

Check against Delivery!

**Introductory Statement  
by H.E. Ambassador Stephan TAFROV,  
Permanent Representative of Bulgaria to the UN in New York**

**Presentation of the consolidated IV -VII periodic reports of Bulgaria  
under Article 18 of CEDAW**

**52-th session of the UN Committee  
on the Elimination of Discrimination against Women  
(New York, 12 July 2012)**

Madam Chair,  
Distinguished Members of the Committee,  
Ladies and Gentlemen,

It is an honour for me to be here today on behalf of the Bulgarian Government to present our national report and the progress that we have achieved in implementing the provisions of the *International Convention on the Elimination of All Forms of Discrimination against Women*.

The delegation that appears here today includes representatives of various bodies, including from the executive branch, the judiciary and the national human rights institutions. Let me present the individual members of delegation:

- Ms. Daniela Masheva, Prosecutor at the Supreme Cassation Prosecutor's Office;
- Ms. Rositsa Georgieva, Member of the Commission for Protection against Discrimination – one of the main national human rights institutions in Bulgaria;
- Ms. Rositsa Ivanova, Secretary of the National Council for Cooperation on Ethnic and Integration Issues – a consultative body with the Council of Ministers;
- Ms. Ilka Kaydzhyska, Senior Expert in "Equal opportunities, antidiscrimination and social welfare assistance" Department, Ministry of Labour and Social Policy – the main body within the central administration entrusted with the implementation of the governmental policy in the field of gender equality;
- Mr. Ivan Anchev, Representative of the Ministry of Interior of Bulgaria to the United States;
- Ms. Maria Pavlova, Counsellor, Permanent Mission of Bulgaria to the UN;
- Ms. Nadia Krasteva, First Secretary, Human Rights Directorate, Ministry of Foreign Affairs;
- and myself, Stephan TAFROV, Permanent Representative of Bulgaria to the UN in New York

We believe that the very composition of the delegation shows our readiness to share, in a transparent and open manner, how we are meeting our obligations under the *Convention*, what challenges we face and what lessons we have learned in this process.

Madame Chair,

The principles of equal opportunities of rights and freedoms of women and men and of non-discrimination are enshrined in the Constitution of the Republic of Bulgaria and are among the core priorities of our policies in the field of promotion and protection of human rights.

Bulgaria is a parliamentary democracy founded on the principle of the rule of law. It is a party to the core international human rights treaties and has accepted the most far-reaching scrutiny of its human rights record, including the binding court judgments of the European Court of Human Rights to individual complaints. Following the entry into force of the Lisbon Treaty in 2009, Bulgaria is bound also by the EU Charter of Fundamental Rights.

Bulgaria has entered into these obligations to the benefit of all its citizens and the persons residing on its territory. Before acceding to any international treaty, care is taken whether Bulgarian legislation is in line with the obligations to be assumed or amendments have to be introduced. In this regard it should be noted, that according to our Constitution, international treaties, to which Bulgaria is a party, promulgated in accordance with the established procedure, are part and parcel of domestic legislation and in case of contradiction, prevail over it.

Madame Chair,

Bulgaria has made significant efforts to duly implement CEDAW recommendations stemming from the consideration of its 1998 report. A number of improvements to both normative framework and national machinery took place in order to address women's issues and to strengthen the implementation of the Convention. In fact, *new critical legislation* has been adopted and *new structures* established to ensure integrating a gender dimension into governmental policies and practices and foster the protection of women's rights.

Among the **major achievements** in this period was the adoption in 2004 of *the Law on Protection against Discrimination*, which consolidates the Bulgarian anti-discrimination legislation and ensures internal cohesion and harmonisation. It bans discrimination on an inclusive list of grounds, including gender and sexual orientation, covering both direct and indirect discrimination, as well as sexual harassment, victimisation and incitement to discrimination, racial segregation and the construction, or maintenance of an architectural environment hindering the access of disabled persons to public places. The law also imposes specific obligations on the authorities, employers and educators to mainstream equal treatment and take positive measures, where needed, to safeguard equality of opportunity for all. As part of its implementation a new independent body was set up to ensure protection and prevention of discrimination on the basis of gender, sexual orientation and sexual harassment. It is worthwhile noting that the sexual harassment is explicitly defined by the Law as an act of discrimination. Victims of discrimination have the alternative whether to submit a complaint before the Commission for Protection against Discrimination or before the court. The Commission for Protection against Discrimination cooperates closely with civil society and the media, carries out trainings, surveys, awareness raising campaigns, etc.

Another piece of legislation, which I wish to highlight as highly impacting the status of women in Bulgaria, is the *Law on Protection against Domestic Violence* adopted in 2005 and amended subsequently in 2009 and 2010. The law provides the necessary framework for prevention and protection of victims of domestic violence and defines the measures that can be taken against perpetrators. The law has far-reaching implications since it creates the conditions for implementation of specific programs aimed to prevent domestic violence and to provide assistance to the victims. In order to further strengthening the norms in the field of prevention of domestic violence in 2009 an important amendment was made to the Penal Code criminalizing the non-compliance with a protection order from domestic violence.

Trafficking in human beings, including women and children, is a criminal offence in Bulgaria since 2002, and the *Penal Code* provides for heavier penalties when the crime is committed by an organized criminal group. The National Anti-Trafficking Commission established in 2003 under the *Law on Combating Trafficking in Human Beings* co-ordinates the activities of respective institutions and organisations implementing the national legislation in this area.

Besides these major laws, clear anti-discriminatory provisions are also incorporated in various normative frameworks, such as the *Labour Code*, the *Law on Social Assistance*, the *Law on Encouraging Employment*, the *Civil Service Law*, the *Law on Child Protection*, the *Law on Optional Additional Retirement Insurance*, the *Law on Radio and Television*, the *Law on the Ministry of Interior*, the *Law on Defence and Armed Forces*, the *Law on Asylum and Refugees*, etc.

Madame Chair,

Let me now dwell upon **recent developments** in the normative and institutional building that have bearing on the status of women in Bulgaria:

- On 1 March 2012, the Parliament adopted the *National Strategy for Roma Integration (2012-2020)* – an omnibus document, strengthening the comprehensive approach of the whole package of papers that existed in this area. Prepared with the active participation of Roma representatives, the *National Strategy* is focused in particular on the prevention of discrimination against Roma, including Roma women. It is supplemented by an *Action Plan*, covering as a first phase the measures already approved within the framework of the *Decade for Roma Inclusion, 2005-2015*. The planning for the second phase (2015-2020) takes into account the Strategy “Europe 2020”.
- Amendments were introduced in 2011 to the *Penal Code* to strengthen the response to hate crimes, including hate speech and the Ministry of the Interior has increased its cooperation with relevant international bodies to enhance its capacities in this regard;
- New legislation was passed on the creation of a special criminal court system to deal with cases of organized crime, including trafficking in persons;
- Most recently, on 7 July 2012, amendments were made to the Judiciary System Act, establishing additional mechanisms for addressing complaints by individuals and legal entities against acts, actions or omissions of the judicial authorities. Compensations are also envisaged in cases of violation of the right to hearing and failure of courts to reach decisions in a reasonable amount of time;
- Partnerships with non-governmental organizations have increased, especially with regard to effectively promoting gender equality and non-discrimination;

- The independent human rights institutions – the Ombudsman and the Commission on Protection against Discrimination, both went through a process of accreditation before the International Coordinating Committee in accordance with the Paris principle;
- In addition, Bulgaria acceded in January 2012 to three highly important *UN Conventions*, namely *UN Convention on the Rights of Persons with Disabilities*, *UN Convention on the Status of Stateless Persons*, and *the UN Convention on the Reduction of Statelessness*. In 2011 my country became party to *the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment*. All necessary preconditions have been established for the Ombudsman to perform the duties of a National Prevention Mechanism under this Protocol.
- The UPR was a unique exercise, which we went through with a lot of self-evaluation and self-criticism. Out of 113 recommendations, we were able to accept 108, and the difficulties with the remaining 5 were linked mostly to constitutional constraints. Many of the accepted recommendations are already under implementation and will have direct positive impact on the way Bulgaria implements the *UN Convention on the Elimination of All Forms of Discrimination against Women*.
- Let me also mention the increased level of cooperation my country enjoys with the special procedures of the UN Human Rights Council.

Madame Chair,

The **institutional infrastructure** for the elaboration and implementation of the governmental policy on gender equality and non-discrimination has also undergone substantive changes resulting from the implementation of the new legislation. In addition to already mentioned human rights institutions of CPD and the Ombudsman I wish to outline the following:

- The Committee on Human Rights, Religious Issues, Citizens' Complaints and Petitions. This is a standing body of the National Assembly which considers all pieces of legislation related to human rights protection, including the status of women in Bulgaria;
- The National Council for Equal Opportunities for Women and Men which has been functioning under the chair of the Minister for Labour and Social Policy since 2004. This is the main consultative body to the Council of Ministers which develops and implements the national policy on gender equality, *inter alia*, by elaborating the measures to be implemented under the annual National Action Plans in this field and by issuing Terms of Reference for the cooperation on local level. The Council includes as its members representatives of all ministries, governmental agencies, as well as representatives of business associations and NGOs as associated members.
- The gender perspective is also considered within the activities of the National Council for Cooperation on Ethnic and Integration Issues and its Commission on the Integration of Roma, as well as in the work of the National Commission on Combating Trafficking in Human Beings.
- At local level, municipalities may appoint experts on gender issues or establish public councils on social activities, including the promotion of equal opportunities between women and men. Furthermore, there are municipal councils or experts for cooperation on ethnic and integration issues within all the municipal administrations in the country. Many municipalities have also appointed local public defenders (ombudsmen) or mediators to cover gender issues as well.

As our dialogue proceeds, we stand ready to present more details about these improvements and discuss also the challenges which still remain.

Madam Chair,

As the submitted report states, **the policy of the Republic of Bulgaria** in the field of gender equality and non-discrimination on grounds of gender combines the efforts and actions of the executive at all levels, as well as that of local self-government. These efforts have led to the formulation of the *Strategy for Promotion of Gender Equality 2008 - 2015*, adopted at the level of the Council of Ministers. The Strategy is consistent with the commitments of Bulgaria under the *UN Convention on the Elimination of All Forms of Discrimination against Women* and the "Beijing +" documents. The implementation of the National strategy has impacted positively the situation of women in various areas of social and political life. For instance, the Ministry of Defence has revoked the discriminatory regulations allowing only for men to serve as career military officers and now all positions in our armed forces are available for both male and female candidates. On the basis of the new regulations the first two young women were admitted for specialized pilot training at the Bulgarian Air-Force Academy.

Information on social dimension of gender and gender equality-related issues has been incorporated by the Ministry of Education, Youth and Science in several mandatory and specialized school programs, such as those in history, philosophy and others. The Ministry published specialized manuals for teachers, social workers and psychologists providing guidance for them how to approach gender-related issues and ensure gender mainstreaming into the teaching and learning processes.

Similar positive changes have occurred in the business sector and even areas traditionally perceived to be male-dominated, such as management of trade companies, agricultural entrepreneurship, public transportation and telecommunications. In 2011 the ratio between women and men in the areas of transport and communications was 73:27% in favor of women, as 60% of managerial positions were occupied by women.

In order to promote equal participation of women and men in the decision-making process in the business sector, the Ministry of Labor and Social Policies actively supported the initiative of the Vice-President of the European Commission Viviane Reding for nominating qualified women to replace outgoing male members of the company governing bodies with the aim to achieve 30% women's representation in these bodies by 2015 and 40% by 2020. As a result of the campaign in support of the initiative, 13 Bulgarian companies agreed to abide by those targets in their personnel policies, including for the positions at managerial/senior level and signed declarations to this end.

As a result of consistent policies adopted in Bulgaria in promoting gender equality, women currently working in 51 trade companies managed by the Ministry of Economy, Energy and Tourism account for 43% of the members of their governing bodies. According to statistical data for the newly appointed personnel in 2011 the share of women is 71% of the total number, which reaffirms the trend of overwhelming women involvement in these areas.

Thanks to the implementation of the Program for promotion of women entrepreneurship in agriculture the share of young female farmers has increased up to 41,5% as the overall number of women involved in this sector stands at 43%.

In order to foster the implementation of the Strategy, the Government adopts annual *National Action Plans* which include specific measures elaborated with the active involvement of the non-governmental sector. The results of the implementation of these measures are duly reported at the level of the Council of the Ministers Based on a

comprehensive and integrated approach, the new National Action Plan for 2012 provides for specific measures in all critical areas, namely state policies for promoting gender equality, ensuring better representation of women in the decision-making level both in the public and private sector, enhancing participation and empowerment of women in the rural areas, ensuring positive change in the stereotypical perceptions of the social role and functions of men and women and the prevention of violence against women, which was set as a clear priority for the Ministry of the Interior. Furthermore, the *National Action Plan on Employment* (adopted annually since 2002) contains a special section on promoting equal opportunities for women and men.

Madam Chair,

More than 100 NGOs, including those, representing the interest of women belonging to ethnic minorities, shape the women's movement in Bulgaria which operates through the established national networks and fora, addressing various gender related issues.

The role of **civil society** is highly valued in awareness raising and dissemination of information, in legislative reviews, project development and implementation, as well as in providing assistance to victims of discrimination, violence or trafficking in human beings, including legal counsel and psychological and social support, carrying out surveys and research, monitoring the process of implementation of the national programs.

Many of these NGOs are active participants in networks on equal opportunities for women and men operating in South Eastern Europe, in cooperation with EU member states or in wider context.

The main trade unions in Bulgaria and political parties have established women's organizations for promotion gender equality and equal opportunities of women and men.

The Ministry of Labour and Social Policy, in active cooperation with relevant NGOs and the national human rights institutions, has been carrying out regular short- and long term training in gender mainstreaming for experts of central and local authorities.

Madam Chair,

Before concluding and leaving enough time for in-depth discussions on specific issues, let me draw the attention of the esteemed Committee to another new development in Bulgaria.

In accordance with the provisions of the *2012 National Action Plan on Equal Opportunities of Women and Men*, the Ministry of Foreign Affairs has initiated a special working group to elaborate a **National Plan on Implementation of the UN Security Council Resolution 1325 on Women and Security**. This document which has to be submitted for approval by the Council of Ministers by the end of 2012, will upgrade the existing efforts of the Ministry of Defence and the Ministry of Interior within their respective spheres, and will focus on developing further the good practices of Bulgaria in fostering the rights of women both domestically and in conflict affected areas.

Some of these examples include:

- The "Female Leaders in Security and Defence" Project, which is implemented by the Ministry of Defence. A conference within this initiative just ended (on 11 July) in Sofia which involved participants from countries from South East Europe and the Black Sea region;
- Since 2008, the Ministry of Interior of Bulgaria is an active participant in the South East Europe Women Police Officers Network, which has developed specific Guidelines for Gender Sensitive Policing Practice. In 2010, a special report was presented in Sofia focusing specifically on issues related to recruitment and admission of women in the police service, training, career development, non-discrimination, etc. Regional discussions followed in all police directorates in Bulgaria. The work in 2012 continues, aiming at better implementing the Guidelines.

Finally, let me assure you that the members of our delegation are ready to provide more details on all of these and other issues of interest to the distinguished Committee.

We are looking forward to a fruitful discussion.

Thank you.