



Joint application from EDPS and Bulgaria to host the 40th International Conference of Data Protection and Privacy Commissioners in 2018

Supplementary information

D. Location and venue: Human rights within European Union institutions (Belgium) and in Bulgaria

Provide information on the general situation in the country in terms of respect for human rights. Hosting the Conference in a country with a poor human rights record may affect the Conference's reputation and the willingness of member authorities and individual delegates to attend. Assurances are sought in relation to the freedom for presenters to speak critically during the Conference without repercussions

A founding member of the Council of Europe, Belgium was the first state to ratify the European Convention on Human Rights in 1951. It has ratified most of the Council of Europe's human rights protection instruments, and has continually strived to ensure a high level of respect for such rights. Belgium plays an active role in developing and promoting international human rights protection standards according to former Commissioner for Human Rights Hammarberg in the 2008 visit to assess the human rights situation in Belgium ([CommDH\(2009\)14](#)).

In addition, as a Member of the European Union, Belgium shares the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, which are common to all its Member States (Article 2 of the Treaty on European Union). Belgium is bound by the Charter of Fundamental Rights of the European Union of 7 December 2000, which protects freedom of thought, conscience and religion (Article 10), freedom of expression and information (Article 11) and freedom of assembly and association (Article 12).

Title II of the Belgian Constitution contains numerous provisions relating to human rights. It enshrines a large number of economic and social rights as well as civil and political rights, guaranteeing aliens the same level of protection as nationals (English version available [here](#)). In particular, freedom to demonstrate one's opinions on all matters is guaranteed under Article 19 of the Constitution.

According to the latest *Rule of Law Index* prepared by the NGO World Justice Project, Belgium ranks at the 13th place over 113 countries worldwide. The *WJP Rule of Law Index 2016* presents a portrait of the rule of law in each country by providing scores and rankings organised around eight factors: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice. The details of Belgium's scores are available here: <http://data.worldjusticeproject.org/#groups/BEL>.

These comments refer to Belgium as one of the geographical venues of the conference but they apply mutatis mutandis to the European Union as a separate entity with legal personality created by the Treaty on European Union and the Treaty on the Functioning of the European Union.

Similarly, Bulgaria, as co-host of the international conference, is a Member State of the European Union which shares the same values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights and is bound by the Charter of Fundamental Rights of the European Union too.

Like the most of the other Central and Eastern European countries, including for example Poland, Hungary, Estonia and others, Bulgaria underwent profound political and economic changes after 1989 that led to the establishment of modern democratic legal framework and institutions. The Constitution of the Republic of Bulgaria of 1991 proclaims and protects a comprehensive set of fundamental human rights and freedoms, including the right to privacy (Article 32), freedom of conscience, freedom of thought and choice of religion (Article 37), the right to express freely an opinion (Article 39), the right to seek, receive, and disseminate information (Article 41), etc. In the last couple of reports of the independent watchdog organization Freedom House Bulgaria receives 14 out of 16 points in terms of freedom of expression and belief¹. The total freedom rating score that Bulgaria receives is 2.0 (1.0 being the highest) which means that the country is recognized as a fully fledged democracy which respects civil liberties and political rights.

Bulgaria is also ranked 16th worldwide in the Open Data Index which evaluates the transparency and freedom of access to open data.

Bulgaria is a member of the Council of Europe and a party to the European Convention on Human Rights since 1992. It has joined NATO in 2004 and the European Union in 2007. The country has also ratified the leading UN legal documents amongst which the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Finally, Brussels as the headquarters of the European Commission has hosted thousands of conferences and public events in the last decades, demonstrating that the capital of Belgium is a place where lively debates and discussions can occur without repercussions. Sofia, as well, as the capital of Bulgaria, has also organised a great number of international and regional forums, including various political, cultural and business events, providing a secure and encouraging environment for expression of views and sharing of opinions. Examples include the NATO Ministerial meeting (2006), Meeting of Presidents from Arraiolos countries (2016), the 126th Session of the Committee of Ministers of the Council of Europe (2016), the Bulgarian Chairmanship-in-Office of the South-East European Cooperation Process (2016) and several meetings during the Bulgarian Chairmanship-in-Office of the Organisation of Black Sea Economic Cooperation.

¹ <https://freedomhouse.org/report/freedom-world/2015/bulgaria>