

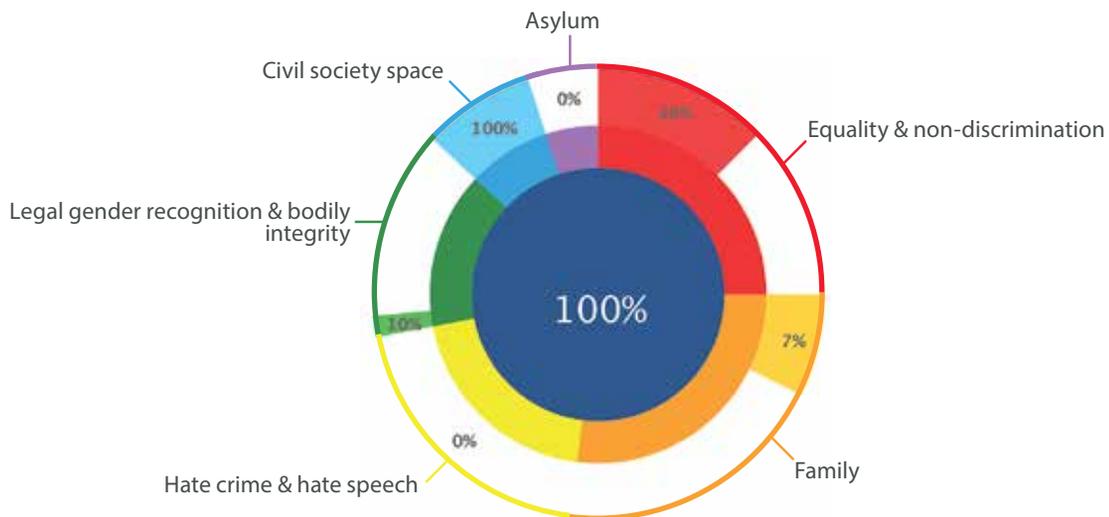
Bulgaria



During 2016, a series of important conversations were initiated in Bulgaria. These discussions did not lead to concrete policy changes during the year, but their subjects were of great relevance to LGBTI people. The Ministry of Justice working group on changes to the penal code included the voices of LGBTI NGOs. Its recommendation to include anti-LGBT bias as aggravating circumstances in criminal cases was particularly welcome when you consider the absence of any protection for LGBTI people against hate crime or hate speech on the Bulgarian statute books. A similar lack of protection for intersex people against human rights violations is also an issue; one of the most invasive of these is so-called ‘normalising’ surgery. The impact of these procedures and the need to stop the practice was discussed by intersex activists and medical students, with plans made for further interaction. The impact of the 2016 discussions between LGBTI activists and the authorities remains to be seen, as the work of the justice working group was put on hold until after elections, planned for 2017. The largest ever Sofia Pride is another milestone that activists hope can be replicated in the coming year.

For more information on developments in 2016, visit www.rainbow-europe.org where you can read the full country chapter.

Legal and policy situation in **Bulgaria** as of 31 December 2016



In order to improve the legal and policy situation of LGBTI people, ILGA-Europe recommend:

- ➔ **Developing a fair, transparent legal framework for legal gender recognition, based on a process of self-determination, free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention).**
- ➔ **Introducing hate crime laws and policies that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity and sex characteristics.**

Asylum

- LGBTI NGOs Bilitis Resource Centre and Deystvie LGBT Association assisted a gay man from Iran with an asylum application during 2016. His request for international protection based on sexual orientation was lodged with the National Agency on Refugees in July and he received a positive decision on his application in October.

Bodily integrity

- Intersex activists contacted Sofia's Medical Academy to initiate conversations with the genetics department on the need to stop so-called 'normalisation' surgery on intersex children. This was followed by a discussion between intersex activists and medical students and the planned dissemination of resources for the parents of intersex children (produced by OII Europe) with the Academy's help.

Equality and non-discrimination

- During a *Radio Focus* interview to mark International Women's Day on 8 March, Ombudsman Maya Manolova stated that Bulgaria should move to sign the Istanbul Convention. On 21 April, Minister for Justice Ekaterina Zaharieva (Reformist Bloc; centre-right) signed the CoE's Convention on preventing and combating violence against women and domestic violence.
- Following the government's signature of the Istanbul Convention, LGBTI NGOs Bilitis and Deystvie LGBT Youth Association, together with a lawyer from the Bulgarian Helsinki Committee, took part in a cross-sector working group on harmonisation of the country's penal code. The group was formed by the Ministry of Justice and delivered a series of recommendations on the inclusion of homophobia, biphobia and transphobia as aggravating circumstances in different types of crimes. In November, Prime Minister Boyko Borisov (GERB, 'Citizens for European Development of Bulgaria'; centre-right) resigned and the work of the working group ceased with the end of the government's term. Elections are expected to take place in spring 2017.

Family

- A lesbian couple requested a birth certificate from the Municipality of Pazardzhik for their child, who was born in

Denmark. The municipality refused and the couple (one partner is Bulgarian and the other is Danish) appealed. The Administrative Court ruled to allow the certificate to be issued. Subsequently, the municipality appealed to the Supreme Administrative Court, which is due to hear the case in 2018. In the meantime, the child will be treated as a 'visitor' and not a local citizen, limiting the services and support the mothers can access.

Freedom of assembly

- Sofia Pride attracted over 2000 participants to the city for the Pride march on 18 June. This was the largest attendance since the event was established in 2008. 17 ambassadors signed a statement of support in advance of the march; several MEPs, members of Sofia City Council and the DEOS and Zelenite (The Greens) political parties also pledged their support. Sofia Pride organisers received reports of incidents during and after the Pride march where participants were threatened by right-wing protestors. Witnesses described very little intervention by police, who were nearby at the time of the incidents, to protect Pride participants.

Legal gender recognition

- A trans man, who had applied to court to amend their civil status, commenced proceedings at the European Court of Human Rights. The applicant had undergone surgical treatment and subsequently applied to correct the civil registry. This request was refused by Stara Zagora District Court in 2015. On 26 February, the Regional Court of Stara Zagora upheld this decision and an application was made to the Strasbourg Court in July.
- In 2016, three trans people were granted legal gender recognition by the courts without having to undergo sterilisation.

Participation in public, cultural and political life

- 'Pride', a play featuring events from the first Sofia Pride in 2008, was created and staged in Sofia by Verbatim Theatre at the Red House Center for Culture and Debate. The play was the first of its kind, giving visibility to LGBTI issues through theatre; it was first staged in May and June.