

BULGARIAN GOVERNMENTAL PROGRESS REPORT FOR THE PERIOD

2005-2008

On the implementation of the Beijing Platform for Action (1995), adopted at the IVth UN World Conference on Women and the Outcome of the Twenty-third Special Session of the General Assembly (2000)

Institutional Mechanism

Bulgaria's institutional mechanism implements gender mainstreaming into all policies. It functions at different levels of governance and should take into account and articulate clearly women's interests and thus represent the civil society groups before Government, Parliament and regional and international bodies.

At the legislative level the National Assembly, and particularly the Human Rights and Religious Affairs Committee with its sub-committee on Women's Rights and Gender Equality, established in February 2006 that is responsible for gender issues.

At the executive level the Ministry of Labour and Social Policy (MLSP) has a key role in the national gender equality machinery, being responsible for formulating, reinforcing and coordinating the state policy on gender equality in all sectors. Its Demographic and Family Policy and Equal Opportunities Directorate and in particular the Gender Equality and Antidiscrimination Department are directly engaged with the activities in the subject. The mechanism includes the national equality bodies – the Commission for Protection against Discrimination (CPAD) and the Institution of the Ombudsman of the Republic of Bulgaria.

The CPAD is an independent specialized public body for prevention from discrimination, protection against discrimination and ensuring of equal opportunities. The Commission exerts control over the implementation and observance of the Act on protection against discrimination (APAD) and other acts regulating equal treatment. It reports annually to the National Assembly. The CPAD has the status of legal person, first line budget spending unit, having its head office in Sofia.

The Ombudsman of the Republic of Bulgaria has the task and duty to intervene, by the means envisaged in the law, in order to protect citizens' rights and freedoms when they have been violated by actions or omissions of the state and municipal authorities, administrations or by the person assigned with the provision of public services. Thus in case the violation done is in relation to the right of equal treatment, the affected persons may refer to the Ombudsman.

The National Council on Equality between Women and Men (NCEWM) was set up by Government Decree 313/17.11.2004. The Council acts as a consultative body to the Council of Ministers (CM) and develops and implements the national policy on gender equality in collaboration and coordination between the government authorities and the non-governmental sector. The NCEWM consults the CM and discusses bills or bylaws, and elaborates positions on their relevance with the objectives of the Gender Equality Policy. It supports the implementation of important national and regional projects of the social partners and the NGOs in the sphere of gender equality. The National Council is chaired by the Minister of Labour and Social Policy and its permanent members are deputy ministers from each Ministry, as well as representatives from the State Agency for Child Protection, the Executive Agency for Promotion of Small and Medium Enterprises, the State Refugees Agency, the State Agency for Information Technology and Communication, the National Social Security Institute, the National Statistical Institute, etc. Gender equality coordinators and focal points are appointed in each one of the line ministries and the above mentioned agencies and public

institutions, involved in the horizontal gender mainstreaming process. Associated members of the NCGE are representatives of other organizations, academic institutes, national organizations of the social partners or NGOs, invited for the purpose form the National Council' Chair. The CM shall annually adopt National action plans for promotion of gender equality, namely for 2005, 2006, 2007, 2008 – 2009.

The Consultative Commission on Equal Opportunities for Women and Men and Disadvantaged Groups on the Labour Market with the Minister of Labour and Social Policy strengthens the capacity of the Council. An Expert working group with the MLSP developed a **National Strategy for Promotion of Gender Equality for the period 2009 – 2015** aimed at the effective application of the policy of the Bulgarian government for improving the quality of life and achieving a high level of consolidation of society in the Republic of Bulgaria, providing equal opportunities for women and men for participation in all fields of public life without gender discrimination. The strategy outlines the specific objectives which have to be achieved in order to eradicate all obstacles for achieving actual gender equality in the country. The process of the establishment of the local structures of the national gender equality mechanism has started.

The National Commission for Combating Trafficking in Human Beings (NCCTHB) organises and co-ordinates the co-operation between the relevant agencies and organisations for implementation of the Act on Countering Trafficking in Human Beings. It determines and administers the implementation of the national policy and strategy in the area of combating trafficking in human beings. The work of the National Commission is extremely important for the development of national policy for combating trafficking in human beings and for the good interaction and coordination between the state and municipal authorities, as well as between them and the non-governmental organizations, working in the field.

Part II

A. Women and Poverty

According to a Report of the Europe and Central Asia Region poverty team, Issue 24, living standards of most Bulgarians have risen between 2003 and 2007, a period of robust growth and intensive reform. On the 1 January 2007 Bulgaria joined the EU. But higher living standards are also accompanied by greater income equality on account of pro-poor growth (particularly in urban areas). Thus large and significant ethnic and regional disparities still persist. Moreover, more so than in the years past, poverty is concentrated among distinct and identifiable groups signalling the need of policies that address underlying structural disadvantages rather than transient interventions for these groups. The data also show only modest improvements in non-monetary dimensions of well-being.

The National Report on Strategies for Social Protection and Social inclusion approved by the CM on 25 September 2008 says that the economic growth has positive effect and contributes to the decrease of the risk of poverty in the country. In 2006 were reported the lowest rates of poverty and inequality since 1995. The at-risk-of-poverty rate reached 13.9%. The relatively higher inflation levels in 2007 led to slight increase of the risk of poverty to 14.1%. The risk of poverty is higher for women, compared to men. In 2007 16.6% of the women lived at risk of poverty compared to 11.3% of the men. There is an unfavourable tendency of growing gender gap in the at-risk-of- poverty rates. In 2006 the share of women living in poverty was 3.9% higher than the share of men. In 2007 this difference increased to 5.3% which is the highest level since 2000.

In 2007 almost 38% of the unemployed (40.6% for men and 35.7% for women) and 17.5% of the pensioners (9.5% for men and 22.4% for women) were below the poverty threshold. The vulnerability of these groups increased compared to 2005 with 3.7 point for the unemployed and 1.1 points for the pensioners. Women (especially unemployed and elderly

women) are reported as one of the most vulnerable social groups¹.

The family situation is also of significant importance. The data show that the one person households and particularly the single women and elderly persons above the age of 65 are in the most difficult situation. In 2007 39.3% of the persons living alone were below the poverty threshold. The at-risk-of-poverty rate increases to 45% for the women living alone (growth of 9.5 points compared to 2005) and to 44.7% for the single elderly persons (growth of 6 points compared to 2005).

The social transfers play important role for poverty reduction. In 2007 40.5% of the population would have been poor without the social transfers. They decreased the risk of poverty with 23.5 points. The transfers have significant importance for decreasing the risk of poverty among children up to 15 years of age and elderly people of 65 and above. Without the social transfers 30.5% of the children and 79.2% of the elderly persons (77.3% for the men and 80.4% for the women) would have been poor. The figures show that the elderly women rely on social transfers to a much larger extent. The employment rate for the age interval 15–64 in 2007² was 61.7 %, with 9.2 percentage points more as compared to 2003. The employment coefficient for men has increased by 10 percentage points from 56 % in 2003 to 66 % in 2007, while for women; it has increased by 8.6 percentage points from 49 % to 57.6 %. The gender profile of the unemployed preserves the lasting tendency from the past year of reduction of unemployed women and men registered at the Labour Offices. The women : men ratio is 59.7:40.3%.

Accelerated economic growth, higher levels of employment and social cohesion are impossible without equal involvement of women. The reconciliation of professional development with family obligations is more difficult for women than for men. The support to the active participation of women on the labour market will go on in the following directions:

- Creation of conditions for better personal, family/professional life reconciliation, thorough extended use of flexible forms of employment, access to training after an interruption of the career due to childcare, etc. (deadline – 2010);

- Ensuring adequate coverage of the country with generally accessible childcare and care provision to other dependent family members, with a view of better realization of the labour potential (deadline – 2015);

- Support to entrepreneurship of women through access to financial resources and training (deadline - 2015);

- Intensification of activities directed to overcoming labour market segmentation and the reduction of gender-pay gap (deadline – by 2015);

- Active support to women at risk of crossing the poverty line (including single mothers) through the provision of individual services for inclusion in employment and training (deadline – 2015)³.

In 2008 the implementation of the activities aimed at the promotion of measures under the Rural Areas Development Programme 2007-2013 an information campaign „Travelling teams for agriculture advice” took place. During the Campaign meetings, seminars and other activities have been organized aimed at informing the rural producers on the programme and the possibilities to apply. More than 10 000 people participated in the open days, where women have been particularly

As a result from the information campaigns carried out by the Ministry of Agriculture and Food (MAF) and the subsequent policy for awareness rising carried out by the experts of the National Agricultural Advice Service, the women beneficiaries under measure 143 of the Rural Areas Development Programme have risen with 13 %. The MAF foresees to establish

¹The National Report on Strategies for Social Protection and Social inclusion approved by the CM on 25 September 2008.

²Data provided by the Labour market policies Department of the MLSP of the Republic of Bulgaria.

³Data provided by the Labour market policies Department of the MLSP of the Republic of Bulgaria

in the second half of 2009 a special section on its web site focused on gender equality where data on the information campaigns under the Rural Areas Development Programme 2007-2013 shall be available, as well as data related to gender equality within the structures of the ministry.

B. Women and Education

The investments in education and healthcare are the other components of the concept for combating poverty and social exclusion.

The principles of equal opportunities for men and women and disadvantaged persons are basic elements of the social inclusion process in Bulgaria. They required designing of targeted policies. The focus is put on the more fair redistribution of the public resources, directing investments to groups pushed at the edge of society. In the activities planned for 2008-2010 special attention is paid to people with disabilities and the Roma.

Implementation of the National plan for Promotion of Gender Equality 2008 -2009⁴ in the area of education⁵

- The Ministry of education and Science (MES) makes annually an analysis of the legislative framework, related to the access of pupils to secondary schools. In such a way the gender mainstreaming principle is regularly applied, following Regulation №11 dated 28.03.2005.

- With regard to the higher education, the gender equality principle is set up in the Higher Education Act (art. 4 and art. 68). Protection against discrimination is provided without privileges and limitations related to race, nationality, gender, ethnicity, political views and religion. The entry of students and PhDs students is regulated following the equal opportunities principle applied by the management of the autonomous higher schools. The flexible curricula: full-time, correspondence, evening and distance provide options to pregnant students and mothers.

- The Grundtvig Sub programme within the framework of Socrates supports the adults' education. Two projects are being implemented "Women – active citizens" and "Providing of equal working conditions for women and men using the IT".

- The MES promotes gender equality programmes, as well as training tools "Men and Women different but equal" and "How to teach gender equality", elaborated under a project of the European Commission and Socrates Programme. Those training tools support the efforts of pedagogues, social workers, psychologists, teachers and youth leaders in order to increase the sensibility of young people to gender stereotypes and the existing gender discrimination practices at school, family and society. The training tools are in conformity with the State requirements for civil education and are able to cover the basic content of the standards.

In the period 2007-2008 the coordinators and focal points in gender equality issues of the MES have been involved in:

- elaboration of Section 2 *Improved Primary and Secondary Education* of the 2nd National Report on the Millennium Development Goals;
- participation in the activities under Gender Budgeting in practice Project, co-financed by the MLSP of Bulgaria and the European Commission.
- participation in the Project Strengthening the capacity of the bodies of the executive in gender mainstreaming (2006 – 2007) of the MLSP.
- Training in Communication issues for Gender equality focal points;

⁴ Elaborated by the NCEWM and adopted by the CM on 17.07.2008.

⁵ The information was submitted by the Ministry of Education and Science of the Republic of Bulgaria.

- Participation in the elaboration and adoption of the Communication strategy for gender equality issues (2007 – 2009) under MATRA programme of the Dutch Ministry of Foreign Affairs.
- Providing of lectures by the gender equality coordinators from the MES under the Project *Improved sexual and reproductive health care for young people in Bulgaria* under the UN Population Fund in 2007.
- Running of an international forum of young historians on *Men's and Women's spaces on the Balkans* within the 2007 European Year of Equal Opportunities for All.
- Contribution to the elaboration of the National Action Plan for Promotion of Gender Equality 2008 – 2009.

Actions following the Beijing Convention in the critical area of concern B

The Public Education Act, under art. 4, para 2, provides that “No discrimination or privileges based on considerations of race, nationality, sex, ethnic or social origin, religion and social status shall be permitted.” This principle is observed at all levels of the Bulgarian Public Education.

- A training tools package has been elaborated where all the aspects of discrimination (including gender discrimination) are illustrated, using extracts of the main international and national legislative documents, and distributed within the education system.
- Under item 82 (e) of the Beijing Declaration, there are opportunities for project elaboration for building up of a friendly and incentive educational environment in schools through interaction between schools and the different non profit organisations, school committees, youth organisations, etc. This is made possible through the schemes for granting of funds *Let's make the school an attractive place for young people* under the Operational Programme Human Resource Development – Priority axe 4 “Improved access to education and training”. A minimum of 60 000 pupils trained following the gender equality principle, in activities, aimed at development of their interests and capacities in the area of science, arts, sport, and other areas of preference chosen by them. Under the national programmes there is financing provided at least for 50 % of the schools in the country.
- Under item 82 (g) – the legal framework of the education does not foresee interdictions with regard to the right of education of pregnant young girls and young mothers.
- Under item 84 – There is an access to quality professional education provided also for women through the framework programmes for vocational training of people who have reached the age of 16. The development of entrepreneurship skills is a basic element of all the curricula and vocational training programmes and training programmes for pupils. We have no training programmes intended only to unemployed women.
- Under item 85 training materials have been elaborated, delivering methodological and content support to the training of discrimination related issues with a view of each one of the basic indicators of discrimination. Annually training seminars and specialised qualification courses for teachers, school headmasters, tutors, and other interested parties are carried out, delivering training in discrimination and protection against all forms of discrimination. About 2200 teachers and pedagogical counsellors have been trained in 2008 in health education issues and violence prevention.
- The MES is trying to permanently enlarge the scope of the training on Human Rights issues. The training in the issues related to democracy and human rights is an integral part of the 12-year course of the public education in Bulgaria in accordance with the different age of pupils. The delivery of civic education is a priority for drafting of projects under the template for grants "*Let's make the school attractive to the young people*". From the second semester of 2008-2009 school year an optional subject

- “Introduction to the humanitarian law” shall be introduced with an emphasis on discrimination and gender.
- Projects with the participation of MES are being implemented where the schools elaborate long-term curricula for health promotion and prevention of risks on the health of pupils. During the last five years special attention is paid to the elaboration and implementation of programmes intended to improve the reproductive health and prevention of HIV/AIDS and sexually transmitted infections.
 - The preserving and development of the cultural identity of children and pupils from ethnic minorities is part of the policy of the MES that is carried out through the realisation of opportunities for children and youths for the involvement in different additional activities for studying the folklore of the ethnic minorities.

The due attention is paid to the issues of equal opportunities for men and women. The efforts are aimed at improvement in each key area. The principle of mainstreaming of the policy for equal opportunities for men and women needs better application and appropriate measures. The largest programme directly related to achieving the social inclusion objectives is Operational Programme “Human Resources Development” 2007-2013 co-funded by the ESF. That programme is example of successful coordination and synchronisation between the plan for social inclusion and its funding.

The Operational Programme “Regional Development” 2007-2013 also takes into account the needs of the disadvantaged groups. Generally the areas of intervention can be summarised in the following: adaptation of the urban infrastructure to the needs of the people with disabilities; promoting initiatives targeted towards the social, educational and health problems of the Roma and measures for preservation of the Roma cultural identity (Roma cultural centres), activities related to repairs/reconstructions/renovation and equipment of state and municipal institutions in the field of education, social care, healthcare and culture.

The MLSP as a national executive body coordinated the participation of Bulgaria in the 2007 European Year of Equal Opportunities for All. This was a great incentive for promotion of the social and civic dialogue on gender equality issues. Information campaigns and trainings took place under the actions undertaken during and following the 2007 European Year of Equal Opportunities for All. A National Information campaign in Gender mainstreaming was launched in 2007 and continued through the 6 follow-up projects, financed under the EU Progress programme. There were trainings and large public information campaigns aimed at the integration of equal opportunities policies at all levels – the executive and local authorities as well as the general public. The wider objective of those initiatives is to counteract discrimination and to introduce a gender equality index that shall be observed at central and local level.

In 2008 the MLSP and the CPAD signed an agreement to carry out a joint national information campaign intended to make possible the reduction and elimination of the gender pay-gap. Trainings have been made on local level.

Information campaigns and trainings for employers, stakeholders and other interested parties have been organised on national, regional and local level on the issues of equal opportunities for women and men, gender mainstreaming and gender budgeting. A range of information and training tools have been elaborated and distributed among the interested parties. About 160 employees of the central and local public administration and representatives of the social partners have been trained as gender equality coordinators.

C. Women and Health

As regards health care for women and children, the Government established An Assisted In Vitro Reproduction Fund, with an initial budget of BGN 20 000 000. The fund will be set up

within the Ministry of Health where doctors and representatives of NGOs shall be involved in the management and monitoring of its activities. The objective of this initiative is to allow free of charge up to three in vitro fertilisation attempts for women facing reproductive problems. The Fund will start its functions by the end of March 2009.

The Council of Ministers (CM) adopted a National programme for the Prevention and control of HIV/ AIDS and sexually transmitted infections in the Republic of Bulgaria for the period 2008 – 2015. The National programme is intended for the entire population of the Republic of Bulgaria. The specific target groups of the population are the groups involved also in the National programme for the Prevention and control of HIV/ AIDS and sexually transmitted infections in the Republic of Bulgaria for the period 2008 – 2015 - intravenous drug users, men who have sex with men, individuals of Roma community; imprisoned individuals, men and women involved in commercial sex work, juveniles, people living with HIV, migrants and mobile population. The total amount of the necessary funds for the period 2008-2015 needed to implement the programme activities and achieve the indicators is BGN 213 319 069, out of which BGN 67 707 281 will be provided by the Global Fund to Fight AIDS.

D. Violence against women

The National Assembly adopted several Amendments to the Penal Code (PC). The new regulations also contain qualified provisions, stipulating heavier punishment, imposed for trafficking, based on coercion, misleading statements or state of dependency, as well as when the act was committed by an organized criminal band. The PC prohibits also sexual harassment that involves intercourse. The amendments⁶ to Chapter VIII Debauchery of the PC envisage stricter and differentiated forms of punishment, imposed for rape, aimed at involvement into subsequent lecherous activities or prostitution (art. 149, 150, 151, 153, 155, 155a). The amendments to art. 159 envisage a regulation on punishment of pornographic activities and art. 93, para. 28, Additional provisions, give for the first time a legal definition of the term “Pornographic material”.

The National Commission for Combating Trafficking in Human Beings (NCCTHB) manages, coordinates and controls the process of conducting the national policy and strategy for prevention and counteraction of trafficking in human beings, as well as protection of victims. About ten NGOs are also committed with the problems of trafficking and domestic violence. According to article 4 of the Regulations of the organization and the work of the NCCTHB, it has to draft and yearly submit to the CM a National Program for combating trafficking in human beings. The programs envisage establishment of administrative structures at national and local level, increasing the awareness of the society on the problem of trafficking in human beings and the mechanisms for its limitation. The measures are focused on protection and support of victims of trafficking as well as on creating a working mechanism for research, analysis and statistical reporting of human trafficking data. The Programs also envisage trainings for staff involved in counteracting trafficking in human beings, improving the international co-operation for prevention and countering of trafficking in human beings and organizing information, awareness and educational campaigns. The Programs also include measures for strengthening the mechanisms for assisting of victims of trafficking and protection of their rights. The section “Reintegration of victims” focuses on overcoming consequences of trafficking. However, separate budget for the implementation of the above mentioned measures has not been allocated. They are to be implemented within the budgets of the relevant line ministry or governmental institution.

In recent years women's groups, energized by the 1995 Fourth World Conference on Women, have publicly campaigned for better legal protection of women's human rights. Before

⁶ Amended SG, issue 75, 2006, issue 38, 2007.

spearheading the drive for the domestic violence act, they successfully advocated for the passage of legislation against trafficking in human beings. The Bulgarian Gender Research Foundation (BGRF) is one of the leading forces for change. An independent NGO that promotes gender equality and human rights through research and advocacy, it will now be using a grant by the UN Trust Fund to End Violence against Women to help make the Domestic Violence Act a standard legal practice.

The Act on Protection against Domestic Violence (APDV)⁷ envisages for the first time the fast court proceedings, 24-hour protection of the victim and the right of state authorities and relatives to request extension of the duration of protection. According to the APDV women, victims of domestic violence are entitled to asylum, as stipulated by international legal instruments.

National Program for Prevention and Protection from Domestic violence

The Program for Prevention and Protection from Domestic Violence is adopted in compliance with the art. 6 (1) and § 2 of the Final provisions of the Protection from Domestic Violence Act and in compliance with the international standards set by the international conventions and the EU *acquis*. According to Art. 5 of the CEDAW Preamble, the States are responsible for changing the socio cultural models and stereotypes, based on inequalities between women and men. On 19 October 2006 the Government adopted the first Program for Prevention and Protection from Domestic Violence for the period 2007-2008. The Program established a national 24-hour phone line for information for victims of domestic violence and set up temporary shelters for such people as well as development and introduction of programmes and trainings targeting the specific groups of personnel at specialized institutions, police officers, law enforcement agencies etc. The Program envisages shelters for victims of domestic violence to be established in every regional centre. BGN 270 000 are allocated for this measure. The telephone line of the police should be the hot line for victims of domestic violence. With the efforts of the Ministry of Interior's experts, a separate line was set up as well. The Ministry is responsible for the preparation of a leaflet, giving information for fast and effective protection in cases of domestic violence. The NGO sector is also involved in this problem. There are 16 hot lines operated by women's NGO staff and volunteers which provide psychological and legal assistance for victims of violence in different cities and towns in Bulgaria. Domestic violence, trafficking in human beings, sexual harassment, and sexual assault are also covered by the hot lines which do not specialize in a single form of violence, but deal with all of them. Hot lines provide mainly psychological assistance and serve as a referral mechanism to other services. At the same time some of them combine psychological and legal advice. The Program targets prevention and protection from domestic violence through awareness raising of the society on the problem of "domestic violence", strengthening the capacity and increasing the level of personnel qualification as well as establishment of a basis for development of programs for reintegration of the victims of domestic violence and specialized programs for perpetrators.

According to item 9 and item 15 of the National Action Plan for Promotion of Gender Equality (2008 – 2009), the provisions of the Ministry of Interior Act have been amended in 2008 (OG issue 69/05.07.2008), as well as the by-laws related to its implementation in order to meet the gender equality requirements. Equal opportunities for access to civil service and professional and hierarchical development in the Ministry of Interior (MI) have been provided to women and men. The gender gap in the ultimate age-limit for service within the system of the MI has been abolished. The civil service competition rules for appointment provide equal opportunities to men and women at all levels of the administration. The women working within the system of the Ministry in 2008 rose up to 6, 57 %.

⁷ Promulgated in the OG, issue 27, 29 March 2005.

With regard to the implementation Chapter IV of the National Action Plan for promotion of gender equality, eliminating the violence, based on gender and trafficking in human beings, the MI⁸ has undertaken the following steps:

- A permanent working group has been set up with representatives of the MI and the NGOs, working against domestic violence.
- Representatives of the USA NGO Protection of Human Rights, Minnesota, carried out in June 2008 a monitoring of the work of officials of Bourgas Regional Department together with Demetra Association in view of limiting cases of domestic violence and the relevant achievements. The data of that review have been transmitted to the above mentioned WG responsible for the amendments to the APDV and the other relevant normative acts.
- The WG has elaborated a bill on the amendments to the APDV and to the PC, in accordance to Recommendation (2002) 5 of the Committee of Ministers on the protection of women against violence of the Council of Europe, that was entered into the joint working group with the Ministry of Justice.
- The permanent working group has elaborated a Plan for the implementation of the Programme for prevention and protection from domestic violence. An interdepartmental working group has been set up accordingly with the specific task to elaborate a Manual with advice to people affected by domestic violence, aimed at facilitating the access to prompt and effective protection from domestic violence.
- The Manual with advice to people affected by domestic violence, where the way to obtain an immediate and effective protection in case of domestic violence is clearly described, was edited in 2008 with a total print of 15 000 issues, distributed in all the structures of the MI.
- The MI organised 15 seminars for the training of its officials in the area of domestic violence protection. The problem of domestic violence was included in the curriculum for vocational training of the police officers, in order to enable them to tackle such cases. Additional funding was allowed by the Ministry of Finance in order to train 400 officers of the MI in 2009.
- In the spring of 2008 officers of the MI participated in two Training of the Trainers seminars on Countering Trafficking in Human Beings, organised by the National Institute of Justice.
- Accessible information intended for people affected by domestic violence is published on the Internet site of the MI.
- Methodological guidelines for the actions of the police authorities under the APDV have been approved by the Minister of Interior.
- Methodological guidelines for data collection have been elaborated for domestic violence cases where the objective is to set up a mechanism for system based data collection in order to detect previous cases of domestic violence. This information will also be available for the Court proceedings in cases where domestic violence protection shall be provided under the APDV.
- An appropriate procedure has been set up within the MI structures for data provision in cases where protection shall be provided under the APDV.
- Regional coordinators have been appointed within the structures of the MI on domestic violence issues. On a monthly basis they summarise the information on the Orders for ensuring protection under the APDV and circulate a report to the interested parties.
- A national campaign entitled “16 days against the violence against women” has been

⁸ According to data provided by the MI, February 2009.

launched in 2008 with the participation of representatives of the different structures of the MI. Many debates have been started in schools with the objective to prevent girls from human trafficking. The audience has been trained in the ways to avoid such risks and how and where to get help and cooperation in such cases.

- A round table “Domestic violence and alternatives for social inclusion of Bulgarian women and girls” has been organised by the National Assembly on 09.04.2008, involving representatives of the executive, NGOs and MI.
- Three fora “Police work closer to society” – “Social diversity and Police work closer to society” took place in 2008 involving representatives from the police structures of the member States of the Association of police managers from the CEEC where Domestic violence was central topic.
- An European day against Human Trafficking has been organised on 18 October 2008 under the patronage of the Deputy Chairman of Parliament, with the participation of the Minister of Interior and representatives of Directorate for Organized Crime Combat of the MI.
- A Twinning project *Establishment and Strengthening of a National System for Support and Financial Compensation of Victims of Crime* under the EU PHARE programme is being implemented by the MI, including victims of Human Trafficking crimes.
- The MI of the Republic of Bulgaria continues to work for the implementation of its responsibilities under the National Action Plan for Promotion of Gender Equality. It is prescribed by the laws regulating violence against women that police officers, psychologists, social workers, and governmental representatives must work together. Additionally, Articles 81 and 82 of the Regulation to the Act on the National Police of December 15, 1993 (National Police Act)⁹ state that the Fight against Organized Crime Directorate and the Border Police Directorate prevent and counter trafficking for the purpose of sexual exploitation by organizing cooperation between police and the other governmental and non-governmental structures. Also, there are special coordinated plans for joint action when cases connected with trafficking are investigated, and the prosecutors are obliged to coordinate with the police.

E. The effects of armed or other kinds of conflict on women, including those living under foreign occupation

In order to translate Resolution 1325 (2000) on Women, Peace and Security in practice, the National Strategy for Promotion of Gender Equality (2009 -2015) has formulated the following Objectives: “Promotion of gender equality in the policy of good neighbourly relations and the development policies”, through support for the political, economic and social reforms in partner states, including with a view to abidance by human rights and the promotion of gender equality. Objective 7: “Gender equality in the security system” shall be achieved through applying the principles of gender equality and eradication of discrimination by gender in the processes and measures for peacemaking and peacekeeping and restoration, including in military conflict zones and increasing participation of women in decision-making in the sphere of security. In late 2008 the Ministry of Defence and the Headquarters of the Bulgarian Army started an information campaign on Resolution 1325 and Resolution 1820 (2008). In 2009 a Plan for the implementation of Resolution 1325 will be elaborated.

According to data provided by the State Agency for Refugees, within the period 2005-2008, pursuant to the Act on Asylum and Refugees (AAR), the submitted applications of women for granting of a refugee status are preliminary of foreigners from Iraq, Afghanistan, Armenia

⁹ In force since June 2006.

(2005 – 51 women, 2006 – 55 women, 2007 – 98 women, 2008 – 130 women). Pursuant to the AAR, restrictions of the rights or privileges according to gender indicator for women refugees are not allowed during the consideration of the refugee's application in the Republic of Bulgaria. During the procedure the refugee has the right to get a woman translator and a woman interviewer. The entirety of the family and the welfare of children are respected. The SAR with the Council of Ministers participates in the examination of applications of foreign newcomers, seeking or given protection by reason of their gender, age or belonging to a definite social group (2007 - 2008), together with UNHCR and NGOs (the Bulgarian Red Cross, the Council of Women – Refugees, the Association for Integration of Refugees and Migrants, the CARITAS Foundation – Bulgaria etc.). The SAR survey of those examinations reported gender equality and lack of discrimination during the acceptance and the considering of the refugee status applications; the consultations, the accommodation process; the rendering of medical attendance, of social and psychological assistance in the Refugee Centres (Registration-and-Reception Centres in Sofia and in the village of Banya). In 2007-2008 a comprehensive investigation on the gender violence occurrence in the refugee communities in Central and Eastern Europe has been performed; and it resulted in the ratification of operative procedures for counteraction to the gender violence in the refugee communities. A mechanism for inter-institutional coordination has been established, in order to ensure the proper reaction in cases of gender based violation of human rights. In 2008 an information campaign in the Bulgarian media has promoted the formation of positive attitudes towards the refugees. The media promoted and approved the positive models of women – refugees, residing in Bulgaria.

F. Inequality in economic structures and policies, in all forms of productive activities and in access to resources

Based on the priorities for achieving actual rights of women and following a broad discussion, the National Action Plan for promotion of gender equality for 2008 – 2009¹⁰ was adopted (in compliance with the commitments undertaken by the Republic of Bulgaria under the Beijing Platform for Action at the Forth World Conference on Women, Beijing, 1995 and the Outcome of the Twenty-Third Special Session of the General Assembly (2000). The Plan envisages Government initiatives, as well as measures, proposed NGOs. The NGO sector has made the greatest contribution to the implementation of the plan. The process of establishing the legal framework for guaranteeing gender equality has been launched with the active cooperation of many organizations. The ongoing interaction between NGO representatives and representatives of the legislative, executive and local authorities is a factor, contributing to the higher status of women in the social, economic and political life in the country.

A new bill on Gender Equality was elaborated by representatives of the Coalition for Bulgaria parliamentary group of the 40th National Assembly. The bill was entered in the Parliamentary Committee on Human Rights and Religious Affairs on 21 November 2008 and has been discussed by the parties involved. It is expected to be approved by the National Assembly in 2009.

The Act on Protection against Discrimination (APAD) is aimed at ensuring equal opportunities for participation of women in all spheres of public life – prohibition of discrimination, as stipulated in the act. It refers to several areas, such as employment, education and training, health care, housing, social protection, providing goods and access to public services and institutions, exercising economic activity, etc. The amended art. 39, para 1 of the APAD¹¹ states: “if applicants for a job in the administration of state and local self governance are of equal value with regard to job requirements, the applicant of the less

¹⁰ Adopted by the CM on 17 July 2008.

¹¹ Amended OG, issue 68, 2006.

represented sex shall be appointed.”, according to the EU standards for balanced participation of women and men in decision making processes.

The National Strategy for Promotion of Gender Equality for the period 2009 – 2015 is developed in compliance with legislative acts and national strategic documents and is aligned with up-to-date studies on the subject: National Action Plan for Promotion of Gender Equality (2008 – 2009), the Employment Strategy of the Republic of Bulgaria (2008 – 2015), the Joint Memorandum on Social Inclusion of the Republic of Bulgaria and the National Report on the Strategies for Social Protection and Social Inclusion of the Republic of Bulgaria 2008 – 2010, the Human Resources Development Operational Programme 2007 – 2013, etc.

In order to overcome the barriers to labour realization of women, measures have been undertaken with the aim of: overcoming gender stereotypes on the labour market, restricting the impact of factors determining the low economic activity of women, encouraging the reconciliation of work and family life.

The adoption of the gender equality principle in employment policy is an achievement for the country. The Employment Strategy, as well as the annual National Employment Action Plans, has in view the equality between men and women on the labour market at the national level. Policies in the sphere of equal opportunities for men and women on the labour market, present only a part of the necessary mechanism in this area, which includes the establishment of institutions, and the achievement of social partnership, including the NGO representatives and women.

In the context of ageing population and decrease of the workforce, the promotion of a life cycle based approach to work is a guarantee for increased labour supply. Women present the resources, necessary to increase labour supply. To achieve life-cycle based approach to work, and enhance the process of reconciliation between personal life and work, the following actions shall be undertaken¹²:

- Policies, impacting the following main stages of professional and personal life, shall be coordinated, aimed at keeping the workforce on the labour market and providing career development: first job, return to work after a break, due to childcare or care for other dependent family members (deadline– 2010);

- The set of actions and policies, influencing the desire for economic activity and opportunities for a full-fledged realization of women are monitored, analysed and when necessary modified (deadline – 2010);

- Use to a maximum degree the different information and communication technologies, and other forms and methods of work, which in the conditions of the contemporary global economy can improve the life/work balance. This is necessary not only for employed persons, but for employers too (deadline – 2015).

With the EU accession in 2007 the gender mainstreaming concept has been introduced and efforts focused on its integration at all policy levels. Certain steps have been undertaken in the pre-accession period in order to establish a specialized institutional mechanism on gender equality and women’s progress in the country, according to the Beijing Platform for Action. The Consultative Commission on Equal Opportunities for Women and Men and Disadvantaged Groups on the Labour Market consists of representatives of the public authorities responsible for the elaboration and implementation of gender equality policy, stakeholders and NGOs. It is chaired by the Minister of Labour and Social Policy. Deputy chair is a representative of the NGOs, working on women’s issues. Its aim is to improve the coordination in the process of gender and social equalization in Bulgaria and reinforce the administrative capacity of the public institutions and organizations responsible for the policy of equality regarding measures and actions related to gender equality in the labour market.

¹² Data provided by the Labour Market Policies Department of the MLSP.

The Equal Opportunities for Women and Men Sector, established at the MLSP in early 2004, which grew into a Department on Gender Equality and Antidiscrimination in 2005, illustrates the good will aimed at enabling the integration of the gender mainstreaming policy in the different levels of public administration. The Department is within the Demographic and Family Policy and Equal Opportunities Directorate, which develops and coordinates the implementation of the state policy in these fields.

Policies on the Labour Market

(Source: Report for Bulgaria "Equal opportunities for women and men: Monitoring law and practice in new member states and accession countries of the EU")

The Updated Employment Strategy of the Republic of Bulgaria for the period 2008–2015 was adopted on 30.04.2008 with a decision of the CM. The vision of the Strategy is defined as follows: provided conditions and opportunities for productive and quality employment for able-bodied persons, with a view to enhance the living standards, social cohesion and to ensure accelerated economic growth.

The Strategy identifies women as a risk group in the labour market. It pays special attention to the need to develop policies on equal opportunities for all social groups to the labour market and to make these freely and easily accessible. It takes account of the information about the state and development of the employment gathered during the last decade. It shows persistent unequal distribution of unemployment per social-demographic groups. The group of young people, people with high school or lower education, people with lower capacity to work and in certain period women and people over the age of 50 are continuously affected by unemployment. Women are identified as a risk group on the labour market. The detailed analysis made in the Strategy leads to the conclusion that inequality cannot be established easily solely on the basis of the basic indicators for participation in the workforce, for employment and unemployment. Women are greater portion of the unemployed and this is explained by the fact that women in the active work age are demographically more than men. On the other hand, the lower average levels of remuneration of women is explained by the fact that they work predominantly in the traditionally low paid industries such as textile, tailoring, education, etc. Preference to employ men on well-paid jobs is also acknowledged as a reason. Following the Strategy, more substantial difference between the two sexes is present in the coefficients of employment. The gender pay-gap exists but it is comparable to the average rate in the EU.

The Strategy identifies reintegration of discouraged persons and other social groups, not part of the workforce, as a problem of prime importance. It further states out that solution of this acute problem requires elaboration and implementation of measures and programmes making possible the reconciliation of family and work responsibilities, which shall promote the economic activity of women. The deadline for this task set up in the Strategy is 2010. The Strategy pays special attention to the need to develop policies for equal opportunities for all social groups to the labour market and make it easily and freely accessible for them. Achievement of equality shall be pursued through legislative, institutional and investment based general measures, as well as through specific measures for disadvantaged groups and groups in unequal position on the labour market.

In 2008 women's economic activity rate was 45,8 % (in 2007 the value of this indicator had been 44,2 %) ¹³.

Obstacles faced and remaining gaps and challenges

¹³ Data provided by the National statistical institute.

The gender pay-gap in Bulgaria is a concern (about 16 % in 2007¹⁴). With the contribution of the EC a National Sensitivity rising and information campaign regarding equal pay had been carried out by the MLSP in cooperation with the CPAD.

Limited gender disaggregated data is presently available in Bulgaria although the information delivered by the National Statistical Institute (NSI) on different issues divided by gender. The NSI as a member of the National Council on Gender Equality has fixed responsibilities according to the National Action Plan on Gender Equality accurately implemented during the respective periods. With regards to this NSI has an institutional coordinator on the supplying of gender disaggregated data to national administrations and institutions. In 2006 and 2008 NSI attended the joint UNECE and CES work sessions on Gender Statistics where draft Manual for gender sensitization training for statisticians has been presented, discussions on the use of statistical data for producing gender analysis have been conducted, new challenges towards the assessment of inequality among certain population groups during the process of assessing of gender equality. All data necessary for creating, updating and refreshing of the Gender statistics database in UNECE in all supported by the commission statistical fields have been sent by NSI by the requested indicators. Data for Bulgaria are available since 1980 till 2007. In 2007 the NSI participated in the Global Forum on Gender Statistics in Roma, Italy. As a result of the accomplished work during the forum the UN Statistical Division carried out a Survey on National Gender Statistics Programmes and Activities in the countries in order to produce a Global Programme on Gender Statistics. For this purpose NSI sent in April 2008 the requested questionnaire filled in with the current and future activities of the national statistics regarding the maintenance and development of the respective methodology, collection and dissemination of gender disaggregated data, publications with data and indicators by gender. The NSI as a member of the Friends of the Chair of the United Nations Statistical Commission on the indicators on violence against women took part in the discussion of the set of internationally comparative indicators on all forms of violence against women and the draft preliminary report on these indicators. It disposes with almost full system of demographic and social statistics, census data on the population with all demographic, social and economic characteristics. There is still a lack of gender disaggregated data due to the character and respective sources of the collected data in this field. By now there are not data available in NSI on the not registered cases of violence against women and human traffic. This information might be collected only through sample surveys.

There is a lack of long-term practice concerning the enforcement of APAD, it is difficult to collect and process related data. However, awareness and activity in this field remain low and the limited number of research and developed statistics for the labour market shows that although there are legal mechanisms for protection, they are not actively used and hidden gender discrimination continues to exist.

The amendments to the Employment Promotion Act foresee special measures to promote the employment of parents and elderly women and men¹⁵.

¹⁴ Data provided by the NSI.

¹⁵Article 53. (Amended, SG No. 26/2003) For each job created for full-time or part-time work, filled by unemployed persons who are single parents (or adopters) and/or mothers (or female adopters) with children under 3 years of age and who are hired upon referral by the divisions of the National Employment Agency, the employer shall be provided with sums according to Article 30a (2) herein for the shorter of the period of employment of any such persons and twelve months.

Article 53a. (new, amended SG, issue. 26/2008) (1) For each job created for full-time or part-time work, filled by unemployed mothers (or adopters) with children aged between 3-5, d who are hired upon referral by the divisions of the National Employment Agency, the employer shall be provided with sums according to Article 30a (2) herein for the shorter of the period of employment of any such persons and twelve months.

The Ministry of Economy and Energy has started a sociologic research in the field of women's entrepreneurship as an Annex to the Annual Report on the SME in Bulgaria. Incentives aimed at the acquiring of skills for starting of private business by people in disadvantaged position, representatives of the minorities, youths and women entrepreneurs are incorporated in the National Strategy for promotion of SME (2007 – 2013)¹⁶.

G-Inequality between men and women in the sharing of power and decision-making at all levels

On 16 August 2005 the Parliament (40 National Assembly) approved the Government set up by three parties – Coalition for Bulgaria, Simeon the Second National Movement and Movement for Rights and Freedoms. After the consequent formation of the political cabinets, the current distribution by gender of the seats of Members of Parliament is as follows: 21 % women, 79 % men. 4 out of 7 Deputy Chairpersons of Parliament are women. 41 % of the Bulgarian Members of the European Parliament, 24 % of the Members of the CM, 31 % of the Deputy Ministers, 6 % only of the Ambassadors of the Republic of Bulgaria in other countries, 44 % of the chairpersons of State Agencies, 17 % of the Executive Directors of Executive Agencies with the Ministries, 55 % of the Members of the National Audit Office, 44 % of the Members of the CPAD, 25 % of the local governors, 9,5 % of the mayors in Bulgaria are women. In 2007 three Bulgarian municipalities made the first steps in the implementation of gender mainstreaming at local level in Bulgaria. The Municipalities of Sofia, Veliko Turnovo and Plovdiv as partners of the Centre of Women's Studies and Policies took part in the international project "Equality for Local Development: Gender Mainstreaming in Municipalities" (2006-2007). The Project Gender Mainstreaming in Public Policies and Programs (2005), the Project Equal at school - Equal in Life, etc. also contributed to the better understanding and good will for improvement of the situation.

The Bulgarian Government is actively engaged in efforts to promote genuine gender equality, including by enhancing the efficiency of measures at the national level. Women made advances in many spheres, notably in the legal profession and in the civil service. The National Strategy for Promotion of Gender Equality for the period 2009 – 2015 has the objective of effective application of the policy of the Bulgarian government aimed at improving the quality of life and achieving a high level of consolidation of society in the Republic of Bulgaria, providing equal opportunities for women and men for full and active participation in all fields of public life without gender discrimination. The strategy outlines the specific objectives which have to be achieved in order to eradicate all obstacles for achieving actual equality of women and men in the country. The state policy of the Republic of Bulgaria in the field of gender equality and non-discrimination by gender unites the efforts and the actions of the executive at all levels, as well as that of local self-government. The Bulgarian state works on the matters of equality of women and men in active and close cooperation with the non-governmental sector and the other stakeholders.

A good example for empowerment of women is the administration of the Ministry of Finance (MF), where the management functions are entrusted mostly to women – out of 109 managerial positions 76 (69,7 %) are occupied by women in late 2008¹⁷. Otherwise in the MF work 607 employees out of which 440 are women. The Programme for Keeping the Human Resources of the MF, elaborated by the HR Department foresees measures for motivation of qualified and talented employees regardless of their age, gender, or ethnicity. One of those measures applies the art. 16 A of the Civil Service Act, through a special Regulation, allowing a flexible work-schedule, appreciated by the young mothers working within the Ministry. The

¹⁶ Adopted with Minutes No 7 of the CM on 20.02.2007.

¹⁷ Data provided by the Ministry of Finance.

principle of equal pay for equal work is strictly observed in the MF and in general in the public administration sector, without gender discrimination indicators.

I -Lack of respect for and inadequate promotion and protection of the human rights of women

The house chores and care work are not recognized yet by the social security system.

Married women between the ages of 25 and 44 with children have longer total work days than their male counterparts, says the Statistics. These women work 1.6 hours a day more on household and related tasks than men in the same age group. Female lone parents have the longest total work day including paid and unpaid work. Some family responsibilities still go unrecognised in the work place. It has to be emphasised however that Bulgaria has a national labour legislation for protection of pregnant workers and workers who have recently given birth, going beyond the scope of Directive 92/85/EEC. The efforts directed to the promotion of higher employment rate of women, reconciliation of family and work, and suppression of the gender pay gap led to the relevant amendments of the LC, the Social Security Code, and the APAD. Although, men are encouraged to assume more family responsibilities, especially through incentives to use parental leave and to share the parental leave with the woman. A positive step of the government policy for reconciliation of family life and work are the last amendments to the Labour Code¹⁸ that allow and encourage the father to have equal share in the child care and housekeeping. As per 2.01.2009 the maternity (adoption) leave was raised from 315 up to 410 days. The amendments of the APAD¹⁹, art. 13, para 3 and art. 15, para 2, protect the right of the mother (adopter or father) to come back to work on the same position or equivalent one, taking advantage of all the improvements of the working conditions carried out.

The policy of reconciliation of family and work shall contribute to gender equality but it is also a prerequisite for the achievement of the EU objectives related to economical growth, employment rate and social cohesion. In fact the need of flexible economy using the entire potential of the work force is going to transform the vision for the modern family. The demographic pressure from the ageing population transformed the reconciliation of professional and family life into priority in the EU social agenda.

Reconciliation policies might be defined as policies that support directly the harmony between professional and private life. In line with the objective to promote and protect women's human rights, the following achievements should be stressed:

- Increasing the employment rate and decreasing the unemployment between women.
- An effective legal framework has been set up
- The revenue in the period of pregnancy, birth giving and motherhood is protected
- Reconciliation Programmes and measures are elaborated
- Programmes aimed at facilitating the access to jobs for women near retirement age.
- Promotion of female entrepreneurship
- Providing access to training in entrepreneurship
- Financial support to start private business
- Horizontal financing under the Human Resources Development Operational Programme.

Bulgarian labour legislation together with the APAD provides some privileges to women in case of pregnancy, birth giving and maternity. The maternity leave is recognized as length of

18 (7) (New - OG, issue 108, 2008 r., in force since 1.01.2009) In case the mother and the father are married or share the same household, the father shall be entitled to 15-day parental leave for a child birth, from the day of discharge of the child from hospital.

(8) (New - OG, issue 108, 2008, in force since 1.01.2009, amended Issue 109, 2008, in force since 2.01.2009). With the agreement of the mother (adopter), upon reaching 6-months of the child, parental leave might be used by the father (adopter) instead of her up to the end of the 410-day term.

19 Promulgated OG, issue 68, 2006.

service and the recovery paid by the social security system is to the amount of 90 % of the average gross wages received by the worker during the 12 months preceding the birth. The LC provides special protection to women (art. 307 – 313 a) and especially to pregnant women and breastfeeding mothers. Another asset is the LC provision allowing the mother to work at home up to the age of 6 of the child, even for another employer.

J-Stereotyping of women and inequality in women's access to and participation in all communication systems, especially in the media

The media, as well as the public policies should be a model of the fundamental values shared by society. Their role in changing the existing unfavourable stereotypes and attitudes is basic. Although the public does not believe that the female labour is cheaper, there is gender pay-gap in the country. The reason for this is that labour pay is lower in the sectors where women prevail (education, health care, services, public administration), or because women hold lower paid positions, the difference in payment between the total of women and men in some sectors even reaching 30 %²⁰. In addition, women are those who more frequently and for more prolonged periods are absent from the labour market due to maternity leave or raising their children or care of dependent family members, which is reflected in both their labour pay and the amount of their pensions. Gender inequalities in employment, combined with the peculiarities of the social security system create a situation where poverty disproportionately refers to women or is “feminized”. Sometimes, because of the fears and prejudices of some employers in respect to young women who are yet to have children it is more difficult for them to begin work.

The Act on Radio and Television, adopted in 1998, states in Art. 10(6) that “radio and television operators shall be guided by the principles: (...) inadmissibility of broadcasts which are contrary to good morals, especially if they contain pornography, extol or condone brutality or violence, or incite to hatred on grounds of race, sex, religion or nationality.”

The Bulgarian Media’s Ethical Code in its Chapter “Crime and brutality” provides: “(...) treat with caution the identification of victims and witnesses of crime, especially in cases involving sexual assault and report such matters with sympathy and constraint”.

The Council for Electronic Media – the official media watch organization - initiated a broad discussion of the problem of distributing pornographic programs and their harmful influence on minors and officially announced that it is determined to screen and prohibit programs that would lead to physical or psychological violence against children.

Media schools do not offer mandatory education on gender issues, including violence against women, but there are project-based and opt-in programs for the future journalists. Information campaigns and trainings have been organised by the MLSP, PADC and NGOs under the European Year of Equal Opportunities for All – 2007.

Trainings on Gender Mainstreaming for local authorities and stakeholders have been carried out by the MLSP. Targeted training for promotion of the integration of Roma women took place.

Carrying out the policy for information society development, the State Agency for Information technology and communication assists in building up and institutional consolidation of a network of tele-centers all around the country. In late 2008 such centers have been set up in more than 120 populated areas in Bulgaria. One of the main purposes of these tele-centers is raising awareness of the gender equality principles and encouraging women to participate in programmes for vocational training and acquiring new qualifications which would give them access to employment in the ICT sphere.

²⁰ National Strategy for promotion of gender equality 2009-2015.

K. Gender inequalities in the management of natural resources and in the safeguarding of the environment

The Millennium Development Goals – 2008 is the second report produced by Bulgaria to honour the country's commitment as a signatory of the Millennium Declaration, whereby all UN member states pledged to make global efforts until 2015 to reduce poverty, respect human rights, promote peace, strengthen democracy, and ensure environmental sustainability. For the world the year 2008 is a midway point in the global effort to reach the Millennium Development Goals. For Bulgaria this report is the last that covers its achievement prior to joining the European Union. As such it is a social baseline in the universal language of MDGs which emphasises the significant accomplishments of the country. Nowadays Bulgaria's progress is assessed in a different way according to its status of an EU Member State. The country participates in shaping the EU common development policy and contributes to the achievement of the Global Development Goals.

There is a lot of work to do with regard to empowerment of women in the field of safeguarding the environment and its sustainable management. Bulgaria is implementing the Programme for the implementation of Directive 91/271/EEC concerning urban waste-water treatment but at present only 15 of the agglomerations have a 100 % system of sewers. That means that the country faces serious challenges especially with a view of our water resources, the high level of amortisation of the water supply system (60 % water waste²¹) and the climate changes related to the Global warming. Women and men should pay efforts to face this critical area of concern.

L. Persistent discrimination against and violation of the rights of the girl child

The Child Protection Act established the basis for undertaking a reform in the area of childcare in Bulgaria, by creating a new institutional framework, which includes a central body – the State Agency for Child Protection ²²(SACP) and local bodies – Child Protection Departments to the Social Assistance Directorates. SACP has its representative in the National Gender Equality Council to the CM. In January 2008 the National Assembly adopted the basic political document, which stated the priority areas and activities for the improvement of child welfare in Bulgaria in the next ten years – The National Child Strategy 2008-2018 (promulgated SG issue 14/12, 2008). The Strategy defined the right of identity and protection against discrimination as a main activity for providing the effective exercising of rights and improving the quality of life for children as a condition for their free and adequate personal development. The Strategy emphasises the fact that one of the groups, whose rights are violated and about whose discrimination there is no social dialogue, is the group of girl-children. Often in some regions and ethnic groups from early age they are being included in domestic work and care for smaller brothers and sisters, at the expense of the time, they should spend on education. Early marriages practiced in some ethnic groups, also lead to exclusion of girls from the education system. As a result, the girls' development is interrupted; they mainly remain at home and can't be socially active. The girls are the most common victims of violence, abuse, sexual, labour exploitation and trafficking.

The prevention of violence and all forms of exploitation and abuse of children, as well as providing protection, support and reintegration to victims, is among the leading priorities in the state child protection policy. The Child Protection Act provides special protection by the state for every child at risk (art. 5) and regulates the right of every child to protection against violence by not allowing any limitation of rights and privileges, based on discrimination, including gender discrimination (art. 10 from CPA).

²¹ Data provided by the Ministry of Environment and Water.

²² The State Agency for Child Protection was set up after an act of the CM №226/30.10.2000. It starts its activity on 01.01.2001

According to the Family Code, marriage can be contracted by a person aged 18. The Family Code allows contracting a marriage by a person aged 16, as an exception and due to important reasons. Permission for the marriage is given by the regional court. The age-limit is the same for both genders.

There is a special chapter in the PC regulating children's and family issues. The CPA provides for special protection of children against violence, by inter alia, urgent police measures in cases of an occurrence or threats of violence against children²³. In the PC the violence against children by parents, the incest, the offences, performed by woman in child birth, murder by a parent / guardian, are also criminalised.

In accordance with the National Action Plan Against Commercial Sexual Exploitation of Children (2003-2005) SACP initiated the development of a specialized Internet site (in two versions – for children and professionals) – www.stopech.sacp.government.bg, with a main purpose to provide comprehensive information on issues of sexual and labour exploitation, as: national legislation, international standards, national documents, practice, useful information. Main accent in the site is the Signal submission form, by which over 400 signals of violated child rights, including violence in the Internet, have been submitted up to date.

In the context of the ratified UN Convention on the Rights of the Child and in accordance with the European child protection policies SACP maintains a National Information System, which contains data for all children at risk groups, including information about the number and the profile of children, victims of violence, which allows to monitor the development of the processes, to draft tendencies and accordingly to undertake adequate measures for prevention of violence and child protection.

As a main instrument for collecting information, a special information card is developed, which is filled in by all Child Protection Departments, which implement child protection activities on municipal level and includes the following indicators:

- Number of cases of violence against children;
- Type of violence;
- Place of committing the violence;
- Age, gender and family status of children, victims of violence;
- Profile of the person, who submitted the signal;
- Profile of the perpetrator;
- Measures undertaken.

Following the National Action Plan against Commercial Sexual Exploitation of Children (2003-2005), a Coordination Mechanism for Referral, Care and Protection of Repatriated Bulgarian Unaccompanied Minors (signed 09.11.2005), was adopted. With the signing of the Coordination Mechanism the approach of the relevant Bulgarian and international institutions for referral of cases of children victims (mainly girls) in countries like Austria, Czech Republic, Spain, Italy, Greece, France, Belgium, Slovakia, etc., has been unified. For the period 2003-2005 the SACP has 60 cases of unaccompanied children abroad. From 2006 till

²³Article 5(1) Special protection shall be secured to: children at risk; [...]

In the additional provisions to the law a definition of "child at risk" is provided: [...]

b) who has become victim of abuse, violence, exploitation, or any other inhuman or degrading treatment or punishment either in or out of his or her family;

c) for whom there is a danger of causing damage to his or her physical, mental, moral, intellectual, and social development; [...]

Article 11(1) Every child has a right to protection against involvement in activities that are harmful to his or her physical, mental, moral, and educational development.

(2) Every child has a right to protection against all methods of upbringing that undermine his or her dignity; against physical, psychical, or other types of violence; against all forms of influence, which go against his or her interests.

(3) Every child has a right to protection against the use of children for purposes of begging, prostitution, dissemination of pornographic material, receipt of unlawful pecuniary income as well as protection against sexual abuse.

Article 25 A child may be placed to live out of his or her family in cases where: [...]

(4) The child is a victim of violence in the family and is in danger of her/his physical, mental, moral, intellectual, and social development.

Article 38 Police protection is an urgent measure to be applied when:

1. The child has become subject of crime or there is an immediate threat for his or her life or health, as well as when there is a danger of the child getting involved in a crime; [...]

the end of 2008 the number of referred cases is 343. The Coordination Mechanism has proved its effectiveness and received very high appraisal not only on national, but also on international level, by being defined as a good practice not only by International Organization for Migration, but also from the experts of the UN Committee on the Rights of the Child.

In accordance with the National Action Plan against Commercial Sexual Exploitation of Children (2003-2005), and in order to undertake effective measures against secondary trafficking, in October 2005 a new provision in the Bulgarian Identity Documents Act – art. 76 a was adopted. The provision concerns the interdiction of leaving the country, and issuing passports and alternative identity documents and the confiscation of existing ones from persons under majority age, in case there is information, that during the stay abroad, the child had been subject of illegal actions as beggary, prostitution, sexual violence, distribution of pornographic materials, receiving of illegal income. In the period March 2006 - December 2008 the President of SACP proposed to the Minister of Interior 162 measures under art. 76 a from the Bulgarian Identity Documents Act, out of which 11 measures have been imposed to boys, and all the other – to girls.

For supporting children – victims of trafficking, five Crisis Centres with capacity of 59 places have been established. Since 01.01.2007 the crisis centres are financed by the state budget through the municipal budgets. For the period January 2007 – July 2008, 100 children passed through these Centres.

The Child Protection Act regulates the right of protection against domestic violence as a condition for immediate removal of the child in safe custody for undertaking protection measures outside the family. The Act for protection against domestic violence allows the temporary accommodation of the child with victim-parent or with the parent, who has not committed the act of violence, at conditions and period, defined by the court, if this doesn't contradict the child's interests.

With a view of prevention and follow-up of the fight against sexual violence against children, as well as concerning the fast development of this negative phenomenon, in 2006 and 2007 Bulgarian PC was amended in section VIII Debauchery (Chapter II Offences against the person). The legislative amendments had the purpose of heightening the sanctions against the sexual crimes, including those committed against children. The sanctions had been raised for offences against children, related to prostitution, fornication or intercourse persuasion (art. 155 of the PC), kidnapping of person for provision to debauchery (art. 156 of the PC) and using a child for pornographic material (art. 159, (4) of the PC). With the amendments to the PC from 13.07.2007 a definition of "child pornography" has been made. Also the circulation of pornographic material through the Internet (a.159, (2) from PC) was criminalised, and a new crime was introduced – provision through the Internet or in any other way of information of a person under 18 years of age, in order to establish a contact with this person for performing fornication, copulation, sexual intercourse or prostitution (art. 155a of the PC). The last additions made in the Section "Trafficking in Human Beings" Art. 159 a and 159 b included a punishment in case the victim of traffic is a minor pregnant woman, as well as in case of persuasion of a female person for the sale of her child in the country or abroad (art. 182.b, (1) of the PC). This demonstrates the good will of the legislator for identifying current problems in this area and looking after adequate answer by condemning all forms of sexual abuse of children.

In the context of the UN Convention on the Rights of the Child (art. 12) and according to the rights and principles in the CPA, in 2003 the SACP has established a Children's Council as a consultative body, which gave possibility for direct dialogue with children and presentation of child views about their problems. The Children's Council consists of 26 children – 16 girls and 10 boys.

Part III

Structure of the national mechanism for promotion of gender equality

Authority in the system of the executive at central level for formulation and control of the state policy on gender equality – CM;

Leading ministry to produce the application of the policy – MLSP;

Coordinators in the leading ministry and the authorities of the central and local executive to effect constant monitoring of the application of the policy and possibly follow-up evaluation if the leading ministry decides such is needed;

A network of experts on gender equality (coordinators and focal points) in all bodies of the executive and of local self-government, which carry out the state policy on gender equality at operational level and are guided methodologically by the coordinator;

A system of coordination and interaction between the existing or future bodies of the different authorities empowered in the field of gender equality (the Subcommittee on Women's Rights with the Committee on Human Rights and Religious Affairs at the National Assembly, the CPAD, the Ombudsman, the NCEWM with the CM, the National Anti-Trafficking Commission with the CM and others).

Coordination and interaction with the non-governmental sector engaged with the problems of equality. Dialogue with civil society and its support enhances the legitimacy of the national institutional mechanism since it is based on shared public interest.

National action plans

The National Strategy for Promotion of Gender Equality (2009 – 2015) is implemented by means of actions plans which define the activities of the individual bodies of the executive on overcoming gender inequalities according to their spheres of competence. The action plans define the objectives of the separate bodies, the expected results and the types of measures for two years in advance with a view to achieve the general goals of the strategy. The compilation of the plans is coordinated by the leading institution and they are adopted by the CM.

The line ministries responsible for the application of the strategy distribute the different tasks in the structures of their administration and, where the need arises, within the framework of other administrations which share the responsibility for the daily application of the policy in compliance with the two-year plan. The reports on execution of the tasks are submitted to the leading ministry and contain information about the activities implemented, as well as information about the gradual realization of the policy in compliance with the two-year plan.

Material and financial support

The gender equality activities are financed under several budget lines:

- National financing under the budget of the MLSP;
- Financing from the line ministries and the interested institutions for the measures set up in the National Action Plan for Promotion of Gender Equality.
- EU Projects funding;
- Other external donors.

In the MLSP there is an Equal Opportunities programme financing the policy of equal opportunities in Bulgaria. The national budget of the country reflects the social and economic priorities of government policy. The gender indicator is taken into consideration in all spheres, as well as during the subsequent monitoring and evaluation of performance. Otherwise, there are funds allocated for the responsible bodies. For example, under the National Plan for Protection against Trafficking in Human Beings (the Ministry of Foreign Affairs, the Ministry of Interior, the NCCTHB, the MLSP, and even NGOs are mentioned among the main sources of financing to support anti-trafficking actions in 2005). The total budget allocated to the Commission for the implementation of the plan for 2005 was EUR 200,000, and for 2006 it was EUR 168,500.

Methods and techniques of the implementation of the Strategy for promotion of gender equality:

- Definition of qualitative and quantitative indicators to be monitored, controlled and evaluated;
- Definition of the opportunity and means of application of promotional measures to achieve gender equality;
- Systematic gender analysis and evaluation of impact by gender;
- Introduction of budgeting by gender.

Strategy monitoring and evaluation system

At national level, monitoring and evaluation of the ends of the strategy shall be done by the NCEWM with the CM. The MLSP summarises and presents to the National Council periodic reports from the line ministries and other bodies of the executive, including the regional administrations. The results of the monitoring are summarized by NCEWM in an annual report, which is submitted for approval by CM no later than March 31 of the respective calendar year.

The annual reports are published in the specialized Website for the policy of equality of women and men of the MLSP.

At local level, monitoring of the policies of gender equality is carried out by authorized bodies of local governance which submit annual report on monitoring to the municipal councils.

Part Four

H. Insufficient mechanisms at all levels to promote the advancement of women

The national gender equality mechanism has to be strengthened as it is foreseen by the National Strategy for Promotion of Gender Equality for the period 2009 – 2015. The Strategy will be updated in the fifth year of its implementation with a view to streamlining the objectives and results achieved, as well as its alignment with Bulgaria's obligations of membership in the European Union in respect to the implementation of the multi-annual strategic framework of the Community in the field of gender equality. Both the European indicators for monitoring the equality of women and men and additional indicators for evaluation of results in the context of national specifics are used for monitoring and evaluation of the Strategy implementation.

Public consultations have been carried out by discussion of the draft prior to its submission to the CM, within the framework of the NCEWM with the CM, the Consultative Committee on Equal Opportunities of Women and Men and Disadvantaged Groups on the Labour Market and on the official website for public consultation

Public information is provided about the results of the public consultations on the strategy and the draft plans for its implementation. The respective procedure is applied for discussing the annual reports on the implementation of the strategy, as well as its planned updating. The Strategy foresees as main sources of funding the state budget and the municipal budgets. The Structural Funds of the European Union, by means of the relevant operational programmes, as well as other target-oriented Community programmes, are additional sources for financing of this policy. I. e. horizontal financing is provided under the Human Resources Development Operational Programme and other EU supported programmes and individual projects.

Conclusion

The Constitution of the Republic of Bulgaria was adopted in 1991 by the Seventh Great National Assembly. Equal rights and the principle of non-discrimination are enshrined in the Constitution (Fundamental principles, Article 6: (1) All persons are born free and equal in dignity and rights.(2) All citizens shall be equal before the law. There shall be no privileges or restriction of rights on the grounds of race, nationality, ethnic self-identity, sex, origin, religion, education, opinion, political affiliation, personal or social status or property status.). However, the Constitution does not explicitly provide specific regulations for gender equality. Articles 46 and 47 of the Chapter on Fundamental Rights and Freedoms settle family relations and parenthood based on equal rights and obligations (Article 46 (2) Spouses shall have equal rights and obligations in matrimony and the family; Article 47 (1) The raising and upbringing of children until they come of legal age shall be a right and obligation of their parents and shall be assisted by the state; (2) Mothers shall be the object of special protection on the part of the state and shall be guaranteed prenatal and postnatal leave, free obstetric care, alleviated working conditions and other social assistance.

In addition to the rights guaranteed by the Constitution, Bulgaria has specialized legislation in many areas of the public life which include regulations of equal treatment of women and man and against discrimination.

In spite of this, the Republic of Bulgaria is Member of the European Union since 1 January 2007 and the gender equality became a common responsibility and priority assumed by the Bulgarian government with due care. The gender mainstreaming is basic short-term and long-term objective of the executive, involving all levels of the public administration. The set of actions identified are being implemented and their results – monitored as appropriate.

However gender discrimination issue needs to be addressed and the awareness raising initiatives will continue, supported