

BULGARIA 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

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

Civilian authorities maintained effective control over the security forces.

Human rights issues included physical mistreatment of detainees and convicts by officials; harsh conditions in prisons and detention facilities; corruption, inefficiency, and a lack of accountability in the judicial system; mistreatment of migrants and asylum seekers; corruption in all branches of government; and violence against ethnic minorities.

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

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

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

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

b. Disappearance

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

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

The constitution and law prohibit such practices, but there were reports of government officials employing degrading treatment. A 2017 analysis by the

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

There were reports that police physically mistreated migrants and asylum seekers attempting to cross the border into the country (see section 2.d., Abuse of Migrants, Refugees, and Stateless Persons).

Prison and Detention Center Conditions

Conditions in most prisons were harsh, with problems including violence against inmates by prison staff; overcrowding; prison staff corruption; and inadequate sanitary, living, and medical facilities.

In the report published on May 4 following its visit in 2017, the Council of Europe's Committee for the Prevention of Torture (CPT) noted that interprisoner violence remained a serious problem. The CPT claimed there was a "slight improvement" regarding the severity of alleged mistreatment of persons in police custody, but the number of allegations of physical abuse remained high in police detention centers, migrant detention facilities, and psychiatric establishments.

Physical Conditions: Most prison facilities dated from the early 1900s. In its report the CPT noted "evidence of refurbishment in almost all penitentiary establishments visited" but described the situation in the detention facility in Sliven and the foreign prisoner section of Sofia prison as "totally unacceptable." The CPT identified a "severe problem of generalized infestation" by bed bugs in all penitentiary facilities as well as "inhuman and degrading conditions" in some institutions for persons with disabilities.

The Bulgarian Helsinki Committee identified several additional problems, including poor access to health care and its poor quality wherever available, insufficient access to work, poor working conditions, and prison corruption.

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

The government ombudsman reported cases of police and prison authorities applying excessive force and abusing detainees and prisoners in detention centers and in the prison in Sofia, and a lack of effective administrative response to such abuses. In a report to the justice minister, the ombudsman criticized authorities for their continued unnecessary use of handcuffs despite the ombudsman's recommendation against the practice in 2016-17. According to the report, detention center authorities handcuffed more than 300 detainees during their daily walks.

The Bulgarian Helsinki Committee criticized the prison administration for not performing medical examinations on detainees following reports of police abuse and for rarely punishing offending officers. According to the ombudsman, prison authorities continued to use handcuffs when prisoners were hospitalized in a general hospital, following illegal instructions issued by the heads of the penitentiary institutions.

The ombudsman expressed concern that prison administrations consistently denied prisoners access to education and criticized the lack of adequate light in detention centers, as well as inadequate stocks of bed linen and food, which sometimes left detainees without food for 24 hours. The ombudsman also reported that detention centers for unlawful migrants did not provide adequate accommodation for families with children. The ombudsman criticized conditions in the detention centers for having poor hygiene, poor lighting, high humidity, and inadequate access to fresh air.

Human rights activists accused the prison administration of suppressing the activity of the Bulgarian Prisoner Association, an NGO founded by inmates to advocate for prisoner rights, by confiscating applications for membership and punishing and physically abusing its members.

Administration: Authorities investigated allegations of mistreatment. The prison administration dismissed nearly half of the received complaints as groundless and took action on 12 percent of them. According to the CPT, the prison system suffered serious corruption and staffing issues, particularly with regard to health-care personnel. The Bulgarian Helsinki Committee reported that medical

personnel did not report all cases of violence against prisoners by custodial staff to the prosecution service.

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

Improvements: As of September the government refurbished the prison facility in Vratsa with a separate facility for juvenile offenders, who were moved from Boychinovtsi in mid-August.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The Ministry of Interior is responsible for law enforcement, migration, and border enforcement. The State Agency for National Security, which reports to the Prime Minister's Office, is responsible for counterintelligence, domestic intelligence analysis, and investigating corruption and organized crime. The State Intelligence Agency, under the Council of Ministers, is responsible for foreign intelligence, and the Military Information Service, under the defense minister, is responsible for military intelligence. The National Protective Service is responsible for the security of dignitaries and answers to the president.

Civilian authorities maintained effective control over police and security services. Police and the prosecution service are responsible for investigating security force killings. While the government has mechanisms to investigate and punish abuse and corruption, implementation was inadequate, and impunity was a problem.

Arrest Procedures and Treatment of Detainees

The law says that police normally must obtain a warrant prior to apprehending an individual. Police may hold a detainee for 24 hours without charge, and a prosecutor may authorize an additional 72 hours. A court must approve detention longer than 72 hours. The law prohibits holding detainees in custody without indictment for more than two months if they are charged with misdemeanors; detainees charged with felonies may be held without indictment for eight months, while persons suspected of crimes punishable by at least 15 years' imprisonment may be held up to 18 months without indictment. Prosecutors may not arrest military personnel without the defense minister's approval. Authorities generally observed these laws. According to official information requested by the press, in 2017 through mid-January the Interior Ministry conducted 90 internal investigations of illegal arrest or brutality, resulting in the firing of three police officers, impositions of official censure on 15, official reprimand on 10, and promotion freeze on seven.

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

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

In April anticorruption authorities arrested Sofia's Mladost district mayor Desislava Ivancheva and her deputy Bilyana Petrova and held them in handcuffs on the street for four hours while collecting evidence from their car. The Bulgarian Helsinki Committee questioned the legality of the arrest. Media coverage of the case in August showed Ivancheva with cuffed hands and feet while being taken to the hospital for checks on a pre-existing condition as well as in the courtroom. Human rights activists claimed that although the restraining measures used on Ivancheva and Petrova were not in violation of existing laws and regulations, they were harsher than those commonly used with violent criminals. The Bulgarian Helsinki Committee and the ombudsman further criticized the sanitary and other conditions in the cells where the two were detained.

Arbitrary Arrest: There were reports of arbitrary detention. In September police handcuffed two investigative reporters and their lawyer near the town of Radomir and kept them in detention for nearly seven hours (see section 2.a., Press and Media Freedom). In February 2017 police arrested Rosen Markov, who was protesting in front of the municipality over a business dispute, and evaluated him as insane. In January the Varna Regional Court awarded Markov 0.67 levs (\$1.15) in damages for his three-day forced detention in a psychiatric ward of a hospital.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but corruption, inefficiency, and a lack of accountability continued to be pervasive problems. Public trust in the judicial system remained low because of the perception that magistrates were susceptible to political pressure and rendered unequal justice. In its November cooperation and verification mechanism report, the European Commission noted that “targeted attacks on judges in some media” affected judicial independence and encouraged the Supreme Judicial Council, which is responsible for the administration of the judiciary, to take an active role against such attacks.

According to human rights organizations, the law has low standards of fair trial, creating possibilities for violation of procedural rights of lawyers and defendants.

Trial Procedures

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

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

The constitution and the law give defendants the right to an attorney, provided at public expense for those who cannot afford one. A defense attorney is mandatory if the alleged crime carries a possible punishment of 10 or more years in prison; if

the defendant is a juvenile, foreigner, or person with mental or physical disabilities; or if the accused is absent. Defendants have the right to ample time and facilities to prepare a defense. They have the right to free interpretation as necessary from the moment they are charged through all their appeals. Defendants have the right to confront witnesses, examine evidence, and present their own witnesses and evidence. Defendants are not compelled to testify or confess guilt. The law provides for the right of appeal, which was widely used.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals may file allegations of human rights abuses with courts and with the Commission for Protection against Discrimination, which can impose fines on violators. After all remedies in domestic courts are exhausted, individuals can appeal decisions involving alleged violations of the European Convention on Human Rights by the state to the European Court of Human Rights. Long delays affected civil cases.

Property Restitution

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

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

The constitution and law prohibit such actions. Law enforcement agencies can access electronic data traffic only in cases related to serious crime or national security. In June the parliamentary committee overseeing the work of security services reported that police, prosecutors' offices, and the National Revenue Agency had accessed electronic traffic data illegally. According to the annual report of the National Bureau for Oversight of Specialized Investigative Techniques, the State Agency for National Security repeatedly refused to provide access to wiretapping documentation and interfered in the bureau's oversight function.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law provides for freedom of expression, including for the press, and the government generally respected this right. Concerns persisted, however, that corporate and political pressure, combined with the growing and nontransparent concentration of media ownership and distribution networks, as well as government regulation of resources and support for the media, gravely damaged media pluralism.

The International Research and Exchanges Board's (IREX) *2018 Media Sustainability Index* identified "steadily escalating political pressure on the media" as well as daily "harassment and pressure against journalists and media owners." IREX noted the existence of a deep division of "warring camps" in the media, resulting in smear campaigns and increasing "aggressive propaganda." Reports of intimidation and violence against journalists continued.

Freedom of Expression: The law provides for one to four years' imprisonment for incitement to "hate speech." The law defines hate speech as instigation of hatred, discrimination, or violence based on race, ethnicity, nationality, religion, sexual orientation, marital or social status, or disability. NGOs alleged that the presence of nationalist parties in the government "empowered" supporters to use hate speech regularly.

Individuals generally criticized the government without official reprisal, although a few incidents of reprisals were reported. In April the Smolyan Administrative Court invalidated the Smolyan mayor's unilateral cancellation of the rental agreement evicting the regional newspaper *Otzvuk* from its lawfully rented offices.

The newspaper's publisher, Zarko Marinov, had published a series of articles criticizing the mayor and his administration on the *Pro Veritas* online anticorruption platform.

Press and Media Freedom: The media were active and expressed a wide variety of views. Laws restricting "hate speech" also applied to print media. According to the Reporters without Borders' (RSF) July report on investigative journalism, investigative journalists and media were "followed, intimidated, discouraged through smear campaigns, and labeled 'enemy of the state.'" The report alleged that journalist investigations hit "a wall of silence" due to "corrupt editors and publishers, self-censorship, pressure from the authorities," and owners using media to control or punish the disobedient. RSF's *2018 World Press Freedom Index* reported widespread "corruption and collusion between media, politicians, and oligarchs." Domestic and international organizations criticized both print and electronic media for editorial bias, lack of transparency into their financing and ownership, and susceptibility to political influence and economic incentives.

Violence and Harassment: In May investigative journalist Hristo Geshov, who reported on local corruption as part of the *Pro Veritas* online platform, was beaten outside his home in Cherven Bryag. Geshov told media that he had received threats and was convinced the attack was in retaliation for his investigative reporting. As of November there were no arrests. Also as of November, authorities had not identified the three attackers of television journalist Ivo Nikodimov, who was beaten in July 2017.

On September 13, police handcuffed two investigative reporters and their lawyer near the town of Radomir and kept them in detention for nearly seven hours (see section 1.d., Arbitrary Arrest). The journalists had alerted police to possible destruction of documents implicating companies and government officials in corruption. The ombudsman, the Association of European Journalists, and others criticized the law enforcement authorities for obstructing a journalist investigation, describing the incident as "arbitrary arrest" violating freedom of speech.

Censorship or Content Restrictions: Journalists continued to report editorial prohibitions on covering specific persons and topics, and the imposition of political points of view by corporate leaders. According to the Association of European Journalists, self-censorship was widespread, especially in the smaller regional media.

In June, Nova TV did not broadcast the prerecorded episode of *Milen Tsvetkov's Hour* talk show, which reportedly explored the prime minister's alleged real estate holdings, explaining that the program did not meet standards of objectivity and balance of opinions. The prime minister denied any involvement, suggesting it was a case of "either censorship or self-censorship." Nova TV did not renew Tsvetkov's contract for the talk show in the fall season.

In July the Association of European Journalists protested against an article published in the daily newspapers *Telegraf* and *Monitor*, which called on the national bTV channel to "purge" itself of journalists such as Sunday talk show anchor Svetoslav Ivanov. The attack against Ivanov was in response to questions he had asked a businessperson about his intention to acquire part of national assembly member Delyan Peevski's publishing business, which owned *Telegraf* and *Monitor*. The association noted that such attacks were not unprecedented "in light of Peevski's political and economic influence," and that they could be viewed as "a threat to the journalist and an attempt to pressure the management of the television channel."

Libel/Slander Laws: Libel is illegal and punishable by a fine of 3,000 to 15,000 levs (\$1,700 to \$8,550) and public censure. According to NGOs journalists' reporting on corruption or mismanagement prompted approximately 200 defamation cases per year brought by politicians, government officials, and other persons in public positions. In January journalists in Burgas protested against two decisions of Burgas Regional Court imposing fines of 2,500 levs (\$1,425) each on the online news providers *BurgasInfo* and *BurgasNews* for damaging Petar Nizamov's dignity and reputation. Nizamov, a private citizen and self-proclaimed "migrant hunter" patrolling the border with Turkey for migrants and refugees, had sued the websites for their 2012 reposting of official interior ministry press releases using Nizamov's initials and describing him as a "batterer." In July the Blagoevgrad Regional Court ruled against local municipal councilor Andon Todorov's claim that the online news outlet *Blagoevgrad News* chief editor Marieta Dimitrova's article had discredited him by alleging that he supported the mayor in return for favors. The court dismissed the defamation claim, saying the councilor had failed to prove the facts alleged in the article were untrue.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content. There were reports, however, that the government exceeded its legal authority in monitoring private online communications. In March police

interrogated Olena Kotseva, a citizen of Ukrainian origin, who had made comments on Facebook regarding Russian Patriarch Kiril's visit and expressed "profound indignation at Russian propaganda." Police interrogated her about her online behavior, alleged that her comments posed a risk to national security and threatened to arrest her. Police gave Kotseva a notice instructing her "to refrain from jeopardizing the country's security and breaking the law." Law enforcement officers interrogated more than 25 individuals for expressing negative opinions of the Russian patriarch on social media, accusing them of posing a threat to his security and giving them written notices to "behave." Interior Minister Valentin Radev stated that police would continue to question individuals whose social media behavior is deemed threatening, acknowledging that it was a routine practice for the security services.

According to the International Telecommunication Union, 63 percent of individuals used the internet in 2017.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Association

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

c. Freedom of Religion

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

d. Freedom of Movement

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

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

Abuse of Migrants, Refugees, and Stateless Persons: Human rights organizations continued to report police and societal violence against migrants and asylum seekers, including assaults, beatings, and humiliation at the country's borders and in detention centers and camps. In March two men beat three Eritrean refugees recently relocated from Italy. One of the victims suffered serious injuries and received medical assistance. The Eritrean refugees left the country, and the government dropped the case.

In August the Sofia City Court sentenced Yordan Partalin and Robert Ganev to 10 years in prison each for the 2015 attempted murder of a Cameroonian asylum seeker returning to a refugee center after a trip to the grocery store. The initial indictment treated the attempted murder as a racial and xenophobic act, but those charges were dropped during the trial.

In August the Burgas District Court stated there was not enough evidence that Petar Nizamov, private citizen and self-proclaimed "migrant hunter" (See section 2.a., Libel/Slander Laws) had illegally held three Afghan migrants, and the court acquitted him. Nizamov had been prosecuted based on a 2016 video showing him with three migrants forced to lie on the ground with their hands zip-tied behind their backs.

On several occasions mayors refused to register refugees with recognized status, and local residents protested against refugee attempts to settle in their respective locations.

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

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

Access to Basic Services: The refugee integration ordinance authorizes mayors to sign integration agreements with persons who have refugee status, spelling out the services they will receive--housing, education, language training, health services, professional qualification, and job search assistance--as well as the obligations of the responsible institutions. According to the State Agency for Refugees, refugees were reluctant to sign such agreements, and local governments were reluctant to integrate refugees, especially if they hoped to settle in another European country. As of mid-December only three Syrian families totaling 21 persons had signed integration agreements in Sofia.

In February the Commission for Protection against Discrimination imposed a fine on the mayor of Elin Pelin for using discriminatory language in his February 2017 media statements explaining why he had refused to allow a Syrian family that had been granted humanitarian status to settle in the municipality. The mayor said that "Muslims from Syria are not welcome" and refused to register the family or issue them identity documents.

According to Amnesty International's 2017-18 report released in February, reception conditions for "unaccompanied refugee and migrant children" were inadequate; children were "routinely denied adequate access to legal representation, translation, health services, and psychosocial support."

The State Agency for Refugees complained that asylum seekers damaged reception centers faster than the agency was able to make repairs and improvements.

Durable Solutions: The government accepted refugees for resettlement, offered naturalization to refugees residing on its territory, and assisted in their voluntary return to their homes. On July 20, the national assembly barred the government from signing agreements with other countries on taking back refugees initially granted asylum who subsequently left for another EU country. As of April the country accepted 60 refugees relocated from Greece and Italy.

Temporary Protection: The council of ministers may provide temporary protection in case of mass influx of foreign nationals driven by an armed conflict, civil war, violence, or large-scale human rights violations in their country of origin, as

determined by the Council of the European Union. The government also provided humanitarian protection to individuals who may not qualify as refugees. As of November, the government provided humanitarian protection to approximately 370 persons.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: There were no reports of major irregularities during the snap general elections in March 2017, and most political commentators considered the election free and fair. According to Transparency International Bulgaria, the incidence of voter intimidation and other forms of improper influence increased, while vote buying decreased compared with previous 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 stated that “electoral contestants reached out to the voters freely” and “fundamental rights and freedoms were respected.” The report also observed, “some parties used inflammatory and xenophobic rhetoric, mainly against Roma and Turkish communities.”

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

In the first six months of the year, the prosecution service opened 42 cases related to election fraud and prosecuted seven persons; the court sentenced nine persons. In July anticorruption prosecutors indicted a former national assembly member from the Movement for Rights and Freedoms, Ilia Iliev, for vote buying in the Romani neighborhood in Yambol during the 2014 general elections. Iliev was prosecuted for arranging payments of 20 to 50 leva (\$11 to \$29) per vote.

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

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

In December 2017 the Commission for Protection against Discrimination fined the mayor of Kyustendil, Petar Paunov, 2,000 leva (\$1,140) for committing ethnic discrimination by prohibiting residents of the Romani Iztok neighborhood from participating in a local referendum in 2015.

Section 4. Corruption and Lack of Transparency in Government

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

In January the national assembly passed a law on combating corruption and forfeiture of illicit assets. The law established an anticorruption and asset forfeiture commission authorized to collect and check asset declarations, identify conflicts of interest, and pursue asset forfeiture. In its November report, the European Commission commended the new legislation as “the most significant single step” in the country’s anticorruption reform, noting authorities would “need to show concrete results and build a track record of...final decisions in high-level corruption cases.” According to the Institute for Market Economics, the new law focuses on creating administration rather than introducing new anticorruption tools. NGOs criticized the legislators for providing an administrative body with wiretapping authority.

Corruption: In August the Bulgarian Industrial Association identified corruption as the main factor for the lowest level of foreign direct investments in the last 10 years. Commenting on the government's annual report on public administration, the association criticized the absence of anticorruption measures and the low number of anticorruption training courses conducted in 2017. In January, Transparency International Bulgaria stated there had been no significant progress in the country's anticorruption efforts.

As of July prosecutors pursued 224 prosecutions against 284 persons, and the courts convicted 183 persons, including 131 sentenced to prison terms. In July the Appellate Military Court confirmed the lower court's 2016 ruling sentencing former national intelligence director Kircho Kirov to 10 years in prison for embezzling 5.1 million leva (\$2.8 million).

In September, following the protest of more than 50 NGOs, the ombudsman petitioned the Constitutional Court against changes to the administrative procedure code that increased third-instance appeal fees 14 times for individuals and 70 times for organizations. The NGOs asserted that the amendments impose severe restrictions on the access to administrative justice and control the legality of the acts of the public administration.

As of October an indictment was pending against national assembly member Zhivko Martinov from Dobrich, charged in July 2017 with extortion.

Financial Disclosure: The law mandates that government officials make annual public declarations of their assets and income as well as any circumstances in which they could face accusations of using their position for personal gain. The Commission for Combating Corruption and Forfeiture of Illicit Assets verified and monitored disclosures for all officials except magistrates, whose declarations the Supreme Judicial Council's inspectorate monitored. High-level public officials and magistrates who fail to submit a financial disclosure declaration can incur fines of up to 3,000 leva (\$1,700), and up to 6,000 leva (\$3,400) for a repeat violation; this provision was enforced during the year.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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 national and local government officials. Some political parties, civic movements, and media outlets advocated closing certain NGOs because they obtained funding from foreign donors. According to the local NGO Human and Social Studies Foundation's April 2017 report on antidemocratic propaganda, the number of news articles containing derogatory language discrediting civil movements, civil protests, human rights organizations, and NGOs in general increased 23 times since 2014.

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

As of October the ombudsman had received 17 percent fewer complaints than during the same period in 2017. The majority concerned consumer rights, social assistance programs, and property problems, including forced evictions. Authorities sometimes adjusted their practices and regulations in response to recommendations from the ombudsman.

The Commission for Protection against Discrimination is an independent specialized agency for preventing and protecting against discrimination and ensuring equal opportunity. NGOs criticized the commission for taking on disputes that were not real discrimination while leaving serious cases of discrimination unaddressed. For example, the commission declared that the Ministry of Interior discriminated against police by not replacing their uniforms for three years in a row, while the commission did not recognize references in the media to an accused person's race or ethnicity as incitement to discrimination.

A national assembly permanent committee covers religious denominations and human rights.

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

Women

Rape and Domestic Violence: The law criminalizes rape, and authorities generally enforced its provisions when violations came to their attention. Sentences for rape convictions range up to 20 years in prison. While authorities could prosecute spousal rape under the general rape statute, they rarely did so.

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 courts to impose fines, issue restraining or eviction orders, or require special counseling. Noncompliance with a restraining order may result in imprisonment for up to three years or a fine of 5,000 levs (\$2,850).

On July 27, the Constitutional Court ruled that the Council of Europe's Convention on preventing and combating violence against women and domestic violence (the "Istanbul Convention") contradicts the country's constitution and laws of "the binary nature of humans." The court stated the definition of "gender" in the convention removes the boundaries of the two biologically determined sexes and risks turning efforts to combat violence against women into "a formalistic and unattainable commitment," leaving persons unable to differentiate between a woman and a man.

NGOs voiced growing concerns in the past several years of increasing cases of the killing of women or girls because of their gender. In January, Djebraim Saliev from Okorsh allegedly beat his wife Aishegyul to death. According to the village mayor, Aishegyul had complained frequently of beatings and harassment. As of November, Saliev was in custody and the case was in pretrial phase.

The Animus Association Foundation and other NGOs provided short-term protection and counseling to domestic violence victims in 22 crisis centers and shelters throughout the country. The government funded an NGO-operated 24-hour free helpline that victims could call for counseling, information, and support, as well as to report abuse. Police and social workers referred victims of domestic violence to NGO-run shelters. In April the prosecutor general issued specific step-by-step instructions regarding how prosecutors should respond to reports of domestic violence, death threats, and violations of restraining orders.

Sexual Harassment: The law identifies sexual harassment as a specific form of discrimination rather than a criminal offense, although prosecutors may identify cases in which harassment involves coercion combined with sexual exploitation. If

prosecuted as coercion, sexual harassment is punishable by up to six years in prison.

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

Discrimination: While the law provides women the same legal status and rights as men, women faced some discrimination in economic participation and political empowerment. The law establishes equal opportunities in all spheres of public, economic, and political life; equal access to public resources; equal treatment; exclusion of gender-based discrimination and violence; balanced representation of men and women in decision-making authorities; and overcoming of gender-based stereotypes.

Children

Birth Registration: Citizenship derives from one's parents. The law requires the registration of births within seven days.

Child Abuse: The law protects children against any type of abuse, including physical, psychological, and sexual violence and exploitation, and punishes violators with fines ranging from 300 to 10,000 leva (\$170 to \$5,700), unless they constitute a criminal or more severe administrative offense. Violence against children continued to be a problem. The Social Assistance Agency's child protection departments across the country found 30 percent of alerts received about violence against children to be actionable. The four-year National Program for Prevention of Violence and Abuse against Children (2017-20) identified a growing rate of child victims of violence. It deals with prevention, increasing children's awareness of the child protection system, addressing domestic violence, online abuse, sexual violence, early marriage and childbirth, and school aggression and harassment. The National Program for Child Protection, adopted in April, emphasizes preventing violence against children and continuing the process of deinstitutionalization (see subsection below on Institutionalized Children).

The NGO National Network for Children released its 2017 "report card" in April. The report card found lack of progress in reducing child poverty, systemic problems with child protection, poor interagency coordination, delays in juvenile justice reform, and insufficient support for professionals working with children. 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.

Helpline operators reported a trend of previously reported cases resurfacing with more serious or different types of abuse.

Early and Forced Marriage: The minimum age for marriage is 18. In exceptional cases a person may enter into marriage at 16 with permission from the regional court. NGOs criticized authorities for treating early marriages as an ethnic Romani rather than a gender problem but acknowledged that child marriage was pervasive in Romani communities.

Sexual Exploitation of Children: The law differentiates between forcing children into prostitution, for which it provides for up to eight years' imprisonment and a fine of up to 15,000 leva (\$8,550), and child sex trafficking, for which it provides up to 10 years' imprisonment and a fine of up to 20,000 leva (\$11,400). The law prohibits child pornography and provides for up to six years in prison and a fine of up to 8,000 leva (\$4,560) for violations. The authorities enforced the law. The legal minimum age for consensual sex is 14.

Displaced Children: As of September, 160 unaccompanied minors sought asylum, a nearly 50 percent drop from 2017 and more than 90 percent from 2016. In December 2017 the ombudsman petitioned the Supreme Administrative Court to impose uniformity in court practices which, according to her, applied different standards in determining whether migrant children were unaccompanied and routinely placed children so designated in detention centers for irregular migrants.

Institutionalized Children: The government continued to close residential care institutions for children, and on September 1 launched the last stage of its deinstitutionalization strategy, which aims to close all institutions by 2025 and replace them with community-based care. In July the government closed the medical and social care home in Vratsa, which at the end of 2017 accommodated three children--down from 89 in 2009. NGOs reported abuse in the new family-type placement centers. Media reports and videos of personnel abusing children with disabilities in family centers in Gabrovo in January and a correctional boarding school in Borovan in February prompted a discussion between authorities and NGOs, resulting in a joint plan of measures, including training 6,000 child-care workers and improving coordination.

In December 2017 the Committee against Torture of the UN Office of the High Commissioner for Human Rights expressed "grave concern" about "the absence of investigations into the deaths of 238 children with mental disabilities who died in the period 2000-10" and "dismay by the statement that 22 inspections of the

institutions in question did not establish inhuman treatment of children by the personnel of the specialized institutions.” The government inspected the institutions and the new centers, uncovering malpractice and mistreatment of the children placed in them and issuing instructions for correcting them.

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

Anti-Semitism

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

Anti-Semitic rhetoric continued to appear regularly on social networking sites and as comments under online media articles. The Organization of Bulgarian Jews Shalom indicated that during the year there were no violent acts of anti-Semitism, but that there was a wave of anti-Semitic sentiments, enabled by the presence of “far-right and ultranationalist” political parties. One of those wrote, “Those dirty Jews who...for 600 years have been trying to destroy us. In the end they might succeed.” Shalom reported that children of Jewish origin faced anti-Semitism in school. Souvenirs with Nazi insignia were available in tourist areas around the country.

In February a rally took place in Sofia in honor of Hristo Lukov, leader in the 1940s of an anti-Semitic and pro-Nazi organization, the Union of Bulgarian National Legions. The government, NGOs, international organizations, and diplomatic missions denounced the rally. Sofia mayor Yordanka Fandakova had banned the march in 2017, but the Sofia Administrative Court overturned the ban. The Foreign Ministry condemned the event in declarations issued before and after the event, calling it a “shameful act” and a “demonstration of xenophobia, discrimination, and hatred.” Shalom, the online human rights platform *Marginalia*, and the Sofia Municipality cohosted a conference titled “Sofia Says No to Hate Speech and Extremism” a few days before the rally, gathering government representatives, NGOs, academics, students, and diplomats to discuss rising nationalism, intolerance, and anti-Semitism, to make a clear statement against extremism, and to explore possible avenues for engaging the public in the spirit of tolerance.

On November 29, the country became the 32nd full member of the International Holocaust Remembrance Alliance.

In May, Shalom described an exhibition portraying the pro-Nazi government of King Boris III and Bogdan Filov as rescuing Jews during the Holocaust as “provocation” and “distortion of history.” Speaking to a television reporter at the opening of the exhibition, then deputy prime minister Valeri Simeonov blamed the rescued Jews for subsequently executing their rescuers after becoming part of the communist government.

As of November authorities had not identified the perpetrators who in September 2017 knocked down gravestones and broke grave slabs at the Jewish Cemetery in Sofia.

In October the Jewish organizations Shalom and B’nai B’rith protested the Ministry of Defense’s initiative to award a medal to Dyanko Markov, a member of the Union of Bulgarian National Legions that supported the deportation of Jews during World War II. In December the Sofia City Court exonerated *Marginalia* journalist Yuliana Metodieva in a libel lawsuit filed by Markov for describing Markov in an article as a “prominent anti-Semite.”

On September 11, national coordinator on combating anti-Semitism Georg Georgiev, Sofia mayor Fandakova, and Shalom president Alexander Oscar signed a Manifesto for Tolerance and launched an initiative promoting Sofia as a city of tolerance and wisdom. The first event under the initiative took place on September 16, when volunteers cleaned facades of hate graffiti.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, but the government did not effectively enforce these provisions. The government focused most of its efforts on providing disability pensions, social services, and institutional care. According to the ombudsman, the laws and regulations on

persons with disabilities were outdated, lacked a patient-centered approach, and needed comprehensive reform.

In December the national assembly passed the Persons with Disabilities Act and Personal Assistance Act, which are intended to reform the social support system and provide adequate funding for persons with disabilities. The new legislation was conceived after a six-month, tent-camp protest by mothers of children with disabilities demanding changes in disability assessments, personal assistance, and financial aid. The laws provide for individual evaluation and increased budget for personal assistants. They make local governments responsible for providing personal assistance services and the central government for disbursing and monitoring the funding for such services. In October the protesters demanded the resignation of Deputy Prime Minister Valeri Simeonov, who had accused the “shrill mothers” of pursuing an ulterior political agenda and suggested that they stay home if their children were “truly sick.” Simeonov resigned in November.

In September a group of NGOs and activists issued a declaration alleging that the Agency for Persons with Disabilities had reported “downright lies and half-truths” at the 20th session of the UN Committee on the Rights of Persons with Disabilities and called on its chairman to report back to the committee with correct information. According to the NGOs, and contrary to the report, there was no deinstitutionalization, children and young persons were not integrated in the education system, the system did not provide for personal assistants, and public areas and transportation were not accessible.

While the law requires improved access to public and transportation infrastructure for persons with disabilities, enforcement lagged in some new public works projects and existing buildings. Beginning in December 2017, the Commission for Protection against Discrimination conducted a nationwide inspection campaign of public buildings, utility providers, telecom operators, banks, and insurance companies. Those in compliance with the law for persons with disabilities received certificates; the rest were fined from 2,000 levs to 20,000 levs (\$1,140 to \$11,400).

The law promotes the employment of persons with disabilities and covers 30 to 50 percent of the employers’ insurance costs, in addition to the full costs of adjusting and equipping workplaces to accommodate them. On August 15, the government launched a 24-month program of subsidies for employers who hire persons with more than 75 percent disability. The Bulgarian Helsinki Committee concluded,

however, that the government did not provide real opportunities for professional training or employment.

Individuals with mental and physical disabilities were widely stigmatized and often housed in institutions under harsh conditions in remote areas. According to NGOs, the government did not provide adequate medical care for all persons with mental disabilities. Less than 1 percent of all persons with disabilities had access to medical, social, and psychological support in day centers around the country.

The Ministry of Education transformed most of the 55 “special schools” for students with special education needs into education support centers, leaving only five special schools with approximately 700 students with sensory and hearing disabilities. Most of the remaining approximately 18,200 students with special education needs, attended mainstream schools. Those studying in the special schools received diplomas that higher-level learning establishments did not recognize as qualifying them for further education.

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

National/Racial/Ethnic Minorities

Human rights organizations reported a persistent level of racial discrimination against Roma. The media often described Roma and other minority groups using discriminatory, denigrating, and abusive language, highlighting instances in which Romani persons had committed a crime. Nationalist parties, such as Ataka, the Internal Macedonian Revolutionary Organization, and the National Front for Salvation of Bulgaria, routinely resorted to strong anti-Romani, anti-Turkish, and anti-Semitic slogans and rhetoric. According to an Open Society Institute study released in June, Roma were the target in 81 percent of incidents of hate speech.

In October 2017 the Burgas Regional Court convicted Deputy Prime Minister Valeri Simeonov for abusive and degrading statements against Roma he made in 2014 while he was a national assembly member, ordering him to cease his breach-of-law behavior and refrain from similar infractions in the future. NGOs accused the government of being unwilling to address anti-Romani attitudes and hate

speech and criticized the appointment of Simeonov as deputy prime minister in charge of ethnic integration.

There were few prosecutions for hate crimes, and sentences were often short or suspended for those convicted. As of July prosecutors had opened 17 hate-crime investigations during the year and pursued one indictment against one person; the courts issued three convictions, including two prison sentences. On May 12, a Rom, Mitko Boyanov, died in a hospital in Shumen from stab wounds. Boyanov and his older brother had argued with Veliko Lefterov, who had demanded that they stop speaking in Romani. In the ensuing scuffle, Lefterov stabbed Boyanov. As of November, Lefterov was in custody awaiting indictment.

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

The law prohibits ethnic segregation in multiethnic schools and kindergartens but allows segregation of entire schools. Of Romani children, 30 percent (up from 16 percent five years earlier) were enrolled in segregated schools outside mainstream education, according to the European Roma Rights Center. Romani children often attended de facto segregated schools where they received inferior education. There were instances of ethnic Bulgarian students withdrawing from desegregated schools, thereby effectively resegregating them. Romani NGOs reported that many schools throughout the country refused to enroll Romani students. In June a school in Blagoevgrad announced that it would not enroll Romani students in first grade and ended with no first-grade students. The school director explained that the school had become segregated and she wanted to reverse that trend to comply with the legal prohibition.

According to the Bulgarian Helsinki Committee, Romani women were routinely segregated within maternity hospital wards.

NGOs identified an overall rise in the occurrence of hate speech and hate crimes. On September 29, soccer hooligans beat black British citizen Leon Koffi severely in the immediate vicinity of the Ministry of Interior. Koffi sustained serious injuries and required treatment in the hospital for two weeks. According to the

Bulgarian Helsinki Committee, the circumstances of the case indicated it was racially motivated. As of November the case was under investigation.

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

The law prohibits discrimination based on sexual orientation and gender identity, but the government did not effectively enforce this prohibition. No laws protect against hate crimes based on sexual orientation and gender identity. NGOs asserted that authorities often refused to investigate and prosecute homophobia and transphobia because they are not recognized by law as crimes. According to the June Open Society Institute study, the number of hate speech incidents directed at lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons doubled compared with 2016 (from 21 to 42 percent). In February a survey of LGBTI persons conducted by the GLAS Foundation revealed that 73 percent of respondents had received threats due to their sexual orientation, with 60 percent of the threats occurring in schools. Fifteen percent were victims of assault, but none reported the incident to police due to fear of police harassment and lack of trust that the report would be properly investigated.

While reports of violence against LGBTI persons were rare, societal prejudice and discrimination, particularly in employment, remained a problem. According to the youth LGBTI organization Deystvie, courts rejected the right of same-sex partners to protection against domestic violence. On June 29, the Sofia Administrative Court ruled in favor of the right of residence in the country of a partner in a same-sex couple who was not an EU citizen. As of October the Migration Directorate, which approves residence permits, was appealing the decision in the Supreme Administrative Court.

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

In May the organizers of a Gender Bender Drag Show in Plovdiv were forced to cancel the event due to more than 150 threats received by the venue owners.

In September a gay couple was assaulted in downtown Varna by four men who had taunted and bullied the couple on their way to a restaurant.

HIV and AIDS Societal Stigma

According to the government's national program for HIV and sexually transmitted disease prevention and control, "despite the enormous medical progress in HIV treatment, little has been achieved in terms of overcoming the stigma and discrimination [associated with HIV]. Negative societal attitudes have a strong impact on persons with HIV/AIDS."

In March a survey commissioned by NGO Health Without Borders indicated that 75 percent of persons would not befriend persons with HIV/AIDS, and only 31 percent would communicate with such persons. According to NGOs the general stigma around sexual orientation and gender identity frequently resulted in denial of health services to persons living with HIV/AIDS.

Other Societal Violence or Discrimination

The Bulgarian Helsinki Committee reported that certain print and online media increasingly targeted human rights activists, lawyers, and journalists and deliberately covered the organization's press releases in a distorted way to portray it as treacherous, biased, and anti-Bulgarian. Bulgarian Helsinki Committee staff also reported receiving frequent threats.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent labor unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination, provides that workers may receive up to six months' salary as compensation for illegal dismissal, and provides for the right of the employee to demand reinstatement for such dismissal. Workers alleging discrimination based on union affiliation can file complaints with the Commission for Protection against Discrimination, which received three such complaints as of October.

There are some limitations on these rights. When employers and labor unions reach a collective agreement at the sector level, they must obtain the agreement of

the minister of labor to extend it to cover all enterprises in the sector. The law prohibits most public servants from engaging in collective bargaining. The law also prohibits employees of the Ministries of Defense and Interior, the State Agency for Intelligence, the National Protection Service, the courts, and prosecutorial and investigative authorities from striking. Those employees are able to take the government to court to provide due process in protecting their rights.

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

Authorities did not always respect freedom of association and the right to bargain collectively. Labor unions continued to report cases of employer obstruction, harassment, and pressure on employees, including 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. In July three physicians from Plovdiv filed a lawsuit against the local polyclinic management claiming that they had been fired for establishing a labor union. They also alleged they had been receiving below-minimum salaries whereas, per the collective bargain agreement, they should have been paid twice the minimum salary. The polyclinic management responded that it had decided to cut the physicians' positions long before they established the union organization.

Union leaders said that the government did not effectively enforce the labor law. They complained that fines of 250 to 2,000 leva (\$143 to \$1,140) in discrimination cases and compensation of up to six months' gross remuneration for cases of unlawful dismissal were not strong deterrents to antiunion discrimination, especially for large or highly profitable enterprises. They also claimed the law does not effectively protect against interference by employers in labor union activities. In its annual labor rights report issued in June, the Confederation of Independent Trade Unions of Bulgaria saw an increase in antiunion activity by senior national and local government officials.

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

In April amendments to the law gave the General Labor Inspectorate, an executive agency under the minister of labor and social policy, the authority to initiate bankruptcy proceedings against employers who owed more than two months' wages to at least one-third of their employees for three years. As a result, as of September approximately 80 companies started paying regular remuneration to avoid the risk of bankruptcy.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but the government did not enforce it effectively. Penalties for violations ranging from two to 15 years in prison were not sufficiently stringent to deter violations. The government lacked sufficient resources to cope with the growing number of cases of international labor trafficking, while labor inspectors lacked the legal authority and sufficient training to identify and pursue cases of forced labor. According to the EU Agency for Fundamental Rights, the country's institutions focused exclusively on human trafficking cases and failed to identify and prosecute cases of severe labor exploitation unless it fell under trafficking. The government, through its central and local antitrafficking commissions, held forced labor prevention campaigns and training sessions for magistrates, law enforcement officers, and volunteers. Law enforcement officials did not have adequate capacity to investigate forced labor cases, and investigations took a long time.

There were some reports of families or criminal organizations subjecting children to forced work (see section 7.c.). According to the Agency for Fundamental Rights, "children and adults with disabilities are forced into street begging and petty theft." As of July the prosecution service reported 42 cases of trafficking in persons for the purpose of labor exploitation, noting a significant increase from 2017. NGOs claimed government mechanisms for identifying victims among at-risk groups, such as asylum seekers, were not sufficiently robust.

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

Employment of children without a work permit is a criminal offense punishable by up to three years in prison and a fine of 1,000 to 8,000 leva (\$570 to \$4,560). Penalties were generally sufficient to deter violations, but children living in

vulnerable situations, particularly Romani children, were exposed to harmful and exploitative work in the informal economy, mainly in agriculture, tourism, retail, and domestic work.

The law sets the minimum age for employment at 16 and the minimum age for dangerous work at 18. The government considered occupations hazardous for children if they are beyond their physical or psychological abilities; expose them to harmful agents or radiation; have a harmful effect on their health; take place in conditions of extreme temperature, noise, or vibration; or expose children to hazards that they cannot comprehend or avoid due to their incomplete physical or psychological development. To employ children younger than age 18, employers must obtain a work permit from the government's General Labor Inspectorate. Employers can hire children younger than 16 with special permits for light work that is not risky or harmful to the child's development and does not interfere with the child's education or training. The General Labor Inspectorate was generally effective in inspecting working conditions at companies seeking and holding child work permits and applying sanctions regarding child labor in the formal sector.

The General Labor Inspectorate reported a 15 percent increase in child employment, mainly due to a lack of better-qualified workers and an increase in job openings in the tourist industry. As of November the inspectorate granted 7,529 requests to employ children who were 16 or 17, and 193 requests to employ children younger than age 16. In 2017 the inspectorate uncovered 95 cases of child employment without prior permission and referred six of them to the prosecution service.

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

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

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in employment and occupation with regard to nationality, ethnicity, sex, sexual orientation, race, color, age, social origin, language, political and religious beliefs, membership in labor unions and civil

society organizations, family and marital status, and mental or physical disabilities. Although the government usually effectively enforced these laws, discrimination in employment and occupation occurred across all sectors of the economy with respect to gender, sexual orientation, disability, and minority status. According to the Commission for Protection against Discrimination, the majority of discrimination complaints received during the year related to employment, predominantly concerning persons with disabilities.

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

The law requires equal pay for equal work. In April the Commission for Protection against Discrimination reported that men received 15.4 percent more pay than women for work in the same position, and there were twice as many men as women with well paid jobs. According to the same report, women were more frequently subjected to workplace discrimination than men. As a result of the gender pay gap, according to the National Statistical Institute, women received 38 percent lower pensions.

Workplace discrimination against minorities continued to be a problem. Locating work was more difficult for Roma due to general public mistrust, coupled with the Roma's low average level of education. According to the National Statistical Institute, 44 percent of Roma with a high-school education lived in poverty, compared with 21 percent of Turks and 7 percent of ethnic Bulgarians.

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

e. Acceptable Conditions of Work

The national minimum wage was lower than the government's official poverty line. The Confederation of Independent Trade Unions of Bulgaria reported that 31 percent of citizens lived under the poverty line.

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

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

The Ministry of Labor and Social Policy is responsible for enforcing both the minimum wage and the standard workweek. The law penalizes labor violations with fines ranging from 1,500 to 15,000 leva (\$855 to \$8,550), which, according to labor unions, failed to act as a deterrent. In addition to fines, penalties may include administrative provisions, such as suspending operations and terminating the employment of those responsible for the violation. As of November the General Labor Inspectorate conducted nearly 37,000 inspections of companies covering more than 1.5 million employees, identifying more than 135,000 violations and imposing various sanctions, including collecting nearly 12 million leva (\$6.84 million) in fines.

Each year the government adopts a program that outlines its goals and priorities for occupational safety and health. The General Labor Inspectorate, which had 28 regional offices, is responsible for monitoring and enforcing occupational safety and health requirements. Persons who violate safety and health regulations are subject to a fine of 100 to 500 leva (\$57 to \$285), employers to a fine of 1,500 to 15,000 leva (\$855 to \$8,550), and employing officials to a fine of 1,000 to 10,000 leva (\$570 to \$5,700). Of the violations identified by the inspectorate, nearly 50 percent involved safety and health requirements. According to the labor inspectorate, its activity over the past several years had increased compliance, with 98 percent of inspected companies in compliance with occupational safety and health requirements.

Legal protections and government inspections did not cover informal workers in the grey-market economy, which accounted for more than a quarter of the country's gross domestic product. In July the Bulgarian Industrial Capital Association stated that the grey economy had shrunk significantly over the past three years. In September the Confederation of Independent Trade Unions of Bulgaria stated that benefits for employees in the informal economy worth between one and two billion levs (\$570 million to \$1.14 billion) per year remained unpaid, and called for stricter enforcement of the law and punishment of the offending employers.

Conditions in sectors such as construction, mining, chemicals, and transportation continued to pose risks for workers. The number of work-related accidents registered in the first six months of the year decreased slightly. Equipment and technology safety violations were the most common causes of occupational accidents. The government strictly enforced the law requiring companies to conduct occupational health and safety risk assessments and to adopt measures to eliminate or reduce any identified risks. Some 94 percent of the companies inspected in 2017 had such risk assessments, and 98 percent of them had programs for elimination of the identified risks.

As of October there were 60 work-related deaths, mainly in the construction and transportation sectors.