

Bulgaria

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>

Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 24 May 2013



Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/bulgaria>

We invite the reader to consult that webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

11 stakeholders' reports were submitted for the UPR. 9 NGOs were contacted. 1 UN agency was contacted. The Permanent Mission to the UN was contacted. The National Human Rights Institution (NHRI) was contacted as well.

4 NGOs responded to our enquiry. The UN Agency responded. The State under Review did not respond to our enquiry. The NHRI responded to our enquiry.

The following stakeholders took part in the report:

1. **NHRI:** (1) Bulgarian Parliamentary Ombudsman (NHRI)
2. **UN Agency:** (1) United Nations Children's Fund (UNICEF)
3. **NGOs:** (1) Bulgarian Gender Research Foundation (BGRF) (2) International Lesbian and Gay Association Europe (ILGAE) (3) National Network for Children (NNC) (4) Women in Europe for Common Future (WECF)

IRI: 41 recommendations are not implemented, 30 recommendations are partially implemented, and 22 recommendations are fully implemented. No answer was received for 42 out of 137 recommendations and voluntary pledges (full list of unanswered recommendations is available at the end of this document).



2. Index

Hereby the issues which the MIA deals with:

rec. n°	Issue	page	IRI
1	Detention conditions,International instruments,Torture and other CID treatment	page 15	fully impl.
2	International instruments,Torture and other CID treatment	page 15	fully impl.
3	International instruments,Torture and other CID treatment	page 15	fully impl.
11	Disabilities,International instruments	page 15	fully impl.
12	Disabilities,International instruments	page 16	fully impl.
13	Disabilities,International instruments	page 16	fully impl.
14	Disabilities,International instruments	page 16	fully impl.
15	Disabilities,International instruments	page 16	fully impl.
16	Enforced disappearances,International instruments	page 16	fully impl.
17	Enforced disappearances,International instruments	page 16	not impl.
18	Enforced disappearances,International instruments	page 16	not impl.
19	ESC rights - general,International instruments	page 17	not impl.
20	ESC rights - general,International instruments	page 17	not impl.
22	International instruments	page 17	fully impl.
23	International instruments	page 17	fully impl.
24	International instruments	page 17	fully impl.
25	International instruments	page 17	fully impl.
26	International instruments	page 17	fully impl.
27	Women's rights	page 22	partially impl.
28	Sexual Orientation and Gender Identity	page 20	not impl.
29	Freedom of religion and belief,Racial discrimination,Sexual Orientation and Gender Identity	page 21	not impl.
30	Asylum-seekers - refugees,International instruments	page 9	fully impl.
31	NHRI	page 36	fully impl.
32	NHRI	page 36	partially impl.
33	NHRI	page 36	partially impl.
34	NHRI	page 36	fully impl.
35	NHRI	page 36	partially impl.
36	NHRI	page 37	fully impl.
37	NHRI	page 37	partially impl.
38	NHRI,Rights of the Child	page 22	not impl.
40	Other	page 37	-
41	Minorities	page 9	not impl.
42	Disabilities,Rights of the Child	page 9	not impl.
43	Disabilities,Rights of the Child	page 10	partially impl.
44	Rights of the Child,Women's rights	page 24	partially impl.



rec. n°	Issue	page	IRI
47	Minorities	page 11	-
48	International instruments,Rights of the Child	page 24	not impl.
50	Disabilities,Rights of the Child	page 11	not impl.
51	Human rights education and training	page 8	partially impl.
55	Women's rights	page 26	fully impl.
56	Women's rights	page 26	partially impl.
57	Women's rights	page 26	not impl.
58	Women's rights	page 26	not impl.
59	Women's rights	page 27	not impl.
60	Women's rights	page 27	not impl.
61	Women's rights	page 27	partially impl.
62	Freedom of religion and belief,Racial discrimination	page 7	partially impl.
64	Minorities,Racial discrimination	page 7	partially impl.
65	Racial discrimination	page 7	partially impl.
66	Sexual Orientation and Gender Identity	page 21	not impl.
67	Human rights education and training,Minorities,Racial discrimination,Sexual Orientation and Gender Identity	page 21	not impl.
68	Human rights violations by state agents,Torture and other CID treatment	page 18	partially impl.
70	Detention conditions	page 18	not impl.
71	Rights of the Child,Women's rights	page 27	not impl.
72	Human rights education and training,Women's rights	page 28	not impl.
73	Rights of the Child	page 28	partially impl.
74	Rights of the Child	page 28	not impl.
75	Rights of the Child	page 29	not impl.
79	Human rights education and training,Minorities,Rights of the Child,Trafficking,Treaty bodies	page 29	partially impl.
80	Rights of the Child,Trafficking,Women's rights	page 30	not impl.
81	Rights of the Child	page 30	not impl.
83	Human rights violations by state agents	page 18	partially impl.
87	Justice,Rights of the Child	page 19	partially impl.
89	Justice	page 19	partially impl.
91	Rights of the Child	page 30	partially impl.
92	Women's rights	page 31	fully impl.
93	Detention conditions	page 20	not impl.
94	Minorities,Rights of the Child	page 11	not impl.
95	Rights of the Child	page 32	partially impl.
96	Human rights education and training,Rights of the Child	page 32	not impl.
97	Rights of the Child	page 32	not impl.
98	Rights of the Child	page 33	not impl.
99	Rights of the Child	page 33	partially impl.
100	Rights of the Child	page 34	not impl.
101	Rights of the Child	page 34	partially impl.
102	Rights of the Child	page 34	not impl.



rec. n°	Issue	page	IRI
103	Rights of the Child	page 35	not impl.
104	Rights of the Child	page 35	not impl.
108	Human rights education and training,Racial discrimination	page 8	not impl.
109	Freedom of association and peaceful assembly,Freedom of opinion and expression	page 7	partially impl.
112	Disabilities,Poverty,Rights of the Child,Women's rights	page 8	not impl.
113	ESC rights - general	page 8	not impl.
114	Other	page 9	not impl.
116	Human rights education and training	page 9	not impl.
117	Minorities,Right to education,Rights of the Child	page 11	not impl.
118	Minorities,Right to education,Rights of the Child	page 12	fully impl.
119	Minorities,Right to education,Rights of the Child	page 12	partially impl.
121	Minorities,Right to education,Rights of the Child	page 12	partially impl.
122	Disabilities,Right to education,Rights of the Child	page 13	partially impl.
124	Minorities	page 14	partially impl.
129	Minorities	page 14	partially impl.
133	Trafficking,Women's rights	page 20	not impl.
134	Civil society,UPR process	page 17	not impl.
136	Treaty bodies,UPR process	page 18	partially impl.
137	Justice,Rights of the Child,Technical assistance,Treaty bodies	page 35	fully impl.

3. Feedbacks on recommendations

CP Rights

Recommendation n°62: *Continue, as a main priority of the Bulgarian legislative and administrative policies, the fight against all forms of religious hatred, discrimination, racism, extremism and xenophobia* (Recommended by Algeria)

IRI: *partially implemented*

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Recommendation n°65: *Continue in its efforts to tackle manifestation of racism and xenophobia including a review of the respective law to ensure that full and equal rights are guaranteed to all* (Recommended by Czech Republic)

IRI: *partially implemented*

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Recommendation n°64: *Take more resolute action to prevent, and punish perpetrators, of racially motivated acts and propaganda that targeted ethnic minorities and foreigners* (Recommended by Malaysia)

IRI: *partially implemented*

Parliamentary Ombudsman (NHRI) response:

Legislative amendments in the Criminal Code were adopted to transpose Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.

Recommendation n°109: *Guarantee, without any discrimination, the rights to freedom of expression, association and peaceful assembly and the right to participate in public and political life* (Recommended by Macedonia FYR)

IRI: *partially implemented*

International Lesbian and Gay Association Europe (ILGAE) response:

Every year since 2008, Sofia Pride march takes place on the streets of Sofia in June. In 2012, for the first time, the organizers of Sofia Pride negotiated no payment of municipal fees for entering green areas, and no fees to the National Police for protection of the safety of the participants. Almost no other than procedural difficulties have occurred, such as negotiating the route with local government and the police. Still, no official statement of support was received by any authorities (Mayor, Parliament, President, etc.) and the media coverage does not focus on the political messages of the Pride. The mass media usually report only the number of participants, the occurrence of violence, and if there were naked people or not.

ESC Rights

Recommendation n°51: *Develop and strengthen its human rights training programmes for police forces and the judiciary, addressing among others the appropriate use of force as well as issues relating to discrimination and profiling based on race* (Recommended by Canada)

IRI: *partially implemented*

NHRI response:

The National Institute of Justice, the Supreme Prosecutor's Office of Cassation and the Ministry of Interior Academy have elaborated and conduct various trainings on general human rights protection as well as specific subjects such as minority rights, antidiscrimination, hate crimes, absolute necessity of the use of force, etc. The Bulgarian Ombudsman is of the opinion that general and specialised human rights training for magistrates and law enforcement officials should be stepped up and involve more participants.

Recommendation n°108: *Strengthen public awareness-raising campaigns relating to racism and intolerance, and adopt measures aimed at fighting racism in the media* (Recommended by Canada)

IRI: *not implemented*

ILGAE response:

No such campaigns have been implemented.

Recommendation n°112: *Take further measures to combat poverty of elderly women, single mothers with children and women with disabilities* (Recommended by Norway)

IRI: *not implemented*

Women in Europe for Common Future (WECF) response:

To our knowledge this has not been implemented; financial crisis further exacerbates the situation of these groups.

Bulgarian Gender Research Foundation (BGRF) response:

No specific measures were taken in legislation and policy.

Recommendation n°113: *Guarantee to all citizens, without exemptions, equal access to public services and to an adequate standard of living* (Recommended by Finland)

IRI: *not implemented*

WECF response:

In particular in relation to access to water and sanitation there is some progress, access to water is more or less available, even in rural areas. However, about 25% of the population is still in need of improved sanitation facilities.

BGRF response:

No specific measures were taken in legislation and policy.



Recommendation n°114: *Identify a set of - universal social services - accessible to all children and families to provide an adequate standard of living (Recommended by Austria)*

IRI: *not implemented*

BGRF response:

No specific measures. Just the opposite, recently the exploitation by monopolies in electricity, heating, water supply brought to protests and political crisis.

Recommendation n°116: *Persist in its national efforts aimed at the systematic inclusion of human rights education in its educational and vocational systems and at all school levels (Recommended by Morocco)*

IRI: *not implemented*

BGRF response:

No separate training on human rights is provided.

Minorities

Recommendation n°30: *Adopt a domestic legislation in accordance with the 1951 Convention on the Status of Refugees and the Optional Protocol thereto, guaranteeing efficient access to procedures for determining refugee status to persons requiring international protection (Recommended by Argentina)*

IRI: *fully implemented*

NHRI response:

The domestic legislation concerning refugees and asylum seekers is in compliance with the 1951 Convention as well as with EU legislation in this area.

Recommendation n°41: *Continue and strengthen, when necessary, the implementation of policies and programmes focused on the inclusion of its Roma community (Recommended by Slovakia)*

IRI: *not implemented*

United Nations Children's Fund (UNICEF) response:

Very relevant recommendation. Looking at statistics, Roma remain the most excluded group in all areas - education, health, institutionalisation (over representation), etc. For example, while the overall poverty rate is 20.7 per cent, poverty affects two-thirds (65 per cent) of families with three and more children, most of them Roma. Housing conditions of Roma are predominantly in a worst condition compared to those of other groups of the population. Many of the dwellings are illegal and the lack of infrastructure additionally threatens the families' health and life. In settlements with Roma population, 47 per cent of dwellings do not have appropriate sanitary conditions, compared with the national average of 7 per cent.

Recommendation n°42: *Continue pursuing appropriate policies and programmes to accommodate the needs of mentally disabled children (Recommended by Slovakia)*

IRI: *not implemented*

UNICEF response:

Mainly addressed by development of social services, most of them providing care and not support for inclusion. Not sufficient involvement of health and educational system. Not sufficient support for parents and for social inclusion. The “Vision for Deinstitutionalisation of Children in Bulgaria” (National Strategy) adopted in 2010 and the Plan of action in implementation of the strategy consist provisions for the development of programmes and services for mentally disabled children. Although the children from the closed institutions like the one in Mogilino are now better off, mostly placed in small institutions (or family group homes), their rights are still not fully guaranteed.

Regarding the mentally disabled children living with their families – the burden for the families is still very high, there is no adequate support, especially in smaller towns and villages.

National Network for Children (NNC) response:

Not done. Efforts are undertaken to close institutions for children with disabilities. However, NNC is concerned that the setting up of family-type placement centres as alternative to them with a capacity up to 15 children which is very far from family-type is a replacement of large-scale institutions with small ones. There's also no focus and investment in appropriate support to parents and families at risk, prevention and early intervention. Less than half of the schools in BG have enrolled children with special needs (1173 from 2573 schools).

Recommendation n°43: Adopt a national strategy to continue and intensify the deinstitutionalization process aimed at replacing current shelters with alternative housing and means of care better suited to meeting the needs of orphans and/or persons with mental disabilities (Recommended by Belgium)

IRI: partially implemented

UNICEF response:

The “Vision for Deinstitutionalisation of Children in Bulgaria” (National Strategy) was adopted in 2010 as a concentrated effort to ensure the right of the child to family environment and the access to quality care and services according the individual needs of the child. The strategy is based on a process of closure of institutions for children deprived of parental care and children with disabilities and providing care in family environment or alternative care. It also focuses on the prevention of institutionalisation - prevention abandonment and assistance for the children and families. However, up to now the efforts were mostly focussed on the establishment of alternative housing (called "small group homes") and there is a necessity to create more community based alternatives.

NHRI response:

The Bulgarian Ombudsman is monitoring also children in institutions in his capacity of National Preventive Mechanism under the OPCAT. In the opinion of the Ombudsman the deinstitutionalisation process continues according to the endorsed Strategy and Action Plan. The Ombudsman however is concerned about the human and financial resources required to ensure the sustainability of the deinstitutionalisation.

NNC response:

Partially done. There's a strategy for deinstitutionalisation of children but no such for persons with disabilities. The philosophy should be also changed from replacement of large-scale institutions with small ones to provision of adequate personal assistance, development of a housing policy and support for independent living in the community.

Recommendation n°47: Gather statistics on the various groups accessing public services in order to obtain an accurate picture of the use of services by different minorities (Recommended by United Kingdom)

IRI: -

UNICEF response:

Although the Bulgarian Constitution puts some restrictions regarding data collection: "Art. 54. (1) Everyone shall have the right to avail himself of the national and universal human cultural values and to develop his own culture in accordance with his ethnic self-identification, which shall be recognized and guaranteed by the law."

Although it has been rejected most probably on the basis of the self-identification requirement, this could be interpreted as a relevant recommendation as there should be more effort to collect disaggregated statistics, especially regarding vulnerable groups.

Recommendation n°50: Establish training programmes addressed to staff members of shelters for orphans and persons with mental disabilities in order to enable them to respond at best to the specific needs of the residents (Recommended by Belgium)

IRI: *not implemented*

NNC response:

Not done. See comment to recommendation No. 43. Trainers should be identified and organisations of children with disabilities who can provide training should be supported to develop sustainable training programmes and involved as training providers for new services.

Recommendation n°94: Set up a policy specifically aimed at reducing the number of Roma children placed without valid reasons in establishments for children with disabilities or in rehabilitation centres (Recommended by Canada)

IRI: *not implemented*

UNICEF response:

For the moment no such consistent policy specifically aimed at Roma children exists.

NNC response:

Not done. Deinstitutionalisation efforts do not focus on family support, prevention and early intervention. 51,8 % of BG children live at risk of poverty and there are no specialised measures to tackle this issue.

Recommendation n°117: Ensure that Roma children are not sent to special schools for the disabled, but instead are schooled together with other Bulgarian children (Recommended by Finland)

IRI: *not implemented*

NNC response:

Not done. There's lack of systemic approach and there aren't adequate programmes and financing to ensure quality inclusive education.

Recommendation n°118: *Evaluate the need for tuition in a special school on the basis of the child's personal characteristics, not on his or her ethnicity (Recommended by Finland)*

IRI: *fully implemented*

NHRI response:

In 2009 a Regulation was issued by the Ministry of Education, Youth and Science which strictly regulates the enrolment of Roma children to special schools. An expert commission comprising Ministry of Education officials and external experts assess children with special educational needs and only upon their recommendation children are enrolled in special schools.

Recommendation n°119: *Avoid the practice of the school segregation of Roma children, for example with primary school teachers, who are speaking their mother tongue, with the objective of achieving an effective learning of the Bulgarian language and other subjects taught (Recommended by Spain)*

IRI: *partially implemented*

UNICEF response:

Addressing the language competence gaps at the earliest stages of preschool and school is indispensable for reducing drop-out rates and warranting the higher overall quality of training among minority children. That is why the public education system should endorse the improvement of language skills for children from linguistic minorities as a priority, if it were to ensure equitable access to education and a level playing field in it for every child, regardless of his/her ethnic origin, in real terms.

It should be emphasized that the language barrier is not isolated from other key factors contributing to existing dropout rates and compromising the overall quality of education, e.g. the constraints in the financial means of households, the poor education of parents, etc. A complex set of socio-economic inequalities poses substantial challenges for the effectiveness of public policies aiming to improve school attendance and the overall quality education. It may only be addressed by an integrated approach based on a common understanding of the urgency and priority of investing in and getting better value added from education policies, through interactions between various sectors and institutions.

NHRI response:

The Bulgarian State, together with the Roma Education Fund, Budapest, have funded the desegregation of four Roma schools since 2006.

Recommendation n°121: *Guarantee that the implementation of the law on compulsory preschool education for all children, adopted by Parliament on 23 September, covers the Roma as well as other minorities (Recommended by Finland)*

IRI: *partially implemented*

UNICEF response:

According to a study done by Open Society institute in Bulgaria and the World Bank, approximately 15% of parents, whose 4-6 year olds do not attend kindergarten or pre-school, said they could not afford kindergarten fees. Their share was even higher among the Roma: over 30% of Roma parents who did not send their children to kindergarten or preschool, quoted their inability to meet the accompanying costs. 56% of the interviewed Roma (of which 82% lived below the poverty line) said that receiving financial support was the single most important condition for their child to attend any form of preschooling.

These data were corroborated by the NSI's 2010 Combining Work and Family Life study: it reported that 42 700 unemployed citizens in the age group 15-64 had cited the forbidding cost of childcare as the leading reason for not resorting to these services.

NHRI response:

School and preschool education is compulsory for all children, regardless of their origin.

Recommendation n°122: *Continue its efforts on the issue of inclusion of children with disabilities in the general school system and reducing the number of schools for children with special educational needs (Recommended by Slovenia)*

IRI: *partially implemented*

UNICEF response:

As a result of the reforms undertaken to promote deinstitutionalization and inclusion of children with special needs in the common education system over the past 10 years, there has been a significant decline in the number of schools, classes and students in special schools. For the past 10 years the number of special schools decreased 1.75 times, and the number of students in them – 3.57 times.

During the 2011/12 school year, the average number of pupils in special schools was 57.9, with the largest average number of students in schools for children with impaired hearing, vision and speech – 112.5, The number of classes in special schools over the past 10 years has declined 3.33-fold, and the average number of pupils in special schools has fallen more than twofold.

During the academic year 2011/12, there were 79 special schools in Bulgaria, with almost two thirds of them for children suffering mental retardation. Across special schools, children with mental challenges represented 58% of all students. In comparison with their number of 10 years ago, they have decreased by 3.59 times: from 9581 in 2000 down to 2668 children in 2010. Over the past decade, the shares of different types of learners in special schools have fluctuated within 3-4%, i.e. proportional reduction policies have been applied. The shares of children, attending schools for minors with hearing, sight or speech impairments (whose share of all students in special schools has consistently been more than twice as large over the last two years, compared to earlier in the century) constituted the exceptions at either end of the scale.



Even though the state authorities have made progress in the area of inclusive education stronger effort should be made:

- in legislation – there are inconsistencies in the legislation that prove to be
- to develop methodology and standards for work with children with special educational needs;
- more resources and financial incentives for resource teachers;
- accessible architecture, better material base and facilities, so that children with disabilities are able to go to regular schools;
- develop a communication strategy for raising the awareness of the general public and specific measures to combat and prevent discriminative attitudes and practices.

NHRI response:

There has been some progress regarding inclusion of children with disabilities in the general school system, e.g. provision of experts, creating supportive environment in schools etc. The Bulgarian Ombudsman is of the opinion that these efforts should be enhanced and schools' accessibility should be strengthened.

NNC response:

Partially done. A new education law which was encouraging this process was proposed but not passed. A stronger policy on involving children with disabilities and ensuring quality inclusive education in the general school system is needed.

Recommendation n°124: Take all necessary measures to fully ensure the enjoyment of human rights by persons belonging to the Romani minority, including with regard to combating discrimination and violence against such persons (Recommended by Sweden)

IRI: partially implemented

NHRI response:

The integration of the Roma minority is an ongoing process. Due to a combination of factors such as low education qualifications, long-term unemployment and poor living conditions the Roma people are more vulnerable to the financial and economic crises. In the opinion of the Ombudsman the Government should be more proactive in its policy design regarding this minority. Following the Ombudsman's intervention, local governments, for example, have complied with the recommendations to apply human rights standards in cases of eviction. There is certain progress regarding access of Roma kids to school. However efforts should persist so that the vicious circle of Roma social isolation could be broken.

Recommendation n°129: Pursue its integration policy for the Roma population, guaranteeing access to basic health and social services, education, housing and employment (Recommended by Spain)

IRI: partially implemented

UNICEF response:

While there is a National Roma Integration Strategy and an Action plan for its implementation adopted in 2012 there is no strong correlation between planned short-term measures, specific goals and long-term goals that would guarantee access to health and social services, education, housing and employment. The strategy's implementation is planned mainly through what budgeting resources would



be available in the short and mid-term period and not in the view of developing holistic policy targeting the most vulnerable groups to achieve the set of long-term goals.

WECF response:

In relation to the right to water and sanitation no progress has been made.

International Instruments

Recommendation n°1: *Consider the possibility of expressing its consent to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to permit the enable an independent monitoring of prisons and detention centres by the Subcommittee (Recommended by Czech Republic)*

IRI: *fully implemented*

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Recommendation n°2: *Consider the possibility of expressing its consent to be bound by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Recommended by Argentina)*

IRI: *fully implemented*

NHRI response:

The OPCAT has been ratified in 2011. The Ombudsman has been designated as National Preventive Mechanism. He presented its first report as an NPM in April 2013.

Recommendation n°3: *Consider the possibility of expressing its consent to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Recommended by Armenia)*

IRI: *fully implemented*

NHRI response:

Done.

Recommendation n°11: *Adhere to the principles of the Convention on the Rights of Persons with Disabilities, with a view to its early ratification (Recommended by Mexico)*

IRI: *fully implemented*

NHRI response:

The Convention on the Rights of Persons with Disabilities has been ratified.

NHRI response:

The Convention on the Rights of Persons with Disabilities has been ratified.

BGRF response:

The Convention was ratified but not its Optional protocol.

Recommendation n°12: *Ratify CRPD* (Recommended by Spain)

IRI: *fully implemented*

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Recommendation n°13: *Consider the possibility of expressing its consent to be bound by the CRPD* (Recommended by Argentina)

IRI: *fully implemented*

UNICEF response:

It is in force since April 2012.

NHRI response:

The Convention on the Rights of Persons with Disabilities has been ratified.

BGRF response:

It was ratified

Recommendation n°14: *Consider ratifying CRPD and the Optional Protocol thereto* (Recommended by Chile)

IRI: *fully implemented*

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Recommendation n°15: *Consider ratifying CRPD and the Optional Protocol thereto which would result in a higher level of cooperation with international human rights mechanisms, ensuring better safeguards for the rights of people with disabilities* (Recommended by Hungary)

IRI: *fully implemented*

NHRI response:

The Convention on the Rights of Persons with Disabilities has been ratified. The Government is considering ratifying the Optional Protocol thereto by the end of 2014.

BGRF response:

Convention ratified but not the OP.

Recommendation n°16: *Consider the possibility of expressing its consent to be bound by the International Convention for the Protection of All Persons from Enforced Disappearance* (Recommended by Argentina)

IRI: *fully implemented*

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Recommendation n°17: *Ratify CED* (Recommended by Spain)

IRI: *not implemented*

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Recommendation n°18: *Ratify CED and accept the competence of the treaty body as provided for in articles 31 and 32* (Recommended by France)

IRI: *not implemented*

NHRI response:

The Convention has been signed by the Bulgarian State. Currently the Government is considering the necessary legislative amendments to comply with the Convention.

Recommendation n°19: *Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* (Recommended by Spain)

IRI: *not implemented*

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Recommendation n°20: *Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* (Recommended by Palestine)

IRI: *not implemented*

BGRF response:

Not ratified, no explanations.

Recommendation n°22: *Consider acceding to the 1954 Convention relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness* (Recommended by Brazil)

IRI: *fully implemented*

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Recommendation n°23: *Accede to the 1954 Convention relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness* (Recommended by Germany)

IRI: *fully implemented*

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Recommendation n°24: *Accede to the 1954 Convention relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness* (Recommended by Bosnia & Herzegovina)

IRI: *fully implemented*

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Recommendation n°25: *Accede to the 1954 Convention relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness* (Recommended by Azerbaijan)

IRI: *fully implemented*

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Recommendation n°26: *Accede to the 1954 Convention relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness* (Recommended by Slovenia)

IRI: *fully implemented*

NHRI response:

Bulgaria has ratified both conventions.

Recommendation n°134: *Undertake a transparent and inclusive process with civil society in the implementation of universal periodic review recommendations* (Recommended by Norway)

IRI: *not implemented*

BGRF response:

No such steps were undertaken. Only for the CEDAW Committee recommendations a special Working group was formed for the adoption of a plan.

NNC response:

Very often NGOs are invited to contribute or comment to proposed amendments in the last minute - recent example is the draft partnership agreement between BG and



EU concerning structural funds which is 119 pages and we had to consult 113 NGOs for less than 3 days!!! There is acute and urgent need for effective public consultation standards implementation and inclusion of civil society in decision-making process rather than only imitation of consultation.

Recommendation n°136: *Translate, publish and make available to the citizens of the country the assessments and recommendations made by relevant international human rights bodies, including the Human Rights Council's universal periodic review* (Recommended by Norway)

IRI: *partially implemented*

BGRF response:

Not all the documents were published but in respect to the UPR process and the CEDAW Committee recommendations the process was more positive and more publicity was given.

Justice

Recommendation n°68: *Continue strengthening the legal safeguards against ill treatment, and pursue efforts to reduce incidents of ill treatment by law enforcement personnel* (Recommended by Slovakia)

IRI: *partially implemented*

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Recommendation n°83: *Take concrete measures to remedy the excessive use of force by security forces* (Recommended by Switzerland)

IRI: *partially implemented*

NHRI response:

The Ministry of Interior Act has been amended and the absolute necessity for the use of force has been expressly endorsed. The NPM has established insignificant number of excessive use of force in detention facilities and prisons.

Recommendation n°70: *Take all necessary measures to ensure that detention conditions fully meet international human rights standards, in accordance with Bulgaria's international obligations* (Recommended by Sweden)

IRI: *not implemented*

UNICEF response:

In this regards there should be special attention to the detention conditions for children. Although in Bulgaria the number of underaged detainees is not big, in most of the detention centers the standards are not met.

NHRI response:

Overpopulation in Bulgarian prisons is a persisting problem. The relevant strategic documents envisage large-scale investments to comply with the human rights standards for detention centres. The NPM has established in its first report that those strategies are not feasible and no sufficient budget has been allocated to that end. The 4 sq.m. requirement has been introduced in the Execution of Punishment and



Remand in Custody Act; however compliance with that standard has once again postponed by a legislative amendment. The Ombudsman has reiterated that lack of budget funds and financial crisis cannot justify failure to comply with the human rights standards to which Bulgaria has committed itself.

Recommendation n°87: Create an effective juvenile system, and continue to reform its justice system (Recommended by Nigeria)

IRI: partially implemented

UNICEF response:

In 2011 the Government of Republic of Bulgaria approved a Concept for Public Policy on Justice for Children, which aims to establish a new legal framework in line with European and international standards and best practices for treating children in conflict with the law. A Road map (Action plan) in execution of the CPPJC was adopted in March 2013, planning concrete steps for a two-year period.

Even though the abovementioned documents are signs of political will and commitment, reforms in the area of juvenile justice are moving forward slowly due to the fact that it is still not broadly recognized by the public as a high priority area.

To create an effective juvenile system provisions need to be made to guarantee maximum cooperation and effective multi-agency engagement in formulating strategies and policies for the children in conflict with the law to ensure reintegration of the child and the child assuming constructive role in society. These policies should ensure that children are treated in a manner appropriate to their well-being, and proportionate to both their circumstances, the offence committed and public interest.

There are also no developed professional standards for all professionals working with children in conflict with the law (police officers, probation officers, workers in the penitentiary system, health, education and social workers, prosecutors, magistrates, NGO's) which compromises the efficiency and effectiveness of the system in place now. The lack of developed and implemented professional standard should be addressed in order to ensure effective juvenile system during and after the reform.

NHRI response:

On 1 March 2013 the Council of Ministers adopted a Road Map for the implementation of the State Policy Concept for Juvenile Justice.

Recommendation n°89: Promote awareness of the National Legal Office and its services to improve confidence in the justice system and to ensure that Bulgarians have adequate legal standing before the courts (Recommended by United Kingdom)

IRI: partially implemented

NHRI response:

In the beginning of 2013 the Legal Aid Act was amended and the scope of persons eligible for free legal assistance has been expanded to include other vulnerable groups such as victims of domestic or sexual violence, victims of trafficking, refugees, asylum seekers etc.



Recommendation n°93: *Increase the budget for prisons to add new bed space and staff, provide training for prison personnel and explore other types of detention for nonviolent offenders to reduce the burden on prison facilities and staff (Recommended by United States)*

IRI: *not implemented*

NHRI response:

Overpopulation in Bulgarian prisons is a persisting problem. The relevant strategic documents envisage large-scale investments to comply with the human rights standards for detention centres. The NPM has established in its first report that those strategies are not feasible and no sufficient budget has been allocated to that end. The 4 sq.m. requirement has been introduced in the Execution of Punishment and Remand in Custody Act; however compliance with that standard has once again been postponed by a legislative amendment. The Ombudsman has reiterated that lack of budget funds and financial crisis cannot justify failure to comply with the human rights standards to which Bulgaria has committed itself.

Recommendation n°133: *Further address the human rights challenges and continue its efforts in strengthening national mechanisms, particularly in the field of gender equality and non-discrimination and in the area of preventing and combating human trafficking and protecting the victims thereof (Recommended by Serbia)*

IRI: *not implemented*

ILGAE response:

No specific mentioning of LGBT people in policies which prevent violence against women and human trafficking.

SOGI

Recommendation n°28: *Adopt legislation to prevent discrimination on the grounds of sexual orientation in the same manner as existing legislation to protect against discrimination on the grounds of ethnicity, gender and religion (Recommended by United Kingdom)*

IRI: *not implemented*

NHRI response:

The Anti-Discrimination Act prohibits discrimination on all of the above-mentioned grounds and envisage respective sanctions. Amendments to the Criminal Code made in 2011 criminalise incitement to discrimination, violence or hatred on grounds of ethnicity, race, and religion. The Ombudsman extended a recommendation to include as a ground sexual orientation as well. Unfortunately the Ombudsman's recommendation has not yet been taken into account.

ILGAE response:

Anti-discrimination Law, which explicitly mentions sexual orientation among other grounds, entered into force on 01.01.2004. Unfortunately it is generally almost not used by LGBT people. According to the statistics of the national equality body (State Commission for Protection against Discrimination) very few cases per year (usually



up to 5) are proceedings for discrimination on the grounds of sexual orientation. Gender identity or expression is not a recognised ground for discrimination in the law.

Recommendation n°29: Study the possibility of introducing a criminal aggravating factor for racial and religious hatred or hatred against persons with a minority sexual orientation (Recommended by Spain)

IRI: not implemented

NHRI response:

The Anti-Discrimination Act prohibits discrimination on all of the above-mentioned grounds and envisages respective sanctions. Amendments to the Criminal Code made in 2011 criminalise incitement to discrimination, violence or hatred on grounds of ethnicity, race, and religion. The Ombudsman extended a recommendation to include as a ground sexual orientation as well. Unfortunately the Ombudsman's recommendation has not yet been taken into account.

ILGAE response:

Sexual orientation is included as ground for hate crime in the draft of the new Penal Code which is still in procedure for preparation by Ministry of Justice. Gender identity or expression is not recognised ground for hate crimes in this draft law.

Recommendation n°66: Support more actively the implementation of the rights of sexual minorities as a means to fight social isolation and discrimination (Recommended by Norway)

IRI: not implemented

ILGAE response:

No actual support shown. LGBT issues are not discussed as part of the formulation of any policies related to education, employment, health care or any other sphere of public life. No public institutions are openly supportive for LGBT pride march (Sofia Pride) in June. LGBT issues are not discussed by political parties and are not recognised as political issues. There is complete silence on that matter.

Recommendation n°67: Develop effective measures to overcome continuing discriminatory patterns against ethnic minorities and lesbian, gay, bisexual and transgender persons through education and training (Recommended by Spain)

IRI: not implemented

ILGAE response:

LGBT issues are not included in school curriculum and often – they are not included in university's curriculums too. Professionals that usually are associated with competency on LGBT issues – doctors and nurses, psychologists, psychiatrists, social workers, sociologists and so on – do not get any training on this topic. In fact there are current textbooks for medical students and psychiatrists that recognise homosexuality as psychiatric disorder.

According to the anti-discrimination law, every employer and every educational institution is obliged to introduce anti-discriminatory policies. Such policies exist on paper, but are rarely reinforced in practice. Most school authorities do not recognize the existence of LGBT-related bullying and the need to provide support to LGBT students as well as teachers. Sexual identities are not discussed at school which



contributes to the lack of awareness of the issues, which LGBT people face on daily basis, and to the formation of negative stereotypes.

Employers are not monitored by state bodies for effective implementation of anti-discriminatory policies enhancing diversity at the work place. The law has so far been applied only post-factum by victims, or other citizens/NGOs on behalf of victims, and not as a prevention mechanism.

Women & Children

Recommendation n°27: *Adopt a law guaranteeing equal opportunities for women and men* (Recommended by *Canada*)

IRI: partially implemented

UNICEF response:

The Law for protection against discrimination was passed in 2004. However, Bulgaria has not yet adopted specific legislation on gender equality. Although in the 2000-2001 was drafted a bill on equal opportunities for women and men the bill was rejected twice by the Parliament in 2002 and 2003. An action Plan for Implementation of the CEDAW recommendations was adopted and envisages the drafting and adoption of a Law for Gender Equality by the first half of 2014.

BGRF response:

This recommendation as made also by the HRC in 2011 and by the CEDAW Committee in 2012. The government under the pressure of NGOs formed a WG for the elaboration of a plan for implementation of the CEDAW recommendations. The draft plan is ready but not approved by the Council of Ministers yet. The adoption of the law on gender equality is provided for spring 2014, the beginning of the process is set for September 2013. The plan is just a draft. A new government is expected in the next weeks and then it will become clear if the plan is accepted.

NNC response:

There isn't such a law as of 30 April 2013. However, the Anti-Discrimination Law and the Social Securities Codex were amended in 2012 in order to implement the EU directive 2010/41/EC concerning the equal opportunities for women and men working as self-employed individuals.

Recommendation n°38: *Establish urgently procedures-mechanisms at the central and local levels to ensure the health and safety of all children in institutions, including a child ombudsman at the national or regional level* (Recommended by *Norway*)

IRI: not implemented

UNICEF response:

This is still a relevant recommendation. Apart from focusing the efforts of national and local authorities on such mechanisms, there is a need to enhance independent monitoring of child rights both at local and national level. Although the national



ombudsman is willing to cover the child rights as well, the institution faces difficulties addressing issues of health and safety in institutions. Moreover, there are still no steps for signing and ratifying the CRC 3 Optional Protocol. In principle, the State Agency for Child Protection is the government body responsible for monitoring the rights of children, including those in institutions. They do perform periodic monitoring and also monitoring based on signals/warnings.

According to the last amendments, the Ombudsman Act explicitly state the competence of the ombudsman in the area of child rights violations and in the mechanism for accountability and prevention of child rights violations. However, as stated above, the Ombudsman office needs additional resources to be able to cover in a systematic way child rights issues, thus is not a member of the European network of ombudspople for children (ENOC). There is a need either to appoint a deputy ombudsman on children within the Ombudsman office and secure the necessary human and financial resources or to establish a separate Child Ombudsman.

Local Ombudsmen exist in some municipalities, but they are not active in child protection issues.

Despite the efforts at a national and local level of all the controlling bodies and the established mechanisms for monitoring, cases of severe child neglect and abuse in institutions still persist (for example the case of the institution 0-3 in the town of Pleven, a recent case of unauthorized abortions in a institution in the town of Sevlievo, etc) and access to adequate health services for children in institutions, including the correctional educational institutions to the Ministry of Youth and Education, are rarely ensured.

According to the Child Safety Report Card prepared under the TACTICS project (Tools to Address Childhood Trauma, Injury and Children's Safety) child safety in Bulgaria is assessed to be very poor.

NHRI response:

Amendments to the Ombudsman Act has expanded his powers to include expressly protection of the rights of the child. As National Preventive Mechanism the Ombudsman also monitors all institutions for children (deprived of parental care, with disabilities etc.). In his first NPM report the Ombudsman established great discrepancies between the different homes for children in terms of material conditions, professional care, human resources and budget capacity. The Ombudsman in particular recommended that uniform standards be adopted for the children homes (e.g. number of paediatrics, available medical care, etc.). In addition the Ombudsman recommended that the co-ordination between the different institutions in charge of children be enhanced and improved to ensure protection of the children's rights. Last but not least the Ombudsman recommended speeding up the deinstitutionalisation process and setting up community day care centres in the municipalities.

NNC response:

not done. There are efforts to reform institutional care however this is done on a pilot project basis and doesn't include procedures and mechanisms to ensure the health and safety of all children in institutions.

Recommendation n°44: *Draw up concrete and effective strategies to fight against domestic violence* (Recommended by Switzerland)

IRI: *partially implemented*

UNICEF response:

The National Programme for Prevention and Protection from Domestic Violence – a strategic document approved by the Council of Ministers annually, has provisions for legislative and social measures that are focused on assistance and protection for the victims, different social and legal services in the short term, but there should be stronger effort focused on prevention and community-based programmes offering long-term support and assistance. There is a need also to ensure the sustainable implementation of programs and measures targeting the perpetrators.

The Coordination Mechanism for Cooperation in cases of children-victims of crime and children at risk signed between state authorities (protection authorities according to Child Protection Act) in 2011 is already operational but should be effectively implemented in all the municipalities. The social workers to the Child Protection authorities and other responsible bodies often are overloaded and responsible for a big number of cases and cannot follow up the cases.

BGRF response:

The government adopts every year a Programme for prevention and combating domestic violence, usually adopted at the end of March each year. Despite the Law on Protection against DV and these plans outlining the priority activities for each year, the strategizing by the government is far not enough. The changes needed in the penal law are not yet a fact, the NGOs bear the burden for caring for the victims with fragmented or inexistent support. The financial support through the municipalities is irregular, if existing at all, and withheld by the municipalities for their purposes. The severe situation was taken into account and the recommendations of the CEDAW Committee in the field were given priority and the government has to report in 2014 about the implementation. The legislative and policy measures needed in the field of DV are included in the draft plan for the implementation of the CEDAW recommendations with term of implementation 2014.

NNC response:

not done. There isn't a strategy nor an action plan aimed at effective fight against domestic violence. A plan for prevention of child abuse for the period 2012-2014 was approved in 2012. However, there aren't systemic efforts to ensure appropriate programmes, practices and adequate finances to ensure effective implementation.

Recommendation n°48: *Ensure continued emphasis on children's rights and welfare in Bulgaria's budget policy and consider increasing budget allocations for the*



implementation of the CRC, including in the areas of health, education and family support (Recommended by Malaysia)

IRI: not implemented

UNICEF response:

There is general awareness of the importance of children's rights, but the budget allocations for the implementation of CRC are insufficient. What is more, budget constraints due to the financial crisis affect most severely children. According to EUROSTAT data in 2011, 52 % of the children in Bulgaria were at risk of poverty and social exclusion – the highest share in the EU.

Austerity measures have slowed down the progressive realization of child rights. The social protection system is under strain, with budgetary allocations for social welfare shrinking. At the same time, the budget for child allowances decreased by 24 per cent. In 2011, social transfers amounted to 33.3 % of the annual income per person in a household. Poverty levels in Bulgaria are the highest in the EU. This has numerous implications on the quality of life of children.

It should be noted that while funds for means-tested social assistance were cut by more than half, funding for child protection services and for integration of children with disabilities were largely preserved. Through concerted efforts and careful prioritization, the country was successful in the reduction of the number of children in residential care institutions, which dropped significantly.

During the last five years, the number of foster families increased tenfold. Besides the increase in numbers, there is a positive trend regarding children below 3. In 2011 they were 159 out of 814 children and for 2012 they became 599 out of 1112. After 2010 for the first time more children at risk were placed in alternative family care than in residential care, thanks to strengthened preventive child protection services and the development of innovative alternative types of care. Strong government commitment to system change, backed up by EU Structural Funds, played an important role in reorienting policies and resource allocations. However, policies and practices are still not sufficient with regard to prevention of risks and family separation. The risk of institutionalization remains high for most disadvantaged and minority groups and children from poor families. Children with disabilities still represent almost half of the total number of children in residential care. A serious bottleneck is related to the fact that social services are funded based on service capacity and not always on need assessment and often not taking into account actual number of beneficiaries, quality, and results for them. Investment in education also fell in Bulgaria. This trend was assessed in a European Commission study, entitled 'Funding of Education in Europe: The Impact of the Economic Crisis', focused on the economic context, public expenditure and national budget developments in education, trends in staff funding (salaries and allowances), national budgets for educational infrastructure and support systems and it could be found on EURYDICE website.

NNC response:

not done. On the contrary, NNC members are concerned that the money saved from closed institutions, special schools and reduced capacities is not invested in new



services and is lost in general budget. Recent example is 3.2 mln leva (approx.1,6 mln euro) which was 'saved' from infant homes and not invested in new services for children and families. See [NNC statement](#) from 13 Dec 2012.

Recommendation n°55: *Continue to take the necessary measures in order to better promote women's rights in all spheres of society* (Recommended by Greece)

IRI: fully implemented

UNICEF response:

Bulgaria presented the IV-VII consolidated report as a state party to the CEDAW in 2012. There is a definite will by the Ministry of Labour and Social Policy to implement the plan of action for the implementation of the recommendations with involvement of various stakeholders, including from civil society.

Recommendation n°56: *Continue to take concrete measures in accordance with obligations under the relevant international treaties to protect women's rights and raise their social status* (Recommended by China)

IRI: partially implemented

UNICEF response:

As stated [in recommendation n° 55], Bulgaria made the IV-VII consolidated report to the CEDAW in 2012. The plan of action for the implementation of the recommendations made by the Committee on the Elimination of Discrimination against Women (CEDAW/C/BGR/CO/4-7 12 July 2012) is drafted and awaits final approval by the Ministry of Labour and Social Policy.

It should be emphasized that some groups of women needs special efforts in order their rights to be protected, especially Roma women.

BGRF response:

No additional measures were taken., except the draft plan for the implementation of the CEDAW Committee recommendations.

Recommendation n°57: *Consider further affirmative action to accelerate equality for women in practice: in working life and in political decision-making* (Recommended by Norway)

IRI: not implemented

BGRF response:

Affirmative action was not adopted in the field. Such measures are recommended by the CEDAW Committee and are provided to be regulated in the future gender equality law, according to the draft plan mentioned above.

Recommendation n°58: *Continue developing policies for effective gender equality and to combat gender violence, conducting special monitoring of cases involving gender-based violence and studying the reasons why such cases are rarely reported to the authorities* (Recommended by Spain)

IRI: not implemented

BGRF response:

The government adopts every year a Programme for prevention and combating domestic violence, usually adopted t the end of March each year. Despite the Law on



Protection against DV and these plans outlining the priority activities for each year, the strategizing by the government is far not enough. The changes needed in the penal law are not yet a fact, the NGOs bear the burden for caring for the victims with fragmented or inexistent support. The financial support through the municipalities is irregular, if existing at all, and withheld by the municipalities for their purposes. The severe situation was taken into account and the recommendations of the CEDAW Committee in the field were given priority and the government has to report in 2014 about the implementation. The legislative and policy measures needed in the field of DV are included in the draft plan for the implementation of the CEDAW recommendations with term of implementation 2014.

Recommendation n°59: *Take steps to address the gender segregation in the economy and the gender wage gap in the public sector* (Recommended by Ghana)

IRI: *not implemented*

BGRF response:

No specific measures were taken. Concrete measures are not provided even in the draft plan for the implementation of the CEDAW Committee recommendations. Just awareness raising and training are envisioned. The gap is not understood, the legal guarantees for equality in payment are considered as sufficient.

Recommendation n°60: *Strengthen the concept of equality between the sexes and nondiscrimination, and open up possibilities for women to participate in public life and have access to high-level positions in leadership and administrative posts* (Recommended by Iraq)

IRI: *not implemented*

BGRF response:

This issue was not developed in practice. The measures are provided in the draft plan for the implementation of the CEDAW Committee recommendations and are envisioned for regulation in the future gender equality law.

Recommendation n°61: *Continue its efforts to overcome stereotypical attitudes regarding the roles of men and women and existing gender inequality* (Recommended by Ukraine)

IRI: *partially implemented*

BGRF response:

The problem with stereotyping of women was posed also by the CEDAW Committee in its observations from 2012. The issue is developed and measures will be taken according to the draft plan for the implementation of the CEDAW Committee recommendations, starting from the fall of 2013.

Recommendation n°71: *Make further efforts for combating domestic violence, as the problem of domestic violence is still present* (Recommended by Bosnia & Herzegovina)

IRI: *not implemented*

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Recommendation n°72: *Take concrete measures aimed at effectively fighting against genderbased violence, including social awareness-raising campaigns and training programmes targeting law enforcement officials* (Recommended by Canada)

IRI: *not implemented*

BGRF response:

[See response to recommendation n° 58]

NNC response:

see comment to Recommendation No. 44 related to domestic violence.

Recommendation n°73: *Put in place sound policies to ensure a safer environment for children, and implement a more effective system for addressing cases of violence against children* (Recommended by Indonesia)

IRI: *partially implemented*

UNICEF response:

Progress in direction to coordinate the policies and actions of state authorities in cases of violence against children was made with the development and implementation of the Agreement for cooperation and coordination of the work of the national and local child protection authorities in cases of children who are victims or at risk of violence and crisis intervention. The Agreement and the Coordination mechanism in cases of children victims of violence or children at risk and crisis intervention were created in 2010 and signed by all the child protection authorities under the Child Protection Act (State Agency for Child Protection, Minister of Labour and Social Policy, Minister of the Interior, Minister of Education, Youth and Science, Minister of Justice, Minister of Foreign Affairs, Minister of Culture, Minister of Health, and the municipality mayors). Nevertheless coordination and cooperation between the authorities are not sufficient to guarantee safer environment for children and measures in the best interest of the child in cases of violence. There are not enough adequate and quality services to address the needs of children at risk and to support the children within their family environment

NNC response:

see response to recommendation No. 44 as well as No. 98 related to effectiveness of the child protection system.

Recommendation n°74: *Implement policies to prevent and detect cases of child abuse, as well as to ensure accountability and the rehabilitation of child victims* (Recommended by Brazil)

IRI: *not implemented*

UNICEF response:

There is an operational hot line for children where everybody can warn in case of a child abuse. However, the Child Protection System is often overloaded and cannot always react effectively. There is a necessity to focus more on Roma children, children in institutions, children in foster care (the number of children in foster care is increasing – more than 1000 children are placed in foster care - and although till now there are no serious cases of abuse, a special system for prevention and detection of cases of child abuse must be envisaged).

NNC response:

not done. Efforts to adopt a new Children's Act aimed at improving the welfare of all children vs. children at risk were put on hold and the capacity of social workers from the Child protection departments (in terms of numbers, training and adequate resources) is limited to ensure effective implementation.

Recommendation n°75: Further enhance measures to prevent the exploitation of children for the purposes of prostitution and pornography, as well as to prosecute persons who are guilty of the exploitation or ill treatment of children (Recommended by Belarus)

IRI: not implemented

NHRI response:

The Bulgarian Government is preparing legislative amendments with a view of transposing two EU directives in the area of prevention of sexual exploitation of children and trafficking in human beings respectively before the end of 2013.

NNC response:

not done. The progress on developing specialised premises for hearing and interrogation of children is due only because of NGOs efforts. There are 6 such premises and 5 are in process of being set up (vs. 264 Municipalities in BG!). Standards for interrogation of children are developed as part of a NGO pilot project but are far from being adopted nationally due to pending reforms in the social and juvenile justice systems. Limited progress to legal framework amendments and specialisation of judges, prosecutors and magistrates in direct work with children. Specialisation started only for the prosecutors.

Recommendation n°79: Strengthen awareness-raising campaigns aimed at preventing human trafficking, and increase the protection provided to victims, notably children and newborns, including those of Roma origin, in line with the recommendations of the Committee on the Rights of the Child (Recommended by Mexico)

IRI: partially implemented

UNICEF response:

Every year since 2005 the Council of Ministers approves a National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims. The National Programme is developed by the National Commission for Combating Trafficking in Human Beings (NCCTHB) with the Council of Ministers and the awareness-raising campaigns aimed at prevention led by NCCTHB progressively strengthen. However there is still need to pay particular attention and develop specific measures for the most vulnerable groups of women and children and what is more strong effort focused on poverty alleviation in the risk groups and regions.

Referral mechanisms for children, victims of international trafficking is functioning well, but apart from the shelters where a child could be placed for up to 6 months long term solutions and support are very limited.

Long term measures and work with the parents are lacking.



It should be noted that many children are victims of internal traffic - sometimes children involved in internal trafficking and exploitation are facing different treatment than the repatriated victims which benefit from a better coordinated system.

Regarding the protection provided to victims more effort is needed in the process of gathering disaggregated data on the victims and risk groups in order to provide services and protective measures tailored to their needs. Different institutions gather different data and there are no unified criteria and indicators (age, gender, ethnic group, social status, education, family environment, period of exploitation, first exploitation, or re-victimisation, etc.) to enable the impact analysis of the protective measures and long-term planning.

NNC response:

Some awareness -raising activities were undertaken. However, BG is far from the transposition of the EU Directive against trafficking in human beings. There is no specific treatment of particularly vulnerable victims aimed at preventing secondary victimisation such as no visual contact with the defendant, no unnecessary repetition of the testimony or holding interviews with children in a friendly environment.

Recommendation n°80: Further develop preventive measures to combat trafficking in human beings, with a special emphasis on children, newborn and pregnant women, as well as strengthen the national referral system and increase the number of centres for victims of trafficking (Recommended by Moldova)

IRI: not implemented

BGRF response:

The protection of these vulnerable groups against trafficking is included in the yearly Programmes for prevention and protection against trafficking. For strengthening protection a draft for legislative changes was prepared but due to the political crisis and absence of a parliament since February 2013 such changes are pending. Concerning the centres for victims, the National Anti-Trafficking Commission maintains two shelters for trafficking in Varna and Burgas.

NNC response:

not done. No special measures discouraging the demand that fosters trafficking and addressing the root causes such as poverty, lack of social integration, access to education, discrimination, etc. were undertaken.

Recommendation n°81: Bring to justice the persons and social institutions for children responsible for 238 reported unaccounted deaths in the period 2000-2010 (Recommended by Norway)

IRI: not implemented

NNC response:

As of 31 Dec. 2012, there is no single indictment against persons and social institutions responsible for the 238 unaccounted deaths of children.

Recommendation n°91: Create an effective juvenile justice system in order to defend children's rights (Recommended by Hungary)

IRI: partially implemented

UNICEF response:

In 2011 the Government of Republic of Bulgaria approved a Concept for Public Policy on Justice for Children, which aims to establish a new legal framework in line with European and international standards and best practices for treating children in conflict with the law. A Road map (Action plan) in execution of the CPPJC was adopted in March 2013, planning concrete steps for a two-year period.

Even though the abovementioned documents are signs of political will and commitment, reforms in the area of juvenile justice are moving forward slowly due to the fact that it is still not broadly recognized by the public as a high priority area.

To create an effective juvenile system provisions need to be made to guarantee maximum cooperation and effective multi-agency engagement in formulating strategies and policies for the children in conflict with the law to ensure reintegration of the child and the child assuming constructive role in society. These policies should ensure that children are treated in a manner appropriate to their well-being, and proportionate to both their circumstances, the offence committed and public interest.

There are also no developed professional standards for all professionals working with children in conflict with the law (police officers, probation officers, workers in the penitentiary system, health, education and social workers, prosecutors, magistrates, NGO's) which compromises the efficiency and effectiveness of the system in place now. The lack of developed and implemented professional standard should be addressed in order to ensure effective juvenile system during and after the reform.

NHRI response:

On 1 March 2013 the Council of Ministers adopted a Road Map for the implementation of the State Policy Concept for Juvenile Justice.

NNC response:

Partially done. A reform concept was developed followed by the adoption of a road map on 1 March 2013. These are welcomed first steps but more efforts are required to ensure effective juvenile justice in practice.

Recommendation n°92: *Take measures to guarantee effective access to justice, reparation and protection for women victims of gender-based violence* (Recommended by *Brazil*)

IRI: *fully implemented*

NHRI response:

In the beginning of 2013 the Legal Aid Act was amended and the scope of persons eligible for free legal assistance has been expanded to include other vulnerable groups such as victims of domestic or sexual violence, victims of trafficking, refugees, asylum seekers etc.

BGRF response:

In addition to the legislative and policy measures provided for in the draft plan for the implementation of the CEDAW Committee recommendations, the Law on Legal Aid was changed with the inclusion of the victims of violence among those persons who can benefit of free legal assistance.



Recommendation n°95: *Rapidly close social institutions for children and find appropriate solutions for children who cannot live with their families (Recommended by Norway)*

IRI: *partially implemented*

UNICEF response:

There is a serious advancement in the closing of institutions for children. However, apart from limited cases of successful reintegration of some children within their families, cases of placement in foster care and children object to national and intercountry adoptions, children are placed in small group homes. The deinstitutionalisation plan envisages building of 150 small family group homes which are actually small institutions. The risk of hidden institutionalization will be present unless more options for family support and community based services are created.

NHRI response:

The deinstitutionalisation strategy spreads over to 2020; homes for children aged 0 to 3 years old are envisaged to be closed down in 2014. The Ombudsman is monitoring, also in his capacity of NPM, this process particularly carefully.

NNC response:

Efforts are undertaken however they target mostly homes for children with disabilities and there are concerns among NGOs that new services are de facto replacing large-scale institutional care with small institutions. Data for 2012 shows that the entry to infant homes is still widely open and more focus and priority shall be put on prevention, early intervention and family support.

Recommendation n°96: *Allocate sufficient and, if necessary, additional resources for the recruitment and training of personnel in children's institutions, and intensify efforts to raise the number of foster families and provide them with adequate training for foster care (Recommended by Netherlands)*

IRI: *not implemented*

NHRI response:

The Ombudsman has expressly recommended in his first NPM report that professional training of personnel in children's homes should be stepped up; more professionals need to be recruited and adequately paid.

NNC response:

Partially done. There's progress with foster care development where there's an increase of approved foster parents and children placed. At the same time, in 2012 NGOs were excluded from foster care service development though in fact the increase of FCs is mostly as a result of their efforts. There are also questions around quality of service development - e.g. work and contact with birth families and support to FCs on behalf of social workers. No progress was made with regard to increasing the training and No. of staff in children's homes.

Recommendation n°97: *Increase the training and staffing levels of institutions for children, improve oversight, and implement incentives to attract higher-quality candidates to fill positions at these institutions (Recommended by United States)*

IRI: *not implemented*



UNICEF response:

Training is envisaged in the framework of the national projects for closure of all homes for children with disabilities and 8 Infant Homes (0-3). The training is supposed to support the staff in the transition process. The training in the institutions remains to be mainly project based. There is no competency based approach to training and supervision. Remuneration in some institutions has improved, however, it remains traditionally low.

NHRI response:

The Ombudsman has expressly recommended in his first NPM report that professional training of personnel in children's homes should be stepped up; more professionals need to be recruited and adequately paid.

NNC response:

Not done. No special measures were undertaken to address this recommendation.

Recommendation n^o98: *Undertake a comprehensive review of the child protection system, social assistance and family policies to ensure coordinated and efficient services (Recommended by Austria)*

IRI: *not implemented*

UNICEF response:

In 2012 an evaluation of the level of implementation of the National strategy for the child 2008-2018 was done, providing with recommendations for respective amendments and adjustments of policy and practice. There is a need for thorough follow up of the suggested measures.

NNC response:

Not done. Efforts were undertaken to review respective systems and improve co-ordination through a new Children's Act however these were put on hold due to lack of political will to implement proposed changes.

Recommendation n^o99: *Provide sufficient resources for the effective functioning of the child protection system, including through training of social workers, standards to limit the case load per social worker and their adequate remuneration (Recommended by Austria)*

IRI: *partially implemented*

NHRI response:

The Ombudsman has expressly recommended in his first NPM report that professional training of personnel in children's homes should be stepped up; more professionals need to be recruited and adequately paid.

NNC response:

Efforts were undertaken through the employment of additional 400 social workers (220 of them were appointed in the child protection departments) but there still aren't case load standards, adequate training, resources and support. 1 social worker works with more than 100 cases leading to focus on paper work rather than quality direct work with children and families. This is a huge bottle-neck to all measures and



reforms related to children like deinstitutionalisation, juvenile justice, inclusive education, effective prevention and protection of child abuse, etc.

Recommendation n°100: Take steps to ensure the provision of appropriate support for parents and families at risk to prevent the abandonment of children (Recommended by Austria)

IRI: not implemented

UNICEF response:

Still valid recommendation. Although efforts have been made, there is a strong need to develop more community based and mobile supportive services for families at risk.

NNC response:

Not done. There's on-going deinstitutionalisation reform but the focus is on closure of homes for children with disabilities and setting up family-type placement centres as alternative to them with a capacity up to 15 children which is very far from family-type! NNC is concerned that this is a replacement of large-scale institutions with small ones and there's no focus and investment in appropriate support to parents and families at risk, prevention and early intervention.

Recommendation n°101: Take urgent steps to end the continuing practice of placing babies and young children under the age of 3 in institutionalized care, and ensure the availability of family-based alternatives (Recommended by Austria)

IRI: partially implemented

UNICEF response:

There is some improvement in this area - there is a positive trend regarding placement in foster care of children below 3-year old. In 2011 they were 159 out of 814 children and for 2012 they became 599 out of 1112.

NHRI response:

The deinstitutionalisation strategy spreads over to 2020; homes for children aged 0 to 3 years old are envisaged to be closed down in 2014. The Ombudsman is monitoring, also in his capacity of NPM, this process particularly carefully.

NNC response:

Not done. See comment to previous recommendation. Early childhood intervention (ECI) should be developed as a service which can effectively support parents of children with disabilities from age 0-3, thus preventing their abandonment. Policy and legislation is also needed to change the practice of doctors at maternity wards to advise parents to place babies born with disabilities in institutional care. Training of doctors is also needed.

Recommendation n°102: Strengthen efforts to implement the - Vision for Deinstitutionalization -, specifically in the light of the United Nations Guidelines for the Alternative Care of Children (Recommended by Austria)

IRI: not implemented

UNICEF response:

Government efforts are mainly focused on the design and implementation of several national EU funded projects. A major challenge is the coordination between the



projects and the mainstream systems and services. Monitoring of the progress is focused on the implementation of the projects, not so much on results for children. Major issue in the process is the insufficiency of family support and prevention services as majority of projects support alternative care facilities (residential and family based). NGOs are not sufficiently included as partners.

NNC response:

Not done. See comment to recommendation No. 100. There's also urgent need to improve multi-sectoral coordination and introduce changes in other sectoral policies such as health, housing, etc. and amend legislation related to standards and quality of services.

Recommendation n°103: Introduce legislation prohibiting secrecy in adoption and guaranteeing the right of the child to know his or her origins (Recommended by Austria)

IRI: not implemented

UNICEF response:

No legislation has been introduced prohibiting secrecy in adoption. There is also no legislation that fully guarantees the right of the child to know his or her origins. There are provisions in the Family Code in force since 2009 that state that the right to information about the child's origin is a right of the adoptive parents and the child if he/she is over 16. However this right could be realized only through judicial procedure initiated by the adoptive parents or the adopted child over 16 and only after the court decides that two conditions are met simultaneously:

- there are important circumstances that require the adoptive parents and the adopted child to know his/her origins;
- the court decision is made after a closed hearing with the participation of the birth parents and conclusive report from a prosecutor. Such provisions were included in the Draft of the new Child Act from 2012, but the act's adoption has been frozen.

NNC response:

Not done. There is increase in the number of children adopted but the quality of the process is questionable and there were not legislative changes related to the secrecy in adoption.

Recommendation n°104: Take steps to end the practice of international adoptions where the adoptive applicants are matched with children without having been introduced or had any opportunity to build any relationship with a child prior to the adoption decision (Recommended by Austria)

IRI: not implemented

NNC response:

Not done. Practices still vary and very depend on the international adoption agency policy rather than on a unified procedure based on children's best interest.

Recommendation n°137: Assess the recommendation made by the Committee on the Rights of the Child with regard to seeking technical assistance from the United

Nations, in order to implement the recommendations of the study on violence against children and the establishment of a juvenile justice system (Recommended by Chile)

IRI: *fully implemented*

UNICEF response:

In accordance with the recommendation made by the Committee on the Right of the Child with regard to seeking technical assistance from the UN Interagency Panel on Juvenile Justice UNICEF is supporting the state in the on-going reform of the JJ System. Up to now progress is being made at a policy level - first with the adoption of the Concept for Public Policy on Justice for Children in 2011 and in the last months with the Road Map (adopted 2013) for its implementation. Individual assessment of children in conflict with the law, often also being victims of violence, is being performed by UNICEF, and based on the results adequate support will be provided and services will be developed.

NNC response:

Done. Technical assistance is provided by UNICEF.

Other

Recommendation n°31: Consider establishing a national human rights institution accredited by the International Coordinating Committee of National Institutions for the promotion and protection of human rights in order to raise public awareness and guide the authorities (Recommended by Finland)

IRI: *fully implemented*

+

Recommendation n°32: Establish a national human rights institution accredited by the International Coordinating Committee of National Institutions for the promotion and protection of human rights (Recommended by Algeria)

IRI: *partially implemented*

+

Recommendation n°33: Establish a national human rights institution accredited by the International Coordinating Committee of National Institutions for the promotion and protection of human rights (Recommended by Turkey)

IRI: *partially implemented*

+

Recommendation n°34: Establish an independent national human rights institution in accordance with the Paris Principles (Recommended by Indonesia)

IRI: *fully implemented*

+

Recommendation n°35: Establish an independent national human rights institution in full compliance with the Paris Principles (Recommended by Azerbaijan)

IRI: *partially implemented*

NHRI response:

In 2012 the Bulgarian Ombudsman and the Anti-discrimination Commission were accredited B status under the Paris Principles.



Recommendation n°36: *Explore the possibility of consolidating existing Ombudsman institutions and mechanisms into a single national human rights institution in line with the Paris Principles, through accreditation by the International Coordinating Committee of National Human Rights Institutions (Recommended by Malaysia)*

IRI: *fully implemented*

NHRI response:

In 2012 the Bulgarian Ombudsman was accredited B status under the Paris Principles. There is only one national Ombudsman with general human rights protection competence.

Recommendation n°37: *Strengthen the role of bodies and institutions such as the Ombudsman and the National Council for Cooperation on Ethnic and Demographic Issues, in particular the Commission for Protection against Discrimination, by enhancing their human and logistical capacity (Recommended by Ghana)*

IRI: *partially implemented*

UNICEF response:

This is a very important recommendation. However, up to now there is no tangible advancement. For example the Ombudsman office has only 3 persons responsible for children's rights, people with disabilities and discrimination and this is not enough to address all the issues relevant to children.

NHRI response:

In 2012 the Bulgarian Ombudsman was designated National Preventive Mechanism under the OPCAT. In this relation the annual budget was increased to accommodate the activity of the NPM unit.

Recommendation n°40: *Further strengthen the role of bodies and institutions with competence to combat discrimination, in particular the Commission for Protection against Discrimination (Recommended by Azerbaijan)*

IRI: -

UNICEF response:

A valid recommendation; The Commission for Protection against Discrimination could be more active in issues related to discrimination against children (especially Roma). Although a child is not entitled to make formally a complaint, the Commission can take the initiative to take action in cases of discrimination.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.
4. UN Agencies which sent information for the UPR were contacted.

We posted our requests to the States and NHRI, and sent emails to NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

Stakeholders we contact are encouraged to use an Excel sheet we provide which includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.



UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
4	Consider the possibility of expressing its consent to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Spain	Accepted	3	International instruments, Torture and other CID treatment
5	Consider the possibility of expressing its consent to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Palestine	Accepted	3	International instruments, Torture and other CID treatment
6	Consider the possibility of expressing its consent to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Switzerland	Accepted	3	International instruments, Torture and other CID treatment
7	Comply with recommendation No. 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe, which calls for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Algeria	Rejected	4	International instruments, Migrants
8	Consider the possibility of expressing its consent to be bound by the ICRMW	Argentina	Rejected	3	International instruments, Migrants
9	Consider the possibility of expressing its consent to ratify the ICRMW	Palestine	Rejected	3	International instruments, Migrants
10	Consider the possibility of expressing its consent to accede to the ICRMW	Bosnia & Herzegovina	Rejected	3	International instruments, Migrants
21	Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Switzerland	No Response	5	ESC rights - general, International instruments
39	Continue to further improve the already existing solid institutional framework regarding the protection of human rights and fundamental freedoms, and share best practices in this field	Greece	Accepted	2	General
45	Adopt and implement firmly all necessary measures to improve and ensure respect of the rights of people belonging to minorities	Switzerland	Accepted	4	Minorities
46	Develop and assess its strategies to combat human trafficking	Switzerland	Accepted	4	Trafficking
49	Ensure necessary resources to facilitate the implementation of programs aimed at improving the situation of Roma people	Canada	Accepted	4	Minorities



52	Pay special emphasis on informing members of especially the Roma community, the elderly, women and the disadvantaged of their constitutional rights as citizens	Finland	Accepted	4	Minorities, Women's rights
53	Initiate public programmes to increase knowledge and awareness about sexually transferred diseases - STDs - and contraception	Germany	Accepted	5	HIV - Aids
54	Give positive consideration to the request to carry out a visit to the country by the Special Rapporteur on the question of the trafficking of persons	Belarus	No Response	5	Special procedures, Trafficking
63	Redouble efforts for the effective implementation of criminal provisions relating to acts of ethnic discrimination so as to prevent discrimination and human rights violations committed against persons belonging to minority groups	Mexico	Accepted	4	Minorities, Racial discrimination
69	Step up its efforts aimed at strengthening its effective implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	Argentina	Accepted	4	International instruments, Torture and other CID treatment
76	Continue to ensure effective implementation of the national and transnational referral mechanism for victims of trafficking, and improve public awareness about the human trafficking issue	Indonesia	Accepted	2	Human rights education and training, Trafficking
77	Step up its effort to combat trafficking in persons, inter alia, through the development of international cooperation with interested Governments, international organizations and non-governmental organizations	Belarus	Accepted	4	Civil society, Trafficking
78	Strengthen its efforts relating to the fight against human trafficking, ensuring that all aspects of the issue, from prevention to the suppression of crimes and the protection of victims, are taken into consideration	Belgium	Accepted	4	Trafficking
82	Take concrete action to bring to justice those who committed human rights violations against the members of the Turkish minority in the period 1984-1989 before the natural extinction of both the victims and perpetrators of the said events	Turkey	Rejected	4	Justice
84	Continue its efforts to investigate, prosecute and convict trafficking offenders	Ukraine	Accepted	2	Trafficking



85	Continue its judicial reforms in the form of amendments to the Judicial Systems Act, the Penal Code and the Penal Procedure Code, the Ministry of Interior Act and the Criminal Assets Forfeiture Act and the like, give attention to more training and professionalism within the judiciary as well as the enhancement of the appraisal and appointment systems, and strengthen the accountability and efficiency of the Supreme Judicial Council	Netherlands	Accepted	2	Justice
86	Continue to focus political attention and commitment, as well as the necessary administrative resources in Bulgaria, on the crucial issue of promoting efficiency and consistency throughout the justice system, and not least the accountability of the judiciary	Denmark	Accepted	2	Justice
88	Enshrine in its Constitution the protection of rights of national and ethnic minorities	Nigeria	Rejected	5	Minorities
90	Strictly apply all legal and disciplinary means to sanction corruption, conflict of interest and organized crime, and accelerate the implementation of the action plan to implement the National Anti-Corruption Strategy	Netherlands	Accepted	4	Corruption, National plan of action, Public security
105	Take necessary action to address the impediments faced by the Turkish minority in exercising its religious freedoms, including the prevention of choosing religious leaders and their discouragement from restoring the property of the foundations and refusal for construction of mosques in the cities	Turkey	Rejected	4	Freedom of religion and belief, Minorities
106	Take necessary measures to ensure that local authorities respect the religious freedom of minority religious groups and treat all religious groups equally	United States	Accepted	4	Freedom of religion and belief, Minorities
107	Work for more diversified ownership of the media, and thoroughly investigate cases of intimidation-harassment against journalists, in order to fully ensure freedom of the press	Norway	Accepted	4	Freedom of the press
110	Use more actively existing or new platforms for involving the Roma community in policy formulation and implementation at both the local and central levels, and actively pursue an increase in the number of Roma in all public institutions	Netherlands	Accepted	4	Minorities
111	Consider adopting cash grant policies to alleviate poverty of vulnerable groups and to link it with health care, such as vaccination and prenatal care	Brazil	Accepted	3	Poverty, Right to health
115	Take effective measures to enhance the health-care sector	Algeria	No Response	4	Right to health



120	Communicate more efficiently to Roma parents the importance of literacy and the positive effect of education on the children's future, and, in this task, use the help of school assistants with a Romani background	Finland	Accepted	4	Minorities, Right to education
123	Step up all efforts to protect the rights of migrants and also foster their economic and cultural life and improve their standard of living, particularly for large families, and provide them with Government financial support	Iraq	Accepted	4	Migrants
125	Continue to improve the living conditions of Roma people	Italy	Accepted	2	Minorities
126	Strengthen agreed efforts and the consolidation of existing acquis on the integration of Roma People, particularly relating to budget and coordination of the various programmes established by the authorities	Morocco	Accepted	4	Minorities
127	Continue to give political attention, commitment and concrete action on the issue of combating any discriminatory practices against the Roma minority	Denmark	Accepted	2	Minorities
128	Promote the economic and social integration of Roma individuals and respect for their rights by ensuring that due consideration is given in all policymaking processes to the impact on Roma of proposed legislation	United Kingdom	Accepted	4	Minorities
130	Promote the identity of the Armenian minority by further addressing its educational, religious and cultural needs	Armenia	Accepted	4	Minorities
131	Fully implement the obligations from the Framework Convention for National Minorities of the Council of Europe and allow the registration of OMO Ilinden PIRIN and allow fully enjoyment of all rights to the Macedonian minority and other minorities, by fulfilling cultural and other related rights	Macedonia FYR	Rejected	5	Minorities
132	Fully respect all international obligations by accepting the legally binding United Nations documents and by its membership in the United Nations, especially articles 1, 3, 6 and 15 of the International Covenant on Civil and Political Rights, and by respecting the decisions of the other United Nations bodies and other organizations at the national level, especially, the decisions of the Human Rights Court in Strasbourg, in regard to minority rights	Macedonia FYR	Accepted	5	CP rights - general, International instruments, Minorities
135	Continue consultations with civil society in the follow-up to this review	Austria	Accepted	2	Civil society, UPR process

A= Action Category (see on [our website](#))

SMR = State making recommendation

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