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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION
FOR THE PROTECTION OF NATIONAL MINORITIES**

**COMMENTS OF THE GOVERNMENT OF BULGARIA
ON THE OPINION OF THE ADVISORY COMMITTEE
ON THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION
FOR THE PROTECTION OF NATIONAL MINORITIES
IN BULGARIA**

(received on 14 March 2005)

The authorities in Bulgaria have acquainted themselves with the Opinion on Bulgaria (doc.ACFC/OP/I(2004)001) prepared by the Advisory Committee on the Framework Convention for the Protection of National Minorities in order to assist the Committee of Ministers in its task under Article 24 of the said Convention.

The Bulgarian authorities note that the implementation of many of the provisions of the Framework Convention by Bulgaria does not give rise to any observations. This is a clear indication of the commitment of the authorities to ensuring the effective protection of the rights and freedoms of all the citizens of Bulgaria, including of all persons belonging to ethnic, religious or linguistic minorities without any discrimination.

The Republic of Bulgaria adheres to the concept, which is reflected also in Article 1 of the Framework Convention, that the protection of minorities is most effectively ensured by fully guaranteeing the individual rights and freedoms of persons belonging to these minorities.

In this context ethnic and cultural diversity in Bulgarian society is regarded as a wealth and an important resource for the development of the single Bulgarian civic nation.

On this basis in the past 15 years a successful model of inter-ethnic relations based on the values of pluralist democracy and civil society was firmly established in Bulgaria. This model is in essence based on the concord of the principles of voluntary integration of minorities into civil society and the protection of the ethnic, religious and/or linguistic identity of the persons belonging to these minorities. This model represents one of the intrinsic characteristics of contemporary Bulgarian society.

The preservation and further development of this positive model, which could serve as an example to other nations in the region and beyond, is one of the major priorities of the Government of Bulgaria.

More concretely, the priorities of the government in this sphere are:

- The elaboration and implementation of appropriate legislative and other measures aimed at improving the general status of all persons belonging to ethnic, religious or linguistic minorities, who are objectively in a disadvantaged position, in particular the Roma, with the aim of achieving full and effective equality of opportunity in the economic, social, political and cultural sphere;
- Ensuring the necessary conditions for the citizens of Bulgaria belonging to ethnic, religious or linguistic minorities to preserve and develop their culture and to maintain the essential elements of their identity (religion, language, traditions and cultural heritage).

In this context the Bulgarian authorities wish to register their surprise and concern regarding some of the comments and/or findings contained in the opinion of the Advisory Committee relating to certain aspects of the implementation of the Framework Convention in Bulgaria.

Firstly, the authorities would like to note that the considerable and sustained efforts of the Bulgarian Government to address the problems of certain more vulnerable minority groups, particularly the Roma, have not been duly appreciated and reflected in the Opinion of the Advisory Committee. In this respect the attention of the Committee of Ministers is drawn to the detailed information concerning the implementation of Art. 4 and of other relevant provisions of the Framework Convention.

The attention of the Committee of Ministers will likewise be drawn to the Advisory Committee's tendency to justify a widening of the personal scope of application of the Framework Convention beyond the limits set by its relevant provisions as interpreted in the Explanatory Report in conformity with the will of the Parties, which is not in conformity with the basic principle that in the absence of a definition of the term "national minorities" in the Framework Convention it is for the Parties themselves to determine this issue (on the basis of objective criteria).

The Bulgarian authorities would not be in a position to agree with those comments and findings contained in the Opinion of the Advisory Committee, which seem to question the effect of the relevant judgements of the Constitutional Court of the Republic of Bulgaria with respect to the conformity established by the Court of provisions of the Framework Convention with the relevant provisions of the Constitution of the Republic of Bulgaria, with which Bulgaria became a member of the Council of Europe. Understandably, the Bulgarian authorities would not be in a position to agree with this approach.

The Bulgarian authorities would equally have difficulty in accepting the interpretation by the Advisory Committee of certain provisions of the Framework Convention, according to which certain actions, expressly envisaged only as **conditional possibilities**, ought to be almost automatically undertaken by the States parties in all cases.

As to some identified factual errors in the opinion, these should not be seen as a cause for particular concern since they could be easily rectified.

It follows from the above that the "main findings and comments" contained in Chapter IV of the Opinion on Bulgaria prepared by the Advisory Committee are not entirely accurate and, together with the concluding remarks of the Opinion, should be thoroughly re-examined in order to adequately serve as a basis for the corresponding conclusions and recommendations of the Committee of Ministers with respect to Bulgaria.

Article 3

The fundamental principle with regard to the Framework Convention for the Protection of National Minorities (Framework Convention) is that each Party is sovereign to determine the personal scope of application of this Convention within its territory.

Based on this principle, the Bulgarian authorities would concur with the opinion of the Advisory Committee that the Parties should examine the personal scope of application to be given to the Framework Convention within their country, in order to verify that no arbitrary or unjustified distinctions have been made.

The authorities, however, note in this regard that any observation concerning the nature of any such distinctions could only be based on the relevant provisions of the Convention and the interpretation thereof given in the Explanatory Report.

The Republic of Bulgaria adheres to the principle that ethnic identity is a matter of free personal choice for any individual. Self-identification is one indispensable criterion to be considered when defining the personal scope of application of the Framework Convention. By its very nature, though, self-identification is a **subjective** criterion.

It shall be recalled, however, that according to the second sentence of paragraph 35 of the Explanatory Report to the Framework Convention, “*The individual’s subjective choice is inseparably linked to objective criteria relevant to the person’s identity.*” It is evident from this explicit text that the personal scope of application of the Framework Convention is inherently linked to the existence of both subjective and objective criteria **cumulatively**. Consequently, any individual, who may wish to come under the protection flowing specifically from the principles of the Framework Convention **MUST** fully satisfy both types of criteria cumulatively in order to qualify for such protection (i.e. a mere wish and/or sentiment could not suffice).

Therefore, based on the Constitution of the Republic of Bulgaria, in connection with the provision of Art.3, paragraph 1 of the Framework Convention, and to the extent that the individual choice of every person regarding his belonging to a given ethnic, religious or linguistic minority group or community is linked to the existence of objective criteria relevant to that person’s identity, the principles of the Framework Convention are applicable to all citizens of the Republic of Bulgaria, who on the basis of their own freely expressed will, linked to identifiable objective criteria, have chosen to belong and to be regarded as belonging to a given ethnic, religious or linguistic minority group or community in the country

It follows from the above that any suggestion or conclusion by the Advisory Committee to the effect that only the groups represented on the National Council on Ethnic and Demographic Issues are those regarded by the authorities as formally qualifying for the protection provided by the Framework Convention would be erroneous. Other groups, which are not represented on the Council, equally formally qualify for the protection provided by this Convention, provided that they satisfy the subjective and the objective criteria cumulatively.

The most recent population census was carried out in Bulgaria in the period from 1 to 14 March 2001. The census was conducted in full conformity with the methodology of the United Nations and ample data was collected regarding persons, who have identified themselves as belonging to ethnic, religious or linguistic minority groups. In compliance also with the principle that ethnic identity is a matter of free individual choice, the methodology of the last two censuses (1992 and 2001) relating the ethnic-demographic indicators was based solely on the free expression - and respect - of the will of every individual. It did not take into consideration the objective criteria relevant to the person’s identity. Therefore, the statistical results of the 2001 population census could not be automatically applicable in their entirety to the process of determination of the personal scope of application of the Framework Convention in Bulgaria.

According to the 2001 census results, 5 071 persons identified themselves as Macedonians. Of these, however, 1 623 persons have declared that their mother tongue was Bulgarian. Furthermore, these Bulgarian citizens share the same ethnic, religious and linguistic characteristics with the majority population. There is no objective evidence of the existence of at least some identifiable objective “distinctive features”, which could reasonably be regarded as distinguishing these 5 071 individuals from the majority population. Consequently, any such features that might be seen hypothetically as “supporting their claim to a specific identity” are only of a **subjective** nature. It follows that these persons’ “keen consciousness” could not in itself render them eligible specifically for the protection of the Framework Convention, which explicitly requires the existence of both subjective and objective criteria **cumulatively**.

It should be reiterated however, that these persons enjoy fully and effectively, without any discrimination, the rights and freedoms guaranteed to all Bulgarian citizens.

Bulgarian-speaking Muslims form part of the Muslim religious minority in Bulgaria, which is ethnically heterogeneous. According to the 2001 census, of a total of 966 978 persons belonging to the Muslim religious minority in Bulgaria, 131 531 identified themselves as Bulgarians. Indicatively, of these 131 531 persons, 81 767 identified themselves as ethnic Bulgarians, while 49 764 - as “Bulgarian Muslims” ethnically.

Clearly, in this case too there are no identifiable **objective** criteria to support any distinction between the two sub-groups.

Equally clearly, as part of the Muslim religious minority in Bulgaria, the Bulgarian-speaking Muslims are eligible, without discrimination, for protection under any provision of the Framework Convention which is applicable to religious minority groups.

Obviously, these persons too enjoy fully and effectively, without any discrimination, the rights and freedoms guaranteed to all Bulgarian citizens.

It follows from the above that any “divergence of views” with regard to the applicability of the Framework Convention that might have been found by the Advisory Committee could only stem from a basic misunderstanding on the part of certain individuals as to the exact content of the relevant provisions of this Convention.

As already mentioned, in the Republic of Bulgaria every person belonging to an ethnic, religious or linguistic minority group has the right to freely choose whether he/she wishes to be treated as belonging to any such given minority group or not and no disadvantage whatsoever could arise from this choice. This fundamental right is realized materially in particular during censuses, where everyone may freely indicate his/her ethnic origin, mother tongue and religion – or, equally freely, not to indicate any of these. Likewise, some of the persons, who on the basis of identifiable objective criteria supposedly belong to a given ethnic, religious or linguistic minority group choose – freely - not to identify themselves as belonging to that group. This is in full conformity with the express provision of Article 3, paragraph 1 of the Framework Convention.

As the Advisory Committee acknowledges in its opinion, the results of the 2001 census attest that 370 908 persons exactly in Bulgaria freely self-identified as Roma. There are other individuals in Bulgaria, who share generally similar social characteristics, typical of the majority of the Roma population, but they themselves oppose that identification and prefer to identify themselves otherwise (e.g. as Turks, Bulgarians and, in a smaller percentage, as Romanians).

Consequently, it would be a direct and flagrant violation of their rights, including under the Framework Convention, to refer to these persons or treat them as Roma against their free will. Therefore, the use by the Advisory Committee in this context of the notion of “official” and “unofficial” data concerning the Roma in Bulgaria is in itself contrary to the purposes of the Framework Convention.

Needless to reiterate, these persons enjoy fully and effectively, without any discrimination, the rights and freedoms guaranteed to all Bulgarian citizens.

It also follows from the above that the findings and comments contained in paragraphs 117 and 118 of the Opinion are inaccurate and consequently could not be acceptable to the Bulgarian authorities.

Article 4

It is correctly noted by the Advisory Committee that “the principles of equality and non-discrimination are guaranteed in Bulgaria by provisions of the Constitution and in legislation”.

However, the assertion that Bulgarian criminal law does not contemplate aggravating circumstances for crimes committed with a racial or ethnic motive is inaccurate. The established practice of the courts in Bulgaria is, based on the provision of Art. 54 (1) of the Penal Code, to treat any proved racist motivation of offenders as an aggravating circumstance. Furthermore, special provisions for particular racially motivated “common” offences are included in the Penal Code, e.g. Art. 162 - 2, 3 and 4; Art 163; Art. 172-1.

The very few prosecutions and sentences under Articles 162, 163 and 172-1 **are indeed** due solely to the fact that there are only very isolated instances of such offences in Bulgarian society. This fact is supported by the available accurate statistical data, compiled and published periodically, on all criminal offences, including any racially motivated offences.

It should be further noted that the law on protection against discrimination, adopted in September 2003, is being effectively enforced. Over twenty cases, mainly concerning allegations of discrimination against persons of Roma origin, have already been brought before the courts on the basis of this law and 5 judgements have already been rendered at first instance.

The adoption of this comprehensive anti-discrimination legislation, which entered into force in January 2004, strengthened further the existing comprehensive legal and institutional guarantees for the prevention of any form of discrimination in Bulgaria.

Circumstantial evidence could possibly lead to the supposition that certain stereotypes and prejudices may still exist among the majority population (as well as among minority groups) regarding “persons belonging to more vulnerable groups, particularly the Roma”. It may also be surmised that any surviving stereotypes and prejudices could potentially sustain unfavourable attitudes and even be the cause of some isolated instances of intolerance or discrimination among private individuals in everyday life.

Such isolated instances cannot, however, warrant the sweeping generalization contained in the opinion alleging a “persistence in Bulgarian society of discriminatory attitudes and behaviour” towards these individuals – or be taken as a positive indication of an alleged “high degree of discrimination against Roma in many areas of life”, also affecting “persons belonging to other groups”.

It should also be underscored in this context that the authorities are determined to continue to resolutely combat any such attitudes and/or behaviour - if and when such are manifested against persons belonging to any existing ethnic, religious or linguistic minority - with the aid of the members of the Roma and other communities.

Thus, several national awareness-raising activities to promote and disseminate the values and practices underlying the fight against discrimination in the framework of the Community Action Programme to combat discrimination (2001-2006) under the coordination of National Council on Ethnic and Demographic Issues at the Council of Ministers (NCEDI) have been implemented, incl. publications, seminars in the field of anti-discriminative legislation for

lawyers and minority policy experts, meetings of expert committees on amendments to the Penal code.

The National Police Service (NPS) continued building up the network charged with monitoring the observance of human rights standards and the protection against discrimination in the police system. At the central level a *Specialised Commission on Human Rights* chaired by the Deputy Director of the NPS is operational. The Commission is in charge of maintaining necessary conditions and organisation for guaranteeing human rights, including the rights of the persons belonging to ethnic minorities, with a special emphasis on the Roma minority.

In November 2003 the NPS and ACET (Center for Support of Victims of Torture) issued a training aid "Police and Minorities – the Inevitable Change" aimed at improving the ability of policemen to work in a multicultural environment. The training aid is used for in-service training of police officers throughout the country.

Within the framework of the joint project with ACET two training modules were carried out in early 2004. Sixty policemen from the regional police directorates took part in the training. Topics included were prevention of police violence and problems of interaction between the police and the minority population.

In December 2003 a second training center in the city of Pleven (in addition to the one in Stolipinovo quarter in Plovdiv) was established, with financial support from the British Fund for Conflict Prevention.

In this regard, in connection with "complaints" referred to in the opinion of the Advisory Committee alleging that persons belonging to minority groups have undergone physical abuse during pre-trial detention it should be reiterated that in **all** cases involving supposed violations of the law by the police forces, inquiries are conducted and where these violations have been proved, the perpetrators and where necessary - their immediate superiors, are sanctioned. Thus, there are numerous cases of police officers having been dismissed from the police after they had been proven guilty of such violations. Moreover, when the facts of an inquiry indicate that a crime had possibly been committed, all the collected materials are submitted to the Prosecutor's office for further action. This is the mandatory procedure, which is followed without exception, irrespective of the ethnic self-identification of the victims of the alleged violations.

In addition, the necessary practical measures are also taken by the Ministry of the Interior in order to eliminate the root causes of such violations and prevent their recurrence in the future. For instance, a special registration system for complaints of alleged ill treatment by police officers has been introduced and is closely monitored. In this connection it should also be noted that the monitoring of the complaints registered has **not** revealed any facts thus far that could warrant the assumption that persons belonging to minority groups have been specifically targeted.

Notwithstanding, the competent authorities in Bulgaria are prepared to take appropriate action if and when concrete facts are presented to them, which would demonstrate that persons belonging to certain minority groups are deliberately singled out for ill-treatment by the police.

Concerning the socio-economic conditions of certain minority groups, it should be noted that the profound economic changes in Bulgaria during the process of transition towards a market economy have affected all segments of society. Due to a number of objective reasons large

groups in society, including persons belonging to minority groups, suffered equally from unfavourable socio-economic conditions, which rendered them vulnerable. For example, unemployment is one of the main problems for Roma in Bulgaria. To a certain degree it is due to the discrepancy between their generally low qualification levels and the high demands of employers in the new market economy conditions. In many cases unemployment has also led to other negative consequences such as gradual social marginalization, impeded access to social services, etc.

These adverse trends, which have during the past 15 years affected in equal measure most segments of the population of the country, including persons belonging to minority groups, are being resolutely addressed by the Government. The main priority at this stage is the resolution of the main socio-economic problems, in the first place unemployment among the worst affected, including those belonging to some minority groups.

The relevant policies and programmes implemented are directed towards all disadvantaged groups without distinction on the basis of the fundamental principle of non-discrimination.

With regard more specifically to the Roma population, as indicated correctly in the Advisory Committee's opinion, the Framework Programme for Equal Integration of Roma into the Bulgarian Society (The Framework Programme) summarizes the main priorities and immediate objectives of the government policy regarding vulnerable ethnic minority groups and their integration in Bulgarian society.

In this context it should be emphasized that the Government has been consistently implementing numerous measures in order to improve the situation of the Roma, particularly as regards education, employment, living conditions and access to health care services.

In the field of **employment and social assistance** various programmes and measures for social and economic integration of unemployed Roma are being implemented. Their wider objective is to provide adequate job opportunities and professional qualifications for the Roma community. In this respect a number of national employment programmes, such as "From Social Care to Providing Employment", "Job Opportunities through Business Support" and "Beautiful Bulgaria", which aim *inter alia* at Roma long-term unemployed, are implemented.

The Ministry of Labour and Social Policy (MLSP) continues the implementation of the National Programme "*From Social Assistance to Provision of Employment*", which is directed towards the employment and social integration of long-term unemployed that receive monthly social assistance. By the end of 2003 the programme involved 117 761 unemployed, most of them Roma.

According to regulations, the administrative data of the labour offices does not include information concerning the ethnicity of the unemployed. Therefore, it is impossible to provide precise data concerning the Roma involved in different programmes. However, expert assessments indicate that over 80% of the trained people and around 50% of the employed people are of Roma origin. Under the Programme 576 people attended literacy courses and 2673 people were re-qualified. Spending amounted to 129 166 393 BGN.

In 2003 the Programme "Literacy and Qualification" was implemented aiming at increasing the competitiveness and adequacy of the illiterate and unemployed. 584 people were involved with a total spending of 36 831 BGN.

In 2003 under the project “Beautiful Bulgaria” financed by the MLSP, UNDP and municipalities, 73 530 “man-months” were fulfilled, 21 % of which by Roma. 1 997 persons of Roma origin successfully passed qualification in construction and tourism services. Several Roma construction firms were commissioned to build a regional hospital and secondary school in the town of Stara Zagora for the amount of 67 999 BGN and 69 458 BGN respectively. Likewise, in the town of Berkoviza a Roma construction company implemented two projects under the “Beautiful Bulgaria” project for the amount of 51 924 BGN and 56 546 BGN respectively. A Roma construction company built a kindergarten in the town of Chiprovzi.

UNDP and the Bulgarian Government are implementing “Job Opportunities through Business Support” (JOBS) Programme. The project promotes the creation of micro- and small enterprises. Under the project 24 business centres/incubators were established in 24 municipalities throughout Bulgaria. The centres provide a wide range of consultancy, training, and financial services, including financial leasing in favour of existing or to be created businesses. Minority groups were among the target groups of the project. In April 2004 the scope of the project was enlarged with a new component “JOBS for Roma” within which two business centres are being created in the cities of Sofia and Bourgas. In Sofia the centre will pilot the approach of supporting a generic form of job creation by working with Roma to assist them to take advantage of existing employment and business opportunities. In Bourgas another approach will be piloted by supporting job creation in the tourism industry.

The “*Integration of Roma – Social Inclusion*” project is being implemented jointly with the MLSP, the Ministry of Culture and the NCEDI. 86 grant-schemes were placed with the final beneficiaries with a total spending of EUR 3 967 907. Under implementation is the component “*Establishment of Roma cultural and information centres*”.

In the field of **education** the Government is implementing a holistic concept for the integration of children and schoolchildren belonging to minority groups into the education system, with special focus on Roma children. The Strategy for the Educational Integration of Children and Schoolchildren from Ethnic Minorities in Bulgaria was approved by the Consultative Council on Education of Ethnic Minorities Children and Schoolchildren on 23 January 2004 and adopted by the Minister of Education and Sciences on 11 June 2004. A working group for the drafting of a five-year Action Plan for the Implementation of the Strategy was also set up.

In support to the National Action Plan for the implementation of the Framework Programme the Ministry of Finance has planned the necessary funds for free of charge bus transport of the schoolchildren, including Roma. 10 million BGN were allocated to the municipalities from the state budget.

Amendments to the National Education Law of September 2002, envisaging mandatory free-of-charge pre-school education, came into force, starting from the 2003/2004 school year.

The Ministry of Education together with the Ministry of Labour and Social Policy (MLSP) made further progress in introducing the positions of assistant-teachers into the integrated pre-school classes at kindergartens, preparatory and first classes of elementary schools.

In order to support the integration of Roma children and improve their school attendance, 300 school master teachers were trained to work in a multicultural environment, together with 100 young Roma trainees, who were certified to work as assistant-teachers in integrated (ethnically

mixed) classes. In addition to the above project and to support the achievement of results textbooks, educational aids, notebooks, clothes and shoes for the integrated schools were delivered under three supply contracts for a total amount of EUR 1 335 110. The following deliveries were made in 32 municipalities:

- Textbooks, educational aids and notebooks for 12 500 pupils;
- Sports equipment, musical instruments and recreational equipment for 10 schools and 10 kindergartens;
- Clothes and shoes for 2550 children;
- 20 computer studies were equipped.

During the 2005/2006 school year textbooks and educational aids for preparatory, first, second and third grade for 25 000 children for a total value of EUR 950 000 will be delivered.

At the end of 2003 the project Fairy “Path” of the Ministry of Education and the “Theatre for our Children” Foundation resulted in the development of bilingual audio products about Roma stories, which were distributed in 200 kindergartens and schools.

The education integration project supported by the “Open Society Institute” – Budapest is in its fourth year of the implementation in seven cities in Bulgaria (Vidin, Montana, Sofia, Pleven, Stara Zagora, Sliven, Haskovo) with the participation of seven Roma NGOs. The project covers Roma children, who instead of attending the schools in their neighbourhoods are sent to the central schools in these cities. The programme provides transport to the schools for all the children, food and textbooks for the children from the socially disadvantaged families, as well as additional classes for self-preparation. Mediators working for the project accompany the children to the school. The mediators do not teach but help the children to get prepared and mediate between the teachers, the Roma organization and the parents. A total of 1700 children are enrolled under the programme.

The major objective in the field of *health care* is the improvement of the access of the Roma population to health care services and the establishment of a sustainable scheme for health promotion among the Roma population. A National Health Strategy for the Roma Population is currently being elaborated, aimed at the improvement of the health status of the Roma. Its main objectives are: improvement of the health legislation to ensure equal access to health care to all individuals; the wider provision of conditions for screening diseases; ensuring early diagnostics and prophylactics among the Roma population; holding of health care promotional campaigns among Roma population; introduction of Roma social workers (mediators) in the field of healthcare; ensuring 100% immunization for Roma children between 0-18 years of age; inclusion of health education subjects in the curricula; provision of special care for the children and the mothers.

One of the major projects aimed at ensuring access to health care for vulnerable ethnic minorities, totalling EUR 1 100 000, is being implemented in the towns of Assenovgrad, Bourgas, Vidin, Dobrich, Dupnitsa, Kazanluk, Lovetch, Lom, Pazardjik, Plovdiv, Silistra, Stara Zagora, Haskovo, Shoumen, Yambol, where 15 GP practices being refurbished and equipped with furniture and medical equipment. In this connection contracts amounting to EUR 427 055 were concluded.

A set of awareness materials concerning healthy life among the Roma community were designed as follows:

- Research methodology (reasons for the research, objectives, methodology description, resources used);
- Inquiry “The health behaviour and possibilities for healthy choice” This survey will be carried out by the Hygiene Epidemiologic Institutes throughout the country.

At the initiative of the Hygiene Epidemiologic Institute, health awareness-raising seminars for the Roma leaders are being organized in the towns with concentrated Roma population (Sofia, Plovdiv, Pazardjik, Stara Zagora, Montana, Sliven, Vidin). A survey is also being prepared to study the level of awareness about the health care system among the Roma population. The survey will be used for the elaboration of regional health programmes.

In the field of **urbanization and housing conditions** the Ministry of Regional Development and Public Works (MRDPW) approved in November 2003 the “Basic Survey on Urbanisation and Roma Housing in the Republic of Bulgaria”; the results and the recommendations of the survey are used for the formulation of new projects.

The municipalities of Sofia and Plovdiv are implementing projects “Roma Housing Construction” for a total of USD 17 819 500, of which USD 8 400 000 are credited by the Development Bank of the Council of Europe. In December 2003, 105 Roma families were accommodated in 75 newly built two- and three-storey houses in “Hristo Botev” quarter in Sofia. Along with the construction of the houses the related public infrastructure was built. The school, the kindergarten and the community centre in the quarter were also refurbished. Within the second phase of the project 80 apartments will be built.

During the period November 2003 – April 2004, 30 Roma families were accommodated in the newly constructed flats in “Todor Kableshkov” quarter in the city of Plovdiv. The accommodation of 50 more families pending a selection procedure is forthcoming.

For the start of the second phase of the project, a Memorandum of Understanding has been prepared and proposed to the municipality, by the terms of which the municipality would allocate land to the state for the construction of 204 new flats.

A detailed urbanization plan is being elaborated with funds from the state budget for the Roma quarter in the town of Kazanluk.

Phare project BG0204.01 “Urbanization and Social Development of Areas with Disadvantaged Minority Populations” for a total amount of EUR 6 030 000 is under implementation. The project’s objectives are to improve living conditions and access to public services and to reduce unemployment among minority communities in 6 municipalities in Bulgaria (Dulovo, Venetz, Lom, Pazardjik, Stara Zagora, Omurtag) by: 1) building public (technical and social) infrastructure, including public utility infrastructure (water supply and sewerage systems, electricity network), street infrastructure, a kindergarten and a community centre; and 2) implementing a vocational training and temporary employment scheme, as well as a pilot business support initiative.

Within the “*Urbanisation and Social Development of Areas with Disadvantaged Minority Populations*” project two employment related components are being implemented. One of them concerns employment through business support and the other provides vocational training in construction.

In order to provide support and increase job opportunities, one of the major activities within the Roma Population Integration project is to set-up a database for young Roma who wish to work in the public administration. At the end of the project the final version of the database will be transmitted to the Employment Agency.

The main body responsible for the coordination and monitoring of the National Action Plan for the implementation of the Framework Programme for the period 2003 – 2004 is the National Council on Ethnic and Demographic Issues (NCEDI) at the Council of Ministers. During 2004 the NCEDI convened at least three meetings with the participation of representatives of the responsible line ministries and agencies to assess the progress made with regard to the implementation of the Plan. The conclusion drawn on the basis of the quarterly progress reports was that the inter-ministerial coordination with regard to the implementation of the Framework Programme has improved, while further efforts were needed in the main social spheres in order to meet the goals of the Action Plan and to achieve progress and sustainable improvement in the situation of the Roma. Special attention was paid to the most effective utilization of the funds allocated from the national budget for the implementation of the National Action Plan within the 2004 budgetary year.

Furthermore, in the process of drafting of the Long-Term Action Plan (in line with the “Roma Inclusion Decade” initiative), covering the period 2005-2015, initiated in cooperation with representatives of the Roma organizations, a system of indicators of progress has been elaborated together with representatives of the Roma community. The indicators will be applied to objectively measure achievements in the four priority areas: education, health care, housing conditions and employment of the Roma population.

The “**Roma Inclusion Decade**” will be officially launched by prime ministers and other senior representatives of the governments of the participating countries on 2 February 2005 in Sofia.

Last but not least, concerning the importance, noted by the Advisory Committee, of the availability of reliable demographic and socio-economic data it shall be reiterated that all the essential information (gender, age, property status, level of education, employment, etc., etc.) with respect to all persons residing in the territory of Bulgaria, including those individuals, who identified themselves as belonging to a minority group, was collected during the national census of 2001. Furthermore, this information is being utilized in the decision-making process by the authorities in Bulgaria. On the basis of this information the Government elaborated different programmes in the fields of employment, education, training, social services etc., which are currently being implemented. Some of these programmes contain special measures specifically aimed at addressing the needs of particular minority groups.

Based on the above facts, the Bulgarian authorities consider that the findings and comments contained in paragraphs 119, 120 and 121 of the Advisory Committee’s Opinion do not correctly reflect the actual situation in the country.

(See also the comments relating to Articles 5, 6, 9 and others below)

Article 5

The Government allocates resources from the budget on an annual basis for the support of minority organizations and the promotion of the cultures of ethnic minorities. For the year 2005

the respective budget allocated is BGN 185 000. BGN 110 000 have already been distributed by the NCEDI to different NGOs in support of projects for cultural events and publications. A regular report concerning the amounts granted for the implementation of different cultural projects is published on the website of the NCEDI (www.ncedi.government.bg). In order to ensure a transparent and fair distribution of these resources, representatives of the Roma and Turkish minorities take part in the meetings of commissions which are composed of three members each. Once in two months the commissions discuss the projects that have been submitted to the NCEDI and take decisions which projects to support and to what extent.

Prominent representatives of the Roma community actively partake in the steering committees deciding on projects in the field of vulnerable ethnic minorities' integration under the Phare programme. Usually 5 out of 7 members of the steering committee, coming from both the public administration and the NGO sector, are of Roma origin.

The NCEDI is aware of the issues related to the Aromanian cultural centre and in close cooperation with the Centre for Aromanian Language seeks the optimum solution to the problem. The ownership of the original building of the Romanian secondary school in Sofia has changed many times during the years of the transition period making it difficult to use these particular premises for a cultural centre.

With respect to the former Turkish theatres, two theatre institutes in Kurdjali and Shumen (named "Kadrie Liatifova" and "Nazam Himet" respectively) have been established by Regulation № 124 of the Council of Ministers. In addition, with the support of governmental and donor funds several Turkish and Roma cultural centers have been established during the last years. Under a Phare project six cultural centers (in Sofia, Sliven, Plovdiv, Pleven and 2 in Varna) have been set up.

With regard to the Roma, cultural policies are developed by the Roma Public Council on Cultural Issues at the Ministry of Culture (MoC), with which the NCEDI actively cooperates.

In January 2004 the celebration of the Roma New Year (Vasilitsa) was organised in Sofia and other towns with concentrated Roma population as a result of the joint efforts of the Ministry of Culture, the NCEDI and Roma NGOs. The celebrations were sponsored by NCEDI with 6 000 BGN and by the MoC with 4 000 BGN.

In October 2002 UNESCO approved a USD 20 000 project of the Ministry of Culture to set up a *Roma Theatre*. In January 2004 the first performance "Home for Roma" written by the Roma writer Nikolay Vassilev was presented.

In connection with the celebration of the International Roma Day on 8 April the NCEDI and the MoC provided financial support for a number of cultural events. In Sofia the events were supported with 4 000 BGN and a total amount of 4 400 BGN was distributed among the municipalities of Plovdiv, Pernik, Dobrich, Silistra, Kujstendil, Montana, Shoumen, Razlog, Lom, Oriahovo, Chirpan and other smaller settlements. The NCEDI supports with 4 000 BGN the publication of a Roma Grammar, with 2 000 BGN the publication of a Roma-Bulgarian-English Dictionary, with 1 700 BGN a musical school for children. A fund-raising concert was also sponsored with 1 700 BGN.

With the improvement of the overall economic situation of the country more resources will be allocated to support these activities.

It follows from the above that the findings and comments contained in the para 122 and 123 of the Advisory Committee's opinion do not correspond to the facts and could not therefore be acceptable to the Bulgarian authorities.

(See also the comments relating to Article 4 above)

Article 6

As acknowledged in the opinion of the Advisory Committee, an overall spirit of tolerance prevails in Bulgaria. "Inter-ethnic dialogue" does not encounter any particular problems in this propitious environment. Neither have there been any reports pointing to manifestations of intolerance, even less of any "pressure" during the 2001 census. As mentioned above, the existence in particular of Bulgarian citizens, who identify themselves as Macedonians, has been duly reflected in the official results of the 2001 national census – a total of 5 071 individuals as at 1 March 2001. The extent of their integration into Bulgarian society and participation in public life is a matter for them to freely decide for themselves, since these individuals enjoy fully and effectively, without any discrimination, the rights and freedoms guaranteed to all Bulgarian citizens.

In this connection it should again be reiterated that the existence of minorities in Bulgaria has been duly reflected in the 2001 census results, since all persons who identified themselves as belonging to different ethnic, religious or linguistic minority groups were duly recorded as such. These census results, which are publicly available, reflect a reality that does not need any further special act of recognition "in Bulgarian society".

Likewise, the importance of forming positive attitudes towards fellow-citizens belonging to another ethnic group, and of addressing any prejudices in this regard, is well recognized in Bulgarian society.

Among the many activities carried out in this regard were, for instance, a series of seminars for journalists working in national and local media organised in 2002 and 2003 by NCEDI with the support of the World Bank under a grant scheme (Integration of Ethnic Minorities, USD 483 280). The main aim of the seminars was to familiarize the journalists with minority culture and history, state policy on ethnic minority integration, to establish long-term contacts between the participants, the NCEDI regional experts and local NGOs. The activities implemented under this project resulted in breaking the relative isolation of the minority media. 35% of the journalists that took part in the project were of minority origin.

Concerning statistics, with the establishment of the Commission for protections against discrimination a more effective mechanism for collection and processing of information on *any* cases of discrimination will be available.

Therefore, the Bulgarian authorities consider that the "findings and comments" contained in paragraphs 124 and 125 of the Opinion are inaccurate and need to be thoroughly revised.

(See also the comments relating to Articles 4 and 5 above)

Article 7

It should be reiterated that freedom of assembly and freedom of association are guaranteed by the Constitution of Bulgaria and in the relevant legislation, as well as the international legal instruments to which Bulgaria is a party, to all Bulgarian citizens irrespective of their ethnic identity, religion or language. Relevant practice is in full conformity with these provisions. Any restriction placed on the exercise of this right are in strict compliance with Art. 22.2 of the International Covenant on Civil and Political Rights and with Art. 11.2 of the European Convention for Protection of Human Rights and Fundamental Freedoms, which under Art. 5.4 of the Constitution are part of the domestic legislation of the country.

In its Judgement № 2 of 18.02.1998 the Constitutional Court has established that freedom of association, as guaranteed by the relevant provision of the Framework Convention does not differ in content from the constitutional right as provided by Art. 44(1) of the Constitution and is applicable to all persons irrespective of any ethnic, religious or linguistic distinctions among them.

The Constitutional Court has definitely clarified the content and the scope of the provision of Art.11(4) of the Constitution in two Judgements (№ 4 of 21.04.1992 & № 1 of 29.02.2000) resolving that the aim of this constitutional provision is not to establish a prohibition directed against a particular category (categories) of individuals of distinct ethnicity, race or religion". Thus, only political parties organized "on ethnic, racial or religious lines" and "parties which seek the violent usurpation of state power" are prohibited under Art.11(4) of the Constitution. Referring to "ethnic", the restriction is applicable only to parties, the statutes of which would stipulate that their membership is open only to a particular ethnic group/groups.

It would be more than clear from the above that the provision of Art.11(4) **cannot** be "problematic" at all *vis-a-vis* the Framework Convention and that it **cannot** and **does not** "cause" any "unwarranted limitations" of the right to freedom of association.

The clear judgements of the Constitutional Court do **not** leave room for any "interpretations" that could at all "limit the possibility for persons belonging to minorities to pursue their legitimate political interests".

Therefore, the suggestion of the Advisory Committee that there is some sort of "legal uncertainty in this matter" is obviously erroneous. On that basis the authorities reject the allegation of the Advisory Committee that "Bulgaria does not have sufficient legal guarantees for the effective implementation of Article 7" of the Framework Convention.

Likewise, the right to peaceful assembly is explicitly guaranteed by the Constitution of the Republic of Bulgaria. Article 43 of the Constitution provides that "Citizens shall have right to peaceful and unarmed assembly for meetings and manifestations" and that "The procedure for organizing and holding of meetings and manifestations shall be established by law".

Subject solely to the relevant provisions of the law, which are in strict conformity with Bulgaria's international legal obligations, all citizens in Bulgaria, whether belonging to a "minority" or a "majority", enjoy equal rights fully and effectively, including with respect to the right of peaceful assembly.

The reference to some alleged “obstruction” of unspecified “certain demonstrations”, presumably “at Plovdiv or Rousse” (which of them ? these two major Bulgarian cities are hundreds of kilometres away from one another) “during actions of protest by Roma” is equally inaccurate.

Assuming that the Advisory Committee meant Plovdiv after all, it could refer to a case where during the night of 18 February 2002 street riots broke out in a neighbourhood with a predominant minority population (mainly persons identifying themselves as belonging to the Roma and Turkish minorities) after the local provider – a municipal company – cut electricity supplies to customers for accumulated unpaid electricity bills. Buses were burnt, a food store ransacked, windows of ethnic Bulgarians smashed. In the efforts to quell the riot two policemen were injured. The next day the rioters blocked traffic on the Plovdiv-Sofia highway. Tensions subsided after Roma community leaders intervened together with the police. On 21 February order was restored. No one was injured. Following negotiations involving Roma leaders, the mayor, the regional governor, the director of the said municipal company, MPs, senior police officials etc., electricity supplies were restored in the evening of 21 February.

It should be more than clear that any such cases do not fall within the category of “peaceful assembly”.

Consequently, the findings and comments of the Advisory Committee contained in the para 126 of its Opinion are inaccurate and could not be accepted by the Bulgarian authorities.

Article 9

In Bulgaria all persons complying with the provisions of the Law on Radio and Television may create and use their own media outlets. There are **no** restrictions and/or impediments of a legal nature whatsoever with respect to persons belonging to ethnic, religious or linguistic minority groups in this regard.

In Bulgaria there are no legal restrictions regarding the access of persons belonging to any ethnic, religious or linguistic minority groups to the media, while the promotion of cultural diversity has been established as a basic principle of national policy in the field of culture. The law expressly requires from the state media (BNR and BNT) to promote mutual understanding and tolerance among the people with their programmes and not to allow any broadcasts which could incite intolerance among the citizens or hatred on the ground of race, sex, religion or national origin.

Consequently, there are **no** restrictions - “unjustified” or otherwise - in this regard. All necessary measures have been taken to ensure access to the media and encourage the promotion of tolerance and cultural pluralism in the media.

Concerning *media for the minorities*, currently three Roma newspapers (two of them are supported by NCEDI with 4 000 BGN each), 1 Roma magazine, 4 Turkish magazines, 3 Turkish newspapers, 3 Armenian newspapers, 2 Jewish newspapers, 1 Wallachian magazine, 1 Aromanian magazine and 1 Aromanian Bulletin are being issued

Bulgarian National Radio broadcasts daily three half-hour information – music programmes in the Turkish language. Bulgarian National Television emits every day a ten- minute information bulletin in the Turkish language.

Bulgarian TV broadcasts a programme on Roma issues “Romano Dunias” (Roma World). A programme in the Turkish language “Beliat galab” is now broadcast by the cable TV station “Den”. In the town of Vidin a cable TV station “Roma” designed for the Roma community has been licensed; part of the broadcasts is in the Roma language.

One of the biggest private radio stations in the country - “Darik radio” broadcasts a regional programme of its own in Turkish language, which for now is being broadcast from the town of Kurdzhali.

Two special transmissions, under the heading of “Together” /Zaedno/ and “Ethno” which are focused on the culture of different ethnic groups, are on the national TV channel.

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With respect to supporting publications of minorities, the NCEDI has several times financed projects for bilingual publications or publications in Roma, Turkish and other minority languages.

Therefore, the Bulgarian authorities regard the findings and comments of the Advisory Committee contained in paragraph 128 of its Opinion as not corresponding to the facts.

Article 10

It would be recalled that according to the provision of Article 10, paragraph 2 of the Framework Convention, there should be “**a real need**”, on the basis of which the Parties should “**endeavour** to ensure, **as far as possible**, the conditions which **could make it possible**” to use a minority language in relations with the administrative authorities.

It would be further recalled that according to the Explanatory Report to the Framework Convention, the provision of Art. 10, paragraph 2 leaves Parties “**a wide measure of discretion**”.

Furthermore, the Advisory Committee itself recognizes that there is “**no prima facie impediment**” to the use of the mother tongue in dealings with the administrative authorities.

In these circumstances, the finding of the Advisory Committee that “the current” position is not fully compliant with the provisions of Art. 10, paragraph 2 cannot be accepted.

In addition, the assumption of the Advisory Committee that the right of persons belonging to ethnic, religious or linguistic minorities to be informed “in a language they understand” of the reasons of their arrest is not legally provided in preliminary detention procedure is erroneous.

Article 18, paragraph 1 of the **Instruction No. I-167 of the Minister of the Interior** on the procedure to be followed by the police upon detention of persons at the structural units of the Ministry of Interior, on the furnishing of premises for the accommodation of detainees and the order therein provides that persons detained by the police shall be immediately informed of the reasons of their arrest. Article 19 of Instruction No. I-167 expressly provides that if the persons detained do not understand Bulgarian then they are informed of the reasons of their arrest and informed of their rights in a language they understand through an interpreter. These provisions are rigorously enforced.

It follows from the above that the findings and comments contained in paragraphs 129 and 130 of the Opinion do not correspond to the facts.

Article 11

It would be recalled that according to the provision of Article 11, paragraph 3 of the Framework Convention, that the Parties should “**endeavour, in the framework of their legal systems ... and taking into account their specific conditions**” to display traditional local names, etc. also in a minority language.

It would be further recalled that according to the Explanatory Report to the Framework Convention, the provision of Art. 11, paragraph 3 provides **only** for such a “**possibility**”, but does not give rise to an obligation. Therefore, the assertion of the Advisory Committee that “there are shortcomings” in the application of Art. 11, paragraph 3 cannot be accepted.

Consequently, the findings and comments contained in paragraph 131 of the Advisory Committee’s Opinion are inaccurate and could not be accepted by the authorities.

Article 12

The allegations of unidentified “certain sources” concerning history courses, referred to by the Advisory Committee, do not correspond to the facts.

Likewise, the fact that in some neighbourhoods in certain towns particular schools were attended predominantly by pupils of Roma origin was an unintended consequence of the administrative division of the school system. According to the rules valid for all children irrespective of their ethnic origin, admittance to any public school was linked administratively to the domicile of the family. In neighbourhoods where the population was predominantly of Roma origin, this produced schools, attended predominantly by pupils of Roma origin. These are **not**, however, “separate” schools.

Notwithsatnding, the authorities are taking special measures to rectify this situation.

There are, unfortunately, still reports of some isolated cases of “unwarranted” assignment of Roma children to “special” schools for pupils with learning difficulties. As noted by the Advisory Committee, however, stricter criteria were introduced in 2002, which should remedy such shortcomings.

The educational component of the Roma Population Integration Phare project was designed to increase the quality of education and to overcome difficulties faced by Roma children in mainstream kindergartens and schools. Training in inter-cultural education has been designed

and provided to more than 300 master teachers. The purpose of this training was to prepare the master teachers to work in a multi-cultural environment and to cope with the challenges of Roma pupils' integration. The team-building between teachers and teacher assistants in the education process proved to be conducive to the overcoming of any negative attitudes among teachers and to enhancing intercultural understanding between both groups.

With respect to the integration of Roma pupils from homogenous into mixed schools, the NCEDI notes that full integration should be viewed as a long-term process and agrees that there are many difficulties faced both by the Roma children and their parents. Cases of alleged hostility of school directors and teachers are isolated and are not at the core of the issue related to the integration process. On the contrary, many municipalities have already developed local strategy/programmes for educational integration of children belonging to the minority groups in line with the state policy for educational integration, which are actually applied in the local schools.

The principle of inter-cultural education is emphasized in the curriculum developed according to Government Regulation №2 of 18.05.2000 on the curriculum content. New textbooks and notebooks covering the new state regulations on curriculum in the field have been produced for the preparatory, first, second and third grade. The pupils from the 9th up to the 12th grade also use new textbooks and notebooks.

In the 2003/2004 school year the University of Veliko Turnovo introduced a new subject for training teachers in Roma language. At the same time the Thracian University has extended the subject "Elementary Teaching on Western Language" with qualifying teachers in Roma and Turkish language.

Throughout the 2003/04 school year the Amalipe Foundation continues to implement the pilot project funded by the Ministry of Education and Science, Open Society and NCEDI to teach Roma culture as an optional subject in 40 schools in the Northern Bulgaria.

Minority language publications:

A Concise Grammar of the Kalderashi Roma Dialect In Bulgaria, Hristo Kyuchukov, Zlatko Mladenov, Sofia, Delfi publishing House, 2004

A Concise Description of Roma language in Bulgaria, Hristo Kyuchukov, Sofia, Delfi, 2003

Roma Grammar (Romani Gramatika), Kiril Kostov, Dimiter Iliev, Sofia, Tilia, 2004

'I write and read in Turkish' for the first grade, Gyulshen Metova, Hafise Mehmet, Mandira publishing house, Sofia, 2002

'A Practical Grammar in Turkish Language and Tests' for the 1-4th grade, 1 volume, Fikrie Mehmed, Menent Shyukrieva, Mandira publishing house, Sofia, 2001

It follows from the above that the findings and comments contained in paragraphs 132 and 133 of the Opinion do not accurately reflect the situation in this sphere.

Article 14

On 12 June 2004 the minister of education and science approved a Strategy for the educational integration of children and pupils belonging to ethnic minorities. The main aim of the Strategy is the further improvement of the teaching of minority languages, including training of teachers, the elaboration of school curricula, the preparation of new or revised textbooks, etc. A Plan of Action for the implementation of the Strategy for the period 2005-2010 is currently being

elaborated. Thus the possibilities for the study/teaching of the mother tongue will be further enhanced in Bulgaria.

Experts in Turkish, Romani, Armenian and Hebrew have been appointed in the Ministry of Education and Science.

Concerning the Turkish language, in the 2004/2005 school year it is being taught by 399 teachers to 27 751 pupils in 536 schools.

Romani is being taught in schools as a mother tongue, including within the compulsory state school curriculum. In the first form oral Romani communication skills are taught, while writing and reading are taught as from the second form. The following textbooks are used: “Romano ABC lil” (second form); “Romani alfabeta” (third and fourth form); “Romano drom” (fifth to eighth form). Teacher training has been intensified, including in the universities mentioned in the opinion of the Advisory Committee. In the current school year Romani is being taught in 20 schools to 700 pupils.

In addition, suitable textbooks have been prepared in increasing numbers, incl. recently a Romani Gramatika.

As regards teaching in the mother tongue, it should be recalled that according to the provision of Article 14, paragraph 2 of the Framework Convention, as interpreted in paragraphs 75-77 of the Explanatory Report, it is subject to several **conditions** and that this provision does **not** impose an obligation upon the State to do so. Therefore the authorities cannot accept that there has been any “delay” in the fulfillment of “obligations” in this regard.

It follows from the above that the findings and comments contained in paragraphs 134 and 135 of the Opinion do not accurately reflect the situation in the country in this sphere.

Article 15

In the Republic of Bulgaria the right of all citizens, irrespective of their ethnic origin, religion and language, to partake in the decision-making processes and mechanisms is fully guaranteed.

The status and institutional position of the NCEDI has been further enhanced. By a recent decree of the Council of Ministers it was transformed into a National Council for Cooperation on Ethnic and Demographic Issues (NCCEDI) at the Council of Ministers and its statutory functions have been increased.

In addition, a special directorate “Ethnic and Demographic Issues” with a staff of 20 has been created by the same decree within the Council of Ministers administration, which will support the activities of the NCCEDI.

A specialized Commission to NCCEDI on the integration of the Roma has also been formed, which will consult the Council on issues related to the formulation and implementation of policies for the equal integration of the Roma in Bulgarian society.

The decree also strengthens the role of the regional councils for cooperation on ethnic issues and of the experts responsible for ethnic and demographic issues within the regional administrations.

The assertion of the Advisory Committee that participation by persons belonging to minorities in public affairs “remains limited” is contradicted even by the facts in the subsequent paragraphs of its opinion.

Concerning specifically representation in law enforcement agencies, the total number of persons belonging to the Roma minority employed by the Ministry of the Interior in June 2004 was 198 compared to 158 in October 2002. A further 50 persons of Roma origin are undergoing training with the aim of being recruited by the same Ministry.

In this context, the findings and comments as set out in the para 137 of the Opinion, do not acknowledge the fact of the institutional reinforcement aiming at enhancing the consultation of minorities on issues concerning them, done by the transformation of the Council for Ethnic and Demographic Questions into a special directorate “Ethnic and Demographic Issues” (as stated above)

Consequently, the findings and the comments contained in paragraphs 136 and 138 of the Opinion do not correspond to the facts and therefore could not be accepted by the Bulgarian authorities.

Regarding the recommendation contained in paragraph 137, the appropriate measures have already been taken by the authorities (see above).

Article 18

It is correctly noted in the opinion of the Advisory Committee that Bulgaria has signed an agreement on cooperation with Turkey in the fields of culture, education and sciences.

It should be noted that in addition to the above Bulgaria has concluded similar agreements with the Republic of Macedonia, with Albania, with Serbia and Montenegro, with Romania and with Croatia.

Bulgaria also actively participates in cross-border cooperation, in particular in the context of the relevant instruments and activities of the Council of Europe.

Finally, it would be evident from the above, that the concluding remarks contained in the paragraphs 141-146 of Chapter V of the committee’s Opinion are also inaccurate and should therefore be thoroughly revised in order to adequately serve as a basis for the corresponding conclusions and recommendations of the Committee of Ministers with respect to Bulgaria.