

## BULGARIAN GOVERNMENTAL REPORT

### **On implementation of the Beijing Platform for Action (1995), adopted at the IV<sup>th</sup> UN World Conference on Women and the Outcome of the Twenty-third Special Session of the General Assembly (2000)**

The Republic of Bulgaria has undertaken the commitment to implement the Beijing Platform for Action, adopted at the IV<sup>th</sup> UN World Conference on Women, held in Beijing in 1995. The Bulgarian Government has submitted two reports on the situation of women to the Committee on the Elimination of Discrimination against Women in 1998 and to the Committee on Economic, Social and Cultural Rights in 1999. The reports outline the actual situation of women in the country and the realization of their rights in all spheres of public life.

Bulgaria has been a Party to the UN Universal Declaration of Human Rights since 10.12.1998. In 2000 our country ratified the European Social Charter (revised).

Bulgaria has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), enforced in 1982. However the Convention has not been promulgated yet, therefore it cannot get incorporated into the national legislation. In 2000 our country signed the Facultative Protocol of the Convention, which provides for an individual right of appeal, but the Protocol has not been ratified yet.

In compliance with the commitments undertaken under the Beijing Platform for Action, according to Decision NoR-3 of the Council of Ministers of 18 January 1996 an Interministerial working group was formed. It includes representatives of state institutions and organizations, responsible for application of women's rights. The working group reviews the legislation and respective practices in the Republic of Bulgaria in order to ensure conformity with the terms and conditions for implementing the Beijing Platform for Action.

**KEY STRATEGIES AND PRIORITIES FOR DEVELOPMENT AND GROWTH TO ACHIEVE REAL EQUALITY FOR WOMEN** are stipulated in the final documents of the 4<sup>th</sup> World Conference in Beijing'95, reflecting Bulgaria's traditions and national specificities, considering the new and unsolved problems, related to women's rights and their equal participation in the country's social life.

Based on these priorities for achieving actual rights of women and following a broad discussion, **National Action Plan** was drafted (in compliance with the commitments undertaken by the Republic of Bulgaria under the Beijing Platform for Action at the IV<sup>th</sup> UN World Conference on Women, Beijing, 1995)<sup>1</sup>. The Plan envisages Government initiatives, as well as measures, proposed by non-governmental organizations (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 a higher status of women in the social, economic and political life in the country.

**The National Council on Social and Demographic Issues** with the Council of

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<sup>1</sup> Adopted by the Council of Ministers on 2 July 1996.

Ministers serves as a national mechanism for ensuring gender equality.

After the political changes in 1997 the Council was dissolved, which actually terminated the process of formulating and conducting unified state policy on equality between women and men.

A provisional consultative **National Council on Equal Opportunities for Men and Women** was established within the Ministry of Labour and Social Policy in 2000, when by a Decision of the Council of Ministers, the Ministry was assigned the task of drafting, coordinating and conducting the state policy on gender equality. A working group, including representatives of the state administration, academic circles and NGOs made an assessment of the available administrative statistics on the situation of women's rights and prepared a Draft **Act on Equal Opportunities for Men and Women**. It envisaged the establishment of a specialized Commission on Equal Opportunities for Men and Women with the Council of Ministers and a specialized ombudsman in charge of these issues. The draft was rejected by the National Assembly during the first plenary reading on 3 April 2002.

Irrespective of the guarantees for the equality between women and men, stipulated in **the Bulgarian Constitution and a number of laws** (Labour Code – art. 8, para. 3 and the special protection of pregnant women and mothers of children; Law on Promotion of Employment – art. 2; Social Assistance Act – art. 3; Civil Servant Act – art. 35; Social Security Code – art. 3; Civil Procedural Code – equality of spouses under the law, equal forms of legal protection during the court proceedings; Penal Code – special protection against violation of women's sexual inviolability, on the grounds whereof the Penal Code is considered one of the most democratic and humane in Europe; Penal Procedural Code – provides guarantees for equal treatment of women and men by the courts; Execution of Punishments Act; Law on Public Education – art. 4; Law on Higher Education – art. 4; Law on Healthy and Safe Labour Conditions - art. 16; Child Protection Law – art. 10, etc.) it became necessary to draft a special law on gender equality.

In 2003 this concept was revised and the Government took a decision to incorporate the issue of promoting gender equality and empowering women into a general antidiscrimination law. **The Law on Protection against Discrimination**<sup>2</sup>, entered into force on 1 January 2004 develops further the constitutional principle for prohibition of discrimination and equality under the law, stipulated in art. 6 of the Constitution of the Republic of Bulgaria, by establishing mechanisms for its practical implementation.

This law is mainly aimed at ensuring equal opportunities for participation of women in all spheres of public life – prohibition of discrimination, as stipulated in the law. 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 law envisages the concept of at least **40 percent participation** of the gender, which is less represented in the management bodies, according to the EU standards for balanced participation of women and men in decision making processes.

In 2003 a group of deputies submitted the revised Draft **Act on Equal Opportunities for Women and Men** for review by the National Assembly. The draft act stipulates the relations, aimed at ensuring and stimulating equal opportunities between women and men in the process of exercising their rights to labour, education and training, as well as in the state administration and local authorities. It envisages the establishment of

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<sup>2</sup> Promulgated, State Gazette, Issue 86 of 30.09.2003

a National Council on Equal Opportunities for Women and Men under the Minister of Labour and Social Policy as a permanent consultative body, etc. and a public protector acting as an independent authority, which monitors the realization of equal rights. The authorities under the law periodically develop strategies, plans and programmes for conducting the state policy on equal opportunities for women and men in all spheres of public life. It is impossible to predict the statement of the National Assembly and if this law will be approved.

The restrictions on women's recruitment in regular military service were repealed as of 1 January 2004. According to Section 6 of the Transitional and Final Provisions of the Law on Protection against Discrimination, art. 88 of the **Law on Defense and Armed Forces of the Republic of Bulgaria**, stipulating that "Women shall enlist in regular military service in the Armed Forces and occupy positions, defined by the Minister of Defense, as proposed by the Chief of the General Staff", has been repealed. The women, performing regular military service, are granted special protection for women under the Labour Code and are entitled to personal leave due to pregnancy, childbirth and child adoption, raising a small child, breast feeding and infant feeding, taking care of a sick child and additional leave, designed for two or more alive infants, according to the duration and the terms and conditions under the Labour Code<sup>3</sup>.

On 12 April 2001 the National Assembly of the Republic of Bulgaria ratified under a law<sup>4</sup> the UN Convention against Transnational Organized Crime and the Additional Protocol for preventing, suppressing and sanctioning the trafficking in human beings, especially in women and children, signed on 13 December 2000 in Palermo, Italy. The Rome Statute of the International Criminal Court has also been ratified. Both instruments are directly and indirectly incorporated into the gender analysis.

On 13 September 2002 the National Assembly adopted **the Amendments to the Penal Code (PC)**<sup>5</sup>, enforced on 1 October 2002. In compliance with the Protocol on trafficking in human beings, especially in women and children, supplementing the UN Convention against Transnational Organized Crime, the Penal Code includes a new chapter "Trafficking in Human Beings" - art.159a, art.159b and art.159c. The newly adopted provisions incriminate the trafficking in human beings for the purposes of lechery, forced labour, extraction of human organs or forced subordination, both inside the country and worldwide. 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 Amendments to Chapter "Lechery" of the Penal Code envisage stricter and differentiated forms of punishment, imposed for rape, aimed at involvement into subsequent lecherous activities or prostitution (art. 152). The amendments to art.159 envisage a regulation on punishment of pornographic activities.

The National Assembly adopted the **Law on Combating Trafficking in Human Beings**<sup>6</sup> (LCTHB), which completely complies with the UN Convention against Transnational Organized Crime and the Protocol for preventing, suppressing and sanctioning the trafficking in human beings, especially in women and children, duly ratified by Bulgaria.

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<sup>3</sup> Art. 210 and 260 of the Law on Defense and the Armed Forces of the Republic of Bulgaria.

<sup>4</sup> Promulgated, State Gazette, Issue 42/ 27.04.01.

<sup>5</sup> Promulgated, State Gazette, Issue 92 of 27.09.2002.

<sup>6</sup> Promulgated, State Gazette, Issue 46 of 20.05.2003.

**Ombudsman Act**<sup>7</sup>, enforced on 1 January 2004, was adopted in 2003. The key objective of this newly established state institution is to defend the rights and freedoms of all physical persons irrespective of nationality, gender, political orientation or religious beliefs, violated by state institutions, municipal authorities and their administrations by legally stipulated means.

The legal regulation on the Ombudsman has a deficiency – the lack of lawful opportunity to refer directly to the Constitutional Court.

Bulgarian citizens should be entitled to the right of constitutional appeal, which can guarantee the full observance of human rights in Bulgaria. However as the national legislation reform is not over yet, it should be finalized in the near future in the process of harmonization with EU acquis.

Labour market is one of the areas, complying entirely with the international commitments on equality between women and men. In line with the European Employment Strategy a **National Action Plan on Employment** has been annually prepared and implemented since 2001. It includes programmes and projects, reflecting the policy on promoting equal opportunities for women and men. Within the EU accession process the **gender mainstreaming** concept has been introduced. Certain steps have been undertaken 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 Committee on Equal Opportunities for Women and Men**<sup>8</sup> under the Minister of Labour and Social Policy and the **Equal Opportunities for Women and Men Sector**, established at the Ministry of Labour and Social Policy in early 2004 give evidence of the initiatives for developing an institutional structure in charge of drafting the policy on gender equality.

The Draft **Act on Protection against Domestic Violence**<sup>9</sup> was prepared and submitted to the National Assembly in 2003, with the active support of the NGO sector. It 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 Draft Act, women, who are victims of domestic violence, are entitled to asylum, as stipulated by international legal instruments. The National Assembly is expected to approve the act, so that it becomes effective in 2004.

## PART TWO

According to a World Bank survey on poverty in Bulgaria in 2002, despite the considerable presence of women in the labour market, the salaries of both genders differ significantly (26 %). This difference is crucial for assessing the poverty and policy-making decisions on its reduction, due to the existing rising trend of women-headed households.

The Ministry of Labour and Social Policy developed a **National Strategy for Combating Poverty and Social Exclusion**<sup>10</sup>, aimed mainly at poverty reduction and prevention of social exclusion risk. It reflects the new social policy model, changing the strategic aspects of the state's intervention in the social sphere and transforming the

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<sup>7</sup> Promulgated, State Gazette, Issue 48 of 23.052003.

<sup>8</sup> Order No85 of 12.03.2003 of the Minister of Labour and Social Policy.

<sup>9</sup> Entered under No 354 - 01 - 22 in the Register of XXXIX National Assembly on 14.04.2003.

<sup>10</sup> Adopted by the Council of Ministers in 2003.

passive social protection into a growing social potential, so that people are actively involved in solving their problems.

The strategy is based on two approaches. The first (preventive) is focused on the prevention of poverty and social exclusion. The second (proactive) creates the prerequisites for and facilitates the process of overcoming the poverty situation and social exclusion.

The strategy for combating poverty and social exclusion refers to the 2003 - 2006 period. The measures for implementing the Strategy goals are specified in the **2004 National Plan for Combating Poverty and Social Exclusion**, adopted by the Council of Ministers in 2004.

**The Employment Strategy**<sup>11</sup> (2004-2010) envisages measures for establishing legislative, institutional and resource foundation, guaranteeing equal opportunities for men and women.

In 2003 men's economic activity rate is 65.4% (in 2002 it was 66.4%), in 2003 women's economic activity rate is 56.5% (in 2002 the value of this indicator was 57.5%). The drop in economic activity is displayed by all age groups, excluding the age group: 55-64, whose economic activity rate is 33.9% against 31.8% in 2002. The age group: 45-54 is marked by the largest decrease – from 78.6% in 2002 to 77.1% in 2003. As regards men's economic activity rate, the age group: 35-44 is marked by the largest decrease (from 86.5% in 2002 to 85.3% in 2003). As regards women's economic activity rate, the age group: 25-34 is marked by the largest decrease (from 73.6% in 2002 to 71.6% in 2003).

The structure of employees in the country is characterized by a prevailing relative share of male employees - 52.6%. The relative share of female employees (47.4%) in the country is 5.2 points lower, as compared to male ones. In 2003 men's economic activity rate is 56.0 % against 49.0 % for women. The difference between men's and women's employment rates, indicating the weaker economic activity of women is due to the following reasons: childbirth, child care, larger share of women in the overall number of students in universities and higher specialized institutes.

In order to ensure higher economic activity of women and equal opportunities for realization in the labour market, the following **General Measures** have been outlined in the Strategy:

- Until 2007 - development of an information system for managing the labour market - its current trends and prospects, based on gender equality; the national statistics should provide data breakdowns by gender, working capacity, etc.

- Until 2007 – establishment of an institutional framework for implementing legal requirements, ensuring the elimination of eventual cases of employment discrimination and establishment of appropriate mechanisms for promoting equal opportunities for women and men.

- Until 2010 – introduction of impact assessment in the labour market, in order to estimate the effect of a given policy on the situation of representatives of both genders (gender mainstreaming approach). A national mechanism on gender equality should be established within that period in order to develop and implement the national policy.

**The specific tasks**, outlined in the strategy, should be fulfilled until 2007. Certain

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<sup>11</sup> Adopted by the Council of Ministers on 06.12.2003.

steps for developing a strategy for a better balance between family and work life are envisaged in order to increase economic activity of women. The fulfillment of specific tasks involves the right to parental leave for parents of children (aged up to 8), introduction of flexible forms of employment for mothers of children (aged up to 7), improvement of social infrastructure for raising and upbringing children (aged up to 6) and development of child care system (as regards children aged up to 3).

The Ministry of Labour and Social Policy includes in the National Action Plans on Employment a number of programmes and projects, focused on equal opportunities for men and women.

In order to ensure more active participation of women in the labour market several training projects will be launched in 2004. The Project “Development of a system of gender mainstreaming indicators for assessing the quality and efficiency of labour market measures” is aimed at providing the means of equal access to employment of men and women and convergence of their employment levels.

- The existing projects are focused on developing and implementing a policy for ensuring a balance between professional and family life; promotion of entrepreneurship among unemployed women by providing information, consultations and support for starting a private business, related to child care services; offering training to unemployed women, aged above 50 and to women, returning to work after personal leave due to pregnancy, childbirth or raising children, aged up to 2 or 3.

Women participate actively in the programmes and measures, related to employment and training. In 2003<sup>12</sup> 62 307 women participated in employment programmes – 42 % of all participants. 53 487 women have worked under the programme “From Social Assistance to Employment”, 617 women are involved in the programme “Assistance for Retirement” and will solve their problem with the insufficient service credits to qualify for retirement, 615 women have started their own business, using credits from Guarantee Fund for Microcredits. Over 300 women participate in the special programmes, designed for women “Back to Work” and “Stimulating the individual economic activities of women, related to child care”. Women participate very actively in training courses – 23 969 women were enrolled in training programmes in 2003 and 12 315 graduated from professional qualification programmes.

**Health care sector** is an area of concern over women’s situation. During “the health interview”, held in March 2001 by the National Statistical Institute (NSI), methodically prepared and recommended by the Office for Europe of the World Health Organization (WHO)<sup>13</sup> it was ascertained that 35,9 % of men have impaired health against 44,4 % of women. The health status, sick rate and mortality rate of both genders vary due to the age and biological characteristics of men and women. The available data displays a rising trend of women, diagnosed with malignant breast tumour (22 125 in 1990 against 35 127 in 2001; as regards recently diagnosed cases - 2373 in 1990 and 3332 in 2001). There is 51 % growth for the same period, as regards the malignant tumours of reproductive organs.

The health care policy is focused on the implementation of the gender approach and gender equality. The above is reflected in the texts of fundamental health laws – the currently effective **Public Health Act**, including texts, stipulating equal rights to all

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<sup>12</sup> According to Employment Agency data.

<sup>13</sup> Women and men in the Republic of Bulgaria, National Statistical Institute (NSI), Sofia, 2002.

Bulgarian citizens. The same act contains a chapter, stipulating special health care for pregnant women, mothers and children, who receive the special care of the Government, economic entities and public organizations.

Medical institutions are obliged to organize prophylactic examinations of pregnant women and children, as well as to provide hospital treatment during childbirth and preventive health care to mothers and children

The Minister of Health together with the Minister of Education and Science, the Minister of Labour and Social Policy and the municipalities are delegated the responsibilities to organize the necessary preventive health care for children in child day-care establishments and schools.

The Ministry of Health has developed a draft of the Public Health Act, which is currently reviewed by the National Assembly. It contains Chapter "Reproductive Health", specifying the new terms and a complex approach towards reproductive health, based on the definition, accepted at the Cairo Conference in 1994.

Parallel to the legal amendments, certain activities are implemented in the framework of **National Programmes on various health care priorities**, adopted by the Government, under which pregnant women, mothers, growing-ups and children receive health care. The following programmes have been launched – **National Programme for Prophylaxis, Diagnostics and Treatment of Genetic Defects and Development of the National Programme on Reproductive Health**, conducted in cooperation with the United Nations. A new five-year National Programme on Reproductive Health is currently prepared and should be adopted this year. As regards reproductive health, the acute issue is raising health awareness and providing preventive health care to women in order to monitor and diagnose early cancer diseases.

In 2001 the maternal death rate is 19.1, whereas the maternal death rate for the European countries, stipulated by the World Health Organization, is 15 per 100 ths. born-alive infants<sup>14</sup>.

The Government of the Republic of Bulgaria has adopted a programme **Millennium Development Goals until 2015**, adjusting world-scale goals to the local conditions and the maternal and infant death rates in Bulgaria. It envisages certain actions for reducing maternal and infant mortality, based on the analysis of the underlying local reasons.

The main guidelines for reducing maternal and infant mortality are directed at training, provided to children, growing-ups and the population, as regards the issues of family planning, safe maternity, healthy way of life, HIV/AIDS. Serious efforts are directed at upgrading the quality of medical services in order to achieve positive results. Due to the rules on medical specialties and preset medical standards, specific requirements are introduced for the medical staff in terms of their qualification. The accreditation of medical institutions will inevitably lead to improved quality of the medical services, provided by them. The obligatory postgraduate qualification programmes and all national programmes envisage training of doctors in order to acquire knowledge and develop attitudes towards specific gender-related problems.

As regards health care for women and children the Ministry of Health (MH) has established partnerships with NGOs, involved in the above activities, such as the Family Planning Association, Roma NGOs, Association "Women without Osteoporosis",

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<sup>14</sup> idid.

organizations for parents of children with various diseases.

Pupils are trained in reproductive health issues in order to acquire health information. In addition, boys develop attitudes towards gender equality.

At the same time doctors from the primary health network are trained in the issues of reproductive health, gender equality and HIV/AIDS. Most of them are men, who find the training very appealing. This is a step for involving the male gender in activities, related to gender equality.

As regards sports, the Ministry of Youth and Sports prepared a **Strategy on National Youth Policy and Programmes for 2003 – 2007** with the direct assistance of experts, representing the responsible institutions, such as the UN Social Development Unit. Interdepartmental experts council was formed and assigned the task of drafting the strategy. The following text is contained in item 5 of the Chapter on Strategic Goals and Subgoals and Long-term Goals within the Strategy on National Youth Policy and Programmes for 2003 – 2007: “Creating prerequisites for tolerance, solidarity and gender equality among young generation”. The Youth Programme of the European Commission, coordinated by the Ministry of Youth and Sports, envisages the following priorities: “To contribute to the elimination of any form of discrimination and promote equality across social strata”. One of the key formal criteria to be met by the project in order to qualify for assistance under the programme is the gender balance among project participants.

As regards **the secondary education** system, the equality and equal access to education are guaranteed, according to the Constitution of the Republic of Bulgaria<sup>15</sup>.

As regards the ratio of genders among secondary school students, the surveys of the National Statistical Institute for the academic year 2002-2003<sup>16</sup> show as follows: „*The share of girls is higher than the share of boys in the education system – 50,6 % and 49,4 % respectively of the total number of students*”, whereas „*As regards vocational training, boys predominate, accounting for 61,1 % of the total number of students*”. The different numbers of representatives of both genders in comprehensive and vocational schools are due to the training specificities.

As regards the high percentage of women in the secondary education system, the data on the academic year 2002-2003 displays the following ratio between men and women among pedagogic personnel:

- *Comprehensive schools* - 10 449 jobs are occupied by men and 50 905 – by women /or women are almost 4,87 times more/.
- *Vocational schools* - 5 641 jobs are occupied by men and 13 168 – by women /or women are almost 2,33 times more/.

In the 2003 annual report on the education system the National Statistical Institute unambiguously emphasizes that „*Women predominate in the teacher’s profession – they constitute 83,0 % of total number of teachers*”<sup>17</sup>.

As regards **the higher education** system, equal rights and access to education are provided to all citizens, without any gender discrimination. No privileges or restrictions shall be applied in terms of age, race, nationality, ethnic origin, gender, social environment, political opinions and religion, excluding the cases, explicitly indicated in the Rules on the Higher Institute Activities, based on the Specificities of Training and Future Professions.<sup>18</sup>

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<sup>15</sup> Art. 6 and art. 53 of the Constitution of the Republic of Bulgaria.

<sup>16</sup> Annual publication of NSI “Education in the Republic of Bulgaria 2003”

<sup>17</sup> idid.

<sup>18</sup> Art. 4 of the Law on Higher Education.



Special policy is under consideration, as regards the promotion of women's involvement in higher education and the facilitated access of women, combining maternal responsibilities and training. It is aimed at creating conditions, which facilitate the admission in universities of successful candidate students, belonging to the following groups: with equal entry exam grades, disabled persons of the I<sup>st</sup> and II<sup>nd</sup> category, disabled soldiers, complete orphans, mothers of three or more children, and twins, who have sat entry exams simultaneously at the same higher institute and one of them has been admitted.<sup>19</sup>

Women can enroll more easily in higher education programmes due to the equal access to services and social assistance, provided to all students, as regards students' hostels, canteens, medical services, students discounts for urban and interurban transport, as well as the overall facilities of the higher institute, designed for education, scientific research, sports and cultural activities, and other incentives for normal life and education, under the terms and conditions, defined by the state and the higher institute.<sup>20</sup>

Besides full-time studies, there are other forms of training – correspondence and distance learning, as well as evening classes. In that way women are provided equal access to higher education in case of family and social barriers.

As higher institutes are granted complete administrative autonomy, they develop additionally their own policy on promotion of women's participation in training programmes. They contribute to the development of individual exam schedules, social incentives, participation in scientific research programmes, access to professional orientation and career development services.

For 2003 the allocation of university students, based on gender, is as follows:

- Total - **230 513**  
Men - 108 804  
Women - 121 709
- Full-time students  
Total - 161 497  
Men - 80 550  
Women - 80 947
- Correspondence and distance education students  
Total - 69 016  
Men - 28 254  
Women - 40 762

The overall university lecturers within the higher education system is 21 004, whereof 8 947 are women (42,2 %).

For the purposes of eliminating gender stereotypes in Bulgaria, the interdisciplinary Master's Degree Programme Gender Studies was launched at New Bulgarian University in 2002. Sofia University started a gender-training masters programme in 2000.

The Gender Project for Bulgaria Foundation provides training for raising the awareness of gender-related issues under the Programme "Gender Training". The programme has been taught in 43 secondary schools and at Plovdiv University. 70 lecturers attended the training of trainers course until 2002. In 2002 the Foundation launched a Project "Gender Training and

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<sup>19</sup> Art. 68(2) of the Law on Higher Education.

<sup>20</sup> Art. 70 (1), i.6 of the Law on Higher Education.

Media”, designed for students at the Law Faculty. The Training Centre of ZHAR Foundation offers adults training in gender equality.

The following NGOs are especially involved in the protection of women’s **economic rights**: Foundation for Entrepreneurship Development, Bulgarian Gender Research Foundation, Club of Women Entrepreneurs and Managers in Bulgaria, Women’s Alliance for Development (ZHAR), etc. They implement a number of projects, aimed at strengthening the role of women in business, such as: Project "Entrepreneurship in Sofia and Vratsa. Promotion of women’s entrepreneurship and development of entrepreneurship among unemployed" – a pilot project, designed to stimulate women’s entrepreneurship in Bulgaria and establish a Centre for Women’s Entrepreneurship; Project "Creation of successful networking options. Increasing the activity of women in the decision-making process and implementing the policy on the Balkans."

A number of projects have been realized by the **Employment Agency**, such as a joint project of UNDP and the Employment Agency, for the development of a business incubator, aimed at stimulating the economic potential of women in Devin Region and providing assistance in preparing business plans for starting a small business.

A number of microprojects have been realized in compliance with the regional economic development plans and regional employment plans for improving women’s economic situation: Targovishte Region “Women are not just housewives”; Sliven Region – training of women in alternative forms of tourism; Sofia Region “Training in Support of Employment”; Kyustendil Region – “Equal Chances”; the town of Rousse – “Working Women”, etc

As regard the protection of human rights the Law on Combating Trafficking in Human Beings (LCTHB) envisages all the measures for prevention and coordination among state institutions and NGOs, protection of the victims of illicit trafficking in human beings, in order to facilitate the penal prosecution of perpetrators and ensure effective counteraction to this type of organized crime. This law includes definitions of the key terms, corresponding to the definitions under art. 3 of the Protocol for preventing, suppressing and sanctioning the trafficking in human beings, especially in women and children – the definition of "trafficking in human beings", "exploitation", etc.

Art. 25-30 of the LCTHB envisages special protection, provided to persons, having agreed to cooperate in the process of revealing the perpetrators, governed by the law. This protection is granted within the period of the penal proceeding and entails a permit, authorizing foreign citizens to continuous stay in the country and extension of their stay in shelters.

The provisions of art.31 of the LCTHB, referring to art. 97a of the Penal Procedural Code (art. 97a stipulates the aspects, concerning the protection of witnesses in penal proceedings) reflect the recommendation under the Protocol that countries should direct their efforts at ensuring anonymity and physical security of victims of illicit trafficking in human beings, while they are within their respective territory.

The LCTHB (art.15 - 24) also stipulates the regime on general protection and support of victims of illicit trafficking. It envisages the obligations of all competent authorities, including consulates, when the person has requested assistance abroad.

In compliance with the Law on Combating Trafficking in Human Beings a **National Commission** was established. It 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. It prepares an annual National Programme and submits it to the Council of Ministers of the Republic of Bulgaria for approval.

Under the **local commissions** there are temporary shelters and centres for protection and assistance to women, who are victims of trafficking, whereby they are provided specialized psychological assistance and medical care.

The Rules, adopted under Council of Ministers Decree No49 of 01.03.04<sup>21</sup> stipulate the procedures for opening, organizing the activities of, managing and controlling the temporary shelters and the centres for protection and assistance to victims of trafficking in human beings.

A Security Centre, responsible for coordination of operations and analysis of information was established within the National Service for Combating Organized Crime (NSCOC) in October 2001. It is aimed at strengthening the cooperation among authorities and institutions in counteracting trafficking. At a national level the Centre reveals and suppresses the operations of transborder criminal organizations, as well as coordinates the information on trafficking and trade in human beings for purposes of sexual exploitation. At international level it cooperates with corresponding police units, involved in that area.

**Regional groups** were established under the 28 Regional Directorates of the Interior (RDI) in Bulgaria in 2002. They are a part of the efforts for improving the administrative capacity in the fight against illegal migration, trafficking and trade in human beings. The groups coordinate the operations, undertaken by various regional groups in that area. As a whole the necessary organization at national and local level is in place. It ensures coordination of both internal and international efforts, contributing to the effective cooperation with EU countries.

**National Action Plan against Commercial Sexual Exploitation of Children**<sup>22</sup> (2003-2005) has been developed in order to prevent effectively the sexual exploitation and eliminate this phenomenon in all its forms – child pornography, prostitution, sexual slavery, sexual tourism and trafficking and trade in children, as well as to provide the appropriate services to children victims. The plan is focused on three key approaches: prevention, punishment for the perpetrator and prevention and rehabilitation of children victims of sexual exploitation. It envisages development of mechanisms for early identification of the problem and new specialized services, provided to children and families at risk. The objective is to prevent the child-victim abuse, help them recover after the shocking experience and reintegrate into the society. The plan incorporates the efforts of all institutions, involved in counteracting the sexual exploitation of children and highlights the role of NGO partners.

Regulatory compliance is ensured with individual legal regulations, guaranteeing women's equality, as well as with the Law on Protection against Discrimination, entered into force on 1 January 2004. The above provisions entitle every person, irrespective of gender, to equality under the law, equal treatment and equal opportunities for participation in public life, as well as effective protection against discrimination. Pursuant to the Law on Protection against Discrimination, state and public institutions, as well as local authorities are obliged to pursue a policy for stimulating the balanced participation of women and men in the management and decision making processes.

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<sup>21</sup> Promulgated, State Gazette, Issue19 of 09.03.2004

<sup>22</sup> Adopted by the Council of Ministers on 4.09.2003.

The institutional mechanism, designed to protect from discrimination, including the gender-based one, is **the Commission on Protection against Discrimination**, which is an independent specialized state authority for preventing discrimination, protecting against discrimination and ensuring equal opportunities. The Commission exercises control over the implementation and observance of this or other laws, stipulating equal treatment and submits to the National Assembly an annual report on its activities, including information about the activity of each of its permanent specialized units.

Experts from the Ministry of Interior have been involved in the preparation of the draft of the Domestic Violence Act. In addition to a special law, complex measures should be undertaken to effectively counteract the phenomenon "domestic violence", such as Amendments to the Penal Code, establishment of specialized institutions, providing assistance to victims of domestic violence, etc.

### **PART THREE**

The Government did not *de facto* conduct coordinated general gender policy in the period after the National Council on Social and Demographic Issues with the Council of Ministers was dissolved in 1997 until the Minister of Labour and Social Policy was assigned the task to develop the policy on equal rights for men and women in 2000<sup>23</sup>.

Certain aspects of the policy on equal rights for men and women are outlined in and implemented through the National Action Plan on Employment, which has been annually prepared by the Ministry of Labour and Social Policy since 2001, only as regards the employment sphere.

In 2003 Bulgaria started fulfilling its specific commitments in the area of gender equality, connected with the closure of Chapter 13 "Social Policy and Employment" of the EU Accession Agreement in June 2002.

The Consultative Committee on Equal Opportunities for Men and Women, established under the Minister of Labour and Social Policy is a structure, based on voluntary principles. It is aimed at creating partnerships among state institutions, responsible for developing and implementing the equal opportunities policy, with social partners and NGO representatives, involved in the area of equality between men and women, which should serve as a basis for introducing the gender mainstreaming approach in the development and implementation of this policy. The activities of the Committee are focused on providing expert assistance in developing and implementing the National Action Plan on Employment. The key objective of the Committee is to collaborate by conducting surveys and submitting to the Minister of Labour and Social Policy analyses and assessments of the women's situation in order to improve the coordination in the process of applying the gender equality principle in Bulgaria. The Committee plays a key role in raising the public awareness and sensitivity of institutions, towards gender equality issues in order to increase and strengthen the administrative capacity (by creating equal opportunity focal points) of institutions. The Committee's work serves as a good example of encouraging the social and civil dialogue in the process of strengthening the equal opportunities policy.

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<sup>23</sup> Decree No155 of the Council of Ministers of 31.07.2000, regarding the amendments to the Articles of Rules of the Ministry of Labour and Social Policy.

Equal Opportunities for Women and Men Sector, established within the Ministry of Labour and Social Policy in 2004, is in charge of developing, coordinating and implementing the state policy on equal opportunities for men and women. The responsibilities include a number of various activities, such as:

- Involving state institutions and organizations in the development of a policy on protection of women against risks, by conducting the respective research and surveys and introducing new forms of work organization;
- Developing and coordinating the implementation of a National Action Plan on Equality for Men and Women;
- Developing gender training programmes, designed for civil servants and creating focal points in the individual ministries and institutions;
- Enhancing the dialogue and undertaking joint initiatives with social partner and NGO representatives in order to apply the gender equality principle by preparing and conducting awareness-raising campaigns, aimed at combating negative gender stereotypes;
- Informing the broad public about the international and EU standards on human rights as a whole and the current situation, concerning certain aspects of equality between men and women
- Preparing a general strategy for cooperation with international donors and/or creditors – in bilateral and multinational aspect.

The two analytic units – Planning, Analyses and Projections Directorate and Labour Market Monitoring, Research and Assessment Division at the Labour Market Policy Directorate, established within the Ministry of Labour and Social Policy cooperate in the development of the equal opportunities policy. These units research and analyze the submitted gender-related information .

As regards education, the Police Academy of the Ministry of Interior (PAMI) provides training, especially focused on the international legal framework of human rights and antidiscrimination legal regulations in particular. After 2002 PAMI has amended all training curriculums for officers and sergeants of the national police services. At present the training covers issues such as women's discrimination and their special rights, stipulated in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Declaration on the Fundamental Principles of Jurisdiction, regarding victims of crimes and abuse of power, UN Minimum Standards for Treatment of Persons, Deprived of Liberty (persons in custody or brought to trial).

In the spirit of the strategic goals of the Beijing Platform for Action, regarding the equal access of women to education, it should be pointed out that PAMI currently provides training to 20 % women, enrolled in the bachelor's degree programmes, 30 % enrolled in the master's degree programmes and around 10 % women – in courses for initial officer training.

All women, interested in pursuing teaching and scientific career as assistant professors and lecturers, are provided equal opportunities for professional and academic realization. The prospective lecturers are selected on a competitive basis and the recruitment procedure does not involve any discriminatory elements.

The PAMI actively participates in international programmes, focused on the issues of "police close to you". It conducts training sessions on counteracting the trafficking in human beings, including in women and children, and providing support to victims of violence. The PAMI has organized and hosted a number of international seminars on this issue in the framework of the United Nations High Commissioner for Refugees, Stability

Pact, Open Society Foundation and NGOs.

The Ministry of Interior Act and its Implementing Regulations, as well as the overall legal framework of the Ministry of Interior do not include any provisions, envisaging unequal situation of women or discriminatory attitude towards them. The above provide for legally stipulated gender equality.

The recruitment practices of the Ministry of Interior do not involve any job requirements, indicative of women's discrimination. On the contrary, art. 193, para. 2, i. 1 stipulates that officers and sergeants, who have not served as conscripts, shall not qualify for civil servants. There are not any additional or specific gender-related requirements for women, applying for officer or sergeant positions. Pursuant to art. 123, para. 5 of the Implementing Regulations of the Ministry of Interior Act, the physical fitness of applicants for the respective positions, is ascertained on the basis of norms, ratified by the Minister of Interior. The norms for examining the physical fitness of women comply with the female physiology and therefore their indicators are lower than those, required for men.

The number of women, employed at the Ministry of Interior, has grown significantly over recent years. In some structural units, for example the administrative offices of the Ministry of Interior, women represent the majority of employees.

The gender is not taken into consideration, as regards the appointment to managerial positions, which is based on only one requirement – the academic qualification (art.193, para.3 of the Ministry of the Interior Act). As of March 2004 the women, occupying managerial positions within the Interior Ministry system, are 3,54 % as compared to men.

PAMI employees attend regular training in issues, related to gender equality and encouragement, provided to women, prevention and elimination of discrimination against them, preservation and development of their rights.

The Ministry of Interior upholds the principles of the supremacy of law, democracy and justice and complies with the guarantees of gender equality. Women are provided equal opportunities for professional and academic realization and discriminatory gender stereotypes are being effectively overcome.

## **PART FOUR**

The main challenge, faced by Bulgaria, is the achievement of actual equality between women and men, which will be realized by drafting policies and establishing mechanisms for their implementation. The policies should be directed at fulfillment of **Bulgaria's Millennium Development Goals**, based on the third global Millennium Development Goal, outlined in the UN Declaration. The goals incorporate the national characteristics and needs and focus on the following priorities:

- Developing of policies, aimed at overcoming the inequality between women and men in the labour market, especially in terms of remuneration;
- Creating favourable conditions for development of a policy, enabling the combination of employment and family obligations;
- Establishing a legal framework, which stipulates the appropriate mechanisms for providing equal opportunities to women and men.
- Ensuring the participation of women in management.

The above will be implemented through incentive measures and affirmative actions,

aimed at guaranteeing the equal opportunities for women and men;

Certain activities will be undertaken in order to ensure the financial resources and administrative capacity, necessary for the functioning of institutional mechanisms.

The indicators on equal treatment of women and men will be monitored in the process of developing adequate policies and adjusting the currently effective ones for the purposes of equality.

In the sphere of employment, certain policies will be developed in order to overcome the inequality between women and men in the labour market, especially in terms of remuneration and the opportunity to combine employment and family obligations, as well as to ensure a legal framework, stipulating the appropriate mechanisms for promotion of equal opportunities between women and men, according to the Employment Strategy. The Strategy envisages mid-term activities and priorities, covering the period from 2004 until early 2007 (considering our country's accession to the EU) and long-term ones - until 2010 (considering the goals of the European Employment Strategy).

In the short run a National Council on Equal Opportunities for Women and Men will be established with the Council of Ministers until the end of 2004. It will be responsible for taking decisions on the national policy on gender equality.

Until the end of 2004 over 100 representatives of state institutions and local authorities will be trained in gender equality issues. The focal points for conducting the equal opportunities policy at central and local levels will also be specified.

In compliance with the international commitments, undertaken by Bulgaria, a National Plan on Equality for Men and Women (2005 - 2007) will be developed until November 2004.

Two national seminars for increasing public sensitivity to gender and encouraging employers to provide to their workers and employees favourable conditions for combination of employment and family obligations and career development. In line with the policy on combining employment and family obligations, incentives will be provided for signing branch and industry-related agreements.

Until 2007 the representatives of central and local executive authorities will be trained, as regards the introduction of the gender approach in the process of preparing the central and local budgets.

With a view to implementing the gender mainstreaming approach and the gender budgeting, the following guidelines will be developed:

The **health care** sector will focus on the following key issues:

- Speeding up the adoption of the Public Health Act by the National Assembly, as it reflects the contemporary views on reproductive health issues.
- Training programmes, designed for women, children, pregnant women, which could impact the health of mothers and children.
- Training, aimed at upgrading the qualification of doctors from the primary health network, obstetricians and pediatricians.
- Implementing and promoting mechanisms for improving the quality of medical services in medical institutions in order to reduce the maternal and infant mortality rate.

Within the next five years **the Ministry of Youth and Sports** will launch a wide-scale project under the European Voluntary Service of Sports Directorate and EU Integration and International Cooperation Directorate. The project is aimed at stimulating the equality of girls and women through sports (for example: sports initiatives with predominant participation of men, such as football. Mixed teams of girls and boys will be

involved in the project).

The Ministry of Youth and Sports will apply approaches for gender equality by creating a sustainable healthy environment for personal development of girls, based on sports and informal training.

### **CONCLUSION**

The Bulgarian Government will continue its initiatives, aimed at developing mechanisms for protecting the rights of Bulgarian citizens. It will direct its ongoing efforts at strengthening and expanding the guarantees for exercising those rights, stipulated by the domestic legal regulations and international conventions and agreements, duly ratified.

Within the EU accession process gender equality issues will be further explored and developed, ensuring the necessary conditions for the Bulgarian woman to fully realize her potential as an equal participant in all spheres of the social, economic and political life in Bulgaria.