

2024 REPORT ON THE APPLICATION OF THE EU CHARTER OF FUNDAMENTAL RIGHTS INPUT PROVIDED BY THE REPUBLIC OF BULGARIA

- 1. Does your Member State issue funding for projects aimed at promoting and protecting fundamental rights? If yes, what kind of funding is available? Please provide further information and, where available, project examples.*

According to the provisions of Art. 21 of the Regulations for the Implementation of the Law on Persons with Disabilities, the Agency for Persons with Disabilities (APD) finances projects for the rehabilitation and integration of persons with disabilities pursuant to Art. 10, para. 3, item 8 of the Law on Persons with Disabilities, within the financial resources provided for the relevant budget year.

The financing of the programs and projects is carried out on the basis of a special Methodology for financing projects for the rehabilitation and integration of people with disabilities (the Methodology), approved by the executive director of APD.¹

According to Art. 2 of the Methodology for financing projects under it, only legal entities registered under the Law on Legal Entities with a non-profit purpose to carry out socially useful activities, as well as nationally represented organizations of people with disabilities registered under the Law on Cooperatives, can apply. According to their founding act and according to the activity carried out, these organizations must be permanently committed to solving the problems of people with disabilities.

According to the requirements of the Methodology, participation in the competition for obtaining funding is related to the preparation of a proposal. Direct beneficiaries of the results expected from the implementation of the tender proposal can only be persons with 50% or more reduced working capacity/type and degree of disability and children with 50% or more of a certain type and degree of disability. The competitive proposal must have a subject of activity relating to only one of the following four components:

- *Component 1*, including events aimed at individual and group work with the target group - trainings, acquisition of skills for independent living, rehabilitation, art therapy, familiarization with the cultural heritage and achievements of the homeland, visits to cultural events and others;
- *Component 2*, including events with a public cultural and/or sports performance: festivals, concerts, performances, plain airs, art exhibitions, sports competitions and car rallies and the like, in which the direct beneficiaries are active participants in the relevant event;
- *Component 3*, including the development of various materials, aids, manuals and others, supporting the work of and with people with permanent disabilities, their adaptation, labor and social integration and reintegration;
- *Component 4*, including activities aimed at changing public perceptions of people with permanent disabilities as full-fledged citizens who give voice and demonstrate their active social position, achievements in their work, including and through their organized

¹ The methodology is available on the official website of APD at the following link:
<https://ahu.mlsp.government.bg/portal/page/86>

participation in fairs, trade shows, charity and trade bazaars, specialized job fairs and other social and economic forums and events.

According to Art. 12 of the Methodology, the maximum amount of funding for tender proposals for individual components is determined annually by order of the executive director of the APD. For 2024, the maximum amount of the subsidy has been determined for the various components is for component 1 – up to 16,000 BGN, for component 2 – up to 18,000 BGN, for component 3 – up to 3,500 BGN and for component 4 – up to 10 BGN 000. Tender proposals are evaluated by a commission appointed by order of the executive director of the APD.

According to the data of APD, in 2023, 26 contracts were concluded on received and evaluated project proposals under this program. As a result of the successful implementation of the concluded contracts related to training for the acquisition of skills for independent living, art therapy, rehabilitation, aids were created to support work with the persons from the target group, their adaptation, labor and social integration, etc., in 2023, 4,150 persons with permanent disabilities received support. Funds in the total amount of BGN 264,711, provided by the state budget of the Republic of Bulgaria, were transferred to implement the project activities.

Furthermore, training aimed at promoting the rule of law and the protection of fundamental rights is a key priority in the training activities of the National Institute of Justice (NIJ). It is reflected both in the compulsory initial training and in the ongoing qualification of judicial professionals.

During the period under review, the activities in this area were funded by the budget of the judiciary and the Norwegian Financial Mechanism 2014-2021. The Institute also receives support from the Justice Programme of the European Commission for the participation of Bulgarian magistrates in training activities of the European Judicial Training Network and the HELP Programme of the Council of Europe. With funding from the NIJ budget, the course for compulsory initial training of 64 candidates for junior judges, junior prosecutors and junior investigators was conducted, as well as 5 trainings aimed at improving the current qualification of judges, prosecutors, investigators and other representatives of the Institute's target groups in the field of the rule of law and the protection of fundamental rights, in which 71 magistrates and judicial officers were trained.

In the framework of the ongoing training, 16 trainings on the rule of law and protection of fundamental rights were also conducted with project funding, training a total of 1 200 magistrates and judicial officials. In addition, 34 Bulgarian judges, prosecutors and investigators participated in 16 training sessions organised by the European Judicial Training Network on these issues.

The HELP project "Judicial Training on Rule of Law and Fundamental Rights Issues", implemented with the financial support of the European Commission's Justice Programme, provided funding for the adaptation and piloting of HELP's training courses on "Ethics for Judges, Prosecutors and Lawyers" and "Hate Speech" for mixed groups of judges and prosecutors. The pilot editions of the trainings will be conducted by the NIJ in the first half of 2024.

2. If funding for projects aimed at promoting and protecting fundamental rights is provided, is this funding available to projects from regional and local levels? If yes, what kind of funding is available? Please provide further information and, where available, project examples.

Under the NFM, Bulgaria implements projects at the local level, which usually target the members of specific vulnerable group.

Some of the projects cover a network of professionals across the country. For example, for the implementation of the "*Children's Path*" service workshops were held in the 24 regional city centres of the country (out of 28).

Other projects contribute to increasing the access and quality of specialized services, with a special focus on children from the Roma community. Certain projects envisage partnerships between local and state institutions, such as "*Specialized services for children from Roma communities in conflict or contact with the law*" where within the framework of one of the activities 21 partnership agreements were signed for the provision of the three services "Center for counselling and legal assistance for children". These services have been implemented in the Roma communities of Plovdiv, Pazardzhik and Lom and provide services, including psychological and legal assistance.

Thus, members of the local communities are being involved. At the trainings held to increase the capacity of related institutions to work with children in conflict or contact with the law, representatives of numerous local institutions took part – Commission for Combating Juvenile Delinquency, Regional directorate "Execution of sentences", the relevant municipality, administrative court, regional directorates of Ministry of Interior, Regional prosecutor's office, representatives of social services and NGO sector. This creates collaboration and coordination between the different stakeholders. The implemented awareness campaigns contribute to popularizing the projects as well as to improving access to friendly justice for child victims or witnesses of crime and children in conflict with the law.

The NIJ, on the other hand, is the training institution of the judiciary and has no regional divisions. Funding for local training activities is available under the Institute's Regional Training Programme. Funding is from the budget of the judiciary.

During the reporting period, the NIJ Regional Training Programme funded 3 trainings on issues related to the rule of law and the protection of fundamental rights with 130 participants.

3. Do your funding efforts related to promoting and protecting fundamental rights explicitly involve civil society organisations or human rights defenders? Please provide further information and, where available, project examples.

According to the requirements of Art. 95, para. 1 of the Law on Persons with Disabilities, the state provides financial support for activities of organizations of and for persons with disabilities with recognized national representation in the form of a subsidy from the state budget. The nationally representative organizations of and for people with disabilities annually make proposals for the distribution of the purpose of the subsidies, accompanied by a report and an estimate for assessing the admissibility of the activities and their costs. Funding is provided for the implementation of activities in the field of the rights of people with disabilities with the aim of their social inclusion. Through this, an adequate framework

has been created through which the state's commitment to provide financial support for the activities of organizations of and for people with disabilities with recognized national representation is fulfilled.

The total amount of subsidies from the state budget for the budget year 2024 for 21 organizations of and for people with disabilities with recognized national representation amounts to BGN 5,099,400. The subsidies are spent by the nationally representative organizations of and for people with disabilities according to the distribution of their purpose, approved annually by a Decision of the Council of Ministers and according to budgetary guidelines and deadlines, as well as in view of their expediency. In this way, conditions have been created for developing the potential of organizations of and for people with disabilities in the implementation of activities to overcome stereotypes in society, cooperation with regional and local bodies in the implementation of activities aimed at overcoming the social isolation of people with disabilities, as well as ensuring their access to healthcare, education, employment, social and rehabilitation services, etc.

Representatives of NGOs involved in the protection of fundamental rights participate in the implementation of the projects with the support of the Justice Programme of the Norwegian Financial Mechanism 2014-2021.

All training activities organized under the project "*Prevention and Counteraction of Violence against Women and Domestic Violence*" have been conducted under the guidance of multidisciplinary teams of trainers (including representatives of the NGO sector) for mixed groups of trainees composed of representatives of the judiciary, competent administration and law enforcement authorities, which favours the exchange of experience and good practices in the field.

The contribution of the NGOs in the public discussion organised under the project on issues related to the implementation of specialised programmes targeting perpetrators of domestic violence proved to be crucial. Within the framework of the discussion, CSOs providing specialized services for perpetrators of domestic violence presented to magistrates and representatives of the competent institutions the public impact programmes they offer and the good practices identified in their implementation. The event also provided an opportunity for a professional debate on the identified problems and challenges in the field and the possibilities for overcoming them with the coordinated efforts of all stakeholders.

Under the project "Contemporary Learning Environment for Judges, Prosecutors, Investigators and Other Representatives of the Professional Community", a multi-professional community "Justice for Children" was established, composed of magistrates, officials of the institutions with competence in the field of child rights protection, representatives of NGOs and other professionals with in-depth knowledge and experience, who through their joint work contribute to the implementation of a coherent and coordinated approach in identifying and addressing the training.

- 4. Does your Member State raise awareness on the available funding opportunities in the field of promoting and protecting fundamental rights? Please provide further information and, where available, examples.**

For each project implemented, the NIJ shall provide the necessary information to the funding organization in accordance with the latter's information and publicity rules.

In connection with the tenders announced by APD for financing projects under various programs, the Agency organizes and conducts an online "Open Day". During the event, interested parties have the opportunity to familiarize themselves with the programs and ask questions about the conditions for applying, granting funds, monitoring and accountability.²

- 5. Have you introduced measures to prevent and mitigate the potential misuse of funding to promote and protect fundamental rights? Please provide further information and, where available, examples.*

The competitive proposals of projects for rehabilitation and integration of people with disabilities according to Art. 10, para. 3, item 8 of the Law on Persons with Disabilities are evaluated by a committee appointed by order of the Executive Director of the APD, and according to the provisions of the Methodology.

The implementation of the activities under the competitive proposal on which a contract has been concluded is monitored periodically. The execution of the control can take place according to a planned schedule and be sudden. The sudden control can be carried out on the initiative of the APD, as well as in the presence of complaints and reports. It should be noted that, according to the provisions of the Methodology, the final payment in the amount of 30% of the regulated amount under the contract is transferred after the proposal has been completed, an inspection has been made, certified by a finding protocol and a report on the results achieved from the implementation of the tender proposal has been approved.

When, as a result of a control, non-fulfillment of the agreed results is found, the contractor under the contract is warned about the registered inconsistencies and he is required to remove them within a fixed period. In the event that relevant payments under the contract have not yet been made, they are suspended until the identified discrepancies are eliminated. When, after the expiration of the fixed period, the discrepancies found have not been corrected, the funds used are reimbursed up to the amount of the discrepancy found together with the legal interest.

The expenditure of the state subsidy of the nationally representative organizations of and for people with disabilities is controlled by a commission specially created for the purpose. Its task is to exercise control over the expediency and legality of activities supporting the social inclusion of disabled people and the funds spent for this purpose by organizations of and for disabled people with recognized national representation.

The control is carried out every quarter by the commission, which may require the relevant organization to submit additional information related to the funds spent and the activities implemented, and organize on-site inspections when necessary. In the case of detected violations in the implementation of the subsidized activities and/or in the event of their non-implementation, as well as in the case of the loss of national representation, the Ministry of Labor and Social Policy shall suspend the subsidization.

- 6. Does your Member State co-operate with other international or regional donors than the European Union in the provision of to promote and protect fundamental rights? Please provide further information and, where available, examples.*

According to the Memorandum of Understanding on the Implementation of the Norwegian Financial Mechanism between Norway and Bulgaria, the Ministry of Justice is a Programme Operator, having the responsibility for preparing and implementing Programme "Justice".

² Information about the event is available on the official AHU website at the following link:
<https://ahu.mlsp.govment.bg/home/>.

The programme objective, "Strengthened rule of law", shall be attained through 4 outcomes.

Outcome 2 "Improved application of European legal framework by the Bulgarian judiciary" comprises the contribution to establishing a fundamental-rights-based approach amongst Bulgarian institutions in compliance with the established principles and standards. The programme supports Outcome 2 by way of three predefined projects:

- *"Enhancing the national capacity for effective implementation of the judgments of the European Court of Human Rights"*: The project aims at ensuring the national framework for effective implementation of the European Court of Human Rights judgments and establishing synergies between the responsible state actors in implementing the general measures prescribed by the European Court of Human Rights in its case law against Bulgaria and the relevant human rights standards. The project has contributed to the introduction of the Human Rights academic teaching as a compulsory discipline.
- *"Modern learning environment for legal professionals"*: The project aims at the creation of an integrated, coordinated and structured learning environment for judges, prosecutors, investigating magistrates and other legal professionals, ensuring effective implementation of the European law and the fundamental standards. A framework for sustainable judicial training in the field of fundamental rights and the rule of law has been established and over 600 magistrates have undergone training on how to apply fundamental rights. The project produced accessible and up-to-date self-learning resources on the topic.
- *"Strengthening the professionalism of the judiciary"*: To strengthen the capacity in the implementation of the European Convention on Human Rights nine Bulgarian magistrates have been seconded to the Registry of the European Court of Human Rights and to the Department of Execution of Judgements of the Council of Europe. Working groups including members appointed by the Norwegian Courts Administration elaborated law amendments for introduction of restorative justice as well as for the status and activity of the judicial interpreters.

Outcome 3 "Improved capacity of Bulgarian Authorities in the area of child friendly justice". This outcome is supported by four projects under a small grant scheme. The project introduced support services based on local-level partnership agreements for coordinated work with children in conflict with the law.

Outcome 4 "Improved capacity of Bulgarian Authorities in the area of domestic and gender-based violence". The programme supports the outcome through two pre-defined projects and five small grant scheme projects. The projects have managed to reach directly more vulnerable communities and to complement the public policies in the thematic field. The intensive capacity building activities that took place were developed and implemented by way of adapting internationally recognised methodologies and practices.

- *"Preventing and Combating Violence against Women and Domestic Violence"*: The project is aimed at enhancement of the competences of the judiciary and the competent authorities to implement a victim-centered approach and to improve the institutional co-operation in preventing and combating SGBV.
- *"Improving the access to justice for people living under the poverty line"*: Access to legal aid has been ensured for vulnerable groups through development of a local cooperation

mechanism in response to domestic and gender-based violence and establishment of mobile legal aid units.

The five small grant scheme projects display a comprehensive and sustainable approach to combating domestic and gender-based violence, involving training, awareness campaigns, collaborations, and specialized services. The engagement of various stakeholders reflects a holistic strategy to address the issue of the improvement capacity of Bulgarian Authorities in the area of domestic and gender-based violence. Various types of studies and/or analyses have been carried out on all projects, which are used as a basis for the implementation of subsequent activities. Most of the projects target to support through a comprehensive new service the development and introduction of effective integrated approaches aimed at improving the status and opportunities of children from the Roma community in contact with the law and victims of domestic violence.

During the reporting period, NIJ also implemented projects funded under the NFM Justice Programme 2014-2021:

- *"Modern learning environment for judges, prosecutors, investigators and other representatives of the professional community"*, with a total budget of BGN 2 835 953,50 and implementation period - 07.04.2020-30.04.2024.
During the reporting period, 8 training activities were carried out under the project, for a total amount of BGN 63 888,07 and 925 magistrates and judicial officers were trained.
- *"Prevention and Counteraction of Violence against Women and Domestic Violence"*, with a total budget of BGN 488 957,50 and implementation period - 12.02.2020-30.04.2024.
During the reporting period, 8 training activities have been conducted under the project, for a total amount of BGN 151 901,24, in which 275 legal specialists, representatives of the administration and law enforcement authorities have participated.

7. Are there any other elements related to funding to promote, protect and enforce fundamental rights that you would like to mention?

In addition to the abovementioned, over the past year Bulgaria responded to the humanitarian emergency in Armenia related to the influx of refugees from Nagorno-Karabakh, and provided humanitarian aid through a financial contribution to the World Food Programme in the amount of EUR 30 000.

The Government of the Republic of Bulgaria has decided to contribute of EUR 71 611.00 to the UNDP, a subsidiary organ of the United Nations, for the Crowdfunding Campaign for Cultural Heritage Project.

Moreover, Bulgaria provides on an annual basis targeted funding to UNICEF, OSCE, CoE and other international bodies.