



Bulgaria: The never-ending reform of social support for people with disabilities

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On 1 June 2018, International Children's Day, mothers and families of children and young people aged 18 and older with disabilities in Bulgaria organised a sixth long-term protest under the slogan "The system is killing them". This came after months of fruitless attempts to negotiate with the Ministry of Labour and Social Policy and other relevant stakeholders, to bring about an improvement of the current system of support for children with disabilities, also after they have reached the age of majority. Under current legislation, children move to another category after turning 18, and despite their degree of disability, are only entitled to minimal financial and other support.

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Description

After years of waiting for meaningful reform of the social support provided to children and people with disabilities, and after months of fruitless negotiations with the Ministry of Labour and Social Policy, trade unions, non-governmental organisations (NGOs) and other affected parties, mothers of children and young people aged 18 and over with disabilities in Bulgaria decided to move on and take effective protest actions by setting up a tent camp in front of the central entrance of the National Assembly in Sofia. This is the sixth active protest against a series of governments; none of the previous actions have been successful or resulted in structural change to shortcomings of the current social system. The families are calling for individual disability and needs assessments, medical, economic and technical support, as well as support for active inclusion and a decent life in society. The latest official data, from 2011, show that there are 474,267 people with disabilities (including 9,039 children under the age of 16). According to the Medical Register, by the end of 2015 the number of people with disabilities aged 16 or above is about 729,000 and under that age about 45,000. Since the beginning of 2017, children under the age of 18 with severe disabilities, above 90%, have received a monthly allowance of around 930 BGN (about 460 EUR). Although the level of the aid for children under the age of 18 with a lower percentage of disability is partially

determined by the degree of disability, the current approach does not take account of the individual needs of each child - rehabilitation, medical care, social integration, etc. Parents have the right to be personal assistants to their child under the National Personal Assistant Programme, but the funding of this programme was only secured till the end of 2017 from EU structural funds, and now the personal assistant system is moving from project to state-based funding.

Another problem with the personal assistant system is the lack of support for children with disabilities after they turn 18, but still have the same degree of disability. When their entitlement to social assistance for disability comes to an end, they receive only a minimal social pension (136 BGN or 70 EUR), which is far below the cost of living, and does not cover the costs of other health and social needs. According to the 2014 Eurostat statistics on disability and access to labour market, only 33% of people with disabilities in Bulgaria have jobs and almost half drop out of education early; these are the lowest figures in the European Union.

The protesting mothers are calling for the drafting of a separate Personal Assistance Act which would include a specific needs assessment of each disabled person and would provide adequate and personalised support to them according to their specific needs – for example, two personal assistants for children with severe disabilities, the right for parents to choose the

assistant, flexible schedule for the assistants to allow for more effective support for the child in accordance to his/her needs. This act would also protect the labour rights of the parents who are personal assistants by allowing them to have employment contract for the assistance. The Bulgarian Ombudsperson has drafted a basic text for this act. According to this proposal, 77,000 people (children and adults) with the most severe disabilities would receive the maximum amount of social assistance, which is estimated at around 770 BGN (380 EUR), and would have the right to apply for more than one personal assistant, according to their needs. The Ombudsperson's proposal led to wide-ranging debates as tensions escalated dramatically. National disability organisations insist that the Personal Assistance Act should remain part of the People with Disabilities Act. This latter text is currently being amended by the Ministry of Labour and Social Policy, with a view to extending it to cover nearly 650,000 people with disabilities with social benefits: it will not only apply to children with most severe disabilities, as the mothers of disabled children and the Ombudsperson insist it should. The measures planned by the state include essential changes in the method used for assessing and giving disability status to people concerned as well as a new formula for setting the amount of social pensions, depending on the degree of disability and the access to the labour market for people aged 16 or above. Crucial reorganisation and updating of the register of people with disabilities are among the most needed and awaited measures which all stakeholders have agreed upon.

Outlook & commentary

The discussions surrounding support for children with disabilities and also what their fate will be after they turn 18 has gained powerful political momentum, triggering resignations at the highest political level within the Ministry of Labour and Social Policy.

At the moment there are two different drafts of social Acts - one specifically focused on people with disabilities and the other covering social services for all. In any case, the question of which Act contains the legal regulation of the status and problems of people with disabilities is not so important: if it is properly regulated and financed, the wishes of the protesters will be met. The problems faced by people with disabilities are deeply rooted in the inadequacies of the social system, which have been evident for decades (Shopov: 2014). There is constant struggle and a lack of stable and sufficient financing for the social system, which leads to conflicts and difficult choices between different needs of equal importance.

The Ombudsperson has a crucial role to play in the improvement of the methods of social work in disability services.

Further reading

BalkanInsight (2018), Bulgaria PM Rejects Minister's Resignation over Disability Protests: <http://www.balkaninsight.com/en/article/bulgarian-social-minister-files-resignation-pm-accepts-it-then-reverses-decision-06-12-2018>

Eurostat (2018), Disability Statistics: http://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics

Ministry of Labour and Social Policy (2016), Official answer to MP's question on the number of children with disabilities: <http://www.parliament.bg/pub/PK/232149654-06-1254.pdf> (in Bulgarian)

Ombudsperson of Bulgaria (2018), Draft law on personal assistance, draft available at: <http://www.ombudsman.bg/public-positions/4762> (in Bulgarian)

BulgarianPresidency.eu (2018), Cabinet's cynicism towards disabled children reaches new heights: <http://bulgarianpresidency.eu/cabinets-cynicism-towards-the-disabled-children-reaches-new-heights/>

Shopov, G. (2014), "Strategic Planning of the Government Policy towards Persons with Disabilities in Bulgaria", *Economic Studies Journal* (: 1), 2014, pp. 148-183

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