BHC Annual activity report
January – December 2010
THE BULGARIAN HELSINKI COMMITTEE (BHC) is an independent non-profit organization, protecting human rights: the political, civil, cultural and social rights. Defending the rights of most vulnerable groups: the minorities, people with disabilities, prisoners, children, women, has been the emphasis of our work. The objectives of the Bulgarian Helsinki Committee are to promote respect and to protect human rights, lobbying for legislative changes in order to bring the Bulgarian legislation in line with the international standards, to encourage public debates on human rights issues and to promote the human rights idea among the general public.

GENERAL ASSEMBLY OF THE BULGARIAN HELSINKI COMMITTEE

The activity of the Bulgarian Helsinki Committee is managed by a General Assembly, comprised of all the Committee members:


STEERING COMMITTEE

Chairman

Krasimir Kanev

Deputy chair

Margarita Ilieva

Members

Aneta Genova
Desislava Simeonova
Dimitar Kamburov
Iliana Savova
Slavka Kukova

The Bulgarian Helsinki Committee is a non-profit organization, established in 1992 and registered at the Central Register of Non-profit Legal Entities at the Ministry of Justice of the Republic of Bulgaria for public benefit activity (Certificate № 001/12.07.2001).
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTIVITIES PERFORMED IN 2010</td>
<td>3</td>
</tr>
<tr>
<td>PROGRAMME „PROGRAMMING AND ADMINISTRATION“</td>
<td>3</td>
</tr>
<tr>
<td>Obektiv Magazine</td>
<td>4</td>
</tr>
<tr>
<td>The newsletter &quot;Human Rights in Focus&quot;</td>
<td>4</td>
</tr>
<tr>
<td><a href="http://www.bghelsinki.org">www.bghelsinki.org</a></td>
<td>5</td>
</tr>
<tr>
<td>Advocacy activities</td>
<td>5</td>
</tr>
<tr>
<td>&quot;COMMUNICATIONS AND CAMPAIGNS&quot; PROGRAMME</td>
<td>10</td>
</tr>
<tr>
<td>Joint inspections of the Bulgarian Helsinki Committee and the Prosecution at the institutions for children with disabilities</td>
<td>12</td>
</tr>
<tr>
<td>Cases before the law enforcement bodies in the country</td>
<td>13</td>
</tr>
<tr>
<td>Cases before the European court of Human rights</td>
<td>15</td>
</tr>
<tr>
<td>Advocacy</td>
<td>16</td>
</tr>
<tr>
<td>Seminars, workshops and training</td>
<td>16</td>
</tr>
<tr>
<td>Award of the Austrian League for Human Rights on the verification work at children's homes for children with disabilities</td>
<td>17</td>
</tr>
<tr>
<td>CLOSED INSTITUTIONS PROGRAMME</td>
<td>19</td>
</tr>
<tr>
<td>PROGRAM FOR LEGAL PROTECTION OF REFUGEES AND MIGRANTS</td>
<td>22</td>
</tr>
<tr>
<td>HUMAN OF THE YEAR 2010</td>
<td>24</td>
</tr>
<tr>
<td>SPECIALIZED RESEARCH</td>
<td>26</td>
</tr>
<tr>
<td>Preparation of thematic Legal Studies for the Agency of Fundamental Rights of the European Union</td>
<td>26</td>
</tr>
<tr>
<td>Study of the legislation, policies and practices of placing Roma children in children's institutions</td>
<td>26</td>
</tr>
<tr>
<td>Study on &quot;Documenting the development of the measles epidemic in the town of Sliven&quot;</td>
<td>27</td>
</tr>
<tr>
<td>Study of the legislation, the policies and practices</td>
<td>28</td>
</tr>
<tr>
<td>on the protection of the rights of people with intellectual difficulties</td>
<td>28</td>
</tr>
<tr>
<td>and/or psychiatric diseases</td>
<td>28</td>
</tr>
<tr>
<td>Traffic of people investigation</td>
<td>28</td>
</tr>
<tr>
<td>BOOKS</td>
<td>29</td>
</tr>
<tr>
<td>FINANCIAL REPORT</td>
<td>30</td>
</tr>
<tr>
<td>DONORS OF THE BULGARIAN HELSINKI COMMITTEE in 2010</td>
<td>36</td>
</tr>
<tr>
<td>Study of the legislation, policies and practices of placing Roma children in children's institutions</td>
<td>36</td>
</tr>
<tr>
<td>Study of legislation, policies and practices, protecting the rights of people with intellectual disabilities and / or mental diseases</td>
<td>37</td>
</tr>
<tr>
<td>Preparation of thematic Legal Studies for the Agency of Fundamental Rights of the European Union (through Human European Consultancy, the Netherlands)</td>
<td>37</td>
</tr>
<tr>
<td>TEAM OF THE BULGARIAN HELSINKI COMMITTEE in 2010</td>
<td>38</td>
</tr>
</tbody>
</table>
ACTIVITIES PERFORMED IN 2010

In 2010, an institutional reform, regrouping the existing projects in separate programs, organized around thematic fields was carried out at the Bulgarian Helsinki Committee. The new structure, introduced in November 2010, has defined the following five major programs at the Bulgarian Helsinki Committee:

- Programming and administration,
- Communications and companies,
- Law programme,
- Monitoring and Research (combines all research activities of the Bulgarian Helsinki Committee in the close-type institutions, the rights of children and others),
- Lawful protection of refugees and immigrants.

The activities in the different areas of the organization during the past year have been specified below.

PROGRAMME „PROGRAMMING AND ADMINISTRATION“

In the end of 2010, within the program for institutional support and media advocacy two separate programs were formed: programming and administration; communications and campaigns.

Both programs are supported by the Open Society Institute - Budapest and the "Oak" Foundation.

The program for programming and administration (formerly the Institutional Programme) coordinates the overall activity of the Bulgarian Helsinki Committee. In the past year, the program has supported all activities of the Committee, in terms of overall coordination, as well as technical and logistical support.

The program has had significant importance in the fund-raising activities of the organization to ensure the continuity and financial provision of all activities in the various thematic fields, where the Bulgarian Helsinki Committee is operating, maintaining contacts with donors and being responsible for reporting on the various activities of the committee.

The program coordinates the drafting of the annual report on human rights in Bulgaria and is responsible for the organization of its presentation (now jointly with the program for communications and campaigns); it is involved in convening other public events of the committee.

Throughout the past year, the staff, involved in this program (including the collaboration with the Monitoring and Research programme) have coordinated independently or jointly in the implementation of a number of other projects and initiatives (as for instance Documenting the evolution of the measles epidemic in Sliven, Investigation of the institutionalization of Roma children, Transparency for better quality policies in the field of disabilities, Person of the Year 2010), public events and other forums and advocacy activities (advocacy in cases of journalists and international advocacy activities), coordination or issuing publications, maintenance of the website of the committee, updated daily by law enforcement news and many other resources.

The activities of the Program „Programming and administration“ were carried out by: Desislava Simeonova - Director, Vjara Ivanova - Deputy-Director, Severina Petkova - cashier-
accountant, Sybilla Borisova, Maria Petrova and Krassimir Gegov - technical assistants. Accounting services are provided by the "Zhelkova, Stanev and Georgiev" accounting company.

Obektiv Magazine

In the past year the Bulgarian Helsinki Committee has issued 11 editions of the Obektiv Magazine. The issuing of the Obektiv magazine projects beyond the ordinary journalist goals and achievements as the body of the well-established and most important human rights organization - the Bulgarian Helsinki Committee. Outside the monthly expert texts, the editorial staff maintained high level of comments and reports. It has systematically introduced new features, increased the range of authors ("Freedom of Speech", Proceedings of the ECHR", "Close-type institutions", "Remembering Communism", "We read the archives of the SS", "Publicity for LGBT").

In the Obektiv monthly clubs a wide range of members from across the political spectrum, representatives of the executive power, prominent lawyers, religious leaders, prominent intellectuals have participated. As a prestigious liberal edition with human rights profile, the magazine provides the possibility of constantly raising hot topics for public discussion. In 2010, these topics had reference to the severe conflict in the Muslim religion ("The Canon, tatty between radical Islam and politics", "In the dispute over mufti's office the true victims are the believers"), with inadequate ideas of the ruling majority for reforms in the judiciary system ("The disputed texts in the criminal - justice system still remain for the moment", "Does the new law threaten the media and the reduced CEM - the independence and pluralism", "The changes in the Criminal Code against hatred imposition..."), with the minority issues ("Is there security in the Bulgarian government on the Minorities issue"). Unique in this regard was the discussion of the archives of State Security, of the absence of historical and social reflection upon the past ("The Archives of State Security present a tabloid of totalitarianism").

The Obektiv Magazine is the only forum, issuing documents of the State Security, associated with the repressive actions of "the machine for legitimacy" of the Central Committee of the BCP against Bulgarian citizens of Muslim or other religious or ethnic identity. Still in 2009, the editorial staff supports the author's reading of the respective archives of the State Security of the famous expert on the minorities issues - Mikhail Ivanov. With reference to this the certain activities were carried out to convene a conference to reveal the files of former State Security, organized in January 2010. (see below in this section, Public events).

The newsletter "Human Rights in Focus"

By October 2010, the Bulgarian Helsinki Committee has issued nine editions of the "Human Rights in Focus" newsletter, in which were featured 51 articles. Throughout the year, regular contributor of the newsletter became the prominent human rights journalist Tatiana Vaksberg. The other texts were translated as a rule from leading publications such as "The Guardian", "New York Times", "Washington Post", the "BBC".

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1 Please refer to Boyan Znepolski's "Populist critique of the elites and liberal critique of the identity as critical genres", the Culture" newspaper, January 2011.
The bulletin in 2010 also featured texts by eminent scientists with worldwide names such as Prof. Victor Oisyatinski, Nobel Prize winner Professor Amartya Sen, Professor Martha Nyusbaum, Professor Slavoj Zizek.

In 2011, the bulletin of the Bulgarian Helsinki Committee "Human Rights in Focus" will stop coming out as a release of the Bulgarian Helsinki Committee due to restructuring of the web-site of the committee.

The newsletter is written by Emil Cohen, Editor.

www.bghelsinki.org

Throughout the year, the bilingual web-site of the Bulgarian Helsinki Committee has continued to present rich human rights information. Human rights news, publications on committee matters, court cases in the European Court of Human Rights against Bulgaria and others, were written daily in the magazine.

Throughout the year, the news section featured about 2000 human rights news, whereas the intention has been, as in the previous years, that the visitors of the web-site should familiarize themselves mostly with the news that mainstream media ignored, as well as with the translation of foreign sources news.

In 2010 over 115,990 visits were reported from over 107,223 unique visitors, which marks a 6.5 percent increase in attendance by individual users, compared to the year 2009, the time spent on the web-site has also increased. The re-designing of web-site of the Bulgarian Helsinki Committee was also started last year; the new site will be ready in March 2011.

The web-site of the Bulgarian Helsinki Committee in 2010 was supported by Emil Cohen, Editor of the "News" column, Desislava Simeonova and Vyara Ivanova.

Advocacy activities

Advocacy activities on journalist suits

Throughout the past year, the Bulgarian Helsinki Committee was also involved in various advocacy activities in lawsuits against journalists. The case against the "Videlina" newspaper has entered into the next phase of the legal battle. After being allocated to the Supreme Court of Cassation, the case was remitted for reconsideration by another sitting of the Plovdiv Appellate Court. The case with the "reader's letter", posted on the pages of this little Pazardjik newspaper has all grounding to be classified as a serious threat against freedom of speech. It has introduced the journalists guild to the new and yet unknown problem: to seek justice for the reader's letter one one hand; On the other, the publisher and editor of the newspaper "Videlina" Valentin Nenkov was convicted to a disproportionately high penalty amounting to 30 thousand leva; this fine practically closed down the private publication. The threatening effect upon the newspaper profession was more than evident. Despite the repeated press conferences, which the Bulgarian Helsinki Committee held jointly with the Organization of "Journalists Against Corruption", the Bulgarian Association of Regional Media, as well as the numerous

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Please refer to the "Objective" Magazine, edition 181, the "Documents" column, available on the web-site - www.bghelsinki.org.
media appearances, the chances for a favourable judicial outcome of this dispute do not yet appear on the horizon.

The lawsuit for libel against the winner of the Award for Journalistic Investigations **Venelina Popova**\(^3\) - radio correspondent of the Bulgarian National Radio in Stara Zagora, also contains a human rights aspect. For correspondence with reference to the infamous case of the "Golden Estates" of the Social minister of the ruling coalition - Emilia Maslarova, a complaint was filed against the journalist by the local businessman Venceslav Draganov. On October 19, 2010, the Sofia District Court pleaded innocent Venelina Popova in a defamation case against it.

The case of "Svetlana Bozhilova against CEM" started in November. The law enforcement interest toward him was dictated by the visible signs of holding a manipulated contest \(^4\) for the selection of Director General of BNT. As advocates of the rights of journalists in the state media and the public's right to receive pluralist information, the Bulgarian Helsinki Committee monitors the process, which continues also in the current 2011.

**International advocacy**

Throughout the year the Bulgarian Helsinki Committee has presented its documents on several procedures of international advocacy. In July we presented our opinion on the first procedure for Bulgaria of an universal periodic review of the Council on Human Rights of the UN. This opinion focuses on seven key questions of human rights in Bulgaria:

1. Discrimination of ethnic minorities
2. The absence of prosecution of crimes, motivated by prejudice
3. The excessive use of force and weapons by the law enforcement bodies
4. The inhuman and degrading conditions in the places of imprisonment
5. The punishment of the "antisocial conduct" of minors
6. The freedom of conscience and religion
7. Violation of privacy through wiretapping/eavesdropping

The Bulgarian Helsinki Committee has continued to participate in the proceeding through contacts with NGOs and representatives of diplomatic missions, as well as comments on the response of the Government of Bulgaria to the recommendations in the report of November 12, 2010, directed toward the Working Group on the Universal Periodic Review.

In July, the Bulgarian Helsinki Committee has presented two opinions before the Committee on Human Rights of the United Nations with reference to the forthcoming review of the periodic report of Bulgaria on the International Covenant on Civil and Political Rights, to determine the preliminary list of issues to be discussed. In its first opinion, the Bulgarian Helsinki Committee has presented the same issues, as under the universal periodic review. In the second statement, which was made jointly with the Centre of Advocacy for persons with mental disabilities, the Bulgarian Helsinki Committee has focused on discrimination and the rights of the mentally ill. The two statements are available on the website of the Office of the

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High Commissioner for Human Rights in Geneva.\(^5\)

In the summer and autumn of 2010, the Bulgarian Helsinki Committee participated voluntarily in the research on behalf of the European Commission, devoted on the measures of detention and prison conditions. The survey comprised all EU-member countries.

In October, representatives of the Bulgarian Helsinki Committee met with a delegation of the European Committee of the Council of Europe for the Prevention of Torture during their regular visit to Bulgaria, where they shared their observations on the situation in prisons, pretrial detention facilities, psychiatric institutions and homes for children with disabilities.

In October, the Bulgarian Helsinki Committee participated in the preparation of the initiative "For an European anti-racist civil society": a platform to combat racism and xenophobia, supported by 32 European NGOs from different countries, including the Bulgarian Helsinki Committee. The platform published its first manifest on the 2nd of November, in the "Le Mond" newspaper.\(^6\) It was also published in several printed media in Bulgaria.

As in previous years, officers of the Bulgarian Helsinki Committee participated in many conferences, round tables, seminars and other public events, relating to human rights, at the level of the Council of Europe, the European Union, the United Nations, as well as those organized by non-governmental human rights organizations.

Public events, information projects

Conference "The right to know",

\(^{5}\)Please refer to [http://www2.ohchr.org/](http://www2.ohchr.org/)


In January 2010, together with the Commission on records and the Department of History at the "St. Clement Ochridski" University of Sofia, a conference on the prevention of torture during their regular visit to Bulgaria, where they shared their observations on the situation in prisons, pretrial detention facilities, psychiatric institutions and homes for children with disabilities.

The media coverage of the event included both direct reports and news from the prime-time of the national televisions. On the next day all the newspapers informed with comments, reviews and interviews the discussion, initiated by the human rights group. The release of a completely unknown information was assessed, on the operation of agents of the State Security in most areas of spiritual and cultural life in the period of investigation.

The event was coordinated by Yuliana Methodieva, Editor in chief of the Obektiv Magazine.

Information projects

By virtue of the facts above - the publicly acknowledged journalist of the "The Objective" Magazine, as well as the activities of individual colleagues (Kr. Kanev, Yuliana Methodieva, E. Cohen) in various media on different occasions in May, the Bulgarian Helsinki Committee was addressed by the
daughter of a man, sentenced to death for espionage by the Communist regime - Margarit Dimitrov, with a request for information and possible action on the rehabilitation of her father. A four-month investigation followed, contacts with Directorate Generale "Imposing of Sentences", the Ministry of Interior, the Military Court, the Committee of records, members of the Commission on Security, the Vice President Angel Marin, a retired general and former heads of Headquarters (Genshtaba), the Association of Judges, and prominent Sofia lawyers. As a result, for the first time because of the marking "top secret" the file and judicial proceedings of Margarit Dimitrov were taken out.

The actions on this case laid the foundation for an extremely tough, yet unprecedented for the public memory project - Internet portal "Library "Communism - BG version"". Its concept is for educational, research and cultural targets. Its purpose is to unite, collate and store in a considerable (and significant), accessible and interactive on-line resource in the internet knowledge, documents, research, personal stories (memoirs and interviews), personal archives, judicial and social studies from the era of communist regime; to enable researchers to easily find information of interest to them and to find space for publications and discussions. Yet most importantly: to provide students space for fieldwork, educational projects, etc., and to allow citizens with interest in the subject of information, for the events of that era, as well as the opportunity to find their way quickly in the legislation, if they themselves want to undertake personal research (e.g. the mechanisms for access and work at the Committee on records and files). The idea is that the portal will become some kind of "a platform", by gathering in one information array the links of previously existing independently of each other sites and blogs on the topic, so as to become a modern and attractive way to a "humanized pronunciation of the issue" not only through texts, but also through pictures, audio, video and animation.

In this activity, the Bulgarian Helsinki Committee has established partnerships with the New Bulgarian University, which produces the Internet portal, and the Commission on records, which will conduct the training part. The students are activated for work. The portal's design has been prepared. Due to the restructuring of the partnership in the project, in early 2011, discussions were carried out with the "Open Society Institute" in the city of Sofia.

The participation of the Bulgarian Helsinki Committee was coordinated by Yuliana Methodieva, Editor in chief of the "The Objective" Magazine.

Other public events

On March 22, 2010, on a specially convened press conference the Annual report on human rights in 2009 of the Bulgarian Helsinki Committee was presented. The event attracted considerable media interest; information of the event was reported in all national media.

Also in March, the Bulgarian Helsinki Committee, the European Centre for Roma Rights and the Commission for Protection against Discrimination organized a joint Workshop on the implementation of the decisions of the European Committee on Social Rights and with reference to Bulgaria, which concern the Roma. The meeting was organized in conjunction with the three decisions of the European Committee on Social Rights, concerning the Roma rights to housing, the right to health care and health insurance and the right to social support and the measures, which the Bulgarian government should take to implement the decisions.

In April, at the Red House a debate on the topic "To torture or not to torture - dilemmas and shortcomings in the Bulgarian criminal law" was organized, initiated on the occasion of Krassimir Kanev's book "Protection from
torture, cruel, inhuman or degrading treatment or punishment" (see below in the section 'Books').

In September, the President of France Nicolas Sarkozy began the expulsion of Roma. Recognizing the great public attention toward the fate of Bulgarian Roma, the Bulgarian Helsinki Committee, together with other organizations participated in the preparation for a protest rally in front of the French Embassy. Together with the Roma rights organizations "Romani Baht", the "Drom" Organization, the "SHAM" Foundation, prominent Roma intellectuals, more than 300 Roma from Vidin, Montana, Pleven, VelikoTurnovo, Sofia and other populated places with the Roma minority were mobilized. In excellent interaction with the activists from the desegregation projects for Roma Education, on 18th of September, the political rally was held under considerable media interest. The event turned into a prime news for most of the national televisions.
"COMMUNICATIONS AND CAMPAIGNS" PROGRAMME

The "Communications and Campaigns" Programme (formerly a media advocacy programme within the institutional program) was established in 2010.

At the beginning of 2010, a strategy was made for the development of campaigns and communications of the Bulgarian Helsinki Committee and in the coming months the Department, and then the programme worked on its implementing. The strategy addresses issues in the public image of the Bulgarian Helsinki Committee: insignificant presentation in the media and in public as a whole, lack of understanding of the wide coverage of activities of the Bulgarian Helsinki Committee; and sometimes too specialized language.

The strategy provides better visibility of activities, distribution of more information, properly targeting of messages to different audiences; more and more diverse events; developing more visible campaigns; a new visual identity, a new website with new outlook and features; profiles in social networks, opportunities for joining.

As a result, in 2010, the list of contacts in the media was updated twice throughout the year, the messages of the Bulgarian Helsinki Committee are now reaching to the proper column reporters and editors.

For a period of one year, on behalf of the Bulgarian Helsinki Committee nearly 50 press releases have been sent.

For the same period seven press-conferences, a round table and two debates on the subjects of social institutions for adults and orphanages were organized. Most of them have a record of visits for such events. (We established successful cooperation with the Centre for Culture and Debates "The Red House", and we do not have to pay for the debates on our topics.)

The visibility of the Bulgarian Helsinki Committee, i.e. in the presence of the name of the committee in the media has improved dramatically. Throughout the year, committee representatives answered hundreds of media questions.

Three additional sites were constructed - the Annual Report on Human Rights (humanrightsbulgaria.wordpress.com), for the campaign "Person of the Year 2010" (www.humanoftheyear.org) and the campaign to punish the crime at children's homes (forsakenchildren.bghelsinki.org).

The two largest campaigns throughout the year were the revealing of the results of the inspections at the homes for children with disabilities and the awards "Person of the Year". Both campaigns were very successful.

A special site for announcing the results of the checks in children's homes was launched in September 2010.
The campaign for the crimes in the children's homes received hundreds of publications and materials on electronic media in Bulgaria and abroad. *International Herald Tribune*, Deutsche Welle (both radio and television), *SudwestPresse*, BBC, *Daily Telegraph*, *Le Monde*, *Courrier International*, the Austrian National television, the Swiss national radio are only part of the media, which has reflected our campaign.

Initially a report in the *Dnevnik* newspaper was read almost 19,000 times online. Our special website has been extremely successful - 7400 unique visitors, 13,300 page reviews; the English version of the web-site is also highly appreciated.

The campaign for the awards "Person of the Year" went even better than last year's - more media publications, more people, attending the ceremony, and nearly twice as many visitors - 46,700 unique visitors (compared with 26,000 visitors in 2009).

The special web-site for the annual report has been visited more than 6500 times.

While this may be a relatively small success, we can however calculate that in 2010, the Bulgarian Helsinki Committee (on the main site plus the 3 special sites) has reached a communication level of over 40,000 visitors, compared to 2009.

Both campaigns (children's institutions and "Person of the Year"), used new for the Bulgarian Helsinki Committee Media - FAME postcards. According to the FAME reports, our campaigns were particularly successful. Hundreds of people sent e-mails and postcards to the office of the chief prosecutor.

Both campaigns intensively used the social platforms of Facebook and Twitter for direct communication with the community, again something new for the Bulgarian Helsinki Committee. The level of sharing materials was impressively high - thousands of shared links.

Throughout the year actively working on the new web-site to be launched in the first quarter of 2011, along with the launching of the new web-site the profiles of the Bulgarian Helsinki Committee on Facebook and Twitter will also be launched.

Also last year we changed the visual identity of the Bulgarian Helsinki Committee - we chose a new logo, whereas the designers had to work on a brief, where the speech went both on protection, assistance, and on empowerment, empowering.

In November 2010, the Program Director was invited as a consultant to the new social unit of the Bulgarian National Television - "Little Stories". From that moment on there was no Saturday studio on the Bulgarian National television, in which no representative of the Bulgarian Helsinki Committee were present.

The "Communications and Campaigns" Program in 2010 was implemented by Yana Buhrer Tavanier, Director, and Desislava Petrova, Coordinator.

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7-“Someone has to be to responsible”, Yana Buhrer Tavanier, the *Dnevnik* newspaper, 20 September 2010, available on the website: www.dnevnik.bg.
LEGAL DEFENSE PROGRAMME

In 2010 the Legal Defense Program (LDP) operated within the basic programme for legal advocacy, litigation, project advocacy and legal protection of persons with mental, intellectual and emotional disorders, the Centre for Advocacy of persons with mental disabilities (Mental Disability Advocacy Centre, MDAC), Budapest. In support of the legal and lobbying activities of the team of the program as volunteers took part a record number of students from universities in the country and abroad, as well as law graduates.

The program operation was supported by the "Open Society" Institute of Budapest, the "Oak" Foundation, the MDAC of Budapest, the "Leon Levy" Foundation and the Embassy of the Netherlands in Bulgaria.

Joint inspections of the Bulgarian Helsinki Committee and the Prosecution at the institutions for children with disabilities

Background history: In the year 2009 the LDP programme filed a suit for discrimination against the Prosecution for its inaction to prosecute crimes against children with disabilities at the institutions, including 75 identified deaths over a period of 8 years. The Law programme argued that the refusal of the Prosecution to file pre-trial proceedings presents a discrimination, based on the disabilities of the children.

At an unprecedented meeting of the NGO sector, initiated in February 2010, by the Prosecutor General of Bulgaria with reference to the case, the deputy chairwoman of the Bulgarian Helsinki Committee reached an agreement with the prosecutor general for joint inspections of the Prosecution and the Bulgarian Helsinki Committee in all institutions for children with disabilities. In March - June 2010, inspections were conducted in all 24 homes for children and teens with mental retardation; the institution in Mogillino was inspected and closed down. Until August 2010, the data processing and report drafting of the Bulgarian Helsinki Committee to the Prosecutor's Office was finalized (263 pages, 1,730 footnotes, with every evidence of the facts). The LDP programme prepared the critical reports of the institutions with the most severe problems: Mogillino, Medven, Krushari, Petrovo - Blagoevgrad region, Rudnik, Petrovo - Stara Zagora region, Sladakladeneck, Gomotartsi, Kula, Berkovitsa, Iskra, GornaKoznitsa, Kermen, VasilDrumev and Koscharitsa. The Bulgarian Helsinki Committee also prepared 2 individual opinions on the basis of the findings of the prosecutors in the institutions in Sofia and Straja.

The joint inspections established 238 deaths of children for a period of ten years (2000-2010), of which 31 death cases from systematic malnutrition, 84 deaths of total neglect, 15 cases without established cause, 13 death cases due to infections (poor hygiene), 6 death cases from accidents such as frostbite, drowning, suffocation, 36 death cases due to pneumonia, colds and laying in bed for too long; 2 death cases due to violence and physical abuse. Data of 103 alive, yet undernourished children and young people. 7 cases of sexual abuse; at least 8 cases of physical abuse. 622 cases of serious infectious diseases and infestations, some of which lethal. Unlawful physical restraint of children, practically in at least 8 homes. 90 children, subjected to „chemical restraint“ with severe and damaging neuroleptic drugs - tranquilizers are given to children to address their condition of (auto-) aggression, as well as all the usual states of children, such as screaming, running, etc.. The examiners have found out at least 86 documented serious

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8 Until the year 2008 the situation in this institution was hard.
9 All reports and individual opinions of the Bulgarian Helsinki Committee shall be available at the following web-site: http://forsakenchildren.bghelsinki.org.
incidents and information for 58 residents, who committed the injuries themselves.

The results of the reports were presented at a joint press conference with the participation of the Prosecutor General Boris Velchev and the deputy chairwoman of the Bulgarian Helsinki Committee, Attorney at Law Margarita Ilieva. At that point, the Attorney General made a personal commitment that the local prosecutors shall investigate and prosecute all crimes, information of which was contained in the reports, prepared by the Law programme. The Law programme continued to play its role as a guarantor of the effectiveness of these proceedings, whereby monitoring and alerting the higher standing prosecution or the court in cases of unlawful and / or incorrect refusal to initiate proceedings or termination of the pre-trial proceedings. Until the end of 2011, the Prosecutor’s office has informed the Bulgarian Helsinki Committee of the filing of a total of 55 pre-trial proceedings.

In October 2010, unique in its nature seminar was held out with the participation of the Supreme Prosecutor’s office of Cassation, the Law programme, experts and prosecutors, assigned to investigate crimes in the institutions, in order to develop a methodology for investigation of crimes at the homes for children with disabilities.

With the starting of inspections, the Law programme has cancelled its law-suit against the Prosecutor’s office.

Cases before the law enforcement bodies in the country

In 2010, the Law Program continued to pursue the strategic litigation before the Bulgarian courts.

- Litigation of people with mental / intellectual disabilities

With due success closed the case against the Minister of Education for the absence of efficient and effective access to quality education of children with special educational needs. The decision of the Commission for Protection against Discrimination (PAD) in 2009 was upheld by the Supreme Administrative Court (SAC).

Pending is the decision of the Supreme Administrative Court (SAC) also on the case against the Minister of Labour because of the absence of available care in the community for a woman with mental illness, forced to live in a social institution, isolated from society, away from her way of life in Sofia, which contributed to the deepening of "the syndrome of institutionalism", expressed in helplessness, dependence and apathy. The applicant herself requested before the hearing to be placed in a sheltered home in Sofia.

The Law programme continued with the representation of a plaintiff - a prisoner with mental health problems - also on another innovative and strategic case of the program against the Minister of Justice for irresponsible and degrading treatment on behalf of the employees of the Bourgas prison toward the man. The plaintiff demands that the Sofia District Court (SDC) should establish that the absence of medical and psychosocial care, as well as the brutal treatment of the employees thereto, constitute discrimination on the grounds of his mental health status and inhuman / degrading treatment.

Also continued was the representation before a higher instance of G.G., with reference to whom the SDC ruled in 2009 that he was discriminated against by the State Psychiatric Hospital in Radnevo, since during his treatment there he was forbidden to vote in the parliamentary elections, because he was considered not "mentally fit". Thus, only by
the order of the Director of the hospital, a group of people, including the plaintiff, were deprived of their constitutional right of vote.

The program continued its representation in many other cases, including of persons, placed under guardianship, which were prevented their access to the courts.

- In anti-discrimination cases on gender, ethnicity, sexual orientation and religion

As a result of the unprecedented case, brought by the Law Programme against the Ministry of Defence in November 2010, Minister of Defence Anyu Angelov in his own motion repealed the discriminatory ordinance that retrograde forbade women to be admitted to the giving of honours in the National Guard Unit.

A decision of the Supreme Prosecutor's office of Cassation (SPOC) is pending on a case concerning sexually defined domestic violence committed by sexual encroachment. A sitting of the Supreme Prosecutor's office of Cassation (SPOC) have performed a successful interrogation of the injured in friendly conditions, without being exposed to direct contact with the defendant in the case.

The program also pursues many other strategic anti-discrimination cases, including cases against the politician Volen Siderov for his hostile speech directed toward minority groups in Bulgaria and toward the LBGT community; action against the racist dismissal of an employee of the National Revenue Agency; matters and enforcement proceedings, relating to refusals of access to the services and the labour market of Roma citizens; a case of traffic of people; a case for incitement to discrimination against the Sri Chinmoy Centre in Bulgaria (a centre for spirituality and meditation), performed by the Centre of Religious research and consulting "St. St. Cyrill and Methodius etc.

- In cases of unlawful infliction of death, inhuman and degrading treatment and illegal detention

In February 2010, the Supreme Court of Appeal confirmed the decision of the Administrative court - Sofia City (ACSC), with which the Bulgarian Helsinki Committee condemned the Ministry of Interior for the illegal detention of a person without justification, to be punished for his unpleasant behaviour toward a policeman. The police authority has kept the man for 19 hours, without carrying out any urgent action procedures, which is in violation of the purposes of the Law of the Ministry of Interior.

In accordance with the letter and the spirit of the European Convention on Human Rights in July 2010, the ACSC ruled that the detention by the police and taking of a person to a psychiatry, without serious mental health problems constitutes a violation of Art. 3, Art.5 and Art.8 of the Convention due to the expressed degrading treatment, illegal detention and disrespect for the rights of privacy and family life. In this case the police employee used excessive physical force toward the woman. The court ruled that the plaintiff was unlawfully arrested, for the Law of the Ministry of Interior only allows for detention of people with severe mental abnormalities and only if their conduct violates the public order or if they have put their life / or the life of others in danger. The ACSC has convicted the Sofia Directorate of Interior to pay a compensation amounting to 1500 leva to the plaintiff for the non-pecuniary damage caused.

The Law Program continued its representation of the applicant - a plaintiff, deprived of his freedom - against the Minister of Justice in a case before the Supreme Court of Appeal, which was targeted at establishing the failure of the Minister to ensure the safety of inmates in prison. The prisoner was attacked and beaten by another inmate,
undisturbed by the guards, resulting in serious life-threatening bodily injury.

**Cases before the European court of Human rights**

In 2010, the Law programme continued to pursue strategic litigation before the European Court of Human Rights (ECHR) for violations of the European Convention on Human Rights (ECHR).

Pending is a decision of the ECHR on the signature case of the Law programme "Yordanova and others v. Bulgaria" with reference to the danger of forced eviction of Roma from their homes in the neighbourhood of Batalovavodenitsa, Sofia, without provision of adequate housing alternative from the Mayor of the Municipality. Most of the buildings in the neighbourhood are out there in the early twentieth century. They are the only homes that these people possess and where they are officially registered by the state.

Following last year's public hearing on the case Stanev versus Bulgaria, the Chamber transferred the case to a Grand Chamber hearing of the ECHR in the sitting of seventeen judges. The Chairman of the Court found it necessary to re-schedule a new public hearing on February 9, 2011. The appeal of Mr.Stanev concerns the failure of the state to ensure effective protection of people with mental disabilities. The plaintiff (applicant) was placed under guardianship and imprisoned in a social institution in the village of Pastra - a home, known for its degrading living conditions. This was done by decision of his guardian and contrary to his desire to live in the community. The case has a pending decision, which will affect the legislation and practice of placing a person under guardianship and the personal and legal consequences for his life thereupon.

The Law programme filed a complaint with the ECHR, concerning the racial discrimination by the prosecutor's office toward a client of the Bulgarian Helsinki Committee due to the refusal of a prosecutor to investigate the incident, which led to the death of the brother of the complainant. The decree on the prosecutor's refusal to investigate was motivated by the open expression of anti-Roma prejudices.

The Law programme also submitted a complaint before the ECHR on behalf of his father, who raised his son alone until he was 3-years old, of whom the Bulgarian courts took custody due to sexist grounds that - being male - he was not intended to raise the child as would a woman - his mother. The Commission for Protection against Discrimination (CPD) and the Supreme Court of Appeal declined to decide whether judicial decisions constitute an act of sex discrimination, which violated the applicant's right to receive effective protection against gender discrimination in the exercise of his right to family life.

The program continued its representation before the ECHR in a number of other appeals, namely, of a man, tortured by police officers to extort evidence in a murder trial; a partner and daughter of a man of Roma origin, forcibly killed, shot by a policeman, and whose death has not been effectively been investigated; action on behalf of girls, placed as minors in a correctional boarding school for breach of their right to liberty and security, access to court and their right to privacy; complaint by the son of a woman who died in an institution for social care on behalf of prisoners, unlawfully tied for days, for violation of the prohibition on inhuman and degrading treatment by prison officials to him, on behalf of people wrongly placed in psychiatry, on behalf of a Sudanese, who was attacked and beaten by skinhead hooligans in Sofia, and beating on him was not effectively investigated, on behalf of Macedonian citizens for violation of their right to peaceful assembly and association in Bulgaria and others. The Mitev v. Bulgaria case, concerning the gross violation of human rights under
guardianship was terminated by the ECHR because of the applicant's death.

**Advocacy**

In May 2010, the Bulgarian Helsinki Committee presented to the National Assembly an open letter against the draft proposal for a reduction of the CPD. The letter, initiated by the deputy-chairwoman of the Bulgarian Helsinki Committee, was endorsed by 22 organizations - including the largest and most influential advocacy organizations in the country. They all stood behind the argument that reducing the number of members of the CPD will severely limit the possibilities for protection against discrimination, which is a drastic violation of the Constitution as well as the requirements of European Union law. Subsequently the BHC strongly opposed to the voted on first reading by Parliament reduction in the number of Articles of CPD from 9 to 7.

In April 2010 Attorney at Law AnetaGenova and Attorney at Law Daniela Fortunova met with Deputy Minister of Justice Daniela Masheva. They discussed the idea of creating a working group to prepare a draft law on the guardianship in order to ensure better protection of persons, placed under guardianship. Also in this reference, the experts of the Legal Programme participated in the work groups to monitor the implementation and changes in the Code of Civil Procedure. They expressed their concern about the lack of guarantees in the process of imposing and termination of guardianship for people with mental disabilities.

The Legal Program called on the government to provide to civil society an opportunity to make comments and additions to the translation of the UN Convention on the Rights of Persons with Disabilities, signed, but not yet ratified by Bulgaria. Attorney at Law AnetaGenova offered to support the Bulgarian government in translating and reviewing the legislation for the unification with the Convention.

In July 2010, the BHC strongly condemned the anticipated changes in the Social Security Code, which were intended at harming all self employed. The change provided for the advance ensuring, if using sick leaves or maternity leaves, over the minimum possible amount (420 Leva at that time). The Bulgarian Helsinki Committee has signalled that it would have a disastrous effect on the most vulnerable groups of the self-ensured - women and people with disabilities, respectively - the children, dependent on them.

The Legal Program sent a number of signals to the State Agency of Child Protection for the violated rights of residents in the homes for children, deprived of parental care. The programme provided opinions and advice on complaints, received through letters of citizens, who are comprised within the priority areas of activity of the organization. The total number of complaints, received during the year increased up to 470, which is 35% more than in 2009. In addition to that the Bulgarian Helsinki Committee continued to update and expand the list of institutions and organizations, posted on the web-site, to which people can write for Help.

The programme also continues to support the website [http://ravni.bghelsinki.org/](http://ravni.bghelsinki.org/), comprising information for protection from discrimination.

All year-round the legal experts on the programme commented for the media on the recent human rights issues in the country. Undying media coverage was given to the disclosures in the inspections at the institutions for children with disabilities.

**Seminars, workshops and training**

In May 2010, at the invitation of the European Federation of National Organisations, working with homeless people (FEANTSA) the
Attorney at law Margarita Ilieva participated as a guest lecturer at a seminar in Barcelona on the protection of housing rights through litigation. For another year in success she gave a lecture on the Roma Rights in a series of anti-discrimination seminars at the Academy of European Law, in Trier, Germany. Her participation as a lecturer on "Equality bodies" was evaluated also at a meeting in Lisbon for the European Network of Equality bodies (Equinet) in October 2010. In September 2010 in the Albena sea resort, Attorney at law Ms. Ilieva participated in a meeting with the chairmen of the administrative courts in Bulgaria. She presented the current topic "Direct applicability of the Union Law".

Throughout the year, the director of the programme was invited as an expert in the preparation of international initiatives. In November, at the invitation of SOS Racism, France, she took part in the creation of a European anti-racist movement "grass-roots", and in October at a workshop in New York, organized by the International Network for Economic, Social and Cultural Rights (ESCR-Net) to develop an effective framework for implementing the Additional Protocol to the International Covenant on Economic, Social and Cultural Rights.

In March 2010 Attorney at Law Ms. Aneta Genova participated as a member of the expert committee in a seminar, organized by the Ministry of Labour and Social Policy. The main issues, discussed at the seminar were related to the situation of social workers in the social institutions and the need de-institutionalisation, individual care and approach to the users of social services in the community.

In the spring of 2010 Attorney at Law Daniela Fortunova and Georgi Voinov participated as speakers on the legal protection of victims of hate crimes in the anti-discrimination workshops, organization by the Commission for Protection against Discrimination, respectively in the town of Devin and in the city of Sofia. They also held a training course in anti-discrimination law of students from the Law Faculty of the Belgrade University in December 2010.

In November 2010, Attorney at Law Ms. Fortunova together with her colleague Sybilla Borissova prepared on the subject of human rights student volunteers, which shall communicate the studied on the project of the organization "Step for Bulgaria" to teenagers, deprived of parental care.

**Award of the Austrian League for Human Rights on the verification work at children's homes for children with disabilities**

In October 2010, the Director of The programme Margarita Ilieva became one of the **winners of the Austrian League award for Human Rights**. The award was given mainly for her work of inspecting all institutions for children with disabilities in Bulgaria in 2010, which established investigation of dozens of children deaths, in one unique in its scale and implications endeavor. After months of work, Margarita Ilieva and the team she managed established some shocking data (see above in this section) of infant death, violence, tethering and treatment with dangerous drugs, as well as over a hundred alive children, suffering from malnutrition.

The Austrian League for Human Rights gave her a award for representatives of NGOs, working for the protection and promotion of human rights, for a second consecutive year.

The awarding ceremony was held at a special ceremony in Vienna on the eve of December 10 - the World Day of Human Rights.

The activities of the Legal Programme throughout the year were executed by a team, in the following composition: Attorney at Law Margarita Ilieva – Deputy - Chairwoman of the Bulgarian Helsinki Committee and Director of the
programme, Senior Lawyers Attorney at Law Aneta Genova and Attorney at Law Daniela Fortunova - organizer of the Legal Program, the Lawyers Georgi Voynov and Elena Krasteva, the graduate employees/interns Blagovesta Lambreva, Gabriela Galabova, Kaloyan Stanev, Denitsa Lyubenova - lawyer volunteering in the Legal Program, as well as the junior Attorney at Law Maria Nikolova, Stephan Stephanov, Manoela Krastanova, as well as the volunteers Irina Galabova, Joanna Traykova, Julia Shenderovich, Rostislav Roussev, Maria Krasteva, Stefan Vassilev, Magdalena Ivanova and Donika Batanova.
In 2010, the researchers working under the "Closed institutions" programme (which is now part of the program for monitoring and research) continued their work on the project „Reinforcing of public supervision upon prisons in Bulgaria and Macedonia through strengthening the role of the Ombudsman, the municipal monitoring committees and the specialized inspection authorities“. The main objective of the project was to stimulate the activities of those institutions, performing general and specialized supervision of the places of imprisonment, as well as launching initiatives to improve the conditions in the places of detention and the status of human rights in them. The project lasted two years and was supported by the Open Society Institute in Budapest, whereas in 2010 it continued with the co-financing of the Trust for Civil Society in Central and Eastern Europe. Project partner of the Bulgarian Helsinki Committee in Macedonia was the Macedonian Helsinki Committee.

The project activities were carried out in cooperation with all supervisory institutions and with the active cooperation on behalf of the General Directorate "Execution of Sentences" and the administrations in the places of detention.

With respect to all monitoring committees, the project carried out serious informational activities, related to the clarifying of the regulatory changes and their significant public importance. One of the committees of the most active and innovative activities was in the city of Varna, developed actively in prison and with imprisoned people, who needed support upon going out of prison. Therefore, the Bulgarian Helsinki Committee sent out the good practices of the media coverage also to the other committees. The propaganda activities that started out for the establishment of monitoring committees also in the cities, where no prisons are available, led to the creation of committees in the towns of Russe, Kazanlak, Blagoevgrad, Kardjali and Dobrich, and others. In other smaller towns, such as Tvarditsa and ByalaSlatina, it appeared that the committees were created, yet do not perform any activity. In some cities the municipal councils did not respond to the urgent appeal of the Bulgarian Helsinki Committee to set up their own monitoring committees.

In 2010, the Bulgarian Helsinki Committee also followed through with the practice by implementing supervision on behalf of the Prosecutor’s Office, the Inspectorate at the Ministry of Justice, the Ombudsman and the specialized supervisory bodies, which are subordinate to the Ministry of Health and the Ministry of Labour and Social Policy. On the specially organized workshops with them, the Bulgarian Helsinki Committee presented their duties of supervision, arising from the Law, as well as the international standards and methodologies to perform this specific activity.

Throughout the entire year, the people, employed on the project carried out multidisciplinary visits in the cities, where prisons are operating, and following each visit to the prison held a series of meetings with the monitoring committees, with the management of the regional health centres, the Regional Inspectorates for Protection and Monitoring of Public Health and with the Regional Labour Inspectorates. The supervision on behalf of the institutions was subject to inspections during the prison visits, where the staff and prisoners were interviewed on the site for the frequency and conduct of their meetings with inspectors from the DG "Execution of Sentences", representatives of the Ombudsman and prosecutors, performing supervision or prosecutors from the Supreme Prosecutor’s office of Cassation.
From the spring of 2010, the project included a new module, associated with the monitoring and promoting external control with respect to the educational process in the schools within the prisons. The Bulgarian Helsinki Committee launched a study of how the educational system operates in Bulgarian prisons and the way it is inspected. The Bulgarian Helsinki Committee organized a number of meetings with the four Regional Education Inspectorates, responsible for the schools within the prisons in the town of Vratsa, the penitentiary in the towns of Boychinovtsi, Lovech and Stara Zagora, where the specifics of the educational process in prison were discussed, compared to all other schools, and arising from the many differences, with respect to the educational status, age, lack of motivation for improving the literacy of prisoners, as well as the mechanisms that could encourage them to attend regular school classes.

Following a working meeting with the Inspectorate management pursuant to Art. 46 at the Ministry of Justice the Bulgarian Helsinki Committee has filed a written request for the recent reports of the inspections in prisons, yet they were refused by the Minister of Justice, arguing that they were only meant for official use; followed by the refusal of the request for access under the Access to Public Information Act. The Bulgarian Helsinki Committee referred the issue to the Administrative court in the city of Sofia and required the reports of the Inspectorate before the courts; Early in 2010, the appeal of the Bulgarian Helsinki Committee was rejected on the grounds that the reports "have no independent significance". The appeal of this decision before the Supreme Administrative Court has led to a decision in December 2010, to set aside as incorrect the decision of the low-instance court and to cancel as unlawful the refusal of the Ministry of Justice to grant access to the reports. In compliance with its decision, the Supreme Court of Appeal has assumed that the reports of the Inspectorate do indeed have an independent meaning, because they reflect the current situation in the places of detention at the time of inspection. The Court has considered the sensitive overriding public interest on the case, given the circumstance that the condition of prisons is within the scope of monitoring the state of human rights.

In May 2010 we organized the third round table discussion on the subject "Strengthening the public monitoring of prisons in Bulgaria and Macedonia" with the participation of the Managing Director of the Directorate General "Execution of Sentences", the management of all prison facilities and correctional institutions, chairmen and members of the monitoring committees. The round table was targeted at gathering the representatives of the institutions, subject to supervision with those, who have to be supervised. The participants of the round table were familiarized with the principles of supervision and with the Optional Protocol within the Convention for prevention of tortures, as well as with the need for Bulgaria to ratify this essential tool of supervision.

Still in 2009 we were involved in the lobbying on the need for accession of Bulgaria to the Optional Protocol to the UN Convention Against Torture (OPCAT). In July 2010, by initiative of the Ministry of Foreign Affairs, a working group was established to take the necessary actions in connection with the preparation for Bulgaria's accession to the Optional Protocol. The task group included three representatives of the Bulgarian Helsinki Committee - the only NGO, invited to participate in the working group. In early September of 2010, the Government signed the Optional Protocol, and by the end of 2010 there were held three working group meetings, in which the participation of the...
Bulgarian Helsinki Committee was extremely useful for the expertise and experience in the field of implementation of the Protocol. The terminology in the wording of the Protocol was also discussed and clarified on these meetings, pending the ratification, and specific actions were planned to establish a national preventive mechanism. FPKPI is expected to be ratified by parliament in the spring of 2011. With reference to this, we are preparing the first edition of the Bulgarian language edition for the implementation of FPKPI - "Optional Protocol to the Convention against Torture: Operating instructions".

Additional activities

The activities on the programme also included as follows: investigations and complaints of inhuman and degrading treatment against people, deprived of their freedom in several prisons. For those, which were confirmed, the officers, employed on the programme informed the Law Program of the Bulgarian Helsinki Committee with a recommendation to take legal protection.

In the end of October, the officers, employed on the programme were invited to a working meeting with a delegation of the European Committee for the Prevention of Torture. In order to obtain updated information to present to the meeting, in the previous months, the Bulgarian Helsinki Committee made visits to fifteen detention facilities, in which conditions for detainees were most severe.

In the end of the year, as well as in the preceding ten years at that time, the Bulgarian Helsinki Committee made visits to prisons in the towns of Plovdiv, Pleven, Belene and Bobovdol to interview prisoners, who were arrested over the past two years, in order to summarize the access data to lawyer's counselling and the manner in which the detention was carried out by the police. The data from the survey are used for the preparation of the annual report of the Bulgarian Helsinki Committee for Human Rights in Bulgaria.

In the spring of 2010, we have completed the survey, focused on legislation and the practice of imposing the harshest punishment in Bulgaria - "life imprisonment without parole". Upon receiving answers to the inquiries, addressed to the DG "Execution of Sentences", to the Prosecutor and the Interior Ministry, all prisons were visited to explore the conditions for serving the penalty, the Bulgarian Helsinki Committee issued a special report, "Life imprisonment without parole - inhuman and degrading punishment", this report was sent to all institutions, having regard to this investigation. The main conclusion from the report was that the penalty "life imprisonment without parole" is inhuman and degrading in its nature and should be removed from the Bulgarian Criminal Code.

In 2010, the programme for the monitoring of the closed institutions was implemented by Stanimir Petrov, coordinator, coordinator general supervision, Dr. George Bankov, senior researcher, coordinator specialized supervision and Elitsa Gerginova, researcher.

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12 The report is available on www.bghelsinki.org in Bulgarian and in English.
PROGRAM FOR LEGAL PROTECTION OF REFUGEES AND MIGRANTS

In 2010, the Bulgarian Helsinki Committee continued its long-standing activity of monitoring and advocacy on the right to asylum and international protection for persons, fleeing persecution for reasons of race, religion, nationality, membership to a particular social group or political opinion. The Bulgarian Helsinki Committee has been executing these activities since 1994 with a major donor - the High Commissioner for Refugees. The programme performs operations on the grounds of several permanent institutional arrangements with the State Agency for Refugees from 1998, the General Directorate of Border Police - at the Ministry of Interior since 2005 and the Migration Directorate at the Ministry of Interior from 2007.

The programme provides legal assistance to refugees and persons, granted humanitarian status, asylum seekers and forcibly displaced persons, but also to migrants, whose basic rights are restricted or violated. Specialized legal assistance was provided to those categories of persons in need of special protection such as unaccompanied children, victims of torture or persons with disabilities.

The programme operates through a permanently acting reception and in the registration receiving centres of the State Agency for Refugees in the city of Sofia and the town of Banya. Regular monitoring was carried out in the places of detention at the "KapitanAndreevo" Border Control point, the Novo Selo Border Control point, and the Sofia Airport Border Control point. Weekly monitoring was carried out also in the only acting special detention facility for foreigners (SDVNCH) in the village of Busmantsi, representing space for administrative detention of illegal immigrants. The programme has also provided a review of administrative acts and access to the courts of asylum seekers and illegal immigrants as legal assistance for the realization of their right to effective remedy, as well as "pro bono" representation before the administrative courts and the Supreme Administrative Court in cases of serious violations of substantive or procedural rights.

The most important aspect of the programme activity remains the monitoring upon the access to the territory and procedures for asylum seekers at borders. In 2010 a total of 1008 applications of people seeking protection were registered. 296 of them were registered at the border; 183 of the registered asylum seekers were at the border, or 61% were kept at the Special homes for temporary accommodation of foreigners (SDVNCH) in the village of Busmanci. Only 113 asylum seekers, or 39% were given direct access to the procedure and were accommodated at the registration and reception centres of the State Agency for Refugees (SAR). A total of 580 asylum seekers were detained in 2010, 380 or 65% were released within a month. 183 of all 580, or 31% were persons having applied at the border, another 397 persons and 69% submitted applications in Busmanci. Thus, the 693 asylum seekers, or 68% of all asylum seekers, having applied in 2010 were protected from return (refoulement), registered and given access to the territory and proceedings with the representation and assistance of the Bulgarian Helsinki Committee.

Furthermore, we have provided a total of 3677 pieces of legal advice to 2285 beneficiaries, of which a total of 1135 asylum seekers, recognized refugees - 28, persons with humanitarian protection - 48, 829 asylum seekers with received refusal and 177 with a final refusal, 4 separated children, 49 voluntary returnees. We represented a total
of 107 cases, 12 of which before the administrative courts in summary proceedings and 95 cases before the Supreme Court in general proceedings, of which 66 of the appellate court and 29 cases of cassation. We won a total of 59 cases, 7 in summary proceedings, and 27 in general proceedings at first instance and 24 in the second instance before the Supreme Court.

Additional activities

In 2010, the programme operated under several related projects and initiatives:

- **A Project to strengthen the protection of refugees in Bulgaria** - funded by the MATRA Programme and coordinated by the Bulgarian Council for Refugees. As co-founder of the Refugee Council we participated in the development and protection project for the reinforcement of the institutional capacity of NGOs, participating in the protection of refugees, whose implementation began in 2008. In October 2010, the final conference was held on this project, whereupon the report on access to territory and procedures, made under the project was presented by the Bulgarian Helsinki Committee.

- **Refugee Law Training** - The programme implemented a training on refugee law for prosecutors, officials and business lawyers GDGP the National Legal Aid Bureau in Haskovo.

- **DEVAS Project** - The programme participated in the project "Detention of vulnerable asylum seekers" of the Jesuit Refugee Service - Europe, financed by the European Commission, together with other NGOs from 22 EU Member States. In December 2010, the Bulgarian Helsinki Committee published its national part of the DEVAS report of the conditions for administrative detention and the recommendations for immediate changes in legislation.\(^{13}\)

The program carries out its activities with 7 people of permanent staff, 5 of which are qualified lawyers and a national network of 10 associate attorneys, specializing in refugee, immigration law and human rights, which provide free legal aid for refugees.

The activities of the „Programming and administration“ programme throughout the year were carried out by: Antoaneta Dedikova, Attorney at Law Valentina Nilsen, Attorney at Law Georgi Toshev, Elica Sekulova, Attorney at Law Iliana Savova – Programme Manager, Attorney at Law Mariana Andreeva and Attorney at Law Plamen Jelev.

In the country the program has provided legal assistance to asylum seekers at the border of the territory of the Border Check Point - Svilengrad and Border Check Point Novo Selo by Attorney at Law Dimitar Slavov and of the asylum seekers in the RTC Banya to the State Agency for Refugees by Attorney at Law Mariana Nikolova. From October to December 2010 a regular monitoring of the proceedings for granting the status held by the State Agency for Refugees was carried out with the support of Attorney at Law Martin Hristov and Attorney at Law Maria Valyovska.

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\(^{13}\) Under detention, instead of under protection: Report of the civil society for the detention of vulnerable asylum seekers and illegal migrants in the European Union (the DEVAS Project), December 2010, the summary in Bulgarian and the full text in English are available on web-site of the Bulgarian Helsinki Committee - www.bghelsinki.org.
HUMAN OF THE YEAR 2010

On December 10, 2010, the World day for Human Rights, for third year in succession, the Bulgarian Helsinki Committee awarded the BHC awards for contribution to the human rights „Human of the year 2010 г”.

As every year, anyone could nominate a person or organization on the basis of public criteria. 26 nominations were admitted. The representations sought would have to possess the potential to be a precedent in the legal field or to be original and creative.

The votes of the site for the prize of the public exceed 5500. The people, participating in the campaign by visiting the site „Person of the Year”, were 47 000. Last year they were 15 000.

The six-panel jury has awarded the President of the Supreme Bar Council - Attorney at Law Daniela Dokovska with the great prize „Human of the Year”.

„Lawyer Daniela Dokovska is ahead of the Bulgarian Bar Association, as counsel with the highest personal authority in the country. She has always fought for the law to be moral, and justice to be decent, the state to be in order and the process to be fair. People to get the justice, which is vested in them by law - notwithstanding the fact that society or the government wants to crush them. This year she has consistently opposed the attempts of the government to create legislation, which adversely affects the integrity of justice, thus injuring the rights of people in the process. This year she has protected the most vulnerable citizens of our society, the children with disabilities in the institutions, whereby responding immediately and pro bono in support of the Bulgarian Helsinki Committee, and strongly advocating before the prosecution to investigate all evidence of possible crimes against them, without exception - both for the dead children and the living. The Prosecutor’s office undertook this duty”, said the Chairwoman of the Jury, Margarittalllieva from the Bulgarian Helsinki Committee.

Despite the grand prize "Human of the year", the jury determined also two second places (runners) and one special award.

Attorney at Law Valeriyaillareva and the organisation „Electronic boundary” were awarded, respectively, second and third places.

Attorney Valeriyaillareva protects the rights of refugees and immigrants in Bulgaria, the main engine in the campaign to change the Foreigners Act - to legalize the status of undocumented foreigners, who cannot be returned to their homeland, their right to education and employment. Valeria has successful cases of removal of people from the detention centre for foreigners in Busmantsi.

„Electronic Frontier" is an organization for the protection of free communication and privacy in the digital world. Behind its name stand over 300 people, actively involved in
the fight against "the uncontrolled influx of power in the private life of citizens" and the freedom of speech.

The special award winner for "Activist of 2010" was Peter Kichashki, who had accumulated a series of successful cases and initiatives, protecting the rights of disabled people, having brought dozens of complaints about inaccessible architectural environment before the Commission for Protection from Discrimination against banks, the Utility companies, and others.

The ceremony also announced the winner of the "Audience Award" - the person, who had collected the most votes in the on-line voting on the web-site: humanoftheyear.org. This was the journalist Ivo Indjev.

The „Human of the year“ awards do not have financial value. Their target is to excel and promote, yet also to catalyse the process of thinking, speaking and fighting for human rights in Bulgaria. The grand prize winner received a crystal trophy and a diploma, the other prize winners - a plaque and a diploma.

The special web-site of the initiative, www.humanoftheyear.org, has attracted almost two times more unique visitors - 46 700, compared to their number in 2009.

The jury of „Person of the Year 2010“ contest comprised: Margarita Illieva, chairwoman of the jury, Desislava Petrova, Ivan Bedrov, Judge Mimi Furnadjieva (Supreme Administrative Court, "Human of the year 2008"), Theodora Zacharieva (Centre for rights protection in the health sector, Human of the year 2009) and Yana BuhrerTavanier.

The initiative was supported by the "Oak" Foundation, the Open Society Institute in Budapest and the Embassy of Netherlands in Bulgaria.

„Human of the year 2010“ was brought to life by: Margaritallieva– initiator of the award and chair of the jury, Desislava Petrova, Ivan Bedrov, Mimi Furnadjieva, Theodora Zacharieva, Yana BuhrerTavanier - jury members. Participants in the implementation of the initiative were also officers, employed on other programs of the Bulgarian Helsinki Committee.
SPECIALIZED RESEARCH

Preparation of thematic Legal Studies for the Agency of Fundamental Rights of the European Union

In 2010, the Bulgarian Helsinki Committee continued its operation with the Agency for Fundamental Rights of the European Union (Fundamental Rights Agency, FRA). The Bulgarian Helsinki Committee prepares comparative legal thematic research on specific issues, set out by the agency, ordered in most cases by the agency of the European Parliament or European Commission itself. They are targeted at harmonizing the legislation, the policies and the practices of the individual 27 EU member states, covering the period 2000-2010. The studies provide analysis of both the national legislation in a particular human rights field, as well as evidence of its actual implementation and the results, relating to the effective protection of rights and interests of vulnerable groups. Unfortunately, the studies in Bulgaria have showed that, although in certain areas of progressive legislation, it cannot boast well-functioning bodies and implementing policies.

In February 2010, the Bulgarian Helsinki Committee prepared an update of the thematic study on homophobia and discrimination, based on sexual orientation from 2008. In September and October of 2010, the Bulgarian Helsinki Committee issued a comprehensive report on The human rights in Bulgaria in 2010, and three quarterly newsletters (in April, July and October) of the status of human rights in the following areas - access to justice, the rights of immigrants and refugees, rights of children, discrimination, visa control, access to information. Through the annual report and the newsletters certain human rights news of gross violations in Bulgaria found its wide publicity for the first time.

Subject of the research in 2010 were not only the normative acts and their conformity with the international standards, but also the plans, strategies, practices at national and local level, established on their grounds. Interviews with senior state officials were conducted and sometimes they were presented with the findings of researchers in connection with the activities of the independent institutions, managed by them.

The project activities were performed by Slavka Kukova - senior researcher and chief reporter for Bulgaria, in consultation with other officers of the Bulgarian Helsinki Committee.

Study of the legislation, policies and practices of placing Roma children in children's institutions

The research programme of the Bulgarian Helsinki Committee, focused on the rights of children, placed in institutions, also conducted a research on legislation, policies and practices of placing Roma children in childcare institutions. The study was carried out within the international project of the European Centre for Roma Rights, which was implemented simultaneously in Romania, Italy, Slovakia, Hungary and the Czech Republic. It is targeted at establishing the real causes for the institutionalization of Roma children and their over-presence in children's institutions in Bulgaria. The field investigation was conducted in five areas - the cities of Sofia, Sliven, Plovdiv, Pazardjik
and Varna and included interviews with directors of children's institutions, social services, departments of child protection, "Social Assistance" directorates, Roma NGOs, Roma families at risk or whose children are placed in institutions, Roma children and teenagers, living in institutions.

The survey results were presented in the cities of Sofia, Sliven, Plovdiv and Varna in January and February 2011, at round tables, designed to familiarize the people, employed in the system of child protection, Roma organizations and key ministries and agencies, involved with children's rights with the real reasons for continuing mass institutionalization of Roma children. The study will be presented in Brussels in June 2011 before members of the European Commission, the European Parliament and the embassies of the countries that have traditionally supported the establishment of services for children from vulnerable groups.

This study focuses only on the Roma children and their position in the system of measures to protect children, because although it is a widely known fact, their over-presence in the institutions is not mentioned in any political or legislative act in Bulgaria. The study found that the measures taken from the Bulgarian state to protect children do not present an effective means to prevent the institutionalization of Roma children and fail to support Roma families so that they can raise their children alone.

The survey was conducted and coordinated by SlavkaKukova, with the assistance of Vyara Ivanova and Desislava Petrova. Author of the report is SlavkaKukova.

Study on "Documenting the development of the measles epidemic in the town of Sliven"

In October - December 2010, by order of the Open Society Institute in Sofia researchers of the Bulgarian Helsinki Committee conducted a survey of the epidemic of measles that broke out in the Roma ghetto "Nadejda" in Sliven.

Investigating team of the Bulgarian Helsinki Committee conducted a preliminary investigation by identifying the media outlets in connection with the epidemic, held public talks with the Roma public men from Sliven, examined the official data on the course of the epidemic and the measures to deal with it.

Within the fieldwork, conducted in October and November, the Bulgarian Helsinki Committee interviewed experts, public figures and families of the victims of the epidemic, conducted statistical and medico-statistical study of the circumstances for the occurrence of the epidemic, its course, a group discussion was organized with senior representatives of the local authorities.

For the purpose of medical and statistical research all medical records, related to treating patients suffering from measles were reviewed, whereas particular attention was paid reviewing the records of the deceased ten persons.

As a result of the investigation a report on the epidemic was prepared, as well as for the human rights violations, committed upon its very outbreak and course.

Report on "Documenting the development of the measles epidemic in the town of Sliven. Identification of violated basic human rights, as well as the health rights of the population" was drafted by order of the Open Society Institute in Sofia in December 2010. It will
become part of a larger study of the OSI.

The project was implemented by: Krassimir Kanev (Head, final version of the report), Emil Cohen and Dr. Georgi Bankov (researchers, co-authors of the report) and Diana Dimitrova (assistant for the medical part of the study).

**Study of the legislation, the policies and practices on the protection of the rights of people with intellectual difficulties and/or psychiatric diseases**

In October 2010, the Bulgarian Helsinki Committee started working on a new project with the Agency of Fundamental Rights of the European Union (FRA), which focuses on the study of legislation, policies and practices, protecting the rights of people with intellectual disabilities and/or mental diseases. The project is exploring the dynamics of the last five years in several areas of the legal protection of human rights - access to and experiencing life in a community of people with intellectual disabilities and mental diseases, access to mechanisms for protect against bad and inhumane treatment, violence and abuse, access and experience of people with intellectual disabilities and mental diseases in the taking of important decisions, experiencing life in the institutions - psychiatric hospitals and social institutions.

In November 2010, the Bulgarian Helsinki Committee carried out an analysis of legislation and policies, related to the above areas, yet by December 2010 it also started conducting interviews with persons of intellectual disabilities and mental diseases. In February 2011, a focus group was convened with such persons, yet three more are pending to be carried out with psychiatrists, psychologists, social workers and social service providers to establish their views on the rights of people with mental disabilities. The results will then be summarized and reported at a conference in Vienna in September 2011.

The emphasis in this study has been made on the opinions, perceptions and experiences of the very individuals with mental disabilities, because experience has shown that no evidence is found for them. This prevents their voice to be heard when developing national policies, legislation and services, aimed at their protection. The target of this investigation is to summarize the views of persons with mental disabilities on their access to guarantees to protect their rights and to bring these views to the attention of the European, national and local authorities, which develop the legislation and policies, so that the latter meet the real needs and provide effective protection of persons with mental disabilities.

The study is coordinated by Slavka Kukova, who is also a principal investigator on the project, and is implemented in collaboration with other programs of the Bulgarian Helsinki Committee.

**Traffic of people investigation**

In March and April of 2010, the Bulgarian Helsinki Committee performed a field research on human trafficking among the Roma, interviewing police officers, social service providers, Roma organizations and Roma victims, schools, prosecutors in Varna,
Sliven, Sofia and Pazardzhik.

The results of this study were presented in Budapest on December 10, 2010. They generally showed that the Bulgarian state does not take effective measures to combat trafficking of people, especially when the victims were Roma. The police and the prosecutor’s office are not actively involved in the prevention of trafficking of Roma, although they are familiar with the mechanism and the targets of this phenomenon, as well as with specific cases. The social services, the schools and the Roma organizations also fail to provide adequate and timely information to protect potential or actual victims among the Roma and do not take measures to prevent the trafficking of Roma. Detection of the crime of trafficking of human beings is low and the traffickers do not face any difficulties in organizing their operations in the recent years.

Again, this study was important because of the lack of information in the political and legislative acts with reference to the over-presence of Roma victims in trafficking, preventing them to ensure effective prevention and protection.

The study was carried out by Slavka Kukova, who is also the author of the report.

BOOKS

In October 2010 was published the second book in the series “Introduction to Human Rights: Freedom of speech”.

The book presents the international standards, relating to freedom of expression, analyses the provisions of international treaties, guaranteeing that right and the relevant practice of international bodies, who interpret them. Also analysed is a practice of national judicial authorities of the countries of Europe and North America. Such a systematic presentation of international law in this field is only made for the first time in Bulgarian literature.

Its authors are Boyko Boev, Alexander Kashumov, Krassimir Kanev, Nelly Ognianova and Polina Rusinova, under the general revision of Krassimir Kanev.

The book is distributed in the commercial network of the Sibi publishing house.
INDEPENDENT AUDITOR’S REPORT

TO

THE MANAGEMENT OF

ASSOCIATION BULGARIAN HELSINKI COMMITTEE

Report on the Financial Statements
We have audited the accompanying financial statements of ASSOCIATION BULGARIAN HELSINKI COMMITTEE, which comprise the Balance Sheet as at December 31, 2011 and the Profit and Loss Account for non-profit and profit-making activity, Statement of Changes in Equity, Cash Flow Statement for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Management’s Responsibility for the Financial Statements
The Management is responsible for the preparation and fair presentation of these financial statements in accordance with the national Financial Reporting Standards for Small and Medium-Sized Enterprises, as well as for such an internal control system as the management determines necessary for the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibility
Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with the International Standards of Auditing. These standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement, deviations and discrepancies.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgement, including the assessment of the risks of material misstatement, deviations and discrepancies of the financial statements, whether due to fraud or error. In making these risk assessments, the auditor considers the internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control system. The audit also includes evaluation of the relevance of the accounting policies used and the reasonableness of the accounting estimates made by the management, as well as evaluation of the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a
basis for our audit opinion.

Opinion
In our opinion, the financial statements present fairly, in all material aspects, the financial position of ASSOCIATION BULGARIAN HELSINKI COMMITTEE as of December 31, 2011, and of its financial performance and its cash flows for the year then ended in accordance with the National Financial Reporting Standards for Small and Medium-Sized Enterprises.

Report on Other Legal and Regulatory Requirements
Pursuant to the provisions of Art. 38, Para. 4 of the Bulgarian Accountancy Act, we express also an opinion on the Annual Management Report. We took into consideration the contents of the unconsolidated Annual Management Report for year 2011 prepared by the Management of ASSOCIATION BULGARIAN HELSINKI COMMITTEE. The Annual Management Report is prepared in accordance with the stipulations of Art. 33, Para. 1 and Para 2 of the Bulgarian Accountancy Act. The Management is responsible for the preparation of this Report.
In our opinion, the unconsolidated financial information presented in the Annual Management Report for year 2011 corresponds in all material aspects to the financial information presented in the annual unconsolidated financial statements for the same reporting period.

SPECIALISED AUDIT ENTERPRISE RSM BX OOD
Manager: sign. ill.
IZABELA DZHALAZOVA
Certified Auditor in Charge: sign. ill.
IZABELA DZHALAZOVA

3 February 2012
Sofia, Bulgaria
# BALANCE SHEET

**Association Bulgarian Helsinki Committee**

**As of 31.12.2011**

## ASSETS

<table>
<thead>
<tr>
<th>SECTIONS, GROUPS, ITEMS</th>
<th>Amount (thousand BGN)</th>
<th></th>
<th></th>
<th>SECTIONS, GROUPS, ITEMS</th>
<th>Amount (thousand BGN)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
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<td>2</td>
<td></td>
<td>a</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>A. Registered, not paid-in capital</td>
<td></td>
<td></td>
<td></td>
<td>A. Equity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Non-current (long-term) assets</td>
<td></td>
<td></td>
<td></td>
<td>I. Issued capital</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Intangible assets</td>
<td></td>
<td></td>
<td></td>
<td>II. Issue premium</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II. Long-term tangible assets</td>
<td></td>
<td></td>
<td></td>
<td>III. Revaluation reserve</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment and others</td>
<td>10</td>
<td>15</td>
<td></td>
<td>IV. Reserves</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Group II:</strong></td>
<td>10</td>
<td>15</td>
<td></td>
<td><strong>Total Group IV</strong></td>
<td>288</td>
<td>314</td>
<td></td>
</tr>
<tr>
<td>III. Long-term financial assets</td>
<td></td>
<td></td>
<td></td>
<td>V. Accumulated profit (loss) from previous years, incl.:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV. Deferred taxes</td>
<td></td>
<td></td>
<td></td>
<td><strong>Total Group V</strong></td>
<td>288</td>
<td>314</td>
<td></td>
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<tr>
<td>TOTAL SECTION B:</td>
<td>10</td>
<td>15</td>
<td></td>
<td><strong>Total Group V</strong></td>
<td>288</td>
<td>314</td>
<td></td>
</tr>
<tr>
<td>C. Current (short-term) assets</td>
<td></td>
<td></td>
<td></td>
<td>VI. Current profit (loss)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Inventories</td>
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<td></td>
<td></td>
<td>TOTAL SECTION A:</td>
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<td>314</td>
<td></td>
</tr>
<tr>
<td>Work in progress</td>
<td>254</td>
<td>258</td>
<td></td>
<td>B. Provisions and similar liabilities</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Products and goods, incl.:</td>
<td>9</td>
<td>10</td>
<td></td>
<td>TOTAL SECTION B:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- goods</td>
<td>9</td>
<td>10</td>
<td></td>
<td>C. Liabilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Group I:</td>
<td>263</td>
<td>268</td>
<td></td>
<td>Payables to suppliers, incl.:</td>
<td>-</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>II. Receivables</td>
<td></td>
<td></td>
<td></td>
<td>- within 1 year</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receivables from clients/suppliers/donors</td>
<td>19</td>
<td>4</td>
<td></td>
<td>Other payables, incl.:</td>
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<td>3</td>
<td></td>
</tr>
<tr>
<td>Receivables from group enterprises, incl.:</td>
<td>7</td>
<td>56</td>
<td></td>
<td>- within 1 year</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Other receivables, incl.:</td>
<td>8</td>
<td>31</td>
<td></td>
<td>- payables to personnel, incl.:</td>
<td>3</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Total Group II:</td>
<td>34</td>
<td>91</td>
<td></td>
<td>- within 1 year</td>
<td>3</td>
<td>6</td>
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<tr>
<td>III. Investment</td>
<td></td>
<td></td>
<td></td>
<td>- tax payables</td>
<td>-</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>IV. Cash, incl.:</td>
<td></td>
<td></td>
<td></td>
<td>- within 1 year</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- petty cash</td>
<td>5</td>
<td>14</td>
<td></td>
<td>TOTAL SECTION C, incl.:</td>
<td>4</td>
<td>12</td>
<td></td>
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<tr>
<td>- deposits</td>
<td>386</td>
<td>607</td>
<td></td>
<td>D. Financing and future income, incl.:</td>
<td>406</td>
<td>669</td>
<td></td>
</tr>
<tr>
<td><strong>Total Group IV:</strong></td>
<td>391</td>
<td>621</td>
<td></td>
<td><strong>Total Liabilities</strong></td>
<td>698</td>
<td>995</td>
<td></td>
</tr>
<tr>
<td>TOTAL SECTION C:</td>
<td>688</td>
<td>980</td>
<td></td>
<td>- financing</td>
<td>406</td>
<td>669</td>
<td></td>
</tr>
<tr>
<td>D. Prepayments</td>
<td>-</td>
<td>-</td>
<td></td>
<td>- future income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td>698</td>
<td>995</td>
<td></td>
<td><strong>TOTAL LIABILITIES</strong></td>
<td>698</td>
<td>995</td>
<td></td>
</tr>
</tbody>
</table>
### PROFIT AND LOSS ACCOUNT

**Profit-Making Activity**

**Of Association Bulgarian Helsinki Committee**

**For 2011**

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Amount (thousand BGN)</th>
<th></th>
<th>Income</th>
<th>Amount (thousand BGN)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current Year</td>
<td>Previous Year</td>
<td>Current Year</td>
<td>Previous Year</td>
</tr>
<tr>
<td><strong>A. EXPENSES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation and Impairment, incl.:</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Depreciation and impairment of non-current tangible and intangible assets, incl.:</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- depreciation</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other expenses, incl.:</td>
<td>1</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) carrying amount of assets sold</td>
<td>1</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total operating expenses</strong></td>
<td>6</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Interest expenses and other finance costs, incl.:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total finance costs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total operating costs</strong></td>
<td>6</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total expenses</strong></td>
<td>6</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Profit tax expenses</strong></td>
<td>6</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>6</td>
<td>9</td>
<td></td>
<td></td>
</tr>
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</table>

**B. INCOME**

<table>
<thead>
<tr>
<th>Income</th>
<th>Amount (thousand BGN)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current Year</td>
<td>Previous Year</td>
<td></td>
</tr>
<tr>
<td>Net sales revenue, incl.:</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>goods</td>
<td></td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>services</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Other income, incl.:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total operating income</strong></td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td><strong>Total finance income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total income from main activity</strong></td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td><strong>Operating loss</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total income</strong></td>
<td>3</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>10. Accounting loss (total income – total expenses)</td>
<td>3</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>11. Loss (line 10 + line 11 and line 12 from A)</td>
<td>3</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td><strong>Total (Total income + 11)</strong></td>
<td>6</td>
<td>9</td>
<td></td>
</tr>
</tbody>
</table>

Date of preparation: Sofia, 01 February 2012
Prepared by: Aleksander Georgiev – sign. ill.
Stamp of Specialised Audit Enterprise
RSM BX OOD, Sofia, Reg. No. 130

Chairman: Krassimir Kanev – sign. ill.
Stamp of Bulgarin Helsinki Committee

Certified as per Auditor’s Report, 03.02.2012, RSM BX OOD, Manager: sign. ill, Certified auditor: sign. ill. RSM BX Ltd.
## PROFIT AND LOSS ACCOUNT
### Non-Profit Activity
#### Of Association Bulgarian Helsinki Committee
##### For 2011

### Expenses

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Amount (thousand BGN)</th>
<th>Current Year</th>
<th>Previous Year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATING EXPENSES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Expenses on regulated activity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total A:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Administrative expenses</td>
<td></td>
<td>924</td>
<td>829</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING EXPENSES</strong></td>
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<td>934</td>
<td>829</td>
</tr>
<tr>
<td><strong>FINANCE COSTS</strong></td>
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<td></td>
</tr>
<tr>
<td>Foreign exchange losses</td>
<td></td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Other costs of financial transactions</td>
<td></td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td><strong>TOTAL FINANCE COSTS</strong></td>
<td></td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td><strong>OPERATING LOSS</strong></td>
<td></td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td></td>
<td>942</td>
<td>842</td>
</tr>
<tr>
<td><strong>TOTAL (V+VI)</strong></td>
<td></td>
<td>942</td>
<td>842</td>
</tr>
</tbody>
</table>

### Income

<table>
<thead>
<tr>
<th>Income</th>
<th>Amount (thousand BGN)</th>
<th>Current Year</th>
<th>Previous Year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATING REVENUE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Revenue from regulated activity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditional donation revenue</td>
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<td>918</td>
<td>753</td>
</tr>
<tr>
<td>Membership Fee</td>
<td></td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Other revenues</td>
<td></td>
<td></td>
<td>20</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING REVENUE</strong></td>
<td></td>
<td>920</td>
<td>775</td>
</tr>
<tr>
<td><strong>FINANCE INCOME</strong></td>
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<td></td>
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</tr>
<tr>
<td>Interest income</td>
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<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Foreign exchange gains</td>
<td></td>
<td>3</td>
<td>9</td>
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<tr>
<td><strong>TOTAL FINANCE INCOME</strong></td>
<td></td>
<td>6</td>
<td>12</td>
</tr>
<tr>
<td><strong>TOTAL INCOME</strong></td>
<td></td>
<td>926</td>
<td>787</td>
</tr>
<tr>
<td><strong>RESULT - LOSS</strong></td>
<td></td>
<td>16</td>
<td>55</td>
</tr>
<tr>
<td><strong>TOTAL (V+VI)</strong></td>
<td></td>
<td>942</td>
<td>842</td>
</tr>
</tbody>
</table>

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Date of preparation: Sofia, 01 February 2012  
Prepared by: Aleksander Georgiev – *sign. ill.*  
Chairman: Krassimir Kanev – *sign. ill.*

Stamp of Specialised Audit Enterprise  
Stamp of Accounting Office OOD  
Stamp of Bulgaria Helsinki Committee  
For Zhelkova, Staneva & Georgiev – Accounting Office OOD  
Certified as per Auditor’s Report, 03.02.2012, RSM BX OOD, Manager: *sign. ill*, Certified auditor: *sign. ill*. RSM BX Ltd.
## CASH FLOW STATEMENT
Of Association Bulgarian Helsinki Committee
For 2011

<table>
<thead>
<tr>
<th>TYPES OF CASH FLOWS</th>
<th>Current period</th>
<th>Prior period</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>a 1</td>
<td>2</td>
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<tr>
<td>Cash at the beginning of the period</td>
<td>621</td>
<td>391</td>
</tr>
<tr>
<td>Cash flows from non-profit activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Proceeds from non-profit activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditional donation revenue</td>
<td>684</td>
<td>1 113</td>
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<td>Membership Fee</td>
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<td>2</td>
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<tr>
<td>Proceeds from bank and exchange operations</td>
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<td>12</td>
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<tr>
<td>Other proceeds</td>
<td>39</td>
<td>18</td>
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<tr>
<td><strong>Total proceeds from non-profit activity</strong></td>
<td><strong>730</strong></td>
<td><strong>1 145</strong></td>
</tr>
<tr>
<td>B. Cash paid for non-profit activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donations made</td>
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<tr>
<td>Cash paid for salaries</td>
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<td>511</td>
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<tr>
<td>Cash paid for social insurance</td>
<td>105</td>
<td>74</td>
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<tr>
<td>Cash paid for bank and exchange operations</td>
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<td>7</td>
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<tr>
<td>Other payments</td>
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<td>12</td>
</tr>
<tr>
<td>Unutilised donations</td>
<td>10</td>
<td>2</td>
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<tr>
<td>Payments to suppliers</td>
<td>208</td>
<td>220</td>
</tr>
<tr>
<td><strong>Total cash paid for non-profit activity</strong></td>
<td><strong>963</strong></td>
<td><strong>914</strong></td>
</tr>
<tr>
<td>C. Net cash flow from non-profit activity</td>
<td><strong>(233)</strong></td>
<td><strong>231</strong></td>
</tr>
<tr>
<td>Cash flows from profit-making activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Proceeds from profit-making activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proceeds from customers</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total proceeds from profit-making activity</strong></td>
<td><strong>3</strong></td>
<td><strong>2</strong></td>
</tr>
<tr>
<td>B. Cash paid for profit-making activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other payments</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td><strong>Total cash paid for profit-making activity</strong></td>
<td><strong>3</strong></td>
<td><strong>3</strong></td>
</tr>
<tr>
<td>C. Net cash flow from profit-making activity</td>
<td>3</td>
<td><strong>(1)</strong></td>
</tr>
<tr>
<td>IV. Cash at the end of the period</td>
<td>391</td>
<td>621</td>
</tr>
<tr>
<td>V. Change in cash during the period</td>
<td><strong>(230)</strong></td>
<td><strong>230</strong></td>
</tr>
</tbody>
</table>

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Prepared by: Aleksander Georgiev – sign. ill.
Chairman: Krassimir Kanev – sign. ill.
Stamp of Specialised Audit Enterprise
For Zhelkova, Staneva & Georgiev – Stamp of Accounting Office OOD
RSM BX OOD, Sofia, Stamp – Zhelkova, Staneva & Georgiev
Reg. No. 130 Accounting Office OOD

Certified as per Auditor’s Report, 03.02.2012, RSM BX OOD, Manager: sign. ill, Certified auditor: sign. ill., RSM BX Ltd.
DONORS OF THE BULGARIAN HELSINKI COMMITTEE in 2010

The “Open Society” Institute in Budapest

Project for institutional support of the Bulgarian Helsinki Committee, strategic litigation and media advocacy

Reinforcing the social supervision upon prisons in Bulgaria and Macedonia by reinforcing the role of the Ombudsman, the municipal monitoring committees and the specialized surveillance authorities for inspection

The „Oak“ Foundation in Switzerland

Project for institutional support of the Bulgarian Helsinki Committee and strategic litigation (co-financing)

High Commissioner for the Refugees of the United Nations

Program for lawful protection of refugees and immigrants

Mental disability advocacy centre in Budapest

Project for advocacy and legal protection of persons with mental, intellectual and emotional disturbances

Trust for Central and Eastern Europe

Reinforcing the social supervision upon prisons in Bulgaria and Macedonia by reinforcing the role of the Ombudsman, the municipal monitoring committees and the specialized surveillance authorities for inspection, Programme of the closed institutions (co-financing)

European centre of Roma rights, Budapest

Traffic of people investigation

Study of the legislation, policies and practices of placing Roma children in children's institutions

Workshop on the decisions of the European Committee on Social Rights concerning Bulgaria

The "Leon Levy" Foundation

Support for the activities of the Legal Program of the Bulgarian Helsinki Committee (BHC)

The Royal Netherlands Embassy in Bulgaria/The MATRA program of the Dutch government

Human of the year 2010 (co-financing)

Support of the activities of the Legal Program on the Co-Prosecutor's inspections at the DDMIU
(co-financing)

Project to reinforce the protection of refugees in Bulgaria

**Agency of Fundamental rights**

Study of legislation, policies and practices, protecting the rights of people with intellectual disabilities and / or mental diseases

Preparation of thematic Legal Studies for the Agency of Fundamental Rights of the European Union (through Human European Consultancy, the Netherlands)

**The “Open Society” Institute in Sofia**

Project on "Documenting the development of the measles epidemic in the town of Sliven"

**Jesuit Refugee Service - Europe**

For the study, "Detention of vulnerable asylum seekers"
TEAM OF THE BULGARIAN HELSINKI COMMITTEE in 2010.

CHAIR
Krasimir Kanev

„PROGRAMMING AND ADMINISTRATION“ PROGRAMME
Desislava Simeonova, Director
Vyara Ivanova, Deputy-director
Severina Petkova, cashier and accountant
Sybilla Borissova, technical associate
Maria Petrova, technical associate
Krassimir Gegov, assistant correspondence
Violeta Dimitrova, office cleaning

Accounting services - House of accounting „Staneva, Jelkova and Georgiev”

LAW PROTECTION PROGRAMME
Lawyer Margarita Illieva, Director of the Law programme
Lawyer Daniela Fartunova, senior Lawyer, organiser of the Law programme
Lawyer Anetta Genova, senior Lawyer
Georgi Vojnov, Lawyer
Elena Krasteva, Lawyer
Maria Nikolova, junior Attorney at Law (until July 2010)
Gabriela Galabova, a graduate employee/an interne
Blagovesta Lambreva, graduate employee/interne
Kaloyan Stanev, graduate employee/interne
Denitsa Lyubenova, volunteering Lawyer
Stephan Stephanov, graduate employee/internee (until December 2010)
Manoella Krastanova, graduate employee/internee (until January 2011)
As well as the volunteers Irina Galabova, Joanna Traykova, Julia Shenderovich, Rostislav Roussev, Maria Krasteva, Stefan Vassilev, Magdalena Ivanova and Donika Batanova.

„PROGRAMMING AND ADMINISTRATION“ PROGRAMME

Monitoring of the close-type institutions
Stanimir Petrov, project coordinator, Coordinator of the "General supervision of the places of imprisonment", Dr. George Bankov, Coordinator of the "Specialized supervision of the places of imprisonment"
Elitsa Gerginova, Researcher

Legal Studies on behalf of the Agency for Fundamental EU Rights
Slavka Kukova, Senior researcher

"COMMUNICATIONS AND CAMPAIGNS" PROGRAM
Yana Buhrer Tavanier, Director
Dessislava Petrova, Coordinator

"Obektiv" Magazine“
Juliana Metodieva, Editor-in-chief, Vyara Angelova, Editor
Web-site www.bghelsinki.org
Emil Cohen, editor of the "Internet news" and the "Human Rights in Focus" bulletin

PROGRAM FOR LAWFUL PROTECTION OF REFUGEES AND IMMIGRANTS
Attorney at Law Iliana Savova, Director
Antoaneta Dedikova, consultant
Attorney at Law Valentina Nilsen
Attorney at Law Georgi Toshev
Elica Sekulova, Accountant
Attorney at Law Mariana Andreeva
Attorney at Law Plamen Jelev