



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 3034th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 29 November 2023, at 10 a.m.

Chair: Ms. Shepherd

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The meeting was called to order at 10 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined twenty-third to twenty-fifth periodic reports of Bulgaria (continued)
([CERD/C/BGR/23-25](#); [CERD/C/BGR/Q/23-25](#))

1. *At the invitation of the Chair, the delegation of Bulgaria joined the meeting.*
2. **Ms. Li** (Country Rapporteur) said that the Committee had been informed that the Bulgarian authorities had refused to recognize the existence of minorities that self-identified as Macedonians and Pomaks. The refusal of the Registration Agency to register Macedonian organizations had led to the submission of five applications to the European Court of Human Rights alleging violations of the right to freedom of assembly and association under article 11 of the European Convention on Human Rights and the right to protection from discrimination under article 14. The United Macedonian Organization Ilinden, which sought legal recognition of the Macedonian ethnic minority in Bulgaria, had been denied registration as a political party by the courts. The Committee would welcome an explanation of the grounds for non-registration.
3. The requirement to conduct electoral campaigns in the Bulgarian language impeded the representation of non-Bulgarian-speaking minorities. She asked whether any action would be taken to address the language difficulties faced by marginalized groups in election campaigns.
4. The Committee would appreciate information on the number of seats occupied by ethnic minorities in the National Assembly and on the percentage of ethnic minority staff members in central and local government, the judiciary and the military. The Committee would also welcome information on the access of ethnic minorities, especially marginalized groups, to employment, education, housing and health care, and on measures taken to improve their situation.
5. As many members of the Roma population, ethnic minorities and other vulnerable groups reportedly faced high unemployment and therefore turned to the informal economy, she asked what measures had been taken to tackle the situation and whether the State party regularly assessed the implementation and impact of such measures. Although the National Employment Agency reached out to ethnic minorities, many minorities who required support were still not in contact with the Agency. She wished to know whether action had been taken to promote awareness of its initiatives.
6. The Committee had been informed that educational curricula failed to cater for children whose mother tongue was not Bulgarian. It therefore wished to know what measures had been taken to promote Bulgarian language courses on their behalf. As the Committee was also concerned about the risk of disappearance of minority languages, such as Crimean Tatar, Romani and Gagauz, it would be interested to know about measures to protect and promote minority languages and cultures.
7. In the light of reports of the continued marginalization of Roma in all areas, including in public and political life, she would welcome information on action taken to address discrimination against them and the results achieved, including in terms of their representation in national or local legislative, administrative and judicial institutions.
8. The Committee was concerned that the inability of many Roma to obtain identity documents owing to challenges to the legalization and registration of their places of residence had impeded their access to education, work, health care, voting, freedom of movement and birth and marriage registration. She therefore wished to receive information on birth registration rates and on the issuance of identity cards to members of the Roma community.
9. In rural areas, a large proportion of Roma children reportedly lacked access to nurseries and kindergartens. Furthermore, 63.5 per cent of Roma children aged 6 to 14 years attended kindergartens and schools in which all or most of their schoolmates were Roma. The Committee would appreciate information on measures taken to combat such challenges.

10. The Roma population frequently experienced difficult housing conditions and resided in informal settlements with limited access to basic infrastructure and essential services, including public transport, emergency medical aid, waste collection, and electricity and water supplies. Local authorities had refrained for decades from investing in the development of Roma residential areas and had restricted access to social housing and other housing benefits. She was therefore interested in hearing about the tangible outcomes of the State party's many strategies aimed at Roma integration.

11. The Committee had received reports that many Roma had been unable to access basic services during the coronavirus disease (COVID-19) pandemic owing to their lack of access to the Internet, while Roma working in the informal sector had been hard hit by the impact of lockdown measures. Roma neighbourhoods had reportedly been sprayed with disinfectants from helicopters and crop dusters, and a low proportion of Roma had been vaccinated against the virus. She invited the delegation to comment on such reports and to indicate whether any action had been taken to tackle the difficulties and improve the situation of the Roma community and other ethnic groups, including during the post-pandemic period.

12. **Ms. Tlakula** (Country Task Force) said that the State party had reportedly failed to provide any support for the integration of refugee families and children during the past 10 years, thereby exposing them to destitution, exploitation and segregation. The Committee would therefore be grateful for information on legislative and policy action on behalf of asylum-seekers and refugees, including measures taken to integrate a human rights approach into migration governance and to guarantee the access of migrants, refugees, asylum-seekers and stateless persons to basic services, including education, employment, housing, social assistance, health care and psychological assistance.

13. The Committee had been informed that the State party imposed severe constraints on the access of asylum-seekers to its territory, resulting in systematic pushbacks, violence and illicit border-crossing. Asylum-seekers and migrants, including children and vulnerable individuals, had been left in dire conditions without access to asylum procedures or emergency assistance, such as the provision of food, water and shelter. Excessive use of force by law enforcement officials against migrants, refugees and asylum-seekers had resulted in bodily harm. Nationals of countries including Afghanistan, Algeria, Bangladesh, Morocco and Tunisia had been rejected without due process. The Committee was also concerned about reports of persistent xenophobia and racial discrimination against migrants, refugees, asylum-seekers and stateless persons in the State party. She would be grateful if the delegation could comment on those reports.

14. The Bulgarian authorities had reportedly conducted illegal push-backs of asylum-seekers on the border with Türkiye. The European Court of Human Rights had ruled in 2021 that Bulgaria had violated articles 3 and 13 of the European Convention on Human Rights by deporting a Turkish journalist without conducting a risk assessment or giving him the opportunity to appeal. She asked what measures the State party had taken to prevent collective expulsions, to grant access to its territory for persons in need of international protection and to respect the principle of non-refoulement.

15. The Committee would be interested to know what the impact of the National Strategy on Migration, Asylum and Integration 2015–2020 had been on the integration of beneficiaries of international protection and what lessons had been learned for the 2021–2025 strategy. It also wished to know whether State funds had been allocated for the implementation of integration agreements between beneficiaries of international protection and municipalities. She asked what measures were being taken to ensure that support for refugee and migrant children was mainstreamed in the child protection and welfare systems on a sustainable basis.

16. The Committee would welcome additional information on measures taken to combat trafficking of migrants, asylum-seekers and refugees, on the number of investigations into trafficking in persons and prosecutions and convictions of traffickers, and on the reparations provided to victims. It would be interesting to know what results had been achieved through the implementation of the National Strategy for Combating Trafficking in Human Beings 2017–2021 and the National Referral Mechanism for Support of Trafficked Persons.

17. As conditions in reception centres for asylum-seekers reportedly failed to comply with international and regional standards, particularly concerning water, sanitation and hygiene,

she would appreciate updated information on the conditions of detention in such centres and measures taken to ensure that asylum-seekers were not confined to centres and had access to basic services such as health care, education and employment. She asked what measures were being taken to end the mandatory detention of undocumented migrants, including children, and to ensure that they were provided with alternative accommodation.

18. The Committee had been informed that, as a result of the conflict in Ukraine, children accounted for about 40 per cent of all refugees in the State party and one third of applicants for international protection. However, the safe zones that had been established in reception centres for unaccompanied children only had a capacity of 288 places; a number of unaccompanied children were therefore accommodated in reception centres without proper care, protection and rehabilitation activities, including language learning. As a result, very few of them were enrolled in school. She asked what measures were being taken to ensure that unaccompanied children were placed in suitable facilities and provided with proper care.

19. She would appreciate information concerning the State party's implementation of the Committee's recommendation in its previous concluding observations ([CERD/C/BGR/CO/20-22](#)) that the State Agency for Refugees should be adequately resourced to enable it to discharge its functions effectively and that all asylum-seekers residing in reception centres should be provided with adequate monthly payments.

20. She asked what measures were being taken to strengthen the human and financial capacity of municipalities, including staff training on the sensitive conduct of identification and referral procedures. It would be useful to know what steps had been taken to remedy the lack of qualified interpreters, including at the border, to prevent unaccompanied children from being identified as accompanied and placed in detention centres, and to guarantee the availability of individual and qualified legal representation for all unaccompanied children.

21. **Mr. Amir**, noting that the State party was seriously affected by the conflict between Ukraine and the Russian Federation, said that he wished to point out that while Ukrainians were able to flee from their country, that was not the case for Palestinians. The Western media invariably expressed support for Israel and disregarded the suffering of the Palestinian people, which had gone on for more than 75 years. The Security Council was scheduled to meet that day to discuss the huge number of victims of the bombardment, including children, and the right of the Palestinian people to liberty, independence and their own State. He would be interested in hearing how the Bulgarian media addressed the issue and whether the State party would be willing to offer asylum to injured Palestinians.

22. **Mr. Diaby** said that the Committee had received reports of hate speech and incitement of hatred towards Roma by high-ranking public officials. He wondered whether those incidents had been investigated. He would welcome further information regarding the situation of students of African descent and the measures taken by the State party to protect them. It would be interesting to learn how the State party was marking the International Decade for People of African Descent.

23. **Mr. Yeung Sik Yuen** said that he would like to gain a deeper understanding of how the State party combated online hate speech. In particular, he would be interested to know whether the authorities monitored online content or relied on reports from individuals. He wished to know whether social media companies were required to monitor hate speech on their platforms and to report illegal content to the authorities and delete it without delay. If so, he would like to know whether there were fines for non-compliance with those requirements.

The meeting was suspended at 10.45 a.m. and resumed at 11.05 a.m.

24. **A representative of Bulgaria** said that the Radio and Television Act had been amended in 2020. Under the amended Act, media services might not publish content containing any incitement to violence or hatred on the grounds set out in article 21 of the Charter of Fundamental Rights of the European Union, which included colour and ethnic origin; providers of video-sharing platforms must take appropriate measures to protect audiences from content that incited violence against individuals or groups; and commercials must not include or promote discrimination on any grounds, including race, ethnic origin or religion. Violation of the provisions of the Act would incur a fine. The supervisory powers

of the Council for Electronic Media had been extended to video-sharing platforms. Combating hate speech was one of the Council's priorities and it conducted targeted monitoring of broadcasted content to that end. The Council also monitored hate speech during election campaigns. Two electoral candidates had been fined by the Central Election Commission for the use of hate speech during campaigning for the March 2023 parliamentary elections. In 2021, the Commission for Protection against Discrimination had issued a recommendation to political parties to refrain from engaging in hate speech during campaigns.

25. All manifestations of hate speech and racism in sport were taken seriously by the authorities. Sports federations handed fines to clubs whose fans engaged in hate speech or racism. In the wake of the 2019 football match between Bulgaria and England, the Bulgarian Football Union had launched the "Scarf of Respect" awareness-raising campaign to inform the public that discrimination in football was not permitted.

26. **A representative of Bulgaria** said that, before football matches, the authorities assessed the risk of unlawful behaviour and took preventive measures. The national police had a coordinating unit that decided on the preventive measures to be taken in collaboration with the Bulgarian Football Union. Match officials were in contact with law enforcement and could request immediate police action if they noticed banned symbols or flags in the stands. Such items were confiscated and checks were carried out at stadium entrances to prevent their being brought in. A booklet issued by the non-governmental organization (NGO) Fare was used to identify banned symbols.

27. **A representative of Bulgaria** said that, under the Protection against Discrimination Act, any person whose rights had been violated by an administrative act issued in contravention of the law could lodge an appeal with the courts. Any person who had suffered damage arising from a violation of the Protection against Discrimination Act or any other legislation on equality could claim compensation from the individual or authority that had inflicted the damage. The Act also provided that when damage was inflicted on an individual as a result of unlawful action or a lack of action by State bodies or officials, compensation could be claimed, through a simplified procedure, under legislation on the liability of the State and municipal authorities. Individuals could also claim compensation in criminal cases.

28. It should be noted that the criminal provisions on hate speech had been reformed despite extremely challenging political conditions, including the holding of several elections within a two-year period, which had undermined the State's ability to address many complex legal and social issues.

29. **Mr. Sterk** (Bulgaria) said that the Constitution, which had been in force since 1991, did not define the notion of an ethnic, religious or national minority, but provided for all citizens to have equal rights without discrimination on any grounds. The results of national censuses had revealed that citizens' right to self-identification had been respected. That self-identification was based on both subjective and objective criteria in line with the relevant international instruments and guidelines.

30. **A representative of Bulgaria** said that the Constitution enshrined the full enjoyment of individual rights and freedoms and guaranteed protection for persons from minority groups. Those rights and freedoms were also protected under other laws and the international legal instruments that Bulgaria had ratified. Bulgaria was a pluralistic democracy where the rule of law was respected and persons from minority groups were able to participate in political life, the administration, the armed forces and law enforcement.

31. Bulgaria was a State party to the Council of Europe Framework Convention for the Protection of National Minorities. As that Convention did not define the term "national minority", States parties had licence to decide how they upheld the rights of minorities. Bulgaria complied with that Convention by guaranteeing individual rights and freedoms to members of minority groups. While everyone was free to self-identify as they wished, self-identification must be in line with objective criteria such as language and culture.

32. Two separate sets of cases had come before the European Court of Human Rights in relation to United Macedonian Organization Ilinden. One set of cases, which had been concluded several years previously, had concerned a political party of that name. The other,

which involved several attempts to register an NGO with a similar name, concerned the right to freedom of association and was not related to the recognition of national minorities. In response to the ruling of the European Court of Human Rights, Bulgaria had simplified the procedure for registering NGOs.

33. “Pomak” was one of several colloquial terms used to refer to ethnic Bulgarians who practised Islam. Muslims were free to self-identify as such, and there were Muslims from various different ethnic groups in the country. Persons from minority ethnic groups could participate in political and public life on an equal footing. Ethnically or religiously affiliated political parties were forbidden, but members of all minority groups in the country were represented in political parties and the National Assembly. Statistics were not gathered in that regard owing to concerns about possible discrimination. Many high-ranking public officials and prominent public figures belonged to minority groups.

34. **Mr. Sterk** (Bulgaria) said that the Bulgarian constitutional and legal order made no provision for the concepts of “ethnic minority”, “religious minority” or “national minority”. For practical reasons, the term “minority group” was used, as it was deemed to facilitate the collective enjoyment of individual rights such as the right to education in one’s mother tongue.

35. **A representative of Bulgaria** said that, as the only official language, Bulgarian was the language of the administration and the political system. All citizens were guaranteed the right to use their mother tongue if it was not Bulgarian, including in schools.

36. **A representative of Bulgaria** said that, in recent years, the Government had carried out significant reforms to improve the legal framework governing NGOs. The simplification of the registration procedure meant that most NGOs were able to register without requiring any support, although some chose to take legal advice. All NGOs had to meet the same legal requirements and ensure that their statutes were consistent with the Constitution and other laws. The Registration Agency of the Ministry of Justice had been following its current registration procedure since 2018. The Agency’s officials were independent and impartial and examined each application individually before making their decision. Their examination of the documents submitted by the applicant often brought to light shortcomings in the application. Any decision by the Agency to reject an application could be appealed before the courts.

37. Six cases, concerning the refusal of the national courts between 1999 and 2018 to register NGOs seeking the recognition and protection of the Macedonian minority, remained before the Committee of Ministers of the Council of Europe, which was supervising the Government’s execution of the decisions by the European Court of Human Rights on those cases through its enhanced procedure. The Government had adopted a road map to implement the European Court’s decision that the Registration Agency had an obligation to give instructions to NGOs on how to rectify issues with their registration documents. In October 2021, the Minister of Justice had sent a letter to the Agency, various national courts and the Prosecutor’s Office instructing them that NGOs should not be dissolved and their registration applications should not be rejected on grounds that had been deemed unacceptable by the European Court. The Government had published guidance for registration officials and NGOs in January 2022, which had been revised in September of that year with support from the Department for the Execution of Judgments of the European Court. The guidance clarified the formal legal requirements pertaining to the statutes and establishment of NGOs and the activities in which NGOs were permitted to participate.

38. The Civil Society Organization Sustainability Index showed that Bulgaria still had room for improvement in terms of NGO registration. Between June 2019 and June 2021, 1,197 of the 3,347 registration applications submitted had been rejected, giving a rejection rate of over 35 per cent. While that rate had subsequently fallen to about 20 per cent, it remained high. The Registration Agency would need to explain why that was the case.

39. **Mr. Sterk** (Bulgaria) said that the rejection rate was high for all NGOs and not just those that represented Bulgarian citizens who self-identified as Macedonians. While it might be useful to look into the reasons for the high rejection rate, the matter was not relevant to his country’s implementation of the Convention as the applications were not rejected on discriminatory grounds.

40. **A representative of Bulgaria** said that, in May 2022, the Council of Ministers had adopted the National Strategy for the Equality, Inclusion and Participation of Roma 2021–2030 and its accompanying two-year national action plan. The Strategy set out guidelines for promoting the effective equality, socioeconomic inclusion and meaningful participation of Roma in a number of priority areas, including education and training, health, employment, housing, rule of law and anti-discrimination, culture and media. The empowerment of Roma women had recently been established as an additional priority, and horizontal and sectoral objectives had been set to reduce disparities between the Roma community and the rest of the population. The strategy would be implemented through a number of short-term national action plans, which would allow for the formulation of ambitious and measurable objectives. The Government had appointed a contact point tasked with implementing the Strategy and had launched the development of regional and municipal action plans. Other stakeholders involved in implementing measures under the action plans included government authorities at all levels, NGOs and local communities. Local governments, for instance, were working with NGOs to assess the needs and characteristics of the Roma community in their area and to evaluate the financial capacity of stakeholders to implement such measures.

41. Consultations on the Strategy and its action plan had comprised two stages. The first stage had involved an assessment, based on publications by the Bulgarian Academy of Sciences, of the progress already made by the Government in addressing priority issues. The second stage had consisted of meetings with Roma civil society organizations and general public consultations.

42. One of the aims of the Strategy was to improve housing conditions and infrastructure for the Roma community. It focused on aspects such as improving the land registration and urban planning of predominantly Roma neighbourhoods and those neighbourhoods' access to water, electricity, sanitation and health, education and cultural services. The Strategy also envisaged innovative solutions to overcome energy poverty, the inclusion of Roma communities in energy renovation programmes and the expansion of opportunities for Roma families to build their own homes.

43. The Civil Registration Act had been amended in 2012 to broaden the range of documents that could be accepted as proof of ownership or residence of a property and therefore be used by individuals to formally establish their permanent address. Further amendments to the Act would enter into force by the end of 2023 with a view to issuing an official address for the many Bulgarians who did not have one, thus facilitating their efforts to obtain identity documents.

44. While no statistics on the number of Roma candidates for political posts were available, she had observed from personal experience that an increasing number of Roma were running for local government positions and that the political party system was open to candidates from that group.

45. **A representative of Bulgaria** said that all jobseekers, regardless of their national or ethnic origin, had equal rights and obligations under the Employment Promotion Act. A wide range of employment-related services were available, including career guidance, counselling, psychological support, training and referral to subsidized and non-subsidized employment. Eligibility to benefit from those services depended only on factors such as age, length of time unemployed and family situation. Ethnic origin was not taken into consideration.

46. Of the 149,703 unemployed individuals registered with the Labour Offices, 27,000, or 18 per cent, self-identified as Roma. Of those 27,000 individuals, approximately 34 per cent were long-term unemployed. Roma youth with secondary or higher education qualifications were offered traineeships to enable them to obtain paid work experience. Roma who were long-term unemployed were provided with full- or part-time subsidized jobs, usually in public works, and were often provided with mentoring to help them to adapt to working life. Roma without qualifications were able to undertake apprenticeships or request on-the-job training so that they could learn a trade and develop their skills.

47. An amendment to the Employment Promotion Act that was due to enter into force in 2024 related to the introduction of measures to promote the recruitment of vulnerable individuals, such as young people and the long-term unemployed. Employers would be able

to request training for such individuals to help them perform their jobs; such training would also enhance their employability. Another amendment concerned the change in status of individuals who were in subsidized work, who would be classed as employed persons seeking work rather than as unemployed.

48. From January to September 2023, labour mediation services had been provided to 22,000 unemployed Roma individuals, half of whom had secured employment. Some labour mediators were in fact previously unemployed persons of Roma origin. Their activities, which were funded from the State budget, included encouraging economically inactive Roma to register with the Labour Offices and subsequently enter the labour market. The number of mediators of Roma origin had risen from 78 in 2020 to 89 in September 2023, and funding had been provided to increase that number further. A campaign had been run in 2022 to raise awareness of the work and achievements of the mediators, improve knowledge among the Roma community of the opportunities offered by the Labour Offices and dispel stereotypes affecting that community.

49. **A representative of Bulgaria** said that his Government was doing its utmost to motivate the long-term unemployed and vulnerable individuals to find a job, as there was currently a high demand for workers. The Government was also focusing on creating decent jobs, promoting modern forms of employment and investing in education, training and upskilling. There were plans to teach digital skills to 500,000 people, allowing them to secure decent jobs that would improve their quality of life.

50. **A representative of Bulgaria** said that the rights of third-country nationals applying for international protection were guaranteed under both national and European Union law. The Government respected the non-refoulement principle, and the Asylum and Refugees Act prohibited discrimination on the grounds of race, nationality, ethnicity and religion. Applicants for international protection were able to attend language classes to facilitate their integration into Bulgarian society. The State Agency for Refugees, which received financial support from the Asylum, Migration and Integration Fund of the European Union, was currently implementing programmes to support the resettlement in Bulgaria of refugees who had arrived in Turkey and the “Med 5” countries (Cyprus, Greece, Italy, Malta and Spain). Municipalities that agreed to take in those refugees were allocated a share of the resources received from the Fund.

51. Unaccompanied minors who had applied for international protection were accommodated in facilities run by the State Agency for Child Protection or by the State Agency for Refugees, in which special “safe zones” for such minors had been established. The safe zones could accommodate up to 288 minors and had their own separate entrance, 24-hour security service and on-site social workers. A new safe zone within the country’s largest reception centre was currently under construction. In the event that the safe zones were fully occupied, unaccompanied minors were placed in family-type facilities with a capacity of 12 to 15 persons. As at September 2023, 71 unaccompanied minors had been receiving protection under the Child Protection Act. Bulgaria had previously had the capacity to accommodate 5,600 asylum-seekers, but that figure had been reduced to 3,700 due to the poor state of repair of certain reception centres.

52. The National Strategy on Migration was operationalized through annual action plans, which were approved by the Council of Ministers. Each plan contained measures to be taken, expected outcomes and indicators and timelines for implementation. Annual reports on the implementation of the Strategy were submitted to the Council and published, and provided the basis for developing future plans. The National Council on Migration, Borders, Asylum and Integration had been established to monitor implementation of the Strategy.

53. Under the Asylum and Refugees Act, all third-country nationals applying for international protection were entitled to stay legally in Bulgaria and had the rights to accommodation, food, health care, education, access to the labour market, psychological assistance and access to legal representation. The State provided free legal aid for vulnerable persons, including unaccompanied minors. In addition, the Act had been amended in 2020 to allow the National Legal Aid Bureau to represent unaccompanied minors in international protection proceedings; the costs were covered by the State.

54. All third-country nationals in Bulgaria had the right to apply for asylum. All applications were registered and examined individually; decisions could not be taken without conducting a personal interview with the applicant. Applications for international protection were rejected when the requirements established in national and European legislation were not met.

55. **Ms. Li** said that it would be helpful if the delegation could provide the information mentioned in paragraph 11 of the Committee's reporting guidelines (CERD/C/2007/1), namely, a qualitative description of the ethnic characteristics of the population, in English. An explanation of the different mandates of the Office of the Ombudsman and the Commission for Protection against Discrimination would be appreciated. She would also be grateful for information on the ability of persons from minority groups to receive education in their mother tongue.

56. **A representative of Bulgaria** said that the Office of the Ombudsman and the Commission for Protection against Discrimination were independent human rights institutions with slightly different competences. The Office of the Ombudsman protected universal human rights, including civil, political, economic, social and cultural rights, and dealt with cases of administrative infringements. It was competent to receive complaints from citizens and to act on their behalf, to issue recommendations to various authorities and to refer matters to the Constitutional Court. The Commission, on the other hand, had been established under the Protection against Discrimination Act and functioned on the basis of that law. The Commission was a quasi-judicial body that dealt with complaints of discrimination, including both direct and indirect discrimination, as defined in the Act. It issued decisions and monitored their implementation and had the power to impose fines.

57. **A representative of Bulgaria** said that Bulgarian citizens had the right to education in their mother tongue. In 2022, there had been children receiving education in Turkish, Romani and Armenian. There had been greater interest among schoolchildren in learning about Roma folklore than in receiving Romani-language education.

58. The authorities did not collect data on ethnicity in the education system. Schoolchildren who were Bulgarian citizens had the right to self-identify as they wished. Ethnicity was thus not used as an indicator of whether someone belonged to a vulnerable group. There was no legal basis for segregation on the grounds of ethnicity in the education system; however, de facto segregation might exist in local schools in small settlements where the population was predominantly of Roma origin. Since 2019, national programmes had been implemented to support municipalities in preventing ethnic segregation in education through the provision of free transport services, which allowed children to attend schools farther afield. Over 1,900 children from 15 municipalities had benefited from those services.

59. Additional funding for educational programmes was not provided on the grounds of the ethnic background of pupils, but with reference to whether the parents of schoolchildren in a given area had a low level of education, which was the case among some vulnerable minority groups. Resources could thus be directed to kindergartens and primary schools in need, leading to improvements in the education they provided and increases in the salaries of teachers and other staff. Such funding also covered the provision of additional Bulgarian language classes for children with a different mother tongue.

60. **Ms. Tlakula** said that, in the previous meeting, the delegation had stated that 229 complaints had been made against the police, of which 12 had been substantiated. She wondered what had been the nature of those 12 complaints. In addition, she wished to know which article of the Criminal Code had been amended to include a definition of hate speech in line with article 4 of the Convention.

61. **Mr. Diaby** said that he would appreciate information on the situation of African students and on recognition of the International Decade for People of African Descent.

62. **A representative of Bulgaria** said that the 12 complaints against the police had included 7 cases that related to the use of force; 1 case related to the use of weapons; 1 case related to the use of auxiliary means, such as handcuffs; and 3 cases related to unlawful detention. Internal investigations had been carried out and the officers concerned had been given disciplinary penalties. Such penalties would be commensurate with the gravity of the

offence. Officers who broke the law could be given warnings or dismissed from their jobs. Findings of serious criminal wrongdoing or human rights violations would be referred to the Prosecutor's Office, which would launch its own investigation.

63. **Ms. Tlakula** said that she would appreciate more detailed information on the outcomes of the investigations and on what had happened to the police officers concerned.

64. **Ms. Stavrinaki** said that it would be useful to know if the people who had filed the complaints belonged to groups protected by the Convention.

65. **A representative of Bulgaria** said that more specific information on the cases would be provided to the Committee in writing.

66. **A representative of Bulgaria** said that article 4 of the Convention was reflected in article 4 of the Protection against Discrimination Act, which prohibited all acts of discrimination – both direct and indirect – on the grounds of race, nationality, citizenship and ethnic origin, among others; the Act covered conduct that did not meet the threshold of criminal responsibility. Furthermore, article 162 of the Criminal Code provided that anyone who, by speech, press or other media, propagated or incited discrimination, violence or hatred against a person or damage to their property on the grounds of race, nationality or ethnic origin was punishable by 1 to 4 years' imprisonment and a fine.

67. **A representative of Bulgaria** said that the Government concluded bilateral agreements with various African countries that covered student exchange programmes and scholarships. Over the previous decade, 369 African students had graduated from Bulgarian universities.

68. **A representative of Bulgaria** said that many European students of African and Asian descent came to Bulgaria to benefit from its affordable and high-quality higher education programmes.

69. **The Chair** said that, regardless of whether people of African descent made up a large part of the State party's population, all countries had a responsibility to promote the International Decade for People of African Descent in order to raise awareness of issues such as anti-black racism and racial profiling.

70. **Ms. Li** said that she was grateful for the valuable information that the delegation had provided and for the open and candid dialogue.

71. **Mr. Sterk** (Bulgaria) said that the dialogue with the Committee would allow his Government to assess progress, identify areas for improvement and refine the national legal, institutional and policy frameworks. The relevant authorities and stakeholders would be informed of the outcome of the review and would carefully consider the Committee's concerns and recommendations.

The meeting rose at 1 p.m.