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National courts and other non-judicial bodies

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Bulgaria



Bulgaria

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National courts

Any Bulgarian judge can hear cases as the judge of first instance for EU fundamental rights law, since the Charter of Fundamental Rights is part of primary European legislation (it applies to the same extent as the Lisbon Treaty). Therefore, Bulgarian citizens can petition the Provincial Court ('Окръжен съд') and invoke the Charter if they consider that they have been denied their fundamental rights. Bulgarian courts have the same powers with regard to fundamental rights, which are enshrined in the Bulgarian Constitution, and in relation to all international treaties to which Bulgaria is a party.

Complaints against individual administrative decisions can be submitted to the administrative courts and the Supreme Administrative Court ('Върховен административен съд').

Every court in Bulgaria has its own website showing how it is organised and what it does. The website of the [Supreme Judicial Council \(Висшия съдебен съвет\)](#) provides a detailed list of Bulgaria's courts, with their addresses and websites (in Bulgarian only).

National institutions for fundamental rights

Please refer to the 'Ombudsman' section below.

Ombudsman

Ombudsman of the Republic of Bulgaria (Омбудсман на Република България)

address:

Ul. George Washington No 22 Sofia 1202, Bulgaria Tel. +359 2 810 69 55 Email: priemna@ombudsman.bg

Website: <http://www.ombudsman.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

The Ombudsman employs the means provided for by law to investigate where through action or omission citizens' rights and freedoms are affected or violated by state and municipal authorities and their administrations, and by persons entrusted with the provision of public services. The Ombudsman's mandate is broad, covering all political, economic, civil, social, cultural and other rights of citizens. It is the body that safeguards the rights of all citizens, including children, the disabled, minorities, foreign nationals, etc.

- Short description of applications/complaints/claims processed by the institution;

Complaints can be submitted to the Ombudsman by post, in person, by e-mail or even orally, and are officially registered by an official. They are handled by the reception department ('priemna') and the registry ('delovodstvo'). The reception department, which has been in place since 5 January 2006, is open every day. There department experts deal with members of the public in person or by phone. The Ombudsman also sees members of the public personally, by prior appointment, every Thursday between 9.00 and 12.30.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

Any member of the public, irrespective of citizenship, gender, political persuasion or religion, may submit complaints or tip-offs the Ombudsman. Anonymous complaints or tip-offs relating to events dating back more than two years are not examined. The Ombudsman may launch own-initiative investigations if deemed to be in the public interest.

Complaints are recorded in a register, after which the head of the Ombudsman's office forwards them to the appropriate department according to the nature of the complaint. The head of the department assigns the case to a case-handler, who has one month to investigate. For cases that require more thorough investigation, this time-limit is extended to three months. The case-handler may ask the complainant for additional information or require a competent administrative authority to take certain steps or provide certain information. National and municipal authorities and their administrations, legal entities and members of the public must voluntarily provide information entrusted to them and cooperate with the Ombudsman in connection with the complaints sent to the body. If the complaint concerns a matter that may be referred to a higher administrative body or other specialised institution (committee or agency), the Ombudsman may advise the complainant to contact the institution concerned, unless the matter is one that also requires examination by the Ombudsman. Where a case does not fall within the Ombudsman's remit, instead of examining it the Ombudsman will notify the complainant accordingly and advise him or her to contact the proper authority. If the complainant agrees, the Ombudsman may forward the complaint to that authority.

The Ombudsman can, at any time, offer to mediate with the aim of reaching an amicable solution, by sending a mediation offer to the complainant and the body or person against whom the complaint has been made. If both accept, the Ombudsman will assist in every way possible to settle the dispute, for example by establishing contact or assisting in negotiations between the parties.

- Short description of the possible results of the procedure/proceedings.

Depending on the findings reached in the course of the investigation, in addition to the complainant's reply, recommendations may be given to the competent authority on measures it can take to eliminate the reasons or practices that led to the person's rights being infringed. The Ombudsman frequently issues opinions on particular issues, which are then published on the website and forwarded to the competent authority and the media. If the problem is found to lie with the existing legal framework, the Ombudsman may issue recommendations to the National Assembly and the Council of Ministers to make the appropriate legislative amendments. If laws are found to be in breach of the Constitution and violate civil rights and liberties, the Ombudsman is empowered to refer the matter to the Constitutional Court to establish whether this is indeed the case. Moreover, if contradictions in case law are found, the Ombudsman is empowered to bring the matter before the Supreme Court of Cassation or the Supreme Administrative Court for an interpretative ruling.

Specialised human rights bodies

The National Equality Authority (Орган по въпросите на равенството)

1. Anti-Discrimination Commission (Комисия за защита от дискриминация)

address:

Bul. Dragan Tsankov No 35 Sofia 1125, Bulgaria Tel.: + 359 2 807 30 30 Fax: + 359 2 807 30 58 E-mail: kzd@kzd.bg Website: <http://www.kzd-nondiscrimination.com/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Anti-Discrimination Commission (Комисия за защита от дискриминация)

- Short description of applications/complaints/claims processed by the institution;

Cases can be brought before the Anti-Discrimination Commission:

- on the basis of a written complaint from the affected person or persons;
- at the Anti-Discrimination Commission's own initiative;
- on the basis of information received from natural or legal persons, or state or public bodies.

The complaint or tip-off must be filed with the Anti-Discrimination Commission within three years of the offence being committed. If three years have elapsed, the complaint will not be examined or, if an investigation is already ongoing, the case will be closed. If the matter has already been taken to court, the Commission will not initiate proceedings. If the complaint or tip-off is withdrawn or if the complainant does not correct a mistake within the time-limit set by the Commission, the case will be closed.

The complaint must include:

- the name of the complainant;
- the complainant's contact address or registered address;
- a description of the circumstances on which the complaint is based: in the case of actions committed in a personal capacity, what acts or omissions were committed and when, where and by whom, or in the case of employees of the defendant, what acts or omissions arising from their statutory or contractual obligations and related to their activities make the defendant liable for the discrimination committed);
- specific details of the remedy sought. This must be within the powers of the Anti-Discrimination Commission, which are laid down in the Act on Protection against Discrimination. Complainants must provide evidence, for example written documents or other specific evidence they feel should be examined by the Anti-Discrimination Commission (indicating, for example, persons they would like to see questioned as witnesses and the location of written evidence in the possession of third parties not participating in the proceedings).
- the date and the signature of the complainant or his/her representative.
- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The chairperson of the Discrimination Commission allocates the file to a panel specialised in the type of discrimination at hand. The panel appoints a chairperson and a reporter from amongst its members. The reporter collects the written evidence needed to document the facts. The investigation must be completed within 30 days. For complex cases, the Discrimination Commission's chairperson may extend this deadline by another 30 days. When the investigation is completed, the reporter presents their findings to the panel's chairperson. The chairperson sets a date for a public hearing and invites the parties to attend.

The Anti-Discrimination Commission is empowered to:

- request documents and other information related to the investigation;
- request clarification from those under investigation;
- question witnesses.

All individuals and state and local authorities are required to cooperate with the Anti-Discrimination Commission by supplying information and documentation and providing clarification in writing when asked to do so. Refusal

will result in a fine.

- Short description of the possible results of the procedure/proceedings.

At the first meeting, the chairperson of the panel invites the parties to resolve their dispute amicably. If they do, the resulting agreement is approved by a decision and the case is closed. If the parties come to a partial resolution, the proceedings will continue for the part for which no agreement has been reached. The agreement is enforceable and compliance with it is overseen by the Commission.

If no agreement can be reached, the Anti-Discrimination Commission judges the case on its merits within 14 days following the public hearing.

In its ruling, the Anti-Discrimination Commission may:

- establish whether or not a violation has been committed;
- establish who committed the offence and who is the victim;
- impose a penalty and/or binding administrative measures, if it finds that an offence has been committed;

The Anti-Discrimination Commission can take the following binding administrative measures:

- it can give employers and public officials binding instructions to correct infringements of anti-discrimination legislation;
- it can suspend unlawful decisions or rules issued by employers that result or could result in discrimination.

The Anti-Discrimination Commission enforces compliance with its decisions, in accordance with the law.

The decisions of the Anti-Discrimination Commission are subject to appeal before the Sofia City Administrative Court within 14 days.

2. National Council for Gender Equality (Националният съвет по равнопоставеността на жените и мъжете към Министерския съвет)

address:

Council of Ministers bul. Dondukov No 1 Sofia 1594, Bulgaria Website: https://saveti.government.bg/web/cc_19/1

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

National Council for Gender Equality within the Council of Ministers (Националният съвет по равнопоставеността на жените и мъжете към Министерския съвет)

- Short description of applications/complaints/claims processed by the institution;

The National Council for Gender Equality ensures that government bodies and non-governmental organisations work together in developing and carrying out the national gender equality policy by facilitating consultations, cooperation and coordination.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The National Council for Gender Equality:

- advises the Council of Ministers;
- examines draft legislative and other acts relating to gender equality and issues opinions on them;
- examines draft decisions drawn up by the Council of Ministers and issues an opinion on whether or not they are consistent with gender equality policy;
- coordinates the actions of state bodies and non-governmental organisations in the implementation of national gender equality policy and of international obligations by Bulgaria in this area;
- proposes national gender policy measures, either independently or jointly with the Discrimination Commission;
- maintains contacts with its counterparts abroad and international organisations entrusted with similar

- tasks and operating in similar fields;
- helps social partners and non-governmental organisations implement national and regional projects in the field of gender equality and the reconciliation of family/parental responsibilities with professional activities, and monitors the results;
- organises research on issues affecting its activities.
- Short description of the possible results of the procedure/proceedings.

Development and implementation of national policy on gender equality.

Data Protection Body

1. Commission for Personal Data Protection (Комисията за защита на личните данни)

address:

Bul. Prof. Tsvetan Lazarov No 2 Sofia 1592, Bulgaria Tel. + 359 2 91 53 518 Fax: + 359 2 91 53 525 Email: kzld@cpdp.bg Website: <http://www.cdpd.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Commission for Personal Data Protection (Комисията за защита на личните данни)

- Short description of applications/complaints/claims processed by the institution;

The Commission for Personal Data Protection assists the government in implementing its personal data protection policy.

It has the power to investigate complaints seeking the protection of violated rights under the Personal Data Protection Act.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

Anyone has the right to report violations of their rights under the Personal Data Protection Act to the Commission for Personal Data Protection, within one year after they are discovered and no later than five years after they occur. Once a complaint is submitted to the Commission, it is allocated to the Legal Procedures and Supervision Directorate, which gives its opinion to the Commission on the classification and admissibility of the complaint. The Commission then meets behind closed doors to decide whether the complaint is admissible and what procedure should be followed. It may launch an enquiry, collect evidence or seek the opinions of third parties. If the complaint is found to be admissible, the parties involved are duly informed and a date is set for a public hearing. The parties are invited to attend together with any other stakeholders. The Commission gives a decision within 30 days of the complaint being received. A copy of the decision is sent to the parties concerned and any other stakeholders. The Commission may issue binding instructions to the offending party, impose a deadline by which the cause of the violation must be removed or impose an administrative penalty. The decision is subject to appeal before the Supreme Administrative Court within 14 days following receipt.

- Short description of the possible results of the procedure/proceedings.

Members of the public, legal entities or government bodies can ask the Commission to give its opinion about draft legislation relating to the Personal Data Protection Act.

The Commission can issue binding instructions to personal data administrators

and impose temporary bans on the processing of personal data where personal data protection standards have been breached.

Other specialised authorities

1. National Council for Ethnic Minorities and Integration ('Националния съвет по етническите и интеграционните въпроси към Министерски съвет')

address:

Council of Ministers bul. Dondukov No 1 Sofia 1594, Bulgaria Tel. +359 2 940 36 22 Fax: +359 2 940 21 18 E-mail: Rositsa.Ivanova@government.bg - secretary of the NSSIEV Website: <http://www.nccedi.government.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

National Council for Ethnic Minorities and Integration of the Ministerial Council ('Националния съвет по етническите и интеграционните въпроси към Министерски съвет')

- Short description of applications/complaints/claims processed by the institution;

All ethnicity-related issues are dealt with by this body and its secretariat.

Although the secretariat has no specific department for dealing with complaints or requests, its experts handle them when the need arises.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The National Council for Ethnic Minorities and Integration is a consultative and coordinating body assisting the Council of Ministers with the development and implementation of policy on ethnic minorities and their integration.

It facilitates cooperation between state bodies and non-governmental organisations defending the interests of ethnic minorities and promoting inter-ethnic relations.

Furthermore, it coordinates and oversees the implementation of the National Action Plan for the Decade of Roma Inclusion 2005-2015 and of the commitments undertaken by all state bodies in accordance with their operational jurisdiction with regard to the Decade of Roma Inclusion.

Every province has its own council for ethnic minorities and integration that works with the provincial governor. They are consultative and coordinating bodies that support the implementation of policy on ethnic and integration issues at district level.

Municipal councils may set up their own local councils for ethnic minorities and integration.

- Short description of the possible results of the procedure/proceedings.

In addition to its extensive administrative duties, the Secretariat of the National Council for Ethnic Minorities and Integration is responsible for maintaining operational links and providing methodological assistance to the provincial and local councils for cooperation on ethnic and integration issues.

2. Agency for the People with Disabilities (Агенция за хора с увреждания)

address:

Ul. Sofroni Vrachanski No 104-106 Sofia 1233, Bulgaria

Tel. +359 2 940 80 95; 832 90 73

Fax: +359 2 832 41 62

E-mail: ahu@mlsp.government.bg Website: <https://ahu.mlsp.government.bg>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Agency for the People with Disabilities (Агенция за хора с увреждания)

- Short description of applications/complaints/claims processed by the institution;

The Agency mainly handles applications for inclusion on the register of suppliers of medical aids and devices and the register of specialised companies run by and for the disabled addressing the rights of people with disabilities. It also manages projects for various programmes financed by the Agency.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

Applications are registered in the 'Dokman' automated information system, after which the executive director forwards them to the head of the Agency's office and to its directors, who allocate them to the appropriate case-handlers.

- Short description of the possible results of the procedure/proceedings.

The application is processed or a reply is sent.

3. State Agency for Child Protection (Държавната агенция за закрила на детето)

address:

Ul. Triaditsa No 2 Sofia 1051, Bulgaria Tel. +359 2 933 90 10, +359 2 933 90 16 Fax: +359 2 980 24 15 E-mail: sacp@sacp.government.bg Website: <http://sacp.government.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

State Agency for Child Protection (Държавната агенция за закрила на детето)

- Short description of applications/complaints/claims processed by the institution;

Children's rights as laid down in the UN Convention on the Rights of the Child are guaranteed in Bulgaria under the Child Protection Act, adopted in 2000, and by the State Agency for Child Protection, created in 2001. Thus, Bulgaria is committed to providing suitable assistance to parents and guardians and creating an infrastructure of child-care institutions and services.

Child protection in Bulgaria is the responsibility of:

- the Chairperson of the State Agency for Child Protection (Държавната агенция за закрила на детето), which assists him in exercising his powers;
- Social Services branch offices;
- the Ministers for: Labour and Social Policy; the Interior; Education, Youth and Science; Justice; Foreign Affairs; Culture; Health; and the local mayors.
- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The Child Protection Act affords special protection to children at risk and governs the right of all children to be protected against violence, which includes being coerced to engage in activities harmful to their physical, mental, moral or educational development; being exposed to child-rearing methods harmful to their sense of dignity, or to physical, mental or other forms of violence and influence contrary to their interests; being used for begging, prostitution, the spreading of pornography, collecting unlawful income or being exposed to sexual abuse. .

The following child-protection measures are in place in Bulgaria:

- within the family environment: advice, assistance, legal aid, psychological counselling and social services. These measures are undertaken by the Social Services Agency at the request of the child's parents, guardians, care-givers or the child itself, or at the Social Services Agency's own initiative. Services are supplied by the Social Services Agency or other providers;
- outside the family environment: placement of the child in a family of relatives or close friends or in a foster family, and social services provided at the child's residence or at a specialised institution. Measures of this kind are ordered by the court. The Social Services Agency arranges for temporary lodging until the court has handed down its order;

- only when all attempts to place the child in a family environment have failed is it placed in a specialised institution.
- Short description of the possible results of the procedure/proceedings.

The State Agency for Child Protection enforces children's rights by:

- carrying out inspections to ensure that children's rights are protected in all public and private schools, nursery schools and childcare centres or their service departments, medical facilities, Social Services branch offices, providers of social services for children and non-profit organisations active in the field of child protection;
- supervising centres offering specialised care for children;
- enforcing minimum standards in social services. For all of the above, the Agency issues binding instructions for remedying violations. Failure to comply with a binding instruction is punishable by a fine or financial penalty, the imposition of which is preceded by a long process. If an investigation reveals that a child's rights have been violated, the Agency first issues a binding instruction (an individual administrative act), which can be appealed before the court within a legal deadline of 14 days. If this does not occur, the binding instruction takes effect. Once the instruction has expired, the offending party must inform the Agency that it has complied.

4. State Agency for Refugees (Държавна агенция за бежанците при Министерския съвет)

address:

Bul. Knyaginya Maria Luiza No 114 B Serdika 1233 Sofia; Bulgaria Tel.: +359 2 80 80 901 - chairperson Fax: +359 2 295 59 905 E-mail: sar@saref.government.bg Website: <http://www.aref.government.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

State Agency for Refugees (Държавна агенция за бежанците)

- Short description of applications/complaints/claims processed by the institution;

Applications for asylum and family reunification are examined in accordance with the Asylum and Refugee Act (Article 34 governs family reunification). All decisions about asylum and family reunification are subject to appeal under this Act. All other applications are governed by the Agency's internal rules of procedure for granting protection.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The main law governing the rights of asylum seekers, refugees and persons seeking humanitarian status (subsidiary protection) in Bulgaria is the Asylum and Refugee Act . This Act, together with the Code of Administrative Procedure and the Foreign Nationals in Bulgaria Act, forms the legal framework for the Bulgarian asylum system.

Under the Asylum and Refugee Act, there are four types of special protection:

- asylum: this is granted by the President of Bulgaria to foreign nationals who have been persecuted because of their beliefs or actions in support of internationally recognised rights and freedoms;
- refugee status;
- humanitarian status (which is equivalent to the subsidiary protection described in Article 15 of the Qualification Directive – 2004/83/EC);
- temporary protection: granted under certain conditions in times of a massive refugee influx;
- The State Agency for Refugees is responsible for examining applications for refugee or humanitarian status. Its chairperson is the only official who can grant refugee or humanitarian status in Bulgaria.

Currently, all applications for refugee status are processed at the refugee centres of Sofia and the village of Banya, near Nova Zagora.

Asylum seekers must appear in person at the Agency. Applications made at the border or with any other

authority must be promptly forwarded to the Agency.

Asylum seekers are registered on the day their application is lodged with the Agency.

The Agency must give asylum seekers information about the procedure, their rights and obligations, and the organisations providing legal and social assistance. This information must be presented in a language they can understand and will be read to them by an interpreter just before their application is registered. They will be given a copy in that language. They must complete a form, in which they note only their biological traits. The application is then handled in accordance with the Dublin procedure. The asylum seeker's fingerprints are taken for entry into the Eurodac system, and a number of standard questions are asked about their journey.

If Bulgaria is responsible for processing the application, it is handled under a fast-track procedure, under which the department that screened the applicant (chairperson's delegate) is responsible for taking the decision. That department may refuse asylum if the case does not meet the criteria set out in the Asylum and Refugee Act, close the case, or forward the file for further processing under the standard procedure.

If no decision is taken within three days, the application will automatically be dealt with under the standard procedure. The decision of the screening department must be approved by the competent officials. Where necessary, the file may be returned for further investigation. Once the decision has been approved, it is officially drawn up in writing, approved by the methodology department, signed by a certain number of officials and submitted to the Agency's chairperson for signing.

- Short description of the possible results of the procedure/proceedings.

Granting of refugee status, humanitarian status or rejection of the asylum application.

5. Permanent Commission for Human Rights and Police Ethics (Постоянна комисия по правата на човека и полицейската етика)

address:

Ministry of the Interior Ul 6 Septemvri No 29 Sofia 1000, Bulgaria Tel.: + 359 2 982 50 00 – (switchboard)

Website: <http://www.mvr.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Permanent Commission for Human Rights and Police Ethics (Постоянна комисия по правата на човека и полицейската етика)

- Short description of applications/complaints/claims processed by the institution;

This Commission serves as a bridge between the Ministry of the Interior and civil society organisations, and as such plays an important role. It has branches within the Ministry's provincial offices.

The Commission examines all materials relating to the protection of human rights that are received by the Ministry's departments.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The work of the Commission involves cooperating actively with civil society organisations, encouraging positive police practices and harmonising with obligations resulting from Bulgaria's membership of the EU. It operates in accordance with a work plan that is updated annually. Its annual work plan includes the following activities:

- studying the implementation of relevant legislation and proposing improvements;
- encouraging ethical conduct and respect for human rights in everyday police work;
- offering human rights training to police officials.
- Short description of the possible results of the procedure/proceedings.
- the rights of suspects in police custody are observed;

- the code of ethics is complied with;
- checks are carried out to ensure that the law and the Ministry's rules and regulations are observed, including those concerning police ethics and human rights.

6. Human Rights, Religion, Citizens' Complaints and Petitions Committee of the National Assembly (Комисия по правата на човека, вероизповеданията, жалбите и петициите на гражданите към Народното събрание)

address:

Pl. Narodno Sabranie No 2 (Hemicycle) Pl. Knyaz Aleksandar I No 1 (Commissions and cabinets of Members of Parliament) Sofia 1169, Bulgaria Switchboard: +359 2 939 39 Fax: +359 2 981 31 31

Email: infocenter@parliament.bg

Email: humanrights@parliament.bg

Website: <https://www.parliament.bg>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Human Rights, Religion, Citizens' Complaints and Petitions Committee of the National Assembly (Комисия по правата на човека, вероизповеданията, жалбите и петициите на гражданите към Народното събрание)

- Short description of applications/complaints/claims processed by the institution;

The activities of the Committee cover legislation relating to human rights and religion, and other matters, which include issues submitted by citizens, non-governmental organisations, associations and foundations in the form of complaints, requests, tip-offs, petitions, suggestions, etc.

The subject matter is very diverse and covers all aspects of society not dealt with by the courts. Most complaints concern social problems, followed by the judicial system, consumer rights, actions and omissions on the part of authorities within the Ministry of the Interior, general and detailed town planning decisions, illegal construction, and the reinstatement of ownership of agricultural and forest stock land. Cooperation is sought in relation to education and healthcare issues, actions and omissions by local authorities and local government, religious issues, complaints relating to the actions of state authorities, and discrimination, ethnic minority issues, etc.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The Committee is the Bulgarian Parliament's direct link to the country's citizens. Its role is strictly defined. Its rules of procedure lay down in detail how the large number of complaints, applications, petitions and suggestions sent to the Committee by post or e-mail and/or received by the registry of the National Assembly are to be registered, transmitted and archived and how each step in this process is to be recorded. Each document is given a reference number, recorded in a special register and assigned to a case-handler, who examines it and sends a reply or, where appropriate, forwards the file to the proper authority in due time. The Committee is particularly attentive to local and national authorities failing to meet their statutory response deadlines laid down in the Code of Administrative Procedure. The Committee's case handlers also give advice by telephone about procedural rights, and explain in what cases they can provide help.

Anonymous petitions are not examined.

- Short description of the possible results of the procedure/proceedings.

Citizens are given advice about and help in defending the civil rights guaranteed by the Bulgarian constitution.

7. Directorate-General for criminal sentence enforcement of the Ministry of Justice (Главна дирекция 'Изпълнение на наказанията')

address:

Bul. General N. Stoletov No 21 Sofia 1309, Bulgaria Tel.: + 359 2 813 91 90 Fax: +359 2 931 15 74 Email: mailto:gdin_ias@abv.bg; gdin@gdin.bg Website: <http://www.gdin.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Directorate-General for criminal sentence enforcement of the Ministry of Justice (Главна дирекция 'Изпълнение на наказанията')

- Short description of applications/complaints/claims processed by the institution;

Complaints from those in custody mainly concern disciplinary measures, transfer to other facilities, conditions of custody, living conditions, medical care and conduct of the facility's staff.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

Disciplinary measures imposed under Article 101 of the Enforcement of Criminal Sentences and Custody Act are subject to appeal within seven days following notification before the Director-General of criminal sentence enforcement if issued by the director of the prison or other custodial facility, or before the Minister for Justice if issued by the Director-General. Solitary confinement can be appealed before the District Court for the facility within three days from notification.

Solitary confinement longer than two months without the right to participate in group activities (Article 120 of the Act) must be imposed by the Director-General of criminal sentence enforcement and can be appealed before the relevant Provincial Court within 3 days following notification.

Transfers are ordered by the Director-General for criminal sentence enforcement and are subject to appeal before the Minister for Justice within 14 days following their notification.

Decisions to impose stricter conditions of confinement are issued by the Commission for Criminal Sentence Enforcement (Article 74(1) of the Act) and can be appealed before the Provincial Court for the facility within 14 days following notification.

On the basis of Article 1(1) of the Act on the Liability of the State and the Municipalities for Damages incurred to citizens, complaints about living conditions, medical care and the conduct of a facility's staff are heard by the administrative courts in accordance with the Code of Administrative Procedure. Decisions can be appealed once. Claims under Article 71(1) of the Act on Protection against Discrimination are heard by the district courts or the Anti-Discrimination Commission. This procedure is governed by the Code of Civil Procedure, and decisions can be appealed twice. The Commission's decisions are subject to appeal before the Supreme Administrative Court in accordance with the Code of Administrative Procedure.

- Short description of the possible results of the procedure/proceedings.

Once they have taken effect, administrative decisions and court rulings are binding and are implemented by the Directorate-General and its regional departments.

8. National Commission for Combating Trafficking in Human Beings (Национална комисия за борба с трафика на хора към Министерския съвет)

address:

Bldv G. M. Dimitrov No 52, 1797 Sofia, Bulgaria Tel. + 359 2 807 80 50 Fax: + 359 2 807 80 59 Email: office@antitrafficking.government.bg Website: <http://antitrafficking.government.bg/>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

National Commission for Combating Trafficking in Human Beings of the Ministerial Council (Национална комисия за борба с трафика на хора към Министерския съвет)

- Short description of applications/complaints/claims processed by the institution;

Tip-offs about human trafficking can be given to the Commission's secretariat by the victims themselves or by someone acting on their behalf.

The Commission also handles complaints from members of the public about its administrative functioning. The time-limits for handling such complaints are laid down by law.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The Commission forwards tip-offs to the relevant government service for follow-up, investigation and/or clarification. Under Article 20 of the Human Trafficking Act, victims are guaranteed anonymity and their personal data are protected. If the victim is a minor, the Commission must at once alert the State Agency for Child Protection, which takes action as required under the Child Protection Act.

Under Article 4(4) of the Human Trafficking Act, representatives of non-profit legal entities and international organisations with offices in Bulgaria active in the field of human trafficking can attend meetings of the Commission. To do so, under Article 12 of the Commission's Internal Regulations, they must submit a written request and provide certain supporting documents.

- Short description of the possible results of the procedure/proceedings.

If the documents submitted are incomplete or contain errors, the Commission may ask the applicant to complete or correct them within a certain deadline. Within 30 days following receipt of the application and its supporting documents, the chairperson of Commission or an authorised official gives a decision, which is subject to appeal before the Supreme Administrative Court.

9. Central Juvenile Delinquency Commission (Централната комисия за борба срещу противообществените прояви на малолетните и непълнолетните към Министерския съвет)

address:

Bul. Knyaz Dondukov No 9, 4th floor Sofia 1000, Bulgaria Tel.: + 359 2 981 11 33 Fax: +359 2 987 40 01
Website: <http://www.ckbppmn.government.bg/obshti/funktzii.html>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

Central Commission for Combating Juvenile Delinquency (Централната комисия за борба срещу противообществените прояви на малолетните и непълнолетните към Министерския съвет)

- Short description of applications/complaints/claims processed by the institution;

The work of the Commission comprises:

- coordinating the work of government bodies and non-profit legal entities in preventing and combating juvenile delinquency;
- managing and overseeing the work of local juvenile delinquency commissions throughout the country;
- analysing and collating statistical data, studying trends and producing forecasts;
- participating in drafting legislation concerning the problems faced by minors;
- raising public awareness of problematic adolescent behaviour;

informing the public about situations likely to provoke delinquent behaviour, the educational measures that can be taken, the state of juvenile delinquency in the country and the direction in which it is evolving.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

The local juvenile delinquency commissions are responsible for organising, managing and supervising efforts at the municipal level to prevent and reduce juvenile anti-social behaviour.

They also have powers to examine cases of juvenile delinquency. The Criminal Code has a chapter entitled 'Special provisions for minors', which corresponds to Article 40 of the UN Convention on the Rights of the Child and to Rule 11 of the Beijing Rules. According to this chapter, precedence is given to educational measures, which are laid down in Article 13 of the Juvenile Delinquency Act. Such measures are taken outside of the

criminal justice system and serve a purely educational and social function. They include counselling to address behavioural problems, encouragement of closer parental involvement, and support by professional educators.

- Short description of the possible results of the procedure/proceedings.

Appropriate measures are taken after the causes of problem behaviour have been analysed. Where neglect is involved, measures may also be taken in respect of the parents.

10. National Legal Aid Bureau (Национално бюро за правна помощ)

address:

Ul. Razvigor No 1 Sofia 1421, Bulgaria Tel.: +359 2 81 93 200 Fax: + 359 2 865 48 12 Email: nbpp@nbpp.government.bg Website: <https://mjs.bg>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

National Legal Aid Bureau (Национално бюро за правна помощ)

- Short description of applications/complaints/claims processed by the institution;

Requests for legal assistance must be submitted to the Bureau's Chairperson.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

To be eligible for legal assistance, applicants must:

- be in receipt of or eligible for monthly social benefits;
- be placed in a specialised social institution, or
- be foster families or relatives or close friends who have been put in charge of a child in accordance with the Child Protection Act.

The applicant must submit one of the following:

- an original statement from the director of the local Social Services Agency branch (also known as the social services directorate) certifying that the applicant was, at the time of the application, receiving monthly social benefits in accordance with Article 9 of the Implementing Provisions for the Social Assistance Act;

or

- an original statement from the director of the local Social Services Agency branch certifying that the applicant qualifies for monthly social benefits.

and

- The applicant must also submit a statement detailing his/her family's financial resources.
- Short description of the possible results of the procedure/proceedings.

The Bureau's chairperson decides whether legal assistance is granted or refused.

Their decision is subject to appeal before the Sofia City Administrative Court in accordance with the Code of Administrative Procedure.

11. National Council for Assistance and Compensation to Victims of Crime (Национален съвет за подпомагане и компенсация на пострадали от престъпления)

address:

Ministry of Justice ul. Slavyanska No 1 Sofia 1040, Bulgaria Tel.: + 359 2 9 237 359 Fax: +359 2 980 62 93 Email: compensation@justice.government.bg Website: <https://www.compensation.bg>

- Name of unit/institutional body accepting applications/complaints/claims arising from violations of rights (if applicable);

National Council for Assistance and Compensation to Victims of Crime (Национален съвет за подпомагане и компенсация на пострадали от престъпления)

- Short description of applications/complaints/claims processed by the institution;

The Council handles applications for the financial compensation provided for by the Crime Victim Support and Compensation Act . To qualify for compensation, the victim must have sustained a financial loss as a result of acts of terrorism; murder; intentional grievous bodily harm; rape or sexual assault seriously damaging the victim's health; human trafficking; criminal offences committed on behalf of an organised crime ring; and other serious premeditated criminal offences resulting in death or grievous bodily harm (Article 3(3) of the Act). The offence must have been committed after 30 June 2005. The law provides for compensation for the following losses resulting directly from a criminal offence:

1. medical costs other than those reimbursed by the National Health Insurance Fund;
2. lost earnings;
3. legal costs;
4. lost means of subsistence;
5. funeral costs;
6. other material damages.

Supporting documents must be provided.

- Short description of procedure/proceedings in accordance with which the applications/complaints/claims are processed;

Victims of the criminal offences referred to in Article 3(3) of the Victim Support and Compensation Act can submit claims for financial compensation to the governor of their province or to the Council within two months after a legal act of a judicial authority specifically referred to in Article 12 of the Act takes effect. The Council must examine the claim within three months following receipt.

- Short description of the possible results of the procedure/proceedings.

The Council meets at least once every three months to decide on compensation claims. Its decisions are taken by a simple majority of those present, must give the grounds for acceptance or refusal and are not subject to appeal.

Other

NGO database - <http://www.ngobg.info/bg/search/advanced.html>

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