1. Please provide information on the following services that are available for persons with disabilities in your country, including data on their coverage, geographic distribution and delivery arrangements, funding and sustainability, challenges and shortcoming in their implementation:
2. Personal assistance;
3. In-home, residential and community support;
4. Support in decision-making, including peer support; and
5. Communication support, including support for augmentative and alternative communication.
6. **In Bulgaria there are some social services that provide some support of the persons with disabilities.**

* **Regarding the personal assistance two basic programmes are available for the persons with disabilities to this moment: the National Programme "Assistants to the persons with disabilities" and the Project “Independent life”. The National programme is year-round programme and it is implemented throughout the country. The programme is funded by the state budget but it contains too many restrictions that impede persons who need support to be included. People with disabilities can apply as users of the service, but the procedure for approval is too complex and contains many obstacles – for example – income criteria that have not been updated since 2009 and that do not comply with the economic and social processes in the country during this period. The Ombudsman of the Republic of Bulgaria have sent many recommendations to the authorities for taking measures to improve the conditions and the access to the programme and in this way to guarantee the rights of the persons with disabilities and to implement the provisions of the Convention on the Rights of Persons with Disabilities /CRPD/.**
* **The Project “Independent life” is funded by “Human Resources Development” Operational Programme. The Project is very significant part of the Bulgarian system for the social support and a lot of persons who need personal assistance apply for it. The project and the provided budget cannot meet all the needs of the persons with disabilities but the established conditions for approving as user of the service are better than these in the National programme. The challenge that the Ombudsman of the Republic of Bulgaria tries to tackle is the existing lack of openness and transparency of the rules for assessments of the needs of the persons with disabilities. In order to guarantee the rights of the persons the Ombudsman sent several recommendations to the authorities – Ministry of labour and social policy and the National association of municipalities in the Republic of Bulgaria, for taking actions to ensure the necessary information.**
* **There are some NGOs that accomplish some activities for providing personal assistance under various projects but their services are available only for a limited number of users, who live on the territory of the municipality where the headquarters of the NGO are located.**

1. **Except the personal assistance some social services are implemented to provide support of the persons with disabilities – social services, provided in the community; social service – residence type and after depleting of the opportunities for implementing of services in the community and of course, after application of the persons with disabilities – accommodation in specialised institutions.**

**The positive features are the ongoing process of deinstitutionalization and the development of new social services in community.**

**The shortcomings and the challenges are the insufficient capacity of the providers of the social services to meet the needs of all the persons with disabilities and the lack of enough social services in the small regions where many old, alone and poor people with disabilities live.**

**The Ombudsman has recommended that the state should take more measures to ensure conditions for the person with disabilities to have independent life and to have access to a range of in-home, residential and other community support services, necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community.**

1. **Currently the Bulgarian legislation provides the possibility to limit the legal capacity of the people with mental illnesses in two stages - limited and full guardianship. Because of the general nature of the interdiction, the citizens with mental disabilities suffer significantly larger than the necessary restrictions when exercising their rights.**

**Positive process is that the support in decision-making is a main topic of many discussions conducted in the country over the last few years.**

**On one hand, the reason for this is the case Stanev v. Bulgaria, App. No. 36760/06, and decision of the Grand Chamber of the European Court of Human Rights. The decision has enormous significance for the rights of thousands of persons with psycho-social disabilities and intellectual disabilities not only in Bulgaria but throughout Europe. In finding violations of Articles 3, 5§1, 5§4, 5§5, 6§1, and 13 of European Convention on the Human Rights the Grand Chamber opened the possibility for persons in social care institutions to challenge both their deprivation of liberty and the inhuman and degrading conditions in institutions, and reaffirmed its jurisprudence regarding the right of persons whose legal capacity has been restricted to have access to a court to challenge their loss of rights.**

**The decision along with the provisions of article 12 of the ratified by the National Assembly of the Republic of Bulgaria Convention on the Rights of Persons with Disabilities and the lack of adequate reaction of the authorities prompted the Ombudsman to request the Constitutional Court to cancel the texts of the Persons and Family Act, which regulate the limits of the legal capacity as contrary to the Constitution and art. 12 of the UN Convention on the Rights of Persons with Disabilities (CRPD).**

**Although the request was rejected, in its decision the Constitutional Court drew attention to the need for comprehensive reform in order to be ensured the conformity of our legislation with art. 12 of the CRPD and in 2015 the Ministry of Justice presented for public discussion a draft Law on individuals and support measures. Representatives of the Ombudsman participated in the working groups on the development of the texts of the bill and the Ombudsman supported its submission to the Parliament. After some period of public discussions, in 2016 the bill was approved by the Bulgarian Council of Ministers and submitted to the Parliament.**

1. **The process for ensuring support to the deaf persons and people with intellectual disabilities has been initiated and some conditions are established in order to guarantee that these vulnerable people are able to fully enjoy all their rights and fundamental freedoms. For instance - art. 4, para. 3 of Code of Civil Procedure states that where in the lawsuit a deaf or dumb person participates, an interpreter of the person shall be appointed.**

**Some actions are taken for establishing common and official sign language.**

**Nevertheless the position of the Ombudsman is that the process is still too slow and persons with disabilities meet difficulties to fully integrate in the society.**

1. Please explain how persons with disabilities can access information about the existing services referred to in question one, including referral procedures, eligibility criteria and application requirements.

**According to art. 18 of the Social Support Act the social services shall be implemented by: the state; by the municipalities; by Bulgarian individuals, registered under the Commerce Act, and corporate bodies; natural persons carrying out commercial activity and legal persons constituted under the legislation of another Member State of the European Union or of another state of the European Economic Area.**

**Art. 40 states that the persons, who wish to use social services, shall submit written application at their present address respectively to:**

**1. the director of directorate "Social support" – for the social services, which are activities delegated by the state;**

**2. the mayor of the municipality – for the social services, which are municipal activity;**

**3. the body of management, when the provider of the social services is an individual, registered under the Commercial law or a corporate body.**

**From the above it becomes clear that the main source of information should be the responsible provider of the social services and in all the cases – the social workers in directorate "Social support".**

**The Ombudsman has sent recommendations and has drawn the attention that the current mechanisms for providing the necessary information to the persons with disabilities are not good as many people are not able to learn about the existence and the start of some new social services on time.**

1. Please elaborate on how these services respond to the specific needs of persons with disabilities throughout their life cycle (infancy, childhood, adolescence, adulthood and older age) and how is service delivery ensured in the transition periods between life cycle stages.

**The Ombudsman has noted in his recommendations and in his Annual reports presented to the National Assembly that the social services in Bulgaria are still insufficient. A problem is the lack of enough funding, sustainability, flexibility and individual approach as well.**

1. Please provide information on the number of certified sign language interpreters and deafblind interpreters available in your country.

**The Ombudsman of the Republic of Bulgaria has no competence, obligations established in the Ombudsman act and the mechanisms to collect and to keep information about the number of certified sign language interpreters and deafblind interpreters available in Bulgaria.**

1. Please provide information on the existence of any partnership between State institutions and private service providers (e.g., non-governmental organizations, for-profit service providers) for the provision of support to persons with disabilities.

**As mentioned in answer 2 the Social support act ensures the possibility of the Bulgarian individuals, registered under the Commerce Act, and corporate bodies and the body of management, when the provider of the social services is an individual, registered under the Commercial law or a corporate body to implement social services as well.**

**But it is a fact that only few of the projects for social services are carried out by the non-governmental organizations in partnership with the State institutions.**

1. Please describe to what extent and how are persons with disabilities and their representative organizations involved in the design, planning, implementation and evaluation of support services.

**For cooperation purposes during developing and conducting the policy in the field of the integration of the people with disabilities at the Council of Ministers shall be established National council for integration of the people with disabilities, its chairman being the Minister of Labour and Social Policy (Art. 6 of Integration of People With Disabilities Act. The National council for integration of people with disabilities shall be consultative body, in which participate representatives of: the state, determined by the Council of Ministers, the nationally representative organisations of and for the people with disabilities, the nationally representative organisations of the workers and the employees, the nationally representative organisations of the employers and the National association of the municipalities in the Republic of Bulgaria.**

**The National council for integration of people with disabilities shall provide statements on all drafts of normative acts, strategies, programmes and plans concerning the rights of the persons with disabilities and the integration thereof.**

**Some NGOs that are providers of social services are part of the National council.**

1. Please provide any other relevant information and statistics (including surveys, censuses, administrative data, reports, and studies) related to the provision of support to persons with disabilities in your country.

**We have no such surveys, censuses, administrative data.**