**Overview of the legal and policy frameworks addressing ‘vulnerability’ of violation of fundamental rights and poverty and social exclusion and groups at risk in Bulgaria**

**Report**

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1. Overview of vulnerable groups

This section will provide an overview of the vulnerable groups to be analysed in the report. It will also include an overview of the operational criteria applied for defining the concept of ‘vulnerability’.

Bulgarian legal framework does not have a specific definition of ‘vulnerable groups’ or ‘vulnerability’, but rather scattered elements throughout acts in different areas. The Pre-School and School Education Act *(Закон за предучилищното и училищното образование)*[[1]](#footnote-2)does use the notion of ‘vulnerable groups’ *(уязвими групи)* without defining it, postulating an obligation for each school to elaborate a programme for equal opportunities and integration of such groups, and additional funding for working with those. The Asylum and Refugees Act *(Закон за убежището и бежанците)*[[2]](#footnote-3) offers a list of vulnerable groups with regard to international protection under, among others, the 1951 Refugee Convention and Directive 2011/95/EU (the Qualification Directive): (unaccompanied) children, persons with disabilities, the elderly, pregnant women, single parents with children under 18 years of age, victims of human trafficking, persons with severe health problems, persons with mental disorders and persons having suffered torture, rape or other severe forms of mental, physical or sexual violence. A relatively developed notion of vulnerable groups, with regard to health and beyond, is offered by the National Health Strategy 2020 *(Национална здравна стратегия 2020)*.[[3]](#footnote-4) It determines as vulnerable groups in terms of health the illiterate, the homeless, the minorities, the long-term or permanently unemployed in social isolation and economic dependence on the state, the refugees and asylum seekers, the victims of human trafficking, domestic and other violence, the families of people suffering from alcohol and other abuse, the people with severe mental and physical disabilities. Children within those groups are in particular risk. Thus, the few definitions, or rather scopings of vulnerability throughout Bulgarian legal and policy frameworks define as factors personal situation (children, persons with disabilities/health problems, single parents, minorities, etc.) as well as a number of social determinants (illiteracy, homelessness, victimisation, unemployment, social exclusion, etc.).

The present report is concerned with the following groups vulnerable to poverty, social exclusion, exploitation and violation of fundamental rights in Bulgaria: Roma, children at risk, persons with disabilities, very young persons, older persons, people in precarious housing, third-country nationals, emigrant household members, victims of domestic violence, LGBTQ+ persons, energy-poor persons and undeclared workers, and the overlaps among them, resulting in persons’ multiple vulnerabilities and accounting for within-group differentiations.

The groups have been chosen based upon careful desk research, as well as opinions by experts, shared at various events. Specialists from relevant institutions have elaborated on the vulnerability of the poor, especially the energy poor and the water poor, the children from vulnerable populations as a horizontal group of extreme dynamics, the persons with disabilities and the Roma, as well as of the people who live alone and cannot service their needs and the people with mental disabilities. People from ethnically segregated and closed communities (like, potentially, the Roma and the third country nationals) have been put among the ‘traditional’ vulnerable groups. People from remote areas (like, potentially, younger and older persons) have been put among the traditional groups and/or the ones difficult to reach by authorities/services, for example with regard to access to education. Children (at risk) are said to suffer both from lack of self-declaration by parents (e.g. in the case of children with psycho-social difficulties) and from newly established factors like parents’ emigration (so called ‘Skype parenting’) or mobility for work, making the latter also difficult to reach. No data is said to exist about older people living alone, especially if they are above the threshold for social support, neither is there a definition, and hence consistent data collection, on the energy poor. Moreover, experts from NGOs have identified among less known and research vulnerable groups Roma women and children, refugees and migrants, victims of domestic violence, the homeless and the undeclared workers, children with disabilities in families, people with dependencies, people with illnesses of social significance, like the HIV positive persons. The selection in the present report steps upon the views of institutional and NGO experts, specifying vulnerable children as children at risk and adding a special emphasis on younger and older persons, as well as the newly emerging vulnerabilities of the LGBTQ+ community.

Almost none of those are identified as ‘vulnerable’ or even defined comprehensively in national legislation – as will be seen below, legal definitions are scarce and often define similar terms, or elements of the groups’ vulnerability. Few explicit references are made to international legal frameworks or relevant EU legislation, although many of the domestic acts actually transpose/implement them. Common risks the groups face with regard to enjoyment of their fundamental rights are poverty and social exclusion, and related poor access to housing, employment, education and training. Violence and/or exploitation is a particular factor for a number of the groups, like the Roma, the children, the people with disabilities, the undeclared workers and the victims of domestic violence, the LGBTQ+ group. Negative stereotyping, discrimination and negative cultural practices also affect a number of those populations. National policy frameworks, presumably quite influenced by international and EU policy agendas, take a significantly deeper look at those groups, listing many specific vulnerability factors and their intersections, as well as mainstream factors affecting vulnerable individuals. International and EU policy frameworks are usually expressly mentioned and operationalisation is done through (bi-)annual action plans and programmes. Financing is usually done via the state budget, operational programmes and other project based EU funding.

1. Summary of definitions

This section will outline the definitions used to define the groups in question (see section 1) in the primary and secondary legislation, as well as strategic and policy documents reviewed below.

1. **Roma**

Bulgarian legal sources do not offer a definition for the Roma group. The national Roma integration strategy[[4]](#footnote-5) states ‘Roma’ is an umbrella term which includes both Bulgarian citizens in a vulnerable socio-economic condition who identify themselves as Roma, and citizens in a similar situation, defined by the surrounding population as Roma, regardless of their self-identification. A very current policy definition by the Active Citizens Fund of the EEA Grants 2014-2021, cites the Strategy and follows verbatim its definition.[[5]](#footnote-6)

These definitions put as a leading criterion Roma’s vulnerable socio-economic position, supported by, alternatively, their self-identification or their identification as such by the surrounding population, regardless of their self-identification.

1. **Children at Risk**

Although these are not the only situations of risk from a practical standpoint, ‘children at risk’ are expressly defined as an umbrella group in child protection legislation, and accorded special protection, – according to the law, those are persons under 18 years of age, impacted by one or more of the following: lack of parents or deprivation of parental care; victimhood of abuse, violence, exploitation, or any other inhuman or degrading treatment or punishment in or out of their family; in danger of causing damage to their physical, moral, intellectual and social development; risk of or actual dropping out of school.[[6]](#footnote-7) Specialists also point out different age limits of ‘child’ in different pieces of legislation, for example the family allowances legislation[[7]](#footnote-8) sees a child as a person of up to 20 years of age, which may create gaps and contradictions, but allegedly contributes to the individualisation of social services.

The National Strategy for the Child (2008-2018) (*Национална стратегия за детето (2008-2018)*) gives a list of ‘children at risk’, and elaborates on each of their categories: children institutionalised for specialised care, children with special education needs, victims of violence and exploitation, children on the street, children subjected to dangerous child labour, victims of trafficking or other crimes, perpetrators of crimes, children on the internet, children victims of traffic accidents, and children refugees.[[8]](#footnote-9) The Strategy is operationalized in annual National Programmes for Child Protection.

NGO analyses[[9]](#footnote-10) have given the children at risk an even more specific scope by including criminological and victimological risks: children who run away from home, school or specialised institutions, vagrant and begging children, children without care, children using alcohol and drugs, children victims and perpetrators of crimes, abused children, children victims of violence within the family or among children, children victims of sexual exploitation, forced prostitution and trafficking.

1. **Persons with Disabilities**

The Constitution of the Republic of Bulgaria *(Конституция на Република България)*, talks about people with ‘physical and mental disabilities’ *(физически и психически увреждания)* in two provisions,[[10]](#footnote-11) one obligating the state to facilitate their right to employment, and one according them ‘particular care’ *(особена закрила)*.

The People with Disabilities Act *(Закон за хората с увреждания)[[11]](#footnote-12)* defines, along the definition of the Convention on the Rights of Persons with Disabilities (CRPD), ‘persons with disabilities’ as persons with physical, mental, intellectual or sensory impairments which in interaction with the surrounding environment may hinder their full and effective participation in public life. Persons with long-term disabilities are defined, using the same components, with the note of the long-term nature of the impairments and a medical expert opinion of a disability of 50 or over 50%. In an advocacy report from 2016,[[12]](#footnote-13) the Center for Independent Living *(Център за независим живот)* also follows the CRPD in defining disability as a dynamic social notion, which reflects the impossibility of people with ‘long-term physical, mental, intellectual and/or sensitive impairment’ to participate in the communities of their choice due to barriers in the environment they inhabit – physical, cultural and institutional.

Thus, the leading criteria used to delineate the group of persons with disabilities, are their various impairments= Still, in an attempt to escape from the long years of ‘medicalisation’ of disability, Bulgaria has officially recently introduced the supporting criterion of hindered participation in public life, although its practical implementation is still to be seen.

1. **Very Young Persons (15-29 y.o.)**

The Bulgarian Youth Act *(Закон за младежта),*[[13]](#footnote-14)andthe Bulgarian National Youth Strategy,[[14]](#footnote-15) define ‘youth’ *(младежи)* as persons between 15 and 29 years of age. Besides the age criterion, for the purposes of the present report, special attention will be paid to the school drop-outs, the non-economically active, and the untrained and unqualified professionally, touching, in some parts, upon the well known category of NEETs.

1. **Older Persons (>55 y.o.)**

Bulgarian legal and policy framework only offers scattered definitions related to particular aspects of this group. The new Social Services Act (*Закон за социалните услуги*),[[15]](#footnote-16) in force as of 1 January 2020, defines older people above working age/unemployable *(възрастни хора в надтрудоспособна възраст)* as persons who have reached the age of retirement – generally, 60 years and 10 months for women and 63 years and 10 months for men, with a certain number of years of social security contributions. Thus, age and period of social security contributions are the leading defining criteria for social security and social services legislation, including the cases where older people do not have access to any other pension and are accorded, under certain conditions, the so called ‘social pension’.[[16]](#footnote-17) Without giving an express definition, the National Strategy for Active Ageing[[17]](#footnote-18) puts a lower age threshold, namely 55 years of age, and uses the additional criterion of being employable, or retired.

1. **People in Precarious Housing**

Bulgarian legal system does not offer a specific definition for this group, but has a number of definitions for the homeless. In an act on social and shared economy,[[18]](#footnote-19) a homeless person is one who does not own a home, cannot rent one using own financial means and is not placed in municipal housing and/or due to an incident has been left without housing. An older regulation on social services[[19]](#footnote-20) uses a similar definition, but adds the criterion of not having parents or children able or willing to give the person housing. One of the most recent definitions is found in the new Social Services Act (*Закон за социалните услуги*),[[20]](#footnote-21) where the homeless are persons who have no ownership or co-ownership of a residential property and have been left without shelter due to unforeseen circumstances (e.g. accidents, but also various housing damage), as well as, importantly, persons who have chosen homelessness as a way of life.

The Operational Programme "Regions in growth"[[21]](#footnote-22)provides the following policy description/definition of the group of the homeless and people living in precarious conditions, the latter seemingly having a ‘home’, which is below usual housing standards: persons who do not own/use for free a home, or movable or immovable property or parts thereof, which can be a source of income, not accommodated in a specialized institution and at the same time meeting at least one of the following conditions: living on the street or in public, without shelter; not having a usual place of residence and using shelters or other temporary accommodation services; occupying a home that does not meet the statutory standards for housing and design; occupying a dwelling that is not electrified or has no access to drinking water or sewage; living in overcrowded housing.

In the absence of a more comprehensive definition, the following criteria will be used to delimit the group: (1) people living in transitionary housing or shelters, (2) people living in remote areas with limited access to basic infrastructure like electricity, heating or water, and (3) people living in housing with limited or absent basic amenities (running water, electricity, means of sanitation, lack of heating, etc.). An important additional factor may be the person’s own will to live in such housing, as opposed to those in a bad economic situation, making them live in such conditions against their will.

1. **Third-Country Nationals**

The Constitution of the Republic of Bulgaria *(Конституция на Република България)*[[22]](#footnote-23) makes a scarce reference of foreigners *(чужденци)* and, as it was adopted before Bulgaria’s EU accession, the category presumably covers also EU nationals, i.e. anybody who does not have Bulgarian nationality. Foreignersresiding in the Republic of Bulgaria have all rights and obligations under the Constitution except those for which Bulgarian citizenship is required. Foreigners residing on a lawful basis cannot be expelled/transferred to another state against their will except in cases regulated by law. Bulgaria gives asylum to foreigners persecuted due to their convictions or for protecting internationally recognised rights and freedoms.

The Asylum and Refugees Act *(Закон за убежището и бежанците)[[23]](#footnote-24)* defines international protection, consisting of refugee and humanitarian status, and temporary protection, and offers an overall definition of foreigner: any person who is not a Bulgarian citizen, or a citizen of another EU Member State, or of another EEA state or Switzerland, as well as a person who cannot be seen as citizen of any state. The Foreigners in the Republic of Bulgaria Act *(Закон за чужденците в Република България)[[24]](#footnote-25)* gives a broader definition of foreigner as ‘any person who is not a Bulgarian citizen’, but expressly excludes EU, EEA and Swiss citizens as subject of other legislation. Thus, the lead criterion for defining third-country nationals is their lack of Bulgarian, but also EU, EEA or Swiss citizenship. For the purposes of the present report, it will include persons seeking and having received international protection (asylum seekers and refugees) and other migrants in an irregular or regular situation. TCN family members of EU nationals are a relatively small group and no significant vulnerabilities are encountered with regard to them apart from administrative difficulties in regularising their stay.

1. **Emigrant Household Members**

Emigrant household members, as such, are not defined in Bulgarian legislation. A composite definition can be derived from:

* the definition of Bulgarians living outside of Bulgaria:[[25]](#footnote-26) having at least one ascendant of Bulgarian origin, having Bulgarian national identity and living long-term or permanently on the territory of another state, and
* the Family Code *(Семеен кодекс),*[[26]](#footnote-27) defining relatives in the ascending and descending line and regulating alimony/dependency: alimony is given to a person who cannot work and cannot sustain himself/herself from his/her property; alimony is provided to several groups of dependants: children and spouse, parents, former spouse, grandchildren, siblings, grandparents; alimony is determined in accordance with the needs of the dependent and the capacities of the person giving it; children are given alimony by parents until reaching 18 year of age and then up to 20 years of age if they study in secondary school, or 25 years if in University;

Thus, the group of emigrant household members would include the following sub-groups residing in Bulgaria: (1) children of people emigrated from Bulgaria, and (2) dependent children and adults of people emigrated from Bulgaria.

1. **Victims of Domestic Violence**

Victims of domestic violence are defined in Bulgaria’s special Act on the matter*.*[[27]](#footnote-28)It uses the following criteria: (1) victim of any act of physical, sexual, mental, emotional or economic violence, coercive restriction of personal life, liberty and rights (2) perpetrator of the violence is related to, in a family relationship or de facto co-habitation with the victim: (former) spouse, (former) co-habitant, father of the victim’s child, ascendant, descendant, person in a collateral relationship up to the fourth degree included, person related by marriage up to the third degree included, guardian, custodian or foster parent, ascendant or descendant of the victim’s (former) co-habitant, (former) co-habitant of the victim’s parent and/or (3) when domestic violence is committed in the presence of a child, that child shall also be considered a victim.[[28]](#footnote-29) Recent amendments in the Criminal Code *(Наказателен кодекс)* criminalised, in addition to violations of protection orders, a number of violent acts ‘in a situation of domestic violence’[[29]](#footnote-30) *(в условията на домашно насилие)*, defining it as **systematic** (usually at least three or more acts, showing a sustainable pattern in accordance with case-law)physical, sexual or mental violence, economic dependence, coercive restriction of personal life, personal freedom and personal rights, committed against a descendant, ascendant, spouse or former spouse, a person with whom the victim has a child, a person with whom the victim is or was in co-habitation, a person with whom the victim lives or lived in the same household. Thus, the two acts offer as defining criteria the type of violence sustained as well as the relationship between victim and perpetrator.

1. **LGBTQ+ Persons**

The LGBTQ+ persons do not have any legal definition, while same sex marriages are expressly excluded by Bulgarian law (see below). In the absence of such, one can assume as leading operative criterion the self-identification of individuals as part of that community. A subsidiary criterion of particular importance for the situation in Bulgaria is the identification of persons as such by other members of the public due to various components of physical appearance.[[30]](#footnote-31)

1. **Energy-poor Persons**

Experts maintain that there is neither definition, nor data on national level about the energy poor persons, as it should in principle include many different sectoral policies – economic aspects, employment, housing aspects, under different administrations which cannot reach agreement on the matter.

Bulgarian legal system does not offer a definition for the group. The Energy Act (*Закон за енергетиката*)[[31]](#footnote-32) defines vulnerable customers as household customers who receive targeted benefits for electricity, heat or natural gas under the social assistance legislation. The Sofia-based Open Society[[32]](#footnote-33) applies a ‘monetary’ definition, focusing on the portion of the expenses for energy relative to the monthly budget of household. Another report on energy poverty[[33]](#footnote-34) maintains that a household is energy-poor when its members cannot afford the necessary heating comfort at a reasonable price, depending on their income.

Thus, the group of energy-poor persons will be defined along the following criteria: that they experience insufficient levels of energy services due to (1) the unaffordability of energy services, or (2) the tangible inaccessibility of energy services.

1. **Undeclared Workers**

Neither Bulgaria, nor the EU offer a common definition of undeclared work. The main types of undeclared work in Bulgaria, according to working definitions of the National Revenue Agency (NRA) (*Национална агенция за приходите*, НАП) and The General Labour Inspectorate Executive Agency (GLI) (*Изпълнителна агенция „Главна инспекция по труда“*, ГИТ), are: working without a written labour contract, or with one unregistered with authorities, with a lower official wage than the real wage, i.e. ‘envelope’ wages; recruitment under, or at the minimum insurance threshold for the respective job; declaring labour contracts as part-time work instead of full-time employment; false calculation of working time not accounting for holiday and overtime,[[34]](#footnote-35) thus all people working in conditions, somehow violating labour legislation (see below).

1. Review of Bulgarian legal acts

In this section, Bulgarian primary and secondary legislation will be reviewed, which defines and/or refers to the groups from section 1. For the groups present in Bulgarian legislation, the section will add the relevant international and EU standards to which Bulgarian legislation refers or which it has practically implemented without explicit referral. For the groups not present in Bulgarian legislation, the relevant standards Bulgaria is bound by are mentioned. The information will be presented by groups, as follows.

1. **Roma**

The Constitution[[35]](#footnote-36) only offers a reference to integration of ethnic minorities, through the general prohibition of discrimination based on, among others, ethnicity and the practical recognition of their cultural rights.

The Protection Against Discrimination Act *(Закон за защита от дискриминация)*[[36]](#footnote-37) aims at equality before the law, equal treatment and opportunities for participation and effective protection against any discrimination – direct or indirect – based on, among others, ethnicity. The Act lists as discrimination any harassment based on protected grounds, as well as, notably in the case of Roma/ethnic minorities, incitement to discrimination and racial/ethnic segregation.[[37]](#footnote-38) The Act does not contain a definition of Roma, but applies the concept of ‘minorities’ *(малцинства)*, providing a number of vulnerability factors. Among the acts that do not constitute discrimination, the Act lists measures to affirm the identity of ethnic, religious or linguistic minorities, as well as their right to individually or collectively sustain and develop their culture, manifest their beliefs or use their language, and affirmative actions for the participation of ethnic minorities in the educational system. The Act offers specific protection in the context of the right to work (obliging employers to support the job application, professional development and participation of the underrepresented gender or ethnic groups) and negative stereotyping in education. Authorities should also encourage the participation of ethnic minorities in government and decision making. Thus, the Act practically enlists a number of vulnerability factors for groups like Roma, including discrimination and incitement thereto, racial segregation, various forms of violations of their identity/culture/beliefs/language and right to work, negative stereotyping, impaired participation in government and decision making.

1. **Children at Risk**

The Constitution of the Republic of Bulgaria (*Конституция на Република България*) explicitly proclaims that children, together with mothers and the family unit are under the protection of the State and the society. The raising and education of children until they reach adulthood is a right and a duty of their parents, with the support of the State. Special protection is proclaimed to children left without the care of their relatives. Lastly, the right to education is guaranteed and school education is mandatory until the age of 16.[[38]](#footnote-39)

Besides defining children at risk, the Child Protection Act (*Закон за закрила на детето*) provides for a national information system on such children, ensures support by social support directorates *(дирекции „Социално подпомагане“)* to their professional orientation and qualification and aims to counter an additional risk of the child’s abandonment, including right after birth.[[39]](#footnote-40) A multidisciplinary co-ordination mechanism in cases of violence is regulated.[[40]](#footnote-41) In the regulation for the Act’s implementation, the functions of social workers are listed, regarding signals for children at risk, and the role of the national telephone line for children 116111 in identifying such children.[[41]](#footnote-42)

The Protection against Discrimination Act (*Закон за защита от дискриминация*)[[42]](#footnote-43) stipulates that the special protection of children without parents is not a discriminatory act.

The new Social Services Act *(Закон за социалните услуги)* deals with children at risk, and risk in general, in considerable detail. It puts the occurrence of a specific risk for the life, limb or quality of life, or development of a person as a pre-requisite for offering specialised, as opposed to general, social services, and identified risks as a component of supportive, as opposed to preventive and rehabilitative services. Children at risk are a specific target group for social services, different from ‘all children’. Social service providers face an express prohibition to refuse support to children and an obligation to inform the social support directorates *(дирекции „Социално подпомагане“)* in case the child seeking support is at risk.[[43]](#footnote-44)

Victimisation of children by violence and exploitation is specifically dealt with in the legislation against domestic violence (see section on domestic violence) and on children victims of trafficking. The Combatting Human Trafficking Act *(Закон за борба с трафика на хора)[[44]](#footnote-45)* includes child protection authorities at all levels of combatting trafficking and gives to children victims special care, including speedy identification of their families, measures under the child protection legislation, representation and a longer reflection period.

Thus, the main vulnerability factors for the children at risk are contained in their very legal definition (see above). Additional factors are institutionalisation, special education needs, street life, (dangerous) child labour, contact with the justice system as victims or perpetrators, refugee/migrant status. Further to that, one can note as a significant factor the (lack of) co-ordination within multidisciplinary teams tasked with treating such cases and among institutions and NGOs which should provide social services and support.

1. **Persons with Disabilities**

The People with Disabilities Act *(Закон за хората с увреждания)*[[45]](#footnote-46) practically delineates the vulnerability factors, and areas, people with disabilities are faced with: the full and equal enjoyment of their rights, social exclusion, upholding their dignity, support to them and their families; equal treatment, individual approach towards them and their needs assessment; observance of their personal choice and independence, full and effective participation for them and their families in public life and the accessibility of environment. A non-exhaustive list of vulnerability areas is presented in the spheres of life where people with disabilities should get support: healthcare, education, employment, housing, accessible environment in urbanised areas and public buildings, transport, culture, sports, personal life, public and political life, justice and others. The means by which this support should be rendered also point to gaps which may potentially turn into vulnerabilities: (lack of) medical, professional, social, employment and psychological rehabilitation, education and vocational training, services supporting employment, accessibility and reasonable adjustments, social services, financial support, access to information, access to justice and legal support, personal mobility with maximum independence, personal support, universal design and others. The Act specially points out to foreigners with disabilities as having equal rights to Bulgarians with disabilities if their disabilities have been determined under Bulgarian legislation, thus being a cross-sectional vulnerable group.

The Protection Against Discrimination Act *(Закон за защита от дискриминация)*, protects against any form of discrimination based on, among others, disability.[[46]](#footnote-47) The Act lists as discrimination the architectural environment, hindering the access of persons with disabilities to public spaces. Amongst the measures not constituting discrimination are the different treatment of persons with disabilities when training or educating them to meet their specific educational needs and equalise their opportunities, as well as their special protection by law. The Act regulates obligations for employers and educational institutions to accommodate their needs, unless the costs are unreasonably high or considerable difficulty is created; moreover, trainers and educators should work to overcome negative stereotyping of persons with disabilities. Thus, other vulnerability factors include inaccessible architectural environment, lack of/unequal access to employment and training to meet their specific needs, and negative stereotyping.

The Child Protection Act *(Закон за закрила на детето)*[[47]](#footnote-48)provides for special care for children with disabilities and the prevention of their abandoning by parents (the latter as of 1 January 2020). This points to children with disabilities as a group subjected to a multitude of vulnerability factors, especially abandonment if no medical and social support is offered. Specialists also point to the frequent unwillingness of parents to subject their children to checks to establish their (psycho-social) disability due to fear of negative stereotyping – which, in turn, hinders their identification.

The new Social Services Act *(Закон за социалните услуги)*[[48]](#footnote-49)aims to establish guarantees related to the equal access to individualised social services, their quality and efficiency, as well as the right of everybody to assistance in private and public life. The Act promotes an inclusion-based approach and enlists a number of social services, covering or specially designed for children and adults with disabilities, including resident-based care for children, substitute care for children and adults, assistance, integrated health and social services. The quality, accessibility and various (time) constraints to such services are a significant vulnerability factor precluding to a large extent the social inclusion of such persons.

The Labour Code *(Кодекс на труда)*[[49]](#footnote-50) looks at disability as ‘long-term reduction of the work ability’ *(трайно намалена работоспособност)* and provides for special protection of such people, including offering them another job, if they cannot practice their original functions, the creation of special work establishments and units, augmented annual leave. Thus, the lack of an accessible, adjusted work environment is seen as a decisive vulnerability factor for people with disabilities, hindering their social inclusion.

The Pre-School and School Education Act *(Закон за предучилищното и училищното образование)*[[50]](#footnote-51)puts inducing tolerance and respect of the rights of children, students and people with disabilities among its main aims, regulates special schools for students with visual or hearing impairments and various additional support measures for personal development *(допълнителна подкрепа за личностно развитие)* and rehabilitation. Importantly, the Act postulates that disciplinary violations as a result of a duly established disability of a student should not be sanctioned. Thus, the lack of tolerance, special support and due account of the students’ disabilities in the educational environment should count as specific education-related vulnerability factors.

The Spatial Planning Act *(Закон за устройство на територията)*[[51]](#footnote-52) lays out the grounds of the regulation of accessibility of environment while minimum requirements with regard to the design, construction and maintenance, including for the benefit of persons with disabilities, are established in a special ordinance.[[52]](#footnote-53) Accessible architecture and construction is of extreme importance for the everyday life of persons with disabilities and thus a decisive vulnerability factor.

1. **Very Young Persons (15-29 y.o.)**

The Bulgarian Youth Act *(Закон за младежта)*[[53]](#footnote-54) leaves the analysis of the main challenges before the state’s youth policy to the National Youth Strategy *(Национална стратегия за младежта)* and the strategy’s annual implementation plans *(годишен план за изпълнение)*, the national youth programmes *(национални програми за младежта)* and reports on youth *(годишен доклад за младежта)*. Powers on regional and municipal level are also regulated, with respective regional and municipal youth plans. There is also a national youth information system *(национална информационна система за младежта)* containing youth’s current needs.

Specific entitlements, and thus vulnerability factors, for youth are found in different pieces of sectoral legislation. In the Employment Promotion Act *(Закон за насърчаване на заетостта)*,[[54]](#footnote-55) a special section on youth employment exists, regulating financial benefits for employers opening work, internship or apprenticeship positions for unemployed youth, including such with long-term disabilities or using resident-based social services, all expressly placed among the groups in unequal position on the labour market. In the Vocational Education and Training Act *(Закон за професионалното образование и обучение)*[[55]](#footnote-56), various framework programmes for students and persons over 16 years of age are regulated. The Pre-School and School Education Act *(Закон за предучилищното и училищното образование)*[[56]](#footnote-57)regulates evening schools for persons having completed 16 (or in some cases 14) years of age. Thus, education, professional qualification and employment turn out to be the main vulnerability factors for youth, bringing them into the NEET category, which policy documents tackle in detail.

1. **Older Persons (>55 y.o.)**

The Constitution of the Republic of Bulgaria **(***Конституция на Република България*) provides for special protection of the elderly, who have no relatives and cannot support themselves from their property.[[57]](#footnote-58)

The new Social Services Act (*Закон за социалните услуги*)[[58]](#footnote-59) applies, among others, to older people above working age, thus proclaiming them vulnerable to social exclusion and low quality of life. The Act regulates the right to substitute (home or specialised/resident) care for persons and families caring at home for the elderly unable to care for themselves.

The Employment Promotion Act (*Закон за насърчаване на* *заетостта)*[[59]](#footnote-60) practically works towards the economic integration of persons over 55 years of age, by providing for financing active employment policy measures and regulating financial incentives to employers who hire persons over 55 years of age. Notably, persons already over 50 years old are among the groups at risk on the labour market.

The Social Assistance Act(*Закон за социално подпомагане)*[[60]](#footnote-61)prohibits discrimination based on, among others, age and provides guarantees for the right to social assistance through social benefits for people unable to meet their basic necessities without the help of another, thus supporting their social inclusion. Those eligible for social benefits are people who, due to, among others, age reasons cannot meet their needs through their labour, income from property or persons, who should provide them with alimony.

Thus, the main vulnerability factors defined by law for older people are their social exclusion and inability to meet their basic needs through labour, income, or families, and the corresponding capacity of the social support system to meet those needs.

1. **People in Precarious Housing**

The Social Assistance Act(*Закон за социално подпомагане)*,*[[61]](#footnote-62)* puts housing among people’s basic necessities, along with sufficient food and clothing, thus putting those in precarious housing within the target groups of the Act, vulnerable to social exclusion and low quality of life. The new Social Services Act (*Закон за социалните услуги*)[[62]](#footnote-63) proclaims the (free of charge) provision of shelter as a social service, defined as temporary part-time accommodation of homeless persons and families and temporary safe accommodation of persons in crisis situations and victims of domestic violence and human trafficking.

The Municipal Property Act (*Закон за общинската собственост)*,[[63]](#footnote-64) provides for renting municipal houses to citizens with established housing needs. It also provides for accommodating in reserve dwellings (backup housing) for not more than two years persons whose houses have become uninhabitable as a result of disasters and accidents or are threatened by self-destruction or where families have acute social or health problems. Housing needs are established according to regulations of municipal councils, two examples following below.

The Sofia municipality housing regulation[[64]](#footnote-65) defines the scope of "municipal residential properties" as well as their purposes among which are renting to persons with established housing needs and accommodating persons in reserve dwellings (backup housing). The regulation determines the criteria which the candidates must meet and regulates the conditions and procedures for application, establishing housing needs, grades of housing neediness and accommodation for rent. It also prescribes the procedure for temporary accommodation in reserve dwellings. The Plovdiv municipality housing regulation[[65]](#footnote-66) has very similar provisions.

Thus, Bulgarian legislation mainly delineates various factors related and leading to homelessness and does not practically tackle precarious housing.

1. **Third-Country Nationals**

The Protection Against Discrimination Act *(Закон за защита от дискриминация)* protects against any form of discrimination based on, among others, nationality and citizenship.[[66]](#footnote-67)

The Asylum and Refugees Act *(Закон за убежището и бежанците)[[67]](#footnote-68)* regulates the international protection procedure and thus a number of potential vulnerability aspects for third country nationals involved. The state should create conditions for foreigners to receive legal aid, which is a traditionally problematic procedural area, together with interpretation/translation and understandable information. All foreigners seeking or having received protection have the right to profess their religion in accordance with the law. Unaccompanied children have an appointed representative from the municipal administration, whose level of qualification is of vital importance for the respect of their rights. Moreover, the State Agency for Refugees (SAR) (*Държавна агенция за бежанците*, ДАБ) has the obligation to prevent violence or inhuman or degrading treatment against children seeking protection. Foreigners have the right to education and vocational training, as well as recognition of qualifications. During the international protection proceedings, they have the right to accommodation and food, social support and healthcare, psychological support, interpretation, access to the labour market. During their stay in the SAR centres foreigners are subjected to medical checks, determining whether they belong to a vulnerable group. Foreigners having received protection may receive financial aid for accommodation. Family reunification is also regulated. Integration takes place, based on an integration agreement, subject to a special regulation.[[68]](#footnote-69) Thus, any element of violation, or insufficient/lacking access to procedural rights or practical entitlements for those seeking or having received international protection may turn into a vulnerability factor. Moreover, the concept of vulnerability is expressly introduced as regards those groups (see overview section).

Possible vulnerability factors in the Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*)[[69]](#footnote-70) should mainly be sought in the various compulsory measures it regulates in cases of non-compliance/violations. The return and expulsion procedures pose significant risks for inhuman and degrading treatment and punishment, as well as of violation of procedural rights. The placement in centres for irregular migrants may also pose risks for foreigners’ legal situation and well-being.[[70]](#footnote-71)

Potential factors for the vulnerability of foreigners on the labour market may be sought in the Labour Migration and Labour Mobility Act *(Закон за трудовата миграция и трудовата мобилност)*.[[71]](#footnote-72) Besides prohibiting discrimination on grounds such as ethnicity or disability, the Act has a whole chapter on equal treatment, which proclaims, for those within the framework of the Act (blue card holders, etc.), equality in the access to information and employment services, in the conditions for employment, collective bargaining, health and safety at work, social security, access to education and vocational training, recognition of diplomas and qualifications. Thus, any violation or insufficient access to such labour rights can be considered a vulnerability for those foreigners.

Specific vulnerability factors for foreigners should be sought within the framework of combatting human trafficking, although Bulgaria lags behind in identifying trafficking victims among third-country nationals. Besides the provisions in the Criminal Code *(Наказателен кодекс)*,[[72]](#footnote-73) аnd the related rights of victims of crime (see section on victims of domestic violence), the Combatting Human Trafficking Act *(Закон за борба с трафика на хора)* regulates the shelters and centers for support and protection for human trafficking victims, including foreigners. The Act has a chapter on support and protection of victims,[[73]](#footnote-74) regulating their reflection period, anonymity, special protection of child victims, as well as special protection of those having agreed to co-operate with authorities by prolonging their stay in the shelters and giving foreigners long-term residence permits for the duration of the criminal proceedings. Thus, the lack of, or insufficient access to, support and protection services may prove a vulnerability factor for foreign human trafficking victims. Insufficient prevention and counteraction of this criminal phenomenon is also a factor directly affecting (potentially) victimised foreigners.

1. **Emigrant Household Members**

Vulnerability factors, regarding emigrant household members, should be sought in mainstream legislation concerning children and, to a lesser extent, other dependants, seen within the context of the large group of Bulgarian emigrants.

The Family Code *(Семеен кодекс)*[[74]](#footnote-75)speaks at length of property and alimony specifics, concerning (potential) dependants, thus outlining mainly material and financial vulnerability factors, but also factors, concerning personal relations between parents and children. Each parent bears equal parental rights and obligations towards children under 18 years of age, which are exercised in the interest of the child by both parents together or separately, upon mutual agreement (replaceable by a court decision). Children have the right to be raised and educated in a way ensuring normal development. They have the right to personal relations with their parents, unless the court has ruled otherwise. In case of disagreement between a child and a parent, the child can turn to the social protection directorate *(дирекция „Социално подпомагане“)* or to court. Children, if over 18 years of age, should take care of their parents if they are elderly or sick. Parents have the right and obligation to take care of the children’s development, their education, personal and property interests. Parents and children live together unless important reasons impose them not to. Disputes regarding children’s residence, parental rights, and taking children abroad by one parent, are regulated. Parents represent their children under 14 years of age and consent to their legal actions if they are 14-18 years of age. Thus, all provisions of the Code, concerning parent-child relations, present a particular challenge in case the parents have emigrated (‘Skype parents’) and children are raised by various relatives. Difficulties may also arise if children, or families, decide to exercise their rights to family allowances or social services under the respective legislation.

1. **Victims of Domestic Violence**

Bulgaria has not ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and has pronounced it unconstitutional[[75]](#footnote-76) so no reference is made to the document in any of the country’s legal or policy acts. Legislation defining those victims (see above) offers a list of vulnerability factors, identifying domestic violence itself as phenomenon, but also related ones: physical, sexual, mental, emotional, economic violence; economic dependence (and related poverty); limitation of personal rights and freedoms (and related unemployment, social exclusion, lack of/poor education and healthcare). Domestic violence is often a component of labour/sexual exploitation.

The Protection against Domestic Violence Act[[76]](#footnote-77) regulates a civil law-based procedure of protection orders, including measures like restraining orders, taking the perpetrator out of the common dwelling, placement of the child with the parent, who has not committed domestic violence, specialised programmes for victims and perpetrators. Most of the measures are monitored and enforced by police, which also undertakes immediate urgent protection. Thus, a number of additional vulnerability factors may occur for victims, such as ineffectiveness of the protection orders and their practical application.

If a criminal procedure takes place, victims will also have entitlements under:

* The Criminal Procedure Code *(Наказателно-процесуален кодекс)*[[77]](#footnote-78) *-* right to information, participation in the proceedings in various capacities, legal aid, protection for them and their relatives, etc.
* Support and Financial Compensation to Victims of Crime Act *(Закон за подпомагане и финансова компенсация на пострадали от престъпления)*[[78]](#footnote-79) - right to victim support services and financial compensation, the latter for a number of serious crimes.

Thus, victims of domestic violence may be faced with yet another plethora of vulnerability factors: lack of information in an understandable language, formalistic attitude on the part of authorities, low accessibility and/or quality of services provided, including legal aid, complexity of legal procedures.

1. **LGBTQ+ Persons**

The Protection Against Discrimination Act *(Закон за защита от дискриминация)*[[79]](#footnote-80) ensures protection against discrimination, based on, among others, sexual orientation – heterosexual, homosexual or bisexual. Thus, the Act takes a slightly outdated standpoint on sexual orientation, without mentioning gender identity, and its proper application for the vulnerability grounds of the LGBTQ+ community would be a matter of practice and case-law.

In the absence of other specific legal regulation of LGBTQ+ persons, most vulnerability factors are inferred from the lack of provisions in a number of important areas, leaving the community in a legal limbo. The Constitution of the Republic of Bulgaria *(Конституция на Република България)*[[80]](#footnote-81) and the Family Code *(Семеен кодекс)*[[81]](#footnote-82)proclaim marriage as a voluntary union between a man and a woman, thus same-sex marriages are denied. No de facto co-habitation for same-sex couples, or legal recognition of common children, or explicit protection against domestic violence are regulated either. Recent studies[[82]](#footnote-83) further elaborate on the lack of explicit regulation on the consequences of a same-sex marriage, registered partnership or cohabitation formed in another Member State, which constitutes ‘a primary risk for systematic discrimination and serious prejudice to the right to family formation, marriage and respect for the private and family life, as well as the right to equality before the law’.[[83]](#footnote-84) Such a situation also affects the right to human dignity and the freedom of movement within the EU. Moreover, third country nationals, not being recognised as family members, may encounter difficulties in employment or independent economic activity. LGBTQ+ individuals would also suffer a discriminatory treatment in the fields of taxation, social insurance and inheritance, criminal procedure law, regarding legal representation or incriminating questions, civil procedure, administrative procedure and tax law. Thus, the situation of the LGBTQ+ community exhibits a number of vulnerability factors on both legal and practical level, which hinder the equal enjoyment of their rights.

1. **Energy-poor Persons**

In addition to defining vulnerable customers (see the section on definitions) the Energy Act (*Закон за енергетиката*)[[84]](#footnote-85) has special rules with regard to those: energy firms, providing services in public interest, should have special procedures for providing them with information, and the termination of energy provision for them.

The Energy Efficiency Act (*Закон за енергийната ефективност*)[[85]](#footnote-86) regulate national action plans which may include priority measures for energy poor households or social housing.

The Social Assistance Act(*Закон за социално подпомагане)[[86]](#footnote-87)*introduces targeted social benefits for heating, subject to a special regulation.[[87]](#footnote-88) It provides for a special differentiated income for the purposes of heating aid, including for a number of otherwise vulnerable groups like children, people with disabilities, older persons.

Thus, legal framework on those in energy poverty expressly links them with a number of other vulnerable groups: social housing inhabitants, people with disabilities, (families with) children, older people. In this way, energy-poor persons are characterised with their additional vulnerabilities, while energy poverty turns out a decisive vulnerability factor for a number of other groups.

1. **Undeclared Workers**

Тhe Labour Code *(Кодекс на труда)*[[88]](#footnote-89) deals with a number of hypotheses of undeclared work via stringent regulation of the conclusion of written labour contracts with notification to tax authorities to prevent working without contract, and fixed-term contracts and overtime, which are only allowed in strictly defined cases, as all those have historically been used to cover undeclared work. Control authorities may proclaim the existence of a labour relationship if work has been done in violation of the labour legislation. All those cases, seen in the light of the substantial guarantees the Code provides for employees, point to a number of vulnerabilities undeclared workers can experience: unpaid remuneration and social and health security contributions, violations of health and safety at work, violations of the regime of paid/unpaid holidays, etc. Undeclared work may also be sanctioned under the Tax Insurance Procedure Code *(Данъчно-осигурителен процесуален кодекс)*,[[89]](#footnote-90)the Social Security Code *(Кодекс за социално осигуряване)*,*[[90]](#footnote-91)* and the Income Taxes on Natural Persons Act *(Закон за данъците върху доходите на физическите лица)*.*[[91]](#footnote-92)* Thus, undeclared workers can also suffer from various penalty proceedings, which can significantly interfere with their personal and economic sphere.

The Employment Promotion Act *(Закон за насърчаване на заетостта)*[[92]](#footnote-93) provides for terminating unemployed persons’ registration at the labour bureaus if they have declared incorrect circumstances, presumably including hiding their undeclared work. Thus, undeclared workers may also lose their possible unemployment benefits.

A particular case of undeclared work in prohibited by the Labour Migration and Labour Mobility Act *(Закон за трудовата миграция и трудовата мобилност)*[[93]](#footnote-94) – the hiring of illegally residing third country nationals, whereas the employer owes to the foreigner the remuneration due for three months. Thus, Bulgarian legislation makes a link between, undeclared workers and foreigners, the latter being particularly vulnerable to all types of exploitation.

1. Bulgarian policy frameworks addressing vulnerability

This section will provide a list of Bulgarian strategic and policy documents addressing vulnerability (see section 1). Both cases of targeted (specifically addressing vulnerability of the groups under section 1, identifiable by identity criteria, with possible within-group differentiation) and mainstream referral (addressing any individual in a vulnerable situation regardless of their group affiliation) will be reviewed, with risks they face. The section will also review which of these are operationalised in action plans. Some examples include National Strategies (e.g. on Roma inclusion), strategies for social inclusion, improving employability, plans, programmes, etc. For those referring to relevant international standards, the respective reference will be provided. If some of the groups under section 1 do not practically enjoy equal access to mainstream policies (addressing vulnerability regardless of individual group-related characteristics), a list of possible factors preventing them from enjoyment of their rights will be provided. When possible, overview of resource allocation will be provided. The information will be presented by groups, as follows.

1. **Roma**

The Framework Programme for Integration of Roma into Bulgarian Society[[94]](#footnote-95)focuses on their equal opportunities and access to rights and services, while respecting the principle of non-discrimination. It has several priority areas - education, healthcare, housing, employment, non-discrimination and equal opportunities, culture - thus pointing to a number of vulnerability factors. Among those are lack of equal access to quality education and quality healthcare, segregated housing, unemployment and undeclared work, negative attitudes and prejudice.

The national strategy for Roma integration[[95]](#footnote-96) aims at the integration and social inclusion of Roma and vulnerable Bulgarian citizens from other ethnic groups, by ensuring equal opportunities and access to rights and services. Its priorities are education, healthcare, housing conditions, employment, rule of law and non-discrimination, culture and media. The Strategy builds upon the list of vulnerability factors from the Framework Programme, like spatial isolation leading to social isolation with worse living conditions, access to services, deteriorating infrastructure, cleanliness, etc., with strong negative implications especially for Roma children, lack of basic infrastructure in Roma neighbourhoods, exclusion from the labour market, illiteracy/low level of education affecting especially Roma women, very early onset of disabilities and a premature loss of work capacity. The Strategy emphasises further a number of factors the framework programme only mentions, like human trafficking, hate speech and hate crime.

The Strategy is supposed to combine objectives and measures from other sectoral documents related to Roma integration such as the strategies for educational integration of minorities*,*[[96]](#footnote-97) the health strategy for minorities[[97]](#footnote-98) and well as the national housing programme[[98]](#footnote-99) Those include specific vulnerability factors like Roma neighbourhoods’ infrastructure, lack of intercultural education and measures to keep minority children’s identity, specific health vulnerabilities of minorities. The National Roma Integration Strategy is operationalised in an 2015-2020 Action Plan. One of the key recent sectoral strategies, also concerning the Roma population, concern school drop-outs.[[99]](#footnote-100)It emphasises the low level of enrolment of Roma in pre-school and all levels of schooling as a specific vulnerability factor. It is operationalised in consecutive action plans for 2014-2015, 2016-2017 and 2018-2020.

Regarding mainstream strategies, the national anti-poverty and social inclusion strategy[[100]](#footnote-101) mentions the persistent poverty and unsatisfactory living conditions of Roma, the community’s vulnerable representatives as one of its target groups, and the need to raise capacity to work in multiethnic environments. Children from vulnerable ethnic groups are mentioned as needing equal access to education. The Strategy is operationalized into bi-annual action plans, with reports on their implementation. Roma are also among the main target groups of the national employment action plan.[[101]](#footnote-102)

By way of example of the activities of NGOs in the area, the Civil Society Monitoring Report on Implementation of the National Roma Integration Strategy in Bulgaria,[[102]](#footnote-103) points to improvements with the use of EU funds for Roma inclusion, the participation in different levels of education, whilst pointing out that segregation is still present and there is observable deterioration in the fields of governance and antigypsyism. In its recommendations, the report focuses on mainstreaming - focusing public policies to concrete problems instead of the general ‘Roma integration’. The report also acknowledges the relatively strong legislation against discrimination as well as the Commission for Protection Against Discrimination *(Комисия за защита от дискриминация)*, although the latter is criticised for shying away from bigger cases, like demolition of Roma houses and discrimination by police. The latest report by the Bulgarian Helsinki Committee *(Български хелзинкски комитет)* on human rights in Bulgaria in 2018[[103]](#footnote-104)observes the increased anti-Roma discourse undertaken by the ruling political parties. The report also refers to the 2018 recommendations made by the UN Human Rights Council on amendments in criminal legislation to reflect more crimes of hatred against, amongst others, Roma and ensure the better protection of the victims, strengthening the fight against discrimination of Roma in housing, education, healthcare and labour, as well as the concern over the behaviour of the police. BHC’s report tackles the issue of forced evictions of Roma and the resulting violation of their rights to personal and family life, housing and correspondence. Based on the above two reports and others, in terms of vulnerabilities of Roma, NGOs focus both on violations of their rights, and/or discrimination and stereotyping, practical access to education, healthcare and housing, including notorious cases of evictions.

Regarding resource allocation, for 2014-2020 Bulgaria will be allocated a total of €7.2 billion in EU funds (current prices), out of which €5.1 billion will come from the European Social Fund (ESF) and the European Regional Development Fund (ERDF). At least 28.7% of this amount will be spent on the ESF, with at least 20% of that going towards promoting social inclusion and combating poverty. The latter amount could also benefit Roma-related measures.[[104]](#footnote-105) CHF8,088,500 have been allocated for the period of 2013-2019 for the ‘ZOV’ Programme, which aims at decreasing the number of kindergarten, school and pre-school drop-outs; reproductive healthcare for the Roma community; family planning; organising cultural events helping Roma integration and others.[[105]](#footnote-106)

€35 million has been allocated under the Memoranda of Understanding Iceland, Liechtenstein and Norway have signed with Bulgaria on a number of new programmes under the EEA and Norway Grants 2014-2021 for job creation and to improve education and health care in poor areas. At least 10% of the funding for programmes in the justice and cultural sectors is earmarked for projects designed to address the needs of the Roma.[[106]](#footnote-107)

The Human Resources Development Operational programme 2014-2020 *(Оперативна програма „Развитие на човешките ресурси“ 2014-2020)* of the Ministry of Labor and Social Policy *(Министерство на труда и социалната политика)*focuses, among other things, on decreasing the high poverty risk and the risk of social exclusion, as well as ensuring a higher quality of living of those that are most marginalised, including Roma.[[107]](#footnote-108) Funds are also received on project basis both by institutions and NGOs.[[108]](#footnote-109)

1. **Children at Risk**

Children at risk are dealt with in various national strategic documents, and NGO reports, tackling one or several of the groups under the term, or various risks before children, or children’s rights in general.

The National Strategy for the Child (2008-2018) (*Национална стратегия за детето 2008-2018 г.*)[[109]](#footnote-110) sets itself in the context of the ‘serious demographic crisis’ fallen upon Bulgaria and child poverty, high child mortality rate compared to other European countries and the increasingly weaker literacy amongst the younger population, combined with increase in school dropout. As mentioned above, the document elaborates upon a number of groups of children it considers at risk. The strategy is operationalised in annual national and respective municipal programmes.[[110]](#footnote-111)

A new National Strategy for the Child for 2019-2030[[111]](#footnote-112) was put out for public consultation but caused a heated public debate on, generally, the powers of social authorities interfering with the rights of families to raise and educate their children and was subsequently put on hold. It elaborates on a number of risks, divided by stage of children’s development – traditional, such as poverty, social exclusion, difficulties in school adaptation, school segregation and various dependencies, but also newer ones such as the increasing number of births by girls under 20 years of age, which brings a number of health risks for the children’s development and possible abandonment of children at birth.

The national programme against violence and abuse of children[[112]](#footnote-113) elaborates on the significant percentage of violence committed within children victims’ families and points out to several challenges: improving the coordination and multi-disciplinary approach of the responsible institutions, guaranteeing the dignity and the physical and psychological integrity of children as right-holders, instead of victims. It is based on the best interest of the child, his/her right to expression, to be heard and respected, the importance of families and guaranteeing fundamental rights. Additionally, the Programme foresees the elaboration of an effective system for the prevention of domestic violence affecting children, the prevention of sexual violence, abuse and exploitation, and other forms of violence. In addition, the programme aims at the prevention of violence against children in the educational system, the creation and development of various services for prevention, as well as for working with children, victims or perpetrators of violence. The programme also aims at increasing the capacity of professionals working with children, as well as society’s sensitivity to issues related to child abuse. The programme is operationalised in bi-annual action plans.

Regarding specific cases of abuse and violence, children victims of trafficking have a specific place in both the national referral mechanism[[113]](#footnote-114) and the National Strategy for Combatting Trafficking in Human Beings.[[114]](#footnote-115) In addition, there is a specific co-ordination mechanism on children victims of trafficking[[115]](#footnote-116) enlisting specific responsibilities of institutions and NGOs in tackling such transnational cases.

As children in institutions have been continuously identified as subjects of specific risks, the national strategy for deinstitutionalization,*[[116]](#footnote-117)* i.e. substituting institutional care of children with a family or a similar environment and the prevention of institutionalization,aims at supporting families and creating a better environment for the development of children. This is done by guaranteeing the right to family environment and access to quality care and individualised services. The strategy is operationalized in an action plan and annual monitoring reports on its implementation.

The national anti-poverty strategy[[117]](#footnote-118) refers to children on numerous occasions, e.g. putting an end to the institutional model of care as well as the development of inter-sectoral services for social inclusion. Specially vulnerable children mentioned are those raised in poor households, in low income and vulnerable ethnic group’ families not covered by kindergarten and pre-school education, children from risk groups, which should participate in all-day schooling, children leaving specialised institutions.

The Bulgarian Helsinki Committee (BHC) *(Български хелзинкски комитет,* БХК*)* [[118]](#footnote-119) outlines many intertwined vulnerabilities of children. It points out the pejorative discourse of a vice prime-minister of Bulgaria against children with disabilities and their families and some events in October 2018 in which police allegedly beat inhabitants of a predominantly Roma neighborhood, including children. The report concludes that there has been no apparent improvement in the State’s practices related to placing children in crisis centers and demolishing illegal buildings, leaving families, including children, without a shelter. Similarly to the National Strategy for the Child, this report also points out the fact that Bulgaria has one of the highest child mortality rates within the European Union. The report also tackles the persistent risks of social exclusion of institutionalised children, despite the progress in deinstitutionalisation. For Our Children Foundation[[119]](#footnote-120) elaborates on the challenges of improving the living conditions of children, especially those at risk, and overcoming various gaps in services. Numerous recommendations are given for improvements of the healthcare, educational and social welfare systems in their interaction with children of early age.

NGOs have been instrumental in countering newer risks for children’s well-being such as various online threats. Initiatives like the Safer Internet Centre[[120]](#footnote-121) have consistently worked towards preventing and countering online child grooming and abuse, child pornography, bullying and harassment, etc.

Thus, policy documents specify a number of concrete risks, such as institutionalisation, domestic violence and sexual abuse and exploitation (in the family) and lack of co-ordination and co-operation among various institutions and service providers. Moreover, (interinstitutional) documents and NGO contributions mark the shift in society’s vision of children’s development dividing it into stages and marking various links between vulnerabilities.

Measures concerning children at risk are financed by the state budget, operational programmes and sectoral programmes like ‘Sports for children at risk’.[[121]](#footnote-122)

1. **Persons with Disabilities**

The National Strategy for Persons with Disabilities 2016-2020[[122]](#footnote-123)aims at improving the quality of life of people with disabilities, non-discrimination on the grounds of disability, full and active participation in all areas of public life and promoting respect for rights.   
Some of the key policy challenges mentioned, and therefore vulnerability factors, are ensuring job opportunities/lack of adapted jobs for people with disabilities in an integrated work environment; providing support for workers and employers; access to transport; accessible information and communication; lack of collaboration and a fractioned approach among public institutions; shortage of professionals and lack of timely and continuous training in the educational sphere, as well as accessible environment for children and students with disabilities; supportive environment and positive attitude in inclusive education; equal access to quality health services; adequate support for community-based life; conditions for participation of people with disabilities in sporting activities, recreation, tourism and cultural life. Two action plans (one-year and three-year[[123]](#footnote-124)) set out the details of the implementation of the measures.

The National Health Strategy 2020 *(Национална здравна стратегия)*[[124]](#footnote-125)where people with disabilities are a particular focus, outlines two key challenges, and thus vulnerability risks: the access to health services and the unadapted medical expertise system, which excludes and de-individualises people with disabilities. The Strategy focuses on prevention of disabilities by concentrating on their root causes and proposing measures such as the prevention of disabilities through a stronger and more developed early diagnostic process coupled with immediate and effective care, the development of mechanisms for physical therapy and rehabilitation, better staff training on caring for persons with disabilities, improving access to healthcare and new community-based approaches. The Strategy is operationalised in an action plan.[[125]](#footnote-126)

The national anti-poverty and social inclusion strategy[[126]](#footnote-127) refers to the people with long-term disabilities as one of the foremost groups in need of active inclusion in the labour market. Children with disabilities are mentioned as needing equal access to education. Equal access to culture and sports, as well as to information and communication, and accessible physical environment, is also pointed out as a pressing need. People with disabilities are also among the main target groups of the national employment action plan.[[127]](#footnote-128)

The Alternative Report about the rights of persons with disabilities,[[128]](#footnote-129)predating some important developments, such as the adoption of the Social Services Act and the Persons with Disabilities Act (see above), notes the prevalence of the medical model in assessment of disabilities and criticises persons’ social assessment for being bureaucratic, and services for not being individualised. The inaccessibility of the public environment is pointed out, with the lack of universal design, as well as violations of the right to independent living and access to community-based services. Access to quality and adapted education, healthcare, infrastructure, vocational training, employment, etc., is also analysed. In addition, the report notes that people with intellectual disabilities and psycho-social problems are often deprived of their legal capacity and placed under guardianship, not receiving any support for decision making or permission to enter into legal commitments. Thus, the report points as vulnerability factors both weaknesses in the procedure for assessing disability, and persons’ needs, lack of access to services, as well as, notably, the ‘invisible’ position of the people with intellectual disabilities and psycho-social impairments.

The annual action plan of the Agency for Persons with Disabilities *(Агенция за хората с увреждания),* which implements state policies concerning the labor integration, rehabilitation, and social integration of persons with disabilities,[[129]](#footnote-130) supplies data on new workplaces opened for persons with disabilities, and the projects for self-employment of such persons for the year 2018. It enlists activities under various programmes – for employment of persons with disabilities, for starting and development of independent economic activity by people with long-term disabilities, for stimulating the NGO sector to create conditions for social inclusion, for creating accessible environment, for creating centres for protected employment for people with multiple long-term disabilities, for maintenance and update of the information system on people with disabilities.

As regards financing, the National Strategy for Persons with Disabilities is mainly funded by the state and municipal budgets.[[130]](#footnote-131) Additionally, the largest other source of funds is the European Union through some of its respective Operational Programmes.

1. **Very Young Persons (15-29 y.o.)**

The 2012-2020 youth strategy[[131]](#footnote-132) points to the negative demographic tendencies, related to emigration, to school drop-out, to high unemployment especially among those of low education level, to extremely low levels of self-employment and entrepreneurship, low level of reach of youth services, especially among young Roma and youth in smaller territorial establishments, health challenges like cigarette, alcohol and drug consumption, youth criminality. Young people in small territorial establishments and rural areas are pointed to as especially vulnerable.

The themes from the Strategy are further elaborated in documents like the National Youth Programme 2016-2020 *(Национална програма за младежта 2016-2020)[[132]](#footnote-133)* and the National Youth Report *(доклад за младежта)*,[[133]](#footnote-134) which emphasise again on education, employment and health risks as main vulnerability factors. The Programme puts among its strategic goals facilitating the access to quality services for personal and social development of the youth, promoting healthy lifestyles, creating an attractive environment in small territorial establishments and rural areas and a beneficial environment for quality professional realisation. The 2017 youth report contains a specific chapter on NEETs, who, although relatively low in percentage, show distinct characteristics: leaving school as a result of various objective factors, looking for jobs but not finding such (especially in smaller territorial establishments and rural areas), lack of registration in the labour bureaus and looking for jobs in informal ways. Regional and municipal youth plans are also developed, in accordance with the youth legislation.[[134]](#footnote-135)

The national implementation plan for European Youth Guarantee 2014-2020[[135]](#footnote-136) elaborates on the National Youth Guarantee of Bulgaria which provides that any young person aged 15 to 24 years will receive a good quality job offer, further education, traineeship or apprenticeship within 4 months after they become unemployed or leave the formal education system. Young people not in employment or education, and not registered in labour offices are to be informed about the potential services that can be used after registration at the labour offices. Labour intermediaries, incl. Roma mediators, working in labor offices will focus their activities on youths from Roma minority.

Specific youth’s vulnerabilities are explored in a number of mainstream policy documents. The national anti-poverty and social inclusion strategy[[136]](#footnote-137) mentions the raising levels of youth unemployment, and the related priority of active labour market inclusion, especially for youths with no profession, youths who completed their education but have no professional experience, early dropouts from the education system, youths with disabilities, youths with low or no education level, youths in small settlements and in rural areas, youth, leaving institutions and transitioning to independent life. The updated national demographic strategy 2012-2030[[137]](#footnote-138) talks about reducing youth unemployment, especially among youth with disabilities, and equal access to quality education as factors to reduce youth (in reproductive age) emigration. Other factors mentioned are ensuring transition from education to employment without a buffer period, improving employment conditions and workpay, opening possibilities for bank loans for homes, overcoming poverty and social isolation among disadvantaged youth. The strategy is operationalised in annual action plans.

Special attention should be paid to cross-points with children’s strategic documents. The National Strategy for the Child (2008-2018) (*Национална стратегия за детето (2008-2018)*)[[138]](#footnote-139) mentions, among those, youth criminality and participation of youth in government.

Other mainstream strategic documents concerned with youth include the national strategy for life-long learning,[[139]](#footnote-140) operationalised in annual action plans, which elaborates in detail on formal and non-formal learning, the strategy for school drop-outs (see the section on Roma) and the national programme on the activation of the inactive persons.[[140]](#footnote-141) The latter talks about de-motivated unemployed youth of low education and work experience, which, however, is not a homogenous group. Youth labour mediators are proposed for better contact with such groups.

Regarding financing, the implementation of the National Youth Guarantee[[141]](#footnote-142) was launched in 2014 with measures and programmes funded by the state budget. By 2020, activities will be financed by the state budget and with EU funds in accordance with the national action plans for employment for the respective year.

1. **Older Persons (>55 y.o.)**

Bulgarian policy framework addresses older persons following the main lines of action contained in the relevant international and EU policy documents.[[142]](#footnote-143)

The National Strategy for Active Ageing in Bulgaria 2019-2030 (*Национална стратегия за активен живот на възрастните* *хора в България 2019-2030*)[[143]](#footnote-144) aims at guaranteeing equal opportunities for a decent and fulfilling life for the elderly, based on values such as independent living, participation in society, access to care and dignity. Among its main principles are mainstreaming ageing; promoting the participation of the elderly, their associations and organisations in defining active life measures and programmes. Its strategic objective, to create conditions for an active and dignified life of the elderly by ensuring equal opportunities for their full participation in the economic and social life of society, is set out in four priorities, related to employment, community participation, independent living and capacity and supportive environment, measures for which are monitored through bi-annual plans and bi-annual reports on the implementation of the Strategy.

The updated national demographic strategy 2012-2030[[144]](#footnote-145) defines as main challenges of the demographic policy early mortality, disproportionate dispersal of the population and formulates priority directions and tasks in the field of demographic policy aimed at slowing down the pace of population decline as well as at overcoming the repercussions of the ageing population through active ageing, social system adaptation, increasing the quality of life of older people.

The National Concept for Active Ageing in Bulgaria 2012 – 2030 (*Национална концепция за насърчаване на активния живот на възрастните хора 2012 – 2030 г*.) [[145]](#footnote-146) is based on the concept of active ageing in its interrelated aspects: economic, emphasized by the OSCE in relation to the ability of older people to make a real economic and social contribution to society;

healthy lifestyles, longer participation in the labor market, later retirement and retention after retirement, etc., the need for comprehensive participation in social, economic, cultural, spiritual and civic life, as defined by the World Health Organization. The Concept is operationalised in bi-annual reports on its mainstreaming in sectoral policies.

The Operational Programme "Human Resources Development" 2007-2013 *(Оперативна програма "Развитие на човешките ресурси" 2007-2013*)[[146]](#footnote-147) has defined unemployed 50+ year olds as a vulnerable group and older people living alone as subject to risk of poverty or social exclusion. Among its specific goals are achieving flexibility of the labour system with regard to older persons, educational and training measures, undertaking actions and measures against social exclusion, improved health and quality of life.

The National Strategy for Life-Long Learning 2014-2020 ( *Национална стратегия за учене през целия живот* *2014-2020*)[[147]](#footnote-148) provides for equal access to lifelong learning, active social inclusion and participation, informal and independent learning and self-realisaton, all with an emphasis on older persons. Among its goals and measures is promotion of in-work continuing education and training for over-55 year olds. The document is operationalised in annual action plans.

The National Strategy for Long-term Care[[148]](#footnote-149) mentions as vulnerability factors insufficient number of services for elderly people and people with disabilities, insufficient financial resources as reason for social exclusion, lack of accessible social and architectural environment, demand for institutional care, especially for elderly people, lack of comprehensive (medical and social) services. The Strategy is currently operationalised in a four-year action plan for 2018-2021.

Measures concerning the elderly are mainly financed through the state budget and operational programmes.

1. **People in Precarious Housing**

The Bulgarian housing strategy[[149]](#footnote-150) points out to providing affordable housing for purchase and rent as a key strategic objective. The Strategy considers addressing the most urgent reforms and housing needs, taking into account the acute financial deficits in the country. The strategic objectives are pursued in several operational areas, including problems in the housing system, addressed by providing housing for low-income families and improving the living conditions of the Roma. The strategic goals and programmes are updated and further developed in the Draft National Housing Strategy 2018-2030 (*Проект за Национална жилищна стратегия 2018-2030*)[[150]](#footnote-151) which is not in force yet. It contains provisions on financially affordable housing and supporting vulnerable groups.

The National Programme for the Renewal of Residential Buildings in Bulgaria (*Национална програма за обновяване на жилищните сгради в Република България*)[[151]](#footnote-152) reviews a number of problems like the age of buildings, basic amenities and services, energy efficiency etc. The assessment draws attention to the financial vulnerability of owners towards current housing expenses and existing risk of loss of ownership due to low income.

The national anti-poverty and social inclusion strategy[[152]](#footnote-153) defines homelessness and the deprivation of the possibility of housing as one of the key challenges, regarding the most extreme forms of poverty and social exclusion. Thus, homeless persons and persons living in poor housing conditions are identified as one of the document’s main target groups, while improving housing conditions and supporting homeless people is set as priority. The Strategy determines measures for easier access to housing for low-income households by increasing the number of residential buildings constructed with non-economic purpose and introducing a new subsidizing system and a specialized system for savings and loan-granting for housing, appropriate accommodation and housing infrastructure, as well as efficient and quality services for homeless persons.

In its application guidelines, the Operational Programme "Regions in growth" 2014-2020 ***(****Оперативна Програма "Региони в Растеж" 2014-2020)[[153]](#footnote-154)* provides that the target group of each financed project should include representatives of at least two of three vulnerable groups, one of which are homeless people or people living in precarious conditions. Under the same operational programme, at least 5% of the overall budget for its priority axis 1 (about €42 million) will be directed at improving housing conditions for marginalised groups, including Roma and improving modern social services.[[154]](#footnote-155)

1. **Third-Country Nationals**

The national migration and integration strategy[[155]](#footnote-156) aims to contribute to the better realisation of the right to asylum and international protection and improving the social inclusion and integration of third-country nationals and persons having received international protection. The Strategy is operationalized in annual action plans.

Third-country national victims of trafficking are dealt with in the national referral mechanism for victims of trafficking.[[156]](#footnote-157) Foreign victims occupy special sections of the standard operating procedures therein, with regard to their identification, referral, support, protection and reintegration. Policy challenges, and thus vulnerability factors, include co-ordination and co-operation of institutions and NGOs both nationally and transnationally, difficulties in identifying and supporting victims of trafficking among foreigners, interpretation and translation, as well as legal aid, throughout criminal proceedings.

Foreign victims are also dealt with in the National Strategy for Combatting Trafficking in Human Beings 2017-2021 *(Национална стратегия за борба с трафика на хора 2017-2021)*,[[157]](#footnote-158) concerning their timely identification and comprehensive support and protection. A particular challenge is the identification of victims of exploitation and trafficking among migrant communities and specially adapted information campaigns and procedures. Special attention is paid to unaccompanied children as a group particularly vulnerable to trafficking.

Specific vulnerabilities of migrant and refugee children, regarding access to education, healthcare, social support and representation, are dealt with by the national children’s strategies both for 2008-2018 and the draft for 2019-2030 (see section on children at risk).

Measures are financed by EU funds like AMIF.[[158]](#footnote-159)

1. **Emigrant Household Members**

Although the National Strategy on Migration, Asylum and Integration 2015-2020 *(Национална стратегия в областта на миграцията, убежището и интеграцията 2015-2020 г.)*[[159]](#footnote-160) is concerned about motivating emigrants to return, challenges before emigrant household members are mainly dealt with in mainstream documents, seen in the light of the large group of Bulgarian emigrants.

The National Strategy for the Child (2008-2018) (*Национална стратегия за детето (2008-2018)*)[[160]](#footnote-161) mentions emigration in relation to a significant amount of children leaving for other countries **with** their parents, and dropping out of school. General vulnerability risks for children, potentially exacerbated by parents’ emigration abroad and them being raised by other relatives, are looked at in the section on children at risk. The new draft National Strategy for the Child for 2019-2030,[[161]](#footnote-162) pays significantly more structured attention to such children and their ‘loneliness’ as a new social factor. The document maintains that the transformation of traditional familial relations hinder the compensation of such loneliness, while the public environment remains poorly developed to produce initiatives addressing that problem.

1. **Victims of Domestic Violence**

Each year, Bulgaria operationalises the efforts of its institutions and NGOs in countering domestic violence in a national programme for prevention and protection.[[162]](#footnote-163) It points to the importance of the co-ordination of stakeholders in countering the phenomenon of domestic violence, thus making the lack thereof a vulnerability factor. The prevention section aims at raising the awareness and sensitisation of society towards domestic violence, leading to better recognition and zero tolerance, lower sensitivity being an obvious vulnerability factor. Other potential vulnerability factors the programme tackles are (low level of) training and qualification of relevant stakeholders, and (lack of) high quality protection and victim services.

A very particular policy guidance, related to criminal procedure against acts of domestic violence, is contained in the guidelines of the Prosecutor General *(Главен прокурор)* on cases of domestic violence.[[163]](#footnote-164) They emphasise on the speediness of measures to be taken, guide prosecutors on the sequence of steps to be taken and rules on measures for co-ordination of prosecutors and other institutions involved. Thus, again, the lack of standardised approach and co-ordination of institutions is seen as a major vulnerability factor.

Bulgaria also has a draft co-ordination mechanism for help and support to victims of domestic violence,[[164]](#footnote-165) which has not been adopted yet due to diverse institutional obstacles. The draft again presents the (lack of) co-ordination of institutions and service providers, as well as the poor development of mechanisms for their social inclusion as major vulnerability factors.

In terms of resource allocation, the Protection against Domestic Violence Act contains a special provision on financing programmes for prevention and protection against domestic violence, as well as for victim services. Each year the state budget allocates to the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП) funds for financing projects of NGOs in the above areas. The latest call for proposals of the MoJ stated the total sum to be allocated amounted to BGN 450,000.[[165]](#footnote-166)

1. **LGBTQ+ Persons**

No public policy documents have been found specially tackling the LGBTQ+ community. Most policy work has been done by NGOs in the form of research of equal access to rights and services and prevention of hate speech and hate crime.[[166]](#footnote-167)

1. **Energy-poor Persons**

The National Energy Strategy of Bulgaria[[167]](#footnote-168) sets as a main goal energy efficiency, which will have positive effects on the fight against energy poverty. The Strategy explains that a number of Bulgarian citizens struggle with their energy expenses and supporting those citizens to decrease their energy consumption via an efficiency-based approach is most appropriate to solve this issue. In addition, building renovation can also improve energy efficiency, and thus contribute to solving energy poverty.

The national anti-poverty and social inclusion strategy[[168]](#footnote-169) identifies poor people as a vulnerable group and considers payments of targeted heating allowance in its priority area on ensuring sustainable and adequate social transfers.

The Open Society Institute - Sofia[[169]](#footnote-170) proposes measures for the minimisation of the consequences of the liberalisation of the electricity and energy market on the most vulnerable consumers. The report concludes that the envisioned compensatory social package should be widened to support all (energy) poor households. The report states that monetary assistance for heating is allocated to socially vulnerable households during winter, yet the report qualifies the amount as ‘negligibly small’ relative to the widespread poverty.

The report by Reduce Energy use And Change Habits (REACH) on energy poverty in Bulgaria[[170]](#footnote-171) maintains that Bulgaria lacks an adequate housing programme for energy efficiency for vulnerable groups, due to the lack of a way to define which groups experience energy poverty and need support, and reiterates that the whole policy of the State is focused on purely monetary assistance while failing to tackle the root causes, and help improve the standard of living.

1. **Undeclared Workers**

The National Development Programme[[171]](#footnote-172) has as priority decreasing poverty and promoting social inclusion via employment – hence its subsequent goals to protect labour rights, ameliorate working conditions and decrease undeclared work. Measures are focused on providing access to information regarding employment and social rights in the workplace, providing support in the protection of these rights, and reducing undeclared work.

The Updated Employment Strategy of the Republic of Bulgaria 2013-2020 *(Актуализирана стратегия по заетостта на Република България 2013-2020)*[[172]](#footnote-173) also tackles undeclared work income and informal work. One of its priorities – increasing the demand for labour force – contains the goal of increasing the flexibility and security of the labor market (flexicurity) by, amongst others, limiting informal employment and undeclared incomes. It provides for innovative approaches and measures implemented at national and local level, and increased monitoring by state authorities of compliance with labour and social security legislation, as well as for strengthening the capacity of the General Labour Inspectorate Executive Agency (GLI) (*Изпълнителна агенция „Главна инспекция по труда“*, ГИТ) to limit undeclared employment.

The Single National Strategy for improving the tax collection, tackling the shadow economy and reducing the compliance costs- 2015–2017[[173]](#footnote-174) points as its first strategic objective tackling the shadow economy and defines undeclared work as an indicator thereof. The Strategy outlines two main types of measures: to prevent entry into the shadow economy and to help the shadow sector actors migrate to the formal economy. Focus is put on conducting media campaigns to enhance civic culture, precluding the possibilities of avoiding and evading taxes, social and health insurance payments and fees, implementing more effective compliance control, incentives and sanctions along several major lines of action: creating conditions for more efficient compliance through simplifying the administrative procedures; using various electronic payment systems to enhance the transparency of transactions; increasing the detection of violations by more effective control and sanctions. The Strategy is operationalised in an action plan.

The national anti-poverty and social inclusion strategy[[174]](#footnote-175) also includes reducing undeclared work in its priority area of providing opportunities for employment and increased labour income through active labour market inclusion, protecting labour rights and improving working conditions.

The national employment action plan[[175]](#footnote-176) points to various forms of undeclared work, such as work without a labour contract, work longer than the contracted time, payment of remuneration in excess of the one officially declared, illegal overtime work, and takes into account its negative effects on employees, businesses and society: limiting workers' social security rights, deteriorating working conditions, limiting skills development, unfair competition, and reducing tax and social security contributions, which in its turn, has a negative impact on the financial sustainability of social protection systems. The action plan premises the improvement of the functioning of the labour market by restricting unregulated employment and undeclared payments.

1. Summary of most important risks

This section will summarise the most important risks faced by the groups covered in the present report and will point to overlaps and intersectionalities that may exist among them.

1. **Roma**

Based on the legal and policy frameworks analysed, it could be concluded that Roma are most vulnerable to poverty and resulting social exclusion. This is directly reflected in their generally poor access to education and widespread school drop-out, as well as in their difficult access to employment and poor living conditions/state of infrastructure in Roma-populated areas. Another set of problems Roma face is related to various aspects of their discrimination by both institutions and the general public. NGOs point to various practices by police and the eviction of (segregated) Roma neighbourhoods, while negative stereotyping is widespread among the general population, leading to various acts of direct and indirect discrimination. Roma women and children are mentioned as severely affected by all those vulnerability factors, in addition to others related to their gender and age. Younger and older Roma, as well as those living in precarious housing or in energy poverty, are other hypotheses of intersection between Roma and other groups the present report looks at.

1. **Children at risk**

Due to their age and development, children are particularly vulnerable to all types of societal and economic risk factors and are thus a horizontal group of multiple vulnerability throughout all the other populations the report looks at. The present research limits the study of children to ‘children at risk’ as defined by Bulgarian law (see above), but they are nevertheless severely affected by poverty and social exclusion, caused by, among others, lack of parental care and causing, among others, dropping out of school. Abandonment (especially at birth) is expressly listed by Bulgarian legislation and policies, as well as poor/limited access to healthcare and social benefits and heavy impact by anti-social/criminal phenomena such as domestic violence and human trafficking and related violence and exploitation.

1. **Persons with Disabilities**

Persons with disabilities are faced with many of the other factors the other vulnerable groups in the present report experience - poverty, social exclusion, low access to education, employment and social services – which heavily interact with and exacerbate each other. Thus, poorly adapted and heavily formalised systems of medical expertise of disability, education and employment leave persons with disabilities in exclusion, leading to their increasing poverty due to not being available to support themselves by their own means. In addition, inaccessible architectural environment and transportation exacerbate further their social exclusion and constitute a factor for discriminating such persons in using various public services and generally participating in public life. Disability could be an additional vulnerability factor as regards all the other groups in the present report, thus all intersections between the disability group and others are practically possible and leave members at an increased risk.

1. **Very Young Persons (15-29 y.o.)**

A number of very young persons (15-29 years old), especially in remote areas, are affected by poor access to education and employment as the opportunities before them are relatively limited.

Their early school drop-out and lack of professional training/qualification, combined with economic inactivity, puts them in the well-established particularly vulnerable category of NEETs. This, in turn, leads to their increasing poverty and social exclusion as they cannot sustain themselves by their own labour. Intersections are practically possible with all the other groups in the report, leading to multiple vulnerabilities.

1. **Older persons (>55 y.o.)**

With a fluctuating threshold between 55 and 60/63 years old, the latter being the approximate retirement age for women/men, older persons, especially in remote areas, are at a severe risk of poor access to employment and insufficient access to social services. Left without jobs and social support, those populations face increasing poverty and social exclusion. Intersections are practically possible with all the other groups in the report, leading to multiple vulnerabilities.

1. **People in Precarious Housing**

People in precarious housing, or homeless, who are most commonly defined in Bulgarian law and policy, are practically faced with a number of health risks due to poor living conditions, including heating, plumbing, sanitation, etc. Not having (adequate) housing also leaves them in impending poverty and social exclusion, including a precarious personal situation due to disrupted familial relations. Significant intersections with other groups include those with Roma, older people, people with disabilities, children (at risk).

1. **Third-Country Nationals**

Besides poor social integration and related poverty and social exclusion, third-country nationals in Bulgaria are more immediately faced with a number of procedural and human rights problems, related to, respectively, international protection, if they apply for such, or eventual return procedures, if all legal avenues for the regularisation of their stay have been exhausted. Procedural risks include translation/interpretation, lack of legal aid and various violations of procedural rights before administrative bodies and courts. Human rights risks are related to the foreigners’ stay in asylum seekers’ or irregular migrants’ centres and their living conditions and rules of administration. Significant intersections with other groups in the present report include those with older/very young people and people with disabilities, as well as undeclared workers, all combinations leaving foreigners in an especially vulnerable state.

1. **Emigrant Household Members**

Risks for emigrant household members are mainly in the areas of various personal and financial support relatives/family members owe to each other in accordance to the law. Children of emigrant parents, standing in the intersection between emigrant household members and children at risk, may find themselves practically lacking parental, or relatives’, care or alimony parents owe to them, with all related social and economic risks.

1. **Victims of Domestic Violence**

Risks to victims of domestic violence are defined by the very definition of that group. Those are mainly the various forms of violence they suffer: physical, sexual, mental, emotional or economic, coercive restriction of personal life, liberty and rights, as well as the related physical and psycho-social trauma victims experience. Each type of violence may lead to a number of consequences: physical and sexual violence may lead to a number of physical and mental health risks, coercive restriction of personal life and rights, as well as economic violence may lead to various degrees of poverty and social exclusion. Well-known intersections include Roma women – victims of domestic violence, as well as such victims of younger/older age and foreign nationality.

1. **LGBTQ+ Persons**

The LGBTQ+ community is lacking any legal definition, or entitlements in a number of public, civil and criminal law spheres, such as administrative provisions, family and succession law, labour and social security law, right to free movement, criminal procedure. Thus, the group is left in a legal limbo, where many of the rights of the members have no legal protection whatsoever. Discrimination and violence may also occur. Significant intersections include those with the Roma community and younger persons, who may all be left at significant risk for their well-being.

1. **Energy-poor Persons**

Much like the people in precarious housing, although many are specifically supported in accordance with the social support legislation, energy poor persons are subjected to a number of health risks related to the poor level of heating in their living quarters. On the other hand, energy poverty is a reflection of those persons’ overall poverty and related social exclusion. Important intersections include those with Roma people, people in precarious housing and older persons.

1. **Undeclared Workers**

Undeclared workers, regardless of the hypotheses in which they perform their jobs, are deprived of a number of guarantees and safeguards labour and social security legislation gives them: guarantees regarding health and safety at work, and related compensation in case of an incident, regarding the compliance with working time and the due payment of working overtime and during holidays, regarding the payment of income from their labour and regarding the payment of health and social security contributions, the latter being a violation of both workers’ rights and the state’s proper functioning and financing. In terms of intersections, undeclared workers may, potentially, be part of the Roma or foreigners’ community, as well as the group of energy-poor persons and persons in precarious housing.

1. Summary table: legal and policy frameworks (Annex 1)

The summary table will be annexed to the report.

1. Bulgaria, Pre-school and School Education Act *(Закон за предучилищното и училищното образование)*, 1 August 2016, <https://lex.bg/bg/laws/ldoc/2136641509>, Art. 263, para. 1, item 9, Art. 282, para. 14, item 1 [↑](#footnote-ref-2)
2. Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 1 December 2002, <https://lex.bg/laws/ldoc/2135453184>, additional provisions, para. 1, item 17 [↑](#footnote-ref-3)
3. Bulgaria, Council of Ministers *(Министерски съвет на Република България)*, The National Health Strategy 2020 *(Национална здравна стратегия 2020)*, 17 December 2015, <http://strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=989>, p. 51 and following [↑](#footnote-ref-4)
4. Bulgaria, National Assembly of the Republic of Bulgaria *(Народно събрание на Република България)* (2012) National Strategy of the Republic of Bulgaria for Roma Integration *(Национална стратегия на Република България за интегриране на ромите (2012 - 2020)),* 1 March 2012, <https://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=726>, p. 1 [↑](#footnote-ref-5)
5. Bulgaria, Active Citizens Fund (2019) Glossary of terms, <https://www.activecitizensfund.bg/public/portfolios/view.cfm?id=21> [↑](#footnote-ref-6)
6. Bulgaria, Child Protection Act (*Закон за закрила на детето*), 20 June 2000, <https://www.lex.bg/laws/ldoc/2134925825>, para. 1, item 11 of Additional provisions in relation to Art. 2, Art. 3, item 4 and Art. 5, para. 1 [↑](#footnote-ref-7)
7. Bulgaria, Family Allowances for Children Act (*Закон за семейни помощи за деца*), 1 April 2002, https://lex.bg/en/laws/ldoc/2135441920, Art. 2, para. 3, item 2 [↑](#footnote-ref-8)
8. Bulgaria, National Assembly of the Republic of Bulgaria (*Народно събрание на Република България*) (2008) National Strategy for the Child 2008-2018 (*Национална стратегия за детето* *(2008-2018)*), 31 January 2008, <http://www.strategy.bg/StrategicDocuments/View.aspx?Id=464>, p 12-19 [↑](#footnote-ref-9)
9. Bulgaria, ECPAT Bulgaria (2012) Situational analysis of some groups of children at risk in Bulgaria *(Ситуационен анализ на някои групи деца в риск в България)*, <http://nmd.bg/wp-content/uploads/2012/05/1428_SIT._ANALYSIS_2012_bg_NEW_original.pdf> [↑](#footnote-ref-10)
10. Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, <https://www.lex.bg/laws/ldoc/521957377>, Art. 48, para. 2, Art. 51, para. 3 [↑](#footnote-ref-11)
11. Bulgaria, People with Disabilities Act *(Закон за хората с увреждания),* 1 January 2019, <https://www.lex.bg/bg/laws/ldoc/2137189213>, Additional provisions, para. 1, items 1-2 [↑](#footnote-ref-12)
12. Bulgaria, Center for Independent Living *(Център за независим живот)* (2016) Free will or somebody else’s will – human rights advocacy for people with disabilities *(Живот на воля или по чужда воля! – застъпничество за човешки права на хората с увреждания)*, <http://www.cil.bg/userfiles/nabliudatelnitsa/Report-General-Final.pdf>, p. 4 [↑](#footnote-ref-13)
13. Bulgaria, Youth Act *(Закон за младежта),* 20 April 2012, <https://www.lex.bg/laws/ldoc/2135786802>, par. 1 of additional provisions [↑](#footnote-ref-14)
14. Bulgaria, National Assembly *(Народно събрание на Република България)* National Youth Strategy (2012-2020) *(Национална стратегия за младежта (2012-2020))*, <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjY3pvV26DkAhWo_CoKHckJCX0QFjAAegQIARAC&url=http%3A%2F%2Fmpes.government.bg%2FDocuments%2FDocuments%2FStrategii%2Fstrategy_youth_2012-2020.pdf&usg=AOvVaw1WVX8xsHVDOAFtE1wIEseR> [↑](#footnote-ref-15)
15. Bulgaria, Social Services Act (*Закон за социалните услуги*), 1 January 2020 <https://www.lex.bg/bg/laws/ldoc/2137191914> [↑](#footnote-ref-16)
16. Bulgaria, Social Security Code *(Кодекс за социално осигуряване),* 1 January 2000, <https://www.lex.bg/laws/ldoc/1597824512>, Art. 89a [↑](#footnote-ref-17)
17. Bulgaria, National strategy for Active Ageing in Bulgaria 2019-2030 (*Национална стратегия за активен живот на възрастните хора в България 2019-2030*), 2019, <https://www.mlsp.government.bg/ckfinder/userfiles/files/politiki/demografska%20politika/nacionalni%20strategicheski%20dokumenti/National_agieng_strategy_2019-2030.pdf> [↑](#footnote-ref-18)
18. Bulgaria, Social and Shared Economy Establishments Act *(Закон за предприятията на социалната и солидарна икономика)*, 2 May 2019, <https://www.lex.bg/bg/laws/ldoc/2137187968>, par. 1, item 1 of additional provisions [↑](#footnote-ref-19)
19. Bulgaria, Regulation N 4 of 16 March 1999 on the conditions and order for rendering social services *(Наредба № 4 от 16 март 1999 г. за условията и реда за извършване на социални услуги),* 30 March 1999, <https://www.lex.bg/laws/ldoc/-549700608> [↑](#footnote-ref-20)
20. Bulgaria, Social Services Act (*Закон за социалните услуги*), 1 January 2020, <https://www.lex.bg/bg/laws/ldoc/2137191914>, para.1, item 31 of additional provisions [↑](#footnote-ref-21)
21. Bulgaria, Ministry of Regional development and Public works *(Министерство на регионалното развитие и благоустройството)*, Operational Programme "Regions in growth" 2014-2020 (*Оперативна Програма "Региони в Растеж" 2014-2020)*, <http://bgregio.eu/media/files/Kandidatstvane/Aktualni%20sxemi/2014-2020/%D0%BE%D1%81%201/160418%20Nasoki%20os%201%20rev%202_FINAL.pdf> [↑](#footnote-ref-22)
22. Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, <https://www.lex.bg/laws/ldoc/521957377>, Art. 26, Art. 27 [↑](#footnote-ref-23)
23. Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 1 December 2002, <https://lex.bg/laws/ldoc/2135453184>, Additional provisions, para. 1, item 1 The Act refers expressly to the 1951 Refugee Convention and its 1967 Protocol and the overall EU framework on international protection. [↑](#footnote-ref-24)
24. Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, <https://lex.bg/laws/ldoc/2134455296>, Art. 2, para. 1, Art. 1, para. 3. The Act transposes the overall EU framework on the conditions of residence of foreigners in the Union. [↑](#footnote-ref-25)
25. Bulgaria, Bulgarians living outside of the Republic of Bulgaria Act *(Закон за българите, живеещи извън Република България)*, 11 April 2000, <https://www.lex.bg/laws/ldoc/2134916612>, Art. 2 [↑](#footnote-ref-26)
26. Bulgaria, Family Code *(Семеен кодекс)*, 1 October 2009, <https://www.lex.bg/laws/ldoc/2135637484>, Art. 74, 139 and following [↑](#footnote-ref-27)
27. Bulgaria, Protection against Domestic Violence Act *(Закон за защита от домашното насилие)*, 29 March 2005, <https://lex.bg/en/laws/ldoc/2135501151>, Art. 2-3 [↑](#footnote-ref-28)
28. The latter should be, in principle, also considered as a child at risk, see sections on children at risk. [↑](#footnote-ref-29)
29. Bulgaria, Criminal Code *(Наказателен кодекс),* 1 May 1968, <https://lex.bg/laws/ldoc/1589654529>, Art. 93, item 31 [↑](#footnote-ref-30)
30. Please see details on the highly publicised case of the murder of Mr Mihail Stoyanov, presumably due to his perceived LGBTQ+ appearance at <http://www.bghelsinki.org/en/news/bg/single/press-release-bulgarian-and-international-organizations-demand-immediate-justice-mihail-stoyanov/>. [↑](#footnote-ref-31)
31. Bulgaria, Energy Act (*Закон за енергетиката*), 9 December 2003, <https://lex.bg/laws/ldoc/2135475623>, paragraph 1, item 66c of the additional provisions. The Act is transposing, among others, Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC, Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive f2003/55/EC, Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC,

    Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC, Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard security of electricity supply and infrastructure investment, Council Directive 2004/67/EC of 26 April 2004 concerning measures to safeguard security of natural gas supply [↑](#footnote-ref-32)
32. Bulgaria, Open Society Institute (*Институт Отворено Общество*), Energy poverty in Bulgaria 2016 (*Енергийната бедност в България 2016 г.*), <http://osi.bg/downloads/File/2016/energy4.pdf>, p 3 [↑](#footnote-ref-33)
33. Kisyov, P., Reduce Energy use And Change Habits (REACH), Report of the Situation in Bulgaria regarding Energy Poverty (*Доклад за ситуацията в България по отношение на енергийната бедност*), <http://reach-energy.eu/wordpress/wp-content/uploads/2014/11/D2.2-EAP_BG.pdf> [↑](#footnote-ref-34)
34. See, for example, the publicity campaigns of the revenue agency at <http://www.zaplatavplik.bg/#salary>. or the annual reports of the labour inspectorate at <http://www.gli.government.bg/bg/page.php?c=40&page=0> [↑](#footnote-ref-35)
35. Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, <https://www.lex.bg/laws/ldoc/521957377>, Art. 6, para. 2, Art. 54, para. 1 [↑](#footnote-ref-36)
36. Bulgaria, Protection against Discrimination Act *(Закон за защита от дискриминация)*, 1 January 2004, <https://www.lex.bg/laws/ldoc/2135472223> It transposes a number of EU legal acts including Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, Art 2,4, Art 5 in relation with para. 1, item 6 of additional provisions, Art 7, para. 1, item 16-17, Art. 24, Art. 35, Art. 38 [↑](#footnote-ref-37)
37. Bulgaria, Protection against Discrimination Act *(Закон за защита от дискриминация)*, 1 January 2004, <https://www.lex.bg/laws/ldoc/2135472223>,. [↑](#footnote-ref-38)
38. Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, <https://www.lex.bg/laws/ldoc/521957377>*,* Art. 14, 47, 53 [↑](#footnote-ref-39)
39. The provisions on abandonment enter into force as of 1 January 2020. [↑](#footnote-ref-40)
40. Bulgaria, Child Protection Act (*Закон за закрила на детето*), 20 June 2000, <https://www.lex.bg/laws/ldoc/2134925825>, Art. 17a, para. 1, item 9, Art. 21, para. 1, item 8, Art. 36a, 36б, 36г, 36д [↑](#footnote-ref-41)
41. Bulgaria, Rules for the Implementation of the Child Protection Act (*Правилник за прилагане на закона за закрила на детето*), 25 July 2003, <https://www.lex.bg/laws/ldoc/2135469520>, Art. 9 and following, Art. 68 [↑](#footnote-ref-42)
42. Bulgaria, Protection against Discrimination Act *(Закон за защита от дискриминация)*, 1 January 2004, <https://www.lex.bg/laws/ldoc/2135472223>, Art 7, item 15 [↑](#footnote-ref-43)
43. Bulgaria, Social Services Act *(Закон за социалните услуги)*, 1 January 2020, <https://www.lex.bg/bg/laws/ldoc/2137191914>, Art. 12, para. 3, Art. 13, para. 3, Art. 14, para. 2, item 2, Art. 87 [↑](#footnote-ref-44)
44. Bulgaria, Combatting Human Trafficking Act *(Закон за борба с трафика на хора),* 20 May 2003, <https://www.lex.bg/laws/ldoc/2135467374>, Art. 21, 24, 26 [↑](#footnote-ref-45)
45. Bulgaria, People with Disabilities Act *(Закон за хората с увреждания),* 1 January 2019, <https://www.lex.bg/bg/laws/ldoc/2137189213>, Art. 2-6, Art. 5, para. 1 [↑](#footnote-ref-46)
46. Bulgaria, Protection against Discrimination Act *(Закон за защита от дискриминация)*, 1 January 2004, <https://www.lex.bg/laws/ldoc/2135472223>, Art. 2,4, 5, 6, 7, 16, 32, 35 [↑](#footnote-ref-47)
47. Bulgaria, Child Protection Act *(Закон за закрила на детето)*, 13 June 2000, <https://www.lex.bg/laws/ldoc/2134925825>, Art. 4, para. 1, item 12, Art. 36в [↑](#footnote-ref-48)
48. Bulgaria, Social Services Act *(Закон за социалните услуги)*, 1 January 2020, <https://www.lex.bg/bg/laws/ldoc/2137191914>, Art. 1, 90, 92, 93, 145 [↑](#footnote-ref-49)
49. Bulgaria, Labour Code *(Кодекс на труда)*, 1 January 1987, <https://www.lex.bg/laws/ldoc/1594373121>, Art. 8, Art. 325, para. 1, item 9, Art. 316, Art. 319 [↑](#footnote-ref-50)
50. Bulgaria, Pre-school and School Education Act *(Закон за предучилищното и училищното образование)*, 1 August 2016, <https://lex.bg/bg/laws/ldoc/2136641509>, Art. 5, para. 1, item 9, Art. 44 and others, Art. 49, 187 and others, Art. 200 [↑](#footnote-ref-51)
51. Bulgaria, Spatial Planning Act *(Закон за устройство на територията)*, 31 March 2001, <https://www.lex.bg/laws/ldoc/2135163904>, Art. 75, para. 3, Art. 112, para. 4, Art. 169 and following, explicitly referring to, among others, Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC [↑](#footnote-ref-52)
52. Bulgaria, Ministry of Regional Development and Public Works *(Министерство на регионалното развитие и благоустройството)*, Ordinance N 4 of 1 July 2009 for design, execution and maintenance of construction in accordance with the requirements for accessible environment, including for persons with disabilities *(Наредба № 4 от 1.07.2009 г. за проектиране, изпълнение и поддържане на строежите в съответствие с изискванията за достъпна среда за населението, включително за хората с увреждания)*, <https://www.mrrb.bg/bg/naredba-4-ot-2009-g-za-proektirane-izpulnenie-i-poddurjane-na-stroejite-v-suotvetstvie-s-iziskvaniyata-za-dostupna-sreda-za-naselenieto-vklyuchitelno-za-horata-s-uvrejdaniya-dv-br-54-ot-2009-g/> [↑](#footnote-ref-53)
53. Bulgaria, Youth Act *(Закон за младежта),* 20 April 2012, <https://www.lex.bg/laws/ldoc/2135786802>, Art. 2, 4, 5, 7, 13 and following, 44 and following [↑](#footnote-ref-54)
54. Bulgaria, Employment Promotion Act *(Закон за насърчаване на заетостта),* 1 January 2002, <https://lex.bg/laws/ldoc/-12262909>, Art. 36 and following, par. 1, item 4a of additional provisions [↑](#footnote-ref-55)
55. Bulgaria, Vocational Education and Training Act *(Закон за професионалното образование и обучение),* 30 July 1999, <https://www.lex.bg/laws/ldoc/2134673921>, Art. 11-12 [↑](#footnote-ref-56)
56. Bulgaria, Pre-school and School Education Act *(Закон за предучилищното и училищното образование)*, 1 August 2016, <https://lex.bg/bg/laws/ldoc/2136641509>, Art. 42 [↑](#footnote-ref-57)
57. Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, <https://www.lex.bg/laws/ldoc/521957377>, Art 51 [↑](#footnote-ref-58)
58. Bulgaria, Social Services Act (*Закон за социалните услуги*), 1 January 2020, <https://www.lex.bg/bg/laws/ldoc/2137191914>, Art 3 para.1, item 1 and Art 7 para.1 in relation to §1 item 1 of additional provisions; Art 14 para. 2, item 6 in relation to §1 item 26 of additional provisions; Art 92 para. 1 in relation with §1 item 20 of additional provisions; [↑](#footnote-ref-59)
59. Bulgaria, Employment Promotion Act *(Закон за насърчаване на заетостта)*, 29 December 2001, <https://lex.bg/laws/ldoc/-12262909>, Art 6, para. 1, Art 7-13, 14, 16, 30 and following, 55a, 56 para 4-7, §1 item 18 of Additional provisions [↑](#footnote-ref-60)
60. Bulgaria, Social Assistance Act(*Закон за социално подпомагане),* 19 May 1998*,* <https://lex.bg/laws/ldoc/2134405633>, Art 1, para. 2, Art. 2, para. 3, Art 3 [↑](#footnote-ref-61)
61. Bulgaria, Social Assistance Act(*Закон за социално подпомагане),* 19 May 1998*,* <https://lex.bg/laws/ldoc/2134405633> [↑](#footnote-ref-62)
62. Bulgaria, Social Services Act (*Закон за социалните услуги*), 1 January 2020, <https://www.lex.bg/bg/laws/ldoc/2137191914>, Art 15, item 9, Art 104, para.1, item 7, para. 1, item 16, 31 of additional provisions [↑](#footnote-ref-63)
63. Bulgaria, Municipal Property Act *(Закон за общинската собственост),* 1 June1996,<https://www.lex.bg/laws/ldoc/2133874691>, Art 42, para. 1 item 1, Art 45, Art 43, item 1 in relation with Art 45a [↑](#footnote-ref-64)
64. Bulgaria, Sofia Municipal Council *(Столичен общински съвет)* Regulation on the management of municipal residential properties in Sofia Municipality (*Наредба за реда и условията за управление и разпореждане с общински жилища на територията на Столична община)*, 14 July 2005, <https://www.lex.bg/laws/ldoc/2135530445>, Art 2, para. 1, Art 3, para 1, items 1 and 4, Art. 5, Art. 6-16, Art. 17 and following, Art. 28 [↑](#footnote-ref-65)
65. Bulgaria, Municipal Council Plovdiv *(Пловдивски общински съвет)*, Regulations on the establishment of housing needs, the accommodation in municipal residential properties and their sale, (*Наредба за условията и реда за установяване на жилищни нужди, за настаняване в общински жилища и продажбата им),* 22 March 2005, <http://plovdiv.bg/obs/действащи-актове/наредба-за-условията-и-реда-за-установ/>, Art 25, para. 1 [↑](#footnote-ref-66)
66. Bulgaria, Protection against Discrimination Act *(Закон за защита от дискриминация)*, 1 January 2004, <https://www.lex.bg/laws/ldoc/2135472223>, Art. 2,4. [↑](#footnote-ref-67)
67. Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 1 December 2002, <https://lex.bg/laws/ldoc/2135453184>, Art. 20, Art. 23, para. 2, Art. 24, Art. 25, Art. 26, Art. 29, Art. 32, Art. 34, Art. 37a. The Act refers expressly to the 1951 Refugee Convention and its 1967 Protocol and the overall EU framework on international protection. [↑](#footnote-ref-68)
68. Bulgaria, Council of Ministers *(Министерски съвет на Република България)*, Regulation on the conditions and order for concluding, executing and terminating integration agreements with foreigners having received asylum or international protection *(Наредба за условията и реда за сключване, изпълнение и прекратяване на споразумението за интеграция на чужденците с предоставено убежище и международна закрила)*, 25 July 2017, <https://www.lex.bg/en/laws/ldoc/2137169844> [↑](#footnote-ref-69)
69. Bulgaria, Foreigners in the Republic of Bulgaria Act (*Закон за чужденците в Република България*), 23 December 1998, <https://lex.bg/laws/ldoc/2134455296>, Art. 39 and following [↑](#footnote-ref-70)
70. Those centres are further regulated in Bulgaria, Minister of the Interior *(Министър на вътрешните работи)*, Regulation № Із-1201 of 1 June 2010 on the order for temporary placement of foreigners in the special homes for temporary placement of foreigners and in their units and on their organisation and activity *(Наредба № Із-1201 от 1 юни 2010 г. за реда за временно настаняване на чужденци в специалните домове за временно настаняване на чужденци и в техните звена и за организацията и дейността им)*, 15 June 2010, <https://www.lex.bg/bg/laws/ldoc/2135684112> [↑](#footnote-ref-71)
71. Bulgaria, Labour Migration and Labour Mobility Act (*Закон за трудовата миграция и трудовата мобилност*), 21 May 2016, <https://www.lex.bg/bg/laws/ldoc/2136803084>, Art. 2, Art. 49 and following [↑](#footnote-ref-72)
72. Bulgaria, Criminal Code *(Наказателен кодекс),* 1 May 1968, <https://lex.bg/laws/ldoc/1589654529> [↑](#footnote-ref-73)
73. Bulgaria, Combatting Human Trafficking Act *(Закон за борба с трафика на хора),* 20 May 2003, <https://www.lex.bg/laws/ldoc/2135467374>, Art. 15 and following [↑](#footnote-ref-74)
74. Bulgaria, Family Code *(Семеен кодекс)*, 1 October 2009, <https://www.lex.bg/laws/ldoc/2135637484>, Art. 74, 122 and following, 139 and following [↑](#footnote-ref-75)
75. A description of the process is found in contractor’s contributions to the FRA annual reports. [↑](#footnote-ref-76)
76. Bulgaria, Protection against Domestic Violence Act *(Закон за защита от домашното насилие)*, 29 March 2005, <https://lex.bg/en/laws/ldoc/2135501151>, Art. 4 and following [↑](#footnote-ref-77)
77. Bulgaria, Criminal Procedure Code *(Наказателно-процесуален кодекс)*, 29 April 2006, <https://www.lex.bg/bg/laws/ldoc/2135512224>, Art. 75 and others [↑](#footnote-ref-78)
78. Bulgaria, Support and Financial Compensation to Victims of Crime Act *(Закон за подпомагане и финансова компенсация на пострадали от престъпления),* 1 January 2007, <https://www.lex.bg/laws/ldoc/2135540550> [↑](#footnote-ref-79)
79. Bulgaria, Protection against Discrimination Act *(Закон за защита от дискриминация)*, 1 January 2004, [https://www.lex.bg/laws/ldoc/2135472223, Art 2,4](https://www.lex.bg/laws/ldoc/2135472223,%20Art%202,4) in connection with para. 1, item 10 of the additional provisions [↑](#footnote-ref-80)
80. Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, <https://www.lex.bg/laws/ldoc/521957377>, Art. 46 [↑](#footnote-ref-81)
81. Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, https://www.lex.bg/laws/ldoc/2135637484, Art. 5 [↑](#footnote-ref-82)
82. Hristev, H., Lyubenova, D. and Dragoeva, L. (2019) *Free movement of European Union citizens – Rights and challenges to same-sex families in the Republic of Bulgaria*, Sofia, Youth LGBT Organization Deystvie, p. 58-61 [↑](#footnote-ref-83)
83. There is a very recent breakthrough, where a Bulgarian court recognised a same-sex marriage in another EU Member State for the purposes of the couple’s free movement: Bulgaria, Supreme Administrative Court (*Върховен административен съд*), Decision No 11351 of 24 July 2019 (*Решение № 11351 София, 24.07.2019)*, 24 July 2019, <http://www.sac.government.bg/court22.nsf/d038edcf49190344c2256b7600367606/6d39ed781f2f38dfc2258417003e30c7?OpenDocument> [↑](#footnote-ref-84)
84. Bulgaria, Energy Act (*Закон за енергетиката*), 9 December 2003, <https://lex.bg/laws/ldoc/2135475623>, Art. 38д [↑](#footnote-ref-85)
85. Bulgaria, Energy Efficiency Act (*Закон за енергийната ефективност*), 15 May 2015, <https://www.lex.bg/en/laws/ldoc/2136500695>, Art. 25 [↑](#footnote-ref-86)
86. Bulgaria, Social Assistance Act(*Закон за социално подпомагане),* 19 May 1998*,* <https://lex.bg/laws/ldoc/2134405633>, Art. 12, para. 4 [↑](#footnote-ref-87)
87. Bulgaria, Minister of Labor and Social Policy *(Министър на труда и социалната политика)*, Regulation N RD -07-5 of 16 May 2008 on the terms and conditions for targeted social benefits for heating (*Наредба № РД-07-5 от 16 май 2008 г. За условията и реда за отпускане на целева помощ за отопление*), 27 May 2008, <https://www.lex.bg/laws/ldoc/2135588875> [↑](#footnote-ref-88)
88. Bulgaria, Labor Code (*Кодекс на труда*), 1 January 1987, <https://www.lex.bg/laws/ldoc/1594373121>, Art 63, Art 68, Art 124, Art 128, Art 143 and following, Art 399 and following [↑](#footnote-ref-89)
89. Bulgaria, Tax Insurance Procedure Code (*Данъчно-осигурителен процесуален кодекс*), 1 January 2006, <https://www.lex.bg/laws/ldoc/2135514513>, Art 110 and following [↑](#footnote-ref-90)
90. Bulgaria, Social Security Code (*Кодекс за социално осигуряване),* 1 January 2000, <https://www.lex.bg/laws/ldoc/1597824512>, Art 5 para.4, Art 355 [↑](#footnote-ref-91)
91. Bulgaria, Income Tax on Natural Persons Act (*Закон за данъците върху доходите на физическите лица*), 1 January 2007, <https://www.lex.bg/laws/ldoc/2135538631>, Art 80a [↑](#footnote-ref-92)
92. Bulgaria, Employment Promotion Act *(Закон за насърчаване на заетостта),* 1 January 2002, <https://lex.bg/laws/ldoc/-12262909> [↑](#footnote-ref-93)
93. Bulgaria, Labour Migration and Labour Mobility Act (*Закон за трудовата миграция и трудовата мобилност*), 21 May 2016, <https://www.lex.bg/bg/laws/ldoc/2136803084>, Art. 13 [↑](#footnote-ref-94)
94. Bulgaria, Council of Ministers of the Republic of Bulgaria *(Министерски съвет на Република България)* (2010) The Framework Programme for Integration of Roma into Bulgarian Society (2010 – 2020) (*Рамкова програма за интегриране на ромите в българското общество (2010-2020 г.)*), 12 May 2010, <http://strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=609> The Framework Programme refers explicitly to a number of EU and international standards and strategic documents in the field, among which Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, the 2005 European Parliament resolution on the situation of the Roma in the European Union, European Parliament resolution of 11 March 2009 on the social situation of the Roma and their improved access to the labour market in the EU (2008/2137(INI)), the Council Conclusions on inclusion of the Roma of 2008, the Framework Convention for the Protection of National Minorities. [↑](#footnote-ref-95)
95. Bulgaria, National Assembly of the Republic of Bulgaria *(Народно събрание на Република България)* (2012) National Strategy of the Republic of Bulgaria for Roma Integration *(Национална стратегия на Република България за интегриране на ромите (2012 - 2020)),* 1 March 2012, <https://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=726> [↑](#footnote-ref-96)
96. Bulgaria, Ministry of Education and Science *(Министерство на образованието и науката)* (2015), Strategy for Educational Integration of the Children and Students from Ethnic Minorities 2015-2020 *(Стратегия за образователна интеграция на децата и учениците от етническите малцинства (2015-2020))*, <https://www.mon.bg/bg/143>, preceded by a strategy for until 2015, to which the Roma integration strategy actually refers [↑](#footnote-ref-97)
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