National Health Insurance Fund covers the costs of prevention and examinations of pregnant teenagers, adolescent mothers and their children. The national authorities carry out certain measures to meet the needs of pregnant and adolescent mothers of Roma origin – preventive examinations are carried out with mobile paediatric offices in neighbourhoods with a predominant Roma population and in remote settlements. Examinations are performed in mobile offices, including gynaecological examinations, mammography, and ultrasound and laboratory tests. Roma health mediators provide support at the local level, including awareness raising. The birth rate for women under 18 has fallen from 4.9% in 2018 to 4.7% in 2019.

159. The systemic education on sexual and reproductive health and rights has positive effects, including on raising awareness of various aspects of sexuality, behaviour and the risks of becoming pregnant or becoming infected with HIV and other sexually transmitted infections. The Preschool and School Education Act (PSEA) of 2016 defined the state educational standard for civic, health, environmental and intercultural education. The Minister of Education and Science signed Ordinance № 13 on civic, health, environmental and intercultural education on 21 September 2016.

160. In order to improve sexual and reproductive health, various activities have been carried out among students and young people, including those placed in institutions. The National Programme for Prevention and Control of HIV and Sexually Transmitted Infections (2017–2020) targeted as main groups young people, children and young people at risk. 3,467 campaign activities were conducted related to the promotion of safe sex and prevention of drug use. 68,314 students and children from institutions were trained on topics related to safe sex, prevention of HIV and STIs, and prevention of drug use. Annual *ANTI-AIDS* campaigns continue to be conducted. A network of 13 easily accessible offices for anonymous and free voluntary counselling and testing for AIDS and 17 mobile medical offices was available in the country during the period.

161. In 2021, the National Programme for Prevention and Control of HIV and Sexually Transmitted Infections 2021–2025 was adopted. It includes interventions that aim at changing sexual behaviour of target group – health education based on building social and vital skills in school, education about HIV and sexually transmitted infections, safe sexual behaviour based on skills development in Roma girls and boys, and training of trainers from the Roma community.

162. The International Institute for Youth Development PETRI – Sofia, in the period 2015–2018, successfully implemented three projects aimed at capacity building of youth activists in the field of the Sustainable Development Goals.

Reply to paragraphs 21 (d) and (e) of the list of issues

163. For the reporting period, the Bulgarian government adopted two strategies for combating drugs, namely:

- *The National Strategy for Combating Drugs (2014–2018)* which was in line with the EU Strategy on Combating Drugs (2013–2020) and was elaborated on the results achieved in the implementation of the previous strategies. The Strategy focused on two areas, namely demand reduction and supply reduction of drug substances. The strategy was implemented through National Action Plan;
- *The National Strategy for Combating Drugs (2020–2024)* was adopted as a horizontal initiative of 14 ministries and agencies with the leading role of the Ministry of Health. It includes five areas of activities: supply and distribution reduction of drugs, demand reduction, use and impact of drugs on personal and public health; increase of the capacity for research and renewal of the technological equipment; improvement of the interagency coordination as well as the national legislation. The strategy is implemented through a National Action Plan.

164. Two National Programmes for the prevention of the use of psychoactive substances have been developed and implemented in schools: “*The Code Name “Life”*”, aimed at students in grades 5–7, and “*From Peers to Peers*” for the age group of grades 8–11. A Manual for the implementation of the two National Prevention Programmes has also been prepared.

165. In April 2021, the Bulgarian government adopted the National Strategy for Mental Health of the Citizens 2021–2030 and an Action Plan for its implementation. They define the activities and funding for the opening of new services. Furthermore, they aim at expanding the access and improving services provided to children and adolescents, as well as activities related to increasing the system’s capacity to improve the functioning of child psychiatry in Bulgaria.

Impact of climate change on the rights of the child and environmental health

Reply to paragraph 22 of the list of issues

166. For the period 1988–2019, emissions of the main greenhouse gases in Bulgaria tend to decrease. In 2019, total greenhouse gas emissions were 48.74% of the emissions compared to 1988. Greenhouse gas emissions per capita decreased from 13.0 tons in 1988 to 8.0 tons in 2019. The National Plan for Action on Renewable Energy Sources has established a national target of reaching a 16% share of energy from renewable sources by 2020. It covers the following objectives – share of electricity from renewable sources – 20.8%, share of energy for heating and cooling from renewable sources – 23.8%, share of energy from renewable sources in transport – 10.8% and the conditions to facilitate their achievement have been defined.

167. In 2019, a National Strategy for Adaptation to Climate Change and an Action Plan to implement it were adopted. The document outlines the strategic framework and priorities for climate change adaptation until 2030. The aim is reducing the country’s vulnerability to climate change’s effects and improving the capacity of ecological, social and economic systems adaptation to these effects.

168. The Republic of Bulgaria signed the Intergovernmental Declaration on Children, Youth and Climate Action. One of the goals of the declaration is increasing the participation of children and young people in the processes of reducing the effects of climate change by raising awareness, as well as facilitating the acquisition of knowledge and skills that contribute to a safe and sustainable future.

169. The National Atmospheric Air Quality Monitoring System monitors the daily concentrations of the indicators in Bulgaria according to the Atmospheric Air Purity Act.

Standard of living

Reply to paragraph 23 (a) of the list of issues

170. On 30 December 2020, the Bulgarian government adopted a National Strategy for Reduction of Poverty and Promotion of Social Inclusion covering the period until 2030. The

strategic document outlines a framework for developing policies related to overcoming poverty and promoting social inclusion over the next decade. The document prioritizes creating affordable and quality social and integrated services and support, as well as an effective and targeted financial and material support for those in need. Among the most important objectives are improvement of the living conditions of vulnerable groups and support of the homeless.

171. The Strategy will be implemented through annually adopted action plans. The Action Plan for the period 2021–2022 follows the principles, objectives and priorities of the Strategy and outlines key policy measures and activities in the field of poverty reduction and social inclusion.

172. The European Child Guarantee aims at providing the most vulnerable children in the European Union with access to healthcare, education, childcare, decent housing and an adequate diet, the ultimate goal of which is the progressive realization of children's rights in Europe. For the Republic of Bulgaria, the interventions included in the programme framework of Phase III of the European Child Guarantee are aimed at improving living conditions and expanding access to and use of integrated services by children with disabilities and children from disadvantaged families, including children living in poor households and children from vulnerable Roma communities. In consultation with national, regional and local authorities, civil society organizations, children, families and communities, it is planned to develop and implement services and interventions that have been proven to effectively reduce child poverty and social exclusion.

173. A pilot project is currently being implemented in the Republic of Bulgaria in accordance with the main objectives of the European Child Guarantee. The main goal is to improve the living conditions and increase access to and use of integrated services for children with disabilities and children from vulnerable families. The project is implemented with the support of UNICEF, and the activities are carried out in 10 municipalities in three districts in the country.

174. In view of implementing the European Child Guarantee, an Action Plan with a Horizon of Implementation by 2030 is in preparation. It will bring together a wide range of measures at national, regional and local level of the various sectoral policies. The aim is to create the necessary framework, including flagship measures and interventions to reduce poverty among children and promote their social inclusion. Funding from the state budget is envisaged for the implementation of the plan, and significant financial resources will be provided under the *Human Resources Development Programme (HRDP)* and the *Regional Development Programme* and the *Education Programme (EDP)* for the programming period 2021–2027. The EDP will focus on ensuring access to quality and inclusive pre-school and school education, and the HRDP – on social inclusion and addressing child poverty. The HRDP will support access to health services for children, and the EDP will support training programmes for a healthy lifestyle. The measures set in the draft HRDP will continue to provide access to social and health services, including integrated services and other types of counselling to reduce the negative trends in child poverty and improve the quality of life.

175. UNICEF and the Social Assistance Agency have been working in partnership to implement a project under the European Child Guarantee Initiative since 2021. The project will strengthen the capacity of the child protection system to prevent the separation of children from their families and provide integrated field support to vulnerable children and families. The project employs 11 social workers in 10 CPDs in three regions of the country.

176. The SSA explicitly stipulates that social services for support of the formation of parenting skills, counselling and support of parents on issues of early childhood development and parenting and early intervention for children with disabilities are free of charge.

Reply to paragraph 23 (b) of the list of issues

177. The scope of the FBCA is families who raise their children in the country, and the conditions for receiving family benefits for children are the same for all families. The purpose of the law is to support families in raising children in a family environment, while encouraging their pre-school and school education, access to health care, etc.

178. Ensuring access to quality education and encouraging children to attend school regularly is important for their full development and their successful future realization and social inclusion. Pursuant to the provisions of the Preschool and School Education Act (PSEA), pre-school and school education in Bulgaria are compulsory. Termination or suspension of the monthly family allowance in cases where the child has not attended regular school and the parent has not complied with his or her responsibilities regarding ensuring the child's right to education is an extraordinary measure. In its essence, the measure more closely combines appropriate use of state funds for family benefits and the promotion of pre-school and school education, until the completion of secondary education among the children for whom these funds are provided, as they are also a specific vulnerable group. This measure only concerns families with children who receive family benefits under the FBCA, as an additional incentive for regular attendance of children at school and not dropping out of the education system. At the same time, the measure is fair to all families with children and ensures equal access to education while respecting their rights.

179. The measure related to the termination or suspension of family benefits when the child becomes a parent is aimed at the protection of children, namely – limiting the cases of parents of minor children allowing them to have children. The family support in Bulgaria is based on the principle that the direct responsibility for raising children lies with the parents. When a child for whom the family receives family benefits becomes a parent, the benefit for him or her is terminated. However, when the child himself is already a parent, he/she may on his own legal basis, receive family allowances for the upbringing of his or her child under the terms and conditions of the FBCA. Those are monthly allowances for raising a child up to one year and monthly allowances for raising a child until completion of secondary education, which are provided in kind in the form of goods and/or services in accordance with the individual needs of the child, as assessed by the SAD. The amendments to the FBCA were made in order to promote responsible parenting.

Reply to paragraph 23 (c) of the list of issues

180. The state provides support through the provision of family benefits, which are funds in cash and/or in kind. They intended to provide financial support for pregnancy, childbirth or raising children in a family environment by parents or caregivers.

181. In order to promote the active behaviour on the labour market of the inactive persons, including the persons of Roma origin, the work will continue and the capacity of the Roma mediators will be strengthened. Youth mediators will continue to activate youths from the NEET group. The organizers of community service carry out activities for conducting such service, which are carried out by unemployed persons of working age, receiving social benefits. Psychologists provide services, alone or as part of a counselling team for psychological support and motivation of unemployed people for their active participation in the labour market. Case managers act as an intermediary between individuals and institutions that provide appropriate social, health, educational and other services. *Addition information is given in reply to para. 23a.*

Reply to paragraphs 23 (d) and (e) of the list of issues

182. The Republic of Bulgaria maintains a very high water supply coverage and drinking water quality, whereas over 99% of the country's population is served by central water supply systems. The current Strategy for the Development and Management of Water Supply and Sanitation in the Republic of Bulgaria 2014–2023 aims at achieving full compliance with the European environmental requirements and socially affordable prices of water services for consumers.

183. An integrated approach to finance investments in the water supply and sewerage sector is applied. It includes the preparation of regional pre-investment studies to determine priorities for investments in water supply and sewerage infrastructure as well as the design, construction, rehabilitation and reconstruction of treatment facilities. The aim is to ensure drinking water and water supply networks and sewerage systems in agglomerations with more than 10,000 residents. Activities towards development and strengthening of the institutional environment and capacity for effective management of the water supply and sewerage sector and provision of quality water supply and sewerage services in accordance

with the requirements of the European legislation and international practices are also supported.

184. The renovation of the residential and public buildings is implemented in accordance with the Long-term strategy for reconstruction of the building stock of the Republic of Bulgaria with a horizon until 2050. It is envisaged to improve housing and social infrastructure for vulnerable groups and advance the mapping of needs at the national level by state institutions and agencies, responsible for policy development. These measures will be reflected in the plans for the integrated development of municipalities.

185. Under the 2014–2020 Regions in Growth EU Operational Programme (RGOP), projects for social housing were envisaged within the 2014–2020 Implementation of Integrated Plans for Urban Reconstruction and Development procedure. The procedure aimed to support the implementation of the Integrated Plans for Urban Reconstruction and Development in 39 cities in accordance with the National Concept for Spatial Development of Bulgaria for the period 2013–2025.

186. 24 grant agreements have been concluded for grants for social housing projects with a number of municipalities, with a total value of BGN 57.4 million. The implementation of these projects will provide 1,095 social housing and improve housing conditions of 2,102 representatives from socially vulnerable groups, including Roma. Under the procedure, by the end of 2021, 4 projects with 329 social housing have been completed.

187. The 2014–2020 RGOP had an essential role in the implementation of the state policy on deinstitutionalization of care for the most vulnerable groups of the population – children deprived of parental care, including those with disabilities. In accordance with the Updated Action Plan for the implementation of the National Strategy “Vision for the deinstitutionalization of children in the Republic of Bulgaria” the Managing Authority of RGOP initiates a procedure aimed at providing appropriate and efficient social infrastructure facilitating the provision of new community-based support services, including health and social services, to replace the institutional model of childcare. 53 contracts were concluded with a total value of the provided grant amounting to BGN 41.5 million. By the end of 2021, 45 projects have been implemented with 100 supported social infrastructure sites for childcare or education in the process of deinstitutionalization and capacity of 6,411 persons.

I. Education, leisure and cultural activities (arts. 28–31)

Education, rest, leisure, recreation and cultural and artistic activities

Reply to paragraph 24 of the list of issues

188. Active efforts are made to create conditions and resources for building a supportive environment in kindergartens and schools in the context of inclusive education. Priority is given to policies related to the provision of general and additional support for the personal development of children and students, as well as reasonable facilities for the participation of students with Special Educational Needs (SEN) in the national external assessment and in the state matriculation exams.

189. In 2020, a supportive environment was provided in kindergartens and schools or in regional centers to support the process of inclusive education for a total of 20,314 children and students in the pre-school and school education and training system, of which 15,971 in schools and 4,343 in kindergartens.

190. Under the Science and Education for Smart EU Growth Operational Programme, the “*Support for Success*” project is being implemented. The project activities are related to providing optimal conditions for the implementation of differentiated care, which aims to improve educational outcomes and achieve higher education by students who encounter learning difficulties, including vulnerable groups within which Roma.

191. On 12 February 2021, a contract was signed for the “*Equal Access to School Education in Times of Crisis*” project, which aims to prevent interruptions of the educational

process and to provide conditions for inclusive education in times of crisis, as well as to counteract the risk of dropping out of the education system in a remote learning situation.

192. Measures continue to be actively and consistently undertaken to ensure conditions for inclusive education and differentiated care for children and students from vulnerable groups, including the Roma. They compensate difficulties in learning, lack of motivation and difficulties in completing a class, stage or level of education, as well as develop the potential of those whose mother tongue is different from Bulgarian. The measures also include working with parents from vulnerable groups, including Roma.

193. The implementation of specific measures to encourage participation in the education process depends on the, so-called, criteria for vulnerable groups. These are formed on the basis of indicators for risk factors. One of them is the low or missing education status of the parents, which measures the percentage of those who have lower than secondary or primary education. The related unfavourable realization on the labour market, as well as the subsequent danger of social exclusion, are considered risk factors in the context of the need to trigger special measures regarding the inclusion of children in the education system.

194. The Ministry of Education and Science implemented a programme to increase the enrolment in and improved access to early childhood education. It was financed by the financial mechanism of the European Economic Programme “Local Development, Poverty Reduction and Improved Inclusion of Vulnerable Groups”. The efforts were focused on strengthening the economic and social cohesion, particularly in order to support the social and economic development of disadvantaged municipalities, improving the social inclusion of children and young people, as well as creating better conditions for the inclusion of Roma.

195. Through amending the Ordinance on the Financing of Institutions in the System of the Pre-school and School Education from 1 January 2018, additional funds from the state budget are allocated for activities with children and students from vulnerable groups. Additional funds are allocated to kindergartens and schools located near particular Roma neighbourhoods, as well as for improving the conditions for the educational process in them. Allocation of additional funds to educational institutions enables more training of children and students whose mother tongue is different from Bulgarian and who do not speak Bulgarian, encounter difficulties or gaps in learning the curriculum. Additional funds are also provided for the appointment of social workers, educational mediators and teacher’s assistants, as well as for staff involved in measures that support access to education and prevention of dropping out of the system of pre-school and school education of children and students from vulnerable groups.

196. In 2020, amendments were made to the Preschool and School Education Act (PSEA) and the Ordinance on Inclusive Education of the Ministry of Education and Science with for the goal of supporting personal development. According to them, by the director of the institution’s decision, training can be carried out in person and/or remotely in an electronic environment, including synchronously using the means of information and communication technologies. A new provision has been introduced in the legislation related to the introduction of e-learning in the environment imposed by the COVID-19 crisis.

197. The changes affect children and students who need support in compulsory preschool and school age, including from vulnerable groups, such as the Roma, and cover all stages of their education. The implementation of distant learning in an electronic environment has achieved positive results, but a number of students still cannot be provided with such opportunities due to a lack of technical means.

Reply to paragraph 24 (c) of the list of issues

198. There are non-governmental organizations in the Republic of Bulgaria that work actively with vulnerable communities for their social inclusion, early childhood care, education and social activities. *Additional information is provided as a response to para. 19b.*

199. The raising of the qualification of the pedagogical specialists is achieved through specialized service units, by higher schools and by scientific organizations, as well as by training organizations. From the beginning of November 2016, the Ministry of Education and Science approves and enters in the Information Register the programmes for the qualification

of pedagogical specialists, which update and improve the acquired competencies and facilitate acquisition of new ones to support the introduction and development of education on the rights of the child.

200. Over 60,000 pedagogical specialists have been trained in approved programmes. The acquired competencies lead to an increase in the results of the quality of the preparation of children and students in order to meet the individual needs of each child and student.

Reply to paragraph 24 (d) of the list of issues

201. The overall policy is aimed at creating conditions for the development of inclusive education as a process of raising awareness, acceptance and support of the individuality of each child or student by providing resources aimed at removing barriers to teaching and learning and creating opportunities for development and participation of children and students in all aspects of community life.

202. Children and students with SEN, who are educated in the system of pre-school and school education (excluding special schools and centers for special educational support), are supported by 4340 pedagogical specialists, appointed in kindergartens and schools. The participation of students with SEN in the national external assessment and in the state matriculation exams is encouraged. A number of supporting projects and programmes are implemented, such as 80 to 90 project proposals for primary and lower secondary school per year under the National Programme “Providing a Modern Educational Environment”, module “*Support for full-time education of students*”.

203. An organization and coordination has been established for the implementation of the vocational training for visually impaired students. In addition, the Bulgarian Sign Language Act was adopted by the National Assembly and has been in force since February 6, 2021. It recognized the language status of the Bulgarian Sign Language and the rights of deaf people and deafblind people who have sufficient preserved vision, expression and information through the Bulgarian sign language. A number of methodological manuals have been developed and various projects are being worked on.

204. Teaching aids and methodical manuals for primary, lower secondary and first high school stage have been developed for students with SEN who study in general education schools and for those who study in centers for special educational support. An innovative educational programme for children with autistic spectrum disorders is also being tested. The National Programme “*Creating an Accessible Architectural Environment and Security at School*” is being implemented.

205. From 2020, along with the implementation of the planned policies and measures for inclusive education for children and students with SEN, a process of developing strategic documents for education for the period up to 2030 is underway. It will provide for the implementation of these policies and measures to continue sustainably and more effectively.

Reply to paragraphs 24 (e) and (f) of the list of issues

206. *Information on the response to COVID-19 is provided in para. 20–24.*

207. The activities, which are organized by the Local Cultural Centers and by the Cultural Homes to the municipalities, include cultural and artistic activities for children (including disadvantaged children, children with disabilities, etc.). Festivals and other events are supported on a competitive basis, including those aimed at disadvantaged children and children with disabilities.

J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Asylum-seeking children, refugee children and migrant children

Reply to paragraphs 25 (a) to (c) of the list of issues

208. 2020, significant changes to the legislation were introduced. They provide representation of unaccompanied children in international protection proceedings, an identification of the needs of children as a vulnerable group and the ages of individuals suspected of being over 18 years of age. The necessary procedural guarantees are provided regarding the observance of the best interests of one of the most vulnerable groups of persons, namely minors and juveniles. One of the major changes is the representation of children in international protection proceedings. A lawyer from the National Legal Aid Bureau with the necessary knowledge is appointed to represent unaccompanied children. In this way, the law provides a greater guarantee that the rights and interests of unaccompanied children seeking or receiving protection will be protected by a qualified person. The law introduces a regime for establishing the needs of persons from a vulnerable group, which includes all children seeking international protection.

209. The amendments to the Foreigners in the Republic of Bulgaria Act (FRBA) of 2018 guarantee the right of the unaccompanied foreign child to an interpreter in a language he or she understands, as well as to legal assistance in the event of the imposition of a precautionary and an administrative measure. Unaccompanied minors accommodated in the centers of the State Agency for Refugees (SAR) are considered children at risk according to the Child Protection Act. The SAR carries out an assessment and subsequently a case is filed and a social worker is appointed to support the unaccompanied child and to assist in guaranteeing his or her rights and interests during his or her stay in the SAR centers. Children are informed and consulted in an appropriate manner, according to their age and level of development, about their rights and interests arising from the legislation on child protection, and asylum and refugees.

210. Amendments in the ARA have been made to guarantee access to education for persons seeking or receiving international protection. The admission and training of persons seeking or receiving international protection is carried out in accordance with Ordinance № 3 on the Terms and Conditions for Admission and Training of Persons Seeking or Receiving International Protection issued on 6 April 2017 by the Ministry of Education and Science. Conducting additional training in Bulgarian as a foreign language for migrant students and applicants for or who have been granted international protection is regulated in Ordinance № 6 on the Learning of the Bulgarian Literary Language, issued on 11 August 2016 by the Ministry of Education and Science.

211. Identification of the need for urgent medical care and health care of unaccompanied minors who have applied for protection begins at the earliest possible stage – upon registering and conducting the mandatory medical examination in the health offices of SAR. Social experts carry out a rapid assessment of the best interests of the child, which includes identifying immediate action for referral to specialized care and services and providing for special needs. Together with the Regional Health Inspectorates, the vaccination of all asylum-seeking children who are subjected to compulsory immunizations is organized according to the Immunization Calendar of the Republic of Bulgaria.

212. Social workers participate in all stages of the work with unaccompanied children, foreign nationals and refugee children. They provide support from the initial establishment, consultation and information on the territory of the country, until finding a lasting and long-term solution which guarantees the rights and interests of unaccompanied children, foreign nationals and refugee children.

213. Socio-cultural and sports activities are organized with the children placed for protection. For both unaccompanied and accompanied children, the social experts organize activities for educational support, social adaptation and cultural orientation. Thematic creative activities and art workshops are also organized, which aim to acquaint children with

the cultural and everyday traditions of the host society, to develop their social skills, to support their educational process. Periodic information sessions are held for children about their rights and obligations, hygiene habits, their inclusion in the educational system, etc. Their attendance at Bulgarian language courses and inclusion in leisure activities is encouraged.

214. Regarding the procedures for minors, SAR social experts apply tools to assess the best interests of the child for each unaccompanied child and for accompanied children at risk. Tools are used to identify vulnerable people. They include the European Asylum Support Office's tool for identifying people with special needs, standard operating procedures for the prevention and response to sexual and gender-based violence, and a questionnaire for early identification of third country nationals and stateless persons with a traumatic experience who have applied for protection.

215. By order of the Minister of Labour and Social Policy of 18 April 2022, was approved a Coordination Mechanism for interaction among institutions and organizations in cases of unaccompanied or separated from their families foreign children, located on the territory of the Republic of Bulgaria, including children seeking and/or receiving international or temporary protection. The Coordination Mechanism aims to ensure effective coordination between institutions and coherence in the implementation of the specific obligations of all parties involved in the work with unaccompanied or separated from their families foreign children established in Bulgaria, in order to respect their rights.

216. Pursuant to the ARA, when there is a reasonable suspicion that the foreigner is not a minor or a juvenile, the interviewing body appoints an expert to establish his or her age.

Reply to paragraph 25 (d) of the list of issues

217. Interpreters, experts in social activities and cultural mediators work within the territorial subdivisions of SAR, which support the process of social adaptation and cultural orientation of the persons seeking international protection.

218. Exceptionally, in the presence of special conditions, the accompanied migrants or minors shall be issued an order for forced accommodation in a Specialized Center for Temporary Accommodation of Foreigners (SCTAF) at the Migration Directorate (DM) of the Ministry of Interior for up to three months. In the SCTAF, migrant children are accommodated together with their companions in separate rooms for accommodation of minors and juveniles, which offer appropriate conditions for their age and needs. During their stay, migrant children have full access to medical care.

219. Accompanied foreign children in the homes run by the DM do not have access to the national education system during their stay due to their illegal status and the closed nature of the centers. However, they are involved in various forms of non-formal education, organized and conducted on the ground mainly by non-governmental and international organizations.

220. The Foreigners in the Republic of Bulgaria Act (FRBA) explicitly prohibits accommodating unaccompanied migrant children in special centers for temporary accommodation of foreigners managed by the Directorate of Migration. Upon detection of an unaccompanied foreign child in the special centers for temporary accommodation of foreigners managed by the DM, the employees immediately notify the territorially competent SAD to remove the child from the center and take protection measures under the Child Protection Act.

221. The police body, carrying out the protection of the child, shall acquaint him or her and explain to him or her in a way understandable to him or her the measures undertaken and the grounds for them. This is only possible with an interpreter who is fluent in rare languages to inform the child about the purposes of police protection in a language he or she understands.

222. In 2019, the DM initiated amendments to the Rules for the Implementation of the FRBA in order to improve the coordination between the various institutions in cases of detection of an unaccompanied foreign child and regulating the procedures for granting the right of long stay to unaccompanied foreign children.

223. The FRBA was amended in December 2017. The amendments introduced additional measures to ensure the return of citizens of third country, who illegally entered the territory of the Republic of Bulgaria. The amendments were made to implement the EU Directive 2008/115 on common standards and procedures in Member States for the return of illegally staying third-country nationals.

224. A Methodology for social work with accommodated foreigners was introduced in 2018. It regulates the mechanism of fulfilling the duties of interviewers while providing social support and conducting interaction with the accommodated foreigners. The Methodology is intended for use by the SCTAF staff working in the field with accommodated foreigners.

225. As of March 2022, a procedure was established for submitting applications to the Regional Education Administration (REA) for the admission and training of refugee children and students from Ukraine. Applications are submitted on site at the REA and electronically. Teams of experts responsible for the admission and training of children and students from Ukraine have been appointed. Information was sent to the principals of all kindergartens and schools about the conditions and procedures under which children and students from Ukraine are admitted and educated. A brochure with information on the terms and conditions for admission and training of refugee children and students from Ukraine has been prepared. The information has been translated into Ukrainian and English. After enrolling children and students from Ukraine in kindergartens or schools, additional training in Bulgarian as a foreign language is provided.

226. Children and students from Ukraine enrolled in the education system are provided, if necessary, with additional support for personal development, including resource support for children and students with SEN.

Economic exploitation, including child labour

Reply to paragraph 26 of the list of issues

227. According to the Child Protection Act, a person who becomes aware that a child needs protection, including in cases of labour exploitation, is obliged to immediately notify the competent institutions. In case of received alerts for violated rights of a child, including those related to labour exploitation, the SAD conducts a social investigation, and depending on the findings of the investigation, appropriate protection measures are taken. The aim of the measures is to guarantee as much as possible the interests of the child and to provide care appropriate to his or her age and needs.

228. The Criminal Code criminalizes the most severe forms of child labour. Children are protected from such encroachment on their normal development. Penalties are provided for accepting work without proper permission of a person under the age of 18, and accepting persons aged 16 to 18 for work that is difficult, dangerous or harmful to their health and their proper development. The Labour Code lists work prohibited for persons under the age of 18 on the basis of conditions and potentially harmful effects on these children, including measures relating to, e. g., harm, danger and risk of accidents at work, noise and heavy effort.

229. Pursuant to Article 76a of the Bulgarian Personal Documents Act (BPDA), a minor is not allowed to leave the country, passports and replacement documents are not issued, and those issued are taken away from minors for whom data has been received from a Bulgarian or a foreign competent authority that they were involved or used for activities under Article 11 of the CPA. Article 11 of the CPA provides for the right of the child to protection against involvement in activities unfavourable to his physical, mental, moral and educational development. The SACP prepares motivated opinion to the Minister of Interior for the imposition of a measure under Article 76a of the BPDA for a period of up to 2 years. The implementation of this measure enables social workers to monitor and follow the development of children who have been identified as victims of labour or sexual exploitation.

230. Trafficking of children is prohibited under the Anti-Trafficking in Persons Act and the Criminal Code. In 2005, a Coordination Mechanism was established for referring and caring for cases of unaccompanied Bulgarian children and children victims of trafficking

returning from abroad. The mechanism is coordinated by the SACP. The ongoing monitoring of the implementation of the Coordination Mechanism shows a good interaction between the institutions responsible for working on cases with this group of children.

Administration of child justice

Reply to paragraph 27 of the list of issues

231. The reform of the juvenile justice system is extremely important and work on the draft law on juvenile justice is planned to resume based on the draft law on educational measures for juveniles who have committed a crime or administrative offense. An expert group at the Ministry of Justice began drafting the law in 2019.

232. The Ministry of Justice is the Programme Operator of the 2014–2021 Justice Programme under the Norwegian Financial Mechanism (NFM). Special attention of the programme is given to the administration of child justice. The target groups are magistrates working in the field of juvenile justice and with people below the poverty line, including children.

233. Work with children is also covered by a pre-defined project “*Improving access to justice for persons below the poverty line with a special focus on women, children and the Roma community*”. From March 2021, legal advice is provided in small and remote settlements, with a special focus on women, children at risk, and persons from minority groups.

Child victims and witnesses of crime

Reply to paragraph 28 of the list of issues

234. As of 2020, 40 specially equipped premises for child victims of crime and witnesses of crime (so-called blue rooms) are in use. They are located in buildings of the judiciary, the Ministry of Interior or other institutions. The institutions in whose building stock the premises are located exercise control over their use.

235. Juvenile witnesses are interrogated in the presence of a pedagogue or psychologist, and when necessary, in the presence of a parent or guardian. If necessary, during the interrogation, a pedagogue or psychologist participates by asking him or her questions with the permission of the investigative body. The pedagogue or psychologist has the right to familiarize himself with the transcript of the interrogation and to make notes on the accuracy and completeness of what is written in it.

236. Following the amendments made to the Criminal Procedure Code in 2017, the interrogation of a juvenile witness may be carried out by undertaking measures to avoid contact with the accused, in specially equipped premises or by videoconference, which in the pre-trial proceedings are conducted in the presence of a judge. A juvenile witness or a witness with special protection needs who has been questioned in criminal proceedings shall be questioned again only when his or her testimony cannot be read or the new questioning is essential to revealing the truth. The interrogation is conducted while taking measures to avoid contact with the defendant, including in specially equipped premises.

237. Divorce cases, disputes for change of measures related to parental responsibility and personal relations with grandparents are included in the Concept for introduction of mandatory judicial mediation of the Judicial College of the Supreme Judicial Council. By the end of 2021, such an obligation was introduced in 4 pilot courts (in Sofia, Varna, Pazardzhik and Pernik), through the mediation court centers.

K. Optional Protocol on the sale of children, child prostitution and child pornography

Reply to paragraphs 29 (a), (c) and (d) of the list of issues

238. In April 2019, the UN Special Rapporteur on the sale and sexual exploitation of children undertook a visit to Bulgaria, in response to the Government's invitation. The rapporteur acknowledged the significant progress over the past three decades in terms of introducing a comprehensive legislative, policy and institutional framework of child protection to effectively combat the sale and sexual exploitation of children. The rapporteur's preliminary observations and report contain important recommendations, which are being seriously taken under consideration by the relevant bodies.

239. The components of crimes related to the sale of children, child prostitution and child pornography are regulated in the Criminal Code. Additional information is provided in para. 46.

240. For the period 2016–2021 the National Commission for Combating Trafficking in Human Beings carried out targeted preventive measures, part of the fight against the sale of children and illegal adoption – trafficking in pregnant women for the purpose of selling their newborn children. The measures are set in the annually adopted National and local programmes for prevention and counteraction to human trafficking and protection of victims. Information meetings/trainings are held with the risk groups, including representatives of minorities where the sale of newborns is widespread. Information sessions are held in settlements with minority communities, explaining the mechanisms of the crime and its consequences. Focus groups are organized in the field, working with mediators and NGOs who are acquainted with the communities, in order to achieve the maximum effect of these activities.

241. An information campaign on the prevention of trafficking in pregnant women has been under way since 2020, including through the distribution of specially prepared videos.

Reply to paragraph 29 (b) of the list of issues

242. According to Article 60(2) of the Family Code, the mother of the child is the woman, who has given birth to him/her, including in assisted reproduction. The origin from the mother, established by a birth certificate, may be challenged by a claim of the child, by the woman, indicated in the birth certificate as a mother, by her husband, by the woman, who is claiming to be the mother of the child, and by the man, who claims that the child was born by his wife. The origin from the woman, who has given birth to the child in case of assisted reproduction, may not be challenged on this ground.

243. The sale of a child and the related mediation of such sale are considered a criminal offense under Article 182b of the Criminal Code. In the event that the mother abandons the child or consents to its full adoption in return for property benefits, criminal liability is provided for deprivation of liberty and a fine. Inciting and abetting such acts is an offense for which lesser criminal liability is imposed.

Reply to paragraphs 29 (e) and (f) of the list of issues

244. The prevention of trafficking in human beings is a national priority, with three national campaigns each year focusing on labour exploitation, sexual exploitation and new threats and realities. Over the years, the campaigns have established themselves as a successful tool for informing the whole public about the crime, by implementing activities together with students from all over the country. In addition, the 10 local commissions on combatting trafficking of human beings in the country conduct independent activities and campaigns, and they are often targeted towards working with children and parents. The local commissions have networks of volunteers who are involved in the implementation and support of activities among their peers.

245. Each year, comprehensive measures for the identification, protection and support of child victims of trafficking are included and tailored to their overriding interests and special needs. In the annual national programmes and the 2018–2021 National Strategy for

Combating Trafficking in Human Beings operational measures are laid down depending on current trends in crime. The strategy sets the following national priorities: active prevention in society with a focus on vulnerable groups, including children; increased identification, protection, assistance and support for victims of trafficking in human beings, regardless of their ethnic, national, religious or sexual background; effective prosecution and punishment of the crime of trafficking in human beings; enhanced inter-ministerial and international coordination and cooperation; immediate and competent response to the real needs of the child victim of trafficking.

246. For the period 2016–2021, numerous specialized trainings for professionals have been conducted with an emphasis on the identification and referral of victims of trafficking, including child victims. Annually about 1000 specialists undergo trainings.

247. The protection, rehabilitation and reintegration of victims are always a priority in the respective programmes. The National Commission for Combating Trafficking in Human Beings provides specialized support for victims of crime in its outreach services, often placing female victims with their children in residential services.

248. In September 2017, the Crisis Center for Children Victims of Human Trafficking was opened at the National Commission under the Anti-Trafficking in Human Beings Act. The Crisis Center aims to overcome the consequences of trafficking in human beings and the subsequent reintegration of victims into society by providing specialized support, including psychological, social, medical and legal assistance, assistance and protection. The service provides an opportunity to accommodate children victims immediately after their return to the country (in cases of cross-border trafficking) in a protected and secure environment, anonymous to traffickers. The target group of the service is minors, victims of human trafficking – formally and informally identified. The established shelter is particularly important in terms of the coordination mechanism for unaccompanied children and children victims of trafficking, coordinated by the Ministry of Interior and the SACP.

249. According to the Coordination Mechanism for Referral and Care of Unaccompanied Children and Victims of Trafficking Returning from Abroad, the Social Assistance Agency and its territorial units have specific responsibilities. The socio-psychological work and support of this target group of children begins upon their arrival in the country – at the respective border crossing point.

250. The cases of child victims of trafficking are actively monitored by the SAD for a period of one year, in order to provide the necessary support and prevent re-involvement of children in trafficking, as well as to prevent other children from the family from being involved in trafficking. Children victims of trafficking are children at risk and protection measures are undertaken regarding them under the Child Protection Act in order to ensure the child's right to live in a safe and protected environment prevent the consequences of trafficking and the possibility of re-involvement in trafficking.

251. The National Mechanism for Referral and Assistance to Victims of Trafficking in Human Beings was established on 20 July 2016. It provides the framework for cooperation through which institutions fulfil their obligations regarding the care of victims by coordinating their efforts in a strategic partnership with non-governmental, international organizations and civil society. The main objectives are ensuring the rights of victims of trafficking are respected in the provision of effective care and referring victims to relevant services.

252. The Mechanism prescribes standard operating procedures for the identification, targeting, protection, assistance and social inclusion of victims of this crime. Another main goal of the Mechanism is to raise awareness among employees working on issues related to human trafficking and involved in the identification and referral of the victims.

L. Optional Protocol on the involvement of children in armed conflict

Reply to paragraph 30 of the list of issues

253. No cases have been registered on the territory of the Republic of Bulgaria that would require a change in the current legislation.

254. The amendments to the ARA of October 2020 provide that the need for special procedural guarantees for persons from vulnerable groups can be established at any stage of the international protection proceedings.

255. Proceedings for granting international protection in respect of children are conducted by specially trained officers, with the necessary training to identify children who may have been involved in an armed conflict.

III. Statistical information and data

256. Annex I: Statistical information and data in reply to para.34a, 36, 37a, d and e, 38, 39, 40, 41 and 42 of the list of issues.

257. Annex II: Statistical information and data in reply to para. 33, 34b, 37b–c, 39a–c, 40a, 43a–b and 44 of the list of issues.

Abbreviations

AQSS	Agency for Quality of Social Services (AQSS)
ARA	Asylum and Refugees Act
BPDA	Bulgarian Personal Documents Act
CPA	Child Protection Act
CPaD	Commission for Protection against Discrimination
CPD	Child Protection Department
DM	Migration Directorate
ECEC	Early Childhood Education and Care
EDP	Education Programme
ESPAD	European School Research Project on Alcohol and Other Drugs
FBCA	Family Benefits for Children Act
FRA	European Union Fundamental Rights Agency
FRBA	Foreigners in the Republic of Bulgaria Act
HRC	United Nations Human Rights Council
HRDP	Human Resources Development Programme
ICF	International Classification of Human Functionality, Disability and Health
MES	Ministry of Education and Science
MoI	Ministry of the Interior
NFM	Norwegian Financial Mechanism
NEET	Not in Education, Employment or Training
NPIMCH	National Programme for Improving Maternal and Child Health
NSI	National Statistical Institute

PaDA	Protection against Discrimination Act
PDA	Persons with Disabilities Act
PDVA	Protection against Domestic Violence Act
REA	Regional Education Administration
PSEA	Preschool and School Education Act
RGOP	Regions in Growth EU Operational Programme
RHIs	Regional Health Inspections
SAA	Social Assistance Act
SACP	State Agency for Child Protection
SAD	Social Assistance Directorate
SAR	State Agency for Refugees
SCTAF	Specialized Center for Temporary Accommodation of Foreigners
SEN	Special Educational Needs
SSA	Social Services Act
TEMC	Territorial Expert Medical Commission
UNICEF	United Nations Children's Fund
