
Committee on the Elimination of
Discrimination against Women
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Concluding comments of the Committee on the Elimination of
Discrimination against Women: Bulgaria

Initial report

74. The Committee considered the initial report of the People's Republic of Bulgaria (CEDAW/C/5/Add.15) at its 49th, 50th and 54th meetings, on 23 and 25 January 1985 (CEDAW/C/SR.49, 50, 54 and 62).

75. In her introduction, the representative of the State party stressed the great importance her country attached to the Convention and to the forthcoming World Conference. She stated that the main principles contained in the Convention were already included in the legal provisions of the country even before ratification. The proclamation, 40 years ago, of the de jure equality of women marked the beginning of a long process for the attainment of de facto equality. This had involved the creation of specific economic and social conditions that had made it possible to guarantee the full integration of women in all areas of life. Those guarantees flowed from the very essence of the socialist society in the People's Republic of Bulgaria, a society based on public ownership of the means of production, a planned economy and the constant improvement of the social infrastructure.

76. As testimony of the country's continuing efforts to increase the role of women, the representative of Bulgaria pointed out some developments that were brought about since the submission of the report. Currently 85 per cent of all women of working age were either working or studying. They had full freedom to choose a profession, and they all enjoyed the right of equal pay for equal work and full social security. She submitted statistical data for the years 1983 and 1984 on women's involvement in different spheres of production and mentioned the rapid advances of women in electronics and the electronics industries. She also mentioned the high percentages of women in intellectual and creative professions. This had been a result of the improvement in women's educational and vocational levels. In 1983/84, women had accounted for 52 per cent of all students at higher institutes of education. Special attention was paid by her country to improve the vocational training and the efforts made to raise the qualifications of women of mature ages.

77. The representative of Bulgaria spoke about the important role played by women in the social and political life of the country and the high proportion of women in the judicial sphere, including the supreme court. Although it was more difficult for women than for men to reach the highest positions in society, for example, because of their family responsibilities, the country was moving towards equitable participation in social life. Another point raised was the major involvement of

Bulgarian women in international peace and security, their participation in peace marches and other peace movements and their participation in international bodies.

78. At the thirty-ninth session of the General Assembly, Bulgaria had introduced a draft resolution on the role of women in society, which was later adopted without a vote.

79. The representative stressed the measures undertaken by her country to increase women's spare time and also to lighten their family obligations in the area of child care. By way of example, she pointed out that the State was concentrating its efforts on the construction of an extensive system of children's centres - nurseries and kindergartens - so as to satisfy fully the needs of families, and she said that 90 per cent of the expenses for operating the kindergartens were borne by the State.

80. Finally, the representative highlighted the major accomplishments of the Government's social policy achieved after the adoption of the Convention, an expression of which had been Decree No. 16 of the Council of Ministers of 25 April 1984, in an effort to combine better the conditions of motherhood with other social functions of women and to provide incentives for fathers' participation in child-care tasks.

81. Most experts commended the representative of Bulgaria on the comprehensive introduction to the report and were impressed by the very concise report, which was written in clear language, by the strides made by the Bulgarian Government to enhance the status of women and by the ongoing measures since the ratification of the Convention. Many experts were impressed by the achievements of Bulgaria concerning the status of equality of women with men in that country. One expert, however, expressed some scepticism about the perfect situation described in the report.

82. Some experts stressed the close link between social development and women's liberation drawn from the consideration of the Bulgarian report. This was demonstrated by the improvement of the status of women in Bulgaria.

83. Many experts commented on measures that gave high priority to the protection of motherhood. Some experts wondered whether the measures related to social services, child-care facilities, employment contracts for homework while on leave and length of maternity leave were not over-protective. Other experts welcomed those measures and the privileged position of women because women were given the same opportunities as men to cope with duties related to family and society. Questions were asked about the meaning of motherhood in relation to maternity and whether women were free to choose between work and motherhood, whether maternity leave was obligatory, what percentage of highly qualified women had taken such leave and how many returned to their posts afterwards. Some experts wondered whether women were being encouraged to be mothers and housewives and whether that meant a return to old stereotypes. It was asked whether the country wanted to increase its population or to maintain it at the current level, what the average family size was and whether family planning was practised.

84. One expert requested concrete examples of cases in which women sought remedy through the courts for violations of their rights and asked what the sanctions were. The experts also asked whether the only competent authority was the labour inspection office and what the criteria for dismissal in cases of "serious

misconduct" were. More clarification was sought on the "social oversight function" of the Committee of the Bulgarian Women's Movement and whether it was a voluntary or an official body.

85. Information was sought on the educational steps taken to end discrimination against women and about discrimination that might be found in local customs. An expert asked what had been done by the authorities and the mass media to change the traditional sex division of roles in the family, to reduce women's domestic and child-bearing work-load and facilitate their earlier return to work. More details were requested on the "additional rights of women in connection with their role as mothers" as well as on the "additional measures to overcome vestiges of traditional male-female role stereotypes".

86. Particular interest was expressed in and more information was sought on the composition, work and sponsors of the "family clubs".

87. Several experts asked whether prostitution, procuring and trafficking in women were criminal offences, whether prostitution had ever existed in view of the fact that it had a social and psychological component and how it was eradicated. One expert wanted to know whether the country experienced the problem of female alcoholism and what the sanctions were in cases of rape.

88. A few experts asked whether the country had undertaken specific measures to increase the proportion of women in political life and about the active participation of women in public organizations. More information was sought on the Bulgarian women's movement, the powers of the State Council of the Republic and the proportion of women in the Council of Ministers and in political parties. Clarification was sought as to whether the percentage of women participating in national and local elections (98 per cent) had been based on the most recent elections, had been calculated as an average over a number of years or had been determined through other statistical methods. An expert asked how such an exceptionally high percentage of women's participation in elections had been achieved.

89. One expert asked about the fact that in Bulgaria women accounted for 29.7 per cent of the membership of the Bulgarian Communist Party and only 13.1 per cent of the Bulgarian Agricultural Popular Union (the agrarian party), considering the high proportion of women in agricultural labour force.

90. One expert requested clarification on women in the military service; an expert also asked for information on the participation of women in the medical service of the military. Another expert asked whether Bulgarian men really fully contributed to their share of household duties so as to allow women to be involved in furthering the cause of national development to the same degree as men.

91. Information was requested on the number of women occupying diplomatic posts and the number of female staff members in foreign offices and on how those women had been recruited, whether many of them had been promoted through special training and competitive examinations and how they participated in decision-making and decision-taking processes.

92. As regards the nationality of children, a few experts asked for information on the possibility of selecting the nationality in case of parents having different

nationality. The question was raised as to whether Bulgarian women who changed their nationality because of marriage could regain it after divorce.

93. Referring to education, questions were asked about the proportion of girls attending technical colleges and the drop-out rate of girls in secondary and post-secondary education in comparison to boys; the rate of illiteracy in the past; and the amount of time required to eradicate it. Some experts asked up to which level education was free of charge. One expert wanted to know how the educational system ensured women a free choice of profession; another sought clarification of the statement that "attendance at the 'people's universities' conferred no special rights". More information was requested on the age, profession and level of education of women engaged in sports teams.

94. There was a request for statistics on the proportion of girls in each of the main trades, in semi-skilled and in unskilled grades, as well as comparative figures by sex within the electronics industry. One expert asked for clarification of the contents of the contracts for homework under the Council of Ministers Decree No. 38 of 1980. Another question referred to the length of working hours in Bulgaria and to the existence of flexible working hours. One expert wanted to have the list of activities from which women were excluded as mothers, and a few experts asked for the list of posts and functions that were reserved for women working half days, half months or on alternate days. One expert asked by women did not have equal access to employment in a number of operative jobs in mining, metallurgical, metal working, chemical industries, etc. The opinion was expressed that the introduction of shorter working hours for mothers with small children only perpetuated stereotypes; and an expert asked why fathers were not entrusted with family tasks. One expert asked whether Bulgaria had succeeded in eliminating job stereotyping. As the representative of Bulgaria had stated that one in five inventions had been made by women, one expert wanted to know how women's inventiveness had been stimulated.

95. Many questions referred to social security measures, such as the staggered length of maternity leave depending on the number of children, the age of retirement depending upon the number of children a woman had raised, pension rights, survivors' pensions, the different ages of retirement for women and men and different categories of pension schemes. Information was requested on how the possibilities to reach the stipulated years of service were affected by maternity leave and whether it was everybody's obligation or right to retire upon reaching the stipulated age. Questions were asked on what sort of expenses were reimbursed in case of leave of absence of either of the parents for a sick child. Some experts welcomed the recent introduction of paid parental leave for fathers and asked about the percentage of fathers who took it, about the maximum age of the child and whether other measures existed to encourage fathers to participate in family care. One expert wanted to know whether the new legislative provisions would change the leave entitlement of mothers. In view of the sizeable social security services offered one expert asked about the percentage of all funds made available for social security in Bulgaria.

96. One expert noted that pregnant women could not be refused an appointment and asked about the employment situation for women who were not pregnant compared with men and the sanctions in cases of violations of employment rights.

97. An expert asked why girls under 18 were excluded from certain categories of work. Another expert asked what criteria were used to evaluate the quality and

quantity of work in order to determine its correct remuneration. One expert wanted to know the scientific basis for the regulations issued by the Ministry of Health concerning physical strain on workers. Other questions asked were whether the mother or the father was entitled to receive the family allowance, how many women were working and how many women were studying between the ages of 15 and 65 compared to corresponding figures for men.

98. In connection with abortion, some experts wanted to know whether it was legal, whether it was considered a criminal offence if not performed in a hospital, whether only married women who had given birth to two children were entitled to abortions and what happened in cases of pregnancies at ages below 16 years. Clarification was requested on the practical situation of married women who did not wish to have a child and on sanctions against a woman or a medical doctor deciding upon abortion under conditions different from those allowed by law. One expert asked whether there had been any negative medical consequences of unlimited abortions in case of single women.

99. One expert asked whether health and sex education existed for boys as well as girls. Another expert asked whether Bulgaria intended to ratify Convention 156 of the International Labour Organisation (ILO) concerning workers with family responsibilities.

100. One expert expressed great interest in the physical culture festival entitled "Mummy, Daddy and I" and inquired about its role and the funds used. Another expert asked what sports were qualified as unsuitable for women and for what reasons.

101. One of the experts asked whether there was any connection between women's rights to obtain loans and their marital status, especially if they were married to foreigners.

102. As regards rural women, it was asked whether women who were participating in local co-operatives could make out a contract in their own name or whether it had to be taken out by the head of the household, and what sort of medical health services women in rural areas enjoyed.

103. A question was asked about the type of measures taken in cases of discrimination against women in criminal and labour codes. Another question referred to the coming into force of the Convention and to whether or not it brought about changes in the national legal system.

104. Several experts asked clarification on the concept of the "guilty party" in divorce proceedings, which had already been eliminated in some countries. Clarification of unjustified divorces was requested and information was sought on the percentage of single mothers, de facto marriages and divorces. A few experts asked what happened to the administration of joint property in cases of disagreement between spouses, as well as on the situation of women in non-registered marriages. An expert asked, in connection with the possible annulment of marriage contracted under duress as mentioned in the report, whether forced marriages were frequent. Statistical information was also requested on the choice of a family name in marriage.

105. One expert wanted clarification on the provisions in the Bulgarian Family Code concerning the completion of the domestic tasks.

106. In her replies, the representative of Bulgaria pointed out that not all problems relating to the role and functions of women had been solved in Bulgaria. However, she wished to assure the Committee that the nature of those problems was not such that they entailed violations of basic rights and freedoms of women or of the requirements of the Convention and were not of a discriminatory nature. Some problems were related to the rapid development of the economy and society and the solution of problems often gave rise to new problems.

107. The representative further stated that one of the basic prerequisites for guaranteeing the actual equality of women in Bulgaria lay in the substance of the socialist society. It was carried out by the whole population, both women and men with the common efforts of the Government, public organizations, including the Committee of the Bulgarian women. All measures in this respect were included in the national plans for economic and social development, the goal being to ensure an optimal combination of economic and social activities with the duties of motherhood. Women comprised approximately 50 per cent of the working labour force in Bulgaria. In all, 46.4 per cent of specialists employed with higher education were women.

108. Some members had expressed the view that in Bulgaria women were over-protected, especially as regards the protection of maternity. In that connection, the representative referred to article 4.2 of the Convention, a provision with regard to which, in so far as she was aware, no State party had made a reservation. It was better to over-protect than to provide inadequate protection or to practise discrimination.

109. The representative said that, since equality of women had already been guaranteed in Bulgaria prior to the adoption of the Convention, no change had been necessary. Nevertheless, some changes in legislation had taken place after ratification, e.g., a decree adopted in April 1984 had provided for a series of measures to assist young families by giving them priority in the allocation of housing, augmenting allowances for children and increasing paid leave for the care of children.

110. With regard to alcoholism, the representative stated that cases of alcoholism were very rare among women. In such cases, the approach adopted was not so much a legal one as a social one, including both persuasion and medical treatment. On the question of rape, the penalty under the penal code was imprisonment for 3 to 10 years in cases where the women was less than 16 years old or was a relative of the perpetrator or the offence was repeated. In certain severe cases the penalty could be 15 years' imprisonment.

111. With regard to membership in political parties, she stated that in 1984 30 per cent of the members of the Bulgarian Communist Party were women. That was a substantial increase since 1968, when the percentage was 23.6. At present, 40 per cent of new members joining the party were women so that the proportion of women was bound to rise further in the future. Some 15.3 per cent of the membership of the Bulgarian Agrarian Party were women. She further explained that many women were in positions of leadership in the women's movement and were members of public bodies involved in decisions regarding problems of women and the family. The percentage of participation of women in the People's Assembly had increased from 5.7 per cent in 1945 to 21.8 per cent in 1981. Some 25 per cent of the members of the Supreme Court were women. Efforts were being made to increase the participation of women in the highest State organs.

112. Regarding the participation of women in international activities, she said that there was no difference in the training of women and men for diplomatic work, and women performed similar diplomatic and other operational and technical functions. There were several women ambassadors as well as a woman deputy minister of foreign affairs and counsellors. However, the majority of women were of lower diplomatic rank.

113. The representative stated that the "family clubs" represented a special approach to training for family life, the upbringing of children in a spirit of equality and the gradual overcoming of sex stereotypes. Over 1,000 such clubs existed. Each club was governed by a council elected by its members.

114. It was stated that the difference in retirement age for women and men was explained by the physiological properties of the female organism and the child-bearing and child-rearing functions that women discharged in addition to their working responsibilities. A woman could continue beyond the age of retirement with the agreement of her employer.

115. On the question of funds allocated for social security benefits for mothers and children, the representative explained that the largest portion of public outlays was for assistance to families in raising children, including education and cultural activities, health care and the improvement of living and working conditions. She further explained that, since 1975, national income had increased by 64.3 per cent. During that same period, public outlays for children's centres, educational establishments, health-care services for mothers and children and child-care leave for mothers had increased by 87.4 per cent.

116. The representative informed the Committee that the Government allocated large sums of money for the creation of physical facilities and material infrastructure for the development of sports.

117. Regarding abortion, the representative stated that the Bulgarian Government was guided in its policy by the principle that the family had the right to decide for itself when and how many children to have. All unmarried female students and divorced, widowed and married women over the age of 40 with one child were eligible for an abortion on a number of medical grounds, for other reasons or for personal reasons.

118. The representative explained that Bulgarian legislation had set the age at which a woman could enter into marriage at 18 years. When warranted by valid reasons (e.g. pregnancy), a judge could allow a marriage to take place at the age of 16.

119. According to the law on Bulgarian citizenship, a child born abroad of one Bulgarian parent was regarded as a Bulgarian citizen, except when the child was born in the country of the alien parent and the law of that parent's country recognized the child as a citizen. A man or woman who had lost his or her Bulgarian citizenship or had been released from Bulgarian citizenship as a result of marriage to an alien could request the restoration of citizenship in the event that the marriage had been terminated through the death of the spouse or through divorce.

120. It was explained that the Bulgarian Family Code provided for two forms of divorce: divorce with the common consent of both spouses and divorce resulting

from the profound breakdown of the marriage. In clarifying the term "unfounded divorce", the representative explained that the legislation had provided for spouses to be given time to reflect carefully before a divorce was granted. In accordance with the Family Code, family relations were regulated in keeping with the principles of the voluntary nature of the marital union. In 1982, 13,282 marriages had ended in divorce and in 1983, 14,546 (14.9 and 16.3 per cent, respectively, for every 10,000 persons).

121. The number of single mothers in Bulgaria was growing and they represented 9 to 10 per cent of all mothers.

122. The Bulgarian Family Code followed the principle of community property with respect to goods acquired during marriage by both spouses, with exception of the chattels and real estate acquired during the marriage by one of the spouses as a gift or through inheritance. Both spouses were entitled to equal parts when the joint estate was terminated, although the court could assign a larger portion of the estate to the spouse who was awarded the care of minor children.

123. Regarding prostitution, she explained that according to United Nations data, prostitution existed in many of the world's countries as an organized activity; however, trafficking in young women and girls (including such things as chartered "sex flights") did not exist in Bulgaria. The economic basis for the exercise of prostitution as a profession had been eliminated.

124. In the area of education, the representative explained that illiteracy had represented a problem for Bulgarian society during the first years of development after 1944. As a result of the economic backwardness of capitalist Bulgaria, nearly 30 per cent of the female population of the country had been illiterate. A nation-wide campaign, also covering the adult population, had been launched to eliminate illiteracy. The Bulgarian People's Republic had proclaimed in its constitution the principle of free education at all stages.

125. The representative informed the Committee that the legal system in effect in Bulgaria guaranteed the right of all, including women, to the free selection of an occupation or trade. During the 1983/84 academic year, girls and women had accounted for 51.5 per cent of the students at higher institutes of learning and 43.5 per cent of the students at technical colleges and art schools. Women represented 50.3 per cent of all students at the unified polytechnical schools and 35.6 per cent of students in advanced engineering and technical institutes.

126. Regarding the military services, the representative explained that such service was not compulsory for women although they volunteered to serve in the army as medical and service staff.