



**A critical analysis of the current national  
legislation in the field of secondary education  
and the opportunities that the legal framework  
provides for raising gender equality sensitivity in  
Bulgarian schools**

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## Abbreviations

CSW	Commission on the Status of Women
EU	European Union
EIGE	European Institute for Gender Equality
TEU	Treaty of the European Union
TV	Television
UN	United Nations
ECOSOC	United Nations Economic and Social Council
WHO	World Health Organization



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# Introduction

In accordance with the **Universal Declaration of Human Rights (10 December 1948)**, a milestone document in the history of human rights, “all human beings are born free and equal in dignity and rights” and “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. In an ideal world, this international legal instrument would be sufficient to guarantee the rights of all citizens. However, historically over time, different population groups have long been treated differently and have not had equal opportunities to participate in society (e.g. persons with disabilities, women, etc.). Due to existing attitudes and stereotypes, the Universal Declaration of Human Rights has proven insufficient in guaranteeing the rights of vulnerable groups. Which gives rise to the need for the adoption of other subsequent international instruments regulating the positive obligations of States to prescribe and undertake concrete measures to overcome social inequalities. In 1979 was adopted the UN Convention on the Elimination of All Forms of Discrimination against Women<sup>1</sup>. Thus the principle that men and women are effectively equal has been established internationally and is overseen by the Commission on the Status of Women (CSW), a commission of the United Nations Economic and Social Council (ECOSOC). The principle of equality between women and men as well as the gender equality and the fight against any kind of discrimination based on sex is recognized as a common value within the EU level. Equality between women and men inherently means equal rights and obligations, equal opportunities for overcoming obstacles in all areas of public life, and women and men are free to develop their personal abilities and to make choices without the constraints of their gender role. It concerns all areas of public life and economic activity in the society. The Council of Europe has been working for gender equality since its inception in 1949, and since the 1990s, it has emphasized the importance of education in relation to this goal. According to the European Strategy for Gender Equality 2020-2025, it is formulated as a fundamental goal to build a Union in which women and men, girls and boys - in

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<sup>1</sup> Ratified by Bulgaria 08.02.1982



all their diversity - are free to follow the path they have chosen in life, have equal opportunities to prosper and can participate in European society on an equal footing.

As part of the EU, Bulgaria develops and implements gender equality policies in the country in 5 priority areas. These are: equal economic independence, reducing the pay gap, promoting equality in decision-making, combating violence and protecting victims of violence, and changing stereotypes in society. According to the results of the European Institute for Gender Equality's Gender Equality Index 2023, Bulgaria's position has risen from 25th to 16th in the category of gender equality activities in the European Union<sup>2</sup>. Notwithstanding developments<sup>3</sup> in this direction, there remains a need to work to overcome gender stereotypes and discriminatory attitudes. Education as a form of social influence, learning materials, teaching approaches are essential in shaping perceptions and attitudes about gender roles as well as gender equality. These attitudes are formed during the socialization stages of childhood and adolescence and have an impact on people throughout their lives. Therefore, the education system, along with media, advertising, video games, TV programs, discussions and other forms of social influence, should be key to addressing gender inequality. Children begin to learn about discrimination attitudes and stereotypes at a very young age. And it is important task of the education system to tackle and address harmful gender stereotypes and other discriminatory stereotypes (ex. towards children and persons with disabilities, representatives of other ethnic groups etc.) while they are being absorbed by the young learners. Schools, colleges and universities are fundamental in shaping the values and practices of young people, contributing heavily to the way gender is perceived and the way gender relations are played out. If one wants to intervene to create a greater degree of equality, school should be the obvious place to start.

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<sup>2</sup> Gender equality index 2023

[https://eige.europa.eu/modules/custom/eige\\_gei/app/content/downloads/factsheets/BG\\_2023\\_factsheet.pdf](https://eige.europa.eu/modules/custom/eige_gei/app/content/downloads/factsheets/BG_2023_factsheet.pdf)

<sup>3</sup> Bulgaria performs best in the domain of power (11th out of all Member States), in which it scores 62.7 points. However, progress has stalled (- 0.3 points) since 2020, resulting in a fall of two places in its ranking in this domain. Bulgaria ranks last among all Member States in the domain of money, with a score of 67.0 points. Since 2020, Bulgaria's ranking in the domain of work (70.0 points) has dropped by two places, moving down to the 22nd place among the EU Member States. (see Gender equality index 2023

[https://eige.europa.eu/modules/custom/eige\\_gei/app/content/downloads/factsheets/BG\\_2023\\_factsheet.pdf](https://eige.europa.eu/modules/custom/eige_gei/app/content/downloads/factsheets/BG_2023_factsheet.pdf))



The main question posed by this analysis is: Does the current Bulgarian legislation provide for legal possibilities for the implementation of measures and activities in the field of secondary education aimed at raising gender equality sensitivity?

## Key concepts

For the present study, we first of all need to clarify some basic key concepts. The definitions of these key concepts are developed based on the European Education Area Strategic Framework<sup>4</sup>, EU policy papers and strategic documents as well as international treaties. The perception and interpretation of these concepts in Bulgarian legislation and Bulgarian political documents is important for providing correct answers to the main topic of this study.

Concepts	Definitions
Gender (versus sex)	The World Health Organization (WHO) defines <sup>5</sup> gender as “the characteristics of women and men that are socially constructed, while sex refers to those that are biologically determined”. Accordingly Article 3c of the Council of Europe Convention on preventing and combating violence against women and domestic violence “gender” refers to socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for women and men” <sup>6</sup> .
Gender bias	The European Institute for Gender Equality (EIGE) defines gender bias <sup>7</sup> as: “prejudiced actions or thoughts based on the gender-based perception that women are not equal to men in rights and dignity”.
Gender equality	The EU Gender Equality Strategy 2020-2025 aims for: “a Union where women

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<sup>4</sup>Issue paper: Gender equality in and through education.

<sup>5</sup>. World Health Organisation. ‘Gender’. Available at: <https://www.euro.who.int/en/health-topics/health-determinants/gender/gender-definitions>

<sup>6</sup>. Council of Europe (2011). Council of Europe Treaty Series - No. 210: Council of Europe Convention *on preventing and combating violence against women and domestic violence*. Available at: <https://rm.coe.int/168008482e>

<sup>7</sup>.European Institute for Gender Equality. ‘Gender bias | European Institute for Gender Equality’. Available at: <https://eige.europa.eu/thesaurus/terms/1155>



	and men, girls and boys, in all their diversity, are free to pursue their chosen path of life, have equal opportunities to strive, and can equally participate in and lead our European society". Gender equality <sup>8</sup> , according to EIGE, implies that: "the interests, needs and priorities of both women and men are taken into consideration, thereby recognizing the diversity of different groups of women and men. Gender equality is an issue that should concern and fully engage both men and women equally. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development." The Council of Europe, in a slightly different vein, in noting that some languages do not have a word for "gender", defines gender equality <sup>9</sup> as: "equal visibility, empowerment, responsibility and participation for both women and men in all spheres of public and private life. It also means an equal access to and distribution of resources between women and men."
Gender Inclusive language	The United Nations (UN) defines gender-inclusive language <sup>10</sup> as: "speaking and writing in a way that does not discriminate against a particular sex, social gender or gender identity, and does not perpetuate gender stereotypes"
Gender mainstreaming	According to the EU Gender Equality Strategy 2020-2025, gender mainstreaming "ensures that policies and programs maximize the potential of all – women and men, girls and boys, in all their diversity. The aim is to redistribute power, influence and resources in a fair and gender-equal way, tackling inequality, promoting fairness, and creating opportunity". According to EIGE, gender mainstreaming <sup>11</sup> entails: "a strategy towards realizing gender equality. It involves the integration of a gender perspective into the

<sup>8</sup>.European Institute for Gender Equality. 'Gender equality | European Institute for Gender Equality'. Available at: <https://eige.europa.eu/thesaurus/terms/1168>

<sup>9</sup>.Council of Europe (2014). 'Council of Europe Gender Equality Strategy 2014 – 2017'. Available at: <https://rm.coe.int/1680590174>

<sup>10</sup>.UNITED NATIONS Gender-inclusive language'. Available at: <https://www.un.org/en/gender-inclusive-language/>

<sup>11</sup>.European Institute for Gender Equality. 'What is Gender mainstreaming | EIGE'. Available at <https://eige.europa.eu/gender-mainstreaming/what-is-gender-mainstreaming>



	preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programs, with a view to promoting equality between women and men, and combating discrimination."
Gender stereotype	According to the UN, a gender stereotype <sup>12</sup> is: "a generalized view or preconception about attributes or characteristics, or the roles that they are or ought to be possessed by, or performed by, women and men.... by reason only of her or his membership in the social group of women or men". According to EIGE <sup>13</sup> , "Gender stereotyping occurs when a person is expected to enact a series of norms or behaviors based on them sex.... Gender stereotypes are complex and vary along the different and interrelated dimension of traits, role behaviors, physical characteristics and occupations".

## Regulatory framework on gender equality and rising awareness on gender equality in the educational system.

### The European perspective

The main approach to policy-making that considers both women's and men's interests and concerns is the gender mainstreaming. Gender mainstreaming applies to all levels of public policy. Therefore, including gender mainstreaming into teaching is one of the central features of gender equality policies at the level of the educational system.

<sup>12</sup>.United Nations Office of the High Commissioner on Human Rights. 'OHCHR | Gender stereotyping'. Available at: <https://www.ohchr.org/en/women/gender-stereotyping>

<sup>13</sup>. European Institute for Gender Equality. 'Education | European Institute for Gender Equality'. Available at: <https://eige.europa.eu/gender-mainstreaming/policy-areas/education#genderinequalitiesinthepolicyareainissues>



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As it already became evident "gender" is not synonymous with "sex". Teaching with a gender perspective is not, therefore, teaching about women and men; rather, it considers sex and gender as key analytical and explanatory variables. It implies paying attention to the similarities and differences in the experiences, interests, expectations, attitudes and behavior of women and men, and identifying the causes and consequences of gender inequality, to fight it.

Teaching with a gender perspective considers both people's biological characteristics (sex) and the social and cultural characteristics of women and men (gender). Gender is a social category, and a constitutive element of social relationships and structures based on hierarchies imposed by discourses and ideologies that define social norms, stereotypes and roles associated with femininity and masculinity, which produce different structural forms of inequality and injustice, both in terms of recognition and status and in access to socio-economic resources (Scott, 1986; Beckwith, 2005). Gender is a socio-cultural process. It refers to cultural values and social attitudes that together shape and sanction "feminine" and "masculine" behaviors, and affect products, technologies, environments, and knowledge. It includes gender roles, attitudes and identities.<sup>14</sup> In accordance with researchers<sup>15</sup> who had explored the benefits of gender dimension in higher education, mainstreaming gender into teaching improves the quality of instruction and the social relevance of the resulting knowledge, technology and innovations. The gender perspective facilitates an in-depth understanding of the needs, behavior and attitudes of the whole population, avoiding interpretations based existentialist views of men and women. In this way, errors in theoretical conceptualizations and empirical analyses can be avoided. Teaching with a gender perspective also stimulates students' critical thinking capacity, providing them with new tools to identify social stereotypes, norms and roles related to gender. They thus learn to problematize dominant socialization patterns and develop skills that will enable them to avoid gender blindness in their future careers. Although the quoted analysis refers to higher education,

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<sup>14</sup> European Commission (2016) Guidance on Gender Equality in Horizon 2020, p. 7

<sup>15</sup> INCORPORATING THE GENDER PERSPECTIVE IN HIGHER EDUCATION TEACHING AQU CATALUNYA, 2018, available at [General-framework-for-incorporating-the-gender-perspective-in-higher-education-teaching \(aqu.cat\)](http://www.aqu.cat/general-framework-for-incorporating-the-gender-perspective-in-higher-education-teaching)





similar conclusions about the effect of gender mainstreaming in education can be drawn for secondary education as well.

As the European Union emphasizes, gender equality is not simply a question of social justice. It also affects the quality of teaching and research<sup>16</sup>.

The Treaty on European Union (TEU, 2010) established the principle of equality between women and men as a common value within the EU (Art. 2). The Treaty on the Functioning of the European Union established gender equality and the fight against any kind of discrimination based on sex as objectives for the EU that must be present in all its actions and policies (Articles 8 and 10), thus assuming the all-encompassing nature of such equality. The equality of women and men is also a fundamental right that must be guaranteed in all spheres of activity, according to the EU Charter of Fundamental Rights (Art. 23, 2000). These agreements legitimize the introduction of positive measures affecting not only opportunities but also results, with a view to eradicating inequality between women and men (TEU Art. 141.4).

The promotion of equality between women and men is a task for the Union as the Gender Equality Strategy 2020-2025 recalls it. Annual reports<sup>17</sup> on gender equality in the EU take stock of where the EU and its Member States stand on gender equality, highlighting the EU's achievements and showcasing inspiring examples from the Member States and EU-funded projects in these areas. While the EU is a global leader<sup>18</sup> in gender equality, and its Member States have been making comprehensive efforts to achieve gender equality, however, no Member State has achieved full gender equality and progress is slow and this is evident to the Gender Equality Index 2023<sup>19</sup>.

To achieve the goal of ending gender-based violence comprehensively and effectively throughout the Union, the European Commission adopted a proposal for a Directive to combat violence against women and domestic violence in March 2022. Since May 2024 the Directive (EU) 2024/1385 of the European Parliament and of the Council on combating violence against women

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<sup>16</sup> The Horizon 2020 Regulation, Work Programme 2018-2019, Science with and for Society, SwafS-13-2018, Gender Academy and dissemination of gender knowledge across Europe:  
<http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/h2020/topics/swafs-13-2018.html>

<sup>17</sup> EU Commission, 2023 report on gender equality in the EU, available at:  
[https://commission.europa.eu/document/download/a5bb9997-998a-4f95-961b-8f36edd1837c\\_en?filename=annual\\_report\\_GE\\_2023\\_web\\_EN.pdf](https://commission.europa.eu/document/download/a5bb9997-998a-4f95-961b-8f36edd1837c_en?filename=annual_report_GE_2023_web_EN.pdf)

<sup>18</sup> Legal provisions of COM(2020)152 - Union of Equality: Gender Equality Strategy 2020-2025

<sup>19</sup> Available at <https://eige.europa.eu/gender-equality-index/2023/country/BG>



and domestic violence<sup>20</sup> is in force. The Directive provides for that the Member States should take appropriate preventive measures, such as awareness-raising campaigns, to counter violence against women and domestic violence. Prevention should also take place in formal education through strengthening sexuality education and socio-emotional competencies, empathy and developing healthy and respectful relationships, addressing also cyber violence and ensuring that education measures include the development of digital literacy skills, including critical engagement with the digital world.

Making education and training more inclusive and gender sensitive and maintaining its institutions as safe environments is at the core of the European Education Area strategic cooperation. The European Commission's 2020 Communication on achieving the European Education Area by 2025, proposes the following objectives for national reforms and European cooperation in education and training (among others: (1) developing a better gender sensitivity in education processes and institutions; (2) challenging and dissolving gender stereotypes; and (3) working towards a proper gender balance in leadership positions, including in higher education institutions.<sup>21</sup>

In accordance with Recommendation<sup>22</sup> CM/Rec(2007)13 of the Committee of Ministers to member states on gender mainstreaming in education, the Committee recommends to the governments of member states that they should:

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<sup>20</sup> Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence available at [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL\\_202401385](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202401385)

<sup>21</sup> Governments together with stakeholders should foster gender equality across all sectors of education and training, including through ensuring access to quality education for boys and girls, women and men, in all their diversity. Governments together with stakeholders should foster inclusive education across all sectors of education and training in accordance with the commitments of Member States and the EU towards the implementation of the United Nations Convention on the Rights of Persons with Disabilities. The Commission plans to help strengthening research, including with support from Horizon Europe, exploring the role of gender in education and training policy, as well as the links between gender, education and social and economic success. Dedicated modules under the Teacher Academies would help find solutions to effectively foster gender sensitive teaching in schools. (COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS on achieving the European Education Area by 2025 , available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0625>)

<sup>22</sup> Available at [https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%2209000016805d5287%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%2209000016805d5287%22],%22sort%22:[%22CoEValidationDate%20Descending%22]})



- review their legislation and practices with a view to implementing the strategies and measures outlined in the recommendation and its appendix.
- promote and encourage measures aimed specifically at implementing gender mainstreaming at all levels of the education system and in teacher education with a view to achieving de facto gender equality and improve the quality of education.
- create mechanisms, throughout the education system, to favour the promotion, implementation, monitoring and evaluation of gender mainstreaming in schools.

The governments of member states are invited to consider the following measures with a view to implementing them:

- incorporating the principle of equality between women and men into national laws on education, for the purpose of giving girls and boys equal rights and opportunities at school, and promoting de facto equality between women and men in society as a whole;
- assessing the gender impact of future laws on education and, where necessary, reviewing existing laws from a gender perspective.
- launching special programmes to bring the gender mainstreaming strategy into education policies and schools.
- drawing up action plans and allocating resources to implement the gender mainstreaming programme, including inbuilt monitoring and evaluation.

The measures should include promoting awareness-raising and training on gender equality for all education personnel, and particularly school principals, producing classroom aids and teacher-training materials on gender mainstreaming in education, and distributing them to teachers. Also, a special attention should be paid to the gender dimension in course programme content and general curriculum development. One of the goals is to make gender mainstreaming one of the objectives of educational and career guidance and to encourage and train the staff to use gender mainstreaming in the educational process.

In short, when applied to teaching, the gender perspective implies a process of reflection which affects the design of the competences and skills in the programme's curriculum, the design of courses, including learning outcomes, the content taught, examples provided, the language used,



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the sources selected, the method of assessment and the way in which the learning environment is managed. To ensure the successful mainstreaming of the gender perspective, teaching staff need to acquire this skill through appropriate training and specific courses on gender equality provided by the governments of the member states.

In its Resolution<sup>23</sup> of 12 March 2013 on eliminating gender stereotypes in the EU (2012/2116(INI)) the European Parliament stresses on the following major issues:

- the need for special career guidance courses in primary and secondary schools and higher education institutions, in order to inform young people about the negative consequences of gender stereotypes and encourage them to study for and embark on careers that have in the past been considered as typically 'masculine' or 'feminine' as well as a support be provided for any action aimed at reducing the prevalence of gender stereotypes among young children.
- the importance of promoting equality between men and women from a very young age in order effectively to combat gender-based stereotypes, discrimination and violence, including through the teaching of the Universal Declaration of Human Rights and the European Charter on Human Rights in schools.
- the need for education programmes/curricula focusing on equality between men and women, respect for others, respect amongst young people, respectful sexuality and rejection of all forms of violence, as well as the importance of training teachers in this subject.
- the need for a gender mainstreaming process in schools and therefore encourages schools to design and implement awareness training exercises and practical exercises designed to promote gender equality in the academic curriculum.
- the need to prepare and introduce training courses for teachers, supervisors, head teachers and all other people involved in children's education so that they are equipped

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<sup>23</sup> Available at [https://www.europarl.europa.eu/doceo/document/TA-7-2013-0074\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-7-2013-0074_EN.pdf)



with all the teaching tools necessary to combat gender-based stereotypes and promote equality between men and women.

### Bulgarian regulatory legal framework

Bulgaria, as an EU country, is bound by all the European normative and strategic documents described and analyzed above as well as by the international treaties. As already being mentioned, Bulgaria has ratified the Convention on the Elimination of All Forms of Discrimination against Women, the Universal Declaration of Human Rights, The European Convention of Human Rights and the European Social Charter.

According to the Constitution of the Republic of Bulgaria<sup>24</sup>, international treaties ratified by constitutional procedure, promulgated and entered into force for the Republic of Bulgaria are part of the domestic law of the country. They shall prevail over those norms of domestic law which contradict them.

The prohibition of discrimination on grounds of gender is key value and principle to the entire Bulgarian legal order and is explicitly proclaimed in practically all areas. In this respect, it can be drawn the conclusion that Bulgarian legislation guarantees full equality of women and men and treats them completely equally in all areas of social relations regulated by law. They enjoy equal civil, political, economic, social and cultural rights.

According to the Constitution all people are born free and equal in dignity and rights. All citizens are equal before the law. No restrictions on rights or privileges based on race, nationality, ethnicity, gender, origin, religion, education, beliefs, political affiliation, personal and social status, or property status are allowed.

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<sup>24</sup> Art. 5(4)



The Law on Protection against Discrimination prohibits any direct or indirect discrimination based on sex, race, nationality, ethnicity, human genome, citizenship, origin, religion or belief, education, convictions, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or on any other grounds established by law or by an international treaty to which the Republic of Bulgaria is a party.

The general prohibition of discrimination based on various characteristics, including gender and sexual orientation, is enshrined in several special laws and legal provisions regulating public relations in various spheres (social services<sup>25</sup>, education<sup>26</sup>, labour market<sup>27</sup> and others). The Child Protection Act<sup>28</sup> also forwards a general prohibition against restrictions on rights or privileges based on race, nationality, ethnicity, gender, origin, property, religion, education and belief or disability.

An essential part of the Bulgarian legal framework is the Law on the equality of women and men (adopted 2016). This law regulates the implementation of the state policy on equality between women and men. The Bulgarian state policy on gender equality is based on the principles of:

- equal opportunities for women and men in all spheres of social, economic and political life.
- equal access for women and men to all resources in society.
- equal treatment of women and men and non-discrimination and non-violence based on sex.
- balanced representation of women and men in all decision-making bodies.
- overcoming gender stereotypes.

The supplementary provision of this law provides a legal definition of the concept of "equality of women and men", understood as equal rights and obligations, equal opportunities for realization and for overcoming obstacles in all areas of public life, whereby women and men are free to

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<sup>25</sup> Art. 8 of the Social Services Act

<sup>26</sup> Article 3(2), item 4. of the School and pre-school education Act

<sup>27</sup> Art. 8(3) of the Labour Code

<sup>28</sup> Art. 10(3) of the Child Protection Act.



develop their personal abilities and make choices without the constraints of the social role of their gender.

In implementation of the Law on the equality of women and men, a National Strategy<sup>29</sup> for promoting the equality of women and men 2021-2030 was adopted. The strategy includes measures to encourage women and girls to choose an education and profession free from gender stereotypes, to acquire digital skills and competences, transform traditional notions of about their role in technology and enhances not only their economic independence but also their status in society.

Reflecting the understanding that underlying gender inequalities are largely driven by pervasive gender stereotypes and that their use can limit the development of girls' and boys', women's and men's innate talents and abilities, as well as their fulfillment in education and careers and their life chances in general, the strategy formulates priority area 5: Overcoming gender stereotypes in different areas of public life and sexism.

Regarding this priority is noted that changing existing negative gender stereotypes in different spheres of society is a long process, with change occurring over generations, and it is therefore important to ensure that this is a priority and that there is continuity over time. In response to the challenges of widespread gender stereotypes, it is necessary to disseminate information on the benefits to society and the economy of gender equality, to organize communication campaigns and awareness-raising initiatives, using also media channels. In this context, it is important that the positive results of measures to strengthen equality between women and men in different areas of public life also contribute to combating gender stereotypes.

Although the strategy does not contain specific measures to raise awareness of gender equality in secondary education, given that the state policy of the Republic of Bulgaria on equality between women and men is a horizontal policy and unites the actions of the central and territorial bodies of executive power at all levels, it creates preconditions for the development of initiatives and implementation of specific activities in this area.

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<sup>29</sup> Available at <https://www.mlsp.government.bg/uploads/41/test/strategy2021-2030.pdf>



The state policy on gender equality is defined by the Council of Ministers and is implemented through the combined application of an integrated approach (so-called gender mainstreaming)<sup>30</sup> and special (incentive, targeted) measures, thus creating a suitable environment for the introduction of gender mainstreaming in all spheres, including in the field of education and teaching.

Therefore, it can be concluded that there is gender equality before the law in Bulgaria, however this in itself does not lead to a re-education of economic and other gender inequalities. Still there is high percentage of the population who agree that the most important role of a woman is to take care of her home and family, while the same percentage of people believe that the main role of a man is to provide financial support. Education has a significant role to play in the reduction of gender and other stereotypes that lead to inequalities.

Constructing a fair education system in which student achievement depends primarily on factors that they themselves can control, such as their own efforts and will, and to a lesser extent on so-called 'contextual' characteristics of pupils which they cannot influence, such as ethnic or socio-economic background, gender, race, structure of family, etc. along with education and providing knowledge to students to overcome existing stereotypes is an important prerequisite for achieving gender equality in all spheres of life. Children observe and perceive racial, gender, and well-being stereotypes at an early age, and they are much more exposed to stereotype threat than adults. And this is where the role and function of the education system comes in. From the early years of children's inclusion in this system, it is important that the educational process contributes to overcoming stereotypes and reducing stereotype threat.

Education in values<sup>31</sup> as the development of value-oriented behavior to respect human dignity, freedom, democracy, equality, the rule of law and human rights, with an emphasis on children's rights and children's participation is formulated as part of goal 2 of the Strategic Framework for the Development of Education, Training and Learning in the Republic of Bulgaria (2021-2030),

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<sup>30</sup> Ministry of Labour and social policy: Report on gender equality in Bulgaria, 2017, available at <https://www.mlsp.government.bg/uploads/1/blgarsko-zakonodatelstvo/report-equality-2017-final.pdf>

<sup>31</sup> Strategic Framework for the Development of Education, Training and Learning in the Republic of Bulgaria (2021-2030), available at [https://www.navet.government.bg/bg/media/strategicheska-ramka\\_obrobuuchene\\_110321-1.pdf](https://www.navet.government.bg/bg/media/strategicheska-ramka_obrobuuchene_110321-1.pdf)





prepared from the Ministry of Education and Science. This strategic framework corresponds to the implementation of Bulgaria's commitments under international treaties in the field of human rights, including recommendations of the control mechanisms of international organizations addressed to Bulgaria, insofar as they correspond to national legislation.

The introduction of gender mainstreaming in the educational system is part of the recommendations of the UN Committee on the Elimination of Discrimination against Women. As it already has been mentioned above, Bulgaria ratified Convention on the Elimination of All Forms of Discrimination against Women and for the implementation of the obligations under the Convention is supervised periodically by the UN Committee.

In the Concluding observations of the Committee<sup>32</sup> on the eighth periodic report of Bulgaria (10.03.2020), the Committee welcomes the progress achieved by Bulgaria since the consideration of the seventh periodic report, however the Committee noted that despite reforms in the State party, in particular the adoption of the new Preschool and School Education Act and development of strategic documents in the educational field still there are concerns in the sphere of education related to the following issues:

- lack of midterm impact assessment of the various policies and strategies has been undertaken.
- despite the adoption of different programs women and girls tend to be concentrated in traditionally female-dominated fields of study and are underrepresented in science, technology, engineering and mathematics, which reduces their employment prospects.
- gender stereotypes are reinforced through school curricula owing to the absence of education on gender equality and systematic education on sexual and reproductive health and rights.

Concerning the limitations detected and recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommended that Bulgaria shall:

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<sup>32</sup> Available at <https://www.ohchr.org/en/documents/concluding-observations/cedawcbgrco8-concluding-observations-eighth-periodic-report>



- address discriminatory stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated fields of study and career paths, such as science, technology, engineering, mathematics and information technology, and assess the impact of existing programmes to diversify educational choices.
- take coordinated measures to encourage further diversification of the educational and vocational choices of boys and girls and the increased participation of girls in apprenticeships, crafts, science and technology.
- ensure that gender-sensitive teaching materials are used at all levels of education;
- develop and integrate into school curricula inclusive and accessible content on gender equality, including on women's rights, outstanding women in public life and the prevention of gender stereotyping and gender-based discrimination, as well as age-appropriate education on sexual and reproductive health and rights, including comprehensive sexual education for adolescent boys and girls, with particular attention paid to responsible sexual behaviour;

The Preschool and School Education Act, adopted in 2015 is the main regulatory act for the organization of secondary education in Bulgaria. In section two of this law, the principles<sup>33</sup> in the school education system are formulated. Among these principles, equality and non-discrimination in preschool and school education, as well as the development of humanism and tolerance, are indicated.

The goals of school education are also specified<sup>34</sup> in the same law. Among them, the following goals are formulated:

- intellectual, emotional, social, spiritual-moral and physical development and support of each child and each student in accordance with his age, needs, abilities and interests.
- acquisition of competences for understanding and applying the principles of democracy and the rule of law, human rights and freedoms, active and responsible civic participation.

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<sup>33</sup> Art. 3(2) of the Law on School and Preschool Education.

<sup>34</sup> Art. 5 of the Law on School and Preschool Education.



- formation of tolerance and respect for the rights of children, students and people with disabilities.

Although there is no explicit provision on gender equality in the Preschool and School Education Act, the principle of gender equality in preschool and secondary education can be derived from the general provisions on ensuring equality and non-discrimination in the provision of education, as well as from the goals of preschool and school education aimed at the acquisition of competences by pupils to understand and apply the principles of democracy and the rule of law, human rights and human rights and formation of humanism and tolerance in education.

Regarding this, it can be concluded that insofar as the formation of tolerance and respect for the rights of children and students, as well as the application of the principles of human rights and freedoms, is a formulated legal goal of the educational process, there is no legal obstacle in secondary education to be developed and included in the teaching process gender-sensitive learning materials. Possible approaches include reviewing and evaluating existing textbooks and curricula to determine the extent to which they contribute to gender stereotypes and to develop in parallel additional teaching materials (learning aids, short videos, different interactive materials etc.) helping to overcome gender stereotypes.

According to the Preschool and School education Act, the Minister of Education and Science adopts state educational standards, which represent a set of mandatory requirements for the results in the system of preschool and school education. The state educational standards for general educational preparation have been approved by the Minister of Education and Science with Regulation No. 5 of 30.11.2015 for general educational preparation. The State Educational Standards for specialized training are defined by the Minister of Education and Science by Regulation No 7 of 11.08.2016. The State Educational Standards for the civil, health, environmental and intercultural education are defined by the Minister of Education and Science by Regulation No 13 of 11.10.2016

The above-mentioned regulations determine the requirements for the results of the training in the individual subjects. The analysis of what results are expected from the training in the different subjects in these regulations shows that the understanding of democratic principles and values such as individual responsibility, rights of others, freedom and equality of opportunities and the



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formation of respect for them is formulated as an outcome<sup>35</sup>. Also, another expected outcome is that students develop knowledge about rights and obligations, tolerance and civil society<sup>36</sup>. In the field of visual culture and media in fine arts education, students should develop skills to describe contemporary models for visualizing social experience and the ability to explain the role of art in solving current problems: human rights, environmental protection, solidarity and welfare. In the field of civic education, students are expected to acquire knowledge of the main instruments of social policy, as well as to research cases related to the violation of human rights and to present reasoned decisions in writing. In addition, according to the framework requirements for learning outcomes in civic education, students should acquire knowledge about identities and differences in society, including developing an understanding of the principles of gender equality<sup>37</sup>. In accordance with the same Regulation No 13 for the students is provided for training in sexual health and sexually transmitted infections. As part of the training results<sup>38</sup>, the building of knowledge and skills in children to distinguish, refuse and avoid behaviors related to sexual violence or abuse is indicated. Also, in the state educational standard as a goal is formulated also to develop skills in children to express their sexuality, considering the wishes, sovereignty and rights of others.

The gender equality is an important element of democracy and a prerequisite for the full exercise of human rights. Gender equality is essential for achieving equality of opportunities, equality before the law and respect for human rights. So, the above-mentioned requirements for the learning outcomes of the different subjects in the general education and vocational training cannot be fully achieved without the inclusion of this topic. Achieving gender equality and development of sexual culture are explicit part of the learning outcomes in civic and health education

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<sup>35</sup> Requirements for the learning outcomes of the course subject History and civilization; Regulation No. 5 of 30.11.2015, similar provisions are provided for in Regulation No 7 of 11.08.2016. as well.

<sup>36</sup> Requirements for the learning outcomes of the course subject Philosophy; Regulation No. 5 of 30.11.2015, similar provisions are provided for in Regulation No 7 of 11.08.2016. as well.

<sup>37</sup> Framework Requirements for the learning outcomes of the course civic education; Regulation No. 13 of 11.10.2016,

<sup>38</sup> Framework Requirements for the learning outcomes of the course civic education; Regulation No. 13 of 11.10.2016,



**Therefore, the further introduction of the gender mainstreaming approach in secondary education is in line with the principles and goals of the law as well as with the learning outcomes formulated in the state educational standards for general education, vocational training, civic and health education.**

The educational standard for cognitive books, textbooks and teaching aids is established by Regulation No. 10 of 19 December 2017 on cognitive books, textbooks and teaching aids, approved by the Minister of Education and Science.

The Minister of Education and Science approves a list of cognitive books, textbooks and teaching kits that may be used in the preschool and school education system for each school year. The list of reference books, textbooks and teaching kits shall contain the educational field/subject/module, the age group/grade/level of the Common European Framework of Reference for Languages, the title, the author(s) of the text, the publisher, the evaluators of the content, the graphic design and the printing, and the year of approval. Educational materials not included in this list may not be used in preschool and school education.

The electronic version of the teaching material must, depending on the intended use, include formats that cannot be presented in the printed edition, namely: audio files, video films, interactive animations, 3D visualizations, etc., respectively illustrations with the possibility of zooming in and focusing on individual details and/or virtual simulations of processes, experiments, etc. for teaching purposes.

In this regard, any textbooks and teaching aids developed for secondary schools in Bulgaria and included in the teaching program with the aim to rise awareness and sensitivity on gender equality in secondary education should meet the standards introduced by the mentioned Regulation.

As already being mentioned above, gender mainstreaming in the education system can be introduced by reviewing and modifying the curriculum and existing textbooks and teaching aids. Respectively, the textbooks and teaching aids should be included in the annual list approved by the Minister of Education and Science. However, this takes time and to date in the Bulgarian education system, regardless of the registered progress, a curriculum sensitive to the issue of gender equality has not yet been developed. Having in mind the political turbulence in the country (7 parliament elections from 2021 to date), the frequent governmental changes and lack of



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succession, the author of the present analysis is not an optimist for quick general shift in the educational system towards introduction of sensitivity for gender equality issues. At the same time, gender stereotypes persist.

Another approach to introduce gender mainstreaming in the education system is to provide knowledge and achieve the goals of the educational process through interactive learning materials such as audio and video materials as well as other multimedia products. This use of digital resources in education can happen along with the process of review and editing of the curriculum and the textbooks and learning kits.

Digital and multimedia innovations in learning prioritize how to learn rather than what to learn. The modern student needs to be intrigued and provoked to think so that he can develop his creative abilities and search and find non-standard solutions in life. The realization of educational goals: building active and independent individuals with knowledge to apply democratic principles and have understanding of the rights of others, freedom and equality of opportunities requires the use of such forms of education that ensure learning and interpretation of the educational content, stimulate mental activity, provide motivation and desire to learn for the student.

In this regard, it is quite possible, as part of the educational process of the existing curriculum in secondary schools, related to the development of civil society, human rights, respect for the rights of others and the provision of equal opportunities, the issue of gender equality to be presented through short interactive video materials. This will fully correspond to the goals of the educational process, formulated in the Preschool and school education, as well as the requirements of the learning outcomes defined in the state educational standards.

Over the last thirty years the education system in Bulgaria has been renewed and modernized, trying to reach the level of the other EU Countries. Even before the EU accession, by a decision of the National Assembly of 01.03.2005, Bulgaria adopted a National Strategy for the introduction of Information and Communication Technologies in Bulgarian schools. "The main objective of the strategy is the effective use of modern information and network technologies for improving the quality of education, enriching the educational content and introducing innovative educational technologies and methods in the learning process". In 2014 a new document was adopted - Strategy for Effective Application of Information and Communication Technologies in Education



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and Science of the Republic of Bulgaria (2014-2020)<sup>39</sup>. The development of a digital video learning platform is included as essential part of the second stage of the strategy (Mobility and security). As part of the activities for the implementation of this strategy, the development of video lectures and educational movies is specified, incl. from students, teachers, students, PhD students, professors and scientists.

Educational videos can take different form<sup>40</sup>: individual video fragments and complete videos (thematic videos). video fragments are several-minute stand-alone forms reflecting the most important points in the dynamics of a process. They are easy to implement and can be flexibly used in different combinations. in addition to original video recording, sources for video fragments can be films and television programs.

The thematic videos are fully unpacked 10–20-minute videos. They can be informative and problem analytical. problem-analytical videos are more effective because they provoke students to think, compare and find solutions.

The use of multimedia in education has the potential to enhance the educational process through visual and audio elements that complement the learning material and facilitate the understanding of various concepts. It can include interactive presentations, video and audio recordings, virtual field trips, and more. These resources not only engage students but also support the effectiveness of the learning process. The findings and recommendations<sup>41</sup> of the pedagogical practice are also in this sense.

The video materials used in the educational process should meet the requirements for media content aimed at children, regulated in the Radio and Television Act<sup>42</sup>. Educational video materials must comply with the basic principle of protecting children from harmful or unfavorable effects on their physical, mental and moral development. The content of the educational videos must be in accordance with the general principles and rights of the child, regulated in the Child protection

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<sup>39</sup> Available at: [https://www.eufunds.bg/sites/default/files/uploads/opseig/docs/2020-05/2\\_Strategia\\_efektivno\\_ikt\\_2014\\_2020.pdf](https://www.eufunds.bg/sites/default/files/uploads/opseig/docs/2020-05/2_Strategia_efektivno_ikt_2014_2020.pdf)

<sup>40</sup> Requirements towards the creation of didactic materials by means of a computer; Stoyanka Georgieva Lazarova and Lachezar Lazarov; Pedagogical Almanac Magazine 2017, Veliko Tarnovo University

<sup>41</sup> "Multimedia - nature and possibilities for application in primary education" Sonia Kaneva, Continuing Education Magazine

<sup>42</sup> Articles 17, art.17a, art. 76, art. 77 and others.



Act. They also need to be matched to the appropriate level of mental and emotional development of the students in whose education they will be used. In addition, educational videos cannot contain commercial messages related to alcohol, cigarettes, or erotic content, as well as content inciting violence or disrespect for human dignity.

The Council for electronic media in cooperation with the State Agency of Child Protection had approved criteria for evaluating content that is unfavorable or creates a danger of harming the physical, mental or moral and/or social development of children. These content assessment criteria are the indicators by which the compliance of audio-visual broadcasts with the requirement of the provision of Art. 17a of the Law on Radio and Television is assessed to protect the rights and interests of children. In accordance with these content assessment criteria TV show, video or other element of the program is creating a danger of damage to the physical, mental, moral and/or social development of children when:

- contain pornography or scenes of an overtly sexual nature that contain acts of gratuitous violence against people and/or animals.
- which incite criminal and/or anti-social behaviour;
- contain actions or scenes in which children cannot normally witness - shocking footage of crime scenes, of dead or dismembered human bodies, of victims of violence, of medical manipulations, etc.

These criteria are applicable to all media content for children, including different educational videos.

Of course, when it comes to the use of interactive video materials and other teaching aids in the educational process in the secondary school, including on human rights and gender equality issues, we cannot help but put in the focus of the analysis a rather controversial provision introduced in the Preschool and School Act with its latest amendments and additions from 16.08.2024.

Article 11 of the Preschool and School Education Act, which reiterates the secular nature of Bulgarian education and its independence from ideological and/or religious doctrines, as well as from political and partisan activities, introduced an additional prohibition on propaganda,



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promotion or incitement in any way, directly or indirectly, of ideas and views related to non-traditional sexual orientation and/or determination of gender identity other than biological.

According to the additional provision of the legal act, §1, point 16, the legal definition of the term "non-traditional sexual orientation" is the following: "Non-traditional sexual orientation" are different from the generally accepted and enshrined in the Bulgarian legal tradition notions of emotional, romantic, sexual or sensual attraction between persons of opposite sexes.

The present research is not going to analyze the quoted legal definition because it is very vague and because the text of this provision has no support in the text of the Constitution, but only in some jurisprudence of the Constitutional Court (one decision of the Constitutional Court from 2021, when the court interpreted the basic law to answer the question in what sense the Constitution uses the term "sex". The constitutional judges then concluded that the constitutional legislators in 1991 did not invest the concept of "sex" with any content other than the traditional one, i.e., the biological one based on sexual binary.) However, this decision of the Constitutional court does not refer to sexual orientation, even less "traditional" or "non-traditional such". And in regard to this the decision is not necessary to be presented or to be analyzed for the purposes of the present analysis.

It is important to pay attention to the actions covered by the ban. It does not affect rights and does not introduce limitations of rights. The rights of persons of different sexual orientation are guaranteed by the Constitution, the Law on Protection from Discrimination and several other legal acts. The prohibition covers propaganda or promotion of ideas and views related to non-traditional sexual orientation or incitement to such in secondary education.

What is meant by propaganda or popularization of ideas? When interpreting laws, we usually look for the common meaning of words, which we find in dictionaries. According to the Dictionary of the Bulgarian language, "propaganda" is a noun that means spreading and clarifying ideas, teachings, knowledge in order to attract sympathizers. In the same dictionary, the word "popularization" is defined as a neuter noun, the meaning of which is not specified. The words "praise, flattering reviews, launch" are listed as synonyms. According to the dictionary, the word "launch" has the following meaning: "launching a rumor, rumor, news; spreading; promoting someone, making a way for someone to be imposed on society".



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In the context of their generally accepted meaning, these words cannot be referred to sexual orientation. Sexual orientation<sup>43</sup> is a natural component of the human psyche, not a cultural tradition or socio-cultural pattern. It cannot be defined as traditional or non-traditional. Sexuality involves (implies) sexual attraction, which cannot be legally defined and legally regulated, or be an object of propaganda. Psychological literature describes sexual orientation as heterosexual, bisexual, and homosexual. It is also defined in the same categories in the additional provisions of the Law on Protection from Discrimination (§ 1, item 10). It is also unclear what is meant by “promotion or incitement of ideas and views”.

It is also important to note that, evident from the basic concepts discussed at the beginning of the analysis, sexual orientation is a concept distinct from gender and gender equality. In practice, the prohibition in Article 11(2)(3) of the Preschool and School Education Act refers to propaganda and dissemination of ideas related to "non-traditional sexual orientation". In this respect, the prohibition does not cover the provision of knowledge and information relevant to gender equality. There are no obstacles to students being taught the principles of gender equality as part of the educational process, and to be promoted equal visibility, empowerment, responsibility and participation for both women and men in all spheres of public and private life. A distinction must also be made between "propaganda", as the act of disseminating ideas, teachings or knowledge to attract supporters, and the concept of education and educational process. Again, if we look in the Dictionary of the Bulgarian language, we will see that education is defined as a set of knowledge obtained through purposeful training. Therefore, education is a process of upbringing, training and acquisition of knowledge, skills and values to achieve certain goals set in legislation and state educational standards. So education is not and cannot be propaganda. In this regard, digital materials (audio and video) can be used in the educational process, provided they meet the standards for media content for children, help students acquire

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<sup>43</sup> Sexual orientation is one of the four components of sexuality and is characterized by a persistent emotional, romantic, sexual, or sensual attraction to individuals of a particular gender. The other three components of sexuality are: biological sex, gender identity (psychological belonging to a certain gender) and socio-gender role (adherence to cultural norms defining female and male behavior). Gender identity is not tied to, influenced by, or influenced by sexual orientation. A person's sexual orientation refers to the gender of the people they are attracted to. On the other hand, gender identity is almost entirely an internal definition. It does not depend on the genders of the people with whom one has a romantic relationship.



knowledge and skills to achieve the set results and requirements of the state educational standards. Education is carried out under the guidance of competent educators: teachers and lecturers. There is an effective link between education and science. In today's knowledge-based economy, education has the extremely responsible task of preparing students with theoretical and practical-applied knowledge and skills, based on the achievements of science, as well as developing their abilities to think and research. Education is also related to the resultative side of learning. It is interpreted as a process, as a socio-cultural institution, as an outcome. In the content of education, the requirements of society for the preparation and development of the young generation find expression. Therefore, it is constantly changing under the influence of social progress and the development of science. In this connection it is evident that education in its essence thus described is very different from propaganda and there should be no identity between the two concepts. Of course, it should be explicitly noted that the provision of Article 11 (2) (3) of the Preschool and School Education Act is contrary to the Bulgarian legal framework guaranteeing equality of citizens, the Constitution and the applicable international law. The text of the provision is vague and not correct from a legal and linguistic point of view. It gives rise to a wide interpretation, including one that would legitimize a ban on the dissemination of information in schools about persons with homosexual, bisexual or other sexual orientation and their equality with others. But this would be contrary to the Law on Protection against Discrimination and other Bulgarian legislation. The adoption of this text was dictated by populist motives. From the point of view of legal technique, the provision has many shortcomings, for example this is a prohibitory legal rule which has no specific addressee, nor no administrative legal sanctions are provided for non-compliance or violation. Therefore, this text will most likely remain "on paper" and will rise problems being applied in practice. And most probably the cited provision will remain as a badge on the lapel of certain politicians and parties in the run-up to the next general elections.

In this regard, the provision of Article 11(2), point 3 of the Preschool and School Education Act cannot be an obstacle to the introduction of gender mainstreaming in the process of education of students in secondary school. Raising children in humanism, tolerance and respect for the rights of others is a legal goal of the educational process. Therefore, as far as the issue of gender equality is related to the general issue of human rights, enshrined in the state educational standards for



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general education and vocational education and taking into consideration that achieving gender equality is explicit part of the learning outcomes in civic education (in accordance with the established state educational standards), there are no legal obstacles for students to be educated on these topics by using various interactive and digital products, including educational videos, fragmented videos from movies, multimedia presentation of pictures, books or other works of art as well as to present results of scientific research and findings. The presentation of such materials is not a propaganda and the inadequate reflection of the narrow partisan interests of certain political parties in the legislative process should not be an obstacle to the realization of the required educational standards and for Bulgarian students to receive knowledge and develop skills to respect democratic principles and gender equality, as well as the equal rights of all citizens. Moreover, Bulgaria has commitments under international legal treaties ratified by the country, which aim to ensure gender equality. And as already explained above, once ratified, they become part of national law and take precedence in case of conflict with domestic law. Bulgaria should make further efforts to achieve effective gender equality. In line with the recommendations of the UN Committee on the Elimination of Discrimination against Women, we should ensure that gender-sensitive teaching materials are used at all levels of education and develop and integrate into the curriculum inclusive and accessible content on gender equality. And if certain provisions of national law are found in collision with the norms of international legal treaties, the latter will prevail and find application.

### General conclusions

- Bulgarian legislation as well as international legal treaties signed and ratified by the Republic of Bulgaria guarantee gender equality, understood as equal rights and equal opportunities and participation in society.
- The Bulgarian legal framework does not contain restrictions based on gender, and also introduces the principal prohibition of discrimination based on sex, as well as on sexual orientation and other grounds.



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- One of the general recommendations of the Committee on the Elimination of All Forms of Discrimination against Women, adopted in 1987, urges all States parties to effectively implement public education and information programmes that will help to eliminate prejudices and current practices that impede the full implementation of the principle of gender equality.
- The Committee's specific recommendations to Bulgaria include the introduction of gender-sensitive teaching materials at all levels of education and development and integration into school curricula inclusive and accessible content on gender equality.
- The single provision of the Law on Preschool and School Education is controversial and unclear, but its analysis clearly shows that it concerns the prohibition of propaganda aimed at non-traditional sexual orientation, but not education on gender equality issues, in line with the objectives set out in the law and enshrined as a goal in the state educational standards for both general education and vocational training. Also, the provision is in contradiction with the Law on Protection from Discrimination, the Constitution and the relevant international treaties, ratified by the Bulgarian Parliament. Due to the many shortcomings of the text from the point of view of legal technique and the priority application of ratified international legal acts in case of conflicting norms of national legislation with them, it can be expected that the provision will not have real application.
- If new cognitive books, textbooks and teaching kits are developed for secondary schools, aimed at overcoming gender stereotypes and educating pupils on gender equality issues, then according to the requirements of the legislation it will be necessary for these teaching materials to be approved by the Minister of Education and Science and included as part of the list under Regulation No. 10 of 19 December 2017 on cognitive books, textbooks and teaching aids;
- And currently there are lessons related to sexual health and gender in approved secondary school textbooks. In this regard, there are no obstacles thematic short videos to be presented in order to illustrate the learning material and to achieve the objectives



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set as outcomes in the state educational requirements. Such supplementary interactive elements may be used in the learning process without prior approval under Regulation No. 10 of 19 December 2017, which refers only on cognitive books, textbooks and teaching aids.

- Therefore, short educational videos can be included in the teaching process of the subjects, the results of which are the achievement of knowledge about the rights of others, democratic principles, freedom and equal opportunities according to the state educational standards. There are no legal obstacles to this, as long as the videos meet the standards for children's content.

### Evaluation matrix and indicators for assessing national legislation in the educational field for compliance with gender equality standards

This chapter includes specific conclusions related to the Bulgarian national legislation.

Various indicators can be used to assess a piece of legislation in the field of education and the extent to which it contributes to overcoming gender stereotypes and promoting gender sensitivity. For such an assessment of the Bulgarian legislation, four indicators were used, which to the greatest extent could measure and give an answer to the basic question posed by the present analysis. Indicators that were used include:

No	Indicator	What is being measured	Conclusions
1	Educational opportunities	This indicator measures whether girls and boys have equal chances to access, succeed in and complete their education	Regarding this indicator the current Bulgarian legislation provides gender equal educational opportunities. All children, regardless from their gender are entitled to access to education. According to Article 53 of the Constitution, everyone has the right to education, and school education up to the age



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			<p>of 16 is mandatory. The educational system strives to include all children, regardless of their gender, social status, ethnic origin and other characteristics. Both the Preschool and School education Act and the relevant social legislation<sup>44</sup> provide for measures to cover and include children and pupils.</p> <p>General education preparation at the basic level of education (which is mandatory) is one and the same for all types of schools and students, who study the same general education subjects and with the same number of study hours for each of them.</p>
2	<b>Mainstreaming of gender knowledge</b>	<p>This indicator measures the relevance of curricula and educational programs and teaching materials on gender equality issues within the educational system and the institutionalization of gender equality (in the form of dedicated school programmes or the dissemination of gender equality knowledge across</p>	<p>At the level of laws and secondary legislation, there are no explicit legal norms in the Bulgarian legislation to stimulate the institutionalization of issues related to gender equality in the school curriculum and materials. The conclusion that gender equality issues and overcoming gender stereotypes as well as creating sensitivity to gender equality can be considered as part of the curriculum is based on the understanding that established state education standards in general and vocational education introduce as an expected learning outcome the achievement of knowledge of the students about the rights and obligations of Bulgarian citizens according</p>

<sup>44</sup> In accordance with art. 10A of the Law on family benefits for children, for the academic year 2024/2025, a one-time financial support of BGN 300 is provided for students enrolled in the first and eighth grades, and for students who continue their studies in the second, third and fourth grades, regardless of family income. Also, textbooks for all students for the academic year 2024/2025 are free.



		<p>disciplines). A curriculum that includes essential gender equality topics such as gender discrimination, gender norms, gender-based violence and sexual and reproductive rights can empower girls and boys and contribute to more equitable relationships.</p>	<p>to the constitution, understanding of democratic principles and values such as individual responsibility, rights of others, freedom and equality of opportunities and respect for them. Gender equality is an inherent part of the issues related to human rights and respect for the rights of others. Also, this conclusion is supported by the fact that in the framework requirements for civic, sexual ecological and intercultural education the knowledge about achieving of gender equality is include in the learning outcomes</p> <p>The structure of the curricula for education subjects is determined by separate regulations of the Minister of Education and Science. The regulations determine the curricula, learning objectives, learning content and learning outcomes for the relevant education subject in the relevant class. (currently, these are the effective Regulations No. 5/2015, Regulation No 7/2016, Regulation No 13/2016). Insofar as there are no explicit prohibitions in the current legislation to promote sensitivity to gender equality in secondary education, moreover, the achievement of this result is an essential element of the target results of the state educational requirements, it can be concluded that the legislation creates friendly environment for gender mainstreaming in education. Also, there is no obstacle in the teaching process to be used supplementary</p>
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			<p>digital educational material on gender equality as audio and video and other visual materials. However, given that the curricula and requirements of the state educational standards are confirmed by secondary legal acts and in the absence of explicit provisions at the level of law to stimulate the overcoming of gender-based stereotypes, it is possible a particular government that is not supporting a policy of spreading among students and acquiring knowledge on human rights and democratic values, this to be changed. Therefore, the positive assessment of the results of the measurement of this indicator is not sustainable. The conclusions are very dependent on the behavior of the concrete government and the policy pursued.</p>
3	<p>creating more equitable school environments for students.</p> <p>The indicator has more than one aspect and dimension. One of its dimensions is whether the school environment as an infrastructure implies and ensures safe and equal</p>	<p>This indicator measures whether the school environment enables girls and boys to participate in learning equally and safely.</p>	<p>In the present analysis, we will focus primarily on the normative response to prevent gender-based violence in schools. The legal framework for ensuring the protection of children against various forms of violence is complex and includes, in addition to normative acts in the field of education, the Child Protection Act, the Convention on the Rights of the Child, the Criminal Code and others. The environment has impact on children's development and well-being. Violence is part of reality, including in the school environment. For example according to data from the Ministry of Education and Science for 2021 the cases of</p>



<p>participation of all students in the educational process.</p> <p>In this case, infrastructure means sanitary facilities, changing rooms for physical education and sports, access to laboratories and other offices, including those for applied knowledge.</p> <p>Another important dimension of this indicator is school-related gender-based violence and how the legal framework and teaching practices tackle this problem and ensures safety and equity.</p>		<p>registered incidents and cases of aggressive acts and school bullying are over 3,000 cases<sup>45</sup>.The breakdown<sup>46</sup> of children who are victims of violence by gender and age shows that children between 12 and 16 years of age are most often victims of violence, and more often they are girls (girls are more than two and a half times more than boys), followed by children between the ages of 8 and 11, where girls are also more often victims of bullying. In accordance with the Preschool and School education Act<sup>47</sup>, students are obliged to respect the rights, honor and dignity of others, as well as not to apply physical and mental violence and abuse. The school community develops the types and content of bullying and violence prevention activities that are subject to a general school policy. These activities may include<sup>48</sup>:</p> <ul style="list-style-type: none"> <li>• drafting together with the students' rules for their behavior in class.</li> <li>• consideration of global, civics, health and intercultural education topics in class time, in interest activities and in optional classes.</li> <li>• partnership with parents.</li> <li>• activities to develop the competences of all members of the school</li> </ul>
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<sup>45</sup> National program for the prevention of violence and abuse of children 2023-2026.

<sup>46</sup> National program for the prevention of violence and abuse of children 2023-2026.

<sup>47</sup> Article 172(1) of the Preschool and School education Act

<sup>48</sup> Article 185 of the Preschool and School education Act



			<p>community.</p> <p>Preschool educational institutions and schools develop their own strategies, which contain strategic goals and institution-specific goals in several directions, among which is included measures on countering bullying and violence<sup>49</sup>. Legislation defines any child victim of abuse, violence, exploitation or any other inhuman or degrading treatment or punishment within or outside his or her family as a child at risk and accordingly subject to appropriate protection<sup>50</sup>. Therefore, it can be concluded that the Bulgarian legislation creates preconditions for the inclusion of specific activities for the prevention of gender-based violence in Bulgarian schools in school strategies and in the activities of teachers. Insofar as, according to the law on preschool and school education, it is possible for individual school strategies to provide for the consideration of global, civic, health and intercultural education topics in the classroom, in interest activities and optional classes, there is no obstacle in these educational activities to addressing gender-based violence and bullying. When we say that the Bulgarian legislation regulates in the Preschool and School Education Act the obligations of the state and educational institutions to provide</p>
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<sup>49</sup> Article 263 (4) of the Preschool and School education Act

<sup>50</sup> Paragraph 1(6)(b) of the additional provision of the Preschool and School education Act



			<p>for activities to counteract bullying and violence, including those related to gender, we cannot but consider the interaction of these provisions with the contradictory provision of Article 11(2)(3) of the same Act, which has already been analyzed above.</p> <p>In the event of a conflict between the provision of Article 10 (2) point 3 and the other provisions of the Preschool and School Education Act cited above, which create prerequisites for carrying out activities aimed at preventing gender-based violence and ensuring an equitable school environment, including through raising sensitivity on gender issues, the text of Article 10 (2) point 3 should not be applied. The arguments for this are as follows:</p> <ul style="list-style-type: none"><li>• when analyzing a conflict of one legal norm with another legal norm of the same normative act, it is essential to consider which of the two is consistent with the spirit and objectives of the law. The provision of Section 11 (2) (3) is not in accordance with the basic principles and objectives of the School and Preschool Education Act unlike the other provisions mentioned above. Its inconsistency with the objectives of the Act has been explained above in the analytical part of the study.</li><li>• The specified provision also</li></ul>
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			<p>contradicts the Constitution of the Republic of Bulgaria and international legal acts ratified by the country and, accordingly, their legal norms take precedence if provisions of the national legislation are in conflict with them.</p> <ul style="list-style-type: none"> <li>• In practice, the above said provision contributes to the reinforcement of gender-based stereotypes, and it would probably encourage bullying and violence at school against different students, instead of helping to prevent it. And it is precisely because of this the mentioned provision does not correspond to the goals and principles of the law, which states that one of the goals of the educational process is the formation of tolerance and respect for the rights of children and students.</li> </ul>
4	Education outcomes	This indicator measures the result of gender equitable education systems in terms of female labor force participation; number of women involved in governmental structures and	Current Bulgarian legislation in the field of work, participation in public life and equal opportunity for realization guarantees formally gender equality. However, regardless of equal opportunities before the law, existing attitudes and stereotypes based on gender give rise to gender inequalities. For example, women continue to participate less in the labor market (for 2019, women are 46.6% of



		<p>parliament; number of women making their own informed decisions regarding sexual and reproductive health</p>	<p>all employed persons aged 15-64). Women work part-time more often than men, at home or in other atypical forms of employment, leading to lower levels of pay. Despite the higher educational level of working women compared to working men, women make up 39% of managers' positions. The concentration of women and men in different sectors of the labor market is also uneven. About 18% of women work in education, health and social services, compared to 4% of men, and women continue to earn less than men in Bulgaria<sup>51</sup>.The national strategy outlines priorities and measures to overcome gender inequalities, making recommendations that efforts should be made to overcome gender-based stereotypes in the choice of education and profession. The education outcomes in regard to equal gender opportunities for the realization of the women and men are presupposed and depend on the extent to which the secondary education itself has educated, taught and prepared the students that there is gender equality and to what extend they are sensitive to these issues. If secondary education in the educational process reproduces and reinforces gender-based stereotypes, it is not possible to obtain a high education outcomes in terms of equality in the subsequent realization of</p>
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<sup>51</sup> Findings and data available in the National Strategy for promoting the equality of women and men 2021-2030.



			<p>students. Which again confirms the conclusions already made, that changing the attitudes and gender-based stereotypes in the secondary educational system is a primary task of the school community, as well as of the state policy in this sphere. All stake holders should join efforts and cooperate for the achievement of these goals, and the use in the teaching process of age-appropriate digital and video materials that are in compliance with the content requirements for children will only help in this endeavour.</p>
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