



Quality in Gender+ Equality Policies

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Integrated Project

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DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

1.1. List of the gender+ equality legislation

1.1 Please summarise the key developments, with dates, in gender equality law as provided by the governmental gender equality unit, i.e. list the legislation that the gender equality unit (or equivalent governmental body) name as gender+ equality legislation. If important legislation seem to have been omitted by the authority, please comment on this.

There are differences between the web-page content in English and in Bulgarian. In the Bulgarian version, there are additional laws and programmes listed: the Labour Code; the Penal Code; the Family Code, also the National Action Plans on Employment and the Ministry of Labour and Social Policy Programme for 2005-2009.

Bulgarian legal framework for gender equality as presented by the governmental unit – **Gender Equality and Non-Discrimination Sector** at the Ministry of Labour and Social Policy (in English):

Legislation	Year	Main provision(s)
Act on Safety and Health at Work	1997	This act regulates rights and duties of the state; employers; employees; persons, who alone or in cooperation with other persons work are self-employed; other organizations and legal persons in respect of the provision of healthy and safe working conditions. (Art. 1)
Anti-discrimination law	2004	Any direct or indirect discrimination on the grounds of sex, race, nationality, ethnic origin, citizenship, origin, religion or belief, education, opinions, political belonging, personal or public status, disability, age, sexual orientation, marital status, property status, or on any other grounds, established by the law, or by international treaties to which the Republic of Bulgaria is a party, is forbidden. (Art. 4)
Bulgarian Constitution	1991	Art. 6. (1) All persons are born free and equal in terms of dignity and rights; (2) All citizens shall be equal before the law. There shall be no privileges or restrictions of rights on the grounds of race, national or social origin, ethnic self-identity, sex, religion, education, opinion, political affiliation, personal or social status or property status. Art. 14. The family, motherhood and children shall enjoy the protection of the State and society. Art. 46. (1) Matrimony shall be a free union between a man and a woman. Only a civil marriage shall be legal; (2) Spouses shall have equal rights and obligations in matrimony and the family. (3) The form of a marriage, the conditions and procedure for its conclusion and termination, and all private and material relations between the spouses shall be established by law. Art. 47. (1) The raising and upbringing of children until they come of legal age shall be a right and obligation of their parents and shall be assisted by the State; (2)

Legislation	Year	Main provision(s)
		Mothers shall be the object of special protection on the part of the State and shall be guaranteed prenatal and postnatal leave, free obstetric care, alleviated working conditions and other social assistance; (3) Children born out of wedlock shall enjoy equal rights with those born in wedlock; (4) Abandoned children shall enjoy the protection of the State and society; (5) The conditions and procedure for the restriction or suspension of parental rights shall be established by law.
DECREE N 313 of Council of Ministers from November 17.2004 for formation of a National Council on Gender Equality with the Council of Ministers	2004	The text defines the general functions of the National Council on Gender Equality as a public body for conducting the consultation, cooperation and coordination between government and non-government organisations in the elaboration and implementation of the national policy concerning the equality between women and men with the Council of Ministers.
Employment Strategy 2004-2010	2004	The Strategy identifies women as a risk group in the labour market. The Strategy pays special attention to the need to develop policies on equal opportunities for all social groups to the labour market and to make these freely and easily accessible. General measures refer to the establishment of legislative, institutional and resource base for guaranteeing equal opportunities for women and men. Specific measures for social group, which are considered to be disadvantaged and in unequal position on the labour market as to the other persons. The Strategy draws attention to the fact that it is very important that the impact of each measure on the status of the respective groups is timely and appropriately measures. ¹
Law on combating trafficking in human beings	2004	The law provides measures to prevent and defy trafficking in human beings; measures aimed at protecting and supporting the victims of human trafficking, especially women and children; ensure co-operation and co-ordination between the bodies of state and the municipalities, as well as between them and the non-governmental organisations (NGOs), with a view to preventing and defying trafficking in human beings, and developing the national policy in that area. In additional provisions of the Law, the term “exploitation” is defined as “the illegal use of human beings for debauchery, removal of physical organs, forced labour, slavery or servitude”. “Trafficking for sexual exploitation” is not specifically mentioned.
Law on protection against domestic violence	2005	The law governs the rights of individuals having suffered from domestic violence, the protection measures, and the procedure applicable to the imposition of such measures (Art. 1) The law gives a legal definition of ‘domestic violence’; regulates the relations related to domestic violence; and

¹ <http://cwsp.bg/en/htmls/page.php?category=424>

Legislation	Year	Main provision(s)
		<p>provides protection measures. The state's responsibilities under the law are to ensure the implementation of prevention and protection programs, as well as programs providing assistance to the victims. The law establishes the institution of a protection order, which are valid for up to one year. The measures prescribed by the court may be one or more of the following: obliging the perpetrator to refrain from continuing acts of domestic violence; removing the perpetrator from the common habitation; prohibiting the perpetrator to approach the home and place of work of the victim, or any other places where the victim pursues his or her social contacts or recreation; temporarily relocating the residence of the child with the innocent or victimized parent; obliging the perpetrator to attend specialized programs; and advising the victim to attend rehabilitation programs. In case of direct and impending threat to the life or health of the victim, the regional court shall issue an emergency protection order within 24 hours. Failure to comply with the protection order entails the arrest of the perpetrator.²</p>
Law on the ombudsman	2004	<p>The Ombudsman shall intervene by the means, envisaged in this law, when citizens' rights and freedoms have been violated by actions or omissions of the state and municipal authorities and their administrations as well as by the persons assigned with the provision of public services (Art. 2)</p>
National Action Plan for Promotion of Gender Equality for 2005	2005	<p>The same as the National Plan for Promotion of Gender Equality for 2006.</p>
National Action Plan for Promotion of Gender Equality for 2006	2006	<p>One major set of actions is devoted to the media and information campaigns about gender equality and problems of gender based violence which should encourage public debate and better cooperation with the civil society. Other set of actions envisages gender training in general gender equality for the central and local administration and again separate special gender training targeted at magistrates and judges. Vocational training and encouraging employment and self-employment aim at fighting the social isolation and to create conditions for equal opportunities for women and men in the labour market. A relatively new kind of action is the introduction of indicators for gender equality assessment and gender disaggregated data needed for the planned research activities and referred at the Eurostat elaborated indicators.</p> <p>"However, the institutions involved and the society have no feedback whether the activities and measures suggested in these plans are efficient because there is no visible official report for the accomplishment of the</p>

² http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/BULGARIA_VAW_FACT_SHEET_2006_3.pdf

Legislation	Year	Main provision(s)
		2005 Action Plan.” ³
National Demographic Strategy of the Republic of Bulgaria 2006 - 2020 ⁴	2006	The encouragement of childbirths will be achieved by the creating of favourable child-raising conditions. Also, there is the two-child family as an "ideal reproductive case" justified by the tradition. The encouragement of the child raising in the family will be achieved by developing positive attitudes towards the family. And at end, to encourage "adequate reproductive life in good health for all groups" there must be policies ensuring equal opportunities.
Social Security Code	1999	The state public insurance shall grant benefits, allowances and pensions in case of: 1. temporary incapacity to work; 2. temporary reduced capacity to work; 3. disability; 4. maternity; 5. unemployment; 6. old-age; 7. death.

Additional legislation listed (in Bulgarian):

Legislation	Year	Main provision(s)
Labour Code	1985	The Labour Code prohibits all types of discrimination, privileges and limitations based on nationality, origin, gender and race. Article 8(3) states that: In the exercise of labour rights and duties no direct or indirect discrimination, privileges or restrictions shall be allowed on grounds of ethnicity, origin, sex, race, skin colour, age, political and religious convictions, affiliation to trade union and other public organisations and movements, family, social and property status and disability. The amendment to the Code in 2001 introduced the principle of equal pay to women and men (Article 243). Another provision refers to the parental leave, regulated by article 167a of the Labour Code. The provisions of parental leave were quite recently introduced and public opinion towards it is has not yet been registered. By the end of 2003 certain amendments to the Labour Code introduced the definitions of indirect discrimination (Supplementary Provisions, §1,7). ⁵
Penal Code	1968	The Penal Code creates criminal penalties for the infliction of severe and moderate physical injuries. Article 128 of the Penal Code states that the punishment for inflicting severe bodily injury on another person is imprisonment for three to ten years. Article 129 of the Penal Code prescribes the punishment for inflicting moderate bodily harm on another individual as deprivation of liberty for up to five years. ⁶
Family Code	1987	The Family Code (1985, amended 1992) settles the relationship in marriage, relation and adoption, guardianship and

³ <http://cwsp.bg/htmls/page.php?lang=en&category=122&page=3>

⁴ http://www.mlsp.government.bg/bg/docs/demography/Dem.%20Strategy_ENG.pdf

⁵ http://www.stopvaw.org/List_of_Law_and_Policy_Documents12.html

⁶ http://www.stopvaw.org/List_of_Law_and_Policy_Documents12.html

Legislation	Year	Main provision(s)
		trusteeship. The Family Code is based on the principle of "... equality of men and women ..." (Article 3) ⁷
National Action Plan on Employment for 2006	2006	The National Action Plans for Employment outline the macroeconomic and social framework and perspectives for development of the labour market. The Plans aim at increasing the employment rate of women and improving the quality of employment as well as at promoting women's economic activity in order to overcome the employment gap between women and men. They are based on the understanding that gender equality requires women and men to participate equally in business and the production sphere, in the decision making process, the social and cultural life.
Ministry of Labour and Social Policy Programme for 2005-2009	2005	Concerning gender equality, there are envisaged activities by 2009 to elaborate strategic documents on equal opportunities of women and men, people with disabilities and Roma minority, as well as other groups in disadvantaged positions.

1.2 EU Directives⁸ and Member State Law: Comparisons and Struggles

Are all aspects of EU Directives and aquis on gender equality fully integrated into national law? If some aspects are not fully transposed, what are they? Have there been disputes (1995-2007) between the EU and the country over transposition? Or within the country over this process? Or where local/national groups have gone direct to the EU? If so, what is the location of the dispute (e.g. intervention by Commission, Court of Justice; national court)? What was the outcome? **Please fill in one table for each issue/policy listed in 1.2.1 (example provided).**

There is a list of Bulgarian legislation, transposing the Directives in section "Equal Treatment of Women and Men" published on the **Gender Equality and Non-Discrimination Sector** web-page⁹:

LIST OF BULGARIAN LEGISLATION, TRASPOSING THE DIRECTIVES IN SECTION "Equal Treatment of Women and Men"	
Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women.	Labour Code Law on Protection against Discrimination
COUNCIL DIRECTIVE of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (76/207/EEC)	Labour Code Law on Protection against Discrimination
COUNCIL DIRECTIVE 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)	Labour Code Law on Health and Safety at Work Law on Protection against Discrimination Social Insurance Code Personal Income Tax Law Ordinance No 5 of 11 May 1999 on the Procedure, Manner and Frequency of Carrying out Risk Assessment

⁷<http://www.cwsp.bg/htmls/page.php?lang=en&category=121&page=2>

⁸ Directives: http://ec.europa.eu/employment_social/gender_equality/legislation/legalacts_en.html
ECJ cases: http://ec.europa.eu/employment_social/gender_equality/legislation/case_law_en.html; More info on transposition: http://ec.europa.eu/employment_social/fundamental_rights/policy/aneval/legnet_en.htm#comp.

⁹ <http://www.mlsp.government.bg/equal/equalen/bglaw.asp?id=277>

COUNCIL DIRECTIVE 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC	Labour Code Ordinance on the Working Time, Rest Periods and Leaves
COUNCIL DIRECTIVE 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex	Law on Protection against Discrimination
COUNCIL DIRECTIVE 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security	Social Insurance Code
COUNCIL DIRECTIVE 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes; COUNCIL DIRECTIVE 96/97/EC of 20 December 1996 amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes	Social Insurance Code
COUNCIL DIRECTIVE 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood	Social Insurance Code
DIRECTIVE 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions;	Bill on Equal Opportunities for Women and Men
COUNCIL DIRECTIVE 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services	Law on Protection against Discrimination

1.2.1 EU Directives to Consider

Most of the table content is taken from the publications: Open Society Institute. 2005. Equal opportunities for women and men: monitoring law and practice in new member states and accession countries of the European Union. New York: OSI.

http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502/ and

2002. Open Society Institute. Monitoring the EU Accession Process: Equal Opportunities for Women and Men. <http://www.eonet.ro/pdf/Bulgaria.pdf>

Issue	Equal pay/equal treatment
Prior to Directive	Until 1992, a general clause existed in the Labour Code providing for equal pay for work of equal value, but it was subsequently abolished as incompatible with the principles of a market economy and reminiscent of socialism and socialist labour.
Legislation transposing Directive	Labour Code Law on Protection against Discrimination
Fully transposed	Bulgaria complies fully with Article 3 of Directive 75/117/EEC. Although formal compliance is claimed with respect to Directives 75/117/EEC and 76/207/EEC, an analysis shows that recent changes to the Labour Code (2001) and the new Act on

Issue	Equal pay/equal treatment
	Employment Promotion are not sufficient for the real implementation of EU standards <i>de jure</i> and <i>de facto</i> .
	The Law on Protection against Discrimination proclaimed explicitly the principle of equal pay and set out an obligation on employers to ensure equal remuneration for the same work or work of equal value. The principle applies not only to labour remuneration but to all payments, compensations, and so on, concerning the labour relation, irrespective of their type, amount and grounds, paid directly or indirectly, in cash or in kind.
Provisions not transposed	<p>The amended Section 243 (Labour Code, 2001) provides that women and men have the right to equal pay for the same work or work of equal value, and this principle is valid for all payments related to labour relations. While the amendment represents clear progress, it is not as broad as the legal wording of Directive 75/117/EEC, either in scope or in its specification of the remuneration.</p> <p>There are no special measures protecting an employee from dismissal in reaction to court proceedings as required by Article 5 of Directive 75/117/EEC.</p> <p>There are no provisions in the Labour Code to render void provisions of collective agreements that contradict the principle of equal pay.</p>
Is leg. better than Directive	No
Better how and since when?	-
Content of dispute(s) + date	The negotiation process of Bulgaria's accession to the EU was the leading incentive to additional legislative measures for the protection against discrimination with regard to labour remuneration. In 2001, the Labour Code stated that women and men are entitled to equal pay for the same work or work of equal value.
Parties to the dispute	No disputes.
Location	-
Outcome of the dispute	-
Civil society engagement	There are no special measures protecting an employee from dismissal in reaction to court proceedings as required by Article 5 of Directive 75/117/EEC. Workers do not benefit from any free legal aid, and such a system is lacking in Bulgaria. Some trade unions, such as the Podkrepa Labour Confederation, have undertaken initiatives to provide free legal aid, but their practice so far has not been related to gender issues. Research shows that lawyers' fees often constitute a barrier for workers to claim their rights.
Intersections	Class, gender
Other notes	<p>The Labour Inspection should develop its expertise to be able to identify cases of sex-based discrimination. Provisions should be adopted to ensure compliance with the scope of the Directive and specifically with Articles 2, 6 and 7. To that end, it is recommended that the new Act on Civil Servants, as a special code for this category of workers, should include the principle of equal pay for women and men. Comprehensive gender equality legislation should be adopted.</p> <p>Effective mechanisms for monitoring and implementing the principle of equal pay need to be provided for in law and implemented in practice.</p>

Issue	Sexual harassment and discrimination
Prior to Directive	Sexual harassment in the workplace is not explicitly prohibited in Bulgarian legislation. The State's obligation to protect workers and employees from sexual harassment is envisaged in international instruments such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) and CEDAW. The prohibition of discrimination stated in Article 8(3) of the Labour Code and the definition of 'indirect discrimination', which existed in Article 1(7) of the Additional Provisions of the Labour Code were not an adequate and sufficient legal basis for protection against various acts of discrimination. The person subject to discrimination did not dispose with a separate court action in order to initiate a court trial and seek remedy in fact and no specific provisions, which victims of discrimination could have invoked, existed.
Legislation transposing Directive	<p>Labour Code</p> <p>The obligation to protect workers and employees from sexual harassment has been transposed in Bulgaria through the amendments to the Labour Code and introduced in an additional paragraph: Section 127(2).</p> <p>Penal Code</p> <p>Except for cases of rape, the only other provision for protection in severe cases of sexual harassment is envisaged in Section 153 of the Penal Code, whereby a person who takes advantage of his superior position to force a female subordinate to have sexual intercourse with him faces possible imprisonment of up to three years. As such, circumstances are very difficult to prove, there is no relevant practice under this article of the Penal Code.</p> <p>Law on Protection against Discrimination</p> <p>Law on Protection against Discrimination provides legal definition for 'sexual harassment'.</p>
Fully transposed	No
Provisions not transposed	The provision is general and requires further development to take into account the gender component of sexual harassment and the principle of equal treatment of men and women. In addition, there is currently no explicit prohibition of sexual harassment as a violation of dignity at work in the Labour Code or in any other law. Furthermore, since the Labour Code does not apply to civil servants, they are not protected by a special provision for respect of dignity at work.
Is leg. better than Directive	No
Better how and since when?	
Content of dispute(s) + date	
Parties to the dispute	
Location	
Outcome of the dispute	
Civil society engagement	The lack of public awareness and of legal and administrative measures to combat the phenomenon was identified by the research of Minnesota Advocates for Human Rights in their 1999 report entitled "Sex Discrimination and Sexual Harassment in the Workplace in Bulgaria," and by the 1999 BGRF report entitled "The Impact of Privatisation on Women during the Economic Transition in Bulgaria."
Intersections	class, gender
Other notes	

Issue	Equality bodies
Prior to Directive	
Legislation transposing Directive	<p>With regard to complying with the Directives of the European Union related to equal opportunities for women and men, the Council of Ministers adopted Decree No. 155 of July 31, 2000, through which the Rules of Procedure of the Ministry of Labour and Social Policy were amended. Following the changes, the Minister of Labour and Social Policy became responsible to work out, organise, coordinate and control the execution of the state policy in the area of achieving equal opportunities for women and men. The minister is authorized to make proposals for amendments to existing legal acts and adoption of new ones as well as to propose, arrange and coordinate with other state authorities' programs and projects in the field of equal opportunities.</p> <p>The Commission for Protection against Discrimination is regulated by Chapter III of the LPD. It is an independent specialized state body for preventing discrimination, protection against discrimination and for ensuring equal opportunities. The Commission exerts control over the implementation and compliance of the LPD and other laws regulating equal treatment. It is proclaimed to be a legal person on budget support and reports annually to the National Assembly.</p>
Fully transposed	No
Provisions not transposed	
Is leg. better than Directive	No
Better how and since when?	
Content of dispute(s) + date	<p>In the negotiation process 2001-2002, there were disputes over transposition in the Chapter 13 "Social Policy and Employment" (on the issues of "Equal treatment for women and men" and "Anti-discrimination"). In 2001, the EU took note of Bulgaria's plan for the development of enforcement mechanisms (including a National Council on the Equal Opportunities for Women and Men, Ombudsman for the Equal Opportunities for Women and Men) and invited Bulgaria to provide further information on the predicted timetable for the establishment of these bodies and on the detailed proposals for their role and powers.¹⁰</p> <p>The Bill on Equal Opportunities for Women and Men has not been adopted by the National Assembly. In 2004 The Law on Protection against Discrimination was adopted. According to the government, it envisaged "to incorporate into one act the directives on equality of treatment for women and men (75/117/EC, 76/207/EC, 92/85/EC, 97/80/EC) as well as Directive 2000/43/ EC and Directive 2000/78/EC. In this way the institutional mechanism (Commission on Protection against Discrimination) for the implementation and monitoring on equal treatment principle will be broadened besides on grounds of sex also on grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation."¹¹ The government also</p>

¹⁰ CONFERENCE ON ACCESSION Brussels, 24 October 2001. TO THE EUROPEAN UNION- BULGARIA - CONF-BG 63/01. EUROPEAN UNION COMMON POSITION. Chapter 13: Social Policy and Employment http://www.mlsp.government.bg/en/integration/euro/chapter-13/chronology/conf_bg-63-01.doc

¹¹ Additional Information to the Negotiating Position on Chapter 13 "Social Policy and Employment". Brussels, 15 March 2002. CONF-BG 8/02. http://www.mlsp.government.bg/en/integration/euro/chapter-13/chronology/conf_bg-08-02.doc

	<p>recognised a National Council on equal opportunities for men and women and an Ombudsman as gender equality mechanisms. Again, in 2005, in the Roadmap for Bulgaria, in Section 2 on Gender Equality, the key challenges until accession were the establishment of an independent Gender Equality Body: "Independent Gender Equality Body to be set up by 5 October 2005 (Commission for the prevention of discrimination to be set up; one of the three Sub commissions will be dealing with Gender Equality)¹² and establishment and strengthening of implementing structures. The 2005 EU Report notes that the equality body required by the <i>acquis</i> has been established and the legislation has started to be applied by Bulgarian courts.¹³</p>
Parties to the dispute	government, EU, women's NGOs
Location	
Outcome of the dispute	No independent Gender Equality Body was established. The Center of Women's Studies and Policies noted that "we can hardly speak of established gender equality machinery In with clearly defined functions and interrelation among the separate structures yet. There is no gender equality body, coordinating the activities of the different institutions, to be responsible for the development of the state policy in gender equality and monitor its implementation. Currently, there is more or less just a set of structures, created under different laws and not in one framework. One of the reasons for that is the lack of National Gender Equality Strategy." ¹⁴
Civil society engagement	Bulgarian women's NGOs discussed the advantages the policy shift to general anti-discrimination legislation, "but NGOs and experts in the field of gender equality have focused on the disadvantages, such as the impossibility of creating effective gender equality mechanisms, the risk of marginalising gender issues, and the further delay of the implementation of equal treatment and the Directives. The fact that the issue of equal opportunities for women and men is dealt with separately from other grounds of discrimination in European law provides a strong argument in favour of separate regulation." ¹⁵
Intersections	
Other notes	

Issue	NGO/civil society dialogue
Prior to Directive	
Legislation transposing Directive	NGOs participate only in the work of the Consultative Commission on Equal Opportunities for Women and Men at the Ministry of Labour and Social Policy.
Fully transposed	

¹² EUROPEAN COMMISSION. EMPLOYMENT AND SOCIAL AFFAIRS DG. Horizontal and international issues Enlargement and International Affairs. 3 February 2005. ROADMAP for BULGARIA.

<http://www.mlsp.government.bg/bg/integration/euro/chapter-13/chronology/Roadmap%20BG%20FINAL3.02.05%20EN%20rev.doc>

¹³ 2005 – Comprehensive Monitoring Report Bulgaria. {COM (2005) 534 final} Brussels, 25 October 2005 SEC (2005) 1352 (B. Political criteria (p. 6-17); Chapter 13. Social Policy and Employment (p.46-49).

http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/bulgaria_en.pdf

¹⁴ <http://cwsp.bg/en/htmls/page.php?category=122>

¹⁵ 2002. Open Society Institute. Monitoring the EU Accession Process: Equal Opportunities for Women and Men. <http://www.eonet.ro/pdf/Bulgaria.pdf>

Provisions not transposed	
Is leg. better than Directive	
Better how and since when?	
Content of dispute(s) + date	
Parties to the dispute	
Location	
Outcome of the dispute	
Civil society engagement	
Intersections	
Other notes	

Issue	Parental leave
Prior to Directive	The Labour Code of 1986, in addition to the special protection of women, especially pregnant women and mothers, provided a number of privileges for fathers in order to facilitate an active role in raising children. It stipulated that with the mother's consent after the period of leave for pregnancy, additional leave could be granted to the father. ¹⁶
Legislation transposing Directive	Labour Code Maternity leave Pregnant women are entitled to maternity leave of 315 days for each child, of which 45 days must be taken before giving birth. For each day of maternity leave, the employee is paid 90 per cent of her average daily wage. Parental leave After the maternity leave, the employee is entitled to parental leave for the time until a first, second or third child turns 2; and of six months for each subsequent child. With the mother's consent, parental leave can be taken by the father or by any one of the mother's or the father's parents, provided that that parent is employed under an employment contract. The monthly compensation amount paid during parental leave is determined by the annual Social Security Budget Act. After the paid parental leave, each of the parents, if employed under an employment contract, is entitled to unpaid parental leave of six months which can be taken at any time before the child has turned 8. ¹⁷
Fully transposed	
Provisions not transposed	
Is leg. better than Directive	
Better how and since when?	
Content of dispute(s) + date	
Parties to the dispute	
Location	
Outcome of the dispute	
Civil society engagement	
Intersections	gender, class, marital status, age
Other notes	

¹⁶ Marinova, Jivka, and Mariya Gencheva, eds. Bulgarian Gender Research Foundation. 2003. Gender assessment of the impact of EU accession on the status of women in the labour market in CEE. National study: Bulgaria. Sofia. <http://karat.org/documents/Kniga1.pdf>

¹⁷ <http://www.europa.eu.int/eures/main.jsp?catId=8427&acro=living&lang=en&parentId=7770&countryId=BG&living>

Issue	Organisation of working time
Prior to Directive	
Legislation transposing Directive	<p>Labour Code</p> <p>The normal working week in Bulgaria is five days/40 hours long. Normal working time per day is 8 hours. For production reasons, the employer may extend the working time on certain days and offset that by shorter working time on other days, provided that any extended working day must not be longer than 10 hours. There can be no more than 60 extended working days per calendar year and no more than 20 such consecutive days. Given the special requirements of the job, the employer can also set flexible working time. In such cases, the employee must, as necessary, stay at work after the regular hours and is entitled to a break of not less than 15 minutes at the end of the normal working day.</p> <p>Shorter working times are set for workers exposed to special life or health hazards, and for workers younger than 18. The Government determines the kinds of work eligible for shorter working time.</p> <p><i>Part time work</i></p> <p>In Bulgaria, an employer and an employee can also agree on part-time work. In such cases, the duration and distribution of working time is set out in the employment contract.</p> <p><i>Night work</i></p> <p>In the case of night work, the five-day working week may not be longer than 35 hours. Normal night working time on a five-day basis may not be longer than seven hours per day. Work done between 10 p.m. and 6 a.m., or for minors, between 8 p.m. and 6 a.m., is treated as night work.¹⁸</p>
Fully transposed	
Provisions not transposed	
Is leg. better than Directive	No
Better how and since when?	
Content of dispute(s) + date	Concerning the Council Directive 1999/70/EC: fixed-term workers or part-time workers should not be treated less favourably than the workers under permanent labour contract or full time workers and regarding the Council Directive 97/81/EC concerning the Framework Agreement on part-time work. (2001-2002)
Parties to the dispute	EU and Bulgaria
Location	
Outcome of the dispute	The Labour Code was amended in 2006, but the Directive was not fully transposed.
Civil society engagement	
Intersections	class
Other notes	

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<http://www.europa.eu.int/eures/main.jsp?catId=8427&acro=living&lang=en&parentId=7770&countryId=B>
G&living

1.2.2 Other gender equality+ related directives you might want to consider

Directive 79/7/EEC on the principle of equal treatment for men and women in social security

Directive 86/378/EEC on principle of equal treatment for men and women in occupational social security schemes

Directive 86/613/EEC on equal treatment between self employed men and women

Directive 92/85/EEC on the safety and health at work of pregnant workers and workers

Bulgarian legislation envisages the special protection of women, especially pregnant women and mothers, and meets the requirements of Directive 92/85/EEC to a significant extent. The Labour Code provides for a number of privileges for women in relation to preserving their health and that of their children, some of which (such as paid maternity leave) also aim at stimulating the birth rate. Concerning the risk to the safety or health of a pregnant worker and employer's obligations, Bulgarian legislation fully corresponds with the Article 5 of Directive 92/85/EEC, and is also in line with CEDAW.

Directive 97/80/EC on the burden of proof in cases of discrimination based on sex

Directive 2000/78 on equal treatment in employment and occupation

1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?

	EU			Country		
	Provision	Year	Notes	Provision	Year	Notes
Maternity	14 weeks	1996	Pay must not be less than wage during sickness leave.	The maternity leave system in Bulgaria provides mothers with 315 days of leave for each child, of which 45 days must be taken before giving birth.	2007	It is paid at 90 per cent of the mother's daily wage.
Paternity	Optional	1995		There is no paternity leave.		
Parental	3 months	1996	Unpaid	After the maternity leave, the mother is entitled to 2 years of paid parental leave. With the mother's consent, parental leave can be taken by the father of the child.		
Duty on all public bodies to promote GE	No	2004	Mainstreaming required by 2006	No		
Equalities body (employment)	Yes	2002		Yes	2004	Equal Opportunities Department at the Demographic Policy, Social Investments and Equal Opportunities Directorate at the Ministry of Labour and Social Policy
Equalities body (goods & services)	Yes	2004		No		

Equalities body for promotion of GE	Yes	2002		Yes	2003	
Gender pay audits	No		Not specified	No		
Gender Equality plan (employment)	Yes	2002/2006		Yes	2004/2010	Employment Strategy Gender Equality Plan (2006)
Requires NGO dialogue	No	2002	Dialogue encouraged	Yes	2003	The Consultative Commission on Equal Opportunities and Vulnerable Groups in the Labour Market was set up to the Minister of Labour and Social Policy consists of representatives of the state authorities responsible for the elaboration and implementation of gender equality policy, the social partners and NGOs
Positive action measures	Yes/no	1975	Allowed, not required	Yes (ethnic equality)	2004	The National Council for Cooperation on Ethnic and Demographic Issues at the Council of Ministers. It is a consultative and coordinating body, which assists the Council of Ministers in implementing the state policy on ethnic and demographic issues

1.4. Equality law on intersecting inequalities

Is discrimination on the grounds of ethnicity/'race' illegal

YES, Law on Protection against Discrimination

- When was this law introduced?
2004
- Is this restricted to employment related issues?
NO
- Does it include the sale and supply of services?
YES
- What disputes if any took place during introduction of these laws?

Is discrimination on the grounds of religion illegal?

YES, Law on Protection against Discrimination

- When was this law introduced?
2004
- Is this restricted to employment related issues?
NO
- Does it include the sale and supply of services?
YES
- What disputes if any took place during introduction of these laws?

Is discrimination on the grounds of sexual orientation illegal?

YES, Law on Protection against Discrimination

- When was this law introduced?
2004
- Is this restricted to employment related issues?
NO
- Does it include the sale and supply of services?
YES
- What disputes if any took place during introduction of these laws?

Is discrimination on the grounds of age illegal?

YES, Law on Protection against Discrimination

- When was this law introduced?
2004
- Is this restricted to employment related issues?
NO
- Does it include the sale and supply of services?
YES
- What disputes if any took place during introduction of these laws?

Is discrimination on the grounds of disability illegal?

YES, Law on Protection against Discrimination

- When was this law introduced?
2004
- Is this restricted to employment related issues?
NO
- Does it include the sale and supply of services?
YES
- What disputes if any took place during introduction of these laws?

What disputes if any took place during introduction of these laws?

There were no major disputes on the adoption of the Law on Protection against Discrimination, although, the women's NGOs consider it as a general law and according to them, a "separate law is needed, which shall take into account the specifics of the gender discrimination and the problems of equal treatment for women and men"¹⁹.

Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant?

There were legal issues disputed in relation to the introduction of the Bill on Equal Opportunities between Women and Men. In Parliament, this invoked the question of the need of a separate gender equality law and a Gender Equality Mechanism apart from the one adopted in 2004 Law on Protection against Discrimination and the established Commission for Protection against Discrimination

¹⁹ Open Society Institute. 2005. Equal opportunities for women and men: monitoring law and practice in new member states and accession countries of the European Union. New York: OSI.
http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502/

according to the Law. The Bill has not been introduced at the plenary session for first reading after the parliamentary commission's discussions.

2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country.

The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State.

2.1 National gender equality plans

2.1.1 Is there a national gender equality plan?

If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).

There is no recent national gender equality plan, but there were two plans for 2005 and 2006. There are ten general areas listed in the National Plan for Promotion of Gender Equality for 2006:

1. General state policy on encouraging the equality of women and men
2. Eliminating gender based discrimination
3. Ensuring equal opportunities of women and men in economic activities
4. Encouraging the reconciliation of family and professional life
5. Equality of women and men in education and health care
6. Fight domestic violence
7. Encourage equality of women and men in politics
8. Strengthen the national mechanism for equality of women and men through gender training
9. Monitoring and evaluation of the effectiveness of the gender equality policies
10. Civil society and public awareness

- o Is the focus restricted to non-discrimination?

NO

- o Is there reference to gender mainstreaming?

YES. In the first area of activities (general state policy) there is a general reference to gender mainstreaming.

- o Are there named policy instruments and/ institutions, if so what?

Ministry of Labour and Social Policy

- prepare National Strategy on Encouraging Equality between Women and Men 2007-2010
- special gender training
- implement projects of Community Framework Strategy on Gender Equality 2001-2005

Ministry of Labour and Social Policy, Ministry of Interior

- apply measures against domestic violence

Minister of Labour and Social Policy, National Statistical Institute

- introduce indicators for equality between women and men assessments
- maintain gender disaggregated data base

National Council on Gender Equality

- consultative expert group with social partners and gender equality NGOs in preparation of legislation
- media policy about gender equality

Are there indicators and statistics to evaluate the policies?

YES: "10.4. Introduction of assessment indicators for gender equality, measurable with the EUROSTAT indicators and maintaining of data base, disaggregated by gender." (No report available on that activity).

Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)?

NO

2.1.2 Is gender equality integrated with other equalities in a national plan?

YES

If yes please name and describe very briefly the range of issues that it covers, in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both or a similar goal (e.g. equal opportunities)? If so, please specify.

In the 2007 national level implementation of the EU initiative European Year of Equal Opportunities, the government published the National Action Plan against Discrimination for 2007. The concept of "gender" appears in the document when the target group is defined as "protected people". There are six inequalities mentioned in relation to 'protected people': sexual orientation, gender, age, ethnicity, religion and disability. The main objectives of the plan include protection against discrimination, awareness raising through special training and media campaigns, effective implementation of the European anti-discrimination legislation and strengthen the institutional mechanisms for equal treatment. It is framed by both equality and diversity.

2.1.3 Is there a gender equality (or similar) plan in the area of gender based violence

YES.

a) If yes please name the plan.

The Programme for Prevention and Protection against Domestic Violence (2007-2008)

Does it cover:

- o Domestic violence and violence in partnerships YES
- o Sexual assault/violence and rape NO
- o Sexual harassment and stalking NO
- o Trafficking and prostitution NO
- o Forced marriage, honour crimes and FGM NO

Does the plan include:

- o named policy instruments and/or institutions, if so what;

The Program envisages:

- a national 24-hour information phone line for victims of domestic violence;
- setting up temporary shelters for such people, as well as development of existing ones;
- introduction of programmes and trainings targeting the specific staff groups at specialized institutions, including police officers, law enforcement agencies etc.

The Program envisages shelters for victims of domestic violence to be established in every regional centre. 270.000 BGL is allocated for this measure. The telephone line of the police should be the hot line for victims of domestic violence. The ambition of the Ministry of the Interior's experts is a separate line to be used soon. The Ministry is responsible for the preparation of a leaflet, giving information for fast and effective protection in cases of domestic violence.

The Program targets prevention and protection from domestic violence through:

- o awareness raising of the society on the problem of "domestic violence";
- o strengthening the capacity and increasing the level of personnel qualification;
- o establishment of a basis for development of programs for reintegration of the victims of domestic violence;
- o specialized programs for perpetrators.
- o indicators and statistics to evaluate the policies, if so which? No

b) If yes please name the plan

National Programme on Preventing and Countering Trafficking in Human Beings for 2006

Does it cover:

- o Domestic violence and violence in partnerships - NO
- o Sexual assault/violence and rape - NO
- o Sexual harassment and stalking - NO
- o Trafficking and prostitution – YES
- o Forced marriage, honour crimes and FGM - NO

Does the plan include:

- o named policy instruments and/or institutions, if so what;

The programs envisages:

- establishment of administrative structures at national and local levels;
- increasing the awareness of society on the problem of trafficking in human beings and the mechanisms for its limitation.

The measures are focused on:

- protection and support of victims of trafficking;
- creating a working mechanism for research, analysis and statistical reporting of human trafficking data;
- trainings for staff involved in counteracting trafficking in human beings;
- improving the international co-operation for prevention and combating trafficking in human beings
- organising information, awareness and educational campaigns;
- measures for strengthening the mechanisms for assisting victims of trafficking and protection of their rights;
- “Reintegration of victims” section focuses on overcoming consequences of trafficking. It envisages some amendments. However, a separate budget for the implementation of the above-mentioned measures has not been allocated. They are to be implemented within the budgets of the relevant responsible ministry or governmental institution.²⁰

- o indicators and statistics to evaluate the policies, if so which?

Yes, but it only refers to “a preparation of the establishment of institution for research, analysis and control of statistics”. No such institution has been established so far.

2.2 EU required National Reform Programme (National Action Plan) for Employment

Does the EU required National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) include a significant set of actions concerning gender equality? If so, what are these?²¹

Employment Strategy (2004-2010)

Annual National Action Plans on Employment since 2001

Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state’s programme? If so, what are these?

Did the EU Commission’s response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?

Bulgaria became a Member State in 2007.

2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion

Does the EU required National Report on Strategies for Social Inclusion include a significant set of actions concerning gender equality, including gender-based violence? If so, what are these?²²

The main policy priorities of Bulgaria in the field of social protection and social inclusion are as follows:

²⁰ The opinion of the Centre of Women Studies and Policies:

<http://www.cwsp.bg/en/htmls/page.php?category=477>

²¹ Member state reports 2006: http://ec.europa.eu/growthandjobs/key/nrp2006_en.htm

²² Member state reports: http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm

- Reduction of the risk of poverty and social exclusion;
- Establishment of a modern, sustainable and adequate pension system;
- Improvement of the access to health care services and quality health care;
- Development of the long term care system.

In the process of implementing these priorities, the adopted strategic approach shall also be further applied. In relation to the objectives, the policy shall be conducted in the context of the following:

- Strengthening the role of the systems of social protection and social inclusion for the achievement of the goals laid down in the Lisbon Strategy for economic growth and more and better jobs;
- Concentrating the efforts in the fight against social exclusion by means of prioritized solutions of the biggest challenges facing Bulgaria;
- Improvement of the coordination among institutions and organisations involved in the process of social protection and social inclusion;
- Improvement of the follow-up process of the progress in achieving the laid objectives in the field of social protection and social inclusion;
- Active involvement of all the interested parties.²³

Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report (including gender-based violence)? If so, what are these?²⁴

Bulgaria: "There are a number of weaknesses in Bulgarian family policy and child protection. A number of revisions in the legislation relating to family and children were made in recent years to provide more protection for children from violence and to try and strengthen support for families; however, the practical implementation of the legislation is not effective. There is a lack of legal, health or information support services for victims of trafficking; and protection under the social assistance system is inadequate."

Did the EU Commission's response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality (including gender based violence)? If so, what were these?²⁵

The report mentions that "despite falling overall unemployment, employment rates remain low. At the end of 2005, the employment rate (15-64) was 55.8%, with a gender gap of 8.3 percentage points. [...] The gender perspective appears as a horizontal issue, as a draft Law on equal opportunities has to be voted on by Parliament. The report also outlines that "Bulgaria has made progress in pensioner overtly alleviation. However, 23% of women over the age of 65 are at-risk-of-poverty compared to only 5% of their male counterparts. Projections for Bulgaria's future old-age dependency ratio are significantly higher than the EU average (60.9% compared to the EU average of 53.2% in 2050), which will have a significant impact on the long-term sustainability of pensions"²⁶.

²³ http://ec.europa.eu/employment_social/spsi/docs/social_inclusion/2006/nap/bulgaria_en.pdf

²⁴ Expert group on gender, social inclusion and employment (2006) Gender inequalities the risks of poverty and social exclusion for disadvantaged groups in 30 European countries. European Commission http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf

²⁵ EC report: http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm

²⁶ http://ec.europa.eu/employment_social/social_inclusion/docs/2007/joint_report/bg_en.pdf

2.4 EU funding

Does the EU provide funding in your country that has / has had a significant gender impact?²⁷ (Structural funds to consider include the European Social Fund²⁸ and the European Regional Development Funds²⁹)

Three projects were funded through the DAPHNE programme for the period 2000-2003³⁰. The Bulgarian organisations took part in the projects as partners.³¹

The European Social Fund will finance two Operational Programmes (OPs) in Bulgaria from 2007-2013: the first to ensure 'Human Resources Development' and the second to boost 'Administrative Capacity'.³²

Financial plan, 2007-2013 (euro)³³

Operational Programme	Community funding	National counterpart	Total funding
Human Resources Development	1 031 789 139	182 080 436	1 213 869 575
Administrative Capacity	153 670 724	27 118 363	180 789 087
Total	1 185 459 863	209 198 799	1 394 658 662

3. Governmental Machinery for Equality

Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers). (Approx. 250 words)

Council of Ministers: National Council for Social and Demographic Issues (1995-1997)

"From October 1995 to January 1997 an inter-ministerial "National Council for Social and Demographic Issues" has been in existence, with an unclear mandate to advise the government on minority and gender issues and to serve as mechanism for cross-sector dialogue (between government and non-governmental organisations)."³⁴

Ministry of Foreign Affairs: Department of Human Rights (1997-1999)

In 1999, the Ministry of Foreign Affairs and in particular its Department of Human Rights were the institutions which fulfil the function of a focal point to co-ordinate all issues related to the

²⁷ The following link may serve as a useful starting point (see drop-down menus along the top of the page and links on the left hand side): http://ec.europa.eu/regional_policy/policy/history/index_en.htm

²⁸ http://ec.europa.eu/regional_policy/funds/fse/index_en.htm

²⁹ http://ec.europa.eu/regional_policy/funds/feder/index_en.htm

³⁰ http://europe.eu.int/eur-lex/lex/budget/data/D2003_v4/EN/AP2000513_frm.htm

³¹ http://ec.europa.eu/justice_home/funding/2004_2007/daphne/doc/daphne_mid_report_2000-2003_en.pdf

³² http://ec.europa.eu/employment_social/esf/members/bg_en.htm

³³ http://ec.europa.eu/employment_social/esf/members/bg_en.htm

³⁴ 1999. Women's Alliance for Development. Institutional mechanisms for the advancement of women (since the Beijing conference). Bulgaria Report, <http://www.enawa.org/NGO/bulgaria3.html>

implementation of the commitments deriving from the Beijing Platform for Action.³⁵

Ministry of Labour and Social Policy (since 2000)

In 2000, the Minister of Labour and Social Policy became responsible to work out, organise, coordinate and control the execution of the state policy in the area of achieving equal opportunities for women and men. The respective administrative structure working on gender problems was the Directorate on Labour Market Policy. The Directorate coordinated and elaborated the state policy in the areas of the labour market, the protection of the national labour market, professional training of manpower, equal opportunities for women and men and groups with unequal status on the labour market.³⁶

Ministry of Labour and Social Policy: Consultative Commission on Equal Opportunities for Women and Men (2003)

In 2003, The Consultative Commission on Equal Opportunities for Men and Women was established under the Minister of Labour and Social Policy. It is aimed at creating partnerships among state institutions, responsible for developing and implementing the equal opportunities policy, with social partners and NGO representatives, involved in the area of equality between men and women, which should serve as a basis for introducing the gender mainstreaming approach in the development and implementation of this policy.³⁷

Ministry of Labour and Social Policy: Equal Opportunities Department (2005)

In March 2004, the specialised unit Equal Opportunities for Women and Men Sector within the Policy of Labour Market Directorate was set up. In November 2005, with the entry into force of the new Rules of Procedures of the Ministry, the Equal Opportunities for Women and Men Sector was closed down and another unit was established. It was the Equal Opportunities Department at the newly set up Demographic Policy, Social Investments and Equal Opportunities Market Directorate, which develops and coordinates the implementation of the state policy in these fields.

Council of Ministers: National Council on Gender Equality (2004)

In 2004, the National Council on Gender Equality was established at the Council of Ministers. The National Council consults the Government on draft legislation and other acts on equality between women and men. It coordinates the efforts of the governmental bodies and the non-governmental sector in implementation the state policy on gender equality and international commitments of the Republic of Bulgaria regarding these issues. The National Council supports the implementation of domestic and international projects of national importance, carried out by the social partners and the NGOs in the area of gender equality; reconciliation of family and parents with professional responsibilities; gives account for the final results; and organises research on issues related to its activities. The National Council also approves rules for consultations and collaboration at the local level.

Do any or all of these forms of gender machinery exist in the country, and if so what are they called?

- o governmental (civil servants and ministers in central government);

The National Council on Gender Equality at the Council of Ministers, is chaired by the Minister of Labour and Social Policy and its members are Deputy Ministers from all Ministries, Chairs of the State Agencies for Child Protection, for Refugees, for Information Technology and Communications, the Heads of the National Social Securities Institute and the National Statistical Institute, the Head of the Cabinet of the Minister of European Affairs as well as the Director of Ethic and Demographic Issues

³⁵ In 1999, assessing the national institutional mechanism for advancing gender equality it is state by the NGO as "very dissatisfied" and explicitly stated that: "Bulgaria does not have such a mechanism". 1999. Bulgaria and Beijing + 5 Answers to the Karat Questionnaire. Prepared by: Women's Alliance for Development. <http://www.enawa.org/NGO/bulgaria2.html>

³⁶ Open Society Institute. 2005. Equal opportunities for women and men: monitoring law and practice in new member states and accession countries of the European Union. New York: OSI. http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502/ (accessed 20 March, 2007)

³⁷ Open Society Institute. 2005. Equal opportunities for women and men: monitoring law and practice in new member states and accession countries of the European Union. New York: OSI. http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502

Directorate with the Council of Ministers. The National Council supports the implementation of domestic and international projects of national importance, carried out by the social partners and the NGOs in the area of gender equality; reconciliation of family and parents with professional responsibilities; gives account for the final results; and organises research on issues related to its activities.

The National Commission for Combating Trafficking in Human Beings (2004) was established at the Council of Ministers on the 30 September 2004 and is chaired by one of the Deputy Prime Ministers. The Commission includes a deputy minister of foreign affairs, a deputy minister of labour and social policy, a deputy minister of the interior; a deputy minister of justice, a deputy minister of health, a deputy minister of education and science, a vice president of the State Agency for Child Protection, a deputy chairperson of the Central Enforcement Commission for Anti-Social Behaviour of Juveniles and Minors, as designated by the respective ministers, presidents and chairpersons. The National Commission includes representatives of the President of the Supreme Court of Cassation, the Prosecutor General and the Director of the National Investigation Service. The meetings of the National Commission may be attended by representatives of non-profit legal entities and international organisations that operate in the area of deterring trafficking in human beings and the protection of the victims of trafficking. The National Commission organises and co-ordinates the co-operation between the relevant agencies and organisations for implementation of this Act; determines and administers the implementation of the national policy and strategy in the area of combating trafficking in human beings; develops, on an annual basis, a national programme for prevention and countering of trafficking in human beings and protection of victims of trafficking, which is presented to the Council of Ministers for approval; promotes research, analysis and statistical reporting of human trafficking data; contributes to the international co-operation for prevention and countering of trafficking in human beings; carries out information, awareness and educational campaigns aimed at potential victims of trafficking; develops training programmes for officials working in the area of prevention and countering trafficking in human beings; manages and supervises the activities of the Local Commissions and the centres for protection and support of victims of trafficking; and registers individuals and non-profit legal entities who provide shelter to victims of trafficking.

- enforcement and monitoring agency (e.g. equality authority, ombudsperson);

The Commission for Protection against Discrimination (2005) is an independent specialised state body for the prevention of discrimination, protection against discrimination and ensuring of equal opportunities. It is proclaimed to be a legal person on budgetary support. The Commission exerts control over the implementation of and compliance with the Law on Protection against Discrimination and other laws regulating equality of treatment. It reports annually to the National Assembly. The Commission works and adopts decisions on the cases brought before it in panels, which are appointed by the Chair of the Commission. The latter also appoints permanent panels, specialized in different grounds of discrimination including ethnic and racial; gender; and other grounds. The Commission is comprised of nine persons, of which at least four jurists. The National Assembly appoints five, including the Chair and the Deputy, and the President of the Republic appoints the remaining four members of the Commission.

The institution of the National Ombudsman (2004) was introduced in Bulgarian legislation by the Law on the Ombudsman, which was adopted in 2003 and entered into force on January 1, 2004. The Ombudsman's task and duty are to intervene, by the means envisaged in the law, in order to protect citizens' rights and freedoms when they have been violated by actions or omissions of the state and municipal authorities, administrations or by the person assigned with the provision of public services. Thus in cases where violation occurs in relation to the right of equal treatment, the affected persons may refer to the Ombudsman. The Ombudsman and the Deputy are appointed by the National Assembly for a term of five years and can be re-elected for the same office only once. The Ombudsman prepares and submits an annual report on its activities to the National Assembly by March 31 every year. The Ombudsman is obliged to maintain a public register with information on the complaints and signals received by it and to issue a bulletin on its activities, which are declared to be public.

- o special legal apparatus (e.g. special courts for employment or domestic violence);

General Labour Inspectorate Executive Agency inspects the observance of labour legislation in ensuring occupational safety and health and in accomplishing legal labour relations. It realises a specialized control of observation of the Law for Stimulation of the Occupation and the other acts concerning occupation and unemployment.. The Agency gives information and technical advice to employers and employees about the most effective methods for complying with labour legislation. It informs the competent bodies about omissions and defects of the labour legislation which is in force.

- o body for consultation / dialogue with women's NGOs

The Consultative Commission on equal opportunities and vulnerable groups in the labour market was set up by the Minister of Labour and Social Policy in February 2003. The Commission consists of representatives of the state authorities responsible for the elaboration and implementation of gender equality policy, the social partners and NGOs. It is chaired by the Minister of Labour and Social Policy. The Deputy chair is a representative of the non-governmental organisations that are working on women's issues. Its aims are to improve the coordination in the process of gender and social equalization and to reinforce the administrative capacity of the state's institutions and organisations responsible for the policy of equality regarding measures and actions related to gender equality in the labour market.

- o Other, for example, Parliamentary Committees:

There is still no separate Committee on gender Equality within the National Assembly. The standing *Human Rights and Religious Affairs Committee* is engaged with equality and anti-discrimination issues. At its regular meeting on 23 February 2006 the Human Rights and Religious Affairs Committee established a *Sub-committee on Women's Rights and Gender Equality* (there is no public evidence of the activity of the sub-committee).

Answering the following list of questions may require mention of any or all of these types of institution: some apply to one kind more than another.

The nature of the institution

- o Is there gender machinery that meets the minimum legal requirements of the EU?
 - o A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex

The Equal Opportunities Department at the Ministry of Labour and Social Policy

The Commission for Protection against Discrimination

- o providing independent assistance to victims of discrimination in pursuing their complaints about discrimination;

The Commission for Protection against Discrimination

- o conducting independent surveys concerning discrimination:

The Commission for Protection against Discrimination

- o publishing independent reports and making recommendations on any issue relating to such discrimination:

The Commission for Protection against Discrimination

- o Is there gender machinery that meets the 'Paris Principles'?
 - o independence guaranteed by a constitutional or legislative framework, autonomy from government:

NO. There is still no special legislation on gender equality and the guaranteed by the legislative framework gender machinery.

- o pluralism including pluralism of composition
- o a broad mandate
- o adequate powers of investigation
- o sufficient resources

- o Is there gender machinery that meets the further requirements of the UN Platform for Action?
 - o responsibility vested at the level of a Cabinet minister

YES

- o Develop indicators and statistics to monitor policy
NO

- o How close to the Prime Minister is the governmental machinery located?

The National Council on Equality between Women and Men is chaired by the Minister of Labour and Social Policy and its members are Deputy Ministers from all Ministries.

- o PM's office – Yes.
- o Other powerful department – Yes
- o Other department – Yes

- o Would any of the bodies be described as following a feminist agenda?

- o Briefly explain the reasoning behind your answer
- o If yes, then which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation)

The dominant vision of gender equality is equality through sameness³⁸.

- o Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?

The Commission on Countering Trafficking in Human Beings was set up, according to the Law on Countering Trafficking in Human Beings in 2004 and is chaired by the Deputy Prime Minister. The National Commission is responsible for the development of national policy for combating trafficking in human beings and for good interaction and coordination between the state and municipal authorities, as well as between them and the non-governmental organisations working in the field.

- o Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?

The Commission for Protection against Discrimination, according to the Law on Protection against Discrimination and The Ombudsman, but there are only few cases on gender equality reviewed by these institutions.

Dedicated to gender or integrated with other equalities?

- o Is the gender equality body (enforcement or monitoring agency) integrated with machinery for other equalities issues (if so which) or for human rights? If yes,
 - o When did this happen?
 - o Was the change controversial (who fought whom, allied to whom)? the
 - o Is the division of responsibilities by function or by strand?
 - o Is there a separate mechanism for consulting civil society by strand, including women?
 - o Does the equality body actively engage with the issue of intersecting inequalities (e.g. gender and ethnicity, gender and disability)? If yes, please specify the intersections that are taken into account.

Gender and class; Gender and ethnicity.

- o If the gender equality body is not integrated with machinery for other equality issues, does the gender equality body and any other single strand equality body actively engage with the issue of intersecting inequalities? If yes, please specify the intersections that are taken into account by each of the equality bodies. YES

Due to that fact that it is the Ministry of Labour and Social Policy, the issue of equal opportunities for women and men in Bulgaria has continuously been interrelated with the general policies on employment and social inclusion.

³⁸ The results of the coding documents, 2008. QUING. LARG – Country study. Bulgaria.

Relationship of machinery with civil society

- Are there procedures for the consultation of women's groups in civil society by the gender or equalities machinery?

NGOs position on the equality body and legislation: "Although significant progress has been made for creating and ensuring equal opportunities for women and men, there is still no separate national strategy dealing with equality between women and men. This puts all elements of the equal opportunities mechanism in a negative perspective. It leads to lack of coordination of the state authorities dealing with gender issues, lack of clear understanding on the distribution of the functions among them and delay in the establishment of the institutions provided for in the legislation. The lack of separate national strategy and plan on the equality between women and men results in lack of specific detailed list of the needed adequate legislative acts to be adopted."³⁹

- If so, are they routinised or occasional?
Occasional

4. Policy summary questions

4.1 Non-employment

Is the tax system household based or individualised?

The tax system in Bulgaria is individualised and does not respect combined incomes of both spouses. The family based tax system was implemented on 1.01.2005, with reductions in annual taxes according to the parity of children. The smallest percentage in tax reduction applies to the first child, it increases for the second and the third child, and for the next children tax reduction is equal to that of the first child. Since January 2008, the income of any individual is subject to a flat income tax rate of 10%. Bulgarian law distinguishes between resident and non-resident taxpayers. There are no tax deductions related to personal allowances for Dependents.

Is the benefit system household based or individualised?

Social security beneficiaries are entitled to maternity benefits provided they have length of service of not less than six months. The daily amount is equal to 90 per cent of average daily wages or insurance base. Maternity benefits are payable for 315 calendar days, of which 45 before giving birth. After the 315-day period, mothers are entitled to further parental leave until the child is two years old. During this time, the mother (or the adoptive mother) receives monthly benefits in amounts set by the Social Security Budget Act. This entitlement (leave and benefits) can, with the mother's consent, be transferred to the father or to one of the couple's parents who is employed under an employment contract.

Family allowances, including maternity and parental allowances, are governed by the Family Child Benefits Act. The following persons are entitled to family allowances: pregnant women who are Bulgarian citizens; the families of Bulgarian citizens, in respect of the children they are raising in Bulgaria; families in which one of the parents is a Bulgarian citizen, in respect of the children who are Bulgarian citizens and are being raised in Bulgaria; pregnant women who are foreign citizens, and the families of foreign citizens, who are permanent residents and are raising their children in Bulgaria. Family allowances are based on income per family member.⁴⁰

How long is it legitimate for lone parents not to be in paid work?

(i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops).

There are no special allowance for lone parents.

Are there active labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, includes training and job placement schemes) for lone parents?

NO. There are no special programmes for lone parents.

³⁹ <http://cwsp.bg/en/htmls/page.php?category=474>

⁴⁰ <http://europa.eu.int/eures/main.jsp?catId=38&lang=en&parentId=0&countryId=BG&acro=living>

Are there active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market?

NO

What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)

- Childcare: care (under 3 years).

Children younger than 3 can go to half- or full-day nursery schools.

- Childcare: pre-primary education (3 yrs- school age)

Half and full-day pre-primary education (3-6 yrs)

What is the predominant form of childcare provision? i.e. public, private or mixed

The predominant form is public, but there are also possibilities for private childcare provision.

How is childcare financed (e.g. by public funds, privately or mixed)?

Kindergartens can be state, municipally or privately managed.

Is the pension age the same for women and men?

NO. 63 for men and 60 for women.

4.2 Intimate citizenship

Is abortion legal? If so, in what year did this happen?

Yes, up to 12 weeks on request and beyond 20 weeks under special circumstances (see below). Abortion has been legal in Bulgaria since 27 April 1956, when the Ministry of Public Health issued instructions providing that all women wanting to terminate a pregnancy had the right to do so if their pregnancy was of less than 12 weeks' duration and they had not had an abortion within the prior six months. After 12 weeks of pregnancy, abortion was permitted only on therapeutic grounds. Abortions had to be performed in authorized hospitals. In response to declining birth rates, the Government of Bulgaria restricted access to abortion in February 1968 (Decree No. 188 of the Ministry of Public Health and Social Welfare). Abortion was prohibited for childless women except when medically necessary or in the presence of special circumstances of a grave nature. Women with only one or two children were to be actively discouraged from having an abortion, although they were to be given approval by a special medical board if they persisted. A special board could give approval when the pregnancy was the result of rape, when the woman was under 16 years old (subject to parental consent), when she had been made pregnant by a person whom she could not marry because he was a close relative or when there were serious social indications. Women over 45 years of age or those with at least three children could obtain an abortion on request. However, an abortion could not be obtained on request if the pregnancy was beyond 10 weeks' duration or if the woman had obtained an abortion within the prior six months. An abortion was to be authorized by a special board for medical reasons (including foetal defect) at any time during pregnancy.⁴¹

Up to which week of pregnancy is abortion legal?

Abortions on request are fully affordable up to week 12 of pregnancy and women pre-pay them. Social security does not cover induced abortions, with the exception of complications following abortion. Here, social security provides for sick leave.⁴²

Are there any other conditions? YES

If so, what are these (e.g. consent of doctor/s, counselling)?

Medically indicated abortion, when the pregnancy is between 12 and 20 weeks in duration, is allowed only if the woman is suffering from a proven, documented case of a disease that could endanger the life of the pregnant woman or child, as determined by a special medical commission. If the pregnancy is of greater than 20 weeks' duration, abortion is permitted only if the woman's life is in danger or evidence of severe foetal impairment is found. Abortions must be performed in specialized

⁴¹ <http://www.un.org/esa/population/publications/abortion/doc/bulgaria1.doc>

⁴² www.demogr.mpg.de/Papers/Working/wp-2005-006.pdf

obstetric/gynaecological hospitals and clinics, or in hospitals with such specialized departments, by an obstetrician/gynaecologist and, in the case of medically indicated abortions, a medical specialist in resuscitation.⁴³

How many abortions are carried out per year (select most recent year where data available)

Around 50,000 abortions occur in Bulgaria every year. Girls between 15-19 had over 40% of the abortions.. For 2006, the number of abortions is 37272.⁴⁴

Is a marriage a state based contract, religious contract or both?

A state based contract.

Is divorce legal and what are the conditions for divorcing (e.g. is mutual consent necessary / sufficient)?

A married couple may divorce by mutual consent under Bulgarian law and, in that circumstance, the court does not inquire into the reasons for the breakdown of the marital relationship. If only one of the parties is seeking a divorce, that party must establish fault.

Are there any restrictions to marriage other than the gender of the partners (e.g. nationality, country of origin)?

The minimum age for marriage is 18, but in exceptional cases, it can be brought down to 16 if ordered by the president of the local court.

Are civil partnerships/civil unions/gay marriage legal and if so, are the legal rights the same as for heterosexual marriage?

NO. Only the heterosexual marriage is legal.

4.3 Gender-based violence

Has there been a national survey on gender based violence? When was the most recent one carried out?

The most recent national survey on domestic violence was conducted in 2003 by the Bulgarian National Centre for Public Opinion Studies, but only the public opinion on the issue was studied.

Does it include:

- Domestic violence and violence in partnerships? YES
- Sexual assault/violence and rape? YES
- Sexual harassment and stalking? No
- Trafficking and prostitution? No
- Forced marriage, honour crimes and FGM? No

4.3.1 Domestic violence

What (civil law) legal devices are available to prevent domestic violence?

The Law on Protection against Domestic Violence (2005)

Do they target perpetrators and/or victims?

Yes, it targets victims and perpetrators.

Devices could for instance include:

- restraining orders YES
- non-molestation orders YES
- occupation orders YES
- state funded perpetrator programs YES
- state funded recovery programs YES

⁴³ <http://www.un.org/esa/population/publications/abortion/doc/bulgaria1.doc>

⁴⁴ <http://www.johnstonsarchive.net/policy/abortion/ab-bulgaria.html>

What is the prevalence of domestic violence against women, in one year? (from the survey)

-

What is the life time prevalence of domestic violence against women? (from the survey)

-

What is the number of incidents of domestic violence against women, in one year (from the survey)

The exact number of applications is unknown, and the authors have heard reports of 2,072 and 2,092 cases in 2006.⁴⁵

What is the number of incidents of domestic violence reported to the police (annual)? (If not available, say so)

There have been 321 initiated procedures under the Act on Domestic Violence since April 2005, when it entered into force. Of these, 123 had protection measures imposed, 42 cases are closed, and the rest are still pending. These statistics are not official as not all courts in the country were surveyed. However, the numbers can be seen as representative for cases of domestic violence, as almost all of the main courts, or the ones where there are women's organisations that regularly inform violence against women victims about their rights and assist them in initiating legal procedures, are covered. The Social and Child Protection Services do not collect data on violence against women, nor do the health care institutions.⁴⁶

What is the number of domestic violence convictions in the courts? (If not available say so)

There is no centralized information on the number of initiated legal procedures and convictions in the field of violence against women in Bulgaria. There is no regular statistical report of the law enforcement bodies on cases of violence against women. The National Statistical Institute issues annual books where data on violence against women is accessible. However, police information is usually treated as confidential and is not accessible to the general public. Information is provided by the Prosecutor's Office, the Agency for Social Assistance, and the Agency for Child Protection upon request. The question about the existence of a genetic databank in Bulgaria was not answered by the Ministry of Interior.⁴⁷ At a 2007 press conference, there was a report by the Ministry of Justice stating that in 2006, there more than 2,000 cases brought before the court under the Law on Protection against Domestic Violence (pop. 7.97 million).⁴⁸

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)?

No information.

4.3.2 Rape & Sexual assault

When was marital rape criminalized?

Spousal rape, though not specifically addressed in the Penal code, can be prosecuted under the general rape statute. "Punishment for sexual harassment is imposed only in cases in which sexual intercourse occurs between a woman and a man who has abused his power over her. The Code does not describe sexual harassment as a form of violence against women or gender discrimination in the workplace and does not prohibit harassment that does not involve intercourse."⁴⁹

⁴⁵ "Email communication from NGO, in Sofia (Jan. 23, 2008) (on file with authors). The authors have been unable to locate published documentation citing the exact statistic." The Advocates for Human Rights. The Bulgarian Gender Research Foundation. 2008. Implementation of the Bulgarian Law on Protection against Domestic Violence.

http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf

⁴⁶ OSI/Network Women's Program, Violence against Women (VAW) Monitoring Program 2007. Violence against women. does the government care in Bulgaria? http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Bulgaria_2.pdf

⁴⁷ http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Bulgaria_2.pdf

⁴⁸ The Advocates for Human Rights. The Bulgarian Gender Research Foundation. 2008. Implementation of the Bulgarian Law on Protection against Domestic Violence. http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf

⁴⁹ <http://cwsp.bg/htmls/page.php?lang=en&category=121&page=2>

What is the number of annually reported incidents to the police?

In 2001 the number of criminal suspects in cases of rape was 780, in 2002 it was 670, and in 2003 it was 767. Among the registered criminal offences in 2003 the number of rapes was 611, the number of proven offenses was 585, and the discovery rate was 95 percent; in 2002 the number of registered offenses of rape was 497, the number of proven offenses was 477, and the proof rate was 96.⁵⁰ The annual number of sexual offences (rape, attempted rape, and molestation) recorded by the police is between 900 and 1,000. Victimization surveys identify a rather low reporting rate among victimized women: 11.4 percent in year 2002 and zero percent in 2004.⁵¹

What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)? (if not available say so)

In 2001 the number of crimes ending in conviction in rape cases was 139, in 2002 it was 129, while in 2003 it was 147. In 2001 there were 164 persons convicted of rape, in 2002 156 persons, while in 2003 184. In all of the rape cases in 2003 there were 147 convicted male perpetrators. No women were convicted.⁵²

What is required for an act to be considered to be rape, e.g.:

Penal Code (Prom. SG. 26/2 Apr 1968): "Art. 152. (1) Who copulates with a female person: 1. unable to defend herself and without her consent; 2. by compelling her to it by force or threat; 3. by bringing her to a helpless state."⁵³

4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the EU convention on human trafficking (date)

22 November 2006 (signed) and 7 March 2007 (ratified by the Parliament).⁵⁴

Is trafficking primarily seen as a problem of the sending or the receiving country?

Primarily as a problem of the sending country.⁵⁵

Are women victims of trafficking, when identified as such, given temporary/permanent residence permits? How long? (date)

Law on Countering Trafficking in Human Beings: Article 25: "Individuals who have become victims of trafficking and have declared their willingness to collaborate for disclosure of the trafficking offenders shall be granted special protection status for the time of the criminal proceedings, including: 1. Permission to foreign nationals for long-term stay in the country; 2. Extension of the accommodation period in the shelters" Article 29: "The period for accommodation in shelters shall be extended in accordance with the timescale determined in the writ under Article 27 hereof, and it may not exceed the deadline of the criminal proceedings."⁵⁶

4.3.4 Intersections

Have specialised policies and practices in relation to gender-based violence in minority communities been developed by:

Interviews revealed there have been few applications from individuals in ethnic minority groups, such as the Roma or Turks. Interviewees shared different opinions as to the reason for the low number of applications by minorities. One legal advisor speculated that it may be due to a lack of information among ethnic minorities or that there is more fear of expulsion from their communities if they speak out. For example, a small, predominantly Turk-populated town near Burgas has had no reports of

⁵⁰ http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Bulgaria_2.pdf

⁵¹ http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Bulgaria_2.pdf

⁵² http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/Bulgaria_2.pdf

⁵³ http://www.mvr.bg/NR/rdonlyres/330B548F-7504-433A-BE65-5686B7D7FCBB/0/04_Penal_Code_EN.pdf

⁵⁴ <http://www.parliament.bg/?page=app&lng=bg&aid=4&action=show&lid=1812>

⁵⁵ <http://siteresources.worldbank.org/INTGENDER/Resources/carineclert.ppt>

⁵⁶ Law on Countering Trafficking in Human Beings.

<http://www.mlsp.government.bg/equal/equalen/bglaw.asp?id=272>

domestic violence to the police since the law passed.⁵⁷

- **Police/NGOs**

Interviews showed, however, that outreach can increase public awareness and use of the law within ethnic minority groups. Since a local NGO and police have begun doing outreach, however, police have received reports of twelve domestic violence cases within a three-month period.⁵⁸

- **Local Authorities / government**

Overall, there is a lack of administration and coordination of the social support system that is necessary to implement protection orders. In the nearly three years since the passage of the Law on Protection against Domestic Violence, the government has not provided the capacity or the financial support to fulfil many of the law's directives.⁵⁹

4.3.5 Service provision

Are there refuges and/or sexual assault centres? (dates) How many are there?

Currently there are only two shelters for women and children victims of domestic violence in Bulgaria: one in Silistra, where the Women's Association Ekaterina Karavelova operates a shelter with a capacity for ten victims and the other in Pleven, where the Centre Open Door runs a shelter with a capacity for eight victims.⁶⁰

When was the first set up?

The first shelter founded in Bulgaria, offering support and protection to women and their children, victims of domestic violence, started functioning under the protection of Centre Nadja Foundation in April 1997.⁶¹

Are they state funded, to what extent?

The lack of funding is most evident in the dearth of general shelters in Bulgaria.⁶² The number of protected houses is not sufficient. The state's obligations to secure shelters and other services and rehabilitation for victims of violence are legally defined both in the Act on Countering Trafficking in Human Beings and in the Act on Protection against Domestic Violence⁶³.

CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING

5. Political system

5.1 Is the state unitary or federal?

Unitary. Key gender+ equality decisions are made at national level.

⁵⁷ The Advocates for Human Rights. The Bulgarian Gender Research Foundation. 2008. Implementation of the Bulgarian Law on Protection against Domestic Violence.

http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf

⁵⁸ The Advocates for Human Rights. The Bulgarian Gender Research Foundation. 2008. Implementation of the Bulgarian Law on Protection against Domestic Violence.

http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf

⁵⁹ The Advocates for Human Rights. The Bulgarian Gender Research Foundation. 2008. Implementation of the Bulgarian Law on Protection against Domestic Violence.

http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf

⁶⁰ http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/BULGARIA_VAW_FACT_SHEET_2006_3.pdf

⁶¹ <http://www.centrenadja.hit.bg/koismenie-eng.htm>

⁶² The Advocates for Human Rights. The Bulgarian Gender Research Foundation. 2008. Implementation of the Bulgarian Law on Protection against Domestic Violence.

http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/FINAL_REPORT.pdf

⁶³ http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/BULGARIA_VAW_FACT_SHEET_2006_3.pdf

5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?

Are there legally binding decision making processes similar to the EU framework agreements (e.g. as the Parental Leave Directive)?

The social partners should have a say on draft bills but, quite often, they have been informed at the last minute about government proposals, which has reduced discussions to a minimum and has removed the possibility of making counter-proposals (Ost, 2000; Gradev, 2001). Moreover, when time pressures are significant (prior to budget approval or when crises were knocking on the door), the government push through its own version of draft bills, oblivious to the opinions of the social partners (Gradev, 2001; OECD Economic Surveys on Bulgaria). Often, the government does not share important information, further emptying the tripartite meetings of content and weakening the ability of the social partners to control them (Ost, 2000; Detchev, 2003).⁶⁴

Would the political system be possible to describe as corporatist or neocorporatist, where hierarchically ordered trade unions and/or employer and/or other civil society organisations are institutionally incorporated in policy making?

There are two main trade union organisations in Bulgaria, both have representative status at national level: the Confederation of Labour – Podkrepa; and the Confederation of Independent Trade Unions of Bulgaria (CITUB, the heir to the Communist trade union). Right from its creation (in 1989), Podkrepa was associated with the opposition movement. In fact, it was one of the centres around which the first opposition umbrella organisation, the Union of Democratic Forces (UDF), was created in 1990 and it had a decisive role in bringing the first non-communist government to power in 1991. After the elections, Podkrepa withdrew from the opposition movement and pursued an independent approach to public life. CITUB continued to be a close partner of the reformed Communist Party – now the Bulgarian Socialist Party.⁶⁵

It could be said that, in Bulgaria between 1989 and 1994, and even as far as the present day in this country, a neo-corporative model of industrial relations has been established. The established neo-corporative model of tripartite collaboration (with the substantial participation of the state, workers' associations and the gradually increasing importance of the structuring into a movement of employers' associations) did have opportunities to develop successfully into a scheme of social partnership so typical of EU countries. However, this was not appreciated by representatives of large-scale capital, who had already gained some inertia.⁶⁶

What is the gender composition in the decision making process of agreements made by the social partners (if there are any such agreements)?

No, there are no such agreements.

5.3 In which policy environment (ministry) is a decision on the issue predominantly made (for each area: general gender equality policies; non-employment; intimate citizenship)?

The Ministry of Labour and Social Policy

5.4 Political cleavages

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

The major internal division is ethnic. There are Turkish minority and Roma minority, but the political regime can be considered to be stable.

⁶⁴ Careja. Romana. *Are trade unions effective accounting actors?* 4/2007 South-East Europe Review S. 83 – 106. http://www.boeckler.de/pdf/seer_2007_4_careja.pdf

⁶⁵ Careja. Romana *Are trade unions effective accounting actors?* 4/2007 South-East Europe Review S. 83 – 106. http://www.boeckler.de/pdf/seer_2007_4_careja.pdf

⁶⁶ Detchev. Teodor. Evolution of the model of industrial relations in Bulgaria 1989 – 2002. SEER - South-East Europe Review for Labour and Social Affairs (SEER - South-East Europe Review for Labour and Social Affairs), issue: 01+02/2003. www.ceeol.com.aspx/getdocument.aspx?logid=5&id=49260BA2-1CCB-43DC-8F56-7CEA10AAA39A

What are the main existing salient political cleavages within the state, and on what dimension (e.g. language, region, religion, nationality)?

The ethnic cleavage was exploited mainly by the Turkish minority party – Movement for Rights and Freedoms (DPS). The ethnic Turkish party mobilized the largest minority group in the country in its own support⁶⁷. Lately the Turkish ethnic conflict in Bulgaria has diminished to such an extent that minority questions no longer present a direct challenge to the new regime. Strictly partisan considerations – primarily in the form of an intense political conflict between the UDF (right wing party) and the BSP (socialists) which led the reins of government to be entrusted to a neutral third party appear to have been more salient than ethnic divisions and enmities.⁶⁸

5.5 International obligations and links

When, if at all, was CEDAW signed?

17 July 1980⁶⁹

When did the country join the EU?

1 January 2007

6. Political Representation

6.1 The development of women's political representation, including:

Date of female suffrage

Female suffrage for married women 1937, (started in 1894⁷⁰). According to the first Bulgarian (Turnovo) Constitution of 1879, all “Bulgarian citizens”, minority groups included, were granted voting rights. In fact, Bulgarian women were not specifically excluded from suffrage by the Bulgarian constitutional and electoral law, but patriarchal custom and tradition nevertheless regarded only men as “citizens”.⁷¹

Note any caveats, e.g. age, property qualification, ethnicity, and when removed:

Married, divorced, widows; removed in 1944

Date of male suffrage – 1879

Use of quotas⁷² - No

What is the numerical representation of women in parliament? (over QUING period):

Year (elections)	Seats held by women in the Parliament	Percentage
1986	84	26,6%
1990	34	9,3%
1994	32	13.3 %
1998	26	10.8 %
2001	63	26.2%
2005	52	21,7%

Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points?

During the 1990s, after the fall of the socialist regime, there was a process of decline of women's

⁶⁷ Stoychev. Stoycho P. 2007. Europeanization of the Bulgarian Party System: Dynamics and Effects.

http://www.stoychev.eu/ebpsde_stoychev.pdf

⁶⁸ Vassilev. Rossen V. Post-Communist Bulgaria's Ethnopolitics. The Global Review of Ethnopolitics Vol. 1, no. 2, December 2001. http://www.ethnopolitics.org/ethnopolitics/archive/volume_1/issue_2/vassilev.PDF

⁶⁹ See <http://www.un.org/womenwatch/daw/cedaw/states.htm>

⁷⁰ <http://www.litclub.com/library/fil/zhivkov/jeni.html#06>

⁷¹ <http://www.uta.fi/laitokset/historia/sivut/abstracts/Daskalova.pdf>

⁷² See IDEA: <http://www.idea.int/gender/index.cfm>

participation in the Parliament. With the new EU orientation of the country (2000), the number of women in the Bulgarian Parliament has increased.

6.2 Political representation for intersecting inequalities:

- Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament):

According to the first Bulgarian Constitution in 1879, the voting age was 21. All Bulgarian citizens (males) have voting rights, except of nomadic gypsies, non-Christians gypsies, beggars, brothels owners, persons under judicial disability or under guardianship, convicted persons, and persons working abroad without a work permit. There was also a literacy electoral qualification. According to the recent Constitution (1991) there is a universal direct suffrage from the age of 18.

- ethnicity/religion (what exclusions and when; numerical representation in parliament): No
- Other important intersecting inequalities, any quotas: No

6.3 Political parties and gender

Does women's political representation vary by Party; if so, do these Parties tend to represent different class, ethnic, religious or other interests?

Political groups in the Parliament ⁷³	Representation/EP affiliation	Total	Women	Men
Parliamentary Group of Coalition for Bulgaria	socialists/PES	81	18	63
Parliamentary Group of National Movement Simeon the Second	centrists, liberals (ELDR)	35	16	19
Parliamentary Group of the Movement for Rights and Freedoms	liberals, representing Turkish minority/(ELDR)	34	2	32
Attack coalition	nationalists, anti-Turkish	11	10	1
Union of Democratic Forces	democrats (EPP)	16	2	14
Democrats for Strong Bulgaria	democrats conservators (EPP)	16	4	12
Bulgarian People's Union	coalition: nationalists, democrats and liberals	14	1	13
Parliamentary Group of the Bulgarian New Democracy	-	17	5	12
Independent	-	16	3	13
		240	61	179

What is the current Party / Parties in Government

Coalition of the Bulgarian Socialist Party, National Movement Simeon the Second and Movement for Rights and Freedoms since 2005

With which European Parliament political group is this Party / Parties affiliated?⁷⁴

The Bulgarian Socialist Party is a member of the Party of European Socialists (PES)

The National Movement Simeon the Second is a member of the European Liberal Democrat and Reform Party (ELDR)

The Movement for Rights and Freedom is a member of the European Liberal Democrat and Reform Party (ELDR)

⁷³ At present, June, 2008: <http://parliament.bg>

⁷⁴ See list Of EP political groups: http://www.europarl.europa.eu/groups/default_en.htm

What political party / parties have held office during 1995-2007?

25 January 1995/13 February 1997: Bulgarian Socialist Party
13 February 1997/21 May 1997: Union of Democratic Forces
21 May 1997/24 July 2001: United Democratic Forces
24 July 2001/17 August 2005: National Movement for Simeon II
17 August 2005/Present: Bulgarian Socialist Party

6.4 Representation in government

What percentage of government Ministers are female

23.8 %⁷⁵

To which Ministries do female ministers belong?

Emel Etem, Deputy Prime Minister and Minister without portfolio Natural Disaster Management; She is Deputy Chairperson of the ethnic Turkish party, The Movement for Rights and Freedoms. The two other Ministers of the party in the 3-party government were men;

Miglena Tacheva, Minister of Justice;

Emilia Maslarova, Minister of Labour and Social Policy;

Gergana Grancharova, Minister of European Affairs;

Vessela Lecheva, Designate Minister of Sports, Socialist MP from 2001 and former European World shooting champion, State agency for Youth and Sport;

Anelia Krushkova, State agency for Tourism

7. Civil Society

7.1 Gender

Is there one (or more than one) national organisation that coordinates feminist and women's organisations.

There are four national networks⁷⁶:

- (1) The National Network for Equal Opportunities, initiated by the Women's Alliance for Development in 2001 unites 72 Bulgarian NGOs;
- (2) The National Network of Organizations in Support of Women Survivors of Violence in Bulgaria presents an informal coalition of 24 NGOs in the field of domestic violence against women, among which the Animus Association and Nadja Foundation Center are the leading organizations;
- (3) The Bulgarian Platform to the European Women's Lobby (2003), with the Bulgarian Gender Research Foundation being the national coordinator among the 15 organisations that have affiliated themselves with the BWL so far;
- (4) The Bulgarian Gender Equality Coalition, initiated by Gender Project for Bulgaria Foundation, unites representatives of civil society, institutions, political parties and media.

If so, is this the same as the body which is affiliated to the European Women's Lobby?

The Bulgarian Platform to the European Women's Lobby.

When was it established? - 2003

How many organisations are affiliated to the national body? - 15

How many women are so coordinated? no info available

⁷⁵ <http://hdrstats.undp.org/indicators/311.html>: Data are as of 1 January 2005. The total includes deputy prime ministers and ministers. Prime ministers who hold ministerial portfolios and vice-presidents and heads of ministerial level departments or agencies who exercise a ministerial function in the government structure are also included.

⁷⁶ Open Society Institute. 2005. Equal opportunities for women and men: monitoring law and practice in new member states and accession countries of the European Union. New York: OSI.
http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502/

How many staff work for the organisation (how many paid, how many unpaid)? no info available

What is its budget? no info available

What is its range of activities (are these in an annual report)? no info available

Does the national body engage with all or only some of our 3 issues.

The main themes Bulgarian Women's Lobby are working on are⁷⁷:

- o Economic and social justice for women;
- o Women in decision-making process;
- o Eradication of violence against women and implementation of women's human rights.

Are there national coordinating organisations for feminist/women's activities in: employment/non-employment; gender based violence; and intimate citizenship (if so name them)?

All organisations are working in the fields of gender based violence and employment/non-employment. Intimate citizenship is very rarely addressed by the women's NGOs.

List the key women's / feminist civil society organisations and their main methods / activities

Women's Alliance for Development; Animus Association; Bulgarian Gender Research Foundation; Gender Project for Bulgaria Foundation and Centre of Women's Studies and Policies.

Building autonomous institutions - Yes

Public protest e.g. demonstrations – No

Campaigning - Yes

Lobbying state - Yes

Service provision - Yes

Research – Yes

Are they important or marginal to national politics? Average importance

Are they centralised or dispersed? Centralised

List the key anti-feminist organisations and their main methods/ activities?

There are not anti-feminist organisations.

Women's organisations in civil society

What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?

The major distinctions are:

- women's organisations activists in the field of gender based violence;
- equal opportunities of women and men;
- women's organisations making researches and publications pro-family and pro-natalist organisations (including charity organisations);
- organisations active in the issues of women's health and reproductive rights;
- organisations of people (parents with children) with disabilities;
- LGBT organisation;

Do women's organisations actively engage with other intersecting inequalities (in each area?)

Women's organisations are very rarely engaged with other inequalities than gender. In a few cases, for the needs of the projects they are implementing, there are women of ethnic groups included.

Do they have good alliances with those representing other inequalities or not? (in each area)

Women's organisations do not, but other inequalities (sexual orientation and disabilities) have done projects together.

⁷⁷http://www.womenlobby.org/site/1Template1.asp?DocID=517&v1ID=&RevID=&namePage=&pageParent=&DocID_sousmenu=

[Are there many organisations of minoritised women? \(in each area\)](#)

No, there are not many active organisations of minoritised women. They lack qualifications and foreign language skills, which marginalise them from the “NGOs project market”.

[What links are there with international? / EU level / bilateral bodies? \(in each area\)](#)

Centre of Women's Studies and Policies is a member of several international networks: Network Women's Program of the Open Society Institute, New York - institutional partner for Bulgaria since 1997; Bulgarian Women's Lobby (Bulgarian platform to the European Women's Lobby) - since 2003; International Gender Policy Network (IGPN) - since 2005; WINNET European Network of Women's Resource Centres - since 2006; Corresponding member of COFACE - since 2007.

Women's Alliance for Development has been one of the active members of the KARAT Coalition since 1997; Network of East West Women; Other international partners are: Huairou Commission with the new SHINE (women's grassroots) network for CEE ; GROOTS Intl; Gender Task Force for the countries of the Stability Pact for Southeast Europe.

Bulgarian Gender Research Foundation is cooperating with Minnesota Advocates for Human Rights; WIDE - Women in Development Europe; Network of East-West Women; European Women's Lobby; Social Watch Coalition; ASTRA - Central and Eastern European Network for Sexual and Reproductive Health and Rights; Association of Women in Development; etc.

The Gender Project for Bulgaria Foundation is part of the regional women's network KARAT Coalition and the Stability Pact Gender Task Force.

[Is organised feminism engaged with the state, or does it follow an autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific tasks?](#)

Because of the international funding for their activities, the women's NGOs have been able to follow an autonomous (project dependent) agenda in all areas and over time.

- o Does this vary between issue areas?
- o Has this changed over time?
- o When engaging with the state is a coalition form of organising common or not?

[Does it make sense to talk of a 'women's movement' or not? NO](#)

[Briefly explain your answer.](#)

There is no evidence of women's movement in Bulgaria after 1989. The main reason for this is the “top-down” principle of the emergence and activities of the women's NGOs after the fall of the socialism.

[Is there a tendency towards one of the three major visions of gender equality \(sameness, equal valuation of difference, transformation\)?](#)

For the issue of general gender equality – equality through sameness

For the issue of non-employment – equality through sameness

For the issue of intimate citizenship – one NGO text refers to equality through transformation (changing the marital relations). Otherwise sameness

For the issue of gender based violence – equality = difference

[Is there a preferred model of care work: support for a domestic regime or support for a public \(state or market provision\) regime?](#)

State provision regime

[How closely aligned is feminism with social democracy?](#)

Feminism is more or less ideologically/politically neutral.

[Notes on the history of the development of gendered or feminist civil society organisations: Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate?](#)

Autonomous

Does this vary by 4 areas (general, employment, intimate citizenship, gender based violence)?

Is there a history of divisions as to: socialist, radical, liberal?

No, rather ideologically/politically neutral

Does this vary by 4 areas? No

Is there a history of changing engagement with class, ethnic and religious forces?

No, ethnic and religious forces have not been important to feminist civil society.

Is feminist research organised in Universities and research institutes?

No, there is no organised research in University and research institutes, which in general lack women/gender studies departments and courses.

Are there named centres?

MA Programme "Gender Studies" in Sofia University "St. Kliment Ochridski"

If yes, are they important? No

If not, is important feminist research primarily dispersed or mainstreamed? Primarily dispersed

Are there specific positions, funds or journals within the country (or region e.g. Nordic)? No

Is there a national association for women's studies/gender studies? No. Only the research centres of NGOs.

Are there feminist lawyers' organisations?

No, but there is an evidence of a network of 25 lawyers dealing with domestic violence cases. "During the years 2000-2002, a small group of lawyers from the BGRF, including the director, Genoveva Tisheva, and the attorneys-at-law from the network of lawyers dealing with domestic violence, Daniela Gorbounova and Albena Koycheva, started working on a draft law on protection against domestic violence."⁷⁸

Are there radical lawyers' organisations that support justice claims for one or more of the inequalities?

No

7.2 Class

A short history of the development of organisations representing class interests.

The two main union confederations are KNSB (often known by its initials in English as CITUB) and Podkrepa. KNSB emerged with a reformed structure from the official trade union confederation of the communist period. Its founding congress was held in 1990, following on from a special congress of its predecessor. Podkrepa was established in February 1989, as part of the opposition movement to the then communist government. It was concerned to protect civil rights, particularly those of ethnic Turks. In the years that followed the fall of the communist government in November 1989 the two confederations played a major role in promoting reforms in the Bulgarian economy and in society as a whole.⁷⁹

Confederation of Independent Trade Unions in Bulgaria (CITUB/KNSB): 46 trade unions and federations with a total of 350,000 members. Founded after the fall of communism in 1990 and closely allied to the United Labour Block (OBT) political party.

Confederation of Labour (CL Podkrepa): 109,000 members. Founded in 1989 as the Independent Association of Intellectuals in Bulgaria.

Promyana, the third and smallest confederation came into existence in 1996, with the expressed purpose of overthrowing the then socialist government. It is not simply a trade union, as it includes

⁷⁸http://www.mnadvocates.org/sites/608a3887-dd53-4796-8904-997a0131ca54/uploads/Genoveva_s_piece_MH_edits.doc

⁷⁹ http://www.worker-participation.eu/national_industrial_relations/countries/bulgaria/trade_unions

other social and civic organisations. Its union membership is stated to be over 50,000.

Subjective social class (%)

OPTIONS	1993	1995	1997	1999	2000
Lower class	19,4	14,6	11,5	22,9	21,3
Working class	42,7	51,7	44,2	41,0	33,7
Upper working/Lower middle class	-*	-*	12,5	5,6	6,9
Middle class	28,4	26,2	20,1	22,0	24,7
Upper middle class	-*	-*	2,5	1,6	2,6
Upper class	0,8	1,0	0,4	0,1	0,6
Can't choose	1,8	5,8	6,7	4,8	6,5
Non of listed	6,0	-*	1,0	1,6	3,2
NA	0,9	0,7	1,1	0,4	0,5

* The item/option was not included in the questionnaire for that year. Source: Agency for Social Analysis)⁸⁰

How strong are trade unions?

density (proportion of workers that are organised): 20%

Overall union membership has fallen, not just from the period of the communist government, when it was close to 100%, but since the late 1990s. At the time of the 1998 union census, union density was 37%, compared with 25% in 2003. The reasons for this fall include a sharp reduction in the size of the manufacturing sector, where unions have traditionally been strong, a smaller role for the state and a growth of smaller businesses, where unions find it much harder to organise.⁸¹

coverage (what proportion of workers are covered by collective bargaining agreements): 25%

Between 25% and 30% of employees are covered by collective bargaining in Bulgaria. Bargaining takes place at both industry and company level (municipal level for municipal employees) but company level bargaining has become more important.⁸²

centralisation of collective bargaining:

No. A trade union organisation and an employer/employers' association may conclude collective agreements.

Is there are national body of trade unions; No

What proportion of TU members and unions are affiliated?

Coordination of collective bargaining

Does the national body of trade unions negotiate on behalf of trade unions

Can it coerce or discipline member unions to enforce agreement?

Women and trade unions:

What percentage of *total* trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female?

There is information for the two biggest Bulgarian trade unions. It is a relatively high share of 31-

⁸⁰ <http://asa-bg.netfirms.com/documents/SUBJECTIVE%20SOCIAL%20CLASS.htm>

⁸¹ http://www.worker-participation.eu/national_industrial_relations/countries/bulgaria/trade_unions

⁸² http://www.worker-participation.eu/national_industrial_relations/countries/bulgaria/collective_bargaining

40%.⁸³

How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?

The two biggest trade unions have women's organisations:

"21 Century Women's Parliament" to the Confederation of Independent Trade Unions;

"Women's" to the Confederation of Labour "Podkrepa"⁸⁴,

What proportion of women are in the executive of (major) trade unions?

Only "Podkrepa" reported recently to have a 'women's department where the head position is professional⁸⁵. According to the cited survey (Petrović 2002), the percentage of women membership is significant: 60%.⁸⁶

Is gender equality high or low on the bargaining agenda? Is it seen as an issue for women, or for all trade unionists?

The syndicates take care of the protection of women's rights in the process of collective bargaining.

The main issues of concern are the introduction of flexible working hours for employed women, additional paid leave for women, taking care for children, and support to vocational training and retraining as well as improved occupational safety and health conditions for women in the sectors of the economy where female workforce dominates.⁸⁷

How well organised are employers?

Not very well organised.

At the start of Bulgaria's economic transition in 1989–1990, employers' interests were represented by two organisations. A large part of the employers in small and medium-sized enterprises and multinational companies are not members of the nationally representative employers' associations, hence they are not complying with the agreements on sectoral and branch level and do not conclude company CLA. Some of the nationally representative employers' associations refuse to conclude a national framework agreement on the scope and procedures for concluding CLA on sectoral and branch level for a third year (2004).⁸⁸

Do they have a single (or more) national organisation?

By 2004, six employer organisations were found to meet the representativeness criteria of the Labour Code, namely the:

Bulgarian Industrial Association (BIA), with 2,481 members;

Bulgarian Chamber of Commerce and Industry (BCCI) – 2,262 members;

Bulgarian Union of Private Entrepreneurs (Vuzrazdane) – 873 members;

Union for Economic Initiative – 660 members;

Employers Association of Bulgaria (EABG) – 828 members;

Bulgarian Industrial Capital Association (BICA) – 862 members.

Further organisations were also present, such as the Bulgarian International Business Association (BIBA).⁸⁹

Is it powerful or not? E.g. can it control its members?

No information.

Are they indifferent or hostile to gender equality in the workplace?

Indifferent

⁸³ www.ceeol.com/aspx/getdocument.aspx?logid=5&id=5A1695C9-5471-480D-A34A-F2AC85D20225

⁸⁴ <http://www.cwsp.bg/en/htmls/page.php?category=123>

⁸⁵ www.ceeol.com/aspx/getdocument.aspx?logid=5&id=5A1695C9-5471-480D-A34A-F2AC85D20225

⁸⁶ www.ceeol.com/aspx/getdocument.aspx?logid=5&id=5A1695C9-5471-480D-A34A-F2AC85D20225

⁸⁷ <http://www.eurofound.europa.eu/eiro/studies/tn0612019s/bg0612019q.htm>

⁸⁸ <http://www.eurofound.europa.eu/eiro/2005/03/word/bg0412105s.doc>

⁸⁹ <http://www.eurofound.europa.eu/eiro/2006/06/articles/BG0606019l.htm>

Do they oppose the development of gender machinery, gender equality policies and gender equality laws?

The Bulgarian trade unions and the employers' associations, although generally supportive of gender equality, have not designed and adopted any policies, programmes or measures to foster the increased labour market participation and career development of women (either within their organisations or outside them).⁹⁰

Do they support 'diversity management'?

No, there are existing negative attitudes of employers for promoting women, particularly on managerial positions.⁹¹ Men usually hold the top management positions – one woman had a high level management position. There are more women at middle management level.⁹²

Did they lobby for a merged rather than separate equalities bodies?

Indifferent

Are there tri-partite or corporatist bodies including employers, trade unions and government that make important national decisions?

Representative confederations have seats on a range of tripartite bodies – made up of the unions, employers and the government – which have both an advisory role and administer parts of the social security system. These tripartite bodies exist at local as well as national levels.⁹³

The **National Council for Tripartite Cooperation** (NCTC) is a consultative body for labour and social insurance issues and living standards. It is consulted on draft decisions of the government in spheres regulated by Labour Code (on the grounds of which the council has been established). It consists of an equal number of government representatives (at least one of them should be a deputy prime minister and the chair of the NCTC) and of representative organisations of employers and trade unions. The latter shall agree internally and appoint one deputy chair each.

The **Economic and Social Council** was established four years ago, but has only been functioning since the end of 2003. The trade unions and employers are represented here, but not the government. The third party is a representative of a broad spectrum of non-governmental organisations, with two representatives from the government. The ESC is an independent consultative body that represents civil society organisations on economic and social development. Its task is to draft positions upon the request of the President of the Republic, the prime minister, the chairman of the parliament or upon its own initiative. The chair is elected by parliament for a four-year mandate, and ESC members also have a four-year mandate.

Are women represented in such bodies?

Yes, in the ESC in employers' organisations representation there are five women and seven men, trade unions representations there is only one woman and men and from civil society organisations there are five women and ten men.⁹⁴ No information available about the members of the National Council for Tripartite Cooperation.

Are there EU, bilateral or other international level links for either trade union or employer organisations?⁹⁵

Employer organisations:

Bulgarian Industrial Association (BIA) is a member of UNICE since 1999, of IOE since 1995.

Bulgarian Chamber of Commerce and Industry (BCCI) is a member through the Association of the Organisations of Bulgarian Employers (AOBE) in the International Organisation of Employers (IOE), as well as in 11 international organisations.

Bulgarian Industrial Capital Association (BICA)

Bulgarian Union of Private Entrepreneurs 'Vuzrazdane'(BUPE 'Vuzrazdane') is a member of the World Association for Small and Medium Enterprises (WASME), the European Confederation of Small and Medium Enterprises (CEA - PME) and of ILO – through AOBE.

⁹⁰ <http://www.eurofound.europa.eu/eiro/studies/tn0612019s/bg0612019q.htm>

⁹¹ <http://www.eurofound.europa.eu/eiro/studies/tn0612019s/bg0612019q.htm>

⁹² http://www.pedz.uni-mannheim.de/daten/edz-ma/esl/06/ef06516_en.pdf

⁹³ http://www.worker-participation.eu/national_industrial_relations/countries/bulgaria/trade_unions

⁹⁴ <http://www.esc.bg>

⁹⁵ http://www.pedz.uni-mannheim.de/daten/edz-ma/esl/06/ef06516_en.pdf

Union for Private Economic Enterprise (UPEE) is a member of the International organisation of Employers through the AOE.

Employers Association in Bulgaria (EABG) is a member of Association of Inter-professional Employers Businessmen Organisations of European Capital Cities (OPCE).

Trade unions:

Confederation of Independent Trade Unions in Bulgaria (CITUB) is a member of the The International Confederation of Free Trade Unions (ICFTU).

Confederation of Labour 'Podkrepa' (CL 'Podkrepa') is a member of ETUC and International Confederation of Free Trade Unions (ICFTU).

7.3 Other intersecting social inequalities

7.3.1 Ethnicised/racialised groupings

What is the composition of the national population by ethnicity?

According to 2001 Census: Total: 7,928,901

Bulgarian 6,655,210 (83.9%)

Turk 746,664 (9.4%)

Roma 370,908 (4.7%)

Russian 15,595 (0.2%)

Armenian 10,832 (0.1%)

What are considered to be the most important ethnicised, racialised, linguistic and religious divisions politically (e.g. Islamic/non-Islamic, Roma/non-Roma, Black/White, citizen/migrant, language communities)?

Roma/Bulgarian and to a lesser extend Turk/Bulgarian

Prioritise the ones that have been the most important in the development of gender+ equality policies. There are not such divisions.

What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)? No

In what way are ethnicised and racialised groups organised?

They are organised in NGOs, but also have a political representation at the national level. The Turk minority is organised in a political party (Movement for Rights and Freedoms) which has been in the government's coalition for the last two mandates (2001-2009). There are more than 60 ethnic minority NGOs in Bulgaria and over 40 NGOs working with minorities.⁹⁶

What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research): all

In what way are women engaged in these organisations?

Do minoritised women organise separately within or outside of such organisations?

"There is a multitude of smaller grass roots organizations, as well as a number of organizations associated with a specific ethnic group, which also address women's issues, such as the Armenian General Benevolent Union; the Armenian Benevolent Association H.O.M; the Romani Women Independent Organisation "Lachshi Romni"; the Bulgarian Jewish Women's Forum; the Women's Union with the Turkish Cultural Center 21st Century, Sofia, etc."⁹⁷

⁹⁶ <http://www.ethnos.bg>

⁹⁷ <http://cwsp.bg/en/htmls/page.php?category=123>

Are there any groups organised against certain ethnic groups?

Yes. There are nationalist organisations organised against the ethnic minorities (Roma and Turks) such as the Bulgarian National Union and the Attack Coalition, which has its own parliamentary group.

7.3.2 Religion/belief/faith

What is the composition of the national population by religion/faith

Bulgarian Orthodox 82.6%

Muslim 12.2%

Roman Catholic 0.6%

Protestant 0.5%

Other, atheist and undeclared 4.1%

What proportion of the population are practising members of an organised religion?

Membership of religious organisations and Church attachment⁹⁸

Member of religious organisation	Total (%)	Religion	Total (%)
Active	0.8	Orthodox	52.0
Not active	2.3	Muslim	12.0
Non-members	96.8	Not attached to any particular church	33.1

What are the main religious organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research).

Bearing in mind the historical specificities of the religious tradition in Bulgaria, it is obvious that the data can be extremely misleading, as only a small part of the huge percentage of people that call themselves Christians are indeed religious. The [Bulgarian Orthodox] Church itself supports, apathetically, the status quo of the day-to-day religiousness of the population, without making any attempt to develop and deepen it.⁹⁹ Very recently, the BO Church became more active in public debates opposing the future amendments in the Family Code which legalised civil partnerships. The Church also took an active part in the debates concerning the introduction of the obligatory religious (in their opinion, it should be Orthodox Christianity) education in Bulgarian schools, an idea of the Ministry of Education and Science which is still a project.

How are women represented or not within them?

The Bulgarian Orthodox Church disposes of some 120 monasteries in Bulgaria with about 200 monks and nearly as many nuns.¹⁰⁰

(Just to mention, that in the first National Action Plan for Gender Equality (1995) there is an envisaged activity involving the Bulgarian Orthodox Church: "17. Development of a programme for religious education of women, implemented in partnership with women's NGOs and the Bulgarian Orthodox Church, as a most efficient way to overcome religious bigotry, racism and xenophobia."¹⁰¹)

Do they oppose gender equality in general and in our three issues?

Occasionally (the Bulgarian Orthodox Church) oppose issues of abortion, family relations and sexual

⁹⁸ Kanev, Petar/ 2002. Religion in Bulgaria after 1989: historical and sociocultural aspects. SEER South-East Europe Review for Labour and Social Affairs (SEER South-East Europe Review for Labour and Social Affairs), issue: 01 / 2002, pages: 7595, www.ceeol.com/aspx/getdocument.aspx?logid=5&id=b7abeb3f-8650-4798-8cc2-649b6e6c24f2

⁹⁹ www.ceeol.com/aspx/getdocument.aspx?logid=5&id=b7abeb3f-8650-4798-8cc2-649b6e6c24f2

¹⁰⁰ <http://bulch.tripod.com/boc/order.htm>

¹⁰¹ <http://www.un.org/esa/gopher-data/conf/fwcw/natrep/NatActPlans/bulgaria.txt>

orientation. The Orthodox Church interprets the homosexual orientation as “disorientation and sickness; homosexual act is a sin destroying the human being”¹⁰²

What is their preferred model of womanhood?

For the Orthodox Church, it is primarily the model of the woman as a good mother and a submissive wife.

Do they support or oppose the other equalities issues? Oppose people with homosexual orientation.

Are they in alliance with any other inequalities or not? The Bulgarian Turks are engaged with the Muslim religion

Are there any groups organised against certain religious groups? No

7.3.3 Sexuality

Are there gay/lesbian/trans organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

The activities for homosexual rights protection in Bulgaria were organised by the “Gemini” Association and non-formal groups. “Gemini initiates and participates in national and international initiatives for promotion and defence of human rights and supports lesbians, gay men, bisexual and transgender people and their families to receive equal legal, social and medical treatment. The organisation works for prevention of HIV/AIDS and sexually transmitted diseases. Gemini cooperates with Bulgarian state authorities and institutions to ensure diversity inclusion and equality.”¹⁰³

Do they have a national organisation?

There is only one active organisation, based in Sofia.

In what way are women engaged in and represented in these organisations?

Yes. There are three women and two men on the Board of BGO Gemini 2006-2008, including the Chair of the Board.

Do they work in alliance with other inequalities or not?

Yes. “Concerned about the political ignorance and in relation to the forthcoming parliamentary elections in Bulgaria on 25th of June 2005, BGO Gemini and Center for Independent Living (advocacy organisation for the human rights of people with disabilities), developed a questionnaire to all candidates for MPs. The questionnaire follows the initiative of the human rights organisations in the EU member states ‘Towards a Europe of democracy and fundamental rights for all’, launched in April 2004. The purpose of the questionnaire was to provide for adequate information about the position of every candidate for MPs on the problems of sexual minorities and people with disabilities in Bulgaria.”¹⁰⁴ Another project was launched: “FLAME – Fair Labour Attitude – Measurable Equality” The project seeks to explore possibilities for closer cooperation between the employment sphere and human rights NGOs and to facilitate shared learning on the manner in which voluntary codes of anti-discrimination labour practice contribute to better workplace conditions. “[...] specifically focusing on sexual minorities, women namely, disabilities and ethnic minorities”¹⁰⁵ Also, the programme SMILE - Sustainable Mobility Initiatives for Local Equality, supported by the Democracy Commission of US Embassy in Bulgaria aimed “to establish a positive image of the three main marginalized groups in Bulgaria – sexual minorities, including women, Roma people and people with disabilities. Purposely there are different trainings planned and monitoring of the diversity in Bulgarian society.”¹⁰⁶

Are there any groups organised against gay / lesbian / trans-people?

Yes. The most active organised group is the Bulgarian National Union.¹⁰⁷

¹⁰² <http://www.dveri.bg/content/view/6593/121/>

¹⁰³ <http://www.bgogemini.org/eng/page.php?id=4>

¹⁰⁴ <http://www.bgogemini.org/eng/page.php?id=57>

¹⁰⁵ <http://www.bgogemini.org/eng/page.php?id=66>

¹⁰⁶ <http://www.bgogemini.org/eng/page.php?id=91>

¹⁰⁷ <http://bg.bgns.net/>

7.3.4 Disability

Are there disability organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

In Bulgaria, NGOs became central initiators of various forms of policy-making and strategy development on the situation of people with disabilities. NGOs such as the Centre for Independent Living¹⁰⁸ pursue the agendas of vulnerable groups, and train such groups in the skills of self-advocacy and negotiation.¹⁰⁹ Another very active NGOs is the Horizonti Foundation.

In what way are women engaged in and represented in these organisations?

No info available for the Centre for Independent Living; for the Horizonti Foundation – there are no women in the Foundation's Board.

7.3.5 Age

Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

Bulgarian Red Cross, Charity Association Hospice “Miloserdie” is an organisation for older people; Caritas Bulgaria is a charity, non-political, independent public organisation working in close partnership with the Catholic Church and it develops its activities locally and internationally¹¹⁰.

How are women engaged in and represented in these organisations?

No info available

7.4 Hotspots and Alliances

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion or gender/Islam a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? gay/lesbian groups/people with disabilities/ethnic minorities

The national institutional specifics and other related international conditions made possible the cooperation of different human rights NGOs. Recently, the LGBT non-governmental and informal groups began to work in close cooperation with the NGOs of people with disabilities. The existence of the public body – the National Council on Ethnic and Demographic Issues - played a great role for setting up such a cooperation, in which the women's NGOs were left outside. The activities appointed to the National Council on Ethnic and Demographic Issues in regard to the implementation of the “2007 European Year of Equal Opportunities” contribute to that tendency. In October 2006, the preparation of the National Action Plan against Discrimination for 2007 was discussed at the NCEDI between representatives of Council of Ministers and NGOs and in January 2007 the Plan was adopted by the Council of Ministers. The plan envisaged measures against discrimination based on race, ethnicity sexual orientation, religion, disability and gender. So far, the National Action Plan against Discrimination for 2007 has not been recognised by the women's NGOs as part of the gender equality policies. There is no strong evidence (past and present) for cooperation between non-governmental organisations, implementing projects and lobbying for anti-discriminatory legislation, which created an invincible gap between the issues of women's rights and other equality policies. In the beginning of

¹⁰⁸ <http://www.cil-bg.org/en/>

¹⁰⁹ <http://www.eumap.org/journal/features/2006/advocacy/ilieva.pdf>

¹¹⁰ <http://www.caritas-bg.org>

2007, at the 9th Annual Meeting, the adoption of the Law on Equal Opportunities for Women and Men and the suggestions for the amendments to the Family Code have been set as the major policy concern, but no LGBT NGOs representatives have been invited and the issue of homosexual rights in the debated legislation changes has not been raised.”¹¹¹

Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?
Ad hoc, based on the general issue of anti-discrimination policies and joint projects.

WIDER SOCIAL INSTITUTIONS

8. Wider Social Environment

The wider social environment may be important in explaining the resources, whether economic, organisational or discursive, which are available to the political groups and institutions identified above.

Population, economic development, economic inequality and state welfare

	Country	EU
GDP per capita PPP (Purchasing Power Parity) 2003 (OECD 2006)	7500	EU-25 23400
Population size 2006 (Eurostat 2006)	7,8	459,5
% of workforce in agriculture 2003 (World Bank 2006)	4	4,2
Longevity 2005 (World Bank 2005)	72,6	EU-15 79,7
Gini (measure of economic inequality) 2005 (Eurostat 2007)	25	30
% GDP/gov. expenditure on social expenditure 2003 (OECD 2007)	16,1	27,4
% GDP/gov. expenditure on active labour market policies 2003 (OECD 2007)	:	
% GDP/government expenditure on childcare (forthcoming OECD)	:	
% GDP/Government expenditure on military (World Bank 2005)	2,351	1,7

Gender Regime

		Female	Male
Employment rate (2005, Eurostat) ¹¹²	55,8	51,7	60
Unemployment rate (2005, Eurostat) ¹¹³	10,1	9,8	
Share of women in adult labour force % (2004, UN) ¹¹⁴	44		
Women's share of part-time employment % (2004, UN) ¹¹⁵	2,1	2,4	1,6

¹¹¹ QUING Project. 2007. Timelines of policy debates: BULGARIA. Central European University team. Centre for Policy Studies, Budapest. (p. 7)

¹¹² Employment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996.39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996.39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013

¹¹³ Unemployment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996.39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996.39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em073

¹¹⁴ Share of women in adult labour force: percentage of the economically active who are women:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5a.htm>

¹¹⁵ Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5b.htm>

Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat) ¹¹⁶	16		
School enrolment tertiary % gross (2004, World Development Indicators) ¹¹⁷	41,1	44,3	38,1
Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007) ¹¹⁸		22,1	
Women's share of legislators and managers % (UN 2005) ¹¹⁹	34		
% one parent families (dependent children) (UN 2001) ¹²⁰		82,8	17,2
Mean age at first marriage (Eurostat, 2003) ¹²¹		25,3	28,4
Marriage rate (2003, UN) ¹²²	4.33		
Divorce rate (2003, UN) ¹²³	1.9		
Fertility rate (2004 , World Development Indicators) ¹²⁴	1.3		

¹¹⁶ Gender pay gap:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030

¹¹⁷ World Development Indicators, World Bank (September 2006)

¹¹⁸ Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwm/tab6a.htm>

¹¹⁹ Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5d.htm>

¹²⁰ http://w3.unece.org/pxweb/Dialog/varval.asp?ma=07_GEFHOneParFam_r&ti=One+parent+families+and+childr en++by+Sex+of+Parent%2C+Measurement%2C+Country+and+Year&path=../Database/STAT/30-GE/02-Families_households/&lang=1

¹²¹ Mean age at first marriage:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=Yearlies_new_population&root=Yearlies_new_population/C/C1/C13/cab11024

¹²² Marriage rate, table 23: <http://unstats.un.org/unsd/demographic/products/dyb/dysets/2003%20DYB.pdf>

¹²³ Divorce rate:

<http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

¹²⁴ World Development Indicators, World Bank (September 2006)

9. SUMMARY

9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'

	Fully transposed	Before/ after EU	Year	Less, equal to or beyond	ECJ for CEC/Country	EU references
Issues						
1 Equal pay/equal treatment	No	After	2001	less		
2 Sexual harassment and discrimination	No	After	2004	less		
3 Equality bodies	No	After	2003	less		
4 NGO/civil society dialogue	No	After	2003	less		
5 Parental leave	No	After	2007 ¹²⁵	beyond		
6 Organisation of working time	No	After	2007	less		
Gender Machinery	No	After	2003	less		

9.2 Plans and programmes

National general gender equality plan (current)	No current plan		No current plan	
Reference to Lisbon targets				
Reference to Barcelona targets				
Targets and indicators	None	Weak	Moderate	Strong

National plan: Gender-based violence (current)	Yes			
Targets and indicators	None	Weak X	Moderate	Strong

Focus on gender	No	Yes:	Weak	Moderate	Strong
Employment plan (general assessment)		X	X		
Social protection and social inclusion plan (general assessment)				X	
Reference to gender based violence	X				

¹²⁵ The last amendments.

9.3 Gender machineries

National gender machineries	Yes (specify date)		No	Notes
	Gender specific	General equality		
Central government gender equality body with senior minister	2004			No report available on the activity of the equality body to date.
Independent equality body (research, monitoring, and enforcement)	2003			No report available on the activity of the Equal Opportunities Department (EOD) The activity of the Sector was reviewed in 2005 by the Centre of Women's Studies and Policies, which recommended: "The Sector on Equal Opportunities for Women and Men at the Ministry of Labour and Social Policy should focus primarily on the issues related to equal opportunities and should not deal with other non-gender issues, as it does presently. In our opinion, it is recommended that the Sector makes public announcements of its work and activities." ¹²⁶
National consultative / representative body linking state and women's NGOs	2003			
Any other body / bodies (e.g. parliamentary committees) Please name: 1. Human Rights and Religious Affairs Committee		X		
2. The Commission for Protection against Discrimination (2005)		2005		In the annual report for 2006, the Commission reported 3 correspondence on gender based discrimination out of 220.

¹²⁶ Open Society Institute. 2005. Equal opportunities for women and men: monitoring law and practice in new member states and accession countries of the European Union. New York: OSI.
http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502

9.4 Policy

	No -Not at all	Yes / Low	Yes / Moderate	Yes / High
General To what extent is gender mainstreamed throughout policies?		X		
Non-employment (4.1)				
Extent to which mothers can be legitimately non-employed			X	
Intimate citizenship (4.2)				
Extent to which women have access to abortion (in country of residence)				X
Extent to which state policies are highly heteronormative				X
Gender-based violence (4.3)				
Extent to which policies on GBV go beyond domestic violence			X	
Strength, resources and co-ordination of GBV policies		X		

9.5 Civil society and state interface

	Not at all	Low	Moderate	High
Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources)		X		
Extent to which the women's NGOs participate in policy making		X		
Extent to which women's NGOs are close to state		X		
Extent to which women's NGOs engage with intersecting inequalities		X		
Extent to which women's NGOs are state funded		X		
Extent of influence of trade union body on policy making		X		
Extent of power of women within trade union body		X		