



2008 Human Rights Report: Bulgaria

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

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The Republic of Bulgaria is a parliamentary democracy with a population of approximately 7.6 million. Legislative authority is vested in the unicameral National Assembly (Narodno Sabranie). The country is ruled by a coalition government headed by a prime minister. Presidential elections held in 2006 were deemed generally free and fair. Municipal elections held in October 2007 were marred by reports of unprecedented vote buying. While civilian authorities generally maintained effective control of law enforcement organizations, there were some instances in which law enforcement officers acted independently.

The government generally respected the human rights of its citizens; however, there were problems in several areas. Problems included police abuse, including beatings and other mistreatment of pretrial detainees, prison inmates, and members of minorities; harsh conditions in prisons and detention facilities; arbitrary arrest and detention; and impunity. There were increasing limitations on freedom of the press; discrimination against nontraditional religious minorities; and widespread corruption in the executive, legislative, and judicial branches of government. Other problems included violence against women and children, substandard education for Romani children; harsh conditions in state-run institutions for children; trafficking in persons; discrimination against persons with disabilities; and discrimination against minority groups.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings.

On October 2, following two appeals of earlier decisions, the Sofia military court sentenced former Blagoevgrad head of police Miroslav Pissov to 18 years' imprisonment and former officers Ivo Ivanov, Boris Mehandzhijski, Georgi Kalinkov, and Yanko Grahovski each to 16 years for beating to death Angel Dimitrov while arresting him in 2005.

b. Disappearance

There were no reports of politically motivated disappearances.

During the year there was an increase in ransom kidnappings involving wealthy businessmen and their families. Observers criticized the government's inability to prevent or solve these cases. On May 22, in one notorious case involving a soccer club manager, the manager's wife was also kidnapped when she went to pay the ransom while under police surveillance. The victims were subsequently released but the perpetrators were not identified.

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

The constitution and law prohibit such practices; however, police sometimes beat criminal suspects, particularly members of minority groups.

Police can stop and detain persons for 24 hours without formally charging them. Human rights observers noted a continuing decline in the number of cases where police arrested suspects for minor offenses and physically abused them to force confessions. However, there were reports that this practice continued to be more widely used with Romani suspects. Nongovernmental organizations (NGOs) reported complaints of police brutality from Romani victims who were too intimidated to lodge official complaints with authorities.

Human rights groups continued to claim that medical examinations in cases of police abuse were not properly investigated and that offending officers were very rarely punished.

Prison and Detention Center Conditions

Prison conditions generally did not meet international standards, and the government did not allocate funds to make significant improvements.

Conditions in some prisons remained harsh and included inadequate toilet facilities and insufficient heating and ventilation. The daily food allowance amounted to approximately 1.80 leva (approximately \$1.30). NGOs received complaints from prisoners about both the quality and quantity of food.

Overcrowding remained a problem. At year's end there were 10,271 prisoners in the country's 13 prisons, a decrease compared to the previous three years, but still estimated by the Ministry of Justice to be three times the system's intended capacity. NGOs received complaints from prisoners about insufficient space and considered this a major factor contributing to brutality among inmates.

Guards' mistreatment of inmates continued to be a problem. There were also increased reports of fights and mistreatment among the inmates themselves. Citing financial constraints, prison authorities acknowledged difficulties diagnosing and treating the increasing numbers of drug dependent inmates and limiting their access to narcotics. According to the Bulgarian Helsinki Committee (BHC) at least three prisoners died in 2007 from overdoses. In 2007 the diagnosis of 27 prisoners with HIV/AIDS posed a new challenge to the prison healthcare system.

During the year the European Court of Human Rights (ECHR) issued decisions finding that the government had violated the rights of prisoners due to substandard prison conditions. In response to previous rulings, the government took some measures to improve detention center conditions since 2005. On February 7, the ECHR ruled against the government in a 1999 case in which Stefan Kostadinov was held for five months in a basement cell for 24 hours a day. Kostadinov had no exposure to natural light and was unable to undertake physical activity. On July 31, the ECHR again ruled against the government in a 1998 case in which Sofia police held Vasil Petrov in a jail cell overnight, with his hands handcuffed to a pipe above his head. During his detention, police hit Petrov with a truncheon and kicked him.

Prisoners exercised the right to report substandard conditions to the prison administration, the ombudsman and the court system. During the year, prisoners filed more than 500 cases against the state with the local courts, claiming poor condition and denied access to essential rights. According to the prison authorities, prisoners largely viewed the appeal as way to get out of the prison in order to appear in court. Authorities alleged prisoners often made

unjustified complaints, such as to receive massages or personal television sets. In response to the significant increase in the overall number of suits filed by prisoners, the prison administration in Varna made premises available for judges to hear the cases in the prison building.

At year's end there were 952 detainees in the country's 45 pretrial detention centers. Despite some infrastructure improvements in several centers, there were serious problems with sanitation.

Foreign prisoners were held in a separate prison building in Sofia to provide easier access to consular services from diplomatic missions.

The government generally permitted independent monitoring of prison conditions by independent observers, and visits took place during the year. On December 15-18, the Council of Europe's Committee for the Prevention of Torture conducted an ad hoc visit to review the country's progress on implementing the committee's previous recommendations, focusing on treatment of persons detained by police, the situation of foreign nationals in custody, and conditions of detention in investigation detention facilities and prisons. BHC conducted periodic visits during the year.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, there were reports that police at times ignored these prohibitions.

Role of the Police and Security Apparatus

The National Intelligence Service and the National Protective Service, which are directly subordinate to the president, continued to operate in the absence of specific legislation that provided judicial, executive and legislative oversight. Other law enforcement and national security bodies launched reforms during the year.

In December 2007 parliament formed the new State Agency for National Security (DANS) by combining a number of security services previously overseen by individual ministries. DANS' primary mandate was counterterrorism and counterintelligence, and it was also responsible for fighting serious organized crime and high-level corruption. During the year media and NGOs criticized DANS for the apparent politicization of high-profile disputes in the agency that led to the dismissal and resignation of several senior civil servants.

In April Interior Minister Rumen Petkov resigned under political pressure after the leak of reports of his late 2006 meeting with organized crime figures, allegedly to broker a peace deal between warring gangs on the eve of the country's January 2007 accession to the European Union (EU). Petkov's resignation prompted the government to overhaul the ministry, which is responsible for internal law enforcement. Ongoing structural changes, successive scandals, and low salaries significantly challenged the ministry's officers' morale, leading police officers to engage in symbolic protests to show their dissatisfaction.

During the year public confidence in the Interior Ministry remained low and the Center for the Study of Democracy (CSD) reported that almost 50 percent of crimes went unreported due to lack of trust in law enforcement authorities. From 2006 to 2007, the ministry reported a decrease in the number of crimes from 123,000 to 119,000. The CSD's victimization surveys, however, indicated that the actual number of crimes was six times greater than the ministry figures suggested. A 2006 survey reported that police failed to treat one in four persons they stopped with professionalism and respect and that they consistently treated members of ethnic minorities worse than members of the ethnic majority.

Impunity remained a problem. The military court system adjudicated all complaints involving Interior Ministry and military personnel. The Sofia military appellate court is the court of final appeal for cases involving interior ministry personnel. NGOs claimed that military judges were vulnerable to executive branch influence, as the defense minister technically had the power to confirm their appointment as well as to promote and demote them in military rank; however, there were no specific reports of outside pressure during the year. Public debate continued over the need for separate court systems for Interior Ministry and military personnel.

Arrest and Detention

While the law does not always require warrants for an arrest, police normally obtained them from a prosecutor prior to apprehending an individual. If police release a detainee within 24 hours without being charged, no judicial involvement in the case is required. While investigators and police officers lack the authority to detain an individual for over 24 hours, a prosecutor could authorize detention for up to 72 hours without bringing charges. Prosecutors could not arrest military personnel without the defense minister's approval.

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

Although the law provides for access to legal counsel from the time of detention, lack of timely access to legal counsel remained a problem. Poor knowledge of the law often resulted in police failure to inform detainees of this right. The law provides state-funded legal aid for low income defendants in criminal cases, but lack of coordination between the police, local bar council, and the national legal aid bureau hindered the program's implementation. Detainees were generally informed promptly of the charges against them; however, they were not always informed of all of their rights under the law.

The government generally observed the statutory limit of one year for pretrial detention and two years for the most serious crimes. In the event of a conviction, time spent in pretrial detention was credited toward the sentence.

Long delays awaiting trial were common, and investigators and police continued to struggle with a large backlog of outstanding investigations. Tough statutorily mandated time limits to complete investigations often resulted in hasty indictments that were returned by judges for additional investigation.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, political influence, widespread corruption, inefficiency and lack of accountability were problems.

The country's judicial system is governed by an independent 25 member Supreme Judicial Council, which has powers to appoint, discipline, and dismiss judges, prosecutors, and investigators. An inspectorate operates under the council to investigate complaints of judicial misconduct and recommend disciplinary action to the council. Observers noted that these bodies were slow in establishing their authority and addressing the high expectations for implementing internal discipline in the system.

Cases are reviewed through a three-tier court system, which consists of regional courts, district courts (which act both as trial and appeals courts), appellate courts, and the Supreme Court of Appeals and the Supreme Administrative Court. Administrative courts hear citizens' appeals of actions taken by the central and local government. The Constitutional Court, which is separate from the judiciary, rules on the constitutionality of laws, settles election disputes, and resolves division of powers conflicts among government branches.

Judicial backlogs remained a serious problem, although observers noted some modest improvement in efficiency

and in implementation of time standards in selected courts. In March a new civil procedure code took effect which significantly reduced opportunities for continuances, which were quite common under the old regime. Long delays awaiting criminal trial were common, and investigators and police continued to struggle with a large backlog of outstanding investigations. After assuming office in 2006, the Prosecutor General ordered an internal audit of all backlogged cases. Prosecutors continued to implement the audit's recommendations and dismissed criminal charges in over 118,000 cases during the first half of the year because the statute of limitations had expired in those cases.

The courts often acceded to defense counsel requests to delay hearings in order to avoid sentencing, with particularly notorious cases of alleged organized crime bosses excused for reported sudden illness.

Prosecution service reforms initiated in 2006 continued and investigations of eight prosecutors suspected of abuse of office were ongoing. However, observers believed that political influence and widespread corruption impeded efforts to establish a fair, impartial, and efficient judicial system.

Trial Procedures

The law stipulates that all court hearings be in public unless proceedings could reveal national secrets, endanger public morals, or violate the privacy rights of juvenile defendants; authorities generally respected this provision. Defendants enjoy a presumption of innocence; they have the right to know the charges against them, to free legal representation if they are indigent, and to have ample time to prepare a defense. A defense attorney is mandatory if the alleged crime carries a punishment of 10 or more years in prison or if the defendant is a juvenile, a foreigner, a person with mental or physical disabilities, or is tried in absentia. Defendants in criminal proceedings have the right to confront witnesses, to examine evidence, and to present their own witnesses and evidence. The law provides for the right of appeal, which was widely used.

Defendants have the right to be present at trial. Although there are no juries, in cases involving more serious crimes, the judge is joined at the trial by two assessors, or lay judges, who are ordinary citizens chosen to serve as representatives of the public. If a crime entails imprisonment for more than 15 years, two judges and three assessors hear the case. In such circumstances verdicts are determined by majority vote of panel members.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters; however, civil cases were plagued by the same long delays as criminal cases. Allegations of human rights abuses may be filed with courts and also with the Commission for Protection against Discrimination, which may impose sanctions on violators. Reforms initiated in 2006 in the enforcement of court judgments allowed private enforcement agents to collect claims, greatly improving the efficiency of collection.

Property Restitution

The Jewish community reported continued difficulties recovering properties in cases where such properties were being used by government entities. For example, despite court decisions in its favor, the Jewish community was unable to take possession of a state-run hospital in central Sofia.

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

The constitution and law prohibit such actions, and the government generally respected these provisions in practice.

In September and October there were media reports that, during an official investigation, DANS may have obtained telephone records and possibly voice recordings of calls by members of parliament and journalists. On October 10, DANS officially admitted that it violated its own internal regulations by monitoring journalists, including possibly obtaining telephone data and voice recordings, while investigating leaks of classified information to the media. According to the DANS chairman, the surveillance of journalists was unjustified and was unrelated to the true purpose of the investigation. The DANS chairman also denied personal responsibility for the transgressions, and stated that the investigation was improperly authorized by subordinates during the chairman's short absence in August. Parliamentarians and the media spoke out forcefully against the apparent abuse of power.

On December 15, parliament passed a law reforming the country's secret surveillance system. In June 2007 the ECHR ruled that secret surveillance was overused and the law did not provide adequate safeguards against the risk of abuse. The court noted the law's failure to provide an independent review of the implementation of surveillance measures or procedures to verify preservation of confidentiality of collected information and its destruction after use. Unless criminal proceedings had been subsequently instituted, the law did not require subjects of surveillance to be informed that their communications were monitored. This rendered subjects of such monitoring unable to seek any redress.

Responding to a letter from the ECHR, municipal authorities in Sofia halted demolition of Roma housing planned for July 11. The letter came in response to a complaint filed by the BHC in 2006 when authorities first began demolishing the housing, alleging that the construction was illegal. The ECHR requested that the authorities provide information about how they plan to relocate the residents, especially children and persons with disabilities.

NGOs reported that in poor, rural areas of the country, local authorities denied government services including employment and scholarships to individuals who lacked proof of membership in local ruling political parties.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights in practice; however, there were increased reports that individuals with political interests threatened and intimidated journalists. NGOs reported that significant numbers of journalists practiced self-censorship due to pressure by political and business leaders and organized crime on the journalists or their management. Some journalists allegedly accepted payments in return for positive coverage of politicians, prominent businessmen, and organized crime syndicates. International organizations criticized increased political influence over media, pressure from powerful economic interest and attacks against journalists.

Individuals criticized the government freely without reprisal, and the government generally did not attempt to impede criticism. In rural areas offering fewer employment opportunities, individuals were more hesitant to criticize local governments.

A variety of newspapers were published freely by political parties and other organizations representing the full spectrum of public opinion. Private television and radio stations provided a variety of news and public interest programming. Although the state-owned media presented opposition views, observers believed that the law was inadequate to protect their programming independence and left these media vulnerable to government pressure. In May 2007 one journalist from the Bulgarian National Radio (BNR) received a dismissal warning for reportedly asking

an inappropriate question to the interior minister. Later in 2007 the new BNR director removed several managers from their positions without explanation.

On April 7, two unidentified men shot Georgi Stoev, tabloid commentator and author of reality-based fiction about the criminal underworld. An investigation into his murder was ongoing at year's end.

On September 5, police arrested Frognews Web site administrator Yorgo Petsas, and DANS officials questioned him for seven hours on suspicion that Frognews was affiliated with the Web site opasnite.net. The latter site, which published critical speculation about the government, was closed on September 4, reportedly for publishing classified information. On September 23, four men severely beat and critically injured Frognews editor in chief Ognian Stefanov. High-level government officials and international organizations criticized the attack and called for a full investigation. Following the incident, Frognews editors complained of multiple death threats.

On September 7, the Defense Ministry halted printing of the first issue of the weekly newspaper Bulgarian Army, reportedly for technical reasons. The chief editor of the newspaper refuted the ministry's justification and charged that the minister, who was the head of the newspaper's publishing company, objected to some of the newspaper's content.

There were no developments in the investigation of the 2006 explosion in the apartment of Vasil Ivanov, who had described wide-ranging abuses in Sofia's main prison, or the 2006 break-in at the offices of the newspaper Novinar.

Libel is punishable under the law. If the offense is proved, a court may award compensation for moral damages suffered by the claimant. Usually the courts interpreted the law in a manner that favored journalistic expression. Many defamation cases were prompted by reporting about corruption or mismanagement, and the most frequent plaintiffs were government officials or other persons in public positions.

In February 2007 Volen Siderov, leader of the nationalist and racist Attack party, and a group of 50 supporters broke into the offices of the 24 Hours daily and 168 Hours weekly newspapers and threatened employees. The intruders were reportedly angered by press reports about the sources of their party's funding. Authorities initiated an investigation of whether Siderov should be charged with hooliganism; the investigation was ongoing at year's end.

Internet Freedom

There were no government restrictions on the Internet and no reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. According to the National Statistical Institute, Internet use increased to 30.8 percent of the population, although less-developed rural areas did not have the infrastructure to support Internet services.

On January 30, the interior minister and chairman of the State Agency for Information Technologies announced the adoption of a decree allowing the security services to gather electronic data relating to Internet users' activities. The announcement sparked widespread criticism among NGOs and local media, and the NGO Access to Information Program filed a legal challenge. On December 11, the Supreme Administrative Court struck down provisions of the decree, finding that its scope was excessive and failed to set any limitations on the type of data that the security services could access.

Human rights activists strongly criticized the July 2007 police interrogation of a blogger who reprinted a notice of an upcoming civil protest. Police warned that since the protest had not been authorized by municipal authorities, the blogger should not make mention of it.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, and the government generally respected this right in practice. The law requires groups requesting a permit for gatherings to give 48-hours' notice and those wishing to demonstrate to give five-days' notice. Mayors can prohibit, dismiss, or suggest an alternative site for a gathering they regard as posing a threat to public order, security, or traffic.

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right in practice. The law prohibits groups that endanger national unity or promote and incite racial, national, ethnic, 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 their own political parties or other political organizations.

Political parties based on religious, ethnic, or racial affiliation are illegal. In practice the prohibition did not appear to weaken the role of some ethnic minorities in the political process; a number of parties in reality represented various ethnic minority groups. Citizens' associations may not engage in political activity.

The law requires a political party to have 5,000 members to be registered. The requirement adversely affected Ilinden, a Macedonian activist group. In October 2007 the Supreme Court of Appeals upheld the Sofia city court's decision to reject Ilinden's registration, citing numerous procedural violations in the application, particularly in the collection of members' signatures. The decision effectively precluded further appeals in domestic courts. On October 21, Ilinden formally requested recognition of its earlier registration, relying upon ECHR judgments against the cancellation of its earlier registration. The Sofia City court again rejected the request on December 30, citing irregularities in the group's documentation. During the year, Ilinden members continued to complain of hostile treatment by local authorities, including police questioning members about their affiliation with the group. At year's end the Blagoevgrad District court was reviewing requests for registration as NGOs from two self-identified Macedonian groups.

c. Freedom of Religion

Although the constitution provides for freedom of religion, the law and the government restricted this right for some religious groups not registered by the courts. The law designates the Bulgarian Orthodox Church as the "traditional" religion and requires religious groups other than the Bulgarian Orthodox Church to register with the Sofia city court if they wish to operate and be recognized as legal entities or to conduct religious activities outside of their places of worship. As of June there were 96 religious groups registered with the Sofia city court. Human rights organizations criticized the law's preferential treatment of the Bulgarian Orthodox Church and expressed concern that the requirement that groups submit a statement of their beliefs constituted an infringement on freedom of religion.

On April 29, the Supreme Court of Appeals upheld a lower court ruling rejecting the registration of the Ahmadi Muslim community as a religious group. The court held that the group failed to specify its religious beliefs as required by the law. In March 2007 the Blagoevgrad district court granted a prosecutor's request to close the NGO

Ahmadiya on charges that the group was carrying out religious activities, such as proselytizing and holding religious meetings, without proper national registration.

While there were Orthodox chapels or churches in all prisons, prison officials acknowledged difficulties in meeting the special requirements of other believers, particularly Muslims' dietary restrictions and requirements for places to pray.

Some local governments restricted certain forms of proselytizing. On October 8, police issued a warning to a member of Jehovah's Witnesses who was distributing religious literature in Plovdiv. Police referred to a provision of the municipal public order rules which required a municipal permit for carrying out religious activity in public.

Jehovah's Witnesses reported continuing opposition from local authorities in Varna to construction of a place of worship, despite receiving a construction permit in June 2007. Construction was halted pending the outcome of a court challenge by neighbors to the municipality's 2001 rezoning of the Jehovah's Witnesses property. In July 2007 the Sofia City Council published its unanimous decision to support the residents of the Mladost area in opposing the construction of a meeting hall for the Jehovah's Witnesses and urging the government to legislate stricter control of nontraditional religious groups.

In February the Commission for Protection against Discrimination rejected a discrimination complaint filed by three Muslim students from Devin alleging that their school principal had discouraged them from wearing headscarves in classes even though the school had no uniform requirements. The commission found insufficient evidence to confirm the principal's reported warnings. The case followed an August 2006 decision by the commission to uphold the ban on headscarves imposed by a school in Smolyan that did require school uniforms.

The efforts in court to resolve a leadership dispute within the Muslim community continued to result in charges that court procedures were opaque and politically influenced. On April 21, the Sofia city court registered Mustafa Alish Hadji as chief mufti despite the allegations of judicial corruption and document forgery by Nedim Gendzhev, his longtime rival. The court recognized the outcome of a Muslim conference held on April 19 that reelected Hadji as chief mufti. The conference followed a December 2007 decision of the Supreme Court of Appeals to uphold the annulment of the conference that previously elected him as illegitimate. The ruling effectively reinforced the denomination's statutes from 1996 and reinstated rival Islamic leader Gendzhev, who initially contested Hadji's election.

Societal Abuses and Discrimination

There were occasional manifestations of public intolerance of nontraditional religious groups and religious minorities.

During the year the extremist political party, Attack, continued to denigrate the country's Roma, Jews, and Muslims. Attack, which employed racist and discriminatory rhetoric during the 2005 and 2006 electoral campaigns, published anti-Semitic and anti-Muslim material in its newspaper, Web site, and cable television mouthpiece, Skat.

The country's Jewish community numbered approximately 3,500. According to the Jewish organization Shalom, anti-Semitism was not widespread, and Attack's anti-Semitic media statements had limited impact on the overall tradition of tolerance with regard to the Jewish community.

For a more detailed discussion, see the 2008 International Religious Freedom Report at www.state.gov/g/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 in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not employ it in practice.

Protection of Refugees

The constitution and law provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The government provided some protection against the expulsion or return of refugees to countries where their lives or freedoms would be threatened, and the UNHCR reported that the risk of bona fide refugees being turned away were limited. Nonetheless, observers remained concerned about the institutional capacity of the State Agency for Refugees to efficiently process requests and transfer applicants from the border to the shelters. According to lawyers, the practice of sending asylum seekers that enter illegally to the Centre for Temporary Accommodation of Foreigners in Busmantsi, allowed for them to be treated as illegal immigrants facing potential deportation. The law requires that persons seeking refugee status file an application within "a reasonable time" after entering the country.

The State Agency for Refugees reported that following the country's EU accession, the number of applicants increased from 639 (2006) to 975 (2007). However, the total number of asylum seekers remained below the peak in 2002, when asylum seekers numbered 2,888. During the year the government received 746 applications for asylum; it granted asylum in 27 cases and refused asylum in 381 cases. Most asylum seekers were from Iraq, with substantial numbers from Armenia, the Palestinian territories, and Afghanistan.

During the year, the government also provided temporary protection, described by the law as "humanitarian status," to 267 persons who may not qualify as refugees under the 1951 convention and 1967 protocol. Observers noted that, in cases where the State Agency for Refugees denied asylum, the procedures for removing asylum seekers were unclear, resulting in prolonged detentions, often far in excess of six months.

On April 23, a group of Iraqi displaced persons rioted at the Busmantsi center for illegal immigrants. After voluntarily withdrawing their asylum applications they learned that their departure would be delayed a week due to procedural problems. Once the government resolved problems with their transit visas, the group was able to return to Iraq.

UNHCR expressed some concerns about the government's processing of Iraqi asylum applications. In contrast to previous years, the State Agency for Refugees increased its rejection rate for Iraqi asylum seekers, who resorted to appealing those negative decisions.

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

The law provides citizens the right to change their government peacefully, and citizens generally exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage; however, 2007 municipal elections were marred by reports of large-scale vote buying.

Elections and Political Participation

In contrast with the 2006 presidential elections, which were widely regarded as free and fair, the municipal elections held in October 2007 were marred by reports of an unprecedented vote-buying surge. The Center for the Study of Democracy estimated that the money spent buying votes exceeded 200 million leva (approximately \$144 million). Prosecutors initiated more than 10 investigations under the newly amended criminal code, which criminalizes both vote buying and vote selling. Another significant type of violation was the organized busing of voters from Turkey and Macedonia, usually referred to as "election day tourism." Observers noted that the surge in vote buying was prompted by efforts of business circles and organized crime figures to install local politicians as a way to gain greater access to EU funds.

There were 51 women in the 240 seat National Assembly. A number of women held elective and appointive office at high levels in the government, including two deputy prime ministers and three ministers. Women held key positions in the National Assembly, including three deputy speakers and the chair of one of the 24 standing committees.

There were 31 members of minority groups in the 240 seat National Assembly, of whom 28 were ethnic Turks, one Roma, and two ethnic Armenians. There were two ethnic Turkish ministers in the cabinet and one Romani deputy minister. While the ethnic Turkish minority was well represented, Roma were underrepresented, particularly in appointed leadership positions. Pomaks (ethnic Bulgarians who are Muslims) held elected positions at the local level.

In the October 2007 local elections, approximately 30 municipal mayors of Turkish ethnicity were elected. No Romani mayors were elected, but more than 90 Romani municipal councilors were elected on Romani party tickets. Women's local council representation increased slightly, from 21 percent in 2003 to 23 percent.

Government Corruption and Transparency

The law provides criminal penalties for corruption by government officials; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The government did not aggressively prosecute high-profile organized crime or corruption.

During the year the EU sharply criticized the government for abuse of EU funds. After a negative June report and the suspension of 486 million euros (approximately \$680 million) in pre-accession aid on July 23, the government adopted an 80-point plan to address the EU's concern over the failure to investigate funds mismanagement. On October 20, the Sofia city court began a trial against Mario Nikolov and eight other members of the Nikolov-Stoykov group for document fraud and embezzlement of EU agricultural funds. Lyudmil Stoykov, one of the group's main partners, was charged separately with money laundering. The Nikolov-Stoykov group, which reportedly sponsored key politicians, was described in a leaked report of the EU fraud investigation unit as a criminal company network.

On October 2, the Sofia military court gave Ivan Ivanov, the former director of the Interior Ministry's organized crime unit, a one-and-a-half year suspended sentence for abuse of power. Ivanov's March 17 arrest initiated a series of scandals in the Interior Ministry, ultimately leading to the resignation of Interior Minister Rumen Petkov on April 18. On November 20, the Sofia City court rejected prosecutors' assertions that Petkov committed a crime in March when he leaked the identity of a DANS agent. A prosecution appeal of the judgment was ongoing at year's end, and Petkov remained a member of parliament.

The new security agency, DANS, was charged with investigating high-level corruption and organized crime. On September 23, DANS arrested the deputy chair of the State Sports Agency, Ivan Lekov, on charges of fixing soccer matches by manipulating referees. On September 24, DANS arrested the deputy Sofia district governor, Marius Tsakov, while in the act of receiving a bribe from a construction investor. On July 17, in a joint raid with Sofia prosecutor's office, DANS arrested Varna administrative court chair Anelia Tsvetkova for bribery and confiscated

150,000 leva (approximately \$108,000) from her home; she subsequently resigned. The bribery investigation against Tsvetkova was ongoing at year's end; however, on September 25, the Sofia city court allowed the return of the confiscated money.

Public officials were subject to financial disclosure laws, but according to the National Audit Office, 174 officials did not fully comply with the requirements and failed to report all of their and their spouses' assets during the year. According to the law, failure to submit a declaration is punishable by a fine of up to 1,500 leva (approximately \$1,077); it was unclear whether this served as an effective incentive to comply with the law.

The law provides for public access to government information; however, in practice the government often restricted such access. In 2007 the Supreme Administrative Court reviewed approximately 60 appeals of denials. While the court allowed greater access to government information in almost half of the cases, NGOs reported that court decisions were rarely implemented.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigations of Alleged Violations of Human Rights

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

In 2007 the ombudsman received 3,367 complaints of violations of citizens' rights and freedoms, of which 30 percent fell within his jurisdiction. By law the ombudsman receives and reviews complaints filed by individuals of rights or freedoms abridged by government institutions. The ombudsman can request information from state authorities, act as an intermediary in resolving disputes, make proposals for terminating existing practices, and refer information to the prosecution service. Of the valid complaints received in 2006, 11 percent concerned human rights violations.

The nine-member Commission for Protection against Discrimination has the power to receive and investigate complaints of discrimination, issue rulings, and impose sanctions on violators. Human rights groups remained concerned about its capacity. In 2007 the commission received 649 complaints, compared to 389 in 2006; the majority of complaints concerned labor discrimination.

During the year the ECHR issued over 50 judgments against the country and ordered the government to pay over 1.7 million leva (approximately \$1.2 million) for violations including denial of fair trial rights, an unreasonably slow judicial process, inadequate prison conditions, mistreatment of detainees and prisoners, and other human rights abuses.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination on the grounds of race, gender, disability, social status, and sexual orientation; however, the law does not prohibit discrimination on the basis of language. Societal discrimination continued to occur, particularly against women, sexual minorities, and ethnic minorities. Trafficking in persons continued to be a problem.

The government raised public awareness and continued to implement administrative provisions of the antidiscrimination law, which provided two options for civil remedies against discrimination through the court

system and through the Commission for Protection against Discrimination. The law lists in detail the grounds on which discrimination claims could be filed, and these were widely used during the year.

Women

The law criminalizes rape, which was underreported due to the stigma that society attached to the victim. Spousal rape is not specifically addressed in the law. It can be prosecuted under the general rape statute but was rarely prosecuted in practice. Sentences for rape range from two to eight years in prison (from three to 10 if the victim is a blood relative). When rape results in serious injury or suicide, sentences range between 10 and 20 years' imprisonment. Authorities generally enforced laws against rape when violations came to their attention, and sentences tended to conform to statutory guidelines. According to NGOs, the social taboo experienced by rape victims discouraged them from reporting the crime and was a far more serious obstacle to prosecution than police reluctance to investigate.

NGOs reported that domestic violence was a serious problem. Although there were no precise statistics on its occurrence, police believed that one of every four women had been a victim.

The law defines domestic violence as any act, or attempt at, physical, psychological, or sexual violence against members of one's family or between cohabitating persons. It empowers the court to deal with offenders by imposing fines, issuing restraining or eviction orders, or requiring special counseling. The courts issued more than 300 restraining orders in 2007.

Although in 2006 the cabinet voted to make 270,000 leva (approximately \$194,000) available to municipalities for establishing shelters for domestic violence victims, none had been built, and the government did not provide shelter or counseling for women. The NGO Animus Associations Foundation operated a 24-hour hot line for women in crisis and a number of other NGOs provided short-term protection and counseling to victims in 15 crisis centers around the country. Police and social workers referred victims of domestic violence to NGO run shelters.

Prostitution is not specifically addressed in the law and was commonly practiced. In 2007 the government rejected plans to legalize prostitution and during the year, government officials continued to oppose legalization as a threat to antitrafficking efforts. A variety of activities associated with prostitution, such as pimping, are illegal. Forced prostitution is illegal but remained a serious problem. Poor socioeconomic conditions contributed to a disproportionately higher number of Romani women in organized prostitution.

Sexual harassment is not specifically addressed in the criminal code but is punishable under prohibitions against coercion, which carry a punishment of up to six years in prison. Sexual harassment is also identified as a specific form of discrimination under the antidiscrimination law and the Commission for Protection against Discrimination reported an increasing number of sexual harassment cases, approximately 5 percent of all complaints. However, sexual harassment remained a widespread problem, and the government did not effectively enforce the law.

The law provides women with the same rights as men; however, women faced some discrimination in hiring and pay. In 2007 the Ministry of Labor and Social Policy reported that women's salaries were 24 percent lower than men's, with some lower-paid sectors, such as education and services, dominated by women. A National Council on Equality between Women and Men, headed by the minister of labor and social policy under the Council of Ministers, was tasked to safeguard the rights of women. Primarily a consultative body, the council is charged with promoting cooperation and coordination among NGOs and government agencies.

Children

The government generally was committed to protecting children's welfare; however, government efforts in education and health were constrained by inadequate budgets and outmoded social care structures. Problems in state-run institutions for children, including incidents involving exploitation of children, received increased media attention during the year.

Public education is compulsory until the age of 16; however, the government did not effectively enforce attendance requirements. Public education is free through the 12th grade, but children were required to pay for books after the fourth grade, which was a problem for poor families.

According to a 2006 UN Children's Fund study, 76 percent of students completed high school. The study reported that school dropouts correlated to low household income, parental lack of interest, lack of motivation, and emigration. The number of school dropouts was highest in regions with large Romani populations.

Education for Romani children was generally inferior and nearly 10 percent of Roma never attended school. A 2006 study indicated that 30 percent of Romani students attended completely segregated schools. In 2005 the Sofia regional court found the city guilty of discrimination for failing to provide equal educational opportunities to Romani children, many of whom attended Sofia's three ethnically segregated Romani schools. In 2006 the Sofia city court confirmed the decision and the city's appeal to the Supreme Court of Appeals was pending at year's end.

In January the government implemented a new policy of "delegated budgets," where schools received a standard funding allowance per student per year of 1,150 leva (approximately \$826), which observers criticized as too low. In March the Amalipe Center, a Romani organization, reported that municipalities decided to close 320 schools, amounting to approximately 15 percent of the country's primary schools, because the smaller schools could not continue to operate with the new budget allowance. Romani activists warned that this change would harm Romani students whose parents would be reluctant to allow them to travel to new schools in other towns. Activists also reported that ethnic Bulgarian parents at schools accepting new Romani students often reacted negatively to the process.

Violence against children was a problem. According to the National Statistical Institute 2,743 children were victims of crimes in 2007, compared to 3,209 children in 2006. Crimes included murder, rape, theft, kidnapping, trafficking, pornography and other forms of abuse. The government often removed children from abusive homes and prosecuted abusive parents; however, once away from their families, children often fell victim to street violence or violence in specialized institutions.

According to NGOs, living conditions in reform boarding schools for children run by the Ministry of Education and Science remained poor.

Although no official statistics were available, the State Agency for Child Protection reported that child marriage was relatively rare nationwide but was common in Romani communities. The agency also voiced its concern that arranged marriages and traditional Roma bride markets resulted in trafficking in persons.

The National Statistical Institute reported that the number of children registered by police for vagrancy and begging increased from 975 in 2006 to 1,044 in 2007. Such children were primarily involved in begging, prostitution, or car window washing, and many were believed to be exploited for labor by adults. When apprehended, police place children involved in begging and vagrancy in protective custody in five special shelters; however, children were usually not kept there for more than 24 hours unless remanded to protective custody by the special order of a prosecutor. Many were subsequently sent to state-run institutions for children.

Implementation of child care policies was decentralized and managed by municipal-level Child Protection Departments. The national Ministry of Social and Labor Policy provided budgetary support for child welfare

programs, but NGOs remained concerned about the ability of poorer municipalities to effectively manage and administer care. Despite a government policy to develop a mechanism of alternative service providers, such as the recently introduced model of foster care, the country continued to struggle with a Communist-era system of state-run specialized institutions for children.

Human rights monitors sharply criticized the deficiencies in government run institutions such as orphanages, educational reform boarding schools, facilities for children with mental disabilities, and shelters for homeless children. Inadequate budgets, poorly trained or unqualified staff, and insufficient oversight plagued these facilities. Standards of hygiene and access to medical care were poor.

According to the State Agency for Child Protection, there were 145 institutions at the end of 2006. Since 2001 the State Agency for Child Protection reported a 32 percent decrease in the number of children in institutions, which reached 8,457 in mid-2007, the majority of whom were Roma. Watchdog organizations disputed these figures believing the actual number was much higher. Most of the children in state institutions were not actually orphans, but instead placed in homes for reasons including disability, poverty and other family problems.

During the year several incidents received media attention including airing of the controversial film *Baklava*, reportedly showing orphans engaged in sexual acts and drug abuse. In January police opened an investigation of a man in Dupnitsa for possessing nude photos of orphans. In March media and NGOs reported on the accidental poisoning of five children in state care in Plovdiv. In March, an accused pedophile shot and killed a 15-year-old girl at an orphanage in Tran and injured two others before killing himself. Following these incidents the National Social Assistance decided to close the institution, and all but four children had been relocated to other facilities by the end of the year.

The problems facing institutionalized children has received significant international attention since the BBC documentary, *Bulgaria's Abandon Children* was first broadcast in November 2007. The documentary showed the substandard conditions for children with disabilities in a state institution in Mogilino. Following the intense international and local outcry, authorities began taking steps to close the facility in Mogilino and relocate some of the children to a newly built facility. In 2006 a 15 year old girl died of complications from eating garbage after being left unattended.

Trafficking in Persons

The constitution and law prohibit all forms of trafficking in persons; however, trafficking was a serious problem.

The country remained a point of origin and transit and, to a lesser extent, a destination, for trafficking, with most victims trafficked for sexual exploitation. Victims came from within the country, and from Romania, Moldova, Russia, Ukraine, and Central Asia. The principal destinations of victims trafficked from and through the country were Greece, Turkey, the Czech Republic, Poland, Macedonia, Kosovo, and Western Europe. Almost all victims were women and girls trafficked for sexual exploitation, but some were also young boys. Young women between the ages of 16 and 24 with modest education and weak family ties were most vulnerable. Minorities, particularly Roma, and women engaged in prostitution were also at particular risk.

During the year a court convicted Angel Lubenov and sentenced him to 13 years in prison for running a prostitution ring involving children from the Berkovitsa orphanage in 2006. Following Lubenov's arrest, authorities moved his three victims to other institutions to receive psychological assistance. None of the staffers at the orphanage was dismissed or disciplined.

The trafficking of pregnant women and forcing them to sell their children abroad remained a problem because the

women were free to travel and could not be stopped by border police. In December police reported seven investigations of baby selling in Greece.

In larger cities, organized criminal organizations controlled most trafficking for sexual exploitation. In smaller towns, small crime groups and freelance operators were involved.

Traffickers in foreign countries generally recruited their victims through promises of work, while victims of internal trafficking were most often recruited through close friends or acquaintances. Traffickers for sexual exploitation, both within the country and abroad, have shifted to call-girl operations and away from bars, complicating law enforcement efforts. Traffickers typically used genuine rather than forged travel documents for their victims.

The punishment for trafficking in persons includes prison terms of one to eight years in prison and maximum fines of 8,000 leva (approximately \$5,740). Aggravated circumstances increase the maximum penalties to 15 years in prison and 20,000 leva (approximately \$14,400), and the court may confiscate a trafficker's assets. Prosecutors used other laws to prosecute persons for activities associated with trafficking, such as inducement to prostitution.

The National Antitrafficking Commission is the primary antitrafficking coordination and policy-making body. In February the commission established three local commissions in the coastal cities of Burgas and Varna, both destination points of internal trafficking and source of victims trafficked to Germany, the Czech Republic, and Scandinavia, as well as in Sliven, a source region for victims trafficked to the Netherlands and Belgium. In March a local commission opened in Pazardzhik, a source point for trafficking to France and the Netherlands.

In October the commission launched an awareness campaign which included a class session on trafficking in all schools, free screenings of antitrafficking films, and distribution of brochures. In June the commission organized free screenings of an antitrafficking documentary for over 1,000 students. During the year the commission also trained police, border police, social workers, prosecutors, and judges on human trafficking.

Two police units focused specifically on the problem of trafficking. One was within the National Border Police and the other was within the Directorate for Combating Organized Crime. The government participated in multinational antitrafficking activities and permitted the extradition of citizens for crimes committed abroad, including trafficking. In 2007 authorities convicted 73 traffickers.

Due to successful cooperation with West European counterparts, police reported a decline in the number of children being sent abroad to work as beggars and pickpockets. The Ministry of Labor and Social Policy reported that 90 children were repatriated between January and September, compared to 37 in all of 2007.

Some law enforcement officials, local authorities, and customs officials allegedly facilitated trafficking, although there was no evidence of a pattern of official complicity. Such officials, who were generally low-ranking and poorly paid, accepted bribes to ignore trafficking. On September 12 and October 20, police arrested two municipal councilors from Varna and charged them with human trafficking.

The government operated six shelters for child victims of violence and trafficking, each of which had the capacity to host 10 children for a period of up to six months. The government cooperated with NGOs and international organizations in raising awareness and referring victims to services.

The State Department's annual Trafficking in Persons Report can be found at www.state.gov/g/tip.

Persons with Disabilities

Although the constitution and law prohibit discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other state services, the government did not effectively enforce these provisions in practice. Societal discrimination against persons with disabilities persisted.

The law requires improved access to buildings for persons with disabilities, and new public works projects have taken this into account; however, enforcement of this law lagged in existing, unrenovated, buildings. The law promotes the employment of persons with disabilities; however, enforcement was poor and the great majority of persons with disabilities were unemployed.

Conditions in institutions for persons with disabilities were poor. Low salaries prevented hiring and retention of qualified staff and NGOs complained of mistreatment and neglect of patients in these institutions.

Persons with mental and physical disabilities, including very young children, were often segregated from the rest of society, for example, into special schools that lowered the quality of their education. In April the Sofia city court confirmed a lower court ruling against the Ministry of Education for discriminating against children with disabilities. The court ordered the ministry to adopt a program and secure funding for integrated education of children with disabilities in mainstream schools and kindergartens. The Ministry of Labor and Social Policy operated 26 institutions for children and youth with disabilities. A 2006 ministry study reported that the facilities and administration of 25 of the institutions needed to be reformed or restructured; the study recommended that one of them close. NGOs complained that the recommendations were not implemented, and conditions in these institutions remained poor.

National/Racial/Ethnic Minorities

Societal discrimination against Roma and other minority groups remained a problem, occasionally resulting in incidents of violence between members of different ethnic groups.

Although Roma were officially estimated to make up 4.6 percent of the population, their actual share was estimated to be between 6 and 7 percent. According to a 2002 Council of Europe report, there were 600,000 to 800,000 Roma in the country. According to a 2001 census, ethnic Turks made up 9 percent of the population. Ethnic Bulgarian Muslims, often termed Pomaks, are a distinct group of Slavic descent, whose ancestors converted from Orthodox Christianity to Islam; they constituted 2 to 3 percent of the population.

Workplace discrimination against minorities, especially Roma, continued to be a problem. The unemployment rate among Roma was nearly 65 percent, reaching 80 percent in some regions. In a 2006 case, the Sofia city court found a company liable when one of its employees advised Angel Assenov not to apply for a position, since he was a Rom and would not be hired.

The generally unfavorable attitudes towards Roma, coupled with their poor education level, made Roma less able to access the job market. Many observers noted that the quality of education offered to Romani children was inferior to that afforded to most other students.

Popular prejudice against Roma continued to play a significant role in society and was often shared by law enforcement personnel. There were continuing reports that police harassed, arbitrarily arrested, and used violence against Roma; however, NGOs reported that police were generally more cautious in applying force than in previous years. Human rights groups contended that magistrates sometimes failed to pursue crimes committed against minorities.

In August 2007 approximately 200 Roma rioted in the Sofia district of Krasna Poliana after rumors circulated that

they were about to be attacked by a group of skinheads. Witnesses claimed the riot was retaliation for a clash the previous evening, when a group of young men described as skinheads allegedly attacked three Romani teenagers, one of whom was severely beaten. Four ethnic Bulgarians were charged with hooliganism after the incident; police arrested three and released one on bail. Police also detained four Roma charged them with hooliganism.

In August 2007 a group of four teenagers beat to death Asparuh Atanasov, a 17-year-old Rom, reportedly because they were angry that he was in the center of the town. Police detained four suspects and the prosecution against them was ongoing at year's end.

Many Roma lived in substandard housing and lacked legal registration for their places of residences. Local authorities encountered difficulties in allocating resources and finding construction sites for new homes.

NGOs reported that Roma encountered difficulties applying for social benefits and suffered from inadequate access to health care. On June 2, the Sofia city court found that the Sveta Sofia maternity clinic refused medical treatment for a Romani woman because of her ethnicity. The court awarded the plaintiff 50 leva (approximately \$38) in damages.

During the year human rights organizations continued to file complaints under the antidiscrimination law. In April the Blagoevgrad district court upheld a lower court judgment against a restaurant for refusing service to Roma in 2004, while serving non-Romani clients.

Inciting racial or national enmity, hatred, or discrimination is a crime punishable by up to three years' imprisonment, and plaintiffs may also file civil claims directly with the court for damages inflicted by discriminatory statements.

In May the Sofia court of appeals upheld a judgment against Attack party leader Volen Siderov for discriminatory statements against ethnic Turks, Roma, Jews, and other groups. Six of eight cases in a complaint against Siderov remained under review by the Sofia regional court. The complaint originated with a coalition of 60 NGOs, who charged that Siderov harassed and discriminated against persons from ethnic, religious, and sexual minorities. In the two cases that were decided, both from 2006, the court in one case found that Siderov had incited discrimination on the basis of ethnicity but found in the other that his statements did not discriminate on the basis of sexual orientation. Following an appeal, the Sofia court of appeals upheld the ethnic discrimination judgment in May.

In 2007 BHC and the UNHCR expressed concern over reports of violent, racially motivated incidents against visible minorities. In January 2007 and May 2007, four persons, two from Nigeria and two from Sudan, were attacked with knives. On October 31, the Sofia city court sentenced Alexander Ginchev to five years in prison for the January 2007 attack against a Nigerian soccer player.

Other Societal Abuses and Discrimination

The law prohibits discrimination on the basis of sexual orientation, but the government did not effectively enforce this prohibition. Reports of violence against sexual minorities were rare, but societal discrimination, particularly discrimination in employment, although less common than in previous years, remained a problem. The gay-rights organization Gemini reported that individuals continued to be reluctant to pursue legal remedies for discrimination due to the stigma of being openly identified as gay.

On June 28, police arrested approximately 60 nationalist protestors attempting to disrupt the country's first gay pride parade. Approximately 100 participants marched under tight security protection, and at least one protester

threw a Molotov cocktail. The head of the Christian Orthodox Church and the Muslim chief mufti condemned the march, calling it immoral and referring to homosexuality as a disease.

According to the Bulgarian Foundation for Aiding HIV/AIDS Patients, several HIV-positive patients were denied appropriate medical treatment. The government reported that during 2007, 45 percent of new HIV patients contracted the disease through heterosexual contact, 33 percent were intravenous drug users, and 18 percent were men having sex with men. Patients reported hiding the fact that they were HIV positive in order to receive medical care.

Section 6 Worker Rights

a. The Right of Association

The constitution and law provide for the right of all workers to form or join independent trade unions of their choice, and workers exercised this right in practice. No reliable statistics existed on the extent of unionization of the workforce, but experts noted that membership in unions continued to decrease as employees question their ability to effectively represent them.

The law allows unions to conduct their activities without interference, and the government generally protected this right in practice. The law also provides for the right to strike; however, key public sector employees (primarily military and law enforcement personnel) were subject to a blanket prohibition against striking. These employees were able to take the government to court as a means of ensuring due process in protecting their rights. Although the law prohibits the police from effectively striking, police held symbolic protests on December 13 and December 20 against low wages and poor working conditions.

b. The Right to Organize and Bargain Collectively

The law provides a legal structure for collective bargaining, which was practiced nationally, but not always adhered to at the local level. Labor unions alleged that many employers failed to bargain in good faith or to adhere to agreements that were concluded.

The law prohibits antiunion discrimination and includes a provision for a six month salary payment as compensation for illegal dismissal.

There were reports that some employees faced harassment and discrimination for their labor activism; due to weaknesses in the judiciary, activists had difficulty seeking recourse in such instances. Although less frequent than in previous years, there were credible reports that some private employers also forced newly employed workers to sign declarations that they would not establish or join trade unions. There were reports of employers deducting dues from workers' salaries and not passing them on to the unions.

There are no special laws or exemptions from regular labor laws in the country's six free trade zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred. Children were sometimes forced to work due to economic conditions or because of pressure from family members or criminal organizations. Women and children were trafficked for commercial sexual exploitation.

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws and policies to protect children from exploitation in the workplace, including a prohibition on forced or compulsory labor and policies regarding acceptable working conditions. The government was somewhat effective at implementing these laws and policies in practice.

The law sets the minimum age for employment at 16 years and the minimum age for dangerous work at 18 years; employers and the Ministry of Labor and Social Policy are responsible for enforcing these provisions. Child labor laws generally were enforced well in the formal sector, but NGOs reported that children were exploited in certain industries (particularly small, family-owned shops, textile factories, restaurants, construction, and periodical sales) and by organized crime (notably for commercial sexual exploitation and the distribution of narcotics). Besides trafficking for commercial sexual exploitation, the worst forms of child labor included heavy physical labor and health hazards on family tobacco farms, particularly among the ethnic Turkish minority. In 2007 the Ministry of Labor and Social Policy's general labor inspectorate reported 127 cases of unlicensed, underage workers. All of these reports were related to children working without a permit in the service industry. From January to June the inspectorate found 25 such violations.

The government continued programs to eliminate the worst forms of child labor using educational campaigns about the effects of child labor and intervened to protect, withdraw, rehabilitate, and reintegrate children engaged in the worst forms of child labor. According to the labor inspectorate, recent welfare payments to families whose children regularly attend schools contributed to a drop in the number of unregistered child workers. The opportunity for students at vocation school to gain work permits as well as increased travel opportunities with the country's accession to the EU also contributed to the decline in child labor.

Acceptable Conditions of Work

During the year the government approved and implemented an increase in the national minimum wage to 220 leva (approximately \$158) per month. While this wage did not provide a decent standard of living for a worker and family, many workers were paid more under the table to avoid taxes.

The law provides for a standard workweek of 40 hours with at least one 24 hour rest period per week. The Ministry of Labor and Social Policy is responsible for enforcing both the minimum wage and the standard workweek. Premium pay for work in excess of 40 hours per week was supposed to be negotiated between employers and employees. The law stipulates that premium pay for overtime could not be less than 150 percent during workdays, 175 percent during weekends, and 200 percent during official holidays. The law prohibits overtime for children under age 18, pregnant women, and women with children up to age six. Enforcement generally was effective in the state sector but was weaker in the private sector.

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 enforcement and was generally effective. After particularly disturbing reports of unhealthy conditions in private factories, including the 2006 death of two seamstresses in a Dupnitsa shoe factory, the government improved oversight.

The law gives employees the right to remove themselves from work situations that present a serious or immediate danger to life or health without jeopardy to their continued employment; however, refusal to work in such situations could result in the loss of employment.