

**NATIONAL
STRATEGY
FOR PERSONS WITH
DISABILITIES
2016-2020**

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I. INTRODUCTION

The full and equal exercise of all rights of people with disabilities is a national priority that requires active, purposeful and consistent policy and joint actions of the involved authorities, institutions and the active participation of civil society.

In view of the complexity and multifaceted nature of the measures to guarantee and recognise the full exercise of all rights and fundamental freedoms for all persons with disabilities, the policy in this area is aimed at implementing the long-term integrated approach based on the principles of horizontal impact that unites resources in various policies.

This 2016-2020 National Strategy for Persons with Disabilities is a key political document which sets priorities and measures aimed at improving the quality of life of people with disabilities, non-discrimination on the grounds of disability, ensuring their full and active participation in all areas of public life and promoting respect for their rights in all policies.

The national goals and priorities of the National Strategy were formulated in accordance with the European Disability Strategy 2010-2020. "A Renewed Commitment to a Barrier-Free Europe." The objectives and priorities are in line with the 2020 National Health Strategy, which pays particular attention to this group of citizens: Policy 1.6 "Best possible health for people with disabilities".

The 2016-2020 National Strategy for Persons with Disabilities was developed in connection with the fulfilment of national commitments on the implementation of the ratified Convention on the Rights of Persons with Disabilities, particularly in terms of implementing strategic goal 8, point 8. 2 of the Action Plan of the Republic of Bulgaria to implement the Convention on the Rights of Persons with Disabilities (2015-2020).

II. EUROPEAN FRAMEWORK AND NATIONAL DIMENSIONS

European framework

The national policy is governed by national and international strategic documents, including international treaties that our country has ratified, the European Social Charter /revised/, the Action Plan to promote the rights and full participation in society of people with disabilities: improving the quality of life of people with disabilities in Europe 2006 - 2015 of the Council of Europe and other relevant sectoral policies.

In the European Union (EU) one in six people has a disability¹ ranging from mild to severe, which makes a total of about 80 million people who often are unable to participate fully in social and economic life due to barriers related to the environment and to people's attitudes.

According to EU statistics on Income and Living Conditions (EU-SILC) of 2011 about 26% of those aged 16 and over declare they have limited abilities, a term that expresses the interaction with barriers targeted by the social model. Around 28% of women aged 16 and over declare limitations and for men the rate is 23%. The disability rate among women is higher because they live longer, but we should note also other personal factors and socio-economic characteristics. Injuries are more common with age, i.e. more common in persons over the age of 65 (54% compared with 18% of those aged between 16 and 64). At European level about 8% of

¹ The EU *Labour Force Survey*, ad hoc module on employment of disabled people (LFS AHM), 2002.

those aged 16 declared severe disability, in other words serious limitations and about 18% declare moderate disability.

The policy for people with disabilities in the European Union is enshrined in the European Disability Strategy 2010-2020, aimed at supporting people with disabilities so that they can fully exercise their rights and participate in social and economic life on an equal footing with other citizens. This strategy renews the commitment of the European Union for a Europe without barriers based on activities in eight priority areas, namely: accessibility, participation, equality, employment, education and training, social protection, health and external action. For this purpose, tools are put in place such as campaigns to raise public awareness, financial support, statistical data collection, monitoring and mechanisms to apply the Convention on the Rights of Persons with Disabilities. The Strategy aims to support Member States in implementing the Convention on the Rights of Persons with Disabilities. The European Union as a regional organisation comprising 28 Member States became a party to the Convention in 2011. The Strategy identifies actions at EU level that complement the actions at national level and establishes the necessary mechanisms for the implementation of the Convention on the Rights of Persons with Disabilities across the European Union.

Pursuant to Article 216(2) of the Treaty on the Functioning of the European Union, agreements concluded by the Council are binding upon the institutions of the Union and on its Member States. In this regard a Code of Practice was adopted, which regulates relations between all parties in the process of implementation of the Convention on the Rights of Persons with Disabilities.

In 1998, the European Commission adopted a Code of Good Practice for the Employment of People with Disabilities, and in May 1999 the social partners formally adopted a Joint Declaration on the Employment of People with Disabilities.

The EU Charter of Fundamental Rights came into force on 01.12.2009 with the entry into force of the Lisbon Treaty and became a legally binding document on the EU institutions and national governments, as all treaties of the Union. The Charter aims at the protection of values regarding human dignity, democracy, equality, respect of law and order and respect for human rights. It brings together all our individual, civil, political, economic and social rights and puts a ban on discrimination on any grounds, including disability. The Charter came into force in 2009 and is binding on all institutions, offices, agencies within the European Union, respecting the principle of subsidiarity. Article 1 of the Charter of Fundamental Rights states that "Human dignity is inviolable. It must be respected and protected." Article 26 states that "The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community. " and Article 21 prohibits any form of discrimination on the grounds of disability.

NATIONAL DIMENSIONS

Bulgaria has taken real action to implement the provisions of the Convention on the Rights of Persons with Disabilities, which is the first international legal instrument signed within the shortest time limit by most countries in the history of the UN. In essence, the Convention is the first extensive and comprehensive international treaty on human rights, which was adopted in

the 20th century. The Convention was adopted by the UN General Assembly on 13 December 2006 and entered into force on 3 May 2008. The Republic of Bulgaria signed the Convention in 2007 and ratified it by a law adopted by the 41th National Assembly on 26.01.2012, prom.SG. 12 of 2012. The official translation of the Convention in Bulgarian was published in the State Gazette, issue 37 of 2012. By Decision No 868 of 19 October 2012, the Council of Ministers adopted *an action plan containing measures to bring Bulgaria's regulations and policies on disabled people in accordance with the provisions of the Convention on the Rights of Persons with Disabilities (2013-2014)*. The plan outlines specific steps, clearly defines the role and functions of various government bodies and stakeholders.

By Decision No 467 of 25 June 2015, the Council of Ministers adopted a second *Action Plan of the Republic of Bulgaria to implement the Convention on the Rights of Persons with Disabilities (2015-2020)* building on the first plan and setting out concrete measures for continuous harmonisation of legislation to meet the requirements of the Convention.

The main objective of the policy of integration of people with disabilities is to create conditions and guarantees for equality and full participation of people with disabilities in all areas of public life and the exercise of their rights by providing socio-economic support to people with disabilities themselves and members of their families.

Social support to persons with disabilities is ensured through the provision of various types of resources - benefits, allowances, pensions, services and social security, social assistance, employment law, health and safety, as well as a number of tax and financial incentives.

The Bulgarian legislator has created the necessary mechanisms to ensure the exercise of the right of persons with disabilities in Bulgaria to independence and social integration. Pursuant to Article 6(1) of the Constitution of the Republic of Bulgaria, all human beings are born free and equal in dignity and rights, and the equality before the law for all citizens is enshrined in paragraph 2 of the same provision. There are no restriction of rights or privileges based on race, ethnicity, gender, origin, religion, education, beliefs, political affiliation, personal or social status or wealth.

The main legislation guaranteeing the rights of persons with disabilities and containing the highest concentration of law related to support for people with disabilities is **the Integration of Persons with Disabilities Act**, which builds on the constitutional principle that people with disabilities are under special protection of the state and society. The law on integration of people with disabilities is based on the principles of prohibition and prevention of any form of discrimination on grounds of disability. The Act provides for measures to ensure the socio-economic protection of disabled people by allocating monthly allowances for social integration and targeted benefits. To ensure employment for people with disabilities there are measures for participation in regular and specialized work environment, and employers who hire people with disabilities can receive incentives and funding for adaptation of jobs, for their equipment to ensure health and safety at work etc. The law enables people with entrepreneurial spirit to start their own business and they can apply for certain financial resources.

The Anti-Discrimination Act introduced mechanisms for practical enforcement of the prohibition of discrimination. It aims to ensure that all persons, including persons with disabilities, have the right to equality before the law, equal treatment and opportunities for participation in public life.

The Anti-Discrimination Act builds upon the constitutional principle of non-discrimination and equality before the law enshrined in Article 6 of the Constitution of the Republic of Bulgaria, introducing mechanisms for its implementation in practice. The law aims

to ensure that all persons (including people with disabilities) have the right to equality before the law, equal treatment and opportunities for participation in public life. It defines unambiguously direct and indirect discrimination and harassment.

The right to benefits and pensions is vested upon relevant categories of insured persons envisaged in **the Social Security Code**. With regard to social security, the National Social Security Institute provides compensation in cases of temporary partial disability and vocational rehabilitation and pensions in case of permanent disability. Persons receiving personal disability pensions are also entitled to cash benefits for prevention and rehabilitation if they are below the age set out in Article 68(1) of the Social Security Code.

The Labour Code and the Civil Servants Act provide for various forms of protection of persons with disabilities, obliging employers to determine the percentage of jobs for vocational rehabilitation, introducing a simplified regime of working hours, ban on night shifts and overtime, provision for reduced working hours, prior protection against dismissal, compensation for occupational rehabilitation from the moment of the receipt of the prescription for reassignment until its implementation.

The **Employment Promotion Act** provides for measures for the unemployed and promotion and maintenance of employment, provision of services for mediation in finding employment, vocational training and guidance including people with disabilities.

The Corporate Income Tax Act provides for full assignment of the corporate tax of legal entities holding the status of specialised enterprises, cooperatives and detached production units affiliated to national organisations of people with disabilities and organisations of people with disabilities. The assigned funds are used for rehabilitation and social integration of people with disabilities.

People with disabilities who receive income from employment enjoy tax benefits under the terms and conditions set out in the **Personal Income Tax Act** as well as the **Local Taxes and Fees Act**.

Within their powers municipalities have a commitment to ensure accessible built environment in kindergartens and schools, accessible public transport by adapting the existing public transport and commissioning of vehicles technically adapted for use by the disabled, special transport services for people with disabilities, the necessary material conditions and means of social contacts of people with disabilities.

Under **the Roads Act** persons of disabilities estimated at 50% and over are exempt from the vignette for a car they own or owned by their spouse, whose engine capacity is up to 2000 cu. cm and power up to 117,64 kW (160 hp) Persons or families raising children with disabilities up to the age of 18 and until the completion of secondary education, but no later than age 20, are also exempt from the payment of the vignette. The **Child Protection Act** regulates child protection measures, and one of them is to provide special care for children with disabilities. Under the Regulations Implementing the Child Protection Act, children with disabilities receive a monthly allowance of 75% of the guaranteed minimum income regardless of the family income.

The right to education is guaranteed by the Constitution of the Republic of Bulgaria. In accordance with this principle, there is a provision for mandatory schooling up to 16 years of age. Primary and secondary education in state and municipal schools is free of charge. The state promotes education by opening and financing schools, by supporting gifted pupils and students with learning difficulties, creating conditions for vocational education and training.

There is an opportunity for integrated education of children with special educational needs by creating a supportive environment in kindergartens and schools.

Ensuring equal access to education for children with special educational needs and/or chronic diseases and their inclusion in mainstream schools will continue to take place after the entry into **force of the Pre-School and School Education Act** on 1 August 2016. The new law ensures new quality in education and regulates inclusive education as an integral part of the right to education, introduces the obligation to ensure support for personal development of children and pupils. In this regard a public educational standard will be introduced and will set out the manner and conditions for education of pupils with special educational needs.

Inclusive education is an integral part of the right to education, but it is necessary to change the principle of learning support, namely every child who at some point in life needs support should receive it. Individual support as a responsibility of kindergartens and schools is provided for all, not just for children with special educational needs. Thus the education system will be able to meet the emerging support needs in a faster, more flexible and adequate way, which will be harmonised and interconnected.

The Higher Education Act and the relevant regulations provide favorable conditions for access of people with disabilities, support and integration in higher education via admission under alleviated conditions of persons with disabilities and reduced working capacity - 70% and over, who were successful in the admission examinations; special reliefs regulated in the rules of higher education institutions for students and postgraduates with permanent disabilities and reduced working capacity of 70% and over; exemption from payment of fees at state universities of persons with disabilities and reduced capacity 70% and over.

Article 3(1)-(2) of **Council of Ministers Decree No 90 of 2000** entitles students with disabilities, students with two disabled parents, students with a parent who is permanently disabled to receive scholarships since the beginning of the first year of training or the beginning of the month following the month during which the grounds for obtaining the scholarship occurred; these amounts are paid over 12 months for each month separately. Scholarships are awarded without applying the rule of grade point average of no less than 4.00.

In accordance with **the Ordinance entitling students to dormitories and canteens**, students of 70% and over reduced capacity are housed in dormitories without ranking, and students of 70% and over reduced capacity have to pay 30% annually of the monthly rent, and 30% of payable semester deposit.

In healthcare, according to the Constitution of the Republic of Bulgaria all citizens are entitled to health insurance guaranteeing them affordable medical care, and free medical services under terms and conditions determined by the relevant law. Protection of public health as a state of complete physical, mental and social well-being is defined as a national priority under **the Healthcare Act**. It is guaranteed by the state through the principles of equality in using health services, provision of quality and affordable healthcare, health promotion and integrated disease prevention, prevention and reduction of the risk to public health from the adverse impact of factors of the living environment. Through the provisions of the law, the state provides special health protection for people with physical disabilities and mental disorders. A legal opportunity for the functioning of health offices in homes for adults with disabilities, as well as the creation of integrated health and social services through which medical professionals and specialists in the field of social services provide healthcare, medical supervision and carry out social work, including at home, in support of people with disabilities and chronic diseases and elderly people

who need help in their daily activities. A draft ordinance is being drawn up to regulate integrated health and social services that people with disabilities can benefit.

Legislation in the health care system provides for special regulations for diagnosis of temporary or permanent disability by a medical professional. The Healthcare Act and the **Ordinance on medical assessments** set out principles, criteria and procedures to diagnose the type and extent of the disability of children under 16 years of age and persons who are entitled to retirement age pension, as well as to establish the extent of temporary and permanent disability of persons of working age.

In recent years a new approach applies to "disability" at EU level. This approach emphasises the social inclusion of people with disabilities as disadvantaged persons, requiring a complete reformulation of most of the policies and programmes aimed at the integration of people with disabilities. In this connection, the Ministry of Health together with the Ministry of Labour and Social Policy is developing a *new model of medical assessment*, which will incorporate novelties and practices of the International Classification of Functioning, Disability and Health (ICF) of the World Health Organisation. This new approach, which is more widely used, has completely reformulated most of the policies and programmes aimed at the integration of people with disabilities.

The amendments to **the Hospitals Act** of 2015 have introduced a new type of hospital - a centre for comprehensive services to children with disabilities and chronic diseases, which carries out activities to support families of children with disabilities and chronic diseases in early detection, diagnosis, treatment and medical and psycho-social rehabilitation; long-term treatment and rehabilitation of children with disabilities and serious chronic diseases and training of their parents to take care in a family environment; visits by medical professionals to provide special care for children with disabilities and serious chronic diseases who live in a family environment and social service residential; provision of specialist palliative care for children. These hospitals are set up by the Council of Ministers on a proposal from the Minister of Health and the centres for comprehensive services to children with disabilities and chronic diseases may provide social services under the Social Assistance Act.

One of the principles enshrined in Article 5 of the **Health Insurance Act** is equality in the use of medical care required by the insured persons, including people with disabilities. Pursuant to Article 4 of the Act, "The mandatory health insurance shall guarantee free-of-charge access of insured persons to medical care within a certain type, scope and amount of health activities and free choice of a healthcare provider which has concluded a contract with a Regional Health Insurance Fund. The choice shall be guaranteed across the country and cannot be restricted for geographic and/or administrative reasons.

Under the provisions of **the Health Insurance Act**, the state budget shall cover the insurance of veterans and war victims who do not have health insurance in another way, the disabled, victims of natural disasters and accidents. The state budget covers the insurance - unless covered otherwise - of persons who receive a disability pension as well as parents, adoptive parents, spouses or one of the parents of the mother or father who takes care of a disabled person with a disability over 90% in need of assistance for daily routine.

Insured persons suffering from chronic diseases who need continuous medical supervision, supportive care or specific care are exempt from fees for the visit at their GP, a dentist or for hospital admission. The list of diseases is an integral part of the National Framework Agreement between the NHIF and the Bulgarian Medical Association, the Bulgarian Dentists' Association and the Bulgarian Pharmacists' Union, which regulates the type and scope

of medical services paid by the NHIF. All war invalids and persons diagnosed for over 71% disability are also exempt from the user fee for NHIF-reimbursed health services.

The Ministry of Health (MoH) funds state-owned and municipal medical establishments for hospital care and state-run and municipal centres for mental health for medical services that by law or regulation fall within the state budget on the basis methodology to subsidise medical institutions. The activities funded by the Ministry of Health include recreation (once a year), prevention and rehabilitation (twice a year) for veterans and war victims; inpatient treatment, daycare at a mental health institution, and rehabilitation through occupational therapy for persons with mental illness; diagnosis, treatment and specialised care for children of high medical risks outside the scope of compulsory health insurance; treatment of patients with active tuberculosis and medical checkup from a disability assessment team.

The **Ordinance on diseases which entitle workers to special protection under Article 333(1) of the Labour Code** includes basic social diseases that lead to reduced or permanent disability - ischemic heart disease, diabetes, active form of tuberculosis, cancer, occupational and mental illnesses. Patients with these diseases may be laid off or dismissed only after the permission of the territorial divisions of the General Labour Inspectorate.

The conditions and procedures for exercising the right of access and free choice of insured persons to medical care are set out in **the Ordinance to exercise the right of access to medical care**, adopted by [Decree No 119](#) of 2006, prom. SG. [45](#), 2006 regulating the conditions and procedures for exercising the right of access to medical care of persons with a mandatory health insurance in the Republic of Bulgaria and persons residing in the country, subject to rules on the coordination of social security systems within the meaning of [§ 1, point 22 of the additional provision of the Health Insurance Act](#).

In accordance with Article 80 of **the Healthcare Act**, the quality of medical care is based on medical standards in specialties established pursuant to Article 6(1) of the Hospitals Act and the rules of good medical practice adopted and approved in accordance with Article 5(4) of the professional organisations of doctors and dentists. The rehabilitation of people with disabilities is governed by the healthcare standard guaranteed via the requirements of clinical pathways in the field of physical and rehabilitation medicine. Early detection of disabilities and appropriate intervention and the implementation of appropriate health services are governed by Decree No 39 for prophylactic checkups and dispensary care, prom. SG [No 106](#) of 2004

People with disabilities in Bulgaria have all the rights of insured persons under the domestic law, regardless of the type of disability and degree of disability.

People with disabilities are entitled to inpatient care at hospitals which are contractual partners of the National Health Insurance Fund within all clinical pathways, clinical procedures, highly specialised medical activities to use medical devices where there are relevant indications, under the same principles that underpin hospital treatment of other patients.

The accessible environment for people with disabilities in accordance with the effective Bulgarian legislation is governed by three laws, namely the **Integration of Persons with Disabilities Act**, the **Spatial Planning Act** and the **Anti-Discrimination Act**. The **Anti-Discrimination Act**, sets out protection against discrimination, including on grounds of disability.

The **Integration of Persons with Disabilities Act** (IPDA) is a special law which regulates social relations associated with the integration of people with disabilities. Accessible living and architectural environment has been identified as one of the main areas affecting public

relations for the integration of people with disabilities. The acts establishing administrative offences under this law in the field of accessible built environment are issued by officials appointed by the Head of the Directorate for National Construction Supervision.

Regulatory requirements for accessible built environment are defined in a number of regulations, most of which being issued on the basis of the **Spatial Planning Act**. The law regulates the social relations associated with planning, investment planning and construction in Bulgaria. The Act governs the overall process of investment planning, building permits and commissioning of buildings, and Article 169(1)-(3) of the same Act sets out requirements for buildings in terms of design, implementation and maintenance.

Regulatory requirements (minimum standards) for the design, construction and maintenance of accessible built environment are set out in Ordinance No 4 of 2009 for the design, implementation and maintenance of buildings in accordance with the requirements for accessible environment for the population, including people with disabilities (Ordinance No 4 of 2009). The Ordinance was issued by the Minister of Regional Development and Public Works pursuant to Article 169(2) of the SPA and in conjunction with Article 33 of IPDA. It sets requirements for the design, implementation and maintenance of buildings (the elements of the urban area and the buildings and facilities) to provide an accessible built environment for the entire population, taking into account the specific needs of people with reduced mobility, including people with disabilities (Article 1(1)).

EU regulations apply to the provision of various types of *transport and transport services which* fall within the competence of the executive agencies to the Minister of Transport, Information Technologies and Communications. *In the road sector*, the Automobile Administration Executive Agency performs activities aimed at overcoming social exclusion and inclusion of people with disabilities and persons with reduced mobility. Regulatory requirements were set for vehicles and transport service sites to provide accessible transport services for these people. The following requirements were introduced: to provide an accessible environment on public transport buses, use of adapted vehicles, awareness of this group of passengers about their rights and penalties in case of violations.

Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (the Regulation) sets out in detail the rights of persons with disabilities and persons with reduced mobility when travelling on public buses. The **Road Transport Act** established a system of effective, proportionate and dissuasive penalties for violations of the measures imposed at national level for the implementation of regulations on the provision of accessible environment at bus stations for people with disabilities and people with reduced mobility or in case of failure to fulfill the obligations.

The Road Traffic Act sets out the requirements for a card entitling the holder to park at parking spaces allocated to vehicles serving people with disabilities and use of facilities for parking; the card is issued by the mayor of the municipality or an official authorised by him/her; it is a standard card and is valid across the country.

Ordinance No 2 of 15 March 2002 setting out the conditions and procedures for approval of transport schemes and the provision of public transport for passengers lays down requirements for municipal councils designating urban and intercity lines and their routes, which involve buses for transportation of disabled persons and persons with reduced mobility with the following breakdown: 35% of the total number of runs - for transportation by bus lines

and 35% of the total number of runs on the lines of municipal, regional and national transport system from the quota of the municipality - for transport on long distance lines. Tenders for the award of bus line transport services include a requirement to equip vehicles for the transport of disabled persons and persons with reduced mobility. In cities with population of over 100,000 residents there is at least one primary and one additional line which are served entirely by buses equipped to transport disabled persons and persons with reduced mobility. Transport companies are obliged to provide unimpeded access to buses for people with disabilities, accompanied by guide dogs.

Ordinance No 33 of 3 November 1999 for public transportation of passengers and goods in the territory of the Republic of Bulgaria sets out requirements for each bus station which must have an external answering machine accessible to people with reduced mobility; a lifting platform or ramp for wheelchairs in line with requirements for accessibility, which should provide access to buses; an accessible route from the street to the bus station and at the bus station to the bus, in the waiting room: accessibility to ticket counters and at least one accessible public toilet.

Ordinance No H-32 of 16 December 2011 for the regular inspections of the roadworthiness of vehicles sets technical requirements for buses to transport disabled persons and persons with reduced mobility and procedures for verification of the compliance with these requirements .

In the railway sector, the Railway Administration Executive Agency enforces Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations. One of its goals is to ensure rail passenger services for all citizens, including people with disabilities and reduced mobility comparable to those of other citizens. Persons with disabilities and reduced mobility receive special attention by providing information on the accessibility of rail services, conditions for access to the rolling stock and the facilities on the train.

Regulation No 1300/2014/EU of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility. The Annex to the Regulation defines the technical specification for interoperability (TSI) regarding the accessibility of the railway system in the Union for persons with disabilities and persons with reduced mobility. The TSI in question apply to the infrastructure, operation and traffic management, telematics applications and rolling stock subsystems. They cover all aspects of these subsystems that are relevant for access of disabled persons and persons with reduced mobility, and identify barriers to accessibility, provision of information to consumers and monitor and evaluate the progress on accessibility.

Ordinance No 43 for rail transport of passengers, baggage and parcels introduced the right of free transportation of guide dogs and assistant dogs when accompanying disabled people and people with reduced mobility when they are traveling.

The right of access to information and communication services constitutes a special form of accessibility within the meaning of Article 9, § 1(b) and § 2(g) in conjunction with Article 21 of the Convention on the Rights of Persons with Disabilities.

The Electronic Communications Act (ECA, prom.SG. No 41 of 22 May 2007) is the main piece of legislation regulating the electronic communications services in Bulgaria. This law has transposed the EU regulatory framework for electronic communications networks and services, in particular Directive 2002/22/EC of 7 March 2002 the European Parliament and of the Council on universal service and users' rights relating to electronic communications networks

and services (universal service Directive) - Article 7 "Measures for disabled end-users," Article 23a "Ensuring equivalence in access and choice for disabled end-users" and other specific provisions. Enabling people with disabilities, including the elderly and persons with special social needs, to benefit to the full from the choice, price and quality of electronic communications is enshrined as one of the main goals of the ECA - Article 4(1)(1)(a) and point 3(e) of the Act.

Chapter Eleven "Universal service" sets out specific provisions on the protection of persons with disabilities. Article 182(2) ECA states that the universal service includes connection to the fixed network and fixed telephone services; provision of public payphones; access to public telephone services, including emergency services, telephone directory and inquiry services for people with disabilities similar to those enjoyed by other end users. Chapter Fourteen "Protection of consumers' interests" provides for the general conditions of the contract with end users to identify specific measures for people with disabilities (Article 227(1)(6) of the ECA).

Secondary legislation in the field of electronic communications services containing special provisions to protect the interests of persons with disabilities is centered around Ordinance No 6 of 13 March 2008 on universal service under the Electronic Communications Act (prom. SG. No. 32 of 25 March 2008, amend. SG. 77 of 2012) issued by the State Agency for Information Technology and Communications pursuant to Article 182(3) and in conjunction with Article 193 of the ECA. Article 16 of Section VI "Special measures for people with disabilities" of the Ordinance provided for a number of obligations on undertakings providing universal service to ensure equal access to public telephone services for people with disabilities. The most important measures of this kind include: free advice on technical characteristics of electronic communications terminal equipment; free connection to the "call barring" service; facilities for users of impaired vision by relief "PIP" sign button 5 as a benchmark for public phones, location of the chip or a sign indicating recognition of the direction to place any calling card or other type of card for electronic payment; special phones and/or telephones at points of public access to voice telephony services for public use, installed in suitable locations available to users in wheelchairs in hospitals, sanatoriums, headquarters of consumer organisations of people with disabilities and other places as well as public phones with text or other connection to the deaf and hearing impaired or speech; free and in an appropriate form itemized bills (on request); telephone directory inquiry services and contracts in appropriate form (on request); prices and price packages of universal service providers in accordance with the methodology for setting prices and price packages of universal service; ability to monitor and control costs by means similar to those enjoyed by other end-users and others.

The development of physical education and sport for people with disabilities is regulated by the **Physical Education and Sports Act** in accordance with the principles and standards of EU law, whereby physical education, sport and tourism in pre-school, mainstream, special and vocational schools is an integral part of the educational and training process. These are included in curricula of the Ministry of Education and Science in coordination with the Ministry of Youth and Sports. Physical education and sports for people with disabilities aim at improving their quality of life, their rehabilitation and social integration, providing the necessary conditions for activities of various sports. The Ministry of Youth and Sports supports by targeted funds the preparation and participation of athletes with disabilities in the Paralympic Games, World and European championships, it supports activities of sports organisations associated with

adapted physical activity for people with disabilities. Athletes with disabilities enjoy free state and municipal sports facilities and do not pay for tickets for competitions. The Ministry of Youth and Sports develops, funds and coordinates the implementation of programmes to promote, improve, maintain and ameliorate mobility opportunities by practicing physical exercise and sports. The implementation of programme and project financing activities of licensed sports organisations administering sports for people and children with disabilities, allows for action aimed at setting clear parameters for efficiency, effectiveness and legality of spending and creating conditions for raising awareness of children and people targeted.

The right of *access to the national and universal cultural values, the right to personal culture development*, freedom of artistic, scientific and technological creativity, inventive, copyright and related rights are protected, recognised and protected by Article 54 of the Constitution of the Republic of Bulgaria. Therefore, the **Protection and Development of Culture Act** introduced the principles of democracy cultural policy, freedom of artistic creation and avoidance of censorship, equality of artists and cultural organisations, promotion of cultural diversity while preserving the unity of national culture, discovering, support and training of young talents in the field of culture and development and improvement of education in the arts and culture.

Apart from that, in the areas of culture and arts were introduced principles of equality, access, democracy and non-discrimination through existing special laws such as [the Public Libraries Act](#), [the Cultural Heritage Act](#) , [the Culture Centers Act](#) , [the Donations Act](#) , [the Copyright and Related Rights Act](#) , [the Administrative Regulation of the Production and Marketing of Optical Discs, Matrices and Other Carriers Containing Objects of Copyright and Related Rights Act](#), [the Compulsory Deposit of Copies of Printed and Other Works Act](#), [the Film Industry Act](#), [Radio and Television Act](#) and [the Act on national donation fund "13 centuries of Bulgaria"](#) .

Subject to the basic principles laid down in the Protection and Development of Culture Act, the Ministry of Culture develops targeted programmes for financial support of cultural initiatives and creative projects supporting the development of cultural institutions and community centres, providing conditions for professional training of artists and specialists in the field of culture and methodical management of secondary schools of arts and culture, encourages and rewards Bulgarian cultural workers to achieve high artistic performance or contribution to the development and promotion of culture, develops regulations to ensure protection of cultural activities and artists, providing information about participation in international programmes. Additional opportunities for creative development and equitable education programmes are provided by the Culture National Fund as set out in Article 31(2) of the Protection and Development of Culture Act.

On this basis, the Ministry of Culture pursues a consistent policy of inclusion of people with disabilities in public cultural life as creators of cultural values or consumers of cultural products. It provides accessible architectural and intellectual environment in the field of culture, creating conditions for inclusive education of children with special educational needs in schools of arts and culture to support creative projects of organisations of people with disabilities, and in 2015 it started the implementation of the concept of regulatory changes in application of Article 30 of the UN Convention on the Rights of Persons with Disabilities. The efforts of the Ministry of Culture are channelled into various laws and regulations for their implementation, the

introduction of effective mechanisms and practices to ensure equal opportunities for people with disabilities.

III. KEY CHALLENGES

The biggest challenge in the policy for people with disabilities is to ensure job opportunities and employment of people with disabilities in an integrated work environment and to provide adequate support for workers and employers. Still in our country there is a shortage of adapted jobs for people with disabilities that can be specialised and integrated work environment and application of flexible and alternative methods of support in the workplace for people with disabilities according to their individual characteristics - age, type and degree of disability, functional capabilities, capacity for work. The funds granted by the Agency for Persons with Disabilities annually cannot meet the needs of working people with disabilities. It is necessary to put in place more measures to encourage employers to hire people with disabilities.

It is still difficult to provide access for the disabled to transport - water, air, road, rail. Obviously the implementation of EU regulations on the rights of passengers with difficulties will require more targeted work, time and money.

The challenge for our country is to provide accessible information and communication services, as well as to prepare transposition and subsequent implementation of the provisions of the Directive of the European Parliament and of the Council on the approximation of laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (the European accessibility act).

Another challenge is to ensure good coordination between different institutions in implementing the mainstreaming approach in policy and strengthening of municipal and regional authorities. The prevalent attitude is still that of piece-work on individual projects in support of people with disabilities, and consequently it is difficult to find solutions for sustainability initiatives.

Challenges in education pertain to:

- shortage of professionals to work with children and pupils according to different types of disabilities and disorders, especially in remote and small settlements;
- ensuring timely and continuous training and education of the teaching staff in kindergartens, schools and servicing units to work with children with special educational needs;
- providing accessible built environment for children and pupils with disabilities in kindergartens, schools and servicing units;
- lack of teamwork and partnership with parents and institutions to provide a supportive environment in kindergartens and schools;
- building a positive attitude in the process of inclusive education of children and pupils with special educational needs in mainstream education, etc.

There are still difficulties in ensuring equal access to quality health services for people with disabilities, it is therefore necessary to lay the emphasis on prevention and rehabilitation.

Providing adequate support for community-based life is a serious issue, which relates to the provision of social protection, social services and encouraging the participation of people with disabilities.

There should be conditions in place for the participation of people with different disabilities in sporting activities, recreation, tourism and participation in cultural life. For this purpose there should be accessibility of the built environment, transport, information technology and communications, provision of information in an accessible format and others. In other words, a prerequisite for the civic participation of people with disabilities and respect for their rights is complex and requires continuing efforts of all institutions involved, as well as disabled people themselves and their representative organisations.

IV. VISION

In line with the vision of the National Strategy for People with Disabilities until 2020, the Republic of Bulgaria should provide conditions and opportunities for gradually achieving the objectives and principles of the Convention on the Rights of Persons with Disabilities, by guaranteeing the full participation and exercise of fundamental rights of people with disabilities without any discrimination on grounds of disability.

V. PRINCIPLES

The measures in this strategy are based on the fundamental principles enshrined in Article 3 of the Convention on the Rights of Persons with Disabilities. The following principles pave the way to their realisation:

- **Appropriateness, efficiency and effectiveness** - implementation of the measures after analysing the needs, consistency and adequacy of goals.
- **Partnership** - interaction, consultation and shared responsibility among all stakeholders.
- **Sustainability of results** - long-term impact of the achieved effects of the implemented measures.
- **Transparency and accountability** - clearly defined responsibilities of the institutions involved and regular reporting and publicity of the results of the implementation of measures.

VI. NATIONAL GOALS AND POLICY PRIORITIES FOR PEOPLE WITH DISABILITIES

6.1. National objective

This strategy aims to enable people with disabilities to exercise their rights by providing equal opportunities for their full participation in economic, social and cultural life of society.

6.2. Priorities

Based on the challenges facing our country to gradually achieve the purposes and principles of the Convention on the Rights of Persons with Disabilities, the key policy priorities until 2020 are as follows:

- 1. To provide access to a living environment, to transportation and transportation services, to information and communications.**
- 2. To provide access and inclusion of every child in the education system and the opportunities for lifelong learning.**
- 3. To ensure effective access to quality health services.**
- 4. To provide conditions for work and employment of people with disabilities.**
- 5. To provide adequate support for community living.**
- 6. To provide access to sport, recreation, tourism and participation in cultural life.**

PRIORITY 1:

To provide access to a living environment, to transportation and transportation services, to information and communications.

This priority is aimed at ensuring access for people with disabilities to the built environment (buildings, roads, transportation, open-air public spaces, etc.), to information and communication services, new technologies and systems, including the internet. It is aimed at implementing the provisions of Article 9 Accessibility and Article 21 Freedom of expression and opinion, and access to information of the Convention on the Rights of Persons with Disabilities.

The main activities relating to the implementation of this priority are aimed at identifying and eliminating all barriers in the architectural, transportation and communication environment and provision of accessible information to develop and monitor the implementation of standards and guidelines for accessibility to the built environment, transportation, facilities and services, effective control over the compliance with existing requirements for accessibility for people with disabilities set by state and private entities, as well as providing various services, providing signs and markings in accordance with the requirements of accessibility and if possible in Braille or an easy-to-read version and providing information to people with disabilities in accessible formats and technologies appropriate to different kinds of disabilities at no extra charge.

MEASURES

- To approve by a Council of Ministers decision the Concept of changes in national legislation relating to the application of Article 9 Accessibility of the UN Convention on the Rights of Persons with Disabilities, in terms of accessibility to the built environment.
- To enforce the legislative and regulatory changes established by the approved concept under Article 9 in terms of accessibility to the built environment, as competent institutions are responsible in view of the relevant regulations where a need for change is identified.
- To harmonise national legislation with effective accessibility requirements of EU regulations, directives and standards.

- To improve accessibility to information and opportunities for expression of opinion.
- To adopt and facilitate the use of sign language, Braille, augmentative and alternative communication.
- To recognise and facilitate the use of sign language.
- To provide adapted rail, sea and air transport.
- To provide special conditions for movement, stopping and parking of motor vehicles driven or used by people with disabilities.
- To expand the scope of accessible public transportation for people with disabilities.
- To ensure an extended door-to-door transport system for people with severe motor and multiple disabilities.
- National media service providers - Bulgarian National Television and Bulgarian National Radio should ensure in full the exercise of all the rights of people with disabilities without discrimination on grounds of disability by providing information in different broadcasts in accessible formats and technologies suitable for different types of disabilities - including specialised subtitles, sign language, audio description, audio subtitling, accessible multimedia as well as other written, audio, ERV, human-reader and augmentative and alternative communication.

Priority 2:

To ensure equal access to inclusive educational environment at all levels and lifelong learning opportunities

Sub-priority 2.1:

Preschool and school education

In the Pre-School and School Education Act, inclusive education is a priority for the educational policy. It is a process of awareness, acceptance and support of the individuality of each child or pupil and the diversity of needs of all children and students through activation and involvement of resources aimed at removing barriers to learning and creating opportunities for development and participation of children and students in all aspects of community life. In inclusive education, the mainstream school is to take the initiative, responsibility and leadership for its implementation and the next step of the process ensures equal access to education, socialisation and successful realisation on the labour market of children and disadvantaged pupils, and more specifically - children and students with special educational needs. It regulates inclusive education as an integral part of the right to education, ensures conditions to support personal development of children and students, sets conditions to validate knowledge.

The Pre-School and School Education Act provides for the establishment of a state educational standard, which aims to regulate the ways to ensure equal access to education, to develop the potential of each child and student and quality education for his/her personal, professional and civic realization in the community. The standard will regulate the principles of inclusive education and the process of implementation. It will set mandatory requirements for the institutions in the system of pre-school and school education for the training of each child and student in a mainstream education environment and will set mandatory requirements for all

participants in the process of inclusive education and responsibilities of each, according to their functions.

It will regulate the new features of special schools for children with sensory impairments, will set requirements for mandatory documentation regarding inclusive education, will determine the role of parents and their participation in the process of inclusion. Special schools will be transformed into centres for special educational support, and children who receive support there will be students of the relevant school. The centres will carry out diagnostic, rehabilitative, corrective and therapeutic work with students with mental retardation and multiple disabilities whose parents request so and upon approval by the regional support centres for inclusive education. Support centres for personal development will be set up and part of them will provide resource support to children and pupils with special educational needs, will provide pedagogical and psychological support and will implement programmes to support and train families of children and students with disabilities. Resource centres will be transformed into regional centres to support the process of inclusive education. Rules will be drawn up to define the new functions and rules of procedure of the centres for special educational support.

The drafting of other state educational standards will take note of support measures in education and the provisions in the concept under Article 24 Education of the Convention on the Rights of Persons with Disabilities.

The starting point in the policy for inclusive education are two fundamental human rights - the right to be different and the right to choose. The modern school is defined as a school for all; hence it assumes responsibility for all children, including children with special educational needs by providing quality training and education, support for social inclusion and thus contributes to improved quality of life.

The legal framework should provide for a system of appropriate support measures to ensure maximum access to all persons with disabilities to appropriate forms of training to develop their full potential, talent and creative abilities. They should ensure that children and people with disabilities enjoy the recognition or exercise of all rights and fundamental freedoms as everyone else.

In the field of pre-school and school education Operation "Providing conditions and resources to build and develop a supportive environment in kindergartens and schools to implement an inclusive education" under the Ministry of Education and Science's Science and Education for Smart Growth Operational Programme aims at building an educational environment promoting the potential of each child and student for personal development and successful career and socializing. The goal is to ensure higher quality and better access to education by creating a supportive environment for early prevention of learning difficulties, including teaching children and students with special educational needs. The project for Support for Equal Access and Personal Development under the same operational programme builds upon the achievements of the project for Inclusive Education under the Development of Human Resources Operational Programme and aims to not only increase quality and to improve access to education by continuing creation of a supportive environment for inclusive education but also to expand the scope of the included schools and kindergartens. Models of organisation and operation will be upgraded, with a focus on new businesses - in application of the concept of regulatory changes relating to the application of Article 21 for introduction of sign language, namely: "Improving access to information and communication for children and students with hearing problems by introducing sign language. "For a start, this measure is coupled with the provision of resources to conduct research of the Bulgarian sign language with a view to its use

as a natural language and to conduct training on the use and promotion of sign language in Bulgarian society.

The project is of modern and contemporary relevance, because it will build on best practices in the field of inclusive education in accordance with the new Pre-School and School Education Act.

MEASURES

1. Supportive environment

An important part of inclusive education is the accessibility of kindergartens and schools not only in the context of physical accessibility, which is a problem in Bulgaria, but also in regard to the forms of communication, providing the necessary support and so on. For example, Article 24(3) of the Convention requires parties to promote the learning of Braille, alternative modes, means and formats of communication, orientation and mobility skills, etc., facilitating learning sign language, using the most appropriate languages and modes and funds.

The legal basis should regulate the requirement for interactive classroom / study room with a view to providing flexible approaches and forms of work according to the needs of children and students and ensuring proper resource room with the necessary equipment for individual sessions with the child or student.

2. Teamwork

A prerequisite for teamwork is the cooperation and exchange of information, a clearer division of tasks and responsibilities of team members, including parents.

The clear attribution to the duties of the director of the kindergarten or school, designating a coordinating function for teamwork with the child or pupil with a view to the division of tasks and responsibilities.

Apart from performing specific work with the child, professionals have the function to advise parents concerning specific difficulties of the child. There should be a practice of informing parents at every stage of the learning process of the child and constant active involvement of parents in team meetings at the kindergarten and school. This is directly related to the provision of a sufficient number of specialists to enable quality performance of these functions.

3. Resource teachers, specialists, teaching staff

The resource teacher is a specialist who is an essential part of a team of teaching professionals, but there is a clear definition of roles and functions depending on the needs of the child. We recognise the inability or unwillingness of some of the teachers in kindergartens and schools to work with children with special educational needs. It is not enough only to change attitudes and to build a culture of acceptance of diversity, but also to raise awareness as to the problem and the ability to solve it. In this regard, resource centres must retain the specific advisory role of mediators to facilitate the process of cooperation between participants in the process of inclusive training. This is especially important for small and remote communities that

lack the necessary specialists to support the education of children and pupils with special educational needs.

4. The optimum number of children and pupils with special educational needs

The optimum number of children and pupils with special educational needs per a speech therapist and/or a psychologist is from 20 to 30 children and pupils. At the same time it is appropriate to determine the optimum number of children and pupils with special educational needs per resource teacher, as this depends on the needs of each child or pupil with special educational needs. A proposal can rather state that the resource teacher and the teacher's work at the kindergarten and mainstream school should be supported by a personal assistant (if the child has one personally designated and appointed under some of the existing projects/programmes) and/or an assistant teacher.

5. Early inclusion and early intervention for children and pupils

In general, kindergartens have a positive attitude towards the process of inclusive education, but they feel unprepared for it in comparison with schools, which explains the greater certainty and insistence of principals and teachers in kindergartens to conduct training for work with children with special educational needs, to reduce the total number of children in the group, to ensure specialists and to increase the number of hours of work of specialists.

6. Education and training of the teaching staff

There is a serious need to conduct more specialised training for psychologists, speech therapists and resource teachers. Further specialised training should be provided to teachers in kindergartens and schools for children and students with special educational needs. Possibilities for introducing modules in the basic training in higher education institutions for students with pedagogical profile to work with children with special educational needs and for training programmes of the Ministry of Education should be discussed with representatives of universities. New regulations should include an option to ensure supervision of the teams of specialists in kindergartens and schools by regional education inspectorates.

7. Comprehensive care

Various professionals should provide comprehensive care in connection with educational, health and social needs at the kindergarten or the school itself - personal assistants, social assistants (if the child has one personally designated and appointed under some of the existing projects/programmes), rehabilitation professionals, therapists and others. The duties of the director of the kindergarten or the school should include a coordinating role in the process of inclusive education and involvement in the team of specialists within the available and accessible local resources.

8. Additional activities

Data show that children and pupils with special educational needs should benefit from conditions for inclusion in activities of interest and leisure activities and should receive professional counseling and guidance for pupils with special educational needs .

9. Targeting resources to the needs of pupils

Directors of educational institutions are willing to appoint permanent teams to work with children with special educational needs and to take the initiative and responsibility for the transition from integrated to inclusive training. A regulatory option is already in place, but financial training standards for a child/ pupil with special educational needs in mainstream kindergartens and schools are to be drawn up.

Sub-priority 2.2: HIGHER EDUCATION

In higher education, the Science and Education for Smart Growth Operational Programme includes project "Support to vulnerable groups for access to higher education - Phase 1," which focuses on the problems of persons with special educational needs. The project will provide opportunities to help young people with disabilities apply and get training at universities by providing technical facilities for access to buildings and premises of universities, specialised equipment and specialised software to support training of persons with sensory impairments and persons with physical disabilities, organising special courses for students, graduate and doctoral students with disabilities, adapting training materials to make them accessible to persons with disabilities (special educational needs), conducting prospective student admission courses, provision of textbooks, paying the rent for student housing, hiring if necessary consultants for persons with sensory disabilities, information campaigns to promote the possibilities and conditions of universities to admit and train young people from vulnerable groups.

MEASURES

- To help young people with disabilities to apply to universities.
- To support the training of undergraduate and graduate students with disabilities.

PRIORITY 3: To ensure effective access to quality health services.

The access to health services for people with disabilities is reflected in the National Health Strategy 2020 which pays special attention to this population in Policy 1.6 'Best possible health for people with disabilities. "The policy is based on the understanding that to ensure better quality of life and equal access to all levels of the health system for people with disabilities there must be a comprehensive and integrated approach to health, social, educational and other needs.

The basic principle of the health policy as regards people with disabilities is associated with the fact that medical activities related to primary and secondary prevention of disabilities are essential to ensure equal access to quality medical care for people with disabilities. To minimise the risks of diseases leading to disabilities, there is referral in primary prevention in

view of health promotion, prevention and early diagnosis of diseases. It is essential to develop prenatal diagnosis and subsequent medical care for the health of children and people of all ages. Secondary prevention of disability is related to the ability of the health system to provide timely and quality medical care to maximise recovery of health. Therefore, the efforts of the state should focus on activities related to improving the quality of preventive, diagnostic, therapeutic and rehabilitation activities of the health system.

The main reasons for the difficult access to medical care for people with disabilities include poverty and social exclusion, stigmatisation, remoteness or difficult access to medical institutions, communication problems and others.

MEASURES

- To raise awareness among physicians and medical practitioners as to human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards in healthcare.
- To provide people with disabilities with health services they need in view of the type and degree of the disability, early detection and appropriate intervention, leading to the reduction and prevention of further disability.
- To build logistics networks for diagnosis, treatment and rehabilitation of children and people with disabilities within the existing healthcare system.
- To improve coordination between different health professionals, as well as social and other services for people with disabilities.
- To provide timely rehabilitation as a complex activity involving medical, vocational and social rehabilitation.
- To develop the necessary capacity of the structures in charge of comprehensive rehabilitation programmes, including medical and functional diagnostics, physical and rehabilitation medicine, speech therapy, occupational therapy, psychotherapy, etc.
- To improve the mechanisms to provide medical devices and technical aids, including individual prostheses and orthoses and other assistive devices and technologies, designed for habilitation and rehabilitation of people with disabilities.
- To coordinate medical, social and occupational rehabilitation towards full integration, reintegration and inclusion of people with disabilities in society, including providing employment.
- To apply integrated approaches and community services to meet the needs of supportive care of people with disabilities, both general and specific inpatient or outpatient care, social rehabilitation, educational and vocational training and guidance, individual programmes for social inclusion.
- To enter the assessment of the disability and functioning using the International Classification of Functioning, Disability and Health (ICF) of the World Health Organization, through the use of objective criteria consistent with international standards for the evaluation of disability by competent specialists. The disability is a complex phenomenon, which reflects the problems of the human body and environmental factors.

PRIORITY 4:

To provide conditions for work and employment of people with disabilities.

The realisation on the labour market of people with disabilities is one of the main tools for their integration in all areas of public life. Employment is connected with the provisions of Article 27 "Work and employment" of the Convention on the Rights of Persons with Disabilities. The main activities for implementation of this priority are aimed at:

- Providing appropriate forms of training and retraining.
- Providing appropriate forms of employment.

Sub-priority 4.1:

Training and retraining

The access to the labour market of people with disabilities is largely dependent on qualifications acquired through vocational training. The actual training can begin only after completing the minimum educational level. This means that people with disabilities can participate more actively in the labour market once they get access to the education system.

MEASURES

- To analyse employment opportunities for people with various disabilities.
- To determine the types of activities that can be performed by people with disabilities depending on their disability.
- To prepare and introduce training programmes.
- To build training centres.
- To adapt existing centres to an adequate learning process.
- To provide practical training premises.
- To encourage employers which conduct training and retraining courses for people with disabilities.
- To ensure training of employers and employees to work with people with disabilities.

Sub-priority 4.2:

FORMS OF EMPLOYMENT

The implementation of strategic and operational objectives of the strategy can be achieved by introducing and developing all three forms of employment for people with disabilities, sheltered employment, supported employment and independent business people with disabilities, and by continuing the implementation of the projects, programs and measures under the National Action Plan for Employment for the relevant years.

4.2.1. SHELTERED EMPLOYMENT

Sheltered employment is suitable for providing jobs for people with severe and complex disabilities, and sheltered workshops are places excluded from the competitive market.

MEASURES

- To create conditions for the introduction of sheltered employment.
- To develop a mechanism to determine the economic sectors for work in sheltered workshops.
- To designate programmes to create sheltered jobs where contracting authorities may reserve contracts (pursuant to Directive 2009/81/EC of the European Parliament and the Council of 13 July 2009; Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014; Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014).
- To designate programmes to create sheltered jobs for people with disabilities through reserved concessions (pursuant to Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts).
- To develop a system of incentives for municipal administrations to introduce this type of employment.
- To raise awareness as to sheltered employment.
- To adopt an individual approach in determining the type of work for each person with a disability.

4.2.2 Supported employment

4.2.2.1 Specialised enterprises and cooperatives of people with disabilities

Specialised enterprises and cooperatives are equal in the labour market as an essential form of provision of permanent employment of the target group. Although they enjoy tax preferences and receive state subsidies, the number of employed people with disabilities constantly decreases. This fact brings to the fore the question of the need to diversify the forms of employment in this aspect, taking into account the interests of all stakeholders in this process.

MEASURES

- To carry out an analysis of existing examples of supported employment at specialised enterprises and cooperatives of people with disabilities.
- To specify the rules for the operation of specialised enterprises and cooperatives.
- To create conditions to improve the competitiveness of specialised enterprises and cooperatives.
- To develop incentives for employers of specialised enterprises and cooperatives.
- To encourage employers to take measures to improve accessibility, health and safety and social climate at specialised enterprises and cooperatives.
- To introduce an individual approach in determining the type of work for each person with a disability.
- To improve the regulatory framework in the field of employment of people with disabilities at specialised enterprises and cooperatives.

4.2.2.2 Common working environment

Employment in common working environment guarantees the fastest socialisation of people with disabilities, but it is most difficult to apply in times of crisis. It is therefore necessary to lay down clear and binding rules on employment of people with disabilities on a quota basis. The experience of European countries shows that within the social economy, there are the so-called social enterprises which are an innovative practice and these enterprises could be developed in Bulgaria.

MEASURES

- To discuss the possibilities of introducing a quota system for the employment of people with disabilities for all employers in a common working environment, including state and municipal administrations.
- To implement employment programmes at national and local level to create jobs by providing permanent employment for people with disabilities in the labour market.
- To ensure incentives for employers to provide longer-term and quality employment.
- To expand the scope of services offered by labour offices to employers, including social enterprises.
- To hold media campaigns to change attitudes of employers to the employment of disadvantaged people in the labour market.
- To provide additional incentives to employers for hiring people with disabilities.
- To provide additional incentives for employers to adapt the workplace to the needs of people with disabilities.

4.2.2.3. Work from home and teleworking (pursuant to the Labour Code)

Work from home and teleworking are very suitable for people of working age with a high degree of reduced capacity. Home-based form of employment of people with disabilities is used in specialised enterprises and cooperatives of people with disabilities since their creation. This form has proven its effectiveness, but unfortunately in recent years it is limited due to lack of appropriate applications and workload of the production capacity. Teleworking in the modern society of rapidly developing information technology is a very promising form of labour, particularly suitable for people with severe disabilities. On the one hand, these forms overcome architectural barriers, the need for specialised transportation, etc., but another question arises as to how this type of employment allows real integration of people with disabilities in the workforce.

MEASURES

- To create conditions to expand opportunities for homeworking and teleworking.
- To develop a mechanism to designate the appropriate economic sectors.
- To develop a system of incentives for employers providing work from home and teleworking.
- To inform the public about home-based and remote form of employment.

- To introduce an individual approach in determining the type of work for each person with a disability.
- To provide incentives for people with disabilities who find jobs on their own.

4.2.3. Private business of people with disabilities

Private business should be encouraged, developed and funded by both the state and local authorities. The local government has real levers to promote microenterprises for people with disabilities by facilitating permits and registration regimes that are in place.

MEASURES

- To analyse the current conditions for performance of private business of persons with disabilities;
- To develop a flexible system to encourage entrepreneurship;
- To create better conditions for people with disabilities to start their own business;
- To create conditions for growth of start-ups.

4.2.4. Implementation of projects, programmes and measures under the National Action Plan for Employment

MEASURES

- To implement the National Programme for Employment and Training of People with Disabilities.
- To implement the National Programme for Assistants to People with Disabilities -
- To implement the Programme for Interest-Free Loans to People with Disabilities -
- To carry out incentives under the Employment Promotion Act.

PRIORITY 5:

To provide adequate support for community living.

Providing material support by providing a social integration benefit is one of the tools to support people with disabilities as a specific vulnerable group. This support is ensured by the state budget, and for 2016 BGN 139 million was ensured for the payment of monthly benefits.

The current medical assessment model (in the opinion of representatives of the medical assessment authorities) draws a distinction between persons with disabilities only in the terminology regarding the evaluation of their health status, and the principles and criteria for assessment of these persons are identical. From a medical point of view only specific childhood illnesses and specific geriatric diseases are age-related, while others may be age-related and/or due to other diseases. Medical assessment covers the type of somatic or mental disability and the

extent of its functional significance, so that the current methodology does not allow the assessment of permanently reduced capacity to take into consideration in general working conditions, occupation, education and qualifications of the person with impairment.

In 2016, key guidelines were introduced to improve the assessment of the work capacity that were developed as a basis for discussion on improving care for people with disabilities, including measures for their full social inclusion. The guidelines are based on the presumption that care and measures for people with disabilities of working age should receive particular attention to increase their chances for a full professional realisation. Expanding the scope of permanent inclusion of people with disabilities in employment will increase their standard of living. These people should get a chance to have a fulfilling life and be useful to themselves and society. This requires a series of regulatory changes, but also a change in public perception and public support to people with disabilities. Businesses, trade unions, NGOs, the media, the educational system play a fundamental role here. Tolerance, empathy and public support are issues that are not created by law, but rather by attitudes and practices of society and Bulgarian society is mature enough and has gained long experience in solidarity.

Both assessments - the medical assessment (to determine the type and degree of the disability) and the work capacity assessment have to rely on methods consistent with the International Classification of Functioning, Disability and Health (ICF). To assess work capacity we assume that "disability" occurs when the medical assessment bodies detect disability in the physical, mental and psychological health for more than 6 months, the assessment compared with normal (typical) values for the relevant age or health condition. Age-related diseases or disabilities are not subject to this assessment. The main emphasis in the approach should be to maintain the activity of the person with a disability.

Providing appropriate services for people with disabilities is an important prerequisite for their full participation and inclusion. The payment of sign language interpreting during visits to state, municipal, health, cultural and other institutions for people with impaired hearing, of accompanying people for persons with impaired vision, for people with motor disabilities, persons with intellectual disabilities and with mental disorders and for persons with deaf-blindness is guaranteed by the state budget, and for 2016 BGN 1.95 million was allocated thereto.

Social support for people with disabilities by paying allowances for the purchase of medical devices, aids, appliances and equipment is the first and foremost step in the rehabilitation process. This provides support for achieving the independence of people with disabilities and their integration. Targeted benefits for persons with disabilities are granted under the Integration of Persons with Disabilities Act and are provided primarily for medical devices; for 2016 funds amounting to BGN 41 million were allocated.

Given the specificity in defining the technical characteristics of the products, medical conditions for their prescription and the increasing resources in recent years to secure them, it is necessary to continue the process of refining the activities of their allocation.

MEASURES:

- To provide material support for people with disabilities.
- To optimise the work capacity assessment system for persons with disabilities of working age.

- To provide an adequate supportive environment for people with disabilities - sign language interpreting during visits to state, municipal, health, cultural and other institutions for people with impaired hearing, accompanying people for persons with impaired vision, for people with motor disabilities, persons with intellectual disabilities and with mental disorders and for persons with deaf-blindness.
- To refine the mechanism for providing medical devices, aids, appliances and facilities.

PRIORITY 6:

To provide access to sport, recreation, tourism and participation in cultural life.

In the area of *accessibility to sport* the Ministry of Youth and Sports (MYS) implements programmes for promotion of sports among people with disabilities set out in the National Programme for Promotion of Physical Education and Sports in the Republic of Bulgaria from 2013 to 2016 in line with one of the main priorities of the Ministry, namely to encourage children and youth to practice physical activity and sport as a means to a healthy lifestyle, physical and spiritual development.

Using current best practice in this area, the programmes create conditions to promote social integration, adaptation and full realisation in public life of people and children with disabilities by creating conditions and opportunities for their involvement in free sports activities in order to improve their quality of life, physical and mental fitness.

The programmes are updated and further developed on an annual basis, creating opportunities for a broader range of people with disabilities and access to sport.

The Ministry of Youth and Sports annually funds school games for students of specialised schools, which are organised by the Bulgarian Paralympic Association (BPA) and the Bulgarian Deaf Sports Federation (BDSF). School games for children with impaired hearing, impaired vision, physical disabilities and disabilities of the central nervous system enable personal expression in sport for children and students with special educational needs, as well as entitlement to a one-year scholarship to gifted children classified under the Programme of measures for gifted children for the calendar year.

Through project financing, the Ministry of Youth and Sports supports educational training and competition activities carried out by licensed sports organisations developing sports activities for people with disabilities.

MEASURES

- To ensure conditions and opportunities at sports clubs across the country to expand the scope of persons with disabilities to participate in sports activities to improve their physical abilities, making full use of leisure time and their social integration.
- To ensure opportunities depending on the disability and health status to obtain initial skills, habits and knowledge to practise a preferred sport.
- To develop social functions and charitable specialised sports organisations and institutions by increasing and diversifying the sports services for people with disabilities.

- To form lasting interest among people with disabilities to participate in systematic sports activities and to allow coaches in sports clubs to select practitioners of paralympic sports to take part in competitions in the domestic and international sports calendar.
- To ensure opportunities for inclusion in sporting activities of sports professionals with qualifications in the field of adapted physical activity, sport and physical therapy adapted for people with disabilities.

Participation of people with disabilities in cultural life, recreation, leisure and sport specified in Article 30 of the Convention on the Rights of Persons with Disabilities, which is linked to the principle of equality and non-discrimination. This may be accomplished by taking measures to ensure the participation of people with disabilities in cultural life, enabling people with disabilities to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the benefit of society, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access of people with disabilities to cultural materials, participation of people with disabilities in sporting and recreational activities (ensuring access to services, organisation of specific activities, access to sites and facilities for sports, recreation and leisure).

MEASURES

- To improve the legislation in the field of culture - implementation of measures envisaged in the concept under Article 30 of the Convention on the Rights of Persons with Disabilities.
- To improve the conditions for integrated education at national schools of arts and culture.
- To encourage gifted children with disabilities.
- To support creative projects related to the expression and development of creative potential and participation in the cultural life of people with disabilities.
- To ensure methodological support of workers in the cultural sector to improve the environment for accessibility for people with disabilities and additional needs in museums and galleries, theaters, libraries and community centres.
- To repair and renovate buildings in the field of culture under national and European programmes for accessible built environment.

VII. IMPLEMENTATION, MONITORING AND FINANCIAL RESOURCES

In connection with the effective implementation and reporting on the Strategy, the Council of Ministers has planned to adopt two action plans (a one-year plan and a three-year plan) to set out specific measures, indicators for their implementation, responsible authority and the sources of necessary financial resources. The monitoring and evaluation of the implementation of the strategic goals is carried out by the Ministry of Labour and Social Policy by summarising the information received from the line ministries and institutions. The results of the monitoring are presented in reports and submitted for approval by the Council of Ministers.

At the local level, the monitoring of integration policies for people with disabilities, including children with disabilities is within the competence of the municipal administration, the Social Assistance Directorates, the regional education inspectorates, labour offices, regional labour inspectorates, regional healthcare centres, licensed social service providers.

Financial resources for measures planned in the national strategy are based on the presumption of the optimised use of public finance, decentralisation, sustainability, strategic planning and programming, as well as demand for value-added measures implemented to support people with disabilities, their families and their integration in all areas of public life. The implementation of programme budgeting, including sectoral policies, contributes to the aim of achieving better integration of policies in the context of the general policy objectives. The purpose is to ensure efficient allocation of existing budgetary resources and their efficient spending on specific programmes. This leads to effective and transparent monitoring of implementation by assessing the results.

The main source of funding in the implementation of the Strategy is the state budget and municipal budgets. The largest additional source of funding for these policies are structural funds of the European Union, through the respective Operational Programmes - Human Resources Development OP, Regions in Growth OP, Innovation and Competitiveness OP, the Rural Development Programme, Science and Education for Smart Growth OP, Good Governance OP, the Initiative for Small and Medium-Sized Enterprises, Environment OP, Transport and Transport Infrastructure OP.