

BULGARIA 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Bulgaria is a constitutional republic governed by a freely elected unicameral National Assembly. A coalition government headed by a prime minister leads the country. National Assembly elections were held in 2017, and the Central Election Commission did not report any major election irregularities. International observers considered the National Assembly elections and the 2016 presidential election generally free and fair but noted some deficiencies.

The Ministry of Interior is responsible for law enforcement, migration, and border enforcement. The State Agency for National Security, which reports to the Prime Minister's Office, is responsible for investigating corruption and organized crime, among other responsibilities. The army is responsible for external security but also can assist with border security. The National Protective Service is responsible for the security of dignitaries and answers to the president. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included: problems with the independence of the judiciary; restrictions on free expression and the press, including violence and threats of violence against journalists, censorship, and corporate and political pressure on media; acts of corruption; crimes involving violence or threats of violence against Roma; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons.

Authorities took steps to prosecute and punish officials who committed human rights abuses, but government actions were insufficient, and impunity was a problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, but there were reports of government officials employing degrading treatment. A 2017 analysis by the nongovernmental organization (NGO) Bulgarian Helsinki Committee indicated that more than 40 percent of the jail population complained of physical injuries and illegal arrests, while 16 percent alleged forced interrogations. The Bulgarian Helsinki Committee continued to criticize the Interior Ministry for not collecting or tracking information on police brutality and for lacking an efficient mechanism for investigating and punishing offending officials. According to the NGO, physical abuse of detainees by police was widespread and disproportionately affected Romani suspects.

In the report published on July 11 following its visit in December 2018, the Council of Europe's Committee for the Prevention of Torture (CPT) found there were no "recent and credible allegations of physical ill-treatment of detained foreign nationals by border police officers" but noted allegations of verbal abuse of migrants held in the Busmantsi immigration detention facility while they were in border police custody.

Prison and Detention Center Conditions

The Bulgarian Helsinki Committee reported that prison conditions in many detention facilities remained "inhuman and degrading." There were reports of overcrowding in some facilities, interprisoner violence, prison staff corruption, and inadequate sanitary, living, and medical facilities. The CPT characterized conditions in border police detention facilities as "acceptable for the maximum period of 24 hours of custody."

Physical Conditions: Overall prison conditions remained poor. Both the ombudsman and the Bulgarian Helsinki Committee urged authorities to develop an overall detention facility development program. In August the ombudsman identified "extremely bad physical conditions" in the Keramichna Fabrika facility, including falling plaster from walls and ceilings, exposed electrical outlets and power cables, ceiling cracks, and unsanitary conditions, and recommended its immediate closure.

The Bulgarian Helsinki Committee identified several additional problems, including poor access to health care and its poor quality wherever available, poor working conditions, and prison corruption. In its report the CPT identified “a poor and unreliable quality” of keeping medical documentation and unsatisfactory medical services at the immigration detention facilities, including inadequate and out-of-order medical equipment, extremely limited and often expired free medications, and very restricted access to medical specialists. The CPT’s report noted it was “particularly concerned by the detained foreign nationals’ very poor access to psychiatric care, limited in fact to emergencies, additionally compounded by the lack of interpretation arrangements.”

The law provides for the establishment of closed-type centers or designation of closed-type areas within a reception center for confinement in isolation of migrants who disturb the internal order.

The government ombudsman reported cases of police and prison authorities applying excessive force and abusing detainees and prisoners in detention centers and in the prison in Sofia, and a lack of effective administrative response to such abuses. In a report to the justice minister, the ombudsman alleged that the prison administration failed to enforce the regulations and continuously tolerated the unnecessary use of handcuffs, despite the ombudsman’s recommendation against the practice in 2016-17.

The Bulgarian Helsinki Committee noted that the introduction of traumatic injury registers in prison medical centers had reduced prisoner abuse but reported multiple cases of abuse against prisoners with mental disorders in the Sofia prison hospital. In one of those cases, five prison guards responded to a fight between two prisoners by entering their cell and beating them severely with truncheons. In April the government adopted a new regulation that revoked the mandatory use of physical restraints on detainees escorted out of the detention facility and gave the escorting body authority to decide on each case individually.

The ombudsman expressed concern that prison administrations consistently denied prisoners access to education and criticized the lack of adequate light in detention centers as well as inadequate stocks of bed linen and food, which sometimes left detainees without food for 24 hours.

Human rights activists accused the prison administration of confiscating applications for membership in the Bulgarian Prisoner Association, an NGO founded by inmates to advocate for prisoner rights, and of punishing and physically abusing its members. In April and May, Bulgarian Prisoner Association leader Jock Palfreeman went on a 33-day hunger strike in response to prison authorities' retaliation against him for exposing corruption in the country's prison system and the abuse of inmates. According to Palfreeman's lawyer, his client had been fired from his prison job, banned from receiving visitors, and threatened and intimidated by prison guards.

Administration: Authorities investigated allegations of mistreatment. According to the CPT, the prison system suffered serious corruption and staffing issues, particularly with regard to health-care personnel. Contrary to law, regulations allow night searches of sleeping quarters for unapproved possessions, and the ombudsman criticized the prison administration for conducting such searches. The Bulgarian Helsinki Committee reported that medical personnel did not report all cases of violence against prisoners by custodial staff to the prosecution service.

Independent Monitoring: The government permitted monitoring of prisons by independent nongovernmental observers. According to the concluding observations of the UN Office of the High Commissioner for Human Rights' Committee against Torture's sixth periodic report (issued in 2017), the country's Office of Ombudsman was not sufficiently equipped to fulfill its mandate as national preventive mechanism under the Optional Protocol to the UN Convention against Torture.

Improvements: As of October the government opened new detention facilities in Sliven and Stara Zagora and refurbished sections of the prison facilities in Pazardjik, Bobov Dol, Stara Zagora, Veliko Turnovo, and Sofia. The Bulgarian Helsinki Committee also noted that authorities opened a new facility at Vratsa prison for juvenile offenders.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, there were reports that police at times abused their arrest and detention authority. The law provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

The law says that police normally must obtain a warrant prior to apprehending an individual. Police may hold a detainee for 24 hours without charge, and a prosecutor may authorize an additional 72 hours. A court must approve detention longer than the additional 72 hours. The law prohibits holding detainees in custody without indictment for more than two months if they are charged with misdemeanors. Detainees charged with felonies may be held without indictment for eight months, while persons suspected of crimes punishable by at least 15 years' imprisonment may be held up to 18 months without indictment. Prosecutors may not arrest military personnel without the defense minister's approval. Authorities generally observed these laws. In September the EU Agency for Fundamental Rights reported that detention orders "do not typically include a description of the reason for detention," and police authorities do not clearly inform detainees of their rights.

The law provides for release on personal recognizance, bail, and house arrest, and these measures were widely used.

The law provides for the right to counsel from the time of detention, and internal regulations instruct that detainees have access to legal counsel no later than two hours after detention and that a lawyer have access to the detainee within 30 minutes of his or her arrival at a police station. The law provides for government-funded legal aid for low-income defendants who could choose from a list of public defenders provided by the bar associations. A national hotline provided 15-minute free legal consultations eight hours per day.

On September 19 the Sofia Appellate Court granted Bulgarian Prisoner Association leader Jock Palfreeman parole. He had served slightly more than 13 years of his 20-year sentence for murder, but instead of releasing him the Ministry of Interior transferred him to the migrant detention center in Busmantsi. Even though by law the Sofia Appellate Court's parole ruling is not subject to appeal, on September 24 the prosecutor general requested that the Supreme Cassation Court suspend the parole and reopen Palfreeman's case. The prosecutor general accused the Sofia Appellate Court panel of judges of bias due to prior collaboration with the Bulgarian Helsinki Committee, which the court had asked to provide a written evaluation of Palfreeman's corrective progress. The Sofia Appellate Court panel of judges insisted in a subsequent statement that the proceedings at the Supreme

Cassation Court were not legal grounds for Palfreeman's continued detention and that he must be released. On October 15, Palfreeman was released from the detention center.

Arbitrary Arrest: There were reports of arbitrary detention. In May, for example, the Ministry of Interior imposed a disciplinary sanction on a police officer from Pazardjik who arrested a woman in the street in February 2018, accusing her of taking pictures of police during a vehicle inspection, which is not illegal. The driver had called the woman who owned the vehicle. Police fined the owner for disobeying a police order and not producing identity documents, which she claimed were in the car she was driving, parked behind the vehicle under inspection.

In May the Specialized Criminal Court recognized in its sentencing judgment that masked representatives of the Commission for Combating Corruption and Forfeiture of Illicit Assets had participated illegally in the arrest of the former mayor of Sofia's Mladost District, Desislava Ivancheva, and that keeping her handcuffed in a public place had severely violated her right to the presumption of innocence.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but corruption, inefficiency, and a lack of accountability continued to be pervasive problems. Public trust in the judicial system remained low because of the perception that magistrates were susceptible to political pressure and rendered unequal justice. In its October cooperation and verification mechanism report, the EC noted "a pattern of targeted criticism against judges based on the content of their rulings," which affected judicial independence and impartiality.

According to human rights organizations, the law has low standards for a fair trial, creating possibilities for the violation of procedural rights of lawyers and defendants. In its annual report released in May, the Supreme Cassation Court accused the prosecution service of an "unprecedented attempt at institutional pressure on the court, violating the constitutional balance of government power and rule of law, and drastic interference with judicial independence" after the prosecution service refused to give the court access to a case file for the purpose of conducting a due process inspection.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right.

The law presumes defendants are innocent until proven guilty. Defendants have the right to be informed promptly and in detail of the charges against them. They have the right to a fair and timely trial, but long delays affected the delivery of justice in criminal procedures. All court hearings are public except for cases involving national security, endangering public morals, and affecting the privacy of juvenile defendants. Defendants have the right to be present at their trials and can demand a retrial if convicted in their absence, unless they were evading justice at the time of the first trial.

The constitution and the law give defendants the right to an attorney, provided at public expense for those who cannot afford one. A defense attorney is mandatory if the alleged crime carries a possible punishment of 10 or more years in prison; if the defendant is a juvenile, foreigner, or person with mental or physical disabilities; or if the accused is absent. Defendants have the right to ample time and facilities to prepare a defense. They have the right to free interpretation as necessary from the moment they are charged through all their appeals. Defendants have the right to confront witnesses, examine evidence, and present their own witnesses and evidence. Defendants are not compelled to testify or confess guilt. The law provides for the right of appeal, which was widely used.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The law prohibits official discrimination in access to employment, education, health care, and all other rights and freedoms provided in the constitution and the laws. The government investigated complaints of discrimination, issued rulings, and imposed sanctions on violators. The law allows individuals to pursue a discrimination case through the court system or through the Commission for Protection against Discrimination (CPD).

Individuals may file allegations of human rights abuses with courts and with the CPD, which can impose fines on violators. After all remedies in domestic courts are exhausted, individuals can appeal decisions involving alleged violations of the European Convention on Human Rights by the state to the European Court of Human Rights. According to the ombudsman, authorities did not take full advantage of mediation in dispute resolution in order to address the backlog of more than 740,000 cases.

Property Restitution

According to the Bulgarian Helsinki Committee, authorities evicted Romani families from their homes for political reasons ahead of elections, citing legal obligations to demolish illegal and hazardous buildings, while failing to provide the required support to the evicted persons, leaving them homeless.

While the government has no legislation specific to Holocaust-era property restitution, laws and mechanisms in place address communist-era real estate claims (not including moveable property), including by foreign citizens, and were applied to cover Holocaust-related claims. NGOs and advocacy groups, including local Jewish organizations, reported significant progress on resolution of such claims. After World War II, the communist government first restituted but then nationalized the personal and community property lost during the Holocaust. After the fall of communism, Jewish organizations and individuals were able to reclaim ownership of, or receive compensation for, communal and private property nationalized by the communist regime. The Ministry of Defense refused to restore to the Jewish community a property located on the Naval Academy's campus in Varna, claiming that it was used for strategic communications. According to the Organization of Bulgarian Jews Shalom, the Varna property was the only outstanding Holocaust-era communal property that had not been returned.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions. Law enforcement agencies can access electronic data traffic only in cases related to serious crime or national security. NGOs accused authorities of intentionally leaking personal data in order to intimidate critics. In July the Supreme Judicial Council Inspectorate publicized the income statements of all magistrates, failing to redact the personal data only of

judge Miroslava Todorova, a vocal proponent of judicial independence, and her family, including their home address.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press, and the government generally respected this right. Concerns persisted, however, that corporate and political pressure, combined with the growing and nontransparent concentration of media ownership and distribution networks, as well as government regulation of resources and support for media, gravely damaged media pluralism. In October the secretary general of Reporters Without Borders described the media situation as “worse than ever.” He said that the country was “embroiled in an extremely serious media civil war,” and expressed concern about harassment of journalists, political manipulation of media, and a collapse of professional standards in the media.

According to the Bulgarian Helsinki Committee, there was a persistent deterioration in the freedom of expression and a collapse of professional and ethical standards supporting a high-quality media environment. In a public statement in September, the NGO outlined “continued trends of increased control of major media by the government, especially before the past [European Parliament] and forthcoming [local] elections.” According to Transparency International Bulgaria, media ownership “is often unclear” and many media outlets “are financially dependent on state advertising, which may color their reporting and affect any criticism they may otherwise provide of government authorities.”

The International Research and Exchanges Board’s *2019 Media Sustainability Index* identified an increase in the country in crimes against media professionals, verbal attacks against journalists by government officials, and a lack of transparency in the ownership of online media contributing to the distribution of fake news and propaganda.

Freedom of Expression: The law provides for one to four years’ imprisonment for use of and incitement to “hate speech.” The law defines hate speech as instigation of hatred, discrimination, or violence based on race, ethnicity, nationality, religion, sexual orientation, marital or social status, or disability. NGOs alleged that the

presence of nationalist parties in the government “empowered” supporters to use hate speech regularly.

Individuals generally criticized the government without official reprisal. In August the prosecutor general and his deputies requested from the Supreme Judicial Council a decision on whether media publishing “false information” or “manipulative allegations” about prosecutors should be prosecuted. In response, the Supreme Judicial Council’s Prosecutorial College called on the public and the media to be more tolerant and responsible when commenting on the nomination for a new prosecutor general.

Press and Media, Including Online Media: The media were active and expressed a wide variety of views. Laws restricting “hate speech” also applied to print media. Reporters Without Borders’ *2019 World Press Freedom Index* reported widespread “corruption and collusion between media, politicians and oligarchs,” “judicial harassment of independent media,” as well as increased “threats against reporters.” Domestic and international organizations criticized both print and electronic media for editorial bias, lack of transparency in their financing and ownership, and susceptibility to political influence and economic incentives.

Violence and Harassment: In February investigative journalist Hristo Geshov complained that he received anonymous threats after he released a video of his initial investigation of an illegal water supply business in Troyan. In May, two unidentified persons abducted Geshov and held him captive overnight until he agreed to take down his *zovnews.com* story on the case. As of September there was no further information on law enforcement action to identify the abductors.

In August the specialized prosecution service accused online news provider *Mediapool* of vandalism and desecrating the memory of a deceased magistrate. The service condemned *Mediapool* for publishing a story covering the 72-hour arrest of a man who had written obscenities on the magistrate’s obituary posted inside the courthouse.

In September photojournalist Veselin Borishev spent a night in jail after police arrested him for taking pictures of them during a protest. The Interior Ministry issued an official apology and opened an internal investigation into the case.

Censorship or Content Restrictions: Journalists continued to report editorial prohibitions on covering specific persons and topics, and the imposition of political

points of view by corporate leaders. According to the international NGO Association of European Journalists, self-censorship was widespread, especially in the smaller regional media.

In June, NetInfo executive director and minority shareholder Hristo Hristov complained of pressure and “increased interference in the editorial policies” of online news providers *Gong*, *Vesti*, and *Dariknews* from the new majority shareholders, brothers Kiril and Georgi Domuschiev. The NetInfo board of directors subsequently removed Hristov from his CEO position.

Human rights lawyers expressed concerns that changes in the Personal Data Protection Act passed in January present the government with opportunities to muzzle free speech, as they empower authorities to fine media and journalists in cases when “freedom of speech does not prevail over the right of a target of journalistic investigation to remain outside the focus of public attention.” According to the Association of European Journalists, the new legislation could force journalists to self-censor.

The Association of European Journalists protested the removal on September 12 of long-time anchor Sylvia Velikova from her rule-of-law-focused morning program on Bulgarian National Radio, attributing it to Velikova’s opposition to the nomination of Ivan Geshev as sole candidate for the next prosecutor general. Following protests, Velikova was reinstated.

Libel/Slander Laws: Libel is illegal and punishable by a fine of 3,000 to 15,000 levs (\$1,680 to \$8,400) and public censure. In June the Sofia City Court imposed a 1,000 lev (\$560) fine on *Economedia* journalist Rosen Bosev in a libel lawsuit filed by the former head of the Financial Supervision Commission, Stoyan Mavrodiev, who was offended by Bosev’s statement on television that Mavrodiev had repressed *Economedia’s Dnevnik* and *Capital* publications. The Association of European Journalists protested the court decision, accusing Judge Petya Krancheva of “settling a score” with Bosev, who had written critical articles about her.

In January the Sofia City Court ruled against Sofia regional governor Ilian Todorov’s libel appeal against freelance journalist Ivo Indjev, who posted a series of articles online in which he called Todorov a “xenophobe,” “anti-Semite,” “pro-Nazi nationalist,” and “Kremlin marionette,” among other things. The court’s decision confirmed the trial court’s “not guilty” verdict and made the argument

that “as a public person occupying a high-level government position, the claimant should possess a higher threshold of tolerance to criticism.”

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content. There were reports, however, that the government exceeded its legal authority in monitoring private online communications. In 2018 the interior minister acknowledged that it was a routine practice for the security services to call individuals for questioning over their social media behavior.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and the government mostly respected these rights.

Freedom of Peaceful Assembly

On April 18, workers from the Dunarit defense industry plant, who wanted to gather for peaceful support of two coworkers who were appearing at a remand hearing at the Specialized Criminal Court. In an open letter to the media, they complained that police pushed them away from the court building, surrounded them, took away their identity cards, and issued official warnings on the basis of suspicion of an attempted attack on the court. Police justified their actions with reference to an “order from higher up.”

Freedom of Association

Authorities continued to deny registration of the Macedonian activist group OMO Ilinden, despite a January judgment and 10 prior decisions of the European Court of Human Rights that the denials violated the group’s freedom of association.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Abuse of Migrants, Refugees, and Stateless Persons: Human rights organizations continued to report widespread “pushbacks,” violence, robbery, and humiliating practices against migrants and asylum seekers along the border with Turkey. In August media publications citing “internal sources” from the European border control agency FRONTEX alleged that border police had “chased migrants with dogs, beaten them, and forced them back across the border.” The interior minister denied the allegations, claiming that border guards “use force only when the situation demands it, such as in cases of aggression against them.”

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, or other persons of concern.

Refoulement: Human rights organizations criticized the government for deporting Turkish citizens back to Turkey where they would face imprisonment due to their political activity. In July, for example, the Sofia Administrative Court approved the extradition of Ilhan Karabag, a Turkish citizen of Kurdish origin, who had spent three years in a reception center as an asylum seeker. The NGO Bordermonitoring reported the presence of a representative of the Turkish diplomatic mission at the court hearings and protested, asserting the presence of the representative was an attempt to pressure the court.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for protecting refugees. The president may

grant asylum to persons who are persecuted for their belief or activities advocating for internationally recognized rights and freedoms. Asylum seekers and refugees who cross the border irregularly are subject to detention.

Freedom of Movement: The law restricts asylum seekers' movement to the administrative region in which the reception center where they have been accommodated is located. The restriction is valid until the asylum procedure is completed.

Access to Basic Services: The refugee integration ordinance authorizes mayors to sign integration agreements with persons who have refugee status, specifying the services they will receive--housing, education, language training, health services, professional qualification, and job search assistance--as well as the obligations of the responsible institutions. NGOs claimed the government made inconsistent efforts to integrate refugees. According to the Asylum Information Database country report published in March, "no integration activities are planned, funded or available to the general population of recognized refugees or subsidiary protection holders." According to the State Agency for Refugees, as of October, four refugee families totaling 27 persons had signed integration agreements, and two more families were negotiating agreements with municipal authorities.

In June the State Agency for Refugees and the International Organization for Migration inaugurated a safety zone for unaccompanied asylum-seeking children at the Voenna Rampa reception center to provide 24-hour care and specialized services in an environment adapted to their needs.

Durable Solutions: The government accepted refugees for resettlement, offered naturalization to refugees residing on its territory, and assisted in their voluntary return to their homes. As of November the country had accepted 67 relocated refugees and was in the process of interviewing another 26.

Temporary Protection: The Council of Ministers may provide temporary protection in case of mass influx of foreign nationals driven by an armed conflict, civil war, violence, or large-scale human rights violations in their country of origin, as determined by the Council of the European Union. The government also provided humanitarian protection to individuals who may not qualify as refugees and provided it to 208 persons as of September.

g. Stateless Persons

The law affords the opportunity for a stateless person to apply for citizenship after three years of receiving permission for long-term or permanent residence in the country. In February the European Network on Statelessness criticized the country for “serious shortcomings” in its treatment of stateless persons, including detaining them. In 2018 Eurostat estimated the number of stateless persons at 1,870, while UNHCR placed the number of persons under its statelessness mandate at 92 at the end of 2018.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: There were no reports of major irregularities during the snap general election in 2017 or in the 2016 presidential election. Most political commentators, including the election observation mission of the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe, considered the general election free and fair, while noting that “some parties used inflammatory and xenophobic rhetoric, mainly against Roma and Turkish communities.”

The law prohibits campaigning in languages other than Bulgarian. According to ODIHR, this requirement, as well as the absence of official voter information in minority languages, limited the ability of ethnic minority groups to understand election rules and to participate effectively in the election process. NGOs reported that address registration laws limited the ability of Romani persons occupying illegal housing to obtain identity cards, which in turn restricted their ability to register for and vote in elections.

In February the Bulgarian Helsinki Committee criticized recently adopted amendments to the electoral code, stating that they “infringe electoral rights significantly and deliberately limit citizens’ ability” to freely choose “political entities and individuals as their representatives in the various levels of local, national, and supranational government.” According to the NGO, the changes leave “a wide-open door” for political influence on the Central Electoral

Committee, create obstacles to proving vote manipulation, and put smaller political parties at a disadvantage.

Transparency International Bulgaria reported numerous cases of controlled voting and organizational violations, that “infringe significantly voter rights and could be assessed as an indicator of deliberate interference with the electoral process” during the two local election rounds in October and November.

The prosecution service reported prosecuting 18 vote-buying cases after European Parliament elections in May; as of July the court passed sentence in four of them. On November 25, the Yambol Regional Court gave Ivan Todorov a three-year suspended sentence and a fine of 13,000 levs (\$7,280) for offering 13 persons money to vote for him as municipal council candidate in the 2015 local elections.

Political Parties and Political Participation: The law requires a political party to have at least 2,500 members to register officially. The constitution prohibits the establishment of political parties along religious, ethnic, or racial lines, but the prohibition did not appear to weaken the role of some ethnic minorities in the political process, as a number of parties represented various ethnic minority groups. NGOs may not engage in political activity.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate. Women held mayoral offices in 37 out of 265 municipalities. There were no Romani members in the National Assembly, and Roma were underrepresented in appointed leadership positions compared to the size of their population. Ethnic Turks, Roma, and Pomaks (descendants of Slavic Bulgarians who converted to Islam under Ottoman rule) held elected positions at the local level.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for corruption by officials, the government did not implement the law effectively, and officials in all branches of government reportedly engaged in corrupt practices with impunity. During the year there were reports of government corruption, including bribery, conflict of interest, elaborate embezzlement schemes, procurement violations, and influence trading.

In March the European Commission's annual *European Semester Report* identified corruption as a major obstacle to investment and noted that the "fight against corruption remains a challenge," insisting that "authorities need to show a stable record of effectively investigating and prosecuting high-level corruption cases, including [those] involving politicians." In its October report, the European Commission acknowledged the country's anticorruption reform efforts but noted that its "positive effects... remain to be seen" since "very few final convictions have been adopted and enforced in cases involving high-level corruption."

Corruption: In January Transparency International Bulgaria stated there had been no significant progress in the country's anticorruption efforts. In March the *Sega* newspaper reported it had obtained official Justice Ministry information that only nine persons sentenced on petty corruption-related crimes served actual prison time. In April *Standart* reported that the prosecutor general stated at a national security council meeting that there were ongoing corruption investigations against 140 high-level government officials, including members of the National Assembly, ministers, deputy ministers, mayors, heads of agencies, and tax and customs officials, and that they had resulted in 39 indictments.

On April 15, the Specialized Criminal Court sentenced the former mayor of Sofia's Mladost district, Desislava Ivancheva, to 20 years in prison, a 20,000 lev (\$11,200) fine, property confiscation, and a ban on holding high-level public office for 20 years. Ivancheva's former deputy, Bilyana Patrova, received 15 years in prison, a 15,000 lev (\$8,400) fine, property confiscation, and a ban on holding high-level public office for 15 years. Another former Mladost district mayor, Petko Dyulgerov, received 12 years in prison, a 12,000 lev (\$6,720) fine, and property confiscation. According to the prosecution, Ivancheva solicited a 500,000-euro (\$550,000) bribe from an investor in construction projects, with Dyulgerov serving as an intermediary and Petrova acting as an accomplice.

In April the Constitutional Court abolished changes to the code on administrative procedure that had increased fees for second appeals by a factor of 14 for individuals and 70 for organizations. The court's decision was based on petitions by the president, the ombudsman, and 53 National Assembly members who shared the opinion of NGOs that asserted the amendments imposed severe restrictions on access to administrative justice and restricted the ability to challenge the legality of acts by the public administration.

Financial Disclosure: The law mandates that government officials make annual public declarations of their assets and income as well as any circumstances in which they could face accusations of using their position for personal gain. The Commission for Combating Corruption and Forfeiture of Illicit Assets verified and monitored disclosures for all officials except magistrates, whose declarations were monitored by the Supreme Judicial Council's inspectorate. High-level public officials and magistrates who fail to submit a financial disclosure declaration can incur fines of up to 3,000 leva (\$1,680), and up to 6,000 leva (\$3,360) for a repeat violation. The provision was enforced during the year. In March the commission reported identifying omissions or discrepancies in more than 10 percent of the annual declarations, attributing it to the new procedures and the lack of an information campaign.

In June the Commission for Combating Corruption and Forfeiture of Illicit Assets exonerated seven senior political figures, including the head of the Supreme Cassation Court, the minister of justice, and the ruling GERB party's deputy chairman and National Assembly member, of conflict of interest allegations. The NGO Anticorruption Fund released a report alleging that those officials had acquired luxury real estate property at below-market value, but the commission concluded they had not used their official status to acquire the property.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Human rights observers reported uneven levels of cooperation from national and local government officials. Some political parties, civic movements, and media outlets advocated closing certain NGOs because they obtained funding from foreign donors.

Government Human Rights Bodies: The ombudsman is an independent constitutional body elected by the national assembly with a five-year mandate. The ombudsman reviews individuals' complaints against the government for violations of rights or freedoms. The ombudsman can request information from authorities, act as an intermediary in resolving disputes, make proposals to end existing practices, refer information to the prosecution service, and request the Constitutional Court to abolish legal provisions as unconstitutional.

The Commission for Protection against Discrimination is an independent specialized agency for preventing and protecting against discrimination and ensuring equal opportunity.

A National Assembly permanent committee covers religious denominations and human rights.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape, and authorities generally enforced its provisions when violations came to their attention. Sentences for rape convictions range up to 20 years in prison. There is no specific criminal law against spousal rape; authorities could prosecute spousal rape under the general rape statute, but rarely did so.

In February the National Assembly passed amendments introducing penalties of up to 10 years' imprisonment for crimes committed in the context of domestic violence. The law defines domestic violence as systematic physical, sexual, or psychological violence; subjection to economic dependence; or coercive restriction of the personal life, personal liberty, and personal rights of a parent or child, a spouse or former spouse, a person with whom one shares a child, a cohabiting partner or former cohabiting partner, or a member or former member of the same household. The law empowers courts to impose fines, issue restraining or eviction orders, or require special counseling. Noncompliance with a restraining order may result in imprisonment for up to three years or a fine of 5,000 leva (\$2,800). In January the government adopted an annual program for prevention and protection against domestic violence, which provides for the appointment of psychologists in larger schools, training of security service personnel, and development of an electronic database of cases of domestic and gender-based violence.

In October the UN special rapporteur on violence against women noted the existence of a "massive" pushback campaign against women's rights as well as "tolerance and normalization of violence against women," in addition to legal barriers, insufficient numbers of shelters, and inefficient protection measures. NGOs continued to express concern over the increase in cases of the killing of women or girls as a result of domestic violence. In February, for example, Borislav Nikolov from Varna severely beat his wife Kremena, who died of head

trauma with internal bleeding one day before the court hearing of their divorce case. The spouses had agreed to file for a divorce two weeks earlier. According to Kremena's family and friends, she had been subjected to physical and psychological violence throughout their five-and-a-half-year marriage. In September the Varna District Court sentenced Nikolov to serve 12 years in prison and pay 100,000 leva (\$56,000) in compensation to the victim's family.

The Animus Association Foundation and other NGOs provided short-term protection and counseling to domestic violence victims in 22 crisis centers and shelters throughout the country. The government funded an NGO-operated 24-hour free helpline that victims could call for counseling, information, and support, as well as to report abuse. Police and social workers referred victims of domestic violence to NGO-run shelters.

Sexual Harassment: The law identifies sexual harassment as a specific form of discrimination rather than a criminal offense, although prosecutors may identify cases in which harassment involves coercion combined with sexual exploitation. If prosecuted as coercion, sexual harassment is punishable by up to six years in prison.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: While the law provides women the same legal status and rights as men, women faced some discrimination in economic participation and political empowerment. The law establishes equal opportunities in all spheres of public, economic, and political life, equal access to public resources, equal treatment, exclusion of gender-based discrimination and violence, balanced representation of men and women in decision-making authorities, and overcoming of gender-based stereotypes. Following a 2018 Constitutional Court ruling that the term "gender" blurs the boundaries of the two biologically determined sexes, the government's July report regarding equality between women and men listed "fighting against violence based on the biological sex and changing the public stereotypes about women and men" as one of its priorities.

Children

Birth Registration: Citizenship derives from one's parents or by birth within the country's territory, unless one receives foreign citizenship by heritage. The law requires the registration of births within seven days.

Child Abuse: The law protects children against any type of abuse, including physical, psychological, and sexual violence and exploitation, and punishes violators with fines ranging from 300 to 10,000 leva (\$168 to \$5,600), unless the abuses constitute a criminal or more severe administrative offense. Violence against children continued to be a problem.

Beginning in January, domestic NGO March for the Family association organized a series of protests against the government's draft *Strategy for the Child 2019-2030*, expressing fear that it would give excessive power to the authorities to remove children from their parents by force. The political parties Internal Macedonian Revolutionary Organization and Vazrazhdane, as well as the Holy Synod of the Bulgarian Orthodox Church, joined the campaign against the strategy. The National Network for Children, an alliance of hundreds of NGOs defending children's rights, endorsed the strategy, which it asserted focused on a full prohibition of physical punishment of children and criminalization of domestic violence. The minister of labor and social policy insisted that the strategy was intended to "mobilize, finance, integrate and streamline the efforts of the authorities and civil society to improve every child's living environment and chances of fulfilling their potential," but the government, nevertheless, decided to discontinue the strategy. In March the government publicized the draft of its annual *National Program for Child Protection*, based on the four-year *National Program for Prevention of Violence and Abuse against Children (2017-20)*, but did not proceed with its adoption due to the ongoing protests.

In June the government's Social Assistance Agency reported registering 1,000 child abuse cases. According to a 2018 joint survey of the Bulgarian Teachers' Trade Union and the Ministry of Interior, 70 percent of children in the country had experienced abuse in their families, and in 60 percent of the cases the abuse was a reaction to the child's conduct and grades in school. A 2018 survey commissioned by the National Network for Children indicated that, while 88 percent of parents consider physical punishment of children ineffective, two-thirds resorted to physical punishment, and one-fourth did so on a regular basis.

In April the National Network for Children released its 2019 "report card," which found a slight overall improvement in government policies on children but noted

that authorities continued to “develop policies and make legislative changes not on the basis of evidence, but led by strictly partisan motives, with a lack of clear vision, political will, and professionalism.” The government funded an NGO-operated 24-hour free helpline that children could call for counseling, information, and support, as well as to report abuse.

In March the European Committee of Social Rights found that the country was in violation of European Social Charter legal provisions by requiring a one-year suspension or termination of monthly family allowances if a child stops attending school (even if the child subsequently returned to school) and by requiring the termination of monthly family allowances if a minor becomes a parent. The decision also identified discriminatory treatment of Roma, particularly minor Romani girls.

Early and Forced Marriage: The minimum age for marriage is 18. In exceptional cases, a person may enter into marriage at 16 with permission from the regional court. NGOs criticized authorities for treating early marriages as an ethnic Romani rather than a gender problem but acknowledged that child marriage was pervasive in Romani communities. As of September courts had sentenced 21 adults for cohabiting with girls younger than 16, and 33 adults for cohabiting with girls younger than 14.

Sexual Exploitation of Children: The law differentiates between forcing children into prostitution, which is punishable by up to eight years’ imprisonment and a fine of up to 15,000 levs (\$8,400), and child sex trafficking, punishable by up to 10 years’ imprisonment and a fine of up to 20,000 levs (\$11,200). The law prohibits child pornography and provides for up to six years in prison and a fine of up to 8,000 levs (\$4,480) for violations. Authorities enforced the law. The legal minimum age for consensual sex is 14. In April the UN special rapporteur on the sale and sexual exploitation of children found that Romani children were disproportionately at risk of sexual or other types of violence and that cooperation among the various authorities engaged in child protection remained a problem.

Displaced Children: As of September, 416 unaccompanied minors sought asylum in the country, a 260 percent increase from the same period in 2018. In July the Supreme Administrative Court opened a case following a 2017 petition from the ombudsman. According to the ombudsman, courts apply different standards in determining whether migrant children are unaccompanied and routinely place children so designated in detention centers for irregular migrants. The

ombudsman's petition asked the court to establish uniform legal treatment of unaccompanied children across the court system.

Institutionalized Children: The government continued to close residential care institutions for children, and as of November 495 children remained to be relocated from the 21 legacy facilities and placed in community-based care. In January the government closed the medical and social care home in Yambol, which at the end of 2017 accommodated 19 children--down from 69 in 2009. According to NGOs, the government had not ensured improved quality of life for the children in the new family-type placement centers and the quality of the family support services remained unchanged. In November, Disabilities Rights International released a report stating the country's deinstitutionalization reform had "replaced a system of large, old orphanages with newer, smaller buildings that are still operating as institutions" and that while physical conditions in group homes are clean, they remain "dehumanizing and dangerous." The Ministry of Labor and Social Policy accused the report of generalization and described its findings as "biased, nonrepresentative, and seeking to demean the deinstitutionalization process."

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The 2011 census indicated that 1,130 Jews lived in the country, but local Jewish organizations estimated the actual number was 5,000-6,000.

Anti-Semitic rhetoric continued to appear regularly on social networking sites and as comments under online media articles. The Organization of Bulgarian Jews Shalom reported increasing manifestations of anti-Semitism in the form of anti-Semitic speech and imagery on social networks and at parades and meetings by far-right and ultranationalist groups as well as periodic vandalism of Jewish cemeteries and monuments. Souvenirs with Nazi insignia were available in tourist areas around the country. According to Shalom, the national coordinator on combating anti-Semitism and the Ministry of Interior "responded unfailingly" to anti-Semitic incidents, but weak laws prevented the authorities from punishing offenders more severely.

On April 20 and 21--dates coinciding with Adolph Hitler's birthday--the marginal, nonparliamentary Bulgarian National Union party hosted an international meeting of far-right organizations in Sofia, which announced the establishment of a "pan-European union" for the "complete elimination of the influence of...the Zionist lobby." Meanwhile, obituaries of Adolf Hitler appeared in public places in the town of Dupnitsa, 30 miles south of Sofia, announcing that a memorial service would take place at the Jewish cemetery. The mayor of Dupnitsa and the Foreign Ministry condemned both events as "spreading xenophobic, anti-Semitic, and racist messages." Posters of Hitler and Nazi symbols also appeared in public places in the Black Sea port city of Burgas. Law enforcement agencies identified the perpetrators, but the regional prosecution refused to open an investigation, asserting that it was an act of "minor hooliganism."

In February a rally took place in Sofia in honor of Hristo Lukov, leader in the 1940s of an anti-Semitic/pro-Nazi organization, the Union of Bulgarian National Legions. The government, the Bulgarian Socialist Party, NGOs, international organizations, and diplomatic missions denounced the rally. The Sofia Administrative Court overturned Sofia mayor Yordanka Fandakova's ban on the march, which comprised 200-300 participants. On the same day, the Council of Ministers hosted senior government officials, municipal leaders, intellectuals, civil society leaders, and diplomats from International Holocaust Remembrance Alliance member countries, who signed a manifesto against hate speech, vowing to protect public space from hatred and intolerance and enhance public sensitivity to any acts of racism, anti-Semitism, xenophobia, and discrimination.

In April vandals defaced a WWII memorial in Stara Zagora with swastikas and anti-Semitic slogans. Authorities responded quickly, cleaning up the monument.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law protects the rights of persons with physical, mental, intellectual, and sensory disabilities, including their access to health services, education, employment, housing, public infrastructure, transportation, sports and cultural

events, public and political events, the judicial system, and other services. The government did not effectively enforce these provisions, focusing most of its efforts on providing disability pensions, social services, and institutional care. NGOs accused the government of pursuing a goal of reducing the number of persons with disabilities through redefinition of disability criteria rather than supporting them. In June the Bulgarian Industrial Association complained that employers were not aware of whether they met the legal requirements for employing persons with permanent disabilities, noting the absence of an integrated information database. In February the NGO Union of the Blind criticized a regulation, adopted in August 2018 with the intention of curbing disability pension fraud, that introduced a new methodology for assessing the degree of disability. The NGO stated that the change failed to achieve its goal of curbing false disability claims and, instead, had negatively affected 19 percent of persons with “real” disabilities.

In January the prosecution service declared its intention to “go after fake disability pensions,” stating that the country’s social assistance system was defrauded of hundreds of millions of levs every year. In February, for example, authorities arrested the head of the local medical expert evaluation board in Silistra, and in June they arrested eight persons in Sofia, including two heads of medical expert evaluation boards. All were charged with accepting bribes to issue false disability certifications. As of October investigations in the cases were ongoing.

While the law requires improved access to public and transportation infrastructure for persons with disabilities, enforcement lagged in some new public works projects and existing buildings. The Commission for Protection against Discrimination continued its 2017 nationwide campaign of inspecting public buildings, utility providers, telecommunications operators, banks, and insurance companies. Those not in compliance with the law for persons with disabilities received fines from 2,000 to 20,000 levs (\$1,120 to \$11,200). According to the commission, persons with disabilities faced problems accessing not only public infrastructure, but also employment, health-care services, and education.

The law promotes the employment of persons with disabilities and covers 30 to 50 percent of the employers’ related insurance costs in addition to the full costs of adjusting and equipping workplaces to accommodate them. The government provided a 24-month program of subsidies for employers who hire unemployed persons with a permanent disability. NGOs considered the program inadequate, since more than 50 percent of unemployed persons with disabilities are older than

50 and had not studied in college, and only one-third had specialized education. The law requires that companies with 50 to 99 employees hire at least one person with a permanent disability; in larger companies, persons with permanent disabilities must make up at least 2 percent of the workforce.

Individuals with mental and physical disabilities were widely stigmatized and often housed in institutions in remote areas under harsh conditions. According to NGOs, the government did not provide adequate medical care for all persons with mental disabilities. In February the NGOs European Network for Independent Living, the Center for Independent Living, and the Validity Foundation petitioned the government to abandon plans to channel EU funds into building a large number of community-based centers for persons with disabilities and elderly persons, asserting that it would result in “transinstitutionalization” and fail to deal with the “deeply ingrained discrimination, social exclusion, and segregation of these groups.”

The Ministry of Education transformed most of the 55 “special schools” for students with special education needs into education support centers, leaving only five special schools with approximately 600 students with sensory and hearing disabilities. Most of the remaining approximately 18,000 students with special education needs attended mainstream schools. Those studying in the special schools received diplomas that higher-level learning establishments did not recognize as qualifying them for further education.

According to NGOs, police lacked training and skills in dealing with persons with mental disabilities and often traumatized them further with their actions. In one example, in April police in Sofia detained a young man with autism, who showed them only a copy of his identity card and refused to speak. Police responded by shouting at him and took him to the police station. The director of the Center for Social Rehabilitation and Integration of Persons with Autism in Sofia explained that such persons carry only a copy of their identity cards as a precaution.

The law provides specific measures for persons with disabilities to have access to the polls, including mobile ballot boxes, voting in a polling station of their choice, and assisted voting. According to ODIHR, those measures were “not sufficient to ensure equal participation, especially for persons with visual impairments who cannot vote independently.”

National/Racial/Ethnic Minorities

Societal intolerance and occasional violence against the Roma persisted, and political and government actors sometimes condoned or prompted them. Human rights organizations reported a persistent level of racial discrimination against Roma. The media often described Roma and other minority groups using discriminatory, denigrating, and abusive language, highlighting instances in which Romani persons had committed a crime. Nationalist parties, such as Ataka, the Internal Macedonian Revolutionary Organization, and the National Front for Salvation of Bulgaria, routinely resorted to strong anti-Roma, anti-Turkish, and anti-Semitic slogans and rhetoric. A 2018 Open Society Institute study found that 81 percent of respondents had witnessed incidents of hate speech targeting Roma.

In January the Supreme Administrative Court decided that the National Front for Salvation of Bulgaria party leader Valeri Simeonov's statements that Roma were "brash, overconfident, and ferocious apes" who "want sickness benefits without being ill, child care for children who wallow with the pigs on the streets, and maternity benefits for women who have the instincts of street bitches," made in 2014 while he was a national assembly member, were not abusive, degrading, or discriminatory. The decision overturned the 2017 ruling of the Burgas Regional Court convicting Simeonov. NGOs insisted that such statements were racist and dehumanizing and criticized the government for its failure to prosecute them as a criminal offense.

On January 6, Romani brothers Boris and Asen Paketov severely beat a member of the armed forces in Voyvodinovo, a village two miles north of Plovdiv. The victim, 33-year-old Special Forces corporal Valentin Dimov, was hospitalized with facial fractures. The incident led to local protests supported by outsiders as well as by Dimov's colleagues from the Special Forces Brigade. Defense Minister Krasimir Karakachanov arrived in Voyvodinovo two days after the incident, where he stated, "Gypsies in Bulgaria have become extremely brash, and the Bulgarian people have run out of tolerance." He advocated for a "comprehensive program for solving the Gypsy question [because] ... the people don't have to tolerate a part of the population which only has rights and refuses to understand it also has responsibilities and needs to abide by the law." Protesters accused the local government of protecting the local Roma and failing to enforce the law. Karakachanov ordered the demolition of the illegal houses occupied by approximately 250 Roma, who fled the village. NGOs filed a complaint against the minister with the Commission for Protection against Discrimination. The Bulgarian Helsinki Committee criticized the government's actions in forcing

Romani residents out of their homes in subzero temperatures and accused the minister of a “disproportionate response” inciting an ethnic cleansing. In February the mayor of Maritsa municipality north of Plovdiv expressed willingness to provide the Voyvodinovo Roma affected by the evictions with social housing but complained that the municipality did not have such housing and sought help from the regional governor. As of September a solution to the housing situation remained pending.

There were few prosecutions for hate crimes, and sentences were often short or suspended for those convicted. In July the Bulgarian Helsinki Committee accused prosecution authorities of indifference to hate-motivated crimes, citing the lack of action against the participants in a protest in April who vandalized five Roma-occupied houses in Gabrovo, setting fire to two of them. The protest in Gabrovo, a central northern city with a Romani population of less than 1 percent, was in support of a local shopkeeper who had been beaten by three Roma. Deputy Prime Ministers Tomislav Donchev and Karakachanov supported the protest, claiming that local authorities had allowed an accumulation of Roma-related problems. The protests forced most Romani residents to flee the city and hide for days in the woods. The Organization of Bulgarian Jews Shalom joined other NGOs in their response to the incidents in Voyvodinovo and Gabrovo, condemning “every attempt at provoking ethnic tensions in the country” and expressing serious concern about the “reluctance of government representatives to assume responsibility for the current integration policies.”

According to the Standing Roma Conference, local authorities disproportionately targeted illegal Romani dwellings for demolition. NGOs frequently petitioned the European Court of Human Rights to order the government to freeze the razing of homes in Romani neighborhoods until authorities provided adequate alternative accommodation for pregnant women, children, the elderly, and sick persons. The government did not respond.

The law establishes Bulgarian as the official language of instruction in the country’s public education system but allows instruction in foreign languages, providing that instruction in Bulgarian language and literature is conducted in Bulgarian. The law also permits study of the mother tongue. Local government and school officials reported that they had instructions to ensure that primary school classes are delivered only in Bulgarian, even in schools where more than 50 percent of the students had Turkish or Romani as their mother tongue. In March the Education Ministry approved new curricula for the teaching of Armenian,

Hebrew, Romani, and Turkish. Nearly 14 percent fewer students on average learned their mother tongue in public schools during the 2017-18 school year, although there was a 28 percent increase in the number of Romani students studying their mother tongue.

The law prohibits ethnic segregation in multiethnic schools and kindergartens but allows segregation of entire schools. Of Romani children, 30 percent (up from 16 percent five years earlier) were enrolled in segregated schools outside mainstream education, according to the European Roma Rights Center. Romani children often attended de facto segregated schools where they received inferior education. There were instances of ethnic Bulgarian students withdrawing from desegregated schools, thereby effectively resegregating them. There was also self-segregation when children did not feel safe and were afraid to go to school outside their neighborhood. Romani NGOs reported that many schools throughout the country refused to enroll Romani students. In May the Education Ministry launched a national program for educational desegregation, providing one million leva (\$560,000) for extra transportation costs, school aids, and additional activities involving students, parents, and teachers.

In July the National Assembly amended the law, providing official professional status to health mediators who help the Roma and other marginalized communities improve their access to health care. The National Health Mediators Network employs 245 mediators in 130 municipalities.

According to the Bulgarian Helsinki Committee, Romani women were routinely segregated within maternity hospital wards. Romani NGOs stated that some municipalities set discriminatory requirements for access to services in order to restrict Romani women's access to them. For example, the assisted reproduction program in Veliko Turnovo and the one-time allowance for giving birth in Svilengrad both require completed secondary education by the mother.

NGOs identified an overall rise in the occurrence of hate speech and hate crimes. As of year's end, investigators had not identified the soccer hooligans involved in the September 2018 racist assault on black British citizen Leon Koffi, who sustained serious injuries and required hospital treatment for two weeks.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation and gender identity, but the government did not effectively enforce this prohibition. No laws protect against hate crimes based on sexual orientation and gender identity. NGOs asserted that authorities often refused to investigate and prosecute homophobia and transphobia because they are not recognized by law as crimes.

There were reports of violence against LGBTI persons. In February an unidentified man passing by Galya Petkova, who was walking her dog in downtown Sofia, addressed her as “snide fag” and punched her in the mouth. Societal prejudice and discrimination, particularly in employment, remained a problem. During the year there was a series of attacks on the Rainbow Hub, a community center and shared space for LGBTI organizations in Sofia, ranging from stealing the rainbow flag hanging outside and dislodging the mailbox, to breaking in and smashing windows.

According to LGBTI organizations, courts rejected the right of same-sex partners to protection against domestic violence because the law protects persons living in spousal cohabitation and treats “spousal” only as applying to married persons who cannot legally be the same sex. The Commission for Protection against Discrimination reported a trend of receiving very few cases--four as of October--regarding sexual orientation.

A June 2018 Open Society Institute study identified a doubling in the number of respondents who witnessed hate-speech incidents directed at LGBTI persons compared with 2016, from 21 percent to 42 percent. According to the Gays and Lesbians Accepted in Society Foundation, 73 percent of LGBTI persons had received threats due to their sexual orientation, with 60 percent of the threats occurring in schools. Of those surveyed, 15 percent were victims of assault, but none reported the incident to police due to fear of police harassment and lack of trust that the report would be properly investigated.

NGOs stated persons suspected of being gay were often fired from their jobs, and such individuals were reluctant to seek redress in court due to fear of being identified as LGBTI. Many health professionals considered LGBTI status a disease, and the general stigma around sexual orientation and gender identity frequently resulted in refusal of health services, particularly to transgender persons. NGOs complained that most parties in the National Assembly, government ministers, and municipal authorities were reluctant to engage in a dialogue on the challenges facing LGBTI individuals and related policy issues.

In April municipal councilors from the Internal Macedonian Revolutionary Organization and the Bulgarian Socialist Party in Plovdiv requested the resignation of the artistic director of the “Plovdiv 2019 European Capital of Culture” project, Svetlana Kuyumdjieva, because she approved funding for and included an LGBTI photography exhibition in the program. The councilors stated that a “gay event” could not be part of the cultural program and that the “obtrusion of amoral propaganda” would be a bad influence on the rising generation. In April the education minister issued instructions to all school principals in the country, banning any “booklets, questionnaires, or newssheets requiring pupils to determine their gender identity.”

HIV and AIDS Societal Stigma

As reported by the government’s national program for HIV and sexually transmitted disease prevention and control, “despite the enormous medical progress in HIV treatment, little has been achieved in terms of overcoming the stigma and discrimination [associated with HIV]. Negative societal attitudes have a strong impact on persons with HIV/AIDS.” According to the Health Ministry’s National Center for Infectious and Parasitic Diseases, there was on average a four-year delay in the diagnosis of persons with HIV because they were reluctant to be tested due to the stigma, which also existed in the medical community. At a roundtable in March, the Bulgarian Infectious Disease Association reported that often surgeons and intensive care wards refused treatment to HIV patients, even though their infection had been brought under control, and that the stigma within the rest of the medical community was even greater.

According to a report on the results of a public opinion poll delivered at a roundtable in June, 90 percent of those surveyed would not live with persons with HIV/AIDS, 75 percent would not be friends, 60 percent would not work with them, and 50 percent were afraid to communicate with such persons. NGOs reported that the general stigma around sexual orientation and gender identity frequently resulted in denial of health services to persons living with HIV/AIDS.

Other Societal Violence or Discrimination

The Bulgarian Helsinki Committee reported that certain print and online media increasingly targeted human rights activists, lawyers, and journalists, and deliberately covered the organization’s press releases in a distorted way to portray

it as treacherous, biased, and anti-Bulgarian. Bulgarian Helsinki Committee staff also reported receiving frequent threats. In October the prosecutor general dismissed a request by the Internal Macedonian Revolutionary Organization for banning the Bulgarian Helsinki Committee, which accused the NGO of “anticonstitutional, illegal, immoral, and openly anti-Bulgarian activity.”

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent labor unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination, provides for workers to receive up to six months’ salary as compensation for illegal dismissal, and provides for the right of the employee to demand reinstatement for such dismissal. Workers alleging discrimination based on union affiliation can file complaints with the Commission for Protection Against Discrimination. According to the Confederation of Independent Trade Unions, despite the constitutional recognition of the right of association, the law did not provide for it, which prevented parties to a dispute from seeking redress in administrative court.

There are some limitations on these rights. The law prohibits Interior Ministry judicial system unions from membership in national union federations. When employers and labor unions reach a collective agreement at the sector level, they must obtain the agreement of the minister of labor to extend it to cover all enterprises in the sector. The law prohibits most public servants from engaging in collective bargaining. The law also prohibits employees of the Ministries of Defense and Interior, the State Agency for Intelligence, the National Protection Service, the courts, and prosecutorial and investigative authorities from striking. Those employees are able to take the government to court to provide due process in protecting their rights.

The law gives the right to strike to other public service employees, except for senior public servants, such as directors and chief secretaries. The law also limits the ability of transport workers to organize their administrative activities and formulate their programs. Labor unions stated that the legal limitations on the right to strike and the lack of criminal liability for employers who abuse their workers’ right of association are contrary to the constitution.

Authorities did not always respect freedom of association and the right to bargain collectively. Labor unions continued to report cases of employer obstruction, harassment, and intimidation of employees, including relocation, firing, and demotion of union leaders and members. Labor unions also alleged that some employers obstructed negotiations or refused to bargain in good faith or adhere to agreements. According to labor unions, health-care employers did not adhere to the 2018 collective bargaining agreement, which provides minimum salary rates. In August the Acibadem City Clinic, Tokuda Hospital in Sofia, fired nurse Maya Ilieva, a union leader at the hospital, who led a series of protests complaining of low pay and difficult working conditions. According to Ilieva, the union federation colluded with hospital management, refusing to support her against her dismissal.

The government did not effectively enforce the labor law, and penalties were generally insufficient to deter violations. The law does not effectively protect against interference by employers in labor union activities. In its annual labor rights report issued in April, the Confederation of Independent Trade Unions of Bulgaria stated that authorities often covered up violations of the right of association and presented them as labor disputes.

Judicial and administrative procedures were adequate in settling claims. The Confederation of Independent Trade Unions of Bulgaria reported that employers broke the law and eroded the value of collective bargaining by letting nonunion members take advantage of the provisions in the collective agreement.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but the government did not enforce the law effectively. Penalties for violations were not sufficiently stringent to deter violations, and the government lacked resources to cope with the growing number of cases of international labor trafficking. In addition, labor inspectors lacked the legal authority and sufficient training to identify and pursue cases of forced labor. NGOs criticized the country's institutions for failing to identify and prosecute cases of severe labor exploitation, focusing instead on labor law violations that carry administrative sanctions. The government, through its central and local antitrafficking commissions, held forced labor prevention campaigns and training sessions for magistrates, law enforcement officers, and volunteers. Law enforcement officials did not have adequate capacity to investigate forced labor cases, and investigations took a long time.

There were some reports of families or criminal organizations subjecting children to forced work (see section 7.c.). According to the EU Agency for Fundamental Rights, “children and adults with disabilities are forced into street begging and petty theft.” As of October authorities registered 56 cases of trafficking in persons for the purpose of labor exploitation, noting a significant increase from 2017. NGOs claimed government mechanisms for identifying victims among at-risk groups, such as asylum seekers, were not sufficiently robust.

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

Employment of children without a work permit is a criminal offense. Penalties were generally sufficient to deter violations, but children living in vulnerable situations, particularly Romani children, were exposed to harmful and exploitative work in the informal economy, mainly in agriculture, tourism, retail, and domestic work.

The law sets the minimum age for employment at 16 and the minimum age for dangerous work at 18. The government considered occupations hazardous for children if they are beyond their physical or psychological abilities, expose them to harmful agents or radiation, have a harmful effect on their health, take place in conditions of extreme temperature, noise, or vibration, or expose children to hazards that they cannot comprehend or avoid due to their incomplete physical or psychological development. To employ children younger than 18, employers must obtain a work permit from the government’s General Labor Inspectorate. Employers can hire children younger than 16 with special permits for light work that is not risky or harmful to the child’s development and does not interfere with the child’s education or training. The General Labor Inspectorate was generally effective in inspecting working conditions at companies seeking and holding child work permits and applying sanctions regarding child labor in the formal sector. The inspectorate reported a 62 percent increase in legal child employment, mainly due to a lack of better-qualified workers and an increase in job openings in the tourist industry. In 2018 the inspectorate uncovered 116 cases of child employment without prior permission.

The government continued programs to eliminate the worst forms of child labor, mounted educational campaigns, and intervened to protect, withdraw, rehabilitate, and reintegrate children engaged in the worst forms of child labor.

NGOs continued to report the exploitation of children in certain industries (particularly small family-owned shops, textile production, restaurants, construction businesses, and periodical sales) and by organized crime (notably for prostitution, pickpocketing, and the distribution of narcotics).

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in employment and occupation with regard to nationality, ethnicity, sex, sexual orientation, race, color, age, social origin, language, political and religious beliefs, membership in labor unions and civil society organizations, family and marital status, and mental or physical disabilities. Although the government usually effectively enforced these laws, discrimination in employment and occupation occurred across all sectors of the economy with respect to gender, sexual orientation, disability, and minority status. According to the Commission for Protection against Discrimination, the majority of discrimination complaints received during the year related to employment, predominantly concerning persons with disabilities. The commission cited cases in which employers changed their attitude towards an employee with a disability, resorting to workplace harassment, pushing the employee to quit, and intentionally creating mobility obstacles.

The government funded programs to encourage employers to overcome stereotypes and prejudice when hiring members of disadvantaged groups such as persons with disabilities.

The law requires the Interior Ministry, the State Agency for National Security, and the State Agency for Technical Operations to allot 1 percent of their public administration positions to persons with disabilities. Enforcement was poor, however, and the agencies were not motivated to hire persons with disabilities, citing inaccessible infrastructure, lack of sufficient funding for modifying workplaces, and poor qualifications by the applicants. The Center for Independent Living and other NGOs criticized the system of evaluating persons with disabilities based on the degree of their lost ability to work, which effectively prevented many persons with disabilities who were able to work from having a job.

The law requires equal pay for equal work. In July the Council of Ministers reported that men received 13.6 percent more pay than women for work in the same position. According to the Commission for Protection Against Discrimination, there were twice as many men as women with well-paid jobs and women were more frequently subjected to workplace discrimination than men. As a result of the gender pay gap, according to the National Social Security Institute, women received 38 percent lower pensions.

Workplace discrimination against minorities continued to be a problem. Locating work was more difficult for Roma due to general public mistrust, coupled with the Roma's low average level of education. According to the National Statistical Institute, 68.3 percent of Roma lived in poverty, compared with 31.6 percent of Turks and 15.6 percent of ethnic Bulgarians.

e. Acceptable Conditions of Work

The national minimum wage was lower than the government's official poverty line. In November the Confederation of Independent Trade Unions of Bulgaria reported that 72.5 percent of households lived below the poverty line.

In 2018 the General Labor Inspectorate reported that the cases of unpaid wages declined by 1 percent, compared with the previous year. According to the Confederation of Independent Trade Unions of Bulgaria, the small decline reflected the ineffectiveness of 2018 changes in the law that gave the General Labor Inspectorate authority to initiate bankruptcy proceedings against employers who owed more than two months' wages to at least one-third of their employees for three years.

The law prohibits excessive compulsory overtime. The law prohibits overtime work for children younger than 18 and for pregnant women. Persons with disabilities, women with children younger than six, and persons undertaking continuing education may work overtime at the employer's request if the employee provides written consent. The Confederation of Independent Trade Unions of Bulgaria stated that employers increasingly "disrespected employees' working hours and free time" and criticized the law's provision for calculating accumulated working time, noting that it gave employers a way to abuse overtime requirements and thus to hire fewer workers.

A national labor safety program, with standards established by law, provides employees the right to healthy and nonhazardous working conditions.

The Ministry of Labor and Social Policy is responsible for enforcing both the minimum wage and the standard work week. The General Labor Inspectorate had a sufficient number of inspectors to enforce wage and hour laws, and penalties were generally sufficient to deter violations.

Each year the government adopts a program that outlines its goals and priorities for occupational safety and health. The General Labor Inspectorate, which had 28 regional offices, is responsible for monitoring and enforcing occupational safety and health requirements. Of the violations identified by the inspectorate, less than 50 percent involved safety and health requirements. According to the labor inspectorate, its activity over the past several years had increased compliance, with 97 percent of inspected companies in compliance with occupational safety and health requirements, demonstrating that penalties were sufficient to deter violations.

Legal protections and government inspections did not cover informal workers in the gray-market economy, which, according to the International Labor Organization, involved 15.9 percent of the country's workforce. The government, employer organizations, and labor unions agreed that the gray economy had continued to shrink over the previous four years. In June the Confederation of Independent Trade Unions of Bulgaria called for legal protections for whistleblowers providing information about employers that evade paying taxes and social security.

Conditions in sectors such as construction, mining, chemicals, and transportation continued to pose risks for workers. The number of work-related accidents registered in the first six months of the year decreased by almost 10 percent over the same period the previous year. Land transportation violations were the most common causes of occupational accidents. The government strictly enforced the law requiring companies to conduct occupational health and safety risk assessments and to adopt measures to eliminate or reduce any identified risks. Approximately 95 percent of the companies inspected in 2018 had such risk assessments, and 98 percent of them had programs for elimination of the identified risks.

There were 33 work-related deaths as of July, mainly in the construction and transportation sectors.