



**Bulgaria's Compliance with the Convention Against Torture
Suggested List of Issues Prior to Reporting Relating to Gender-Based Violence Against
Women**

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

and

Alliance for Protection Against Gender-Based Violence

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

Alliance for Protection Against Gender-Based Violence (The Alliance) seeks to unite since 2009 the efforts and expertise of 10 Bulgarian NGOs in the field of domestic violence and violence against women and provides through its members interdisciplinary services for women victims of DV in 12 locations in Bulgaria, including accommodation in crisis centres in most of the places. The Alliance works on proposing legislation, monitoring implementation of the legislation, training on a coordinated community response, on monitoring and court monitoring, prevention, and training of professionals through the Black Sea Academy for Prevention of Violence.

EXECUTIVE SUMMARY

1. Domestic violence and other crimes of violence against women continue to be serious problems in Bulgaria. According to a 2017 report by the European Institute for Gender Equality (EIGE), at least 28% of women have experienced domestic violence.¹ Yet, 48% of the women surveyed by EIGE did not inform anyone, constituting the highest non-reporting rate in the EU.² The Partners Bulgaria Foundation and the Center for the Study of Democracy estimated that in 2015, 70-80% of domestic violence cases went unreported; for Roma women, the rate of non-reporting is as high as 90% due to fear and lack of family and institutional support.³ A related 2016 study by the same organizations found that domestic violence awareness and the willingness of victims to share information is still so low that reported prevalence is significantly lower than actual occurrence.⁴
2. The number of women murdered by their spouses, partners, and close relatives has increased by 50% in the past three years. In 2018, every third homicide in Bulgaria was the result of domestic violence. One study found that, in 75% of domestic violence court cases, the victim had reported previous physical or psychological violence by the same defendant.⁵ According to a September 2016 survey by three Bulgarian non-governmental organizations (NGOs), 40% of police officers and 30% of social workers believe the rate of domestic violence has increased over the previous years but that the government has not implemented consistent policies with adequate funding for the services needed to prevent and protect women from domestic violence, including effective criminalization of domestic violence crimes or improving the process for issuing protective orders.⁶
3. More recently, international organizations and local non-governmental organizations (NGOs) have estimated that at least seven women have died due to domestic violence “since COVID-19 confinement measures were set in place.”⁷ Recent official reports of domestic violence have

¹ European Institute for Gender Equality of the European Union, “Gender Equality Index 2017: Bulgaria,” accessed June 11, 2020, <http://eige.europa.eu/gender-equality-index>.

² European Institute for Gender Equality of the European Union, “Gender Equality Index 2017: Bulgaria,” accessed June 11, 2020, <http://eige.europa.eu/gender-equality-index>.

³ Partners Bulgaria Foundation, Center for the Study of Democracy, and the Human Rights Academy (Norway), *National Study on Domestic and Gender-Based Violence in Bulgaria; Analytical Report* (Sofia, Bulgaria; Partners Bulgaria Foundation, 2016).

⁴ Partners Bulgaria Foundation, *National Study on Domestic and Gender Based Violence and Elaboration of Victims Support Model: Policy Brief* (Sofia, Bulgaria; Partners Bulgaria Foundation, 2016), 2.

⁵ Bulgarian Helsinki Committee, *Human Rights in Bulgaria in 2017: Women’s Rights*, (Sofia, Bulgaria: Bulgarian Helsinki Committee, April, 2016), 134.

⁶ Partners Bulgaria Foundation, Center for the Study of Democracy, and the Human Rights Academy (Norway), *National Study on Domestic and Gender-Based Violence in Bulgaria; Analytical Report* (Sofia, Bulgaria; Partners Bulgaria Foundation, 2016), 33.

⁷ Sofia News Agency, “Bulgaria Has Adopted a National Programme to Prevent and Protect Women and Children Against Domestic Violence,” accessed June 10, 2020, <https://www.novinite.com/articles/204538/Bulgaria+has+Adopted+a+National+Programme+to+Prevent+and+Protect+Women+and+Children+Against+Domestic+Violence>

also increased, indicating that “violence against women and children has doubled compared to the months before the pandemic.”⁸

4. Bulgaria has not ratified the Council of Europe Convention on preventing and combatting violence against women, and domestic violence (“Istanbul Convention”) following a 2018 Constitutional Court ruling declaring the Convention unconstitutional.⁹

Bulgaria fails to uphold its obligations under the Committee Against Torture

5. Bulgaria ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (“CAT”) on December 16, 1986¹⁰. As a State party to CAT, Bulgaria has an obligation to ensure that no person – including women – are subjected to torture or to cruel, inhuman or degrading treatment or punishment. This duty extends to prohibiting, preventing, investigating, and providing redress for torture and ill-treatment (Article 14), including by making such acts offenses by law (Article 1 and Article 4). Bulgaria also has an obligation under CAT to prevent acts of torture in its territory (Article 2), prosecute cases (Article 7), and to ensure a prompt and impartial investigation of alleged acts of torture by competent authorities (Articles 12 and 14). This report addresses Bulgaria’s compliance with CAT, Articles 1, 2, 4, 7, 12, 13, and 14, along with addressing matters in the Committee against Torture’s (“the Committee”) 2017 Concluding Observations.
6. Recently the government has tried to improve its response to domestic violence and gender-based violence, as evidenced by measures such as the criminalization of domestic violence in 2019.¹¹ However, Bulgaria’s efforts still fall well short of its obligations to address domestic violence under CAT. This report sets forth remaining challenges and includes suggested questions for Bulgaria’s List of Issues Prior to Reporting (LOIPR).

I. The State fails to protect women from gender-based violence against women. (arts. 2, 12-14 and 16)

7. In its 2017 Concluding Observations, the Committee expressed concern about the prevalence and the number of domestic violence cases in Bulgaria.¹² In particular, the Committee noted that domestic violence was not included as a specific crime in the Criminal Code and that

⁸Sofia News Agency, “Bulgaria Has Adopted a National Programme to Prevent and Protect Women and Children Against Domestic Violence,” accessed June 10, 2020, <https://www.novinite.com/articles/204538/Bulgaria+has+Adopted+a+National+Programme+to+Prevent+and+Protect+Women+and+Children+Against+Domestic+Violence>

⁹ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

¹⁰ United Nations Treaty Collection, “Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment,” *Treaty Series*, 1996, 85. (accessed June 10, 2020). Also available online at https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-9&chapter=4&clang=_en

¹¹ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

¹² Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria, adopted by the Committee at its 1607th meeting* (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶25.

victims had only one-month to apply for an order for protection.¹³ The Committee recommended that the State Party amend its legislation to include domestic violence, including marital rape, as a specific crime in the Criminal Code that entails ex officio prosecution.¹⁴

8. In 2019, the State party amended its Criminal Code to add domestic violence as an aggravating circumstance allowing for enhanced penalties when committed with certain crimes (including homicide, bodily harm, kidnapping, illegal constraint, compulsion, threat or stalking)¹⁵, and to criminalize stalking, psychological violence and some elements of coercive control.¹⁶ However, the definition of a crime committed “in conditions of domestic violence” is vague and has led to poor and ineffective implementation of the new law.¹⁷ Specifically, a crime is considered committed in conditions of domestic violence “if it is preceded by systematic physical, sexual or psychological violence, placing the person in economic dependence, coercive restriction of personal life, personal liberty and personal rights, and is enforced against [a parent or child], a spouse or ex-spouse, a person with who one shares a child, a person with whom one is or has been in a de facto marital cohabitation, or a person with whom one lives or has lived in a common household.”¹⁸
9. According to stakeholders, the term “systematic” has been interpreted by courts and other officials as requiring victims to document three prior instances of violence by the same perpetrator in order for a public prosecution, or “ex officio” prosecution, to be opened against the abuser.¹⁹ Stakeholders report that in discussions with prosecutors and judges, the consensus opinion is that three prior incidents will be very difficult for victims to establish and that the victim’s statement or even police reports (without corroborating evidence) will likely not be adequate.²⁰ Thus, most cases of domestic violence, particularly those involving light or medium bodily injury, will continue to be treated as matters of private prosecution that a survivor must pursue on her own, at her own expense, or matters of “private-public” prosecution where the victim must complain before a case is opened.²¹

¹³ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria, adopted by the Committee at its 1607th meeting* (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶25.

¹⁴ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria, adopted by the Committee at its 1607th meeting* (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶26.

¹⁵ PENAL CODE, Art. 116 (1) (6a) Homicide; PENAL CODE, Art. 131 (5a) Bodily Harm; PENAL CODE, Art. 142 (5a) Kidnapping; PENAL CODE, Art. 142a (4) Illegal Constraint; PENAL CODE, Art. 143 (3) Compulsion; PENAL CODE, Art. 144 (3) Threat causing fear; PENAL CODE, Art. 144a (3) Stalking (not explicitly stated); PENAL CODE, Art. 296 Obstruction of Justice (Order for Protection); Email from Advocate (June 16, 2020) (on file with authors).

¹⁶ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

¹⁷ Interview with Attorney, Varna, Bulgaria, November 13, 2019.

¹⁸ PENAL CODE, Art. 93.31.

¹⁹ Personal Communication with NGO, Sofia, Bulgari, (October 2, 2019) (on file with authors).

²⁰ Interview with Advocate, via Skype, August 7, 2019.

²¹ In Bulgaria, there are three possible types of prosecution proceedings: private, private-public, and public proceedings. “Private-public” prosecution is different from public prosecution and private prosecution in that it requires a victim to file a complaint to initiate criminal proceedings. In contrast, public prosecution is ex officio prosecution initiated and carried out by the prosecutor. Private prosecution is initiated and carried out by the victim or a private attorney she must retain; a public prosecutor representing the State is not involved in private prosecutions. Interview with Attorney, Varna, Bulgaria, November 13, 2019.

10. Additionally, while stalking is now considered a crime, victims must again prove that it is “systematic”(that it happened at least three times), and they must file a complaint on their own before the State will consider prosecution (public-private prosecution).²² Prosecutors will not file enhanced, public charges on an “ex officio” basis unless the stalking is accompanied by three proven instances of domestic violence, i.e. the stalking must occur in “conditions of domestic violence”.²³ Moreover, in order to establish any incident of stalking, victims must also undergo a psychological evaluation to determine they suffered a sufficient and “terrible” level of fear.²⁴ As one attorney stated, “[t]his is ridiculous because you have to prove the systematic nature of stalking, three times stalking and three times domestic violence, so really it’s six incidents you have to prove. It is crazy.”²⁵
11. Under the Bulgarian civil law, including the Law on Protection Against Domestic Violence (LPADV), protection for victims is lacking. Victims continue to have just 30 days to file for a protection order.²⁶ Local NGOs in Bulgaria report that the government has formed a working group to update the LPADV, but that no real progress has been made.²⁷ They say that Bulgarian judges complain that giving women more time to file for a protection order would burden courts with “too many cases.”²⁸ In general, stakeholders report that orders for protection are difficult to obtain, unless a survivor is very well prepared and has access to legal counsel: “Victims who don’t have legal counsel often have their petitions denied.”²⁹
12. As noted in the Executive Summary, surveys have found that Bulgarian women are among the least likely in any European country to report domestic violence.³⁰ Requiring survivors to endure, and then document and report, three incidents of domestic violence (and three incidents of stalking) before the State will prosecute an abuser exposes survivors to an unnecessary and repeated risk of serious violence, in violation of CAT, particularly if a perpetrator retaliates against a survivor for reporting.
13. **Suggested questions** relating to gender-based violence:
- What measures has the State Party taken to explicitly criminalize marital rape as an “ex officio” crime?
 - What is the status of the State Party’s working group on the Law on Protection Against Domestic Violence?
 - Is the State Party considering removing the 30-day time limit on obtaining a protection order?
 - Is the State Party considering removing the requirement that women prove three prior incidents of domestic violence before a prosecution can be initiated? What measures has the State Party taken to amend the legal definition of crimes committed “in

²² Email from Advocate (June 16, 2020) (on file with authors).

²³ Email from Advocate (June 16, 2020) (on file with authors).

²⁴ Email from Advocate (June 16, 2020) (on file with authors).

²⁵ Interview with Attorney, Varna, Bulgaria, November 13, 2019.

²⁶ Email from Advocate (June 16, 2020) (on file with authors).

²⁷ Interview with Attorney, Varna, Bulgaria, November 13, 2019.

²⁸ Interview with Attorney, Varna, Bulgaria, November 13, 2019.

²⁹ Interview with Advocate, Zagreb, Croatia, July 8, 2019.

³⁰ European Institute for Gender Equality of the European Union, “Gender Equality Index 2017: Bulgaria”, accessed August 15, 2019, <http://eige.europa.eu/gender-equality-index>.

conditions of domestic” so that victims do not have to prove three prior incidents of domestic violence before the state will prosecute perpetrators “ex officio”?

- What actions has the State Party taken to amend the legal definition of stalking to eliminate unnecessary barriers to “ex officio” prosecution of stalking crimes, including removing requirements that victims prove multiple instances of both stalking and domestic violence before the State will act to punish perpetrators?

II. Trafficking in persons (arts. 2, 3, 14 and 16)

14. In its 2017 Concluding Observations, the Committee expressed concern that Bulgaria remains a country of origin for human trafficking for the purposes of sexual and labor exploitation and removal of organs and body fluids.³¹ The Committee was also concerned about the gaps between legislation and strategies and their implementation and the failure to address the root causes of trafficking, in particular with regard to Roma women.³² The Committee recommended that Bulgaria enforce the anti-trafficking legislation by thoroughly and impartially investigating all allegations of trafficking; ensure the effective implementation of the national anti-trafficking strategy for the period 2017-2021; provide the National Commission for Combating Trafficking in Human beings with sufficient funds; broaden cooperation with non-governmental organizations; and, conduct national prevention campaigns highlighting the criminal nature of acts of trafficking.³³
15. According to stakeholders, Bulgaria has taken no recent substantive action to address the Committee’s concerns .³⁴ While a National Commission to Combat Trafficking in Human Beings and the National Mechanism for the Referral and Support of Victims of Trafficking exist and significant efforts have been made to combat sex trafficking, Bulgaria remains one of the primary locations for those subjected to trafficking and sexual exploitation.³⁵ Women remain particularly vulnerable, with data showing 87% of victims are women.³⁶

³¹ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria, adopted by the Committee at its 1607th meeting* (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶27.

³² Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria, adopted by the Committee at its 1607th meeting* (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶27.

³³ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria, adopted by the Committee at its 1607th meeting* (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶28

³⁴ Email from Advocate (June 16, 2020) (on file with authors).

³⁵ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

³⁶ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

16. A new form of trafficking has also become prevalent, in which women are lured to sell their babies for illegal adoption in exchange for between 10,000 and 20,000 Euros.³⁷ The women then rarely see that amount.³⁸ In many regions, these cases remain underreported.³⁹

17. **Suggested questions** relating to trafficking in persons:

- How is the State Party addressing human trafficking? In particular, the gaps between legislation and strategies and their implementation?
- What efforts been made by the State to raise public awareness about the issue of trafficking, particularly in schools and among the Roma community?

III. The State has failed to provide adequate training to public officials on violence against women and trafficking in persons (art. 10)

18. In its 2017 Concluding Observations, the Committee expressed concern at reports that law enforcement and prosecutorial staff lack sufficient training and awareness in handling cases of domestic violence and trafficking, and in protecting victims.⁴⁰ The Committee was further concerned at the lack of information on the impact of training conducted for all relevant officials, including law enforcement officials, prison staff, and border guards.⁴¹ The Committee recommended that the State party provide mandatory training for police and other law enforcement officials, prosecutors, judges, and social workers on the vulnerabilities of victims of gender-based violence, including domestic violence⁴². The Committee also recommended providing specialized training to public officials, in particular law enforcement, immigration and prosecutorial personnel, on how to identify victims and investigate, prosecute and sanction perpetrators.

19. Despite trainings for magistrates and other state officials on domestic violence and violent crimes, harmful misperceptions about women and domestic violence remain entrenched among systems actors in Bulgaria.⁴³ Stakeholders have reported that many judges have had little or no training on domestic violence due to the fact the judicial system will not allocate funding for training.⁴⁴ This has led to inconsistent or poor enforcement of the LPADV, and has

³⁷ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

³⁸ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

³⁹ Press Release, Office of the High Commissioner of Human Rights, Office Visit to Bulgaria, 14-21 October 2019 by United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, (Oct. 21, 2019). Also available online at

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25173&LangID=E>

⁴⁰ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶¶25,27

⁴¹ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶31

⁴² Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶26

⁴³ Interview with Advocate, Zagreb, Croatia, July 8, 2019.

⁴⁴ Interview with Attorney, Varna, Bulgaria, November 13, 2019.

made it more difficult for victims to obtain orders for protection.⁴⁵ In addition, some judges have been unwilling to remove an abusive partner from the home because they are concerned about whether the abuser has a place to live or because of the judge's belief that the victim's behavior provoked the violence.⁴⁶ There is also a growing prejudice among judges, especially the Sofia District Court and the Sofia City Court, that when a victim of domestic violence is a mother of young children, her application for a protection order is submitted to the court in order to alienate the father from the children.⁴⁷

20. Members of the police force and social service providers also hold these beliefs and misconceptions about violence against women.⁴⁸ A recent study found that police often refuse to register a domestic violence case or give a warning protocol to a perpetrator.⁴⁹ If stronger warning protocols are issued to perpetrators, they are generally not enforced or are followed up with strong prohibitions and penalties.⁵⁰ This complicates the victim's ability to document the three "systematic" instances of domestic violence required by the Criminal Code for an "ex officio" prosecution.⁵¹

21. **Suggested questions** relating to training of public officials on violence against women and trafficking:

- What training has the State Party provided on domestic violence, in consultation with or led by NGOs serving victims, for all systems actors with responsibility for domestic violence cases, including judges, prosecutors, law enforcement and social service providers?
- What funding has the State Party allocated for training and evaluating the effectiveness of existing or future trainings on domestic violence for all systems actors?
- What steps has the State Party taken to provide specialized training on sex trafficking, in consultation with or led by NGOs serving victims, for all systems actors who interact with victims, in particular law enforcement, immigration and prosecutorial personnel?
- What steps has the State Party taken to ensure adequate training and evaluate the effectiveness of existing or future trainings on sex trafficking for all systems actors?

⁴⁵ Interview with Attorney, Varna, Bulgaria, November 13, 2019.

⁴⁶ The Advocates for Human Rights, *Bulgaria's Compliance with the Convention on the Elimination of All Forms of Discrimination*, (Minneapolis, MN: The Advocates, Sept. 2017), ¶8.

⁴⁷ Email from Advocate (June 16, 2020) (on file with authors).

⁴⁸ Partners Bulgaria Foundation, *National Study on Domestic and Gender Based Violence and Elaboration of Victims Support Model: Policy Brief* (Sofia, Bulgaria; Partners Bulgaria Foundation, 2016), 7.

⁴⁹ Partners Bulgaria Foundation, *National Study on Domestic and Gender Based Violence and Elaboration of Victims Support Model: Policy Brief* (Sofia, Bulgaria; Partners Bulgaria Foundation, 2016), 5.

⁵⁰ Partners Bulgaria Foundation, *National Study on Domestic and Gender Based Violence and Elaboration of Victims Support Model: Policy Brief* (Sofia, Bulgaria; Partners Bulgaria Foundation, 2016), at 5; Bulgarian Helsinki Committee, *Human Rights in Bulgaria in 2017: Annual Report* (Sofia, Bulgaria: Bulgarian Helsinki Committee, 2018), 134.

⁵¹ The Alliance for Protection Against Domestic Violence (the Alliance), *Monitoring of the Legislation related to protection against domestic violence and other forms of gender-based violence: A Summary of Main Findings from 2013-2014*, 11.

IV. Redress for victims of torture

22. In its 2017 Concluding Observations, the Committee expressed concern about the lack of shelters for victims of both domestic violence and trafficking.⁵² The Committee also expressed concern about the absence of a mechanism to identify victims of trafficking, as well as insufficient health care for trafficking victims, and the absence of specialized services for child victims of trafficking.⁵³ To combat sex trafficking, the Committee recommended the State Party increase the protection of, and provide support and redress to, victims of trafficking, especially minors, including free legal aid, specialized medical and psychological aid and rehabilitation; increase the number of shelters and crisis centers; and, enhance assistance to victims in reporting incidents of trafficking to the police, including by establishing a 24-hour hotline for victims to report cases of trafficking.⁵⁴ The Committee also recommended that the State Party ensure all victims of gender-based violence and domestic violence benefit from protection, including restraining orders, and have access to medical and legal services, including counseling, redress and rehabilitation, as well as safe and adequately funded government-run shelters throughout the country.⁵⁵
23. The number of shelters in Bulgaria remains very low, falling well short of the international standard for adequate housing and shelter for victims of violence and their children.⁵⁶ There is currently only one shelter with 14 beds in Sophia, Bulgaria,⁵⁷ a city of two million people.⁵⁸ There are only 10 domestic violence shelters in the entire country and they are often full. Bulgaria has just two domestic violence hotlines, both of which are privately funded and often do not operate 24 hours a day.⁵⁹
24. Additionally, the newly passed Law on Social Services has yet to enter into force.⁶⁰ The law, adopted by Parliament in March of 2019, was supposed to enter into force in January of 2020 but was delayed for a year due to false claims that the law would allow the state to take children from their parents without any reasonable ground.⁶¹ The intent of the law was to establish a public-private partnership between the state and NGOs providing social services, and included a number of important measures for victims of domestic violence, including children.⁶²
25. The absence of shelter and support for victims of gender-based violence means women often have few options in seeking redress and protection from perpetrators of abuse.
26. **Suggested questions** relating to redress for victims of torture:

⁵² Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶¶25, 27.

⁵³ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶ 27.

⁵⁴ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶28.

⁵⁵ Committee Against Torture, *Concluding observations on the sixth periodic report on Bulgaria*, adopted by the Committee at its 1607th meeting (15 December 2017), U.N. Doc. CAT/C/BGR/CO/6, ¶26.

⁵⁶ Interview with Attorney, via Skype, August 7, 2019; Email with NGO, Sofia, Bulgaria, (Sept. 27.2017) (on file with authors).

⁵⁷ Email from Advocate (June 16, 2020) (on file with authors).

⁵⁸ Interview with Attorney, via Skype, August 7, 2019.

⁵⁹ Interview with Attorney, via Skype, August 7, 2019.

⁶⁰ Email with NGO, Sofia, Bulgaria, (Sept. 27.2017) (on file with authors).

⁶¹ Email with NGO, Sofia, Bulgaria, (Sept. 27.2017) (on file with authors).

⁶² Email with NGO, Sofia, Bulgaria, (Sept. 27.2017) (on file with authors).

- How will the State Party work with NGOs serving victims of violence to immediately increase the number of shelters available through the country to one space per 10,000 people, and to sufficiently fund shelters so that they can provide robust assistance to victims?
- What steps has the State Party taken to raise awareness about and promote the new Law on Social Services that may enter into force in January of 2021?
- What measures has the State Party taken to provide ongoing and sufficient funding to NGO-led shelters and centers that provide services to women and children survivors of domestic violence and sex trafficking?