

STATEMENT

by H.E. Mr. Dimiter TZANTCHEV

Deputy Minister of Foreign Affairs of the Republic of Bulgaria

on the Adoption of the UPR Outcome Report on Bulgaria

16th Session of the UN Human Rights Council

(Geneva, 17 March 2011)

Mr. President,

Excellencies and Representatives of Civil Society,

Ladies and Gentlemen,

Let me start by expressing my gratitude to all delegations that have participated in and contributed to the examination of the report of Bulgaria in the course of the Universal Periodic Review. We would like to thank also the hard-working team in the UPR Secretariat and our Troika members for facilitating the review of my country.

Let me recall that the interactive dialogue with Bulgaria as part of the UPR procedure took place on the 4th of November 2010. The Bulgarian delegation was headed by the Minister of Foreign Affairs, Mr. Nickolay Mladenov, which is an ample example of the priority attention which the Bulgarian Government attaches to the protection and promotion of universally recognized Human Rights in general and the UPR process in particular.

Today, I am honoured to present to you the response of my Government to the set of recommendations put forward to Bulgaria during the 9th session of the UPR Working Group as contained in document A/HRC/16/9. I would like to point out that our response to the recommendations was submitted to the Secretariat well in advance and was distributed as an addendum to the Working Group report.

Mr. President,

Let me reiterate that the Universal Periodic Review has been a challenging task which has provided a unique opportunity to review Bulgaria's human rights record. It was a comprehensive exercise which involved all relevant ministries and institutions as well as non-governmental representatives. This dialogue has enabled us to take stock of the internal human rights situation, to draw attention to what has already been accomplished and to exchange views

on what remains to be done. Our genuine intention in this process continues to be aimed at enhancing national capacities for the promotion and protection of human rights to the benefit of all persons residing in the territory of Bulgaria.

With this in mind the competent authorities have carefully considered all the recommendations made during the interactive dialogue. Our intention was to accept as many recommendations as possible. As evident from the report under consideration Bulgaria has accepted without any reservations the overwhelming majority of the recommendations (102 out of 113 ones). Other 4 recommendations referred to as "taking note" are also acceptable in principle, but the competent authorities cannot come up with concrete timetable for their implementation. It might require legal adjustments, allocating adequate budgetary resources and building up or improving respective administrative capacity. Let me assure You that those recommendations will remain on our agenda in the follow-up period.

Regarding recommendation 31 we would like to recall that Bulgaria has extended a standing invitation to all special procedures which could avail themselves thereof any time if they so wish. It means that we accept this recommendation. Specific details of any eventual visit to Bulgaria could be agreed upon through diplomatic channels.

Let me point out that 40 of the accepted recommendations are already implemented or under implementation. One such example is recommendation 1 related to our accession to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment which is already submitted to the National Assembly for ratification.

The same is valid to the recommendation to establish a national human rights institution in accordance with the Paris Principles and accredit it to the International Coordinating Committee of National institutions for the promotion and protection of human rights. As stated by our Minister of Foreign Affairs during the presentation of our national UPR report in the respective Working Group, the institution of the Ombudsman was created in 2005 in accordance with the Paris Principles and with the assistance of the International Coordinating Committee. The newly elected Ombudsman has already announced his intention to submit the necessary application for accreditation in compliance with the Statute of the International Coordinating Committee.

As to the recommendations (15, 20, 27, 77 and others) related to the deinstitutionalization of children, it should be reiterated that the Bulgarian Government is committed to close all the

remaining specialized institutions for children in the course of 15 years and replace them by community based supportive centers. It should be recalled that twenty-three non-governmental organizations and the UNICEF were involved in the drafting of the new *National Strategy entitled "Vision for Children's Deinstitutionalization in the Republic of Bulgaria"* which is the basis of the reform in our child-and-family care system. The reform started already in 2010 and includes the replacement of the system of conventional residential-type care institutions by a network of community-based services, which are individually oriented to the needs of each child and its family and provide better-quality care. In addition, multidisciplinary teams are currently reviewing and evaluating the individual care plans of children and adolescents with disabilities at the specialized institutions. The activities, planned next, target the process of regional planning of social community-based services, training and upgrading the occupational skills of the staff, preparing children to leave the institutions, supporting adopting families of children with disabilities, and expanding the scope of foster care, etc.

Allow me also to address briefly the recommendations (18, 29, 86, 93, 95 etc) with regard to the situation of Roma in Bulgaria. The Bulgarian Government has the political will to take adequate steps aimed at improving the situation of the Roma people. Taking this issue very seriously, the Bulgarian Government has already updated its strategic documents aimed at fostering equal integration of Roma in the Bulgarian society – in 2010 the Government approved the new *Framework Programme for Integration of Roma in Bulgarian Society (2010-2020)* and updated the *Strategy for Educational Integration of Children and Pupils from Ethnic Minorities*. Currently, ways are being sought to optimize the *National Programme on Improving the Housing Conditions for Roma (2005 – 2015)*. At this juncture I would like to emphasize that achieving satisfactory results could only be a product of a shared effort and proportional responsibilities between the Government, the Roma and their leaders, and the NGOs involved in the Roma integration. While recognizing that the primary responsibility for the integration of Roma in society should rest with national governments, we should remind that this is a Pan-European issue, requiring concerted efforts at European level as well. Bulgaria actively participates in the respective activities of the CoE, OSCE and EU. As to the relevant activities undertaken by the EU Bulgaria welcomes and strongly supports the valuable and timely initiative of the Hungarian Presidency to elaborate an European Framework for National Roma Integration Strategies.

The presented Roadmap and the forthcoming deliberations in the different Council formations are the right approach for the adoption of the Presidency Report on Roma Integration, which should ultimately be endorsed by the June European Council.

Mr. President,

Out of 113 recommendations we have not been able to accept only 5 (2, 24, 59, 81 and 107), mainly due to constitutional and other legal constraints, some of them touching upon the independence of the judiciary (81 and 107).

Two of the recommendations (64 and 108) are partially accepted. One of them, namely the first part of recommendation 64 is not in accordance with the domestic constitutional framework. We consider that the rights of persons belonging to minorities are duly guaranteed by the Constitution and the other legislation in accordance with article 27 of the International Covenant on Civil and Political Rights and *the Framework Convention for the Protection of National Minorities of the Council of Europe*.

Regretfully, the second part of recommendation 108 is irrelevant. As a State Party to the International Covenant on Civil and Political Rights, Bulgaria fully implements all its provisions, including its article 27. Likewise, as a State Party to the European Convention of Human Rights, Bulgaria abides by its provisions and strictly implements the decisions of the European Court of Human Rights vis-à-vis Bulgaria.

Mr. President,

I will stop here in order to listen to interventions from the floor. I may then return to some issues in my concluding remarks.

Thank you.

Concluding Remarks

Mr. President,

I would like to take this opportunity to thank all delegations and non-governmental organizations for their interest and active contribution today to the UPR of Bulgaria. Let me stress that the reply to many of the questions raised today is already provided in writing in the response of my government to the recommendations made in the UPR Working Group.

In addition I would like to elaborate more extensively on some of the issues raised today:

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In conclusion, I would like assure you of the commitment of the Bulgarian Government to the promotion and protection of human rights in my country. Since the very beginning, Bulgaria has been a firm supporter of the Universal Periodic Review and will continue to contribute to its further development and improvement.

Thank You.