



# **European Semester 2020-2021 country fiche on disability equality**

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# **European Semester 2020-2021 country fiche on disability equality**

With comparative data annex provided by EDE

## **Bulgaria**

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European Disability Expertise (EDE) provides independent scientific support to the Commission's policy Unit responsible for disability issues. It aims to mainstream disability equality in EU policy processes, including implementation of the United Nations Convention on the Rights of Persons with Disabilities.

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<sup>1</sup> For an introduction to the Semester process, see <https://www.consilium.europa.eu/en/policies/european-semester/how-european-semester-works/>.

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## **1 Executive summary and recommendations**

### **1.1 Key points and main challenges for the European Semester in 2021**

#### **Labour market**

- The employment rate of people with disabilities in Bulgaria is 15 points lower than the average for EU. Disabled persons are half as likely to be employed compared to persons without disabilities and this trend is stable during the last 10 years.
- There is a reliance on EU funded projects to ensure vocational training and employment of persons with disabilities, but at minimum level wages.
- National policies and legislation fail to support effective measures for employment of persons with disabilities in the open labour market.
- Significant support comes from the national budget for sheltered employment in outdated facilities/technologies.
- There is a lack of progress regarding accessibility/universal design and acquiring digital skills.
- Lack of vocational training for persons with disabilities matching the needs of the labour market.

#### **Social policies and healthcare**

- Every second person with disability in Bulgaria is at risk of poverty.
- Social Services Act enforcement was delayed until July 2020.
- Financial support for persons with disabilities is still very low and provided mainly to persons with severe disabilities to meet their survival needs, not for integration/compensation purposes.
- Deinstitutionalisation of children has turned into re-institutionalisation in new family-type accommodation centres because adequate community-based social and health services supporting family care are lacking; staffing in the new services is insufficient in number and qualification, and is extremely underpaid, unsupported and unsupervised.
- Deinstitutionalisation of adults follows the same model as the deinstitutionalisation of children and would further (2021-2024) continue to develop residential services rather than support for independent living.
- Feedback from persons with disabilities who use services about the quality and level of satisfaction with the provided services is not sought.

#### **Education**

- Little data about the number of children enrolled in mainstream schools (primary and high schools), in the centres for special educational support, or about those who are not involved in any education, is published.
- Quality inclusive education is still a challenge as functional assessment of the children is still not routinely applied and human and financial resources are still not sufficient.
- Digitalisation of education for children with disabilities is lacking.

## 1.2 Recommendations for Bulgaria

These recommendations are based on the evidence and analysis presented in the following chapters of our report.

**Recommendation:** Design active labour market policies targeted to include persons with disabilities. Improve access to distance working and promote digital skills.

Rationale: Currently few measures are implemented or planned and persons with disabilities are not provided flexible employment opportunities and training. The employment rate of people with disabilities in Bulgaria is 15 points lower than the average for EU. Disabled persons are half as likely to be employed compared to persons without disabilities and this trend is stable during the last 10 years.

**Recommendation:** Ensure adequate social protection for persons with disabilities.

Rationale: Every second person with disability in Bulgaria is at risk of poverty. Financial support is extremely low, provided only to a limited number of people. Social services supporting independent living are not well developed.

**Recommendation:** Ensure sufficient human, expert and financial resources as well as options for digitalization for inclusive education of children with disabilities

Rationale: Data about inclusive education is limited, scarce reports announce the need to support it. The early school leaving rate of the young disabled people (18-29) in Bulgaria is 34.9 % while the rate of non-disabled school leavers is 19.5 %. Only 7.6 % of the disabled people at the age 30-34 have completed tertiary education (the share of non-disabled people is 33.4 %).

**Recommendation:** Deinstitutionalisation of babies and toddlers should be speeded up, carried out transparently and in cooperation with other social services supporting early child development

Rationale: Ministry of Healthcare in charge of the entrance to child institutions, significantly delayed deinstitutionalisation of babies and does not publish adequate information about its plans.

**Recommendation:** Deinstitutionalisation of adults with disabilities should be focused on development of mobile independent living services and provision of social housing and services for those in need.

Rationale: Currently deinstitutionalisation of adults is mainly focused on setting up residential family-type centres which violates the right to independent living of the people placed in them.

**Recommendation:** Mobile and flexible services supporting education, training, employment and social inclusion of persons with disabilities should be the main focus of future investments, as well as wider accessibility of public infrastructure. Rationale: So far, investments in buildings and offices meant to serve persons with disabilities led to further social exclusion.

## 2 Opportunities to mainstream disability equality in the Semester documents

### 2.1 [Country Report](#) for Bulgaria (Staff Working Document)

In 2020, the Country Report for Bulgaria included the following direct references to disability issues:

- ‘p. 11 Poverty risks are more prominent for children, the elderly, the low skilled, people with disabilities, and Roma, with differences across regions.
- p. 36 The employment rate of people with disabilities remains one of the lowest in the EU.
- p. 37 In recent years, the social partners and civil society organisations have participated in the formulation and discussion of national policies in relevant economic and social areas in Bulgaria, such as the “Persons with Disabilities Act”.
- p. 43 People with disabilities still face difficulties in achieving independent living.
- p. 43 All specialised institutions for children with disabilities have been closed down.’

### 2.2 [Country Specific Recommendation](#) for Bulgaria (CSR)

In 2020, the Country Specific Recommendation for Bulgaria included the following direct references to disability issues:

- ‘22. The share of people at risk of poverty or social exclusion was already high before the crisis, especially among children, the elderly, people with disabilities and Roma, while social transfers managed to reduce poverty only to a limited extent.
- 22. The reform of social services would help stabilising the system, while a stronger cooperation between health and social services would allow reaching out further to those unable to take care of themselves and people with disabilities.’

CSR2 from 2020 is extremely relevant to persons with disabilities in Bulgaria: ‘*ensure adequate social protection and essential services for all and strengthen active labour market policies. Improve access to distance working and promote digital skills and equal access to education. Address the shortcomings in the adequacy of the minimum income scheme.*’<sup>2</sup> However, no disability relevant policies and measures had been introduced during the period March-July 2020.

The following insights would strengthen the analysis from a disability perspective.

Poverty risks are more prominent for children, the elderly, the low skilled, people with disabilities, and Roma, with differences across regions.<sup>3</sup> Financial support for persons with disabilities is still very low and provided mainly to persons with severe disabilities to meet their survival needs, not for integration/compensation purposes. The share of

<sup>2</sup> 2020 Recommendations, item 2.

<sup>3</sup> 2020 Country Report, p. 11.



people at risk of poverty or social exclusion was already high before the crisis, especially among children, the elderly, people with disabilities and Roma, while social transfers managed to reduce poverty only to a limited extent.<sup>4</sup> Every second person with disability in Bulgaria is at risk of poverty or social exclusion, including overall risk of household poverty (Tables 12 and 13).

The employment rate of people with disabilities remains one of the lowest in the EU.<sup>5</sup> The only achievement is that two EU funded projects involved 6,500 persons with disabilities in training and employment in 2019. National policies and legislation do not seem to be effective regarding persons with disabilities. Analysis about the quality and feedback from the persons with disabilities, if done, are not publicly available.

People with disabilities still face difficulties in achieving independent living.<sup>6</sup> The pace of the social services reform is slow, and it has been further delayed.<sup>7</sup>

Numerous guidance documents for tailoring, funding, providing national wide and mobilising of the social services for persons with disabilities have been elaborated during 2019-2020. Evidence for improvement are still lacking. No progress has been achieved in terms of universal design/accessibility. Money-follows-the client is a principle still not implemented in legislation and practice.

New services and comprehensive support for children are still under consolidation after the initial de-institutionalisation process was accomplished.<sup>8</sup> Ministry of Healthcare delays the development of services for babies and toddlers. The other services for children are mainly focused on re-institutionalisation in small residential centres. Family support, adoption and foster care need much more attention, funding, expertise and human resources.

Demand for long-term care services is increasing and new infrastructure and services are under development.<sup>9</sup> Newly developed long-term services again are focused on re-institutionalisation and not on ensuring family support at home. The cooperation between social and health services has just started in 2020 and no analysis is available yet. 'The reform of social services would help stabilising the system, while a stronger cooperation between health and social services would allow reaching out further to those unable to take care of themselves and people with disabilities.'<sup>10</sup>

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<sup>4</sup> CSR, p. 22.

<sup>5</sup> 2020 *Country Report*, p. 36.

<sup>6</sup> 2020 *Country Report*, p. 43.

<sup>7</sup> 2020 *Country Report*, p. 42.

<sup>8</sup> 2020 *Country Report*, p. 43.

<sup>9</sup> 2020 *Country Report*, p. 43.

<sup>10</sup> CSR, p. 22.

### 3 Disability and the labour market - analysis of the situation and the effectiveness of policies

In 2018, the UN CRPD Committee made the following recommendations to Bulgaria:

[Article 27 UN CRPD](#) addresses Work and Employment.

'58. The Committee recommends that the State party:

- (a) adopt a policy framework and a strategy to promote employment for persons with disabilities in the open labour market, including by increasing resources for it, with the aim to facilitate transition from sheltered employment to the open labour market;
- (b) recognise in its legal and policy framework the right of persons with disabilities to reasonable accommodation at the workplace;
- (c) raise awareness among public and private companies about reasonable accommodation at work;
- (d) strengthen training programmes for persons with disabilities on skills that are required in the open labour market and skills in entrepreneurship and collect disaggregated and targeted data about the participation of women and men with disabilities in programmes and the outcome of training for them.'

With regard to the implementation of these Concluding Observations of the UN Committee on the Rights of Persons with Disabilities,<sup>11</sup> the follow-up shows that:

- After 2018 no specific policy and strategic framework promoting employment of persons with disabilities in the open labour market had been adopted. With the EU funding several projects started their implementation in this regard - Project No. BGO5M90PO01-1.005 – Training and Employment for Young People and Project No. BG05M9OP001-1.010 Training and Employment.
- The legal framework for recognition of the rights of persons with disabilities to reasonable accommodation at the workplace is provided for in Article 40 of the Persons with Disabilities Act.<sup>12</sup>
- No raising awareness activities among public and private companies about reasonable accommodation at work had been identified as of August 2020.
- Strengthening of the training programmes for persons with disabilities on skills that are required in the open labour market and skills in entrepreneurship is supposed to be achieved by two EU funded projects: Project No. BGO5M90PO01-1.005 – Training and Employment for Young People and Project No. BG05M9OP001-1.010 Training and Employment.
- Collecting disaggregated and targeted data about the participation of women and men with disabilities in programmes and the outcome of training for them has not been planned, nor implemented.

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<sup>11</sup> UN Committee on the Rights of Persons with Disabilities, *Concluding observations on the initial report of Bulgaria*, 22 October 2018, available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD\\_%2fC%2fBGR\\_%2fCO\\_%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD_%2fC%2fBGR_%2fCO_%2f1&Lang=en).

<sup>12</sup> Persons with Disabilities Act (enforced on 01.01.2019), Article 40, available in Bulgarian at: <https://www.lex.bg/bg/laws/ldoc/2137189213>.

The 2020 Action Plan of the Employment Agency recognises among other tasks ‘the mobilization of the reserves of the labour market among which are persons with disabilities and their relatives’.<sup>13</sup> It also considers persons with disabilities as a vulnerable group at highest risk of long-term unemployment. The plan earmarks priority involvement of certain groups of persons with disabilities in the National Programmes for Employment and Training of Persons with Permanent Disabilities: persons with over 70 % disability, persons with sensor disabilities and persons with psycho-social disabilities.<sup>14</sup> Those involved in such programmes in 2019 were 2,324 unemployed, including 994 newcomers and the budget was BGN 10,7 million (EUR 5,35 million).<sup>15</sup> For 2020 employment of 1,539 persons was earmarked, including 220 newcomers at the budget of BGN 8,9 million (EUR 4,5 million).

The Action Plan for the period 2019-2020 for Implementation of the National Strategy for People with Disabilities<sup>16</sup> envisages: significant support for the specialised enterprises for persons with disabilities (sheltered employment) – BGN 3,48 million (EUR 1,7 million); minimal support to employers under the Employment Promotion Act to employ the total of 1,100 disabled persons in the country during the period 2019-2020; involvement of 1,000 persons in the National Programmes for Employment and Training of Persons with Permanent Disabilities (for those involved in that programme the total of BGN 4,4 million (EUR 2,2 million) annually are planned for reasonable accommodation of the workplaces, training and qualification); funding of projects for acquiring labour and social integration and independent living skills by the Agency for Persons with Disabilities (the beneficiaries are expected to be 120 persons and the total funding is BGN 60,000 (EUR 30,000)).<sup>17</sup> The most significant measure envisaged under the plan is the training and employment of 6,000 persons with disabilities under two EU funded projects.

### **3.1 Summary of the labour market situation of persons with disabilities**

Data from EU-SILC indicate an employment rate for persons with disabilities in Bulgaria of 35.4 % in 2018, compared to 75.5 % for other persons and approximately -15.4 points below the EU27 average - resulting in an estimated disability employment gap of approximately 40 percentage points (EU27 average gap 24.2, see Tables 2-4). The employment rate of people with disabilities in Bulgaria remains one of the lowest in the EU (35.4 %; EU average 50.8 %). Disabled persons are half as likely to be employed compared to persons without disabilities and this trend is stable during the last 10 years.

The same data indicate unemployment rates of 21.8 % and 12.9 %, respectively in 2018 (see Tables 5-7) and the economic activity rate for persons with disabilities in Bulgaria was 45.3 %, compared to 86.7 % for other persons (see Tables 8-10). These

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<sup>13</sup> Employment Agency, *2020 Action Plan*, p. 4, available in Bulgarian at: <https://www.az.government.bg/pages/planove-i-programi/>.

<sup>14</sup> Employment Agency, *2020 Action Plan*.

<sup>15</sup> Employment Agency, *2020 Action Plan*, p. 19.

<sup>16</sup> Government, *Action Plan for the period 2019-2020 for Implementation of the National Strategy for People with Disabilities*, available at: <http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=1048>, pp. 17-20.

<sup>17</sup> Government, *Action Plan for the period 2019-2020 for Implementation of the National Strategy for People with Disabilities*, p. 17.

indications are broken down by gender and age in the respective tables in annex. The unemployment rate for persons with disabilities was almost twice that for other persons. The biggest unemployment gap was among persons aged 25-34 (32.8 %:13.8 %). Economic activity of persons with disabilities in Bulgaria is 17 points lower than the EU average. The gaps between the economic activity rates among disabled and non-disabled Bulgarians are between 30 to 50 depending on the age group (Table 8).

The average annual number of registered unemployed disabled persons in 2019 was 11,873 persons and compared to 2018 their number decreased by 12.9 %. Their relative share among all unemployed marked a decrease of 0.3 percentage points compared to 2018, settling at 6.4 %.<sup>18</sup>

### **3.2 Analysis of labour market policies relevant to the Semester**

For reference, see also the 2020 [National Reform Programme](#) for Bulgaria.

Specific employment promotion measures for persons with disabilities are provided for in the Employment Promotion Act and one national programme. However, they do not seem to be effective and popular both among persons with disabilities and employers. But for several years now the Employment Agency has not been analysing this and only reports about their implementation quantitatively. The biggest efforts for adequate training and employment of persons with disabilities seem to be put in the implementation of the two EU funded projects described above. Questions about the very little number of persons with disabilities employed through the Employment Agency Departments and the big number of vacancies registered by employers for such people remain unanswered. Serious accessibility issues hindering persons with disabilities in having access to employment also remain. No mention about trends in regular vocational training of persons with disabilities has been identified in the state reports for 2019 and 2020.

Implementing their quota obligation for hiring persons with disabilities,<sup>19</sup> 1,047 employers sought the assistance of the Employment Agency in 2019 to find suitable candidates with disabilities, announcing 2,439 vacancies, to which 835 people were directed and 86 people with disabilities were hired.<sup>20</sup> In 2019, the National Programme for Employment and Training of People with Permanent Disabilities provided employment to 1,819 people, of which 679 newcomers. The funds spent by the state budget for it amount to BGN 9.3 million (EUR 4.6 million). For comparison, in 2018 the programme provided employment to 2,367 people, of which 581 were newcomers.<sup>21</sup>

Under the state aid scheme, in the implementation of Article 51, paragraph 2 of the Employment Promotion Act (EPA), employers are encouraged to hire unemployed persons with permanent disabilities. The subsidies for the employer are for an open job position/vacancy where a disabled person is employed, in the amount of 75 % of

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<sup>18</sup> Employment Agency, *2019 Annual report*, p. 10, available in Bulgarian at: <https://www.az.government.bg/pages/otchet-za-deinostta-na-az/>.

<sup>19</sup> Persons with Disabilities Act, Article 38, para.1.

<sup>20</sup> Employment Agency, *2019 Annual report*, pp. 21-22.

<sup>21</sup> Employment Agency, *2019 Annual report*, pp. 21-22.

the eligible costs for the subsidy period. In 2019, 363 people with permanent disabilities were employed, of which 193 were new. The funds spent by the state budget amount to BGN 1.1 million (EUR 0.6 million). For comparison, in 2018 the measure provided employment to 478 persons, of which 186 were newly included. The funds spent by the state budget amounted to BGN 1.4 million (EUR 0.7 million).<sup>22</sup>

In 2019, labour costs for a period of up to 6 months were financed by the state for employers who created full or part-time jobs for persons with permanent disabilities. In 2019, the employment of a total of 140 people was provided under this measure, of which 122 newcomers. The funds spent by the state budget amount to BGN 288,104 (EUR 144,000). For comparison, in 2018 the measure provided employment to 126 people, of which 92 were newcomers. The funds spent by the state budget amounted to BGN 276,910 (EUR 138,455).<sup>23</sup>

Under the measures to encourage employers to hire unemployed people up to 29 years of age (Article 36, Paragraph 1 of the EPA), to encourage employers to hire unemployed persons up to 29 years of age with permanent disabilities, as well as young people from social institutions who have completed their education (Article 36, para. 2 of the EPA) and to encourage employers to hire unemployed persons up to 29 years of age part-time (Article 36a of the EPA), employment was provided to a total of 396 young people, of whom 242 were newcomers.<sup>24</sup>

Under Component II of the EU funded Project No. BGO5M90PO01-1.005 – Training and employment for young people - 224 young people with permanent disabilities were employed in 2019. The set target indicator for 2019 of 550 employees has been met at 41 %. During the period 4 young people with disabilities were involved in training.<sup>25</sup>

Another EU funded Project No. BG05M9OP001-1.010 Training and Employment is implemented in two components and has a total budget of BGN 201 million (EUR 100.5 million), for a total of 7,400 unemployed persons over 29 years of age, registered in the Employment Departments (Component I)<sup>26</sup> and another 8,510 unemployed and inactive persons and unemployed persons with permanent disabilities over 29 years of age (Component II).<sup>27</sup>

Under Component II of the Training and Employment project, the total of 1,333 employment contracts were concluded at the amount of BGN 92,5 million (EUR 46,3 million) in 2019. The total of 5,932 persons with permanent disabilities have been employed. The set target indicator for 2019 of 8,000 employees has been met

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<sup>22</sup> Employment Agency, *2019 Annual report*, pp. 21-22.

<sup>23</sup> Employment Agency, *2019 Annual report*, pp. 21-22.

<sup>24</sup> Employment Agency, *2019 Annual report*, p. 35.

<sup>25</sup> Employment Agency, *2019 Annual report*, p. 42.

<sup>26</sup> The purpose of Component I is to integrate inactive and unemployed persons over 29 years of age (over 30 years of age) registered in the Employment Department, in employment with an employer (up to 12 months) in the active labour market or local government institutions, through training tailored to individual workplace needs and employment subsidy.

<sup>27</sup> The purpose of Component II is to integrate inactive and unemployed persons with permanent disabilities over the age of 29 (over 30 years of age), registered in the Employment Department, in employment with employers from the active labour market or local government institutions, through training tailored to individual workplace needs, employment subsidy (up to 24 months) and one-off incentive for long-term employment.

at 74 %. Only 311 persons were included in training, as follows: for acquiring professional qualification - 99 persons; for acquiring digital competence - 208 people; for acquiring knowledge for communication in foreign languages - 4 persons. The relatively small number of people involved in training (31 % of the planned 1,000 people with disabilities) is due to the fact that employers prefer to hire people who already have the necessary qualifications.<sup>28</sup>

In 2019, protected employment is provided to persons with multiple disabilities, including people with psycho-social and intellectual disabilities, through the establishment of a Centre for Protected Employment under the Persons with Disabilities Act and the Regulations for its implementation. The Centre for Protected Employment provides a minimum package of support services related to specific jobs to support the creation and maintenance of sheltered employment. Employment is provided by developing work habits of 15 people with multiple permanent disabilities (including with psycho-social and intellectual disabilities), in order to help their integration in the active labour market.

There is no interest in the supported employment (under Article 43a of the EPA) of persons with disabilities by business companies and other employers and it is not planned to be offered in 2020.<sup>29</sup>

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<sup>28</sup> Employment Agency, *2019 Annual report*, p. 43.

<sup>29</sup> Ministry of Labour and Social Policy (MLSP), *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 7.



#### **4 Disability, social policies and healthcare – analysis of the situation and the effectiveness of policies**

In 2018, the UN CRPD Committee made the following recommendations to Bulgaria:

[Article 28 UN CRPD](#) addresses Adequate standard of living and social protection.

'58. The Committee recommends that the State party:

- (a) adopt a policy framework and a strategy to promote employment for persons with disabilities in the open labour market, including by increasing resources for it, with the aim to facilitate transition from sheltered employment to the open labour market;
- (b) recognise in its legal and policy framework the right of persons with disabilities to reasonable accommodation at the workplace;
- (c) raise awareness among public and private companies about reasonable accommodation at work;
- (d) strengthen training programmes for persons with disabilities on skills that are required in the open labour market and skills in entrepreneurship and collect disaggregated and targeted data about the participation of women and men with disabilities in programmes and the outcome of training for them.'

[Article 19 UN CRPD](#) addresses Living independently in the community.

'40. The Committee, in accordance with its general comment No. 5, recommends that the State party:

- (a) accelerate the transition process to ensure that all persons with disabilities living in any form of institution, such as psychiatric hospital units or in small community-based group homes, have the right to live independently within the community with choices equal to those of other persons; in the de institutionalization process, the State party should focus on the situation of persons with intellectual or psychosocial disabilities, and children and elderly persons with disabilities;
- (b) allocate greater resources for developing individualised support services for persons with disabilities, regardless of the type of impairment or age; such services should include peer support and personal assistance;
- (c) adopt legislation on individualised and self-managed personal assistance and social and support services, recognising the right to live independently and be included in the community as a subjective right for all persons with disabilities, regardless of their impairment or required level of support;
- (d) implement a procedure to consult in a meaningful and disability-sensitive manner with organisations of persons with disabilities on all aspects of the implementation of Article 19, including deinstitutionalisation strategies and processes;
- (e) allocate national financial resources and those provided by the European Union to promote the inclusion of persons with disabilities in society, and introduce efficient remedies and guidelines to avoid spending national and international funds on establishing infrastructure, housing and/or services that are not accessible or affordable to all persons with disabilities.'

[Article 25 UN CRPD](#) addresses Health.

[no recommendation was made to Bulgaria in relation to this Article]

In 2018, the UN CRPD Committee recommended that Bulgaria *‘revise the criteria for assessing the degree of impairment, incorporate the human rights model of disability in the assessment process, and ensure that persons with disabilities continue to enjoy an adequate standard of living. It also called upon the State to intensify its efforts to ensure that all persons with disabilities can meet the additional costs of disability, including by increasing budget allocations and resources accordingly.’*<sup>30</sup>

As of August 2020, the model of assessing disability has not been revised although it was planned.<sup>31</sup> Persons with disabilities do not enjoy an adequate standard of living and financial supports do not ensure meeting the additional costs of disability.

In 2018, the UN CRPD Committee recommended that Bulgaria *‘adopts legislation on individualised and self-managed personal assistance and social and support services, recognising the right to live independently and be included in the community as a subjective right for all persons with disabilities, regardless of their impairment or required level of support.’*<sup>32</sup>

In 2019 the Persons with Disabilities Act (1 January 2019), the Regulations for its Implementation (2 April 2019), Guidelines for Assessment of the Needs of Persons with Disabilities (2 April 2019) and the Personal Assistance Act (1 January 2019) have been adopted and enforced to provide for individual needs assessment, monthly financial support and personal assistance for persons with disabilities.

#### 4.1 Summary of the social situation of persons with disabilities

Data from EU-SILC indicate the poverty risk rate for working age persons with disabilities in Bulgaria was 26.2 % in 2018, compared to 18.3 % for other persons of similar age - an estimated disability poverty gap of approximately 8 percentage points (see Table 14). For people aged over 65, the disability poverty gap was 8.8 points (34.7 % for older persons with disabilities and 25.9 % for other persons of similar age). The tables in annex also indicate the respective rates of AROPE and break these down by gender as well age. Self-reported unmet needs for medical examination in Bulgaria are also above the EU average (Table 15).

Every second person with disability in Bulgaria is at risk of poverty or social exclusion, including overall risk of household poverty (Tables 12 and 13). The poverty threshold in Bulgaria for 2019 was BGN 348 (EUR 178),<sup>33</sup> which led to increasing of the monthly

<sup>30</sup> UN Committee on the Rights of Persons with Disabilities, *Concluding observations on the initial report of Bulgaria*, 22 October 2018, p. 9, available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD\\_%2fC%2fBGR\\_%2fCO\\_%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD_%2fC%2fBGR_%2fCO_%2f1&Lang=en).

<sup>31</sup> Government, *Action Plan for the period 2019-2020 for Implementation of the National Strategy for People with Disabilities*, p. 16.

<sup>32</sup> UN Committee on the Rights of Persons with Disabilities, *Concluding observations on the initial report of Bulgaria*, 22 October 2018, p. 7.

<sup>33</sup> Decision No. 170 of the Council of Ministers, 17 August 2018.



financial benefits for persons with disabilities under the Persons with Disabilities Act.<sup>34</sup> The average monthly number of people with disabilities supported under the Persons with Disabilities Act with monthly financial allowances was 636,093 and the total amount spent for that was BGN 403 million (EUR 201,5 million).

## **4.2 Analysis of social policies relevant to the Semester**

For reference, see also the 2020 [National Reform Programme](#) for Bulgaria.

According to the 2020 NRP the key accents include: 'improving regulations in the social services field, continuation and finalization of the childcare deinstitutionalisation process; implementation of the process of deinstitutionalisation of care for the elderly and people with disabilities; enhancing the quality of services; ensuring financial stability of the social services system; expanding the network of community and home-based social services for the elderly and people with disabilities.'<sup>35</sup>

The main result of the reform undertaken, according to the government, is 'the increased opportunities for social inclusion in the community. The range of people subject to new forms of support has been expanded. The amount of monthly funds received has been increased. The impact in terms of employment, living standards and quality of life for groups of people with disabilities is enshrined in the new legislation.'<sup>36</sup>

### **Deinstitutionalisation of children care institutions**

A 2019 a fieldwork research of the Disability Rights International (international NGO) in Bulgaria was focused on 24 group homes, five day-care centres, four larger residential institutions for children and adults and two schools. Its main finding<sup>37</sup> is that Bulgaria has replaced a system of large, old orphanages with newer, smaller buildings that are still operating as institutions. The DRI's report emphasises that new residential centres separate children with disabilities from society and contribute to their continued social isolation – leading to a lifetime of segregation for a new generation of people with disabilities. 'Placement in Bulgaria's group homes exposes children to emotional neglect, inappropriate and potentially damaging models of behaviour, and, in some cases, violence, bullying, and other forms of abuse that are common in institutions.'<sup>38</sup> The DRI also reveals that 'while extensive resources have been invested in moving from large to small buildings, little effort has been made to promote true inclusion in families or society at large.' And that Bulgaria has failed to create a system of community supports, inclusive education, or transition to independent living, which will help children with disabilities remain with their families. As a result, many families have no choice but to give up their children with disabilities and this is why there are more than 600 admissions every year to Bulgaria's childcare systems, made

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<sup>34</sup> Social Assistance Agency, *2019 Annual Report*, p. 41.

<sup>35</sup> NRP, p. 83.

<sup>36</sup> NRP, p. 84.

<sup>37</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, available in English at: <https://www.driadvocacy.org/wp-content/uploads/Bulgaria-final-web.pdf>.

<sup>38</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, p. 6.

up mainly of group homes and larger institutions.<sup>39</sup> The living conditions observed by the DRI team leave children exposed to many of the same dangers they experience in larger institutions.<sup>40</sup> Many children living in the group homes exhibit behavioural problems. Staff at group homes use commonly restraints or high levels of medication – mainly as sedatives.<sup>41</sup>

Placement in group homes is dehumanizing, socially isolating and does not contribute to habilitation and the development of skills that contribute to further inclusion in society.<sup>42</sup> The visits in 2019 of the DRI were filmed by Kate Blewett<sup>43</sup> who produced also the first documentary about institutions for children with disabilities back in 2007. More broadly, DRI recommends a fundamental shift in policy and programming – moving away from group homes as a placement for any child and moving toward family placement for all children with and without disabilities.

DRI recommends<sup>44</sup> that the Government of Bulgaria:

1. Immediately stop plans to build new group homes.
2. A broad commitment to enforcing the right to family life for all children – to be supported by the EU and international donors – to ensure that every child has the opportunity to grow up in a family and not in residential care or group home.
3. Expansion of supported family, kinship, and foster care.
4. Support for prevention of family break-up and new placement. Effective support for families must include:
  - Early intervention from birth to support mothers and families of children at risk.
  - Ending all segregated programmes – providing professional support in the home or school and never requiring a parent to separate from or send away a child to receive services.
  - Inclusive education – specialised schools or day centres for children with disabilities are just one more form of segregation that constitute a dangerous form of discrimination.
  - Support for and empowerment of family advocacy.
  - Peer support networks by young people and families with disabilities.
  - Full inclusion of children and adults with disabilities throughout the lifecycle.
5. Support for choice, self-determination, and self-advocacy.
6. Stop torture and abuse in group homes and community programmes.<sup>45</sup>

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<sup>39</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, pp. 6-7.

<sup>40</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, p. 8.

<sup>41</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, p. 9.

<sup>42</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, p. 62.

<sup>43</sup> Blewett, K., *Hidden Children in Bulgaria*, November 2019, available at: <https://www.youtube.com/watch?v=LdzchTxU21I>.

<sup>44</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, p. 64.

<sup>45</sup> Disability Rights International, *A Dead End for Children- Bulgaria's group homes*, November 2019, p. 67.

Similar observations are shared by the National Network for Children (Bulgarian umbrella NGO) - 'although the end of the specialised institutions of the old type is near, the issue of excessive use of residential care in Family-type Accommodation Centres and its quality is on the agenda with particular urgency.'<sup>46</sup> Unfortunately, the large number of children in one FTAC - 14, the ignoring of the recommendations for each child based on his/her individual assessments, the urgent regrouping and simultaneous relocation to the FTAC, as well as the extremely low financial standard, led to many problems that compromised the model of alternative residential care in the community, as set out in the UN Guidelines for Alternative Care for Children.<sup>47</sup> The reasons for the problems in the FTACs identified from the very beginning in a number of external evaluations (Lumos Foundation - 2016, UNICEF - 2014, etc.), as well as evidence from practice provided by the providers of this service, were reflected in the analysis of the Permanent Expert Working Group (PEWG) at the State Agency for Child Protection (SACP) on the role of residential care in the system of child protection measures from 2018. For a year and a half there has been no reaction to the measures to improve quality proposed in the report.<sup>48</sup>

It is worrying, according to the NNC, that in the established FTACs for the removal of severely institutionalized children and young people, children and youth from the community continue to be accommodated. An analysis by the SACP shows that 'most children placed in the FTAC came from a single-parent family, a large family, one of the parents has died or the parents are permanently residing in a foreign country.' This leads to the conclusion that services to support the biological or extended family and foster care for children with disabilities or challenging behaviours are insufficient or incapable of coping with the current challenges.<sup>49</sup>

Many positive changes to improve family support are enshrined in the new Social Services Act, the postponement or repeal of which exacerbated the existing problems. The law provides for measures to develop services where they are lacking, for improved access and choice, for integration and continuity of support, for standards and quality control, for investment in the capacity of the people who provide support, for prevention through publicly available services and for more flexible use of public resources. Access to social services for children with disabilities is facilitated. The law is an important resource for preventing institutionalization and closing the entrance to the FTACs.

The already launched projects for building infrastructure for new social services ('Support for deinstitutionalisation of childcare') and evaluation and removal of children ('Ongoing support for deinstitutionalisation of children and young people') are being implemented and will lead to the closure of the remaining specialised institutions - 8 institutions for children deprived of parental care and 13 institutions for medical and social care, with a total of 495 children. There is a delay in the schedule of the project of the Ministry of Healthcare for the construction of centres for specialised health and social care for children with disabilities in need of permanent medical care, which may

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<sup>46</sup> National Network for Children, *2020 Notebook*, p. 74, available at: <https://nmd.bg/wp-content/uploads/2020/06/%D0%91%D0%B5%D0%BB%D0%B5%D0%B6%D0%BD%D0%B8%D0%BA-2020-1.pdf>.

<sup>47</sup> National Network for Children, *2020 Notebook*, p. 73.

<sup>48</sup> National Network for Children, *2020 Notebook*, p. 73.

<sup>49</sup> National Network for Children, *2020 Notebook*, p. 73.

lead to delays in the closure of institutions for medical and social care within the prescribed period – 01 January 2021.<sup>50</sup>

The NNC also raises the issue that the Ministry of Labour and Social Policy continues to disregard the huge problems, especially in the FTAC, with the lack of adequate diagnosis and treatment of children, most of whom suffer from psycho-social disorders.<sup>51</sup> Non-recognition and inadequate treatment of psychosocial disorders leads to abuse, including sexual violence and aggression. For the staff caring for the children in these residential services, neither specialised trainings nor accompanying activities for team building and supervision are provided financially.

In practice, psycho-social disorders of children are taken for recognition, guidance and therapeutic support in nurseries and in the structures of the Ministry of Education and Science - kindergartens and schools. Currently, nurseries with their unreformed composition cannot meet the need for early recognition and interventions in the field of psycho-social disorders of children. There is a lack of a comprehensive approach and interaction between the various institutions and structures that work for the mental health of children.<sup>52</sup>

### **Institutionalisation and de-institutionalisation**

In 2018, the UN CRPD Committee recommended that Bulgaria 'accelerate the transition process to ensure that all persons with disabilities living in any form of institution, such as psychiatric hospital units or in small community-based group homes, have the right to live independently within the community with choices equal to those of other persons; in the de institutionalization process, the State party should focus on the situation of persons with intellectual or psychosocial disabilities, and children and elderly persons with disabilities.'<sup>53</sup>

Under Procedure BG16RFOP001-5.002 'Support for deinstitutionalisation of social services for adults and people with disabilities' under OPRD 2014-2020, the infrastructure for new services is being built - 6 day care centres for people with dementia and their families and 68 care centres for people with disabilities and the elderly (for people with psycho-social disorders, people with intellectual disabilities, people with dementia and elderly people unable to self-care). Under the procedure, in 2018 and 2019, contracts have been concluded with 26 municipalities for the construction of the infrastructure of a total of 67 social services:

- day care centres for persons with dementia and their families;
- 26 care centres for persons with psycho-social disorders;
- 20 care centres for persons with intellectual disabilities;
- 7 care centres for persons with dementia;
- 8 care centres for elderly unable to self-care.

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<sup>50</sup> National Network for Children, *2020 Notebook*, p. 53.

<sup>51</sup> National Network for Children, *2020 Notebook*, p. 53.

<sup>52</sup> National Network for Children, *2020 Notebook*, p. 53.

<sup>53</sup> UN Committee on the Rights of Persons with Disabilities, *Concluding observations on the initial report of Bulgaria*, 22 October 2018, p. 7.

The total amount of funds under concluded contracts (in 2018 and 2019) as of 31 December 2019 is BGN 37,3 million (EUR 18,65).<sup>54</sup>

Under this project a community living environment will be provided to 650 people with psycho-social disorders and intellectual disabilities (currently accommodated in 10 social care institutions) and to another 130 people staying for a long time in state psychiatric hospitals because of lack of housing and assistance. These people will be placed in 30 care centres for people with psycho-social disorders and 22 care centres for people with intellectual disabilities with funding from the Operational Programme 'Regions in Growth'.<sup>55</sup> In 2019 a team of experts from the Social Assistance Agency and the state psychiatric hospitals developed a Methodology for assessment of persons with psycho-social disorders and intellectual disabilities, a form for assessing the needs of such persons and a form for plan for support and removal of the persons from the specialised institutions.<sup>56</sup>

In 2019, 22 five-member teams have been established, which will perform individual needs assessments of about 900 people accommodated in specialised institutions and over 200 people with psycho-social disorders, staying for a long time in the state psychiatric hospitals. The evaluation teams include experts from the regional and local Social Assistance Departments, as well as experts from the state psychiatric hospitals and from the specialised institutions. In 2020, the needs assessment teams will undergo a three-day training.<sup>57</sup> The evaluation teams and the staff of the specialised institutions will receive support by providing individual and team supervision and consultations.

Within the framework of the project 'New long-term care for the elderly and people with disabilities' an analysis of all other 151 specialised institutions for people with psycho-social disorders, intellectual disabilities, physical disabilities, sensory disabilities, dementia and elderly people will be performed. The results of the analysis will be used to prepare the second Action Plan for the implementation of the National Strategy for Long-Term Care and to identify the institutions that should be closed during the next stages of the deinstitutionalisation process.<sup>58</sup> Based on the analysis, a Methodology for closing the specialised institutions for people with disabilities and a Methodology for reforming the homes for the elderly will be developed. The methodologies will be disseminated to all stakeholders.<sup>59</sup>

Within the project BG05M9OP001-2.008 'Support for persons with disabilities' five day care centres are being built for complex support of people with disabilities, (including with severe multiple disabilities) and their families in the municipalities of Ruse, Varna,

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<sup>54</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, pp. 10-11.

<sup>55</sup> Social Assistance Agency, *2019 Annual report*, p. 38.

<sup>56</sup> Social Assistance Agency, *2019 Annual report*, p. 38.

<sup>57</sup> Social Assistance Agency, *2019 Annual report*, p. 38.

<sup>58</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, pp. 42-43.

<sup>59</sup> Social Assistance Agency, *2019 Annual report*, p. 38.



Burgas, Plovdiv and Sofia Municipality and the construction of 11 more such centres is envisaged.<sup>60</sup>

### **Disability and needs assessment**

The Regulations for Implementation of the Persons with Disabilities Act and the Guidelines for individual needs assessment of persons with disabilities were implemented on 2 April 2019. The latter regulates the manner of the assessment of the need to provide social services, personal assistance or other type of support under conditions and in accordance with the procedure established by law.<sup>61</sup>

The Persons with Disabilities Act and the Personal Assistance Act (which provides for personal assistance appointed by the municipality, not for self-managed personal monetary aid) are based on the medical assessment of disability performed by the Territorial Expert Medical Commissions (TEMCs). Social assessment tries to take into account the functionality barriers according to both acts. A new approach of individual needs assessment, taking into account the will and real needs through the perception of the applying disabled person, has been introduced by completing the self-assessment form required when requesting the assessment. However, the Social Assistance Departments have very limited options to compensate deficient functionality. Lack of any support for persons with estimated disability below 50 % is the second problem with both acts.

Provision of financial supports (including personal aid/assistance), medical appliances and technical aids is based on the percent disability estimated by the TEMC and are not much different than the amounts and type of aid provided so far. Those who have estimated disability over 50 % are not sufficiently supported to be involved in education or employment as the financial support is extremely low to reach adequate standard of living and services for independent living for them are not developed with sufficient scope yet.

Financial supports introduced by the new Persons with Disabilities Act are linked for the first time since 1 January 2019 to the poverty threshold which is updated annually. One of the components of the financial support is monthly allowance which is supposed to compensate the expenses caused by the disability and is again fixed amount according to the estimated percent disability. It is 7 to 57 % of the poverty threshold (which was BGN 348 (EUR 178) for 2019 and BGN 363 (EUR 187) for 2020). Persons with 50 to 70.99 % disability are entitled to 7 % (EUR 12 for 2019, EUR 13 for 2020), those with 71 to 90 % disability – to 15 % (EUR 27 for 2019, EUR 28 for 2020) and those with over 90 % disability – to 25 % (EUR 45 for 2019 and EUR 47 for 2020), the last group are persons with over 90 % disability and estimated personal assistance need who receive also social disability pension – would receive 57 % (EUR 102 for 2019 and EUR 106 for 2020).<sup>62</sup> The second component of the financial

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<sup>60</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 12.

<sup>61</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 42.

<sup>62</sup> Persons with Disabilities Act (01.01.2019), Article 70, available in Bulgarian at: <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp;jsessionid=0C2AD8FC6249B2D56BFDD70125F53B39?idMat=132871>.

support is individually tailored targeted allowances for technical aids, medical appliances, adaptations of vehicles, house, rehabilitation, recreation. Since 1 January 2020 medical appliances and technical aids are provided by the Ministry of Healthcare.

### **Personal assistance and support for independent living**

In 2018, the UN CRPD Committee recommended that Bulgaria *'allocate greater resources for developing individualised support services for persons with disabilities, regardless of the type of impairment or age; such services should include peer support and personal assistance.'*

Personal aid/assistance for persons with most severe conditions is provided for in the law for the first time but with a limited scope – maximum 8 hours a day (excluding weekends).

According to the Social Assistance Agency in pursuance of the Persons with Disabilities Act, since the beginning of the period of preparation of individual needs assessments (1 April 2019 – 31 December 2019), 25,910 referrals have been issued. BGN 18,9 million (EUR 9,45 million) were transferred to the municipalities/regions for the provision of services under the personal assistance mechanism and support was provided to 9,029 average monthly number of users.<sup>63</sup> According to the Ministry of Social Policy from 1 September 2019 to 31 December 2019 the number of users of the personal assistance mechanism under the Personal Assistance Act was 14,295 persons, and the number of appointed assistants was 14,551 persons.<sup>64</sup>

In 2019 the Social Assistance Agency transferred funds under the 'Independent Living Programme' to 293 municipalities and regions at the amount of BGN 75.7 million (EUR 37.85 million). In December 2019, for example, the total number of users of home assistance services was 18,661, incl. those who used personal assistant - 10,850; social assistant - 2,113, domestic assistant - 5,794; and the number of assistants was 13,164.<sup>65</sup>

Under procedure BG05M9OP001-2.040 'Patronage care for elderly people and people with disabilities - Component 2' hourly mobile health and social services as well as psychological support are provided at home for people with disabilities and elderly people over 65 years of age unable to self-care. The total budget of the scheme is BGN 45,7 million (EUR 22,85 million). 125 contracts worth BGN 31,7 million (EUR 15,85 million) have been concluded and are in the process of implementation, and 4,641 persons are included in activities for integrated services under the procedure by the end of 2019.<sup>66</sup> A methodology for providing patronage care, quality standards and a training programme for specialists have been elaborated. A training

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<sup>63</sup> Persons with Disabilities Act (01.01.2019), Article 70, p. 44.

<sup>64</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, pp. 5-6.

<sup>65</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 45.

<sup>66</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 23.

programme has been developed for medical specialists and specialists in the field of social services providing patronage care. The trainings will take place in 2020.<sup>67</sup>

### **Legislative framework and guidelines development**

The adopted in 2019 Social Services Act (SSA), which entered into force on 1 July 2020, aims to improve the mechanisms for planning, financing, control and monitoring of services, as well as to increase their quality, efficiency and sustainability. Secondary legislation to the newly adopted Social Services Act (SSA) is currently being developed. The Rules of Procedure of the Agency for the Quality of Social Services are elaborated. As of 1 July 2020, the Agency is established as an executive agency under the Minister of Labour and Social Policy. It will control and monitor the provision of social services and the licensing of social service providers.<sup>68</sup> The SSA regulates the adoption of an Ordinance on the standards for remuneration of employees carrying out activities for the provision of social services, which are financed from the state budget, as well as an Ordinance on the quality of social services. The first ordinance will determine the minimum requirements for the number and the qualification of the necessary employees who provide social services; the requirements for their activities and the obligations of the providers to ensure professional and career development of their employees. The SSA regulates the right of service providing employees to introductory and upgrading training, as well as to supervision.<sup>69</sup>

In 2019 under the operation BG05M9OP001-3.005 'New standards for social services' (with a specific beneficiary the Ministry of Labour and Social Policy) the following key instruments have been developed:

- options for introducing in practice of the financing principle 'money follows the client' when offering social consultative, residential, day care, at-home and mobile services;
- preliminary assessment of their impact;
- financial models for their valuation;
- a model for financing integrated cross-sectoral services from different sources;
- a model for co-financing of social services by the provider and the user;
- a model for planning a minimum package of services at district and municipal level, based on the real needs of individual target groups - children, adults, including people with disabilities, at risk of social exclusion;
- objective criteria for creating a map of needs and a map of services at national level;
- a map of needs and a map of services at the national level, based on the developed criteria;
- quality standards for social services for children and adults, including those with disabilities, with objective and measurable criteria and indicators for them;

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<sup>67</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 23.

<sup>68</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 9.

<sup>69</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, p. 50.



- indicators for measuring the effectiveness of social services, taking into account the final result for the user from the use of the services;
- system for monitoring and control of social services.

The results of the implemented project activities are published in paper collections and disseminated among the stakeholders. The verified funds under the project are BGN 922,5 (EUR 461,25).<sup>70</sup>

With regards to accessibility the provisions in the Persons with Disabilities Act are not new (they were part of the Spatial Planning Act) and for years remained unimplemented because of non-functioning controlling mechanism.

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<sup>70</sup> MLSP, *Report on the Implementation of the 2018-2021 Action Plan for Implementation of the National Strategy for Long-term Care*, pp. 15-16.

## 5 Disability, education and skills – analysis of the situation and the effectiveness of policies

In 2018, the UN CRPD Committee made the following recommendations to Bulgaria:

[Article 24 UN CRPD](#) addresses Education.

'50. The Committee recommends that the State party, in accordance with general comment No. 4 (2016) on the right to inclusive education:

- (a) Replace segregated education systems with quality inclusive education;
- (b) Raise awareness of the advantages of quality inclusive education for society, in particular for teachers and other education staff, and also for parents of children without disabilities;
- (c) Intensify its efforts to ensure quality inclusive education and the provision of reasonable accommodation for students with disabilities in mainstream schools, including by allocating sufficient human, technical and financial resources for it;
- (d) Collect data on the number of children and young people with disabilities not currently enrolled in any form of education, disaggregated by age, sex, type of impairment and place of residence, and develop a strategy to include these children in the mainstream education system.'

National disability strategies or action plans may also be relevant to these issues in Bulgaria (National Strategy for Persons with Disabilities (2016-2020)).

The implementation of the Action Plan for the period 2018-2020 for implementation of the Strategy for reducing the share of early school leavers (2013-2020) will be completed in 2020. The measures to prevent school drop-outs, including the introduction of compulsory pre-school education for children from the age of 4, the Mechanism for Joint Work of the Institutions on the Coverage and Inclusion in the Educational System of Children and Pupils at Compulsory Preschool and School Age, and other measures to motivate children to study and successfully integrate them into education, are the key measures in the Plan. The support for activities under the Mechanism is foreseen to continue sustainably through the 2020 National Development Programme for Education 'Together for Every Child'. The prevention of school drop-out is also implemented through activities funded by the state budget, as well as through the implementation of the activities under the projects 'Active inclusion in the pre-school education system', 'Support for success', 'Education for tomorrow', etc.

### 5.1 Summary of the educational situation of persons with disabilities

The early school leaving rate of the young disabled people (18-29) in Bulgaria is 34.9 % while the rate of non-disabled school leavers is 19.5 %. Only 7.6 % of the disabled people at the age 30-34 have completed tertiary education (the share of non-disabled people is 33.4 %) (see Tables 16 and 17).

Quality and inclusiveness of education remain major challenges, despite the ongoing reforms.<sup>71</sup> The total of 2,400 children with intellectual, psycho-social and/or multiple disabilities in 2020 study in 34 centres for special educational support (former special schools for children with intellectual disabilities), 290 children with sight disabilities study in 2 special schools, and 385 children with hearing disabilities - in 3 special schools.<sup>72</sup> The children with disabilities who benefited from inclusive education in mainstream schools in 2020 are 8,674 (which is a significant decrease compared to school year 2017/2018 when they were 14,000, the reasons for which are not discussed in any report documents).<sup>73</sup> According to the scarce government and NGO reports there are achievements in the provision of material conditions for inclusive education of children with disabilities while human and financial resources are still insufficient.

Data on the number of children and young people with disabilities not currently enrolled in any form of education, disaggregated by age, sex, type of impairment and place of residence is not available. No information has been identified about raising awareness campaigns of the advantages of quality inclusive education for society, in particular for teachers and other education staff, and also for parents of children without disabilities, as recommended by the UN Committee on the CRPD. No signs of intensification of the efforts to ensure quality inclusive education and the provision of reasonable accommodation for students with disabilities in mainstream schools, including by allocating sufficient human, technical and financial resources for it have been identified either.

According to the Ministry of Education in 2019 the total of 1,400 kindergartens were funded by EU funding to provide environment for active inclusion in pre-school education including early prevention of learning difficulties. 11,378 children had participated in activities for active inclusion in the preschool education system, including children from marginalized communities, (including Roma), participating in measures for educational integration and reintegration.<sup>74</sup>

## **5.2 Analysis of education policies relevant to the Semester**

For reference, see also the 2020 [National Reform Programme](#) for Bulgaria

In 2019, 70 trainers from all over the country were trained to apply the functional assessment of children and students with special educational needs. The trained trainers are from the regional centres for support of inclusive education. During the next two years (2021-2022), they will train specialists from the personal development

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<sup>71</sup> *Country Report 2020*, p. 38.

<sup>72</sup> Ministry of Education and Science, Information about the distribution of state budget funding between schools, centres for special pedagogical support and other units according to the 2020 standards, <https://www.mon.bg/bg/100276>.

<sup>73</sup> Ministry of Education and Science, Information about the distribution of state budget funding between schools, centres for special pedagogical support and other units according to the 2020 standards, <https://www.mon.bg/bg/100276>.

<sup>74</sup> Ministry of Education and Science, *2019 Annual report*, p. 21, available in Bulgarian at: <https://www.mon.bg/bg/100207>.

support teams in kindergartens and schools to apply the model of functional assessment.<sup>75</sup>

With regard to accessibility of the schools, 3 covered ramps have been designed and constructed, 16 toilets have been adapted and reconstructed, 9 reconstructions have been made to adjacent infrastructure, 2 lifts and 11 platforms have been installed in 2019.<sup>76</sup>

The EU funded 'Active Inclusion' Project is the first large-scale initiative in the field of pre-school education. It contains many activities with the potential for a positive effect, which are not yet fully developed. Because many kindergartens, especially smaller ones, are participating in this type of project for the first time, there is a delay in many of the activities. In 2018, for the first time, the Ministry of Education distributed nearly BGN 24 million (EUR 12 million) between schools and kindergartens to work with children and students from vulnerable groups studying in preschool and primary education.<sup>77</sup>

Within the framework of the National Programme 'Provision of a Modern Educational Environment', module 'Provision of a modern specialised environment in the centres for special educational support by modernizing the material base for providing support for personal development of children and students', in the centres for special educational support adequate material conditions for the needs of the children were created. Funds were allocated for the material base in the schools, related to the teaching of natural sciences and the all-day organisation of the school day as well as for the appointment of pedagogical advisors and school psychologists in the system.<sup>78</sup> The Centres for Special Educational Support continue to be segregated educational environment although they are meant by law to be centres of competence on how to provide inclusive education in the mainstream educational system. No information is published on how exactly the educational process in them is performed in practice and no information is yet available about the implemented activities in them under the abovementioned project.

The Council of Ministers determined a fixed annual amount BGN 452 (EUR 233)<sup>79</sup> for inclusive education per child/student using resource support. However, more focused efforts are needed to provide support to children at risk, beyond additional subject activities. The schools still face many difficulties in providing specialists and funding.<sup>80</sup>

The Ordinance for inclusive education places a special focus on the need for teamwork between teachers and other pedagogical professionals in the process of providing general support for personal development of children and students. The steps for the introduction of ICF and functional assessment are also positive as an opportunity to form an assessment based on the strengths of children and students and to support their participation in the overall life of the kindergarten or school.<sup>81</sup>

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<sup>75</sup> Ministry of Education and Science, *2019 Annual report*, p. 33.

<sup>76</sup> Ministry of Education and Science, *2019 Annual report*, p. 4.

<sup>77</sup> National Network for Children, *2019 Notebook*, p. 67.

<sup>78</sup> National Network for Children, *2019 Notebook*, p. 67.

<sup>79</sup> Decision No. 644 of 01.11.2019 of the Council of Ministers.

<sup>80</sup> National Network for Children, *2019 Notebook*, p. 67.

<sup>81</sup> National Network for Children, *2019 Notebook*, p. 67.

Beyond the policies of the Ministry of Education and Science, it is still a common practice for children and students with disabilities to be considered as a threat to the well-being and achievement of higher learning outcomes by other children.<sup>82</sup> Despite teacher training for children with disabilities, conflicts in kindergarten or school related to the interaction and relationships between children and adults in groups or classes with children in resource support are not an exception, but a reality that must find its sustainable solution that respects all participants.

The National Network for Children recommends the following with regard to inclusive education:

- 'Increasing the size of the fixed amount for assessment of the individual needs of a child/student with disability, provided to the regional centres for support of inclusive education, in order to cover systematic and long-term assessments and monitoring of development.
- Creating and making full use of opportunities to appoint a teacher's assistant to support inclusive education in the real process during compulsory schooling.
- Revision of the curricula in order to develop digital and media literacy of children from primary to secondary education, which should be included in the state educational requirements in all relevant subjects. Applying a holistic approach to develop key skills and competencies, such as critical thinking skills, search, evaluation and analysis of information, teamwork, ability to communicate safely.
- Wide introduction of digital technologies in the education of children with disabilities.'<sup>83</sup>

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<sup>82</sup> National Network for Children, *2019 Notebook*, p. 67.

<sup>83</sup> National Network for Children, *2019 Notebook*, p. 67.

## **6 Investment priorities in relation to disability**

### **6.1 Updates on use of existing EU funds (to 2020)**

Data related to expenditure and progress on the following projects are reported in the preceding chapters on the labour market, social policies and education and skills.

- Project No. BG05M9OP001-1.010 Training and Employment (see, Analysis of labour market policies relevant to the Semester)
- Procedure BG16RFOP001-5.002 Support for deinstitutionalisation of social services for adults and people with disabilities, under OPRD 2014-2020 (see, Analysis of social policies relevant to the Semester)
- Operation BG05M9OP001-3.005 New standards for social services (see, Analysis of social policies relevant to the Semester)

In 2018, the UN CRPD Committee recommended that Bulgaria ‘allocate national financial resources and those provided by the European Union to promote the inclusion of persons with disabilities in society, and introduce efficient remedies and guidelines to avoid spending national and international funds on establishing infrastructure, housing and/or services that are not accessible or affordable to all persons with disabilities.’

In the same year, several NGOs have submitted a petition against the segregation of the disabled persons in the new residential services (family-type centres) funded by the EU.<sup>84</sup> The petition was later heard by some MPs of the European Parliament.<sup>85</sup> In November 2019 an Al Jazeera team performed an investigation about the allocation and distribution of EU funding in residential services for persons with disabilities in Bulgaria which confirmed the petition’s concerns.<sup>86</sup>

### **6.2 Priorities for future investment (after 2020)**

The JUST Transition Fund for Bulgaria has set up priorities that are not relevant to the challenges identified in this report. The only link might be digitalisation and acquiring skills in this field as an option for new employment opportunities for persons currently occupied in the coal mining business.

In relation to the CSRs, it would be important to include investments in accessible infrastructure (link to CSR3) and investments in employment support for persons with disabilities (link to CSR2).

Specifically, the 2020 Commission analysis highlighted areas where the inclusion of persons with disabilities is missing, such as:

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<sup>84</sup> [https://enil.eu/wp-content/uploads/2019/04/CILPetiton\\_Fin\\_200918.pdf](https://enil.eu/wp-content/uploads/2019/04/CILPetiton_Fin_200918.pdf).

<sup>85</sup> <https://enil.eu/news/petition-on-bulgarias-segregation-of-disabled-people-gets-heard-in-the-parliament/>.

<sup>86</sup> Sarah Spiller, Al Jazeera, *Europe's Recurring Disability Shame Part 2: From Bulgaria to Brussels | People & Power*, 29 November 2019, available at: [https://www.youtube.com/watch?v=Ou-O8YQfq\\_0](https://www.youtube.com/watch?v=Ou-O8YQfq_0).

- investment in digitalisation; upskilling- and reskilling of workers;
- job-search assistance to jobseekers;
- active inclusion of jobseekers.

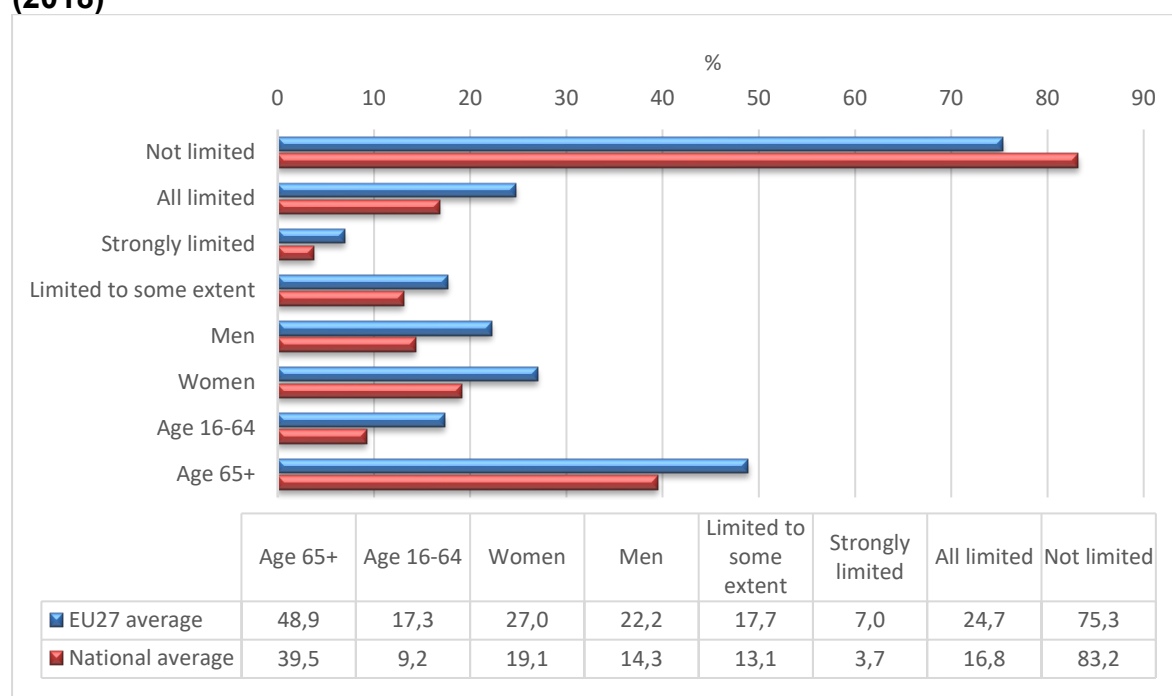
## 7 Annex: disability data relevant to the Semester

See also disability data published in the Eurostat database<sup>87</sup> and statistical reports.<sup>88</sup>

Unless specified, the summary statistics are drawn from the most recent EU-SILC data available to researchers from Eurostat. The EU-SILC sample includes people living in private households and does not include people living in institutions (congregative households). The sampling methods vary somewhat in each country.

The proxy used to identify people with disabilities (impairments) is whether ‘for at least the past six months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.<sup>89</sup>

**Table 1: Self-reported ‘activity limitations’ as a proxy for impairment/disability (2018)**



Source: EU-SILC 2018 Release 2020 version 1

In subsequent tables, these data are used to indicate ‘disability’ equality gaps and trends relevant to the analytical chapters – for the labour market, social policies and healthcare, and education – by comparing outcomes for persons who report and do

<sup>87</sup> Eurostat health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

<sup>88</sup> Eurostat (2019) *Disability Statistics* [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics).

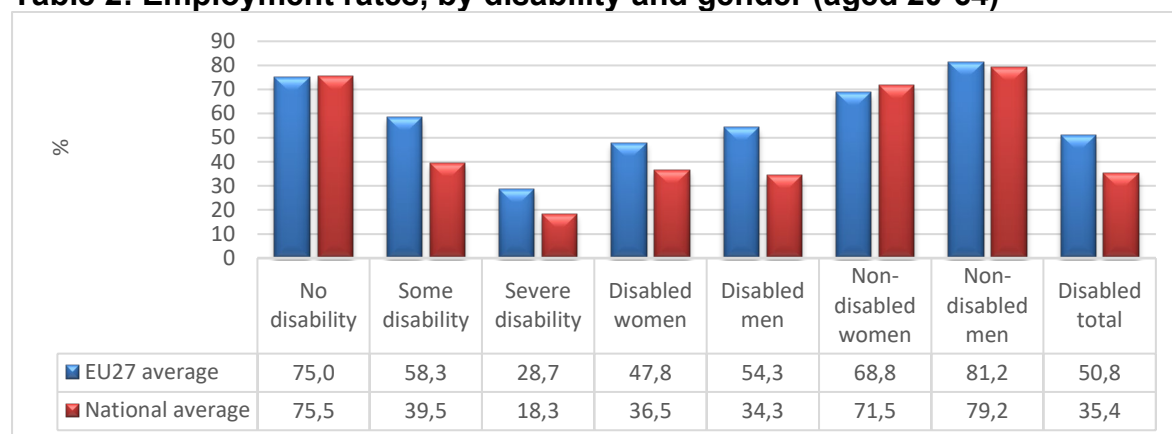
<sup>89</sup> The SILC survey questions are contained in the Minimum European Health Module (MEHM) [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum\\_European\\_Health\\_Module\\_\(MEHM\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum_European_Health_Module_(MEHM)).



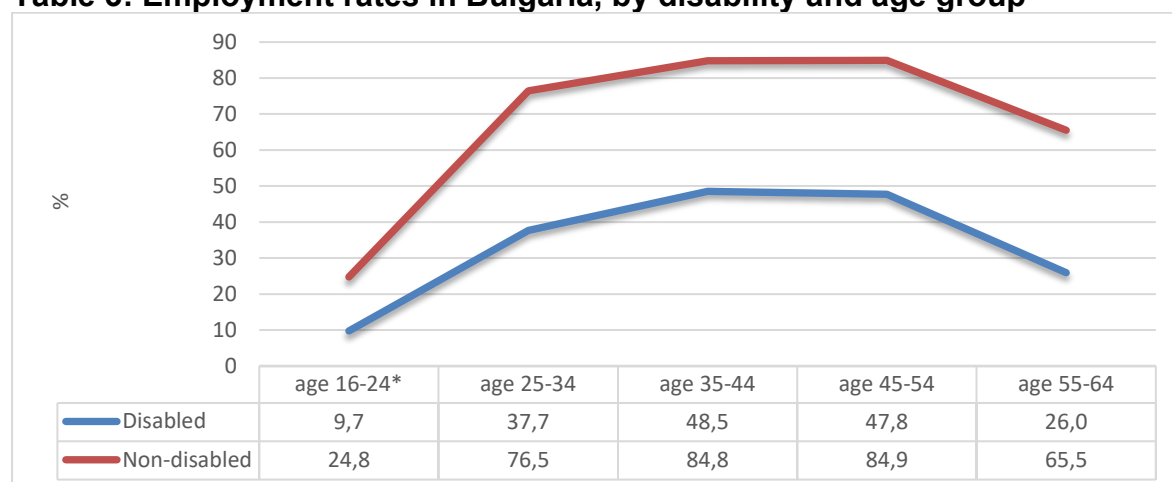
not report 'activity limitations'.<sup>90</sup> National estimates for Bulgaria are compared with EU27 mean averages for the most recent year.<sup>91</sup>

## 7.1 EU data relevant to disability and the labour market (2018)

**Table 2: Employment rates, by disability and gender (aged 20-64)**

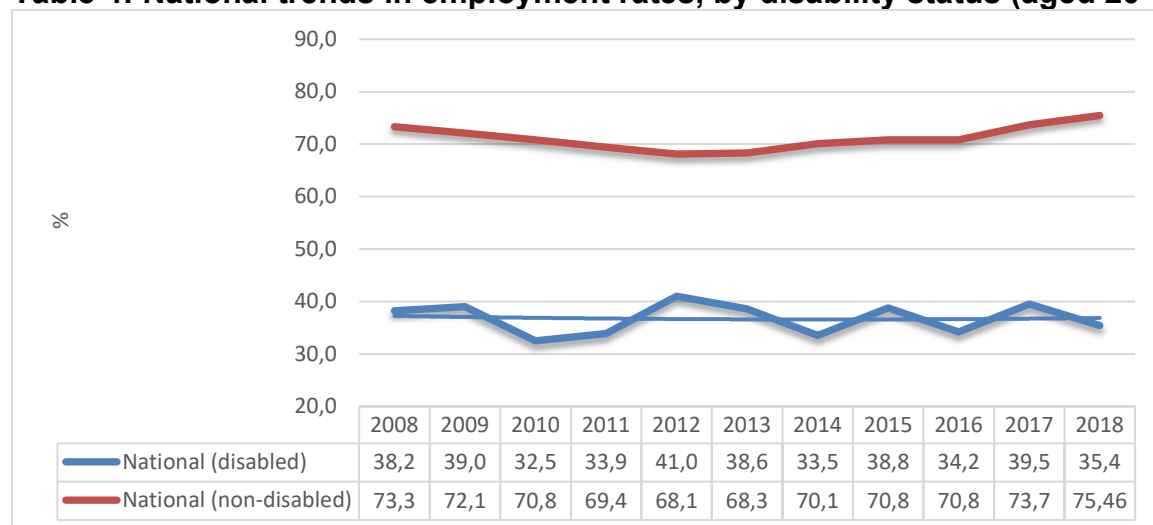


**Table 3: Employment rates in Bulgaria, by disability and age group**



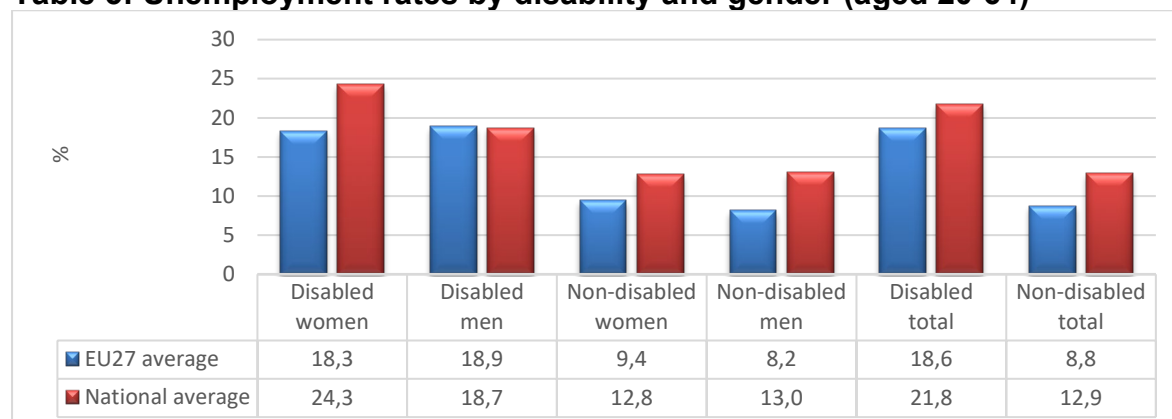
<sup>90</sup> This methodology was developed in the annual statistical reports of ANED, available at <http://www.disability-europe.net/theme/statistical-indicators>.

<sup>91</sup> The exit of the United Kingdom from the EU changes the EU average. Averages were also affected in 2015 by a discontinuity in the German disability data due to a definitional change.

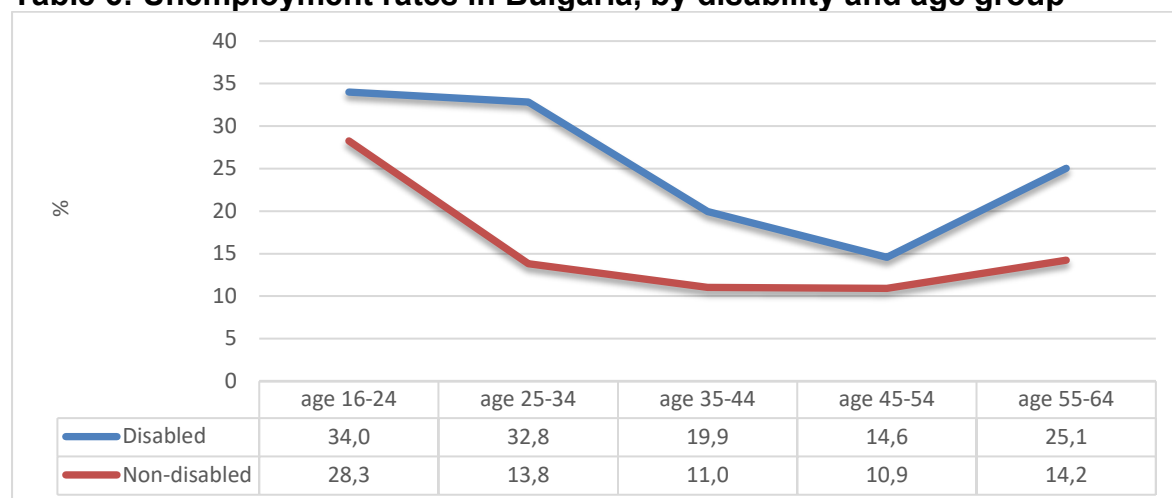
**Table 4: National trends in employment rates, by disability status (aged 20-64)**

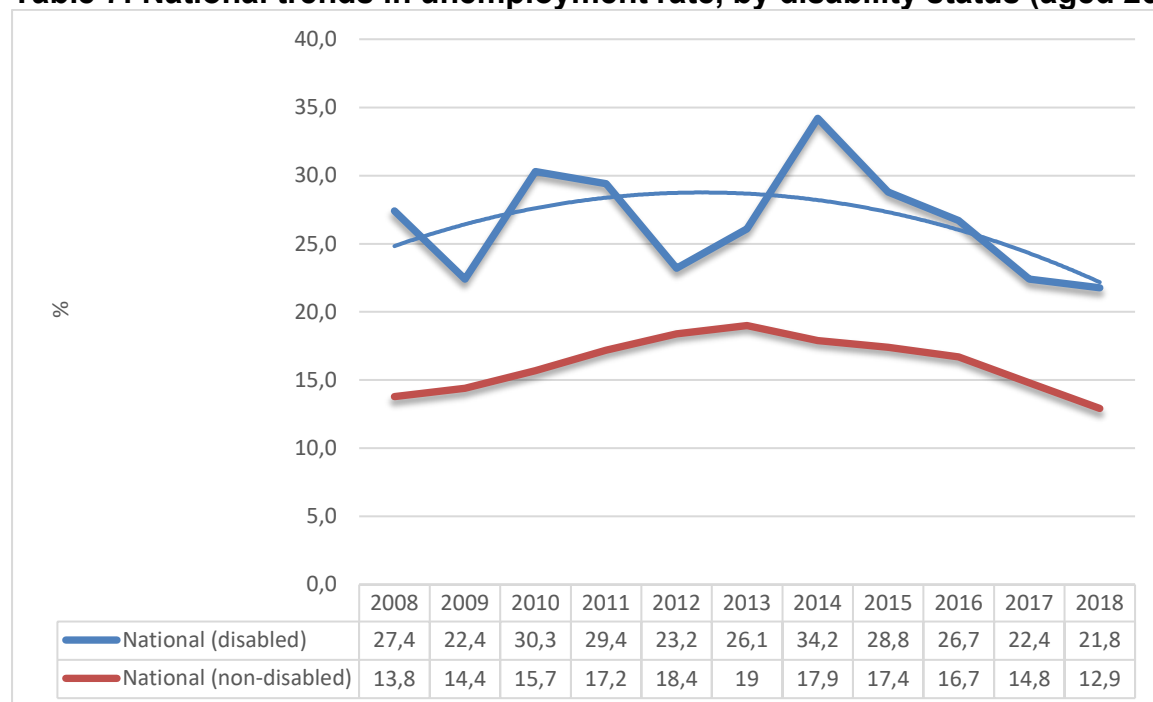
Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

### 7.1.1 Unemployment

**Table 5: Unemployment rates by disability and gender (aged 20-64)**

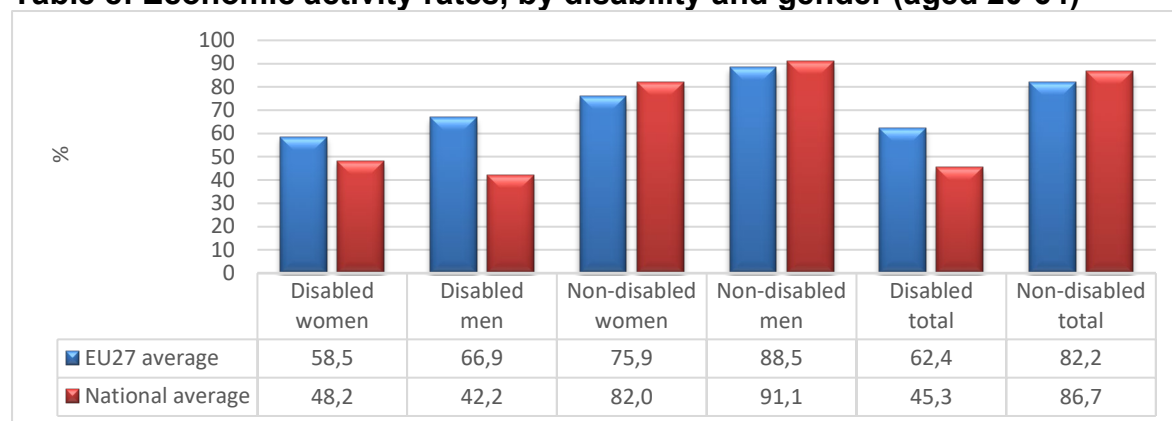
Unemployment among persons with disabilities is 4 % greater than the EU average.

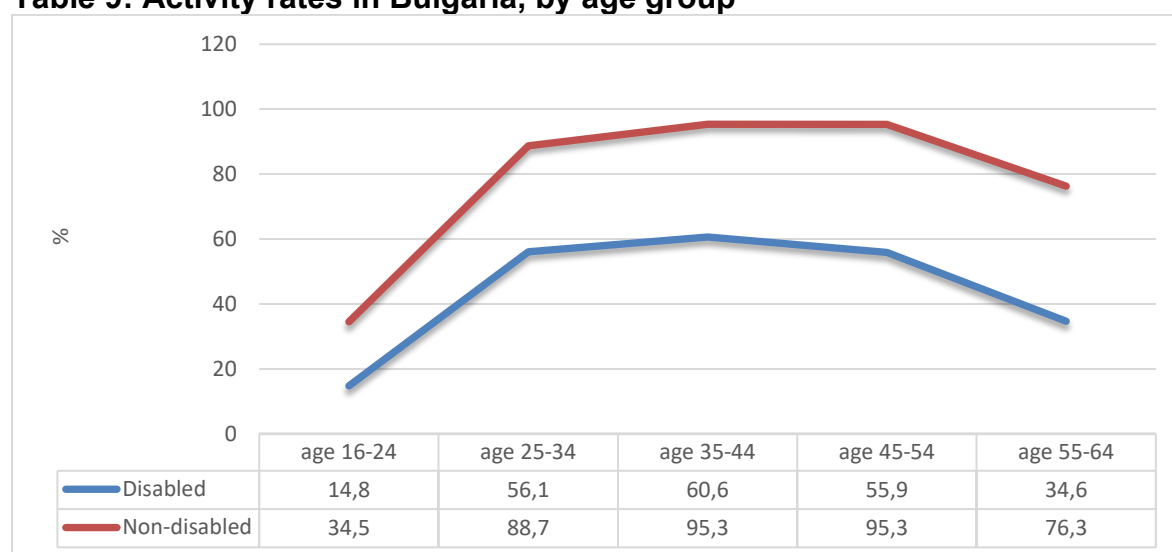
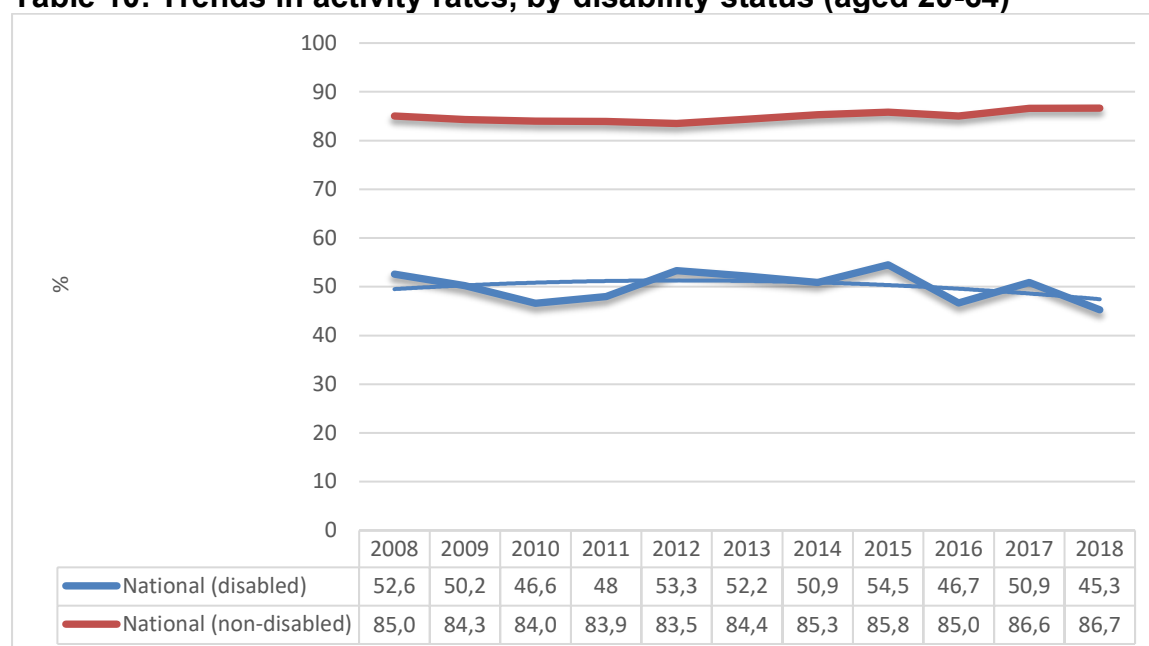
**Table 6: Unemployment rates in Bulgaria, by disability and age group**

**Table 7: National trends in unemployment rate, by disability status (aged 20-64)**

Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

### 7.1.2 Economic activity

**Table 8: Economic activity rates, by disability and gender (aged 20-64)**

**Table 9: Activity rates in Bulgaria, by age group****Table 10: Trends in activity rates, by disability status (aged 20-64)**

Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

### 7.1.3 Alternative sources of labour market data in Bulgaria

Disability data is not included in the core European Labour Force Survey but labour market indicators for Bulgaria were disaggregated from ad modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.<sup>92</sup>

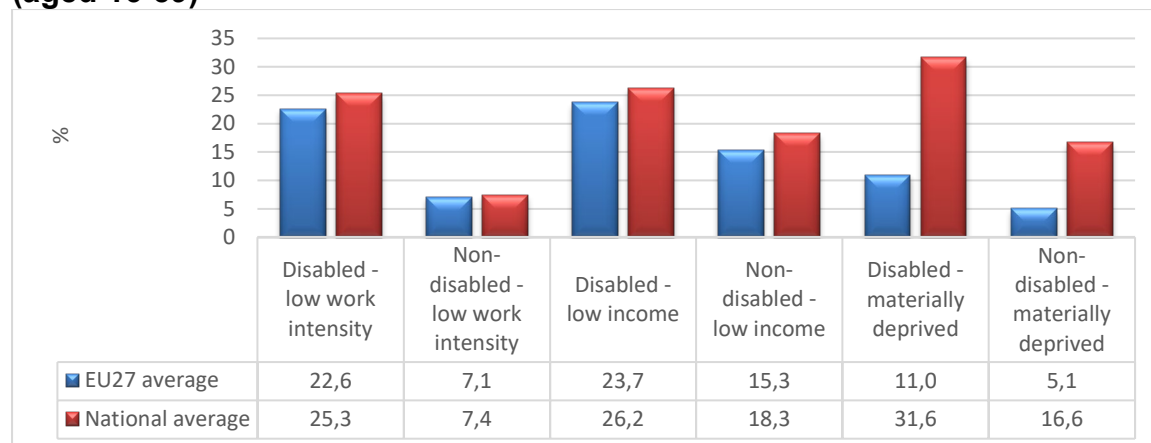
The Labour Force Survey in Bulgaria does not distinguish disability in labour activity statistics. Calculation of the employment/unemployment rates is data that is secured from other sources such as the Employment Agency, Agency for Persons with Disabilities.

<sup>92</sup> Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

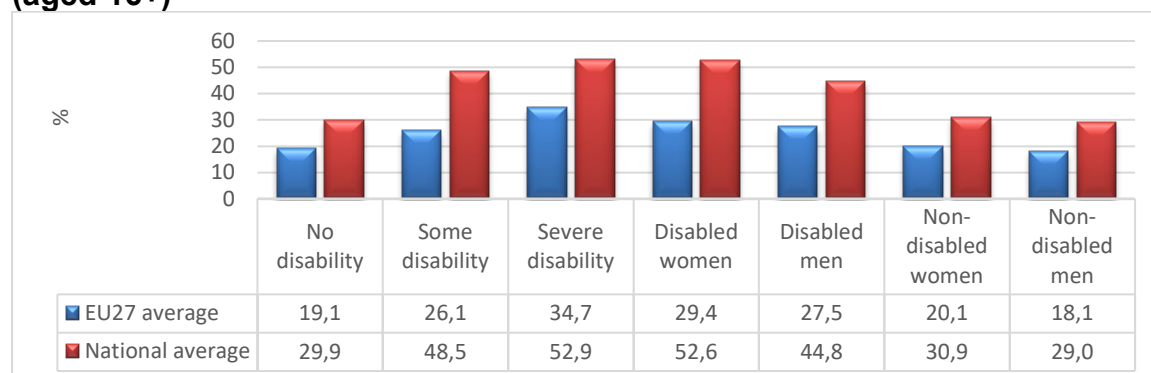
Data about employment indicators such as: the level (percent) of employment, the type of employment (open market, sheltered, supported), the available vacancies, the professions demanded by the employers announcing vacancies for persons with disabilities at the Employment Agency Departments, the term and the wage range should be collected and analysed annually.

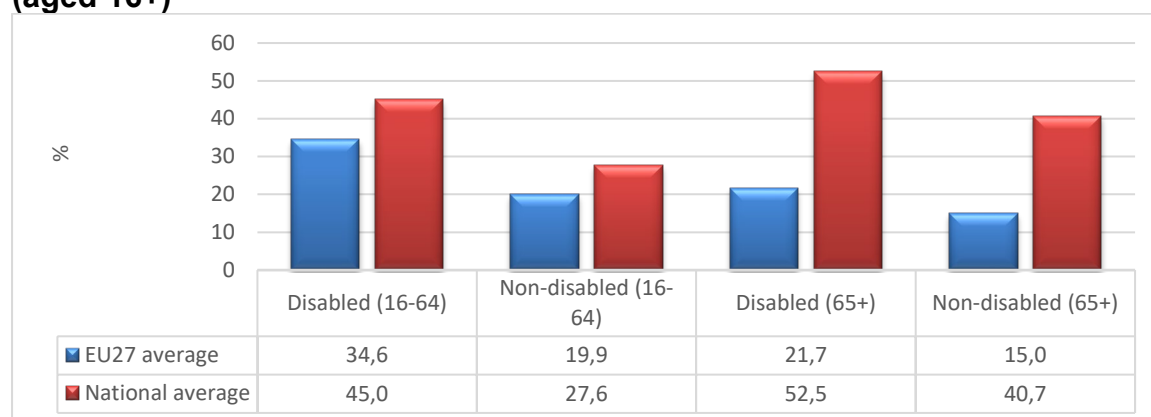
## 7.2 EU data relevant to disability, social policies and healthcare (2018)

**Table 11: People at risk of poverty or social exclusion, by disability and risk (aged 16-59)**

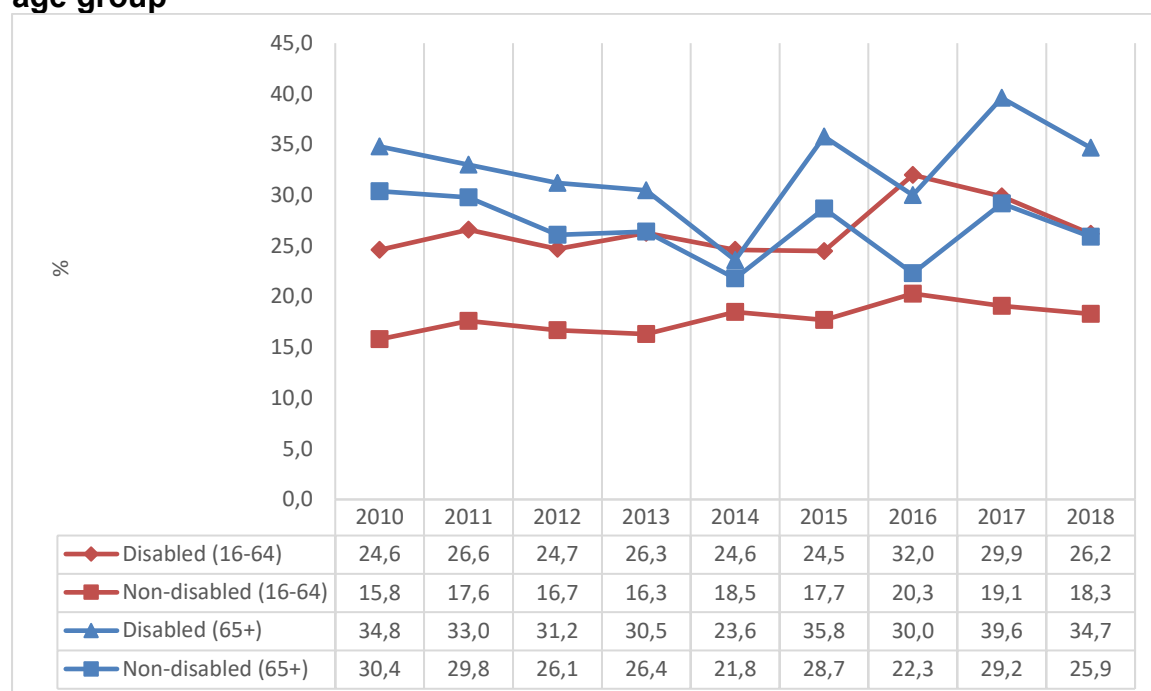


**Table 12: People at risk of poverty or social exclusion, by disability and gender (aged 16+)**



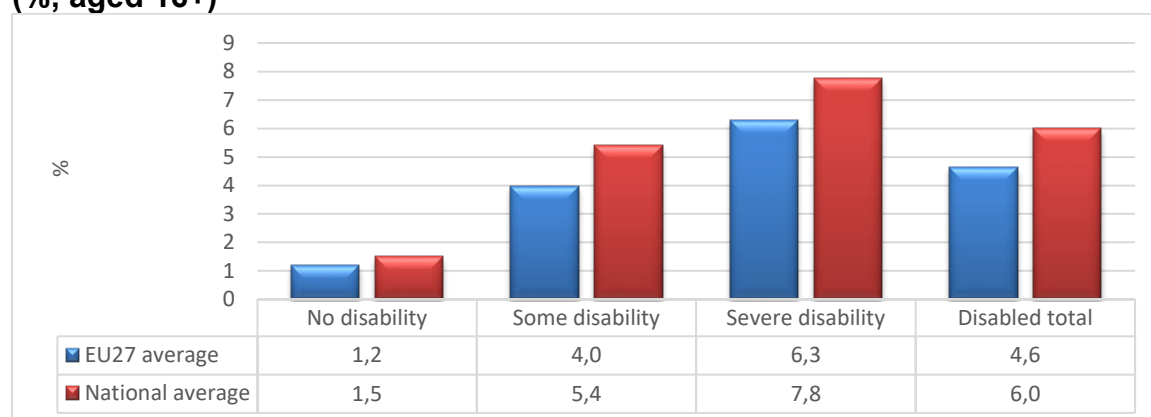
**Table 13: Overall risk of household poverty or exclusion by disability and age (aged 16+)**

Source: EU-SILC 2018 Release 2020 version 1 (and previous UDB)

**Table 14: Trends in the risk of poverty after social transfers, by disability and age group**

Source: Eurostat Health Database [\[hlth\\_dpe020\]](#) - People at risk of poverty

Note: this table shows national trends in financial poverty risk, rather than the general AROPE indicator (which is not as comparable between age groups due to the effect of paid employment); the survey does not distinguish 'activity limitation' for children under 16.

**Table 15: Self-reported unmet needs for medical examination, 3-year average (% , aged 16+)**

Source: Eurostat Health Database [[hlth\\_dh030](#)] – ‘Too expensive or too far to travel or waiting list’

Note: due to large variations an average of three years is indicated. EU mean averages are also skewed by high values in a minority of countries within disability groups but median averages for the total disability and no disability groups in 2018 are consistent with the 3-year mean values.

### 7.2.1 Alternative sources of poverty or health care data in Bulgaria

The EU-SILC data provides a comprehensive and reliable source concerning poverty or social exclusion rates. In addition to the summary tables presented so far, the Eurostat disability database also contains breakdowns concerning disability and poverty before and after social transfers, as well as in-work-poverty.<sup>93</sup>

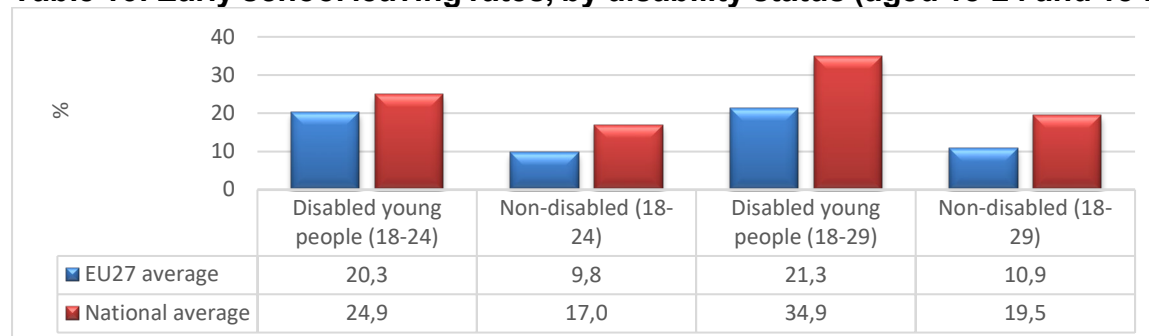
National surveys or studies may offer additional information.

When developing social services it is again essential to collect and publish data on regional basis about the persons in need by type of disability/needs, the types of services offered, the capacities of these services, the number of people on the waiting lists, etc.

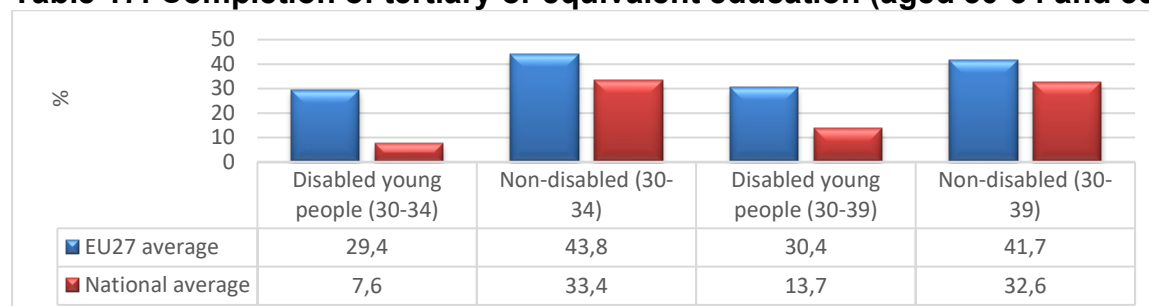
<sup>93</sup> Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

### 7.3 EU data relevant to disability and education

**Table 16: Early school leaving rates, by disability status (aged 18-24 and 18-29)<sup>94</sup>**



**Table 17: Completion of tertiary or equivalent education (aged 30-34 and 30-39)**



Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

Note: Confidence intervals for the disability group are large and reliability low (due to the small sample size in the target age group). An average of several years may be needed to establish trends or to compare breakdowns by gender.

#### 7.3.1 Alternative sources of education data in Bulgaria

Disability data is not included in the core European Labour Force Survey, but education and training indicators were disaggregated from ad hoc modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.<sup>95</sup> Similar caution is needed with this data.

Some administrative data is also provided in the European Agency's Statistics on Inclusive Education (EASIE), concerning the population of enrolled students identified with special educational needs in Bulgaria.<sup>96</sup>

Data about the education and vocational training of children with disabilities in Bulgaria is missing. It is essential to collect and disaggregate information about such children and youth depending on their age, gender, type of disability, form of education and place of residence (home or residential service).

<sup>94</sup> There was a change from ISCED 1997 to ISCED 2011 qualification definitions in 2014 although some Member States continued to use the older definition after this time.

<sup>95</sup> Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

<sup>96</sup> European Agency for Special Needs and Inclusive Education, *Statistics on Inclusive Education*, <https://www.european-agency.org/data/data-tables-background-information>.



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