

# **BULGARIA 2013 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Republic of Bulgaria is a parliamentary democracy. The constitution vests legislative authority in the unicameral National Assembly (Narodno Sabranie). A coalition government headed by a prime minister led the country. Observers characterized the parliamentary elections in May as complying “with the fundamental freedoms of expression, association, and assembly” but also noted pervasive allegations of vote buying and a lack of transparency. Authorities maintained effective control over the security forces. Security forces committed human rights abuses, including excessive use of force, arbitrary arrest, and harassment and intimidation. There were allegations of unlawful wiretapping.

The marginalization of the Romani minority remained the country’s most pressing human rights problem. The continued deterioration of the media environment and increase in media self-censorship due to corporate and political pressure were also problematic. Corruption continued to be a drag on the government’s capabilities and undermined public and business confidence in the judiciary and other government institutions.

Other human rights problems included overcrowding and harsh conditions in prisons and detention facilities. There were also long delays in the judicial system; reports of abuse of wiretapping; religious discrimination and harassment; harsh conditions in refugee centers; violence and discrimination against women; violence against children; increasing online anti-Semitism; trafficking in persons; discrimination against persons with disabilities; discrimination against members of the Romani and Turkish ethnic minorities; and discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons and persons with HIV/AIDS.

The government took steps to prosecute and punish officials in the security services and elsewhere in the government who committed abuses, but their actions were insufficient, and impunity was a problem.

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

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings. The police and the prosecution service are responsible for investigating security force killings.

The law allows police to use firearms only as a last resort and while doing everything possible to preserve the life of the person who is in danger. The law prohibits the use of firearms against nonviolent offenders who are not posing a threat.

### **b. Disappearance**

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices, but there were occasional reports of government officials employing degrading treatment. In 2012 the government passed legislation that restricts the use of force by police to instances of absolute necessity and prohibits the use of force against minors, pregnant women, and nonviolent offenders. In the first six months of the year, the government prosecuted seven cases of police violence, and the courts convicted six police officers. Nongovernmental organizations (NGOs) continued to claim that authorities frequently did not properly investigate allegations of police brutality. The Ministry of Interior submitted for prosecution one case of a police officer accused of excessive use of force during the antigovernment protests in July. As of October, the case was still under investigation.

Police can detain persons for 24 hours without charging them. There were again some reports that police sometimes arrested suspects for minor offenses and physically abused them to force confessions, especially in cases involving Romani suspects. In September three police officers from the first precinct in Sofia beat 25-year-old Alexandra Stoilova and 26-year-old Ivan Tsonev and then arrested them for hooliganism. Stoilova and Tsonev broke a windshield wiper on a police car; officers witnessed the action and stated they interpreted it as vandalism. Stoilova complained the officers threatened her with sexual violence. The precinct chief admitted the use of force but denied it was excessive.

Human rights groups continued to report that most detention facilities located outside large cities lacked access to medical services and continued to claim that

authorities did not have medical examinations performed on detainees following reports of police abuse, and that officials rarely punished offending officers.

### **Prison and Detention Center Conditions**

Conditions in most prisons were harsh, with inadequate toilet facilities, heating, and ventilation.

Physical Conditions: Overcrowding in prisons remained a serious problem. As of October there were 9,115 prisoners – including 63 juveniles and 270 women – in the country's 13 prisons, which had a designed capacity of 8,763 inmates. In 2012 the government postponed until 2019 the legal requirement for a minimum living area of 43 square feet per prisoner. The daily food allowance was approximately 3.20 levs (\$2.20). NGOs received complaints about both the quality and quantity of food. The Bulgarian Helsinki Committee (BHC) expressed concern about severe overcrowding, unsanitary toilet and food preparation facilities, and inadequate medical services in detention centers and prisons, especially in the Burgas and Varna prisons.

Many detention centers had cells lacking adequate access to natural light. As of October, 891 persons were in detention, including 18 juveniles and 15 women. The total designed capacity of the centers was 1,873 persons in 584 cells.

Through September there were 15 deaths in prisons and one in pretrial detention. The Ministry of Justice reported an increase in the number of prisoner suicides, five in 2012 compared with an average of three in the previous four years. Prisoners had access to potable water. There were no reports that conditions for female prisoners were worse than those for men. Most of the prison facilities dated from the early 1900s, and the government built the newest facility in 1983.

During the year the ombudsman conducted 122 inspections in police and judicial detention facilities and identified conditions such as low hygiene, lack of premises for meetings with lawyers, and insufficient privacy where such premises were available.

The prison administration received complaints from prisoners about sanctions imposed on them, the poor quality of medical services, living conditions, and mistreatment by prison guards. To reinforce their protests, inmates frequently went on hunger strikes. Authorities held foreign prisoners serving longer terms in a separate prison in Sofia to provide them with easier access to consular services.

The prison administration estimated that 11 percent of the prison population was drug-dependent. Prison authorities experienced difficulties in limiting prisoner access to narcotics and diagnosing and treating the increasing number of drug-dependent inmates.

Administration: There were reports of inadequate medical record keeping. By law, prison medical facilities are part of the health system but administered by the Ministry of Justice, which oversees prisons. The BHC criticized this arrangement, claiming it creates a conflict of interest and a source of corruption since prison directors appoint the doctors, who are not subject to outside monitoring. In September prosecutors charged two doctors with accepting a bribe from a prisoner to falsify a medical evaluation, enabling him to secure early release for outside medical treatment.

All prisoners have the right to work, and two days of work reduced the prison term by one day. The prison administration offered work to only a limited number of prisoners, and work was generally less available due to the economic crisis. Prisoners alleged that the system for determining the type of work regime a prisoner received was corrupt and lacked oversight. Nonviolent offenders could receive probationary sentences, which allowed them to stay out of prison as long as they met the conditions of their probation.

While prisoners in principle have the right to receive visitors, in most cases a lack of space to accommodate visitors in the facility made visits impossible. NGOs noted that visits to the only prison for women caused undue hardship because of the travel time and expenses. Prisoners of any religious group could hold religious observances.

Prisoners reported substandard conditions to the prison administration, national ombudsman, and court system. As of October prisoners filed 839 complaints with the prison administration, claiming improper sanctions, transfers to other facilities, access to medical services, access to educational programs, poor conditions, and abuse by prison guards. The prison administration found 637 of those complaints unfounded, took relevant actions on 155, and found 47 to be outside its authority.

Independent Monitoring: During the year the government generally permitted monitoring of prisons by independent observers.

Improvements: Through October the government made repairs to the prisons in Varna, Sliven, Plovdiv, Vratsa, and Pleven as well as to the detention facilities in Sofia, Vratsa, Pernik, and Varna to improve living conditions.

#### **d. Arbitrary Arrest or Detention**

Although the constitution and the law prohibit arbitrary arrest and detention, there were reports that police at times abused their arrest and detention authority.

#### **Role of the Police and Security Apparatus**

The Ministry of Interior is responsible for law enforcement. The State Agency for National Security (DANS), which reports to the prime minister's office, is responsible for counterintelligence, domestic intelligence analysis, and investigating corruption and organized crime. In June the National Assembly passed a law transferring the General Directorate for Combating Organized Crime from the Ministry of Interior to DANS, purportedly to limit the concentration of power and abuses. The National Intelligence Service is responsible for foreign intelligence, and the National Protective Service is responsible for the security of dignitaries, and both answer to the president. Civilian authorities maintained effective control over the police and security services. While the government had mechanisms to investigate and punish abuse and corruption, implementation was inadequate and impunity was a problem.

Muslim religious leaders continued to complain of harassment and intimidation by members of the security services, who periodically questioned them about religious radicalism and fundamentalism. There were reports that police patrols stopped and checked young Roma in the street because "they looked suspicious."

#### **Arrest Procedures and Treatment of Detainees**

While not legally required to do so, police normally obtained a warrant from a prosecutor prior to apprehending an individual. Police may hold a detainee for 24 hours without charge, and a prosecutor may authorize an extension of an additional 72 hours. A court must approve detention longer than 72 hours, and such detention can last up to two years. Prosecutors may not arrest military personnel without the defense minister's approval. Authorities generally observed these laws, although police sometimes exceeded the 24-hour detention period.

The law provides for bail, and it was widely used.

The law provides for the right to counsel from the time of detention, and authorities generally ensured detainees had access to legal counsel no later than two hours after detention and that a lawyer had access to the detainee within 30 minutes of his or her arrival at the police station. The law provides government-funded legal aid for low-income defendants. NGOs indicated detainees often had to make an arbitrary choice of a public defender based on recommendations from the police, a practice that made the process insufficiently transparent. The law prohibits holding detainees in custody without indictment longer than two months for those charged with general crimes, eight months for those charged with felonies, and 18 months for those charged with crimes punishable by at least 15 years' imprisonment.

Arbitrary Arrest: There were reports of arbitrary detention. Romani activists complained that prior to the elections in May police detained 20 Romani individuals and questioned them about their popularity in their communities, alleging that their activities constituted “influencing voting.” The activists interpreted this as an attempt to intimidate them and to discourage their legitimate political activity.

Pretrial Detention: Long delays awaiting trial remained a problem, and there was a large backlog of outstanding investigations. Statutory time limits for investigations often resulted in hasty indictments that judges returned for additional investigation, during which time persons accused of serious crimes were free on bail.

#### **e. Denial of Fair Public Trial**

The constitution and the law provide for an independent judiciary, but corruption, inefficiency, and a lack of accountability continued to be pervasive problems. Public trust in the judicial system remained extremely low because of the perception that magistrates were susceptible to political pressure and rendered unequal justice.

The Supreme Judicial Council appoints, promotes, disciplines, and dismisses judges, investigators, and prosecutors. It also investigates complaints of judicial misconduct and recommends disciplinary action. Managing magistrates can also impose minor punishments. Observers criticized the lack of clearly stated motives and justification in the council's disciplinary decisions. As of October the council opened 30 new disciplinary cases and imposed sanctions in 19, including three dismissals and two reductions in pay.

Judicial and investigative backlogs remained a problem in larger jurisdictions, and long delays for criminal trials were common.

### **Trial Procedures**

The law presumes defendants are innocent until proven guilty and allows them ample time to prepare a defense. All court hearings are public except for cases involving national security, endangerment of public morals, and the privacy of juvenile defendants. Defendants have the right to be informed promptly and in detail of the charges against them, with free translation if necessary.

Juries are not used. In cases involving serious crimes, two nonprofessional judges join a professional judge. If a crime carries a sentence of more than 15 years' imprisonment, two professional judges and three lay judges hear the case. In such circumstances, a majority vote determines verdicts. A defense attorney is mandatory if the alleged crime carries a punishment of 10 or more years in prison; if the defendant is a juvenile, foreigner, or person with mental or physical disabilities; or if the accused is absent. Defendants have the right to be present at their trial and can demand a retrial if they were convicted in absentia, unless they were evading justice at the time of the first trial. Defendants have the right to confront witnesses, examine evidence, and present their own witnesses and evidence. Defendants are not compelled to testify or confess guilt. The law provides for the right of appeal, which was widely used. Trial procedures apply equally to all defendants.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

While the law provides for an independent and impartial judiciary in civil matters, the same long delays in criminal cases affected civil cases. Individuals may file allegations of human rights abuses with courts and with the Commission for Protection against Discrimination, which can impose fines on violators. Individuals could appeal decisions involving alleged human rights abuses by the government to the European Court of Human Rights (ECHR).

### **Regional Human Rights Court Decisions**

The country is subject to the jurisdiction of the ECHR. In 2012 the National Assembly amended the law to create a domestic mechanism for reviewing and compensating citizens who claimed violation of their right to a fair trial. The National Assembly intended the measure to reduce the number of cases filed with the ECHR while at the same time providing a proportionate and quicker resolution. Since the enactment of the amendment in October 2012, the Ministry of Justice received 207 applications, accepted 68 for review, and offered remedies for 39. NGOs reported that the country continued to have a low rate of compliance with the ECHR's decisions.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, and the government generally respected these provisions. In March, however, the leader of the Bulgarian Socialist Party provided information to the prosecution service indicating that the Ministry of Interior had illegally wiretapped the former and current president, cabinet ministers, political party leaders, magistrates, and businesspersons. The prosecution service reported that the Ministry of Interior had wiretapped 875 telephone numbers without appropriate authority. In June prosecutors charged the former minister of interior, Tsvetan Tsvetanov, with failure to exercise appropriate control over the ministry's wiretapping activities.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The law provides for freedom of speech and press, and the government generally respected these rights. Concerns persisted, however, about deterioration of the media environment due to corporate and political pressure that, combined with the growing and nontransparent concentration of media ownership, gravely damaged media pluralism.

The International Research and Exchanges Board's (IREX) 2013 Media Sustainability Index indicated a further decline in the media's editorial and financial independence and professional standards. IREX noted that the government's "suppression of the freedom of speech and the media sector's lack of transparency in ownership have attracted international attention." It highlighted a "media war" in the courts between conglomerates, growing dependency on government subsidies, and "escalating political pressure, corporate control, and

disrespect for professional standards in the mainstream media” as contributing to a continued “slow slide away from the levels of sustainability reached in the years before the country’s EU accession.” During the year the media market saw further concentration of media ownership. There were increased reports of intimidation and violence against journalists.

Freedom of Speech: Individuals criticized the government without official reprisal. In rural areas offering fewer employment opportunities, however, individuals were more hesitant to criticize local governments.

In June the speaker of the National Assembly, Mihail Mikov, stated that many television stations had chosen to cover the antigovernment protests in a way that added to escalation of tensions. He advised them to report in a “fair and calm way.” More than 100 journalists protested that the speaker’s statement was open interference in editorial freedom.

The penal code provides for one to four years’ imprisonment for incitement to “hate speech.” The law defines hate speech as speech that instigates hatred, discrimination, or violence based on race, ethnicity, nationality, religion, sexual orientation, marital or social status, or disability. There were no reports of using laws against slander to restrict public discussion.

Press Freedoms: The independent media were active and expressed a wide variety of views. The process of media consolidation continued, with larger groups acquiring more regional outlets. Domestic and international organizations criticized both print and electronic media for lack of ownership and financial transparency as well as for susceptibility to economic and political influence. In August, Anna Tsoleva and Viktor Nikolaev, hosts of a popular morning talk show on the private channel bTV, quit after bTV suspended their program for more than two weeks. The channel did not provide a justification for the suspension. Tsoleva and Nikolaev declined to state directly why they left but stated it was not for a better job opportunity. Other journalists commented that the reason was their interview with the prime minister in which they asked repeatedly about a controversial political appointment.

Violence and Harassment: In September unknown persons burned the car of political interviewer Genka Shikerova, who replaced Tsoleva on bTV’s morning show one month earlier. She had conducted several interviews that observers judged to be critical, including with leaders of the ruling political parties. As of October an investigation into the incident was in progress.

In April the prosecution service pressured journalist Boris Mitov to reveal his sources of information from a court hearing which he had included in an article run by an online media outlet. The prosecution service alleged that the information he published was classified, although the judge had already declassified it. Mitov refused to reveal his sources. The prosecution service dropped the legal proceedings against him after he received substantial media and public support.

Censorship or Content Restrictions: Journalists continued to report privately about their and others' exercising self-censorship, editorial prohibitions on covering specific persons and subjects, and the imposition of a political point of view by corporate leadership. The Media Democracy Foundation found that businesspersons and political parties pressured media and journalists, including with physical threats, and caused a widespread culture of self-censorship.

In June the leader of the Ataka party, Volen Siderov, and other party members forced their way into the studios of the government-owned television broadcaster Bulgarian National Television (BNT), claiming that, as members of parliament (MPs), they had the right to disregard access restrictions and ignore the police barrier that protected the entrance. Prior to this, Siderov threatened that he and his supporters were going to throw stones, tomatoes, and eggs at the offices of television channels BNT, bTV, Nova TV, and Canal 3 because their coverage of the antigovernment protests was allegedly biased.

Libel Laws/National Security: Libel is legally punishable. Usually the courts interpreted the law in a manner favoring journalistic expression. Journalists' reporting about corruption or mismanagement prompted many defamation cases brought by politicians, government officials, and other persons in public positions. In June the Sofia Appellate Court confirmed the lower court's verdict imposing a fine against the online outlet *Vseki Den*. The outlet had posted a preview of a forthcoming book, *Secrets of the Gay Elite 2*, and a politician whom the book mentioned by name sued *Vseki Den* for libel. As of October, *Vseki Den* was appealing the decision at the Supreme Court of Cassation.

## **Internet Freedom**

There were no government restrictions on access to the internet or reports that the government monitored e-mail or internet chat rooms without appropriate legal authority. According to International Telecommunications Union statistics, approximately 55 percent of the population used the internet in 2012.

The security services could access electronic data with judicial permission when investigating cyber and serious crimes. NGOs criticized gaps in the law that allow the prosecution service to request such data directly from the service providers without proper authorization. In March the leader of the Bulgarian Socialist Party alleged that the government tracked the e-mail accounts and text-message correspondence of the leaders of the February antimonopoly protests.

### **Academic Freedom and Cultural Events**

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

### **b. Freedom of Peaceful Assembly and Association**

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights.

#### **Freedom of Assembly**

The law requires groups requesting a permit for gatherings to give 48 hours' notice. The law prohibits public gatherings within a security zone (16 to 66 feet) around the National Assembly, the Council of Ministers, and presidency buildings. Mayors can prohibit, dismiss, or suggest an alternative site for a gathering they believe poses a threat to public order, security, or traffic.

As of November antigovernment protests in Sofia, which began June 14 and peaked at more than 20,000 protestors, continued without restriction and in a generally peaceful manner. On July 23, protestors created a blockade around the National Assembly trapping MPs and ministers inside. The protestors clashed with the police stationed in the area to provide security, resulting in minor injuries to eight protestors and two police officers. There were occasional reports that police arbitrarily checked the identification documents of persons traveling from the countryside to join the protests.

#### **Freedom of Association**

The law prohibits groups, including political parties that endanger national unity; promote racial, national, or religious hatred; violate the rights of citizens; or seek to achieve their objectives through violent means. The government generally

respected the rights of individuals and groups to establish political parties or other political organizations. NGOs may not engage in political activity.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights.

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

### **Protection of Refugees**

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for protecting refugees. As a result of the increasing number of asylum seekers, which nearly quadrupled since 2012, NGOs reported severe overcrowding and poor conditions in the accommodation centers. They also complained of application processing times that significantly exceeded the six-month time limit established by law. The State Agency for Refugees noted there were insufficient Arabic-speaking interpreters to assist asylum seekers. NGOs stated there were insufficient interpreters for several languages, including Arabic, Farsi, Kurdish, French, and English.

In October the government announced plans to build a 30 kilometer fence on its border with Turkey in an area where video surveillance has been ineffective. As of November, the fence was under construction.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedoms would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The UNHCR stated the risk of genuine refugees

receiving a rejection was limited. A Chechen, Mohmad Gadamauri, remained in jail pending an ECHR review of his case on whether to grant extradition to Russia. Authorities detained him in 2012 at the border on an Interpol notice, disregarding that he was a recognized refugee in both Germany and Poland.

Refugee Abuse: The law requires that persons seeking refugee status file an application within “a reasonable time” after entering the country. The UNHCR and NGOs reported that the practice of imprisoning persons who had illegally crossed the border delayed their ability to claim asylum. In April 37 foreign citizens sentenced for illegal border crossing went on a hunger strike at Sofia prison, claiming authorities denied them their right to claim asylum and demanding review of their cases.

The low institutional capacity of the government to process requests and transfer applicants to shelters became even more evident with the increased inflow of asylum seekers from Syria. In September, 32 Syrian asylum seekers who had been held for months in the detention center in Lyubimets and 50 Syrian asylum seekers held in the detention center in Busmantsi went on hunger strikes to demand expeditious resolution of their cases. Asylum seekers complained of being unable to support themselves on the government-allotted 65 leva (\$45) per month stipend for food and medicine as they waited for a decision on their applications.

Some media published predominantly negative coverage of the refugees, claiming they were mostly criminals and terrorists. In October Magdalena Tasheva, Ataka National Assembly member and host of a television program, characterized the Syrian refugees as “cannibals,” “thugs,” and “murderers.” The government offered no official reaction to the statements. The BHC filed a complaint on behalf of a group of Syrian asylum seekers with the Commission for Protection against Discrimination.

Durable Solutions: On June 13, the country joined the EU resettlement program, to start with a pilot group of 20 refugees in 2014.

Temporary Protection: The government provided humanitarian protection to individuals who may not qualify as refugees. As of November the government provided protection to 1,250 persons.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution and the law provide citizens the right to change their government peacefully, and citizens generally exercised this right through periodic, free, and fair elections based on universal suffrage.

### **Elections and Political Participation**

Recent Elections: The final report of the election observation mission of the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) found the early parliamentary elections in May to be in compliance with the fundamental freedoms of expression, association, and assembly. The report noted, however, that cases of pre-election wiretapping and ballot security incidents had weakened public confidence in the process. There were also pervasive allegations of vote buying. Transparency International Bulgaria concluded that neither the election campaign nor the elections had been conducted according to internationally established transparency standards.

The law prohibits campaigning in languages other than Bulgarian. ODIHR has repeatedly noted that this requirement, as well as the absence of official voter information in minority languages, limited the ability of ethnic minority groups to understand the election rules and to participate effectively in the election process. On May 17, the regional governor of Sliven imposed a fine of 2,000 leva (\$1,400) each on the leader of the Movement for Rights and Freedoms, Lutvi Mestan, and the mayor of Yablanovo, Jemal Choban, for campaigning in Turkish.

In the first nine months of the year, prosecutors filed 77 cases and pursued 46 prosecutions, and the courts convicted 50 persons, for election-related violations in the early parliamentary elections.

Political Parties: The law requires a political party to have 2,500 members to register officially. Even though the constitution does not allow for the establishment of political parties along ethnic lines, this prohibition did not appear to weaken the role of some ethnic minorities in the political process, and a number of parties represented various ethnic minority groups.

Participation of Women and Minorities: As of October there were 58 women in the 240-seat National Assembly. There were seven female ministers, including two deputy prime ministers, out of 17 ministers in total. Women held key positions in the National Assembly, including those of deputy speaker and chairs of five of the 23 standing committees.

There were 29 members of minority groups in the National Assembly – 20 ethnic Turks, five Pomaks (descendants of Slavic Bulgarians who converted to Islam under Ottoman rule), and one Roma. There was one ethnic Turkish minister in the cabinet. While the ethnic Turkish minority enjoyed fair representation, Roma were underrepresented, particularly in appointed leadership positions. Ethnic Turks, Roma, and Pomaks held elected positions at the local level.

NGOs reported that address registration laws limited the ability of Roma occupying illegal housing to obtain identification cards, which restricted their voting participation.

#### **Section 4. Corruption and Lack of Transparency in Government**

While the law provides criminal penalties for official corruption, the government did not implement the law effectively, and officials in all branches of government often engaged in corrupt practices with impunity. There were widespread reports of government corruption during the year. Corrupt practices included bribery, conflict of interest, elaborate embezzlement schemes, procurement violations, and influence trading.

Corruption: At least 320 entities at both the national and local levels have responsibilities related to combating corruption. The DANS has a mandate to investigate corrupt activities of high-level government and other officials. The prosecution service prosecutes corruption cases in court. The Center for Prevention and Combating Corruption and Organized Crime is responsible for analyzing, planning, and developing preventive solutions and policies. A permanent committee in the National Assembly is responsible for reviewing legislative initiatives, referring corruption-related reports to law enforcement and other relevant authorities, and monitoring government agencies. An independent commission is responsible for preventing and identifying conflict of interest. NGOs stated that government agencies did not collaborate systematically with them, but rather on a project-by-project basis.

The formalistic judicial system made it difficult to prosecute high-profile organized crime and corruption cases effectively. Legal and procedural limitations on the use of such methods as sting operations, plea bargaining, and cooperating witnesses made it difficult to pursue corruption cases. In July the prosecution service publicly stated that corruption crimes represented a disproportionately low share of the total number of solved crimes and that corruption cases tended to be

opened after a minister was changed or a new government formed. From January to June, the prosecution service opened investigations in 161 new cases and submitted 92 prosecutions to court involving 120 persons. In the same period the courts convicted 65 persons and acquitted 10.

In April the prosecution service pressed charges against the head of the General Directorate for Combating Organized Crime, Stanimir Florov, accusing him of accepting bribes from drug traffickers and smugglers in exchange for protection in 1999 and 2002.

On June 26, the Sofia City Prosecution Service indicted a former National Assembly member, Dimitar Avramov, for complicity in bribery. The trial was pending as of October.

Whistleblower Protection: While no specific laws protect whistleblowers, the Employment Incentives Act obliges the government to protect sources who report employment violations.

Financial Disclosure: The law mandates that government officials publicly declare any circumstances in which they could face accusations of using their position for personal profit. The National Audit Office verified and monitored disclosures. High-level public officials who fail to submit a financial disclosure declaration can incur fines of up to 1,500 leva (\$1,000). According to the National Audit Office, 59 of 7,234 officials required to do so by law did not submit their annual declarations by the statutory deadline.

Public Access to Information: The law provides the right of public access to government information, with a sufficiently narrow list of exceptions outlining the grounds for nondisclosure and a reasonable timeline for response and processing fees. There are administrative sanctions for noncompliance and an appeal mechanism for review of disclosure denials. NGOs continued to complain, however, that the government did not implement the law effectively. While the courts allowed greater access to government information, the government rarely complied with these decisions. On September 28, the NGO Access to Information Program, which gives annual awards to transparency activists, gave a shaming award to the Council of Ministers. The council received the award for discontinuing the practice of publishing the minutes of its weekly meetings and other administrative acts and for refusing to apply the rules adopted by the caretaker government on financial transparency of the deposits of government-owned companies.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Numerous domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Human rights observers reported uneven levels of cooperation from various national and local government officials.

Government Human Rights Bodies: The ombudsman reviews individuals' complaints against the government for violations of rights or freedoms. The ombudsman can request information from authorities, act as an intermediary in resolving disputes, make proposals for terminating existing practices, refer information to the prosecution service, and request the Constitutional Court to abolish legal provisions as unconstitutional. As of October the ombudsman received 5,842 complaints of violations of citizens' rights and freedoms. The majority of complaints concerned the quality of public services, social assistance programs, and property problems, including forced evictions. Authorities sometimes acted in response to recommendations from the ombudsman.

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

One permanent committee of the National Assembly oversees human rights and citizens' complaints and petitions, and another one oversees religious denominations and parliamentary ethics.

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

The law prohibits discrimination on the grounds of race, gender, disability, social status, and sexual orientation but not language. Societal discrimination continued, particularly against ethnic minorities, LGBT persons, and persons with disabilities. Trafficking in persons continued to be a problem.

The government investigated complaints of discrimination, issued rulings, and imposed sanctions against violators. The law allows individuals to pursue a discrimination case through the court system or through the CPD. In the first nine months of the year, the CPD received 653 complaints, most of them containing multiple allegations of discrimination, mostly based on personal status and

disability, particularly with regard to employment. The commission found discriminatory practices in 239 cases and imposed fines totaling 13,850 levs (\$9,600) on violators.

## **Women**

Rape and Domestic Violence: The law criminalizes rape, and authorities generally enforced its provisions when violations came to their attention. The penal code does not criminalize rape, including statutory rape, if it is followed by marriage. While authorities could prosecute spousal rape under the general rape statute, they rarely did so. Sentences for rape range from two to eight years in prison, or from three to 10 years if the victim is under 18 years of age or a lineal descendant. When rape results in serious injury or attempted suicide, sentences range between three and 15 years' imprisonment, and when the victim is a minor, between 10 and 20 years. According to NGOs, social taboos surrounding rape continued to discourage rape victims from reporting the crime. As of October the prosecution service filed 196 rape cases and pursued 69 prosecutions, and the court sentenced 69 persons. The State Agency for Child Protection (SACP) stated that investigation and prosecution of statutory rape increased since 2010. In 2012 the prosecution service opened 307 criminal proceedings for statutory rape and the courts convicted 267 persons. In March NGOs organized the first "Walk a Mile in Her Shoes" event in Sofia to raise awareness about domestic violence and sexual assault.

The law defines domestic violence as any act, or attempted act, of sexual violence or physical, psychological, emotional, or economic pressure against members of one's family or between cohabiting persons. It empowers the court to impose fines, issue restraining or eviction orders, or require special counseling. Noncompliance with a restraining order may result in imprisonment for up to three years or a fine of 5,000 levs (\$3,500). Between July 2012 and June 2013, courts received 393 complaints. The law requires the government to adopt an annual action plan to prevent and protect against domestic violence and requires the government to fund it.

Observers noted that authorities generally enforced the law in cases of physical violence but did not pay much attention to other types of domestic abuse. According to the Alliance for Protection against Domestic Violence, one in four women was a victim of verbal or physical abuse, and the degree of violence increased between July 2012 and June 2013. The alliance provided services to 2,528 victims.

A domestic NGO operated a free 24-hour hotline for women in crisis funded through an annual government grant. Other NGOs provided short-term protection and counseling to victims in 17 crisis centers and shelters throughout the country. NGOs complained that the hotline grant was insufficient and that the existing support posed a risk of discontinuing the line. As of October the hotline had worked with 1,067 clients, including 658 victims of domestic violence. Police and social workers referred victims of domestic violence to NGO-run shelters, but NGOs complained that local authorities rarely provided financial assistance for operational costs. Women's rights organizations continued to insist that the government lacked strong gender equality and domestic violence policies, despite the annual action plans encouraging gender equality.

Sexual Harassment: The law identifies sexual harassment as a specific form of discrimination rather than as a criminal offense, although prosecutors may identify cases in which harassment involves coercion. If prosecuted as coercion, sexual harassment is punishable by up to six years in prison. Harassment remained an underreported problem. As of October the CPD received only one complaint of sexual harassment.

Reproductive Rights: The government generally respected the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence. Women generally had good access to contraception and skilled attendance during childbirth and to prenatal care, including essential obstetric and postpartum care. Women in poor rural areas had less access to contraception due to poverty and lack of education. Skilled attendance at childbirth was sometimes less available due to lack of health insurance.

Discrimination: While the law provides women with the same rights as men, including equal pay for equal work, women faced some discrimination in economic participation and political empowerment. The pay gap between men and women continued to rise, and according to Eurostat, in 2011 women's salaries were on average 18 percent lower than men's. Women also experienced underrepresentation in government; approximately 16 percent of mayors were women. The National Council on Equality between Women and Men, headed by the minister of labor and social policy under the Council of Ministers, is responsible for safeguarding the rights of women. Primarily a consultative body,

the council has responsibility for promoting cooperation and coordination among NGOs and government agencies.

## **Children**

Birth Registration: Citizenship derives from one's parents. Children are registered immediately upon birth in the country.

Education: Public education is compulsory to the age of 16 and free through the 12th grade, but authorities did not effectively enforce attendance requirements. School dropout rates were disproportionately high among the Romani population.

According to the National Statistical Institute, more than 18,000 children dropped out of school in 2012. The Education Ministry estimated the number of dropouts at 3,883. NGOs considered both figures inaccurate and estimated the actual number of dropouts to fall between these figures.

Child Abuse: Violence against children continued to be a problem. According to the SACP, in the first nine months of the year, there was a slight decrease in the number of child abuse cases compared with the previous few years. In 2012 there were 2,127 cases reported, down from 2,175 in 2011. Physical violence remained the most prevalent form of violence (36.7 percent), followed by neglect (28.6 percent), emotional violence (19.4 percent), and sexual violence (15.3 percent). The home continued to be the most prevalent location of violence (73.5 percent), while 9.1 percent of the cases occurred on the street, 5.3 percent in school, and 5.2 percent in a public location. The Animus Association Foundation stated that, while sexual violence against children had increased in the past few years, discussion of it remained a social taboo.

In 2012 the SACP inspected childcare institutions for children seven to 18 years old and uncovered 46 cases of abuse, including 35 cases of physical violence, 10 of sexual violence and one of emotional violence. In 2012 the government adopted a three-year national plan for prevention of violence against children that aimed to improve the professional capacity of experts working with children and raise public awareness of the problem. According to the National Statistical Institute, 1,777 children were victims of serious crimes in 2012, down from 1,803 victims in 2011.

The government funded an NGO-operated 24-hour free helpline that children could call for counseling, information, and support as well as to report abuse.

During the first six months of the year, helpline counselors carried out 10,416 consultations. Fifty percent of the reports of abuse received at the helpline concerned physical violence and 32 percent concerned emotional abuse. The accounts prompted investigations that sometimes resulted in the removal of children from abusive homes and the prosecution of abusive parents. Hotline administrators complained that child protection authorities did not possess proper training and often returned cases stating they did not involve domestic violence, which led to further victimization of the children involved. NGOs expressed concern that in many cases social workers, guided by conflicting legislation, preferred to send the child out of the abusive home into an institution rather than remove the abusive parent.

Forced and Early Marriage: The minimum age for marriage is 16. Although no official statistics were available, NGOs reported that child marriage was a growing problem in Romani communities, which resulted in school dropouts, early childbirths, poor parenting, and spreading poverty.

Sexual Exploitation of Children: The penal code provides for two to eight years' imprisonment and a fine of 5,000-15,000 levs (\$3,500-\$10,000) for forcing children into prostitution, as well as three to 10 years' imprisonment and a fine of 10,000-20,000 levs (\$6,900-\$14,000) for child sex trafficking. The legal minimum age for consensual sex is 14. The law prohibits child pornography and provides for up to six years in prison and a fine of up to 8,000 levs (5,500).

Institutionalized Children: Authorities placed children with varying types and degrees of disability in the same institution. Between January and August, the government closed 10 institutions. As of October the government operated 57 institutions for parentless children, 30 for those needing medical and social care, and 23 for children and youth with physical disabilities. The number of institutionalized children further dropped by approximately 25 percent, declining from 4,755 at the end of 2011 to 3,592 as of July. Approximately half of the children remaining in institutions had disabilities. According to the SACP, by ethnicity approximately 52 percent of institutionalized children were Roma, 28 percent Bulgarian, and 6 percent Turkish.

Most children in government institutions were not orphans because courts institutionalized children when they determined that their families were unable to provide them adequate care. The government continued to inspect the institutions, uncovering numerous malpractices and mistreatment of the children placed there.

In May an inspection of the institution in Sevlievo revealed that the institution's director and staff had forced two teenage girls to have abortions.

The government continued implementing the first stage of its deinstitutionalization program after developing individual deinstitutionalization plans for each child. In the first six months of the year, authorities removed 530 children from institutions and relocated the majority of them to a family-type center, with a smaller number reintegrated with their families, adopted, or placed in foster care. The SACP expressed concern that foster care families were not ready to assume the high standard of care needed for children with serious health problems, mostly due to societal prejudice.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see [http://travel.state.gov/abduction/country/country\\_3781.html](http://travel.state.gov/abduction/country/country_3781.html).

### **Anti-Semitism**

The 2011 census identified 1,130 Jews in the country. Local Jewish organizations estimated the actual number at around 5,000.

Anti-Semitic rhetoric continued to appear commonly on social networking sites and as comments under online media articles, particularly surrounding the 70th anniversary of the saving of Bulgarian Jews in March. Jewish organizations remained concerned over the government's passivity in addressing hate crimes, particularly hate speech, and complained that website administrators no longer deleted anti-Semitic comments. Social media users accused a prominent American of responsibility for the antigovernment protests that began in June. They alleged that, motivated by his Jewish heritage, he financed the NGOs who were active in the protests. In July rap artist Mihail Mihailov (Misho the Slap) criticized the former finance minister in a live television interview, calling him "Jewish vermin." There was no immediate reaction from the interviewing reporter, nor was there a response from the government. Mihailov explained in a subsequent apology that his comment was a cliché.

In February nearly 1,000 persons marched in downtown Sofia in a rally organized by the Bulgarian National Union to honor a World War II general known for his anti-Semitic views and pro-Nazi activities.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

## Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government did not effectively enforce these provisions. The government focused most of its efforts on providing various social services but lacked sufficient funds to adjust the infrastructure and implement active policies to improve public awareness. NGOs criticized the government for a lack of access for persons with disabilities to information and communications, noting that only one newscast was available with sign language, and that authorities made no information available in Braille. Societal discrimination against persons with disabilities persisted.

While the law requires improved access to buildings for persons with disabilities and some new public works projects took this requirement into account, enforcement of the law lagged in existing, unrenovated buildings. NGOs filed complaints with the CPD over the inadequate accessibility of the Sofia metro line that opened in 2012, asserting that platforms were lower than the trains, elevators were nonoperational, and ramps were too steep.

The law promotes the employment of persons with disabilities, providing employers with subsidies covering 30 to 50 percent of insurance benefits and the cost of adjusting and equipping workplaces to accommodate persons with disabilities. Enforcement was poor and employers did not feel motivated to hire persons with disabilities. According to the Agency for Persons with Disabilities, 95 percent of persons with disabilities were unemployed. Other factors, such as lack of access to adequate education, lack of skills, and lack of accessible transportation contributed to the high rate of unemployment.

The country's infrastructure did not provide persons with disabilities adequate access to education, health care, and social services. Individuals with mental and physical disabilities often were separate from the rest of society in institutions located in remote areas, which prevented the hiring of qualified staff and hampered access to timely medical assistance. Despite some incremental improvements,

conditions in the country's 81 institutions for persons with mental, physical, and sensory disabilities remained poor. NGOs criticized the government for not moving toward an inclusive, community-oriented model of education, socialization, and health care for persons with disabilities. In September the Ministry of Education and Science conducted a two-week training course for students, parents and teachers of students with sensory disabilities attending mainstream schools. The training focused on developing useful skills, orientation, and mobility.

The law provides specific measures for persons with disabilities to have access to the polls, including mobile ballot boxes. According to the OSCE/ODIHR election observation mission report on the May early parliamentary elections, "some 340 polling stations observed (53 percent of observed polling stations) were not readily accessible for persons with disabilities, while the interior layout of some 195 stations was also found not suitable for such voters."

The Interagency Council for Integration of Persons with Disabilities is responsible for developing the policy supporting persons with disabilities. The Ministry of Labor and Social Policy, through its executive agency for persons with disabilities, was responsible for protecting the rights of such persons and worked with government-supported national representative organizations to that end. Some NGOs criticized the existing model, stating that it does not tie subsidies to these organizations to the achievement of policy objectives but rather to formalistic criteria, such as territorial representation and number of member organizations. They remained concerned that the lack of transparency and accountability regarding financial and other support to the national representative organizations, affected those organizations' independence. NGOs also complained that the incentive structure prioritizes obtaining national representation over effective advocacy.

In 2012 the government approved a two-year action plan for providing equal opportunities to persons with disabilities that fleshed out the existing government strategy.

### **National/Racial/Ethnic Minorities**

According to the 2011 census, there were 325,345 Roma in the country, less than 5 percent of the population, as well as 588,318 ethnic Turks, less than 9 percent of the population. Observers asserted that these figures were inaccurate, since more than 600,000 persons did not answer the census question about their ethnic origin,

and officials did not conduct a proper count in most Romani communities, but rather either made assumptions or failed to include Romani figures altogether.

Societal discrimination and popular prejudice against Roma and other minority groups remained a problem. The media described Roma and other minority groups in discriminatory and abusive language. The investigative service's investigation into the 2012 complaint that a press article in the *Novinar* newspaper by Kalin Rumenov incited racial and ethnic hatred and racial discrimination did not make any progress as of October.

During the year police terminated their investigation into the 2012 neo-Nazi gang attack on two Afghan refugees and a separate attack on four German citizens in downtown Sofia. They did not identify or apprehend the perpetrators.

In 2012 a bomb exploded in Sandanski in front of a Romani cafe and club whose owner was the local leader of political party Euroroma. The bomb killed Malin Iliev, who picked up a bag containing the bomb while opening the cafe. As of October, three suspects were in custody, and the investigation continued.

In April, Romani NGOs participating in the government-run National Council on Ethnic and Integration Affairs quit the council in protest against its inefficiency and inability to advance the Roma inclusion agenda. They demanded a radical change in the government's approach to integration and the creation of an executive agency that included Romani experts. The Romani NGO Amalipe expressed concern that government attention to Roma integration stagnated after the walkout.

Many Roma continued to live in appalling conditions. The 2011 census indicated that 55.4 percent lived in overcrowded urban neighborhoods. NGOs estimated that 50 to 70 percent of their housing was illegally constructed, often without proper water supply and sewerage. Many municipalities continued to initiate legal proceedings to demolish illegally built houses. In February the town of Petrich demolished 52 illegal makeshift Romani houses, leaving approximately 300 Roma to sleep in the open for several days. The mayor stated they all had relatives elsewhere to whom they could go and urged them to leave. According to NGOs, they subsequently dispersed to other places.

Workplace discrimination against minorities continued to be a problem. General public mistrust, coupled with their low level of education, made locating work more difficult for Roma. A government survey during the year estimated that the

unemployment rate among adult Roma was 44.8 percent and that 68.1 percent of Roma remained outside the social security system.

Romani children often attended de facto segregated schools where they received inferior education. There were cases of Bulgarian students departing desegregated schools, thereby resegregating them. NGOs criticized the National Roma Integration Strategy for not providing specific school desegregation measures and not ensuring the necessary financial support for such measures. NGO projects aimed at lowering the dropout rate among Romani students resulted in rates that in most places were less than 1 percent for elementary school students. Retaining Romani students beyond the age of 10 remained a challenge for the government, which also lacked effective programs for reintegrating students who had dropped out. According to the government survey during the year, 14.8 percent of Roma completed secondary school, 44.7 percent completed primary school, and 15.5 percent never completed any level of education.

Romani access to health services continued to be a problem and in some cases was subject to discrimination. The government survey estimated that 30 percent of Roma had not signed up with a general practitioner (i.e., lacked health insurance), and 78.8 percent had no access to a dentist. In addition, the quality of medical care given Roma by medical personnel and social workers was very low. The National Network of Health Mediators continued to expand as a successful model of partnership with the national and local government for addressing Romani access to health services. As of October there were 130 health mediators appointed to full-time positions in 72 municipalities to work with high-risk and vulnerable groups.

In June in several regions, including Blagoevgrad and Plovdiv, there were protests instigated by the political party Internal Macedonian Revolutionary Organization against the regional governors nominated by the Movement for Rights and Freedoms party. The protesters claimed that there was no ethnic Turkish population in these towns and that it was therefore wrong to have regional governors from “the ethnic Turkish party.”

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation, but the government did not effectively enforce this prohibition. While reports of violence against LGBT persons were rare, societal discrimination, particularly discrimination in

employment and public speaking, remained a problem. Most LGBT persons did not “come out” to their families due to the fear of the relationship being severed. NGOs stated that it was not uncommon for persons suspected of being gay to be fired, and such individuals were reluctant to seek redress in the courts due to fear of being openly identified as belonging to the LGBT community.

On September 21, the sixth annual LGBT pride parade took place in downtown Sofia. The parade was supposed to take place in June, but the organizing committee postponed it until September due to its overlap with large-scale antigovernment protests. In June the Bulgarian Orthodox Church issued a statement referring to homosexuality, bisexuality, and transsexuality as “an unnatural and particularly unwholesome violation of God’s command,” and called upon authorities to ban the parade, stating, “It threatens the moral foundations of our society and our children’s health and the Bulgarian nation as a whole.” The parade attracted approximately 120 participants and went on largely without incident. Although no government officials publicly supported the event, the municipal government waived fees for park use and security. Police provided heavy security in the vicinity of the parade and in the wider area, which effectively deterred aggressive behavior by skinheads and others who traditionally caused some problems. Protestors held anti-LGBT events on June 22 and September 21, which drew approximately 50-70 demonstrators.

In June, during pride month, the NGO LGBT Plovdiv reported that 15 hooligans disrupted the screening of a British film, screamed antigay epithets, threatened future screenings, and broke the venue’s film projector.

### **Other Societal Violence or Discrimination**

According to a 2011 study assessing the medical services provided to persons with HIV/AIDS, patients faced inadequate conditions in medical facilities and discrimination due to some doctors’ refusal to provide treatment because of a fear of contracting the disease. Patients typically did not contest these incidents in court because of the social stigma attached to having HIV/AIDS. Nearly one-fifth of HIV-positive patients reported hiding the fact in order to receive emergency medical care or avoid transfer to an unspecialized unit where they could receive inadequate help. Society stigmatized women who were diagnosed and treated for sexually transmitted diseases.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law protects the right of all workers to form or join independent trade unions of their choice without previous authorization or excessive requirements. The law also provides for the right to strike with some exceptions. Employees of the Ministries of Defense and Interior, the courts, and prosecutorial and investigative authorities (collectively regarded as “judiciary” under Bulgarian law) are not allowed to strike, according to the Collective Labor Disputes Settlement Act. These employees are able to take the government to court as a means of ensuring due process in protecting their rights. The Civil Service Act provides for the right of other public service employees to strike, but they can only do so by wearing or displaying protest symbols or signs, without stopping work. The law also limited transport workers’ right to strike. Trade unions stated that the legal limitations on the right to strike and the lack of criminal liability for employers who delay salary payments are contrary to the constitution.

The law provides a national legal structure for collective bargaining. When employers and trade unions reach a collective agreement at the sector level, they can jointly request that the minister of labor extend it to cover all enterprises in the sector. The law denies public servants the right to collective bargaining. The law prohibits antiunion discrimination and provides that workers may receive up to six months’ salary as compensation for illegal dismissal. Workers alleging discrimination based on union affiliation can file complaints with the Commission for Protection against Discrimination, which had received nine such complaints as of October.

Union leaders stated the government did not effectively enforce the labor law. Penalties for violations of the labor law ranged from 50 to 200 leva (\$35 to \$140) which, according to the unions, was insufficient to deter violations. Union leaders complained that court proceedings for reinstatement of unfairly dismissed workers often took years and were not a strong deterrent to antiunion discrimination. The law does not effectively protect against acts of interference by employers in trade union activities.

Workers exercised the right to organize and join unions as well as the right to strike. Unions were independent of the government and political parties. In general the government allowed unions to conduct their activities without interference, although unions continued to report some cases of employers’ obstruction, harassment, and pressure, e.g., relocation, firing, and demotion of union leaders and members. Labor unions also alleged that some employers failed

to bargain in good faith or to adhere to agreements. Union leaders noted that those employers who tried to force new employees to sign a declaration renouncing any union activity discontinued the practice after union leaders published their names. Judicial and administrative procedures were adequate in settling claims.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The General Labor Inspectorate of the Ministry of Labor and Social Policy asserted that the government effectively enforced those prohibitions. There were some reports that families or criminal organizations forced children to work.

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law sets the minimum age for employment at 16 and the minimum age for dangerous work at 18. To employ children under the age of 18, employers must obtain a work permit from the government's General Labor Inspectorate. Employers can hire children under the age of 16 with special permits for light work that is not risky or harmful to the child's development and does not interfere with the child's education or training. The General Labor Inspectorate inspected working conditions at all companies seeking and holding child-work permits.

Employment of children without a work permit is a criminal offense and is punishable by up to six months in prison. The government generally enforced child-labor laws in the formal sector.

The General Labor Inspectorate reported a slight decrease in child employment compared with the previous year, mainly due to a slower economy and tightened requirements. As of October the inspectorate granted 1,436 requests for employment of children between the ages of 16 and 18. The inspectorate granted 73 requests for work permits for children under the age of 16. In 2012 the inspectorate uncovered 25 cases of illegal child employment and referred 24 cases to the prosecution service. According to the inspectorate, once corrected, employers did not repeat the violations.

The government continued programs to eliminate the worst forms of child labor, mounted educational campaigns about their effects, and intervened to protect,

withdraw, rehabilitate, and reintegrate children engaged in the worst forms of child labor.

NGOs continued to report the exploitation of children in certain industries (particularly small family-owned shops, textile production, restaurants, construction businesses, and periodical sales) and by organized crime (notably for prostitution, pickpocketing, and the distribution of narcotics). In addition to child sex trafficking, the worst forms of child labor included heavy physical labor and labor on family tobacco farms, a significant health hazard.

The government continued to report a declining trend in the number of children detained by police for vagrancy and begging. As of October police had detained 80 children for vagrancy (compared with 151 in 2012) and 66 for begging. Many observers believed that adults exploited these children. Police placed 42 of the apprehended children in protective custody for up to 24 hours and sent 74 to crisis centers for longer periods. Subsequently, authorities sent 31 children to government-run institutions. Police referred 13 cases of parents suspected of exploiting their children for begging to a prosecutor.

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

The national minimum wage was 310 levs (\$210) per month. In April the Confederation of Independent Trade Unions issued a report stating that 1.6 million individuals lived with an income per family member that was under a poverty line which it set at 216 levs (\$150). The government has set the official poverty line at 241 levs (\$170).

The law provides for a standard workweek of 40 hours with at least one 24-hour rest period per week. The law prohibits excessive compulsory overtime. The law prohibits overtime work for children under age 18, pregnant women, and women with children up to age six. The law stipulates that the premium pay for overtime cannot be less than 150 percent of normal pay during workdays, 175 percent during weekends, and 200 percent during 12 official holidays. The law limits the amount of overtime a worker may work to 150 hours per year. A national labor safety program, with standards established by law, gives employees the right to healthy and nonhazardous working conditions.

The Ministry of Labor and Social Policy is responsible for enforcing both the minimum wage and the standard workweek. The law penalizes labor violations with fines ranging from 1,500 to 15,000 leva (\$1,000 to \$10,000), which according to the trade unions, failed to act as a deterrent. Besides fines penalties may include administrative provisions such as suspension of operations and termination of employment. As of October the General Labor Inspectorate found more than 10,000 violations and imposed fines totaling more than 12.5 million leva (\$8.6 million). The General Labor Inspectorate stated that the penalties were effective since most employers abided with the recommendation to replace civil contracts with the required labor contracts, which comply with all of the provisions of the law for full-time employment.

The government annually adopts an updated National Program for Occupational Safety and Health, which outlines the goals and priorities in the area. The General Labor Inspectorate is responsible for monitoring and enforcement of occupational safety and health requirements. In 2012 there were 334 labor inspectors. Of all inspections, 43 percent involved violations of safety and health requirements. Enforcement was generally less effective in the government sector than in the private sector.

Legal protections or government inspections did not include informal workers in the significant grey-market economy. In November the Center for the Study of Democracy reported a rise in the share of the hidden economy (tax, duty, and excise evasion and unreported employment) compared with 2012.

In the first six months of the year, there were 1,317 work-related accidents. The General Labor Inspectorate noted that during this period work-related accidents continued at approximately the same level as in the previous year.

Conditions in some sectors, particularly construction, mining, chemicals, and transportation, continued to pose risks for workers. As of July there were 21 work-related deaths, mainly in the transportation sector. In July four miners were killed when a mineshaft collapsed at the Oranovo Mine near Simitli.