U.S. DEPARTMENT of STATE

Bulgaria

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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 October 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. They included: severe police abuses, 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 limitations on freedom of the press; some restrictions of freedom of religion and discrimination against religious minorities; and corruption in the executive, legislative and judicial branches of government. Other problems included: societal violence and discrimination against women and children; trafficking in persons; discrimination against persons with disabilities; violence and discrimination against minority groups; and child labor.

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 November 9, the Sofia Military Court sentenced one police officer to 19 years' and another to four to 18 years' imprisonment for the 2005 death of a man in police custody in Blagoevgrad. The victim, Angel Dimitrov, died of severe blows to the head received during his arrest. The police officers' appeal of the sentence to the Military Appellate Court was pending at year's end.

On November 30, the Varna district military prosecution terminated, for lack of evidence, its investigation into the August 10 death of Valentin Zhivkov, while in detention in the Balchik regional police department recovering from intoxication. A subsequent inspection by the Interior Ministry found no violation of procedures by police in this case. Witnesses had claimed that Zhivkov's body showed signs of severe beating.

During the year the Military Appellate Court confirmed the 16-year prison sentence rendered in 2006 against a Varna policeman convicted of the fatal beating of a 38-year-old homeless man in 2005.

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Police often mistreated suspects in custody, especially during initial interrogation. Human rights observers charged that police sometimes dealt with minor offenses by arresting suspects, beating them, and releasing them within 24 hours so that no judicial involvement was required; however, a continuing decline in the number of complaints about this procedure suggested that it was used less frequently. Nongovernmental organizations (NGOs) reported complaints of police brutality from Romani victims who were too intimidated to lodge official complaints with authorities.

On June 5, a court approved a settlement between the defendant and the prosecution and sentenced Anton Zlatanov to one year of probation for hooliganism. Zlatanov was detained for 24 hours in 2006 after he blew his horn at a police tow truck blocking the road. He claimed that police beat him while he was in custody.

Human rights groups continued to claim that medical examinations in cases of police abuse were not properly documented, that allegations of police abuse were seldom investigated thoroughly, 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 $1.20 (1.6 lev). NGOs received complaints from prisoners about both the quality and quantity of food.

Overcrowding remained a problem, although the Ministry of Justice reported a slight decrease in the prison population following the introduction of a probation system in 2005. As of September, there were 10,792 prisoners in the country's 13 prisons, a figure that the Ministry of Justice estimated to be three times the system's intended capacity.

NGO prison monitors reported that guards' brutality toward inmates continued to be a problem. There were also reports of brutality among the inmates themselves. Some incidents were recorded on smuggled-in cell phones and broadcast on television. In March 2006, following one such broadcast, the director of the Sofia Prison was dismissed, and the prosecutors began an investigation against three prison guards for failing to exert control over the smuggling of cell phones in the prison.

Prisoners exercised their the right to report substandard conditions and mistreatment to prison authorities, but prison authorities, citing financial constraints, did little to address their concerns. NGOs observed that corruption and the government's failure to allocate resources to improve conditions and increase prison capacity impeded

reform.

As of September there were 1,005 detainees in the country's 45 detention centers. Despite some infrastructure improvements in several centers, there were serious problems with sanitation. Six of the worst centers were closed in 2006, but many of the remaining detention centers still operated in basements with little or no access to sunlight.

Foreign prisoners (153 as of September) were held in a separate prison building in Sofia to provide easier access to consular services from diplomatic missions.

Men and women were held in separate prisons; the prison in Sliven is reserved for women. In all prisons pretrial detainees were held separately from convicted prisoners. Minors were also kept separately in the labor correction hostel in Boichinovtsi, which is used to hold persons under age 18 and is less restrictive than the prisons.

The prison administration noted a significant increase in the number of drug-dependent inmates, estimated to exceed 1,600 compared to an average of 500 in previous years. Citing financial constraints, the prison authorities acknowledged difficulties diagnosing and treating drug-dependent inmates and limiting their access to narcotics.

The government generally permitted independent monitoring of prison conditions by independent observers, and visits took place 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 Interior Ministry is responsible for oversight of internal law-enforcement organizations, including the National Police Service, whose responsibilities included preserving order, investigating crime, combating organized crime, policing the border, and protecting strategic facilities. Other law enforcement-related bodies, such as the National Intelligence Service and National Protective Service, are directly subordinate to the president and are not subject to adequate judicial, executive, or legislative oversight of their activities or budgets.

A large percentage of crimes went unreported because victims had little confidence in police. A 2006 survey reported that police failed to treat one in four individuals they stopped with professionalism and respect, and that they consistently treated members of ethnic minorities worse than ethnic Bulgarians. Many survey participants expressed fear that filing a complaint would lead to further abuse should they encounter the same officers again.

From January through November, the Interior Ministry received 65 complaints of police corruption on its hot line and 205 posted to its Web site. During the same period, 44 police officers were dismissed and 40 were referred to the military prosecution service to face possible criminal charges.

Impunity remained a problem. All complaints involving interior ministry personnel and other police forces, as well as military personnel, are adjudicated by the military court system. The Sofia Military Appellate Court is the court of final appeal for cases involving interior ministry personnel. NGOs claimed that this separate court system encouraged a latent bias in favor of police and resulted in halfhearted prosecutions by military prosecutors, who were not eager to see their colleagues punished.

Human rights-related training was mandatory at the police academy and officers' schools.

Arrest and Detention

Warrants are not always required for an arrest; however, police normally obtained them from a prosecutor prior to apprehending an individual. If a detainee is released within 24 hours without being charged, no judicial involvement in the case is required. While an investigator or police officer could not detain an individual more than 24 hours, detention could last up to 72 hours without bringing charges if ordered by a prosecutor, who is a member of the judicial branch. Prosecutors are not allowed to arrest military personnel without approval by the defense minister.

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

Although the law provides for access to legal counsel from the time of detention, an August study by the Open Society Institute (OSI) indicated that lack of timely access to legal counsel remained a problem. Logistical reasons and poor knowledge of the law often resulted in police failure to inform detainees of their right to legal aid. The law provides some legal aid for low-income defendants in criminal cases, but the OSI study reported that many police precincts did not have an accurate list of public defenders, thus effectively hindering the program's implementation. Detainees were generally informed promptly of the charges against them. However, the OSI reported some instances when police did not inform detainees of the charges or their rights under the law.

Although the government generally observed the statutory limit of one year for pretrial detention (two years for the most serious crimes), there were a few cases of more lengthy detention due to a backlog of cases. In the event of a conviction, time spent in pretrial detention was credited toward the sentence.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the effectiveness of the judiciary was hampered by corruption, inefficiency, and a lack of accountability.

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.

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 two Supreme Courts acting as final review--the Supreme Court of Appeals and the Supreme Administrative Court. The 2006 Administrative Procedure Code established 28 courts that specialize in reviewing appeals of central and local government acts. The Constitutional Court, which is separate from the rest of the judiciary, is empowered to invalidate legislation that it considers unconstitutional, settle disputes over the conduct of general elections, and resolve conflicts over the division of powers among the various branches of government.

Judicial backlogs remained a serious problem, although observers noted some continuing, modest, improvement in efficiency. Long delays awaiting trial were common, and investigators and police continued to struggle with a large backlog of outstanding investigations. During the year the statute of limitations obliged prosecutors to dismiss charges in more than 20,000 cases.

The Center for Liberal Strategies reported that criminal trials took an average of 350 days, and civil trials took 835, with 541 days spent in pretrial proceedings. The courts often acceded to defense counsels' requests to delay hearings in order to avoid sentencing, with particularly notorious cases of alleged organized crime bosses excused

for reported sudden illness. To address excessive delays in civil cases, in July the parliament adopted a new Civil Procedure Code which was scheduled to take effect on March 1, 2008.

Constitutional changes adopted in March were designed to improve efficiency and strengthen disciplining of judges, prosecutors, and investigators. They mandated the creation of a permanent Supreme Judicial Council, allowing its members to focus entirely on governing the judiciary as opposed to their predecessors, who served on the council in addition to their regular duties and met only once a week. The amendments, supplemented by a new Judicial System Act, also introduced an internal audit mechanism through the creation of an 11-member inspectorate under the council. To ensure strict observance of legal procedures and increase accountability, the inspectorate was charged with investigating complaints of judicial misconduct and recommending disciplinary action to the council. In December the parliament appointed nine of the inspectorate members in a highly politicized process that attracted widespread criticism.

Structural and personnel reforms in the prosecution service initiated in 2006 continued during the year. Investigations of prosecutors suspected of abuse of office continued, with eight prosecutors brought to court and 35 dismissed or administratively censured. 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 have the right to know the charges against them, to have government-provided 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. Juries are not used, although in cases involving more serious crimes, the judge is joined at the trial phase 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.

Military courts handle cases involving military personnel, personnel of the Interior Ministry (including police), and certain national security matters. As part of the judiciary, military courts are separate from the armed forces, and permitted defendants the same rights as those in civilian courts. 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.

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 right abuses may be filed with courts and also with the Commission for Protection against Discrimination, which has the power to 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. From January to July 2006, approximately 20,000 collection cases were filed with private enforcement agents, while only 600 were filed with the state enforcement agents.

Property Restitution

The Jewish community reported difficulties recovering properties returned to them through court proceedings, because government agencies continued to occupy them. Despite court decisions in their favor, the Jewish community was unable to take possession of a state-run hospital in central Sofia and a house in Varna formerly owned by a rabbi but occupied by the Ministry of Defense.

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

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

The authorities continued to look for alternative housing sites to replace housing built by Romani in the Vazrazhdane neighborhood of Sofia. Demolition of those houses, whose owners allegedly lacked proper land titles, was halted in June 2006 following international criticism and letters from four members of the European Parliament.

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 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.

Individuals criticized the government freely without reprisal, and the government did not attempt to impede criticism.

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

Six of eight cases in a complaint filed against Ataka party leader Volen Siderov remained under review by the Sofia regional court. The complaint originated with a coalition of 60 NGOs and charged Siderov with harassing and discriminating against persons from ethnic, religious, and sexual minorities. In the two cases that were decided, both in 2006, the court found in one 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.

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 inadequate legislation to protect their programming independence left these media vulnerable to government pressure. The state-owned Bulgarian Telegraph Agency was generally regarded as unbiased, and the state-owned Bulgarian National Radio was often one of the most outspoken critics of the government and its policies.

On May 16, police beat an *Express Daily* reporter, Emil Ivanov, who was photographing security measures being taken to protect a controversial witness in a high profile murder trial involving organized crime. The Sofia district prosecutor declined to file charges against the officers, a decision criticized by domestic and international human rights groups.

In contrast with the previous year, no journalists were fired in apparent retaliation for criticizing government officials.

There were no developments in the investigation of the April 2006 explosion in the apartment of Vasil Ivanov, who had described wide-ranging abuses in Sofia's main prison, or in the May 2006 brake-in at the offices of the newspaper *Novinar*, and police had not identified any suspects in the 2005 fire in the Vratsa office of the national daily newspaper *Trud*.

Defamation is punishable under the law. Usually the courts interpreted the law in a manner that favored journalistic expression. Fines for libel ranged from approximately $2,239 (3,000 leva) to $7,465 (10,000 leva); fines for slander ranged from approximately $3,732 (5,000 leva) to $11,197 (15,000 leva). Although observers noted a slight increase in the number of defamation suits brought against journalists in recent years, only a small number resulted in fines. The majority of defamation cases were prompted by reporting about corruption or mismanagement, and the most frequent plaintiffs were government officials or other persons in public positions.

On February 23, Volen Siderov, leader of the nationalist and racist Ataka 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. During the year the NGO Access to Information and human rights activists strongly criticized the July 12 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.

According to the National Statistical Institute, Internet use increased to 30.8 percent of the population, or almost one in every three inhabitants. Internet service was available in 19 percent of households, although less-developed rural areas did not have the infrastructure to support Internet services.

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 ban, 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.

Under a 2005 law, a political party must have 5,000 members to be registered. The requirement has adversely affected the Macedonian activist group, Ilinden. On October 11, the Supreme Court of Appeals upheld the Sofia city court's decision rejecting Ilinden's registration citing numerous procedural violations in Ilinden's application, particularly in its collection of members' signatures.

Ilinden members continued to complain of hostile treatment by authorities after negative statements by the Blagoevgrad mayor in 2006 and an aggressive campaign by police who went door to door to question members about their affiliation with Ilinden. The decision of the Supreme Court of Appeals effectively precluded further appeals in domestic courts, and the group planned to file a new complaint with the European Court of Human Rights (ECHR), where it had already won five judgments against the cancellation of its earlier registration.

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 the government provided financial support to it, as well as to the Muslim, Catholic, and Jewish faiths perceived as holding historic places in society.

The law 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. Groups or persons that have broken away from a registered religious groups may not use the name or claim any property belonging to that registered group. Human rights organizations criticized the law's preferential treatment of the Bulgarian Orthodox Church, citing as examples two court decisions, the most recent issued on February 7, that rejected registration for other Bulgarian Orthodox groups. From January through October, 13 new denominations were registered, bringing the total number of registered religious groups to 86. To register, groups must submit a statement of the denomination's beliefs. The Bulgarian Helsinki Committee has expressed concern that this requirement constitutes an infringement on freedom of religion.

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 religious denominations reported that the Religious Confessions Directorate (RCD), which provides the courts with "expert opinions" on registration matters, became more active during the year in facilitating respect for religious freedom on the part of national and local authorities, and that the national government was more receptive to their concerns. On February 23, for example, a Protestant group, the Bulgarian Chaplaincy Association, gained legal status. The association represents approximately 120 Protestant pastors and individuals mainly affiliated with the Church of God and Assemblies of God but also Baptists and Lutherans.

In May the Sofia City Court denied an application for reregistration by the Ahmadi Muslim Organization (the community had been rejected in 2005). The decision cited opinions of the RCD and the Chief Mufti's Office maintaining that the registration of the Ahmadis would "lead to the rise and institutionalization of a very serious dissent in the Muslim community," and promote the spread of an interpretation of Islam that was not traditional in the country. On November 21, the Sofia appellate court upheld the city court's decision. The appellate court's decision precluded further recourse in domestic courts, and the group planned to file a complaint with the ECHR.

The Ahmadi Muslim Organization reported that authorities in Blagoevgrad infringed its members' right to practice their faith. In December 2006 the Blagoevgrad public prosecutor charged the Ahmadis with carrying out religious activities without proper national registration. After the 2005 rejection of its application to register as a religious group, the group resorted to registering as an NGO. The Blagoevgrad prosecutor challenged the group's NGO status, claiming it had violated that status by proselytizing and holding religious meetings. The case was awaiting decision in Blagoevgrad District court at year's end.

Some religious groups continued to report difficulties in gaining long-term registration and freedom to proselytize, although there were fewer such reports than in previous years. In contrast to previous years, there were no reports of missionaries being arrested or fined for proselytizing. During the year several municipalities, including Burgas, Pleven, Pernik, Stamboliyski, Haskovo, and Targovishte, relaxed decrees that prohibited the dissemination of religious literature "on the streets and at the houses of citizens" except by groups registered in the municipality.

Despite these improvements, the Jehovah's Witnesses organization, which is registered nationally, reported that some local authorities prevented members from distributing leaflets and impeded their efforts to proselytize. On May 24, for example, police in Gorna Oryahovitsa questioned a 14-year-old member of Jehovah's Witness who was preaching with an adult companion. A local newspaper published an article accusing the group of breaking the law by using underage children to distribute religious propaganda. On April 25, police in Gorna Oryahovitsa prevented two members of Jehovah's Witnesses from preaching after asking them to produce proof that they had the right to preach publicly. The police officers warned the two to discontinue their public preaching or face serious consequences. In Plovdiv local officials restricted much of their proselytizing activity.

The country's January 1 entry into the European Union (EU) led to the removal of visa restrictions for EU citizens, significantly improving access to the country by missionaries from other EU member countries. In contrast to previous years, there were no reports of foreign missionaries being denied visas.

At year's end the Commission for Protection against Discrimination was reviewing a complaint by Muslim students that a ban on wearing of headscarves in schools that do not have school uniform requirements was discriminatory. The case follows 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 of a court to resolve a leadership dispute within the Muslim community continued to result in charges that court procedures were opaque and politically influenced. In December the Supreme Court of Appeals upheld the Sofia appellate court's decision annulling the registration of Mustafa Alish Hadji as Chief Mufti. The ruling effectively reinstated rival Islamic leader Nedim Gendzhev, a former Chief Mufti from the Communist era who enjoys limited support within the Muslim community. The expected implementation of the court's ruling raised concerns among the community about potential mismanagement of its property for personal profit.

In 2005 the ECHR granted an accelerated hearing to the Alternative Synod, a splinter group of the Bulgarian Orthodox Church, which filed a complaint alleging that in 2004 the government improperly intervened in an internal church dispute (the synod's member churches lost all of their property to the Bulgarian Orthodox Church in 2004). The case was pending in the ECHR at year's end.

Societal Abuses and Discrimination

There were occasional manifestations of public intolerance of nontraditional religious groups and religious minorities. Human rights groups reported that discrimination against such groups gradually lessened in recent years.

During the year the extremist political party Ataka (Attack) continued its attacks on Roma, Jews, and Muslims. Ataka, which employed racist and discriminatory rhetoric during the 2005 and 2006 electoral campaigns, published anti-Semitic and anti-Muslim material in its newspaper, on its Web site, and on its cable television mouthpiece Skat. Ataka's newspaper, launched in October 2006, Web site, and cable television mouthpiece Skat, contained strong anti-Roma, anti-Semitic, and anti-Muslim material.

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

The Chief Mufti's Office continued to report occasional cases of mosque desecrations. During the year the mosque in Pleven was vandalized with swastika graffiti at least 10 times. In December the windows of the mosque in Kazanluk were broken after it was torched in 2006. In May pigs' heads were hung on two mosques in Silistra. There were no reports of prosecutions in that incident or in a number of 2006 incidents, including the breaking of a window of the Banyabasi Mosqui in Sofia and the defacement of a mosque in Aytos with paint. The Chief Mufti's Office expressed concern that, while the vandals were usually apprehended, they rarely received legal penalties or punishments. In 2006 the National Assembly adopted a declaration condemning the escalating threats to religious tolerance and ethnic peace.

In April VMRO (formerly known as the Internal Macedonian Revolutionary Organization), a fringe political party, protested against a planned religious gathering of Jehovah's Witnesses in Varna, forcing the cancellation of the Witnesses' contract to hold their gathering at the Palace Cinema. Later in April VMRO gathered 1,000 protest signatures in an unsuccessful attempt to disrupt a large gathering of the Jehovah's Witnesses in Dobrich. In advance of the meeting, local media outlets publicized VMRO's negative views of the Jehovah's Witnesses, its demand that the municipality stop the gathering, and its threats to assemble "members and sympathizers" to protest. However, after intervention by the Religious Confessions Directorate, the municipality gave the Jehovah's Witnesses enough police protection to prevent disruptions. At year's end the Commission for Protection against Discrimination was reviewing the cancellation of the internship of a young female member of Jehovah's Witnesses by a private firm to determine whether she was a victim of discrimination. The Supreme Administrative Court overruled the commission's initial decision against her and returned the case for a new review.

During the October municipal elections, the Ataka party reinitiated a campaign to silence the loudspeakers on the Sofia Mosque, claiming that the prayer calls were disturbing residents of the capital's central area. In response to an earlier request of the Sofia mayor, the Chief Mufti's Office promised to turn down the volume "if [it] exceeded the permitted limit."

The investigation into the 2005 desecration of over 100 Turkish Muslim graves in Haskovo by three teenagers was ongoing at year's end, but it appeared unlikely that the perpetrators would be punished.

Two watchdog institutions, the Office of the Ombudsman, and the Commission for Protection Against Discrimination, were responsible for hearing and acting on complaints of discrimination. In 2006, 21 percent of admissible complaints filed with the Commission for Protection Against Discrimination were based on ethnic or racial discrimination.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

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.

Internally Displaced Persons (IDPs)

The government continued to work with NGOs to assist persons rendered homeless by floods in 2005. While many of the 5,000 persons initially displaced were able to return home, some continued to live in temporary housing. There were increasing media reports that government officials misused and misappropriated relief funds.

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 "refoulement," the return of persons to a country where there is reason to believe they feared persecution. The UNHCR noted improvement in the government's handling of claims for refugee and asylum status at the border and 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. During the year the government granted refugee status to 13 out of a total of 975 applicants. The State Agency for Refugees reported that following the country's EU accession, the number of applicants increased from 639 (2006) to 975 (2007), with Iraq and Afghanistan as the top countries of origin. However, the total number of asylum seekers remained below the peek in 2002, when asylum seekers numbered 2,888. Asylum seekers were predominately single men but also included some women and children.

The government also provided temporary protection to persons who may not qualify as refugees under the 1951 convention and 1967 protocol. This protection, described by the law as "humanitarian status," was provided to 322 persons. The UNHCR and NGOs noted that during the year the government granted humanitarian status to most Iraqi asylum seekers. 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.

The UNHCR, in cooperation with the International Organization for Migration (IOM), operated three transit centers near the Greek, Turkish, and Romanian borders to interview refugee applicants. They also assisted the government with a small reception center in Banya.

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, municipal elections were marred by reports of large-scale vote buying.

Elections and Political Participation

In contrast with the October 2006 presidential elections, which were widely regarded as free and fair, the municipal elections held on October 28 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 $149.3 million (200 million leva). 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 abroad, usually referred to as "election day tourism." In addition to the busing of voters from Turkey, observed during previous elections, the October elections attracted "election tourists" from Macedonia. 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 expected 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 one deputy prime minister and two ministers. Women held key positions in the National Assembly, including one deputy speaker 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 Turkish, one was Roma, and two were ethnic Armenian. There were three ethnic Turkish ministers in the cabinet and two Romani deputy ministers. 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 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 Roma 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. According to the World Bank's Worldwide Governance Indicators, government corruption was a problem. Public officials were subject to financial disclosure laws, but according to the National Audit Office, 195 officials did not fully comply with the requirements and failed to report all of their and their spouses' assets during the year.

During the year the government undertook measures to fight low−level administrative crime, but did not aggressively prosecute high-profile organized crime or corruption. In April the minister of economy and energy, the chief of the National Investigative Service, and two deputy ministers lost their jobs after a highly publicized scandal which involved the exchange of corruption allegations. The prosecutor's investigation into the allegations was ongoing at the end of the year. The minister of economy and energy returned to his position as a member of the National Assembly and was appointed chair of its Budget Committee. One of the two deputy ministers was reinstated. The chief of the National investigative Service remained in the service as head of department.

During the year the government adopted a strategy for transparent governance and fighting corruption. An interministerial Commission for Preventing and Fighting Corruption, chaired by the interior minister, was responsible for coordinating government efforts to fight public sector corruption, including promotion of public awareness campaigns. The commission reported that between January and November, 131 civil servants were dismissed for corruption.

During the year the Interior Ministry and the chief prosecutor's office continued anticorruption campaigns. Investigations of possible misuse of funds were under way involving several senior government officials, including the head of the State Reserve, the head of fire protection, the chief of Sofia traffic police, and the head of the Sofia heating utility. As of July the Interior Ministry's corruption hot line received more than 5,000 tips.

The law provides for public access to government information; however, in practice the government often restricted such access. During the year the Supreme Administrative Court reviewed approximately 60 appeals of denials. In almost half of the cases the court allowed greater access to government information. According to the NGO Access to Information Program the government rarely implemented the courts' decisions.

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 2006 the ombudsman received 2,516 complaints of violations of citizens' rights and freedoms, of which 78 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, 8 percent concerned human rights violations.

The nine-member Commission for Protection against Discrimination engaged more actively in public awareness campaigns, resulting in an increased number of complaints. The commission has the power to receive and investigate complaints, issue rulings, and impose sanctions on violators. Although the commission was more active during the year, some human rights groups remained concerned about its capacity and independence. As of December 10, the Commission had reviewed 582 complaints, the majority of which concerned labor discrimination.

During the year the ECHR issued 53 rulings related to Bulgaria. The government paid over $298,583 (400,000 leva) in compensation for damages imposed as a result of the government's denial of fair trial, an unreasonably slow judicial process, inadequate prison conditions, mistreatment of detainees and prisoners, and other human rights abuses. The government has generally complied with the ECHR rulings but did not do so with regard to its rejection of the cancellation of the ethnic Macedonian group Ilinden's registration as a political party.

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 2004 antidiscrimination law, which provided two options for civil remedies against discrimination--through the courts 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 with 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.

Domestic violence was a serious problem, according to NGOs. 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 reviewed 2,092 domestic violence complaints in 2006. The courts ruled in favor of the victims in 866, or about 40 percent, of the complaints.

Although in October 2006 the cabinet voted to make approximately $201.543 (270,000 leva) available to municipalities for establishing shelters for domestic violence victims, none were built during the year, and the government did not provide shelter or counseling for women. The Bulgarian Gender Research Foundation continued its efforts to promote coordinated community responses to domestic violence and trained over 120 police officers, judges, and other legal professionals on the provisions of the domestic violence law. Training helped alter traditional stereotypes of domestic abuse as a family matter rather than a criminal act. As a result, police were less reluctant to intervene in cases of domestic abuse when a woman sought police protection or assistance. Police and social workers referred victims of domestic violence to NGO-run shelters. There were 15 crisis centers to provide victim assistance and short-term shelter. The NGO Animus Association Foundation (AAF) operated a 24-hour hot line for women in crisis, including victims of trafficking, that provided access to professional therapists and help in obtaining medical attention, identity documents, and information on housing and employment.

Prostitution is not specifically addressed in the law and was commonly practiced; however, 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.

During the year, under international and NGO pressure, the Ministry of the Interior abandoned plans to legalize prostitution. Many human rights activists concluded that legal prostitution, even if regulated, would threaten antitrafficking efforts.

Sexual harassment is not specifically addressed in the criminal code but is punished under the code's other provisions. Charges are typically brought 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 Act 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.

At year's end a Sofia University lecturer who was alleged to have harassed female students was under criminal investigation. He had been dismissed in December following a television broadcast of a videotape of his misconduct taken by a hidden camera. A large number of cases from earlier years remained pending, including the alleged harassment of an actor by her director and of five female soldiers by army Colonel Petkov in 2006. The 2005 conviction of the chief of the Plovdiv sanitary control inspectorate for threatening to dismiss female employees who declined his sexual advances was upheld by a lower court, but a government appeal was pending at year's end.

Women have the same rights as men, including under family and property law and in the judicial system; however, women faced some discrimination in hiring and pay. In November 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. In November 2006 the government adopted a national plan for equal treatment of men and women.

In August 2006 the National Assembly adopted legislation stipulating that in hiring for government positions, all other factors being equal, the candidate of the minority gender should get preferential consideration. No assessment of the effectiveness of this legislation was available during the year.

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.

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, which was a problem for poor families.

The UN Children's Fund reported that school attendance from 2000 to 2005 averaged approximately 95 percent. According to a 2006 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. A 2006 study indicated that 30 percent of Romani students attended completely segregated schools, partly as a consequence of a legacy of segregation. Nearly 10 percent of Roma had never attended school, and fewer than 1 percent had a university degree.

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.

Boys and girls had equal access to state-provided medical care.

Violence against children was a problem. The State Agency for Child Protection registered 1,842 cases of such violence in 2006. 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 the Romani community. The agency also voiced its concern that arranged marriages, a traditional aspect of Romani culture, were resulting in trafficking in persons.

In 2006, 283 children were registered as lacking parental care and oversight compared to 514 in 2005. The children were primarily involved in begging, prostitution, or car window washing, and many of these children were believed to be exploited for labor by adults. The National Statistical Institute reported that the number of children registered by police for vagrancy and begging decreased from 1,537 in 2005 to 975 in 2006.

During the year the Interior Ministry placed 211 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.

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. One goal of a 2003 national action plan for children in institutions was to achieve a gradual reduction in the number of children housed in government-run facilities. According to the State Agency for Child Protection, the number of such children fell from 9,776 to 9,590 between 2005 and 2006; however, watchdog organizations disputed these figures. Social prejudice contributed to the practice by families of institutionalizing their children with disabilities.

In 2005 a five−year−old blind child died from hot water burns sustained while left unattended in the bathroom of an institution for children with disabilities in Dobromirci. Following an inspection that confirmed procedural violations and insufficient oversight, the Ministry of Labor and Social Policy closed the institution in 2006, transferring the children to other facilities. In 2006 a 15−year−old girl died of complications from eating garbage after being left unattended. At year's end authorities were inspecting the institution for children with mental and physical disabilities in Mogilino, following a British Broadcasting Company documentary showing abysmal conditions and neglect.

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. Police reported an upward trend in the number of persons being trafficked within the country.

The Chief Directorate for Combating Organized Crime and the IOM reported that victims came from within Bulgaria, and from Romania, Moldova, Russia, Ukraine, and the countries of Central Asia. The principal destinations of victims trafficked from and through the country were Greece, Turkey, the Czech Republic, Poland, Macedonia, Kosovo, and countries in Western Europe. Almost all victims were women and girls trafficked for sexual exploitation. Young women between the ages of 16 and 24 with modest education and weak family ties were most vulnerable, according to NGO and government sources. Minorities, particularly Roma, and women engaged in prostitution were also at particular risk. According to the IOM and AAF, there were also cases of trafficking in male children.

Most trafficking victims within the country were women. In 2006 police broke up a prostitution ring involving children from the Berkovitsa orphanage. The orphanage teenagers reportedly worked for the ringleader in their time off from school. Police blamed the lack of proper oversight at the institution for the incident. The case was under investigation at year's end.

During the year the Interior Ministry reported identifying 255 children as "at risk" of being forced into prostitution. Romani children were particularly vulnerable. There were reports of boys in prostitution.

The trafficking of pregnant women and forcing them to sell their children abroad remained an elusive problem because the women were free to travel and could not be stopped by border police. An amendment to the criminal code, which went into effect in October 2006, criminalizes the sale of unborn children. Police reported disrupting 13 cases of baby selling as of October.

After successful cooperation with Western counterparts, police reported a decline in the number of children being sent abroad to work as beggars and pickpockets. In 2006 more than 600 Bulgarian children were apprehended in Austria and repatriated. After the country's accession to the EU in January, the ability of all citizens, including juveniles between 16 and 18 years of age, to travel freely within the EU using only their domestic identity document posed new challenges to law enforcement officials.

The IOM reported that it assisted approximately 60 victims of trafficking during the year, but the actual number of victims may have been much higher. Police reported dismantling at least 16 trafficking rings during the first nine months of the year. In 2006 authorities convicted 71 traffickers.

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 and maximum fines of approximately $5,972 (8,000 leva). Aggravated circumstances increase the maximum penalties to 15 years and approximately $14,929 (20,000 leva), and the court may confiscate a trafficker's assets. Other laws are used to prosecute persons for activities associated with trafficking, such as inducement to prostitution

Two police units focused specifically on the problem of trafficking. One was within the National Border Police and the other was within the Chief Directorate for Combating Organized Crime. The government participated in multinational antitrafficking activities, particularly within the Southeast Europe Cooperation Initiative. The law permits the extradition of citizens for crimes committed abroad, including trafficking.

During the year authorities energized the National Antitrafficking Commission that was intended to be the primary antitrafficking coordination and policy−making body, by appointing a functioning secretariat. In October, as part of the National Antitrafficking Program adopted on September 26, the government opened the commission's new office and initiated an information campaign. The government made some progress in implementing the 2004 witness protection legislation, although it did not provide special assistance to victims of trafficking as called for by the law.

Some law enforcement and other government employees, including local authorities and customs officials, allegedly facilitated trafficking, although there was no evidence of a pattern of official complicity. Officials often accepted bribes to ignore trafficking. Those involved in facilitating trafficking overwhelmingly were low−ranking and poorly paid officials in rural and border regions.

The government operated three 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.

In association with NGOs, the government conducted trafficking awareness programs for law enforcement personnel and consular officers in overseas embassies. NGOs reported excellent working relationships with law enforcement officials to identify and assist trafficking victims. The IOM continued its trafficking awareness and capacity building program, which has developed several regional networks of police, prosecutors, and concerned NGOs to raise awareness of trafficking. The program included a referral mechanism to provide protection and assistance to returning victims. Several NGOs and IOM provided free housing, protection, and reintegration assistance to victims, including those willing to testify in the prosecution of traffickers. Pregnant women and women with children can be accommodated in one of 10 social homes for mother and child that were run by NGOs with financial assistance from the Ministry of Labor and Social Policy. The AAF operated a 24−hour hot line for women in crisis that received 186 calls regarding trafficking of women and children, up from 109 in 2006.

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 public works projects have taken this into account; however, enforcement of this law lagged in existing, unrenovated, buildings. According to the Psychological Center for Research, an advocacy group for rights of persons with disabilities, only 3 percent of the country's municipalities complied fully with the legal requirements for accessibility.

Conditions in institutions for persons with disabilities were poor. NGOs reported that staffing problems, particularly on night shifts in institutions for adults, posed a significant risk to residents, who complained of mistreatment and theft by staff.

In 2005, 24−year−old Ivailo Vakarelski was found beaten and strangled to death in the state psychiatric hospital in Karlukovo. During that year hospital authorities reportedly neither conducted an internal investigation nor performed a postmortem examination, which is generally mandatory in such cases. In December 2006 the regional prosecutor's investigation into the incident was terminated due to lack of evidence.

The law promotes the employment of persons with disabilities; however, enforcement was poor, and some provisions actually resulted in greater employer discrimination in the hiring process. The great majority of persons with disabilities were unemployed.

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. 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 the ethnic Bulgarian majority and the ethnic Romani minority.

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.

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.

On August 14, approximately 200 Roma rioted in the Sofia district of Krasna Poliana after rumors surfaced that they were about to be attacked by a group of skinheads. Reportedly chanting "Death to the Bulgarians," Roma smashed car windows and overturned garbage cans. Police detained four Roma for acts of hooliganism. Witnesses claimed the riot was retaliation for a clash that took place the evening of August 12, 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. Three of them were arrested and one was released on bail. Additionally, four Roma were detained and charged with hooliganism. In the immediate aftermath of the riot, nationalistic groups like Ataka and the Bulgarian National Union announced plans to form a voluntary guard to suppress mass disorders, but there were no reports that this group had become active at year's end.

On August 21, a 17-year-old Rom, Asparuh Atanasov, was beaten to death in Samokov by a group of teenagers. Police detained four suspects and the prosecution against them was ongoing at year's end. According to the European Roma Rights Center, the non-Romani youth were angered because they believed the Roma should not be in the center of the town.

During the year authorities halted their investigation of the highly publicized death of ethnic Bulgarian Stanimir Kaloyanov, who died of head injuries sustained during a race-related brawl in Sofia in 2005. The police was unable to identify the murderer and the evidence collected against four ethnic Romani suspects was not sufficient for prosecution.

Many Romani and other observers made credible allegations that the quality of education offered to Romani children was inferior to that afforded most other students.

The unemployment rate among Roma was nearly 65 percent, reaching 80 percent in some regions. Only 10 percent graduated from high school, and only 1 percent had a university degree. These factors, together with the generally unfavorable attitudes toward Roma among ethnic Bulgarians and Turks, contributed to strained relations between Roma and the rest of society. Workplace discrimination against minorities, especially Roma, continued to be a problem.

Many Roma lived in substandard housing and lacked legal registration for their places of residences. In July the Stara Zagora municipality started demolition of 25 Romani houses. Authorities claimed the houses were built illegally by nonresidents of the city and were a fire hazard. In June 2006 Sofia city officials ordered the demolition of the houses of 16 Romani families lacking legal deeds in the Vazhrazhdane district. The demolition was halted when local NGOs and the international community publicly criticized the mayor's office.

With the support of the European Bank for Reconstruction and Development, the government finished building new apartment blocks in Sofia for Roma. However, some NGOs claimed the program had been mismanaged and its assets manipulated for private commercial gain. In an earlier project in Plovdiv, 80 percent of the allocated funds were used to build 30 percent of the planned housing, causing local officials to allege corruption in the central government and prompting the international donors to withdraw from the project.

NGOs reported that Roma encountered difficulties applying for social benefits and that local officials discouraged rural Roma from claiming land to which they were entitled under the law disbanding agricultural collectives. Many Roma suffered from inadequate access to health care.

During the year Roma rights organizations, continuing to use a 2003 antidiscrimination law, won several court cases. 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.

With the support of local NGOs and foreign donors, the government continued its program of teaching Romani folklore and history to over 5,000 children of all nationalities in an effort to increase interethnic understanding and fight prejudice. Government integration programs also included busing over 2,000 Romani children from ghettoized neighborhoods to mixed-ethnicity schools. Assistant teachers from minority backgrounds were hired to help children from Turkish and Romani linguistic minorities to learn Bulgarian and to integrate into mixed classes.

During the year the Bulgarian Helsinki Commission expressed concern over increasing reports of violent, racially motivated incidents. On January 20, a soccer player of Nigerian origin sustained life-threatening injuries after a knife attack by persons allegedly associated with the skinhead movement. The UNHCR reported that on January 19 and May 13, three refugees, one from Nigeria and two from Sudan, were attacked with knives.

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 earlier years, was a problem. Although in 2006 the gay-rights organization Gemini won three cases it filed with the Commission for Protection against Discrimination, individuals continued to be reluctant to pursue legal remedies for discrimination due to the stigma of being openly identified as gay.

According to the Bulgarian Foundation for Aiding HIV/AIDS Patients, several HIV-positive patients were denied appropriate medical treatment. The main reason cited by doctors was the lack of the legislatively mandated isolation room. 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 trade unions of their choice, and workers exercised this right in practice.

Approximately 18 percent of the workforce was unionized; according to individual trade unions and the Democratic Trade Unions Association, the percentage of the workforce that was unionized continued to decrease.

The law prohibits antiunion discrimination and includes a provision for a six-month salary payment as compensation for illegal dismissal. Employees could use mediation and the judicial system to resolve complaints, although the burden of proof in such cases rested entirely on the employee.

There were reports of discrimination and harassment against trade union activists and members, who were relocated, downgraded, or fired. In the private sector, a few employers had a policy of illegally prohibiting trade union membership within their enterprises. 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.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government generally protected this right in practice. The law provides a legal structure for collective bargaining, which was practiced nationally, but not always adhered to the local level. Labor unions alleged that many employers failed to bargain in good faith or to adhere to agreements that were concluded. NGOs reported that collective bargaining was not always effective in practice. Private employers reportedly often refused to negotiate collective agreements, delayed negotiations unnecessarily, or refused to sign agreements; in other cases, private employers signed agreements but did not apply them. A 2003 study published by the European Industrial Relations Observatory estimated that 40 percent of employees worked under collective bargaining agreements.

The law 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.

On July 3, police used tear gas on striking miners who blocked a major road near Radnevo, resulting in the hospitalization of three protesters. One miner was beaten and

one arrested, according to trade unionists. The interior minister firmly backed police actions, saying that the miners violated orders not to strike in certain areas.

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, family farms, construction, and periodical sales) and by organized crime (notably for commercial sexual exploitation and the distribution of narcotics). In 2006 the Ministry of Labor and Social Policy's general labor inspectorate found 219 violations of child labor regulations, all of which were forwarded for prosecution. The prosecution service declined to prosecute 34 cases and continued to review the rest.

Few official statistics on child labor were available. The latest data, published by the International Labor Organization (ILO) in 2000, showed that 14 percent of children ages five to 17 years were working. Children were engaged in paid work outside of the home in the commercial and service sectors, agriculture, forestry, transportation, communications, industry, and construction. According to the ILO, children's workdays often exceeded the seven-hour legal maximum, and sometimes children did not receive overtime pay for hours worked. Local NGOs reported that children worked on nonfamily-owned farms for meager monetary or in-kind wages, such as food, and that institutionalized children often sought modestly paid agricultural labor during periods when they were allowed out of residential facilities.

The worst forms of child labor occurred infrequently. Besides trafficking for commercial sexual exploitation, the worst forms of labor included heavy physical labor and health hazards on family tobacco farms, particularly among the ethnic Turkish minority. 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.

Acceptable Conditions of Work

During the year the government approved and implemented an increase in the national minimum wage to approximately $134 (180 leva) per month. While this wage does 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 hours worked over 40 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. 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 requires joint employer and labor health and safety committees to monitor workplace conditions; however, implementation was slow and these committees remained in the developmental stages at year's end.

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.

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