

# **Coronavirus pandemic in the EU – Fundamental Rights Implications**

**Country:** Bulgaria

**Contractor's name:** Project One / Center for the Study of Democracy

**Date:** 3 June 2020

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# 1 Measures taken by government/public authorities

## 1.1 Emergency laws/states of emergency

In **Bulgaria**, the state of emergency, declared by the parliament on 13 March 2020 and extended on 7 April 2020,<sup>1</sup> expired on 13 May 2020 and automatically ceased to apply as no decision for its further extension was adopted. One day before the end date of the state of emergency, on 12 May 2020, the parliament adopted an extensive set of legislative amendments, which were aimed to replace the temporary legal provisions that applied during the state of emergency. The new legal framework was consolidated in one single piece of legislation, the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*), but incorporated three different categories of provisions: (a) core changes to the health legislation, (b) extension of the application of some of the provisions of the special law governing the measures during the state of emergency, and (c) other provisions addressing the consequences of the state of emergency.<sup>2</sup>

In **Bulgaria**, the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*) explicitly added COVID-19 to the list of contagious diseases and introduced a number of new provisions applicable when cases of infection have been identified.<sup>3</sup> According to the new rules, all persons, who have been in contact with an individual suffering from one of the contagious diseases listed in the law, shall be subject to mandatory quarantine. Mandatory quarantine may also be imposed on persons arriving from other countries. The Minister of Health was authorised to order mandatory isolation of persons suffering from a contagious disease other than those listed in the law and mandatory quarantine of individuals who had been in contact with such persons.<sup>4</sup> According to the new rules, persons who had been in contact with an individual suffering from an infectious disease could not refuse to be tested.<sup>5</sup>

In **Bulgaria**, the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*) changed the rules governing the response in the event of an epidemic. Before the COVID-19 outbreak, the law included only a general provision stipulating that in case of an emergency epidemic situation (*извънредна епидемична обстановка*) the Minister of Health can introduce anti-epidemic measures. With the new rules the government was authorised to introduce, by a formal decision, an emergency epidemic situation in case of an immediate danger for the life and health of citizens caused by an outbreak of one of the infectious diseases listed in the law.<sup>6</sup> A legal definition of

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<sup>1</sup> Bulgaria, National Assembly (*Народно събрание*), Decision to extend the declared state of emergency ([Решение за удължаване на срока на обявеното извънредно положение](#)), 7 April 2020.

<sup>2</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020.

<sup>3</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020.

<sup>4</sup> The law makes a difference between isolation and quarantine. Isolation is a measure imposed on persons who are ill or infected, while quarantines is imposed on individuals who have been in contact with such persons or are coming from other countries.

<sup>5</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 1.

<sup>6</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 2. The immediate danger for the life and health of citizens is defined as a situation, in which the infectious disease: (a) is caused by a pathogen with a high epidemic potential (infectious agent, high mortality, multiple route of transmission or healthy carrier) and/or the source, mechanism and route of transmission are unusual or unknown, or (b) presents a serious danger to public health, even when the number of established cases is small, or (c) may impede or delay public health control measures, including due to lack of treatment and/or vaccine and/or the presence of multiple outbreaks, etc., or (d) has low immunisation coverage of the population, or (e) is unusual for the region, season or population, or (f) is more severe than expected, has a higher incidence and/or mortality or has unusual symptoms, or (g) puts at risk vulnerable or at-risk groups

emergency epidemic situation was also provided, which did not exist before. The emergency epidemic situation is defined as situation of 'disaster caused by a contagious disease, which leads to an epidemic spread with immediate danger to the life and health of citizens, the prevention and overcoming of which requires more than the usual activities to protect and preserve the life and health of citizens'.<sup>7</sup> During an emergency epidemic situation, introduced by an act of the government, the Minister of Health was authorised to impose temporary anti-epidemic measures at national or regional level, which could also include restrictions on movement within the territory of the country, entry bans and suspension or restriction of operation of public places or services (before the change, these measures were only possible during a state of emergency declared by the parliament).<sup>8</sup> In case of an epidemic outbreak of an infectious disease other than those listed in the law, the Minister of Health was authorised to introduce temporary anti-epidemic measures excluding restrictions on movement within the territory of the country and entry bans.<sup>9</sup>

In **Bulgaria**, the new rules authorising the government to declare emergency epidemic situation, which were introduced with the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*), were challenged before the Constitutional Court (CC) (*Конституционен съд*, КС). According to the application, filed by the President of the Republic, the authorisation of the government to introduce emergency epidemic situation, during which fundamental rights might be restricted by orders of the Minister of Health, without a decision of the parliament and without defining a maximum duration of such restrictions, was against the constitutional provision stipulating that fundamental rights might be restricted only by law.<sup>10</sup> As of the end of May 2020, the case was still pending.

In **Bulgaria**, the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*) introduced a number of changes to the special law governing the measures during the state of emergency.<sup>11</sup> This law was originally envisaged as a temporary piece of legislation, which was supposed to apply only during the state of emergency. However, the parliament decided to extend its application to regulate some of the consequences of the state of emergency. The amendments extended the application of some of the measures envisaged in the law for a period of two months after the end of the state of emergency. The extended measures included, among others: the protection of individuals with financial obligations against negative consequences in case of non-payment; the permission for public authorities to conduct meetings and adopt decisions online; the right of public authorities to exempt tenants of public property, in whole or in part, from paying rent; the special procedures for public procurement of medicines, medical equipment and sanitary and disinfection products; the authorisation of the Minister of Health to temporarily restrict the export of medicines and medical products; the authorisation of the government to release wartime stocks to

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of the population (children, the elderly, refugees, persons with immune deficiency and/or chronic diseases, etc.), or (h) there are registered cases among medical specialists.

<sup>7</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 10.

<sup>8</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 2.

<sup>9</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 3.

<sup>10</sup> Bulgaria, President of the Republic of Bulgaria (*Президент на Република България*) (2020), Request for declaring unconstitutionality of provisions of the Health Act ([Искане за обявяване на противоконституционност на разпоредби от Закона за здравето](#)), 14 May 2020.

<sup>11</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 12. The original title of the law was also changed to Measures and Activities during the State of Emergency Declared by Decision of the National Assembly of 13 March 2020 and Overcoming the Consequences Act (*Закон за мерките и действията по време на извънредното положение, обявено с решение на Народното събрание от 13 март 2020 г. и за преодоляване на последиците*). For the consolidated text including all amendments, see the updated version of the law on the [COVID-19 Uniform Information Portal](#).

support the population or the economy during the state of emergency; the authorisation of employers to assign telework and distance work and to grant up to one-half of the paid annual leave to employees without their consent; and the authorisation of the Armed Forces to participate in the implementation of anti-epidemic measures and restrictions (including by carrying out identity checks on individuals, apprehending individuals refusing or failing to comply with anti-epidemic measures until the arrival of the police, stopping vehicles until the arrival of the police; restricting the movement of persons and vehicles at a checkpoint, using physical force and restrain measures only when absolutely necessary). As of 20 May 2020, all other deadlines suspended during the state of emergency were resumed.<sup>12</sup>

In **Bulgaria**, the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*) introduced a number of special provisions related to the consequences of the state of emergency. These provisions included, among other things, extension of deadlines for renewing residence permits,<sup>13</sup> extension of deadlines for receiving social assistance allowances without the mandatory requirement for school attendance,<sup>14</sup> recognition of unpaid leave (up to 60 days) as eligible work experience,<sup>15</sup> suspension of the mandatory final exams for students in IV and X grade,<sup>16</sup> introduction of a new financial support scheme for municipalities,<sup>17</sup> etc.

In **Bulgaria**, on 14 May 2020, the government introduced an emergency epidemic situation (*извънредна епидемична обстановка*). It replaced the state of emergency, declared by the parliament on 13 March 2020, which expired on 13 May 2020. The emergency epidemic situation was introduced for a period of one month (from 14 May to 14 June 2020), during which the Minister of Health was authorised to introduce temporary anti-epidemic measures applicable on the whole territory of the country.<sup>18</sup>

## 1.2 Measures affecting the general population

### 1.2.1 Social distancing

In **Bulgaria**, stay at home was never applied as a general measure and was imposed only on persons placed in mandatory home isolation (quarantine). All persons who tested positive for COVID-19, but were not hospitalised, were subject to mandatory home isolation for a period of 28 days, and all persons who were in close contact with an infected person, were placed under quarantine for 14 days.<sup>19</sup> According to official statistics, as of the end of May 2020, a total of 18,552 persons were staying home due to mandatory home isolation (quarantine).<sup>20</sup>

In **Bulgaria**, the rules on physical distancing when outside the house were changed after the transition from state of emergency to emergency epidemic situation. The new rules introduced physical distancing of at least one and a half meters between employees at the workplace, between employees

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<sup>12</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 13.

<sup>13</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 14.

<sup>14</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 12.

<sup>15</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 16.

<sup>16</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 19.

<sup>17</sup> Bulgaria, Amendment to the Health Act ([Закон за изменение и допълнение на Закона за здравето](#)), 13 May 2020, § 38.

<sup>18</sup> Bulgaria, Council of Ministers (*Министерски съвет*) Decision No 325 of 14 May 2020 for introducing emergency epidemic situation ([Решение № 325 от 14 май 2020 година за обявяване на извънредна епидемична обстановка](#)), 14 May 2020.

<sup>19</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-129 on the persons subject to hospital treatment, home treatment and quarantine ([Заповед № РД-01-271 за подлежащи на болнично лечение, домашно лечение и карантина](#)), 19 May 2020.

<sup>20</sup> The number of persons in quarantine is updated on a daily basis. Data for each day since 1 March 2020 is available in [statistics section](#) of the COVID-19 Uniform Information Portal.

and customers, and between customers indoors. Physical distancing of one and a half meters was also introduced for all persons in public places outdoors (parks, streets, bus stops) unless they were members of the same family or household.<sup>21</sup> Special physical distancing rules were introduced for public events like theatrical performances, concerts, conferences, seminars and exhibitions which were allowed to take place with up to 30 % of the capacity of the venue (indoors) or 50 % (outdoors). For other public places like cultural centres, military clubs and youth centres, the restriction was up to 20 persons in-group activities with physical distancing of one person per four square meters.<sup>22</sup>

In **Bulgaria**, all measures restricting the free movement within the territory of the country were lifted, the special traffic regime in the main cities of administrative districts was revoked and the checkpoints at entry points were removed.<sup>23</sup>

In **Bulgaria**, the bans on public events and access to public places were gradually lifted. At the end of May 2020, the restrictions that were still valid included the ban on visiting bars, discotheques, and indoors restaurants and cafes and the ban on mass sports events (both indoors and outdoors).<sup>24</sup>

In **Bulgaria**, only one location was fully quarantined during the reporting period. The Rayna Knyaginya neighbourhood in the city of Yambol, with predominant Roma population, was locked down from 4 May to 19 May 2020. The measure was imposed by the local authorities in Yambol in response to an outbreak of COVID-19 among the residents of the neighbourhood and in accordance with the Regional Health Inspection's order. Entering the neighbourhood was only allowed for persons with a registered address in the neighbourhood, and leaving the neighbourhood was only allowed for persons going to work or in need of medical assistance.<sup>25</sup> During the lockdown, the residents of the neighbourhood organised a series of demonstrations, some of which escalated and the police had to intervene to restore order.<sup>26</sup>

In **Bulgaria**, the public prosecution continued to report regularly on newly instituted criminal proceedings against persons accused of noncompliance with the anti-epidemic measures and more persons found guilty and convicted to probation or suspended imprisonment in combination with financial fines.<sup>27</sup>

- The regional court in Blagoevgrad sentenced two men to suspended imprisonment for seven months and a fine of BGN 10,000 (approximately €5,000), one woman to suspended imprisonment for five months and a fine of BGN 10,000 (approximately €5,000),<sup>28</sup> and a man

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<sup>21</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-262 on the introduction of anti-epidemic measures ([Заповед № РД-01-262 за въвеждане на противоепидемични мерки](#)), 14 May 2020.

<sup>22</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-287 on the introduction of anti-epidemic measures ([Заповед № РД-01-287 за въвеждане на противоепидемични мерки](#)), 30 May 2020.

<sup>23</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-263 on the introduction of anti-epidemic measures ([Заповед № РД-01-263 за въвеждане на противоепидемични мерки](#)), 14 May 2020.

<sup>24</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-277 on introduction of temporary anti-epidemic measures ([Заповед № РД-01-277 за въвеждане на временни противоепидемични мерки](#)), 26 May 2020.

<sup>25</sup> Atanasova D., (*Атанасова, Д.*) (2020), 'New blockade: checkpoints around the Roma neighbourhood in Yambol with the purpose to limit the infection' (['Нова блокада: КПП-та около ромския квартал в Ямбол с цел ограничаване на заразата'](#)), bTV, 4 May 2020.

<sup>26</sup> Atanasova D., (*Атанасова, Д.*) (2020), 'Blockade is down: the Roma neighbourhood in Yambol was fenced off for 16 days' (['Блокадата пада: Ромският квартал в Ямбол беше заграден 16 дни'](#)), bTV, 19 May 2020.

<sup>27</sup> For all press releases published by the prosecutions service, see the [News](#) section of the website of the Prosecutor's Office of the Republic of Bulgaria.

<sup>28</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Under agreements with the Regional Prosecutor's Office – Blagoevgrad, sentences were imposed on three defendants who violated the anti-epidemic measures' (['По споразумения с Районна прокуратура – Благоевград са наложени наказания на трима подсъдими, нарушили противоепидемичните мерки'](#)), Press release, 5 May 2020.

to suspended imprisonment for five months and a fine of BGN 10,000 (approximately €5,000),<sup>29</sup> all of them for leaving their homes during quarantine after trips abroad.

- The regional court in Dimitrovgrad sentenced a 24-year old man to suspended imprisonment for four months and a fine of BGN 10,000 (approximately €5,000),<sup>30</sup> and 41-year woman to suspended imprisonment for four months and a fine of BGN 10,000 (approximately €5,000),<sup>31</sup> both for leaving their home during quarantine, a 54-year old man to probation for eight months, and a 42-year old man to probation for six months,<sup>32</sup> both for visiting a city park without protective masks.
- The regional court in Elena found a woman guilty of leaving her home during quarantine and sentenced her to suspended imprisonment for three months and a fine of BGN 10,000 (approximately €5,000).<sup>33</sup>
- The regional court in Haskovo sentenced a 46-year old man and a 22-year old man to probation for one year and six months,<sup>34</sup> both for leaving their homes during a quarantine.
- The regional court in Karlovo sentenced a 30-year old man to suspended imprisonment for eight months and a fine of BGN 10,000 (approximately €5,000), and a 29-year old man to suspended imprisonment for six months and a fine of BGN 10,000 (approximately €5,000), both for leaving their homes during a quarantine.<sup>35</sup>

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<sup>29</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Defendant pleaded guilty for non-compliance with anti-epidemic measures and agreed with the Regional Prosecutor's Office – Blagoevgrad' (*'Подсъдим за неспазване на противоепидемични мерки се е признал за виновен и се е споразумял с Районна прокуратура - Благоевград'*), Press release, 15 May 2020.

<sup>30</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In a pre-trial proceeding of the Regional Prosecutor's Office – Dimitrovgrad, a 24-year-old man was sentenced to 4 months of suspended imprisonment and a fine of BGN 10,000 for violating the mandatory quarantine' (*'По досъдебно производство на Районна прокуратура – Димитровград е осъден 24-годишен мъж на 4 месеца условно и глоба от 10 000 лева за нарушаване на задължителната карантина'*), Press release, 7 May 2020.

<sup>31</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In the pre-trial proceedings of the Regional Prosecutor's Office – Dimitrovgrad, a 41-year-old woman was sentenced to 4 months of suspended imprisonment and a fine of BGN 10,000 for violating the mandatory quarantine' (*'По досъдебно производство на Районна прокуратура – Димитровград е осъдена 41-годишна жена на 4 месеца условно и 10 000 лева глоба за нарушаване на задължителната карантина'*), Press release, 18 May 2020.

<sup>32</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In pre-trial proceedings of the Regional Prosecutor's Office – Dimitrovgrad, two men were convicted to "probation" of violating anti-epidemic measures - visited a park during the ban and did not wear protective masks' (*'По досъдебни производства на Районна прокуратура – Димитровград са осъдени двама мъже на „Пробация“ за нарушаване на противоепидемичните мерки – посетили парк по време на забраната и не носили предпазни маски'*), Press release, 19 May 2020.

<sup>33</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In a pre-trial proceeding of the Regional Prosecutor's Office - Veliko Tarnovo, taken under special supervision by the Appellate Prosecutor's Office - Veliko Tarnovo, a woman was sentenced to imprisonment and a fine of BGN 10,000 for violating quarantine measures' (*'По досъдебно производство на РП - В. Търново, взето на специален надзор от Апелативна прокуратура – В. Търново, осъдиха жена на лишаване от свобода и 10 000 лева глоба за нарушаване на карантинните мерки'*), Press release, 18 May 2020.

<sup>34</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In two pre-trial proceedings of the Regional Prosecutor's Office - Haskovo, a father and son were sentenced to "probation", including 160 hours of community service, for violating mandatory quarantine' (*'По две досъдебни производства на Районна прокуратура – Хасково са осъдени баща и син на „Пробация“, включваща и 160 часа безвъзмезден труд, за нарушаване на задължителна карантина'*), Press release, 13 May 2020.

<sup>35</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Two violators of the mandatory quarantine were convicted in pre-trial proceedings of the Regional Prosecutor's Office – Karlovo' (*'Двама нарушители на задължителната карантина са осъдени по досъдебни производства на Районна прокуратура – Карлово'*), Press release, 5 May 2020.



- The regional court in Kazanlak sentenced a man to suspended imprisonment for one year and a fine of BGN 10,000 (approximately €5,000),<sup>36</sup> and a 45-year old man to suspended imprisonment for one year and a fine of BGN 10,000 (approximately €5,000),<sup>37</sup> both for leaving their homes during quarantine after trips abroad.
- The regional court in Knezha found a 37-year old man guilty of leaving his home during quarantine and sentenced him to probation for six months.<sup>38</sup>
- The regional court in Kyustendil sentenced a man to suspended imprisonment for ten months and a fine of BGN 10,000 (approximately €5,000)<sup>39</sup>, and a man to suspended imprisonment for ten months and a fine of BGN 10,000 (approximately €5,000),<sup>40</sup> both guilty for leaving their homes during quarantine after trips abroad.
- The regional court in Levski found a 36-year old man guilty of leaving his home during quarantine and sentenced him to probation for six months.<sup>41</sup>
- The regional court in Nikopol found a 20-year old man guilty of leaving his home during quarantine and sentenced him to suspended imprisonment for six months and a fine of BGN 10,000 (approximately €5,000).<sup>42</sup>
- The regional court in Pleven sentenced a 30-year old woman to suspended imprisonment for three months and a fine of BGN 10,000 (approximately €5,000), a 28-year old man to suspended imprisonment for five months and a fine of BGN 10,000 (approximately €5,000),<sup>43</sup> a 36-year old woman to probation for one year and six months, a 22-year old man to probation

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<sup>36</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'According to an agreement of the Kazanlak Regional Prosecutor's Office, a man was convicted of non-compliance with quarantine' (*'По споразумение на Районна прокуратура-Казанлък бе осъден мъж за неспазена карантина'*), Press release, 21 May 2020.

<sup>37</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'By agreement of the Regional Prosecutor's Office-Kazanlak, a 45-year-old man was sentenced to 1 year suspended imprisonment and a fine of BGN 10,000 for non-compliance with quarantine' (*'По споразумение на Районна прокуратура-Казанлък е осъден 45-годишен мъж на 1 година условно и 10 000 лева глоба за неспазена карантина'*), Press release, 29 May 2020.

<sup>38</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Five convicted persons for one week for violating the quarantine imposed on them, in cases monitored by the Pleven Regional Prosecutor's Office' (*'Пет осъдени лица за една седмица за нарушаване на наложената им карантина, по дела наблюдавани от Районна прокуратура гр. Плевен'*), Press release, 29 May 2020.

<sup>39</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A defendant has agreed with the Regional Prosecutor's Office – Kyustendil for non-compliance with the mandatory quarantine' (*'Подсъдим за неспазване на задължителната карантина се е споразумял с Районна прокуратура - Кюстендил'*), Press release, 5 May 2020.

<sup>40</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Defendant has agreed with the Regional Prosecutor's Office – Kyustendil for non-compliance with the mandatory quarantine' (*'Подсъдим за неспазване на задължителната карантина се е споразумял с Районна прокуратура - Кюстендил'*), Press release, 7 May 2020.

<sup>41</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Five convicted persons for one week for violating the quarantine imposed on them, in cases monitored by the Pleven Regional Prosecutor's Office' (*'Пет осъдени лица за една седмица за нарушаване на наложената им карантина, по дела наблюдавани от Районна прокуратура гр. Плевен'*), Press release, 29 May 2020.

<sup>42</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Five convicted persons for one week for violating the quarantine imposed on them, in cases monitored by the Pleven Regional Prosecutor's Office' (*'Пет осъдени лица за една седмица за нарушаване на наложената им карантина, по дела наблюдавани от Районна прокуратура гр. Плевен'*), Press release, 29 May 2020.

<sup>43</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Two persons were sentenced to imprisonment and a fine for violation of measures issued against the dissemination of COVID-19 in cases monitored by the Pleven Regional Prosecutor's Office' (*'Две лица са осъдени на лишаване от свобода и глоба за нарушаване на мерки, издадени против разпространяването на COVID-19 по дела наблюдавани от Районна прокуратура - Плевен'*), Press release, 18 May 2020.

for eight months,<sup>44</sup> a 39-year old woman to probation for six months, an 18-year old man to probation for one year, and a 19-year old man to probation for one year,<sup>45</sup> all of them for leaving their homes during quarantine.

- The regional court in Plovdiv found a 32-year old man guilty of leaving his home during quarantine after a trip abroad and sentenced him to imprisonment for three months and a fine of BGN 10,000 (approximately €5,000).<sup>46</sup>
- The regional court in Razgrad sentenced a 27-year old man to probation for six months and a fine of BGN 5,000 (approximately €2,500),<sup>47</sup> a 59-year old man to probation for six months and a fine of BGN 5,000 (approximately €2,500),<sup>48</sup> a 44-year old woman to suspended imprisonment for one year and a fine of BGN 12,000 (approximately €6,000),<sup>49</sup> and a 20-year old man to suspended imprisonment for six months and a fine of BGN 10,000 (approximately €5,000),<sup>50</sup> all of them for leaving their homes during quarantine after trips abroad.
- The regional court in Razlog found a 20-year old man guilty of receiving people in his home during quarantine after a trip abroad and sentenced him to probation for eight months.<sup>51</sup>

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<sup>44</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Two more convicted persons for violating the quarantine imposed on them, in cases monitored by the Pleven Regional Prosecutor's Office' (*'Още две осъдени лица за нарушаване на наложената им карантина, по дела наблюдавани от Районна прокуратура - Плевен'*), Press release, 22 May 2020.

<sup>45</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Five convicted persons for one week for violating the quarantine imposed on them, in cases monitored by the Pleven Regional Prosecutor's Office' (*'Пет осъдени лица за една седмица за нарушаване на наложената им карантина, по дела наблюдавани от Районна прокуратура гр. Плевен'*), Press release, 29 May 2020.

<sup>46</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Upon indictment of the Regional Prosecutor's Office – Plovdiv a 32-year-old man is sentenced to 3 months in prison and a fine of BGN 10,000 for violating mandatory quarantine' (*'По обвинителен акт на Районна прокуратура – Пловдив е осъден 32-годишен мъж на 3 месеца затвор и 10 000 лева глоба за нарушаване на задължителна карантина'*), Press release, 7 May 2020.

<sup>47</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Probation and a fine of BGN 5,000 is the punishment of a man who violated the quarantine measures after returning from abroad, according to an approved agreement of the Regional Prosecutor's Office in Razgrad' (*'Пробация и 5000 лева глоба е наказанието на мъж, нарушил карантинните мерки след завръщане от чужбина, по одобрено споразумение на Районната прокуратура в Разград'*), Press release, 4 May 2020.

<sup>48</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A truck driver who violated the quarantine measures was sentenced to probation and fined BGN 5,000 after an agreement approved by the court with the Regional Prosecutor's Office in Razgrad' (*'Шофьор на ТИР, нарушил карантинните мерки, получи наказание „Пробация“ и 5000 лева глоба след одобрено от съда споразумение с Районната прокуратура в Разград'*), Press release, 7 May 2020.

<sup>49</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Defendant for repeated violation of quarantine measures with a conviction and a fine of BGN 12,000 after an agreement approved by the court with the Regional Prosecutor's Office in Razgrad' (*'Подсъдима за многократно нарушаване на карантинните мерки с осъдителна присъда и 12 000 лева глоба след одобрено от съда споразумение с Районната прокуратура в Разград'*), Press release, 15 May 2020.

<sup>50</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A 20-year-old man received a conviction and a fine in the amount of BGN 10,000 for violating the quarantine measures against COVID-19 after an agreement approved by the court with the Regional Prosecutor's Office in Razgrad' (*'Осъдителна присъда и глоба в размер на 10 000 лева получи 20-годишен младеж за нарушаване на карантинните мерки против COVID-19 след одобрено от съда споразумение с Районната прокуратура в Разград'*), Press release, 20 May 2020.

<sup>51</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Punishment imposed on a defendant from the village of Smolevo for violating quarantine instructions' (*'Наложено наказание на подсъдим от с. Смолево за нарушаване на предписания за карантиниране'*), Press release, 5 May 2020.



- The regional court in Shumen sentenced a man to probation for one year and six months for leaving his home during quarantine after a trip abroad,<sup>52</sup> and a 35-year man to probation for eight months for declaring incorrect facts at a checkpoint.<sup>53</sup>
- The regional court in Stara Zagora sentenced a 15-year old girl to probation for one year,<sup>54</sup> a 52-year old man to probation for six months,<sup>55</sup> a 17-year old boy to probation for ten months,<sup>56</sup> and a 36-year old woman to probation for seven months and a fine of BGN 5,000 (approximately €2,500),<sup>57</sup> all of them for leaving their homes during quarantine.
- The regional court in Svishtov found a man guilty of leaving his home during quarantine after a trip abroad and sentenced him to suspended imprisonment for three months.<sup>58</sup>
- The regional court in Targovishte sentenced a 43-year old woman to suspended imprisonment for six months and a fine of BGN 10,000 (approximately €5,000),<sup>59</sup> a 57-year old man to

<sup>52</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A man was punished with probation and 200 hours of community service for repeatedly violating the quarantine imposed on him because of COVID-19 after an agreement approved by the court with the Regional Prosecutor's Office in Shumen' ([‘С пробация и 200 часа безвъзмезден труд в полза на обществото е наказан мъж за многократно нарушаване на наложената му карантина заради COVID-19 след одобрено от съда споразумение с Районната прокуратура в Шумен’](#)), Press release, 20 May 2020.

<sup>53</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Probation is the punishment of an accused who declared false circumstances at a checkpoint when leaving a city, after an agreement approved by the court with the Regional Prosecutor's Office in Shumen' ([‘Пробация е наказанието на обвиняем, декларирал неверни обстоятелства пред КПП при напускане на областен град, след одобрено от съда споразумение с Районната прокуратура в Шумен’](#)), Press release, 20 May 2020.

<sup>54</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In a pre-trial proceeding of the Regional Prosecutor's Office – Stara Zagora, a 15-year-old juvenile was sentenced to "probation" for violating the mandatory quarantine' ([‘По досъдебно производство на Районна прокуратура – Стара Загора е осъдена 15-годишна непълнолетна на „пробация“ за нарушаване на задължителната карантина’](#)), Press release, 5 May 2020.

<sup>55</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A 52-year-old man was convicted to "probation" upon the pre-trial proceedings of the Regional Prosecutor's Office – Stara Zagora for violating the mandatory quarantine' ([‘По досъдебно производство на Районна прокуратура – Стара Загора е осъден 52-годишен мъж на „Пробация“ за нарушаване на задължителната карантина’](#)), Press release, 8 May 2020.

<sup>56</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'In the pre-trial proceedings of the Regional Prosecutor's Office – Stara Zagora, a 17-year-old young man was sentenced to "probation" for violating the mandatory quarantine' ([‘По досъдебно производство на Районна прокуратура – Стара Загора е осъден 17-годишен младеж на „Пробация“ за нарушаване на задължителната карантина’](#)), Press release, 14 May 2020.

<sup>57</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'By agreement of the Regional Prosecutor's Office – Stara Zagora, a 36-year-old woman was sentenced to "probation" and a fine of BGN 5,000 for violating the mandatory quarantine' ([‘По споразумение на Районна прокуратура – Стара Загора е осъдена 36-годишна жена на „Пробация“ и 5 000 лева глоба за нарушаване на задължителната карантина’](#)), Press release, 18 May 2020.

<sup>58</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Convicted man for non-compliance with quarantine measures in pre-trial proceedings of the District Prosecutor's Office – Svishtov, taken under special supervision by the Appellate Prosecutor's Office – Veliko Tarnovo' ([‘Осъдиха мъж за неспазване на карантинните мерки по досъдебно производство на Районна прокуратура – Свищов, взето на специален надзор от Апелативна прокуратура – Велико Търново’](#)), Press release, 18 May 2020.

<sup>59</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Conviction and a fine of BGN 10,000 for a defendant for violating the quarantine measures after an agreement approved by the court of the Territorial Department in Omurtag at the Regional Prosecutor's Office – Targovishte' ([‘Осъдителна присъда и глоба от 10 000 лева за подсъдима за нарушаване на карантинните мерки след одобрено от съда споразумение на Териториалното отделение в Омуртаг към РП - Търговище’](#)), Press release, 7 May 2020.

probation for eight months,<sup>60</sup> and a 70-year old man to probation and a fine of BGN 5,000 (approximately €2,500),<sup>61</sup> all of them for leaving their homes during quarantine.

- The regional court in Varna found a man and his wife guilty of leaving their home during quarantine and sentenced them to probation for eight months.<sup>62</sup>
- The regional court in Veliko Tarnovo found a man guilty of leaving his home during quarantine after a trip abroad and sentenced him to probation for nine months.<sup>63</sup>

### 1.2.2 Education

In **Bulgaria**, the Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*) introduced a number of changes to rules on education laid down in the special law governing the measures during the state of emergency.<sup>64</sup> The online education of students enrolled in full-time, part-time, individual and combined form of education and in a dual system of education, as well as support for personal development was extended until the end of the second school term of the academic year 2019-2020. Education included distance learning, self-training, ongoing feedback on learning outcomes and assessment. After the end of the state of emergency, the presence of children and students in preschool institutions and schools was allowed only for carrying out urgent activities related to the completion of the current school year or the preparation of the next one, provided that it was impossible to carry out these activities remotely in an electronic environment and/or presence in school was required. In all other cases, group presence of children and students on the territory of pre-school institutions and schools was permitted only upon notification of the Minister of Education and Science. In all cases, in which the presence of children and students in school was allowed, school directors were obliged to organise the activities in compliance with the measures prescribed by the Minister of Health, prevent the accumulation of children, students or parents, and ensure that children were present with the consent of their parents.

In **Bulgaria**, physical presence in universities remained suspended. Access was allowed only for carrying out urgent activities (including practical workshops and exams) related to the completion of the current academic year or the preparation of the next one, provided that it was impossible to carry out these activities remotely in an electronic environment and/or physical presence was required.<sup>65</sup>

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<sup>60</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Eight months of probation for a man who violated the imposed quarantine measures against COVID-19, after an agreement approved by the court with the Regional Prosecutor's Office in Targovishte' (*'Осем месеца пробация за мъж, нарушил наложените карантинни мерки срещу COVID-19, след одобрено от съда споразумение с Районната прокуратура в Търговище'*), Press release, 8 May 2020.

<sup>61</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Probation, a fine of BGN 5,000 and 100 hours of community is the punishment of a man who violated the mandatory quarantine, after an agreement approved by the court with the Regional Prosecutor's Office in Targovishte' (*'Пробация, глоба от 5000 лева и 100 часа безвъзмезден труд в полза на обществото е наказанието на мъж, нарушил задължителната карантина, след одобрено от съда споразумение с Районната прокуратура в Търговище'*), Press release, 12 May 2020.

<sup>62</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'A family from Devnya receives probation sentence for violating mandatory quarantine against COVID-19 after court-approved agreement with prosecution' (*'Семейство от Девня получи наказание „Пробация“ за нарушаване на задължителната карантина срещу COVID-19 след одобрено от съда споразумение с прокуратурата'*), Press release, 14 May 2020.

<sup>63</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Convicted man for violating quarantine measures in pre-trial proceedings of the Regional Prosecutor's Office – Veliko Tarnovo' (*'Осъдиха мъж за нарушаване на карантинните мерки по досъдебно производство на Районна прокуратура – Велико Търново'*), Press release, 21 May 2020.

<sup>64</sup> Bulgaria, Amendment to the Health Act (*Закон за изменение и допълнение на Закона за здравето*), 13 May 2020, § 12.

<sup>65</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-277 on introduction of temporary anti-epidemic measures (*Заповед № РД-01-277 за въвеждане на временни противоепидемични мерки*), 26 May 2020.

In **Bulgaria**, nurseries and kindergartens were reopened on 22 May 2020.<sup>66</sup> The Ministry of Health (МН) (*Министерство на здравеопазването*, МЗ) issued detailed instructions on the measures that had to be implemented in nurseries and kindergartens to protect the health of staff and children, including smaller number of children in one group (maximum 20 children), physical distancing between groups, staff members and parents, re-organisation of entry to allow a minimum distance of two meters between families, organisation of more activities outdoors (depending on weather conditions), sanitary measures (ventilation, disinfection, cleaning of premises, furniture, tableware and toys, preparation and serving of food, etc.). The instructions also included a separate protocol for reaction in case of suspected or established case of COVID-19 in the kindergarten or nursery.<sup>67</sup>

In **Bulgaria**, higher education institutions had taken further measures to respond to the COVID-19 situation. Some combined auditorium lectures and practice-based courses with on-line learning, making use of the digital resources available online and the various digital platforms. Face to face meetings were maintained for smaller group-based learning. The Ministry of Education and Science (МЕС) (*Министерство на образованието и науката*, МОН) prepared a national programme on further qualification and competences upgrading for work in digital environment to help the professionals to improve further their personal digital skills. In those higher education institutions, in which online learning was not possible, the academic year was extended, with different options offered to the students to support them in catching up with their assignments and duties.

### 1.2.3 Work

In **Bulgaria**, restriction of work was never implemented as a mandatory measure and therefore no specific measures were introduced in relation to return to work. Since the beginning of the state of emergency until its expiry on 13 May 2020, employers were instructed to introduce, as far as possible, distance working for their employees, or, where this was not possible, to apply anti-epidemic measures at the workplace.<sup>68</sup> After the state of emergency ceased to apply and was replaced by an emergency epidemic situation, this instruction remain valid.<sup>69</sup> The minimum set of anti-epidemic measures at the workplace were defined in an order issued by the Minister of Health on 14 May 2020. These measures included: mandatory disinfection according to a pre-defined algorithm, non-admission to the work premises of persons with symptoms of acute respiratory diseases (fever, cough, runny nose, etc.), provision of instructions to staff about proper hand hygiene, provision of soap, water and disinfectant, organisation of work to ensure physical distance between persons of at least 1.5 m, and provision of personal protective equipment to staff depending on the specifics of the work and the risk assessment at the workplace (face masks, helmets, gloves, etc.).<sup>70</sup>

In **Bulgaria**, the socioeconomic measures in the area of employment (financial support to persons whose employment was affected by the state of emergency) continued to apply, including the compensation scheme for covering a share of 60 % of the remuneration of employees, who were not

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<sup>66</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-272 on introduction of temporary anti-epidemic measures ([\*Заповед № РД-01-272 за въвеждане на временни противоепидемични мерки\*](#)), 20 May 2020.

<sup>67</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Measures for organising the activities in kindergartens and nurseries after the restoration of the admission of children ([\*Мерки за организиране на дейностите в детските градини и детските ясли след възстановяване на приема на деца\*](#)), 20 May 2020.

<sup>68</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-124 introducing anti-epidemic measures in the country ([\*Заповед № РД-01-124 за въвеждане на противоепидемични мерки в страната\*](#)), 13 March 2020.

<sup>69</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-262 on the introduction of anti-epidemic measures ([\*Заповед № РД-01-262 за въвеждане на противоепидемични мерки\*](#)), 14 May 2020.

<sup>70</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-262 on the introduction of anti-epidemic measures ([\*Заповед № РД-01-262 за въвеждане на противоепидемични мерки\*](#)), 14 May 2020.

dismissed by their employers during the state of emergency and the one-off social assistance allowance of BGN 375 (approximately €190) envisaged for parents of children up to 14 years of age, who had been on unpaid leave for at least 20 days because of their inability to work from home during the state of emergency.<sup>71</sup>

In **Bulgaria**, no measures were implemented specifically targeting people in precarious work situation apart from the general financial support measures targeting all businesses and employees affected by the anti-epidemic restrictions.

#### 1.2.4 Access to justice

In **Bulgaria**, the suspension on all court cases was lifted on 13 May 2020, when the state of emergency ceased to apply and was replaced by an emergency epidemic situation. On 12 May 2020, the Judges' College (*Съдийска колегия*) of the Supreme Judicial Council (SJC) (*Висш съдебен съвет*, ВСС) adopted detailed rules on the operation of the courts during the new situation.<sup>72</sup> The rules governed the physical access to court buildings, the implementation of anti-epidemic measures within the buildings (disinfection, ventilation, protective masks, protective screens), the publicity of hearings and access of journalists (including broadcasting of cases on a screen in front of the courtroom or in a separate room, online streaming or full audio and/or video recording), the scheduling of hearings (at longer intervals between), the holding of hearings online, the electronic communication (where possible) with participants in proceedings (sending and receiving documentation by e-mail, summoning participants by phone or e-mail), the physical distancing between judges and court clerks, etc. With the same rules, the Judges' College (*Съдийска колегия*) of the Supreme Judicial Council (SJC) (*Висш съдебен съвет*, ВСС) informed the Inspectorate of the Supreme Judicial Council (ISJC) (*Инспекторат на Висшия съдебен съвет*, ИВСС) that, due the temporary suspension of cases during the state of emergency and anti-epidemic measures after its end, most of the cases were moving at a slower pace and were going to be completed outside the statutory deadlines.

#### 1.2.5 Freedom of movement

In **Bulgaria**, the border restrictions were changed several times during the reporting period. The restrictions, which were valid as of the end of May, were imposed on 21 May 2020 and consisted of an entry ban on all third-country nationals.<sup>73</sup> The ban did not apply to certain categories of persons such as persons with valid residence permits and their families, medical staff, transport personnel, foreign officials, diplomats and persons travelling for humanitarian reasons.<sup>74</sup> Transit through the

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<sup>71</sup> For the full set of socio-economic measures, which continued to apply after the end of the state of emergency, see the [social measures section](#) and the [economic measures section](#) of the COVID-19 Uniform Information Portal.

<sup>72</sup> Bulgaria, Supreme Judicial Council (*Висш съдебен съвет*), Rules and measures for the operation of the courts during a pandemic (*Правила и мерки за работа на съдилищата в условията на пандемия*), 12 May 2020.

<sup>73</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-274 on temporarily prohibiting the entry and quarantine of entrants to the Republic of Bulgaria and on measures for truck drivers and air crews (*Заповед № РД-01-274 за временна забрана за влизане и поставяне под карантина на влизащите в РБ и за мерки за водачите на товарни автомобили и екипажите на въздухоплавателни средства*), 21 May 2020. This order was repealed at the end of May and some of the restrictions were lifted as of 1 June 2020.

<sup>74</sup> The full list of exceptions included: persons with permanent, long-term or continuous residence status in Bulgaria and members of their families; medical professionals, medical scientists and social workers travelling for a purpose related to their profession; employees involved in supply of medicines, medical products, personal protective equipment and medical equipment; transport personnel engaged in the transportation of persons and goods, crews of aircraft engaged in commercial air transport and other transport personnel as necessary, including ship crews; foreign officials and members of their delegations, as well as diplomats, officials of international organisations, military personnel and humanitarian workers performing their duties; persons traveling for humanitarian reasons; persons directly involved in the construction, maintenance, operation and security of strategic and critical infrastructure in Bulgaria; frontier workers; and seasonal farm workers.

country was allowed only to nationals or long-term residents of another EU country or a Schengen country and their family members who were returning to their country of residence, and citizens of Serbia, the Republic of Northern Macedonia, Montenegro and Turkey who were returning to their country of nationality. Persons arriving to Bulgaria were required sign a declaration that: (a) they had no symptoms of COVID-19; (b) they were not placed under quarantine; (c) they were familiar with the epidemiological situation in Bulgaria and the risks of the COVID-19 disease; (d) they were going to observe the anti-epidemic measures in Bulgaria; (e) they were travelling at their own risk; (f) the purpose of their trip; and (g) commitment to leave Bulgaria as soon as possible (applicable only to persons transiting through Bulgaria). With a few exception, all persons entering Bulgaria were placed under mandatory quarantine for two weeks at a place of their own choice by a written order issued by a border health inspector.

In **Bulgaria**, the measures affecting the situation of asylum applicants, announced by the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) in March, were changed on 14 May 2020, one days after the state of emergency ceased to apply and was replaced by an emergency epidemic situation.<sup>75</sup> All procedural actions on applications for international protection were resumed but the ban on entry of visitors into the reception centres was extended, except for persons directly involved in the proceedings. Authorised persons were allowed to enter reception centres in compliance with the anti-epidemic measures, after a measured body temperature below 37 °C and with personal protective equipment. Newly registered asylum applicants, accommodated in reception centres, were placed under quarantine for 14 days and during this period their health was monitored. Other anti-epidemic measures, introduced by the State Agency for Refugees (SAR) (*Държавна агенция за бежанците, ДАБ*) included: daily measurement of the body temperature of personnel and asylum applicants, regular disinfection, provision of personal protective equipment and disinfectants, and conducting informational talks applicants about the need to comply with the anti-epidemic measures.

### 1.3 Impact of measures on particular groups

In **Bulgaria**, the special measures for persons with disabilities, introduced during the state of emergency, continued to apply after its replacement with an emergency epidemic situation. These measures included, among other things, remote performance (by telephone or e-mail) of individual needs assessment of people with disabilities, home delivery of food, medicine and essential products through the social patronage care service, home delivery of food for lunch through the 'Hot Lunch' programme, extension of the validity of disability assessment certificates (and of the payment of related social assistance allowances), ex-officio recalculation of pensions of working pensioners, purchase of medicines only by presenting a prescription book (without presenting a written prescription by a medical doctor), submission of social assistance applications by e-mail or registered mail, etc.<sup>76</sup>

In **Bulgaria**, the ban on access of visitors to prisons and pre-trial detention facilities was lifted on 16 May 2020, but the ban on home leaves for inmates remained valid. Anti-epidemic measures in prisons and pre-trial detention facilities continued to be implemented according to the applicable protocols for responding to COVID-19 cases in penitentiary facilities. Meanwhile, Skype visits were introduced

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<sup>75</sup> Bulgaria, State Agency for Refugees (*Държавна агенция за бежанците*) (2020), 'Measures to limit the spread of COVID-19 during the emergency epidemic situation' (['Мерки за ограничаване на разпространението на COVID-19 за срока на извънредната епидемична обстановка'](#)), press release, 14 May 2020.

<sup>76</sup> For the full set of socio-economic measures, which continued to apply after the end of the state of emergency, see the [section for persons with disabilities](#) of the COVID-19 Uniform Information Portal.



in several prisons as an alternative to in person visits. The prison administration reported that since the introduction of the state of emergency on 13 March 2020 until the end of May 2020 only one pre-trial detainee had tested positive for COVID-19.<sup>77</sup>

In **Bulgaria**, one more Roma neighbourhood was fully quarantined during the reporting period. The local authorities in the city of Yambol locked down Rayna Knyaginya neighbourhood from 4 May to 19 May 2020 following an increase of the number of infected residents. The neighbourhood, which has a population of 7,000 people, was quarantined after eleven of its residents tested positive in one day. All of the new cases were of persons that had been in contact with a woman, who died from COVID-19.<sup>78</sup> Initially, access to and from the neighbourhood was restricted, but the restrictions did not apply to persons working outside the neighbourhood and to those going to a doctor or a pharmacy. On 9 May 2020, however, the restrictions were tightened and leaving the neighbourhood was no longer allowed except in case of health reasons, return to a permanent address or other extremely urgent reasons. even for persons going to work or in need of medical assistance. The heavier restrictions were introduced in response to non-compliance with the initially introduced anti-epidemic measures.<sup>79</sup> According to media reports, the residents of the neighbourhood complained that they could not go to work, there were no pharmacies and cash machines within the quarantined zone, and the streets were no longer cleaned.<sup>80</sup> On 14 May 2020, upon decision of the local authorities, the whole neighbourhood was disinfected from the air by dispersing with an airplane about 3,000 litres of disinfectant. According to local authorities the substance used was completely harmless for the population.<sup>81</sup> The tension in the neighbourhood increase on several occasions leading to a series of demonstrations and police interventions.<sup>82</sup>

## 2 Impact on fundamental rights of older people

### 2.1 Data/statistics

#### 2.1.1 Share of persons 60+ in the total number of persons in the community infected, recovered and died in relation to COVID-19.

- Infected by COVID-19

In **Bulgaria**, according to data presented to the media by the National Operational Headquarters (NOH) (*Национален оперативен щаб, НОЩ*), the share of persons aged 60+ in the total number of

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<sup>77</sup> Drumeva, I. (Друмева, И.) (2020), 'Prisons and arrests enter the digital era' (*'Затворите и арестите влизат в дигиталната ера'*), *Dnevnik.bg*, 27 May 2020.

<sup>78</sup> Nova TV (2020), 'A neighbourhood in Yambol was blocked due to cases of coronavirus' (*'Блокираха квартал в Ямбол заради случаи на коронавирус'*), *Nova TV*, 5 May 2020.

<sup>79</sup> Nova TV (2020), 'For noncompliance with the measures: full blockade of the Rayna Knyaginya in Yambol' (*'Заради неспазване на мерките: пълна блокада на ямболския квартал „Райна Княгиня“'*), *Nova TV*, 10 May 2020.

<sup>80</sup> bTV (2020), 'The situation in the Roma neighbourhood of Yambol is calm' (*'Обстановката в ромския квартал на Ямбол е спокойна'*), *bTV*, 19 May 2020.

<sup>81</sup> Bulgarian National Television (*Българска национална телевизия*) (2020), 'The Rayna Knyaginya neighbourhood in Yambol was disinfected from the air' (*'Дезинфекцираха квартал „Райна Княгиня“ в Ямбол от въздух'*), *Bulgarian National Television*, 14 May 2020.

<sup>82</sup> Atanasova D., (Атанасова, Д.) (2020), 'Blockade is down: the Roma neighbourhood in Yambol was fenced off for 16 days' (*'Блокадата пада: Ромският квартал в Ямбол беше заграден 16 дни'*), *bTV*, 19 May 2020.

infected persons was 33.31 %: 492 persons aged 60-69 (19.03 %), 254 persons aged 70-79 (9.83 %) and 115 persons aged 80+ (4.45 %).<sup>83</sup> and <sup>84</sup>

- Recovered from COVID-19

N/A

- Died in relation to COVID-19

In **Bulgaria**, there is no publicly available data on the number of persons aged 60+ who have died in relation to COVID-19. Data is available only on the total number of deaths (140 persons as of 31 May 2020) and the average age of the deceased (67 years).<sup>85</sup>

## **2.1.2 Share of persons 60+ in the total number of persons in institutional settings infected, recovered and died in relation to COVID-19.**

- Infected by COVID-19

In **Bulgaria**, according to data presented to the media by the National Operational Headquarters (NOH) (*Национален оперативен щаб*, НОЩ), the total number of infected persons in residential care homes for older persons was 91, including 54 residents and 37 employees from the personnel.<sup>86</sup>

- Recovered from COVID-19

N/A

- Died in relation to COVID-19

N/A

## **2.1.3 Number and type of institutions affected**

In **Bulgaria**, there is no publicly available summarised information on the number and type of affected institutions for older people. Information is publicly released only when a resident or employee of such an institution has been tested positive for COVID-19.

## **2.1.4 Do official statistics on mortality rates from COVID-19 include deaths of older persons in care homes? Has there been any critique of data collection with respect to care homes?**

In **Bulgaria**, the official statistics on mortality rates include death of older persons in care homes. So far, there have been no public debates on or critique of data collection with respect to care homes.

## **2.1.5 Independent studies published on the situation of older persons with respect to the impact of and responses to COVID-19**

N/A

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<sup>83</sup> Hristova A. (Христова, А.) (2020), 'Three months after the start: the coronavirus in Bulgaria in graphs' (*'Три месеца след началото: коронавирусът в България в графики'*), *Dnevnik.bg*, 4 June 2020. The data cover the period between 8 March and 4 June 2020.

<sup>84</sup> Bulgaria, National Statistical Institute (*Национален статистически институт*) (2020), *'Data from the National Operational Headquarters: Confirmed cases of infected population with COVID-19 by sex and age groups between 8<sup>th</sup> of March – 31<sup>st</sup> of May 2020'*, Press release, 1 June 2020.

<sup>85</sup> Bulgaria, National Operational Headquarters (*Национален оперативен щаб*) (2020), 'Briefing of the National Operational Headquarters – 30.05.2020' (*'Брифинг на Националния оперативен щаб – 30.05.2020'*), Press release, 30 May 2020.

<sup>86</sup> Hristova A. (Христова, А.) (2020), 'Three months after the start: the coronavirus in Bulgaria in graphs' (*'Три месеца след началото: коронавирусът в България в графики'*), *Dnevnik.bg*, 4 June 2020. The data cover the period between 8 March and 4 June 2020.

## 2.2 COVID-19 measures targeting older people

### 2.2.1 National guidelines/protocols in response to COVID-19 addressing older people

- in residential care homes (including protective equipment, visits etc.)

In **Bulgaria**, the Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП) issued a set of guidelines on the prevention of and response to COVID-19 infections in residential care homes for older persons and persons with disabilities.<sup>87</sup> Recommended preventive measures included: designation of infection prevention and control contact persons (*лице за контакт по превенция и контрол на инфекциите*) responsible for instructing the other employees and the residents on how to comply with the anti-epidemic measures and for ensuring the availability and regular use of disinfectants; rules on physical distancing within the building; restricted access for visitors; measures for early identification of infected persons; and cleaning and disinfection rules. Recommended response measures included: isolation of infected persons (including, where necessary, their transfer to another location); provision of information to family members; and use of protective equipment by employees taking care of infected residents.

In **Bulgaria**, prosecutor's offices across the country organised inspections in the residential care homes for older persons with identified COVID-19 cases to check the measures taken to prevent the spread of COVID-19 infections. Inspections were carried out in the residential care homes for older persons in Radomir,<sup>88</sup> Gara Oreshets<sup>89</sup> and Kula.<sup>90</sup> At national level, the Supreme Administrative Prosecutor's Office (SAPO) (*Върховна административна прокуратура*, ВАП) requested information from the Minister of Health and the Minister of Labour and Social Policy about the anti-epidemic measures implemented in all specialised institutions providing social services in the country.<sup>91</sup>

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<sup>87</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), Guidelines №08-00-5443 of 30.04.2020, on taking measures and actions by municipalities in identifying users with coronavirus infection in social services ([Указания №08-00-5443 от 30.04.2020 г., относно предприемане на мерки и действия от общините при установяване на потребители с коронавирус инфекция в социалните услуги](#)), 30 April 2020.

<sup>88</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Regional Prosecutor's Office - Pernik ordered an inspection of the home for older persons "St. Ivan Rilski" in the town of Radomir, after a signal for employees with positive tests for COVID-19' (['Районна прокуратура – Перник разпорежи проверка на дома за стари хора „Св. Иван Рилски“ в град Радомир, след сигнал за служители с положителни проби за COVID-19'](#)), Press release, 5 May 2020.

<sup>89</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Vidin District Prosecutor's Office carried out an inspection in RHI-Vidin regarding compliance with the measures against the spread of COVID-19 in the specialised institutions for providing social services' (['Окръжна прокуратура-Видин е извършила проверка в РЗИ-Видин по отношение спазване на мерките срещу разпространението на COVID-19 в специализираните институции за предоставяне на социални услуги'](#)), Press release, 5 May 2020.

<sup>90</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'Vidin District Prosecutor's Office carried out an inspection in RHI-Vidin regarding compliance with the measures against the spread of COVID-19 in the specialised institutions for providing social services' (['Окръжна прокуратура-Видин е извършила проверка в РЗИ-Видин по отношение спазване на мерките срещу разпространението на COVID-19 в специализираните институции за предоставяне на социални услуги'](#)), Press release, 5 May 2020.

<sup>91</sup> Bulgaria, Prosecutor's Office of the Republic of Bulgaria (*Прокуратура на Република България*) (2020), 'The SAPO requests information about the measures taken and their compliance in connection with the distribution of COVID-19 in specialised institutions for the provision of social services' (['ВАП изиска информация за предприетите мерки и тяхното спазване във връзка с разпространението на COVID-19 в специализираните институции за предоставяне на социални услуги'](#)), Press release, 5 May 2020.

- in the community in general

In **Bulgaria**, the Minister of Health issued an order stipulating that all persons aged 60+, who had tested positive for COVID-19, were subject to mandatory hospital isolation and/or treatment, depending on the clinical course of the disease, unless they refused hospitalisation explicitly and in writing. According to the order, after testing negative (with a PCR test) those persons were discharged from hospital and placed under mandatory home isolation (quarantine) for a period of 28 days. At the end of the quarantine period, they had to be tested again and, if the result was positive, the quarantine period had to be extended until they tested negative. According to the order, the rules applied to all persons aged 60+, including those residing in care homes for older persons.<sup>92</sup>

### 2.2.2 **National guidelines/protocols on patient triage that apply age as the main and decisive criterion**

In **Bulgaria**, there are no publicly available national guidelines or protocols on patient triage that apply age as the main and decisive criterion. The algorithm of steps to be followed by medical establishments in case of identification of patients with suspected COVID-19, recommended by the Ministry of Health (MH) (*Министерство на здравеопазването*, МЗ), does not include age as criterion for patient triage.<sup>93</sup> Other relevant documents such as the guidelines for prevention and treatment of COVID-19<sup>94</sup> and the protocol for treatment of confirmed cases of COVID-19<sup>95</sup> also do not refer to age as a criterion for prioritising between patients.

### 2.2.3 **Targeted testing of residents and staff in residential care homes**

- Is this laid down in a targeted policy/measure or done on an ad-hoc basis when a case has been detected?

In **Bulgaria**, mass targeted testing of residents and staff in residential social services across the country was done in the beginning of May 2020, after an increase of positive cases was registered in several care homes for older persons and persons with disabilities. Official statistics on the number of tested persons were not publicly released, but in a media interview, the Minister of Labour and Social Policy announced that the government was planning to do 'more than 17,000 tests' in residential services for children, older people and persons with disabilities and 'priority was to be given to the staff working in these services – about 2,500 persons'.<sup>96</sup>

- Data/statistics on testing & frequency of testing – institutions, residents, staff

In **Bulgaria**, official data at national level on the results of the targeted testing of residential services for older people were not published. In a media interview, the Minister of Labour and Social Policy announced that, as of 15 May 2020, a total of 55 residents and 44 employees of the staff of residential services for children, older people and people with disabilities tested positive for COVID-19. These

<sup>92</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-129 on the persons subject to hospital treatment, home treatment and quarantine ([\*Заповед № РД-01-271 за подлежащи на болнично лечение, домашно лечение и карантина\*](#)), 19 May 2020.

<sup>93</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Basic steps and behaviour in identifying patients with suspected COVID-19 ([\*Основни стъпки и поведение при идентифициране на пациенти със съмнение за COVID-19\*](#)), 25 March 2020.

<sup>94</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Brief guide to the prevention and treatment of COVID-19 ([\*Кратко ръководство за превенция и лечение на COVID-19\*](#)).

<sup>95</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Protocol for treatment of confirmed cases of COVID-19 ([\*Протокол за лечение на потвърдени случаи на COVID-19\*](#)).

<sup>96</sup> bTV (2020), 'Denitsa Sacheva: We are starting mass testing for COVID-19 in the homes for older people' ([\*'Деница Сачева: Започваме масово тестване за COVID-19 в домовете за стари хора'\*](#)), bTV, 4 May 2020.

figures were compared to the total number of users (16,750) and staff (10,850) of such services, but the number of tested persons was not announced.<sup>97</sup> Official data on testing are available at local level, but it is difficult to summarise the information as it covers different time periods and is scattered on the websites of the district health inspectorates.<sup>98</sup>

#### **2.2.4 Restrictions/bans on visits to residential care settings, and any (conditional) lifting of these restrictions**

In **Bulgaria**, the ban on visits to residential care services for older people, introduced in March 2020, was extended to 14 June 2020. The ban is unconditional and applies to all visitors, including family members and relatives.<sup>99</sup>

#### **2.2.5 Restrictive measures for older people living in the community**

In **Bulgaria**, during and after the state of emergency, special restrictions for older people living in the community, other from those valid for the general population, were not applied at any time.

#### **2.2.6 Access to healthcare for older people for conditions unrelated to COVID-19**

In **Bulgaria**, no specific measures were implemented to facilitate the access to healthcare for older people for conditions unrelated to COVID-19. In May 2020, the Hospital Index initiative (a joint initiative of Gallup International and the specialised website clinica.bg) conducted a national representative survey on the impact of the COVID-19 outbreak on the access to healthcare. The survey covered a sample of 798 respondents and was conducted through personal semi-structured interviews. The results showed that 77 % of the population had experienced no difficulties (or had no reason) to seek medical help during the pandemic, 8 % found it difficult to determine whether they had experience such problems, and 15 % had experienced some problems, mostly with visiting a specialist (7 %), a general practitioner (6 %) or a dentist (4 %), and with obtaining prescription (6 %) or over-the-counter (5 %) drugs. About 1 % had problems in connection to hospital treatment or surgery and the survey registered no difficulties in accessing emergency care. According to the study, problems with access to healthcare were mostly shared by older persons, which was 'natural given that they had a greater need for medical services and prophylactics'. Concrete survey results disaggregated by age, however, were not made publicly available.<sup>100</sup>

#### **2.2.7 Support measures and promising practices targeting older people, including access to goods and services online and offline, social/psychological support, and use of digital tools and technology**

In **Bulgaria**, the measures related to access to goods and services for older people include priority access to grocery stores and pharmacies and delivery of goods through the social patronage service. Priority access to grocery stores and pharmacies is granted to all persons aged 60+ and applies

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<sup>97</sup> bTV (2020), 'Denitsa Sacheva: Denitsa Sacheva: The 'Parents in Employment' project is being renewed' (['Деница Сачева: Проект „Родители в заетост“ се подновява'](#)), bTV, 15 May 2020.

<sup>98</sup> For example, see Bulgaria, Regional Health Inspectorate – Montana (*Регионална здравна инспекция - Монтана*) (2020), 'COVID-19 Update' (['Актуално COVID-19'](#)), Press release, 19 May 2020. According to the information, in the period between 1 May and 18 May 2020 a total of 313 employees of 15 social services and 130 residents of three specialised institutions in the district of Montana were tested, of whom one person tested positive for COVID-19.

<sup>99</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-277 on introduction of temporary anti-epidemic measures ([Заповед № РД-01-277 за въвеждане на временни противоепидемични мерки](#)), 26 May 2020.

<sup>100</sup> Hospital Index (*Индекс на болниците*) (2020), '15% with a problem accessing a doctor during a pandemic' (['15 % с проблем с достъпа до лекар по време на пандемията'](#)), press release, 1 June 2020.



everyday between 8:30 a.m. and 10:30 a.m.<sup>101</sup> During this time of the day, persons below the age of 60 are not allowed to visit grocery stores and pharmacies. The social patronage service is provided by municipalities and includes delivery of food, medicine and other essential goods to older people and people with disabilities, affected by the anti-epidemic measures. The government allocated BGN 45 million (approximately €22,5 million) for supporting municipalities in expanding the service and hiring additional personnel.<sup>102</sup>

In **Bulgaria**, the hotline operated by the Ministry of Labour and Social Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП) started providing psychological support to older people and persons with disabilities, affected by the anti-epidemic measures. Consultations are provided free of charge every day from 9 a.m. to 5 p.m.<sup>103</sup>

In **Bulgaria**, no specific measures were implemented targeting the use of digital tools and technologies by older people. No targeted measures for people with dementia were implemented either.

## **2.2.8 Consultation of older people's organisations and/or other civil society organisations in the design, implementation and review of COVID-19-related measures**

N/A

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<sup>101</sup> Bulgaria, Ministry of Health (*Министерство на здравеопазването*), Order No РД-01-277 on introduction of temporary anti-epidemic measures ([Заповед № РД-01-277 за въвеждане на временни противоепидемични мерки](#)), 26 May 2020.

<sup>102</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2020), 'The patronage care for older people and people with disabilities will be expanded by BGN 45 million from the Development of Human Resources Operational Programme' (['С 45 млн. лв. по ОПРЧР ще бъде разширена патронажната грижа за възрастни и хора с увреждания'](#)), press release, 30 March 2020.

<sup>103</sup> Peeva, D. (*Пеева, Д.*) (2020), 'The hotline 0800 88 001 will also provide psychological support' (['Единният номер 0800 88 001 ще предоставя и психологическа подкрепа'](#)), *Dnevnik.bg*, 23 March 2020.