



OPEN SOCIETY INSTITUTE
NETWORK WOMEN'S PROGRAM
VAW MONITORING PROGRAM

V I O L E N C E
A G A I N S T
W O M E N

DOES THE GOVERNMENT CARE
IN
B U L G A R I A ?

Country Monitoring Reports
and Fact Sheets

from
Central and Eastern Europe,
the Commonwealth of
Independent States,
and Mongolia

2007

Published by

OPEN SOCIETY INSTITUTE

Október 6. u. 12.
H-1051 Budapest
Hungary

400 West 59th Street
New York, NY 10019
USA

© OSI/Network Women's Program,
Violence against Women (VAW) Monitoring Program 2007
All rights reserved.



TM and Copyright © Open Society Institute 2007

Október 6. u. 12.
H-1051 Budapest
Hungary

Website

<www.soros.org/women>

Table of Contents

Preface	6
1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN.....	11
1.1 National institutions or government bodies responsible for policy coordination and implementation	11
1.2 National action plans and other policy documents.....	16
1.3 State monitoring of existing legislation and policies	19
1.4 State budget and budget of the law enforcement bodies for combating violence against women. State financial support for NGOs working in the field of violence against women.	19
1.5 State financing system to compensate victims	21
1.6 Recommendations of the UN CEDAW Committee to the state and their implementation	21
2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE	24
2.1 Laws addressing violence against women or its different forms. Restraining or protection orders.....	24
2.2 Applicable provisions in criminal law.....	25
2.2.1 Criminal offences	25
2.2.2 Criminal procedures and prosecution	26
2.2.3 Special provisions in the defense of children	27
2.3 Applicable provisions in civil and family law for cases of violence against women	28
2.4 Victim protection and protection of witnesses.....	28
2.5 Legal assistance and representation for the victims of violence against women	31
2.6 Providing information for victims about their rights, obligations, and the services available.....	31
2.7 Mainstreaming women’s safety in laws and regulations of the national, regional, and urban planning.....	31
3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION.....	32
3.1 Professional guidelines and operational protocols for dealing with cases of violence against women	32
3.2 Legal regulations of inter-agency cooperation.....	32
3.3 Medium- and long-term coordinated action plans for the different professions.....	33

3.4	Involvement of NGOs and other agencies in drafting laws and shaping policies.....	33
3.5	Leading NGOs working in the field of violence against women in the country	34
4.	SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES	37
5.	AVAILABLE SERVICES.....	38
5.1	Shelters.....	38
5.2	Hotlines	43
5.3	Crisis intervention centers	45
5.4	Intervention programs for the perpetrators.....	47
5.5	Other victim support services.....	48
6.	EDUCATION AND TRAINING	49
6.1	The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula and the availability of sex education programs.....	49
6.2	Mandatory and other training programs for future professionals	52
6.3	Mandatory and other training programs for practicing professionals	53
6.4	Gender equality issues in higher education curricula and human rights programs.....	55
7.	THE ROLE OF THE MEDIA.....	55
7.1	Media law provisions concerning violence against women and the portrayal of women	55
7.2	Guidelines and codes of conduct for media professionals	56
7.3	Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women	56
7.4	Training programs for media professionals on violence against women.....	57
7.5	Media activity in raising the awareness of the general public of violence against women	58
7.6	Analyses on violence against women in the media	59
8.	AWARENESS RAISING.....	60
8.1	Campaigns on violence against women	60
8.2	Conferences and other awareness raising, information, and prevention programs.....	62
8.3	Information materials for the victims about their rights and the services they can seek help.....	63
9.	RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN.....	64
9.1	Research programs and surveys	64

9.2 Violence against women on the agenda of research centers dealing with equality issues	69
10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN	70
10.1 Official statistics, data collection, and specific indicators on violence against women	70
10.2 NGO statistics on violence against women	73
11. CASE LAW ON VIOLENCE AGAINST WOMEN	74
11.1 Cases on violence against women before the national and international bodies dealing with human rights issues	74
11.2 Published court decisions, case studies, and analyses of case law	75
12. RECOMMENDATIONS TO THE GOVERNMENT	76
ANNEXES	78
Annex A. List of laws and regulations screened	78
Annex B. List of documents and books consulted	79

Preface

“...states have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, whether those acts are perpetrated by the state or private persons, and provide protection to victims...”

(Recommendation No. R (2002) 5 of the Committee of Ministers of the Council of Europe to member states on the protection of women against violence)

Violence against women is a global epidemic, constituting the serious violation of women’s human rights and fundamental freedoms. Combating this phenomenon has been one of the main priority areas of the Network Women’s Program (NWP) of the Open Society Institute since its establishment in 1998.

NWP’s main activities in this field included initiating, managing and supporting several international projects,¹ by acquiring and transferring knowledge throughout the regions where OSI has traditionally worked.² The activities of NWP in the field of violence against women were transformed into a separate program, the Violence against Women (VAW) Monitoring Program, which operated until the end of 2006.

A main focus of the Program was introducing and managing the Stop Violence Against Women (STOPVAW) website,³ and establishing the National Violence against Women (VAW) Monitor Network. The website was developed by Minnesota Advocates for Human Rights in 2003, with the support of NWP and UNIFEM. Subsequently, in May 2004 NWP initiated the National VAW Monitor Program by

¹ Such as the “16 Days” Campaigns against Gender Violence, and the Coordinated Community Response to Violence against Women (Duluth Program). The “16 Days” Campaigns Against Gender Violence program supported NGOs in 19 countries of the Soros foundations network to organize national public awareness campaigns on violence against women. NWP and the OSI Network Media Program provided grants, along with training workshops, in order to build the capacity of women’s NGOs and media experts, and to improve the quality of the media campaigns. Grants were offered exclusively for cross-country cooperation in 2003.

In introducing the Duluth Model, an innovative community-coordinated strategy, NWP organized several training workshops for national teams from 16 countries as well as special training for police officers and other law enforcement professionals, and supported the adaptation of the model for several years.

² These are the countries of Central and Eastern Europe and the former Soviet Union.

³ See: www.stopvaw.org.

establishing a network of NGOs from 24 countries. Non-governmental organizations in the fields of violence against women and gender equality take on the role of National VAW Monitors and facilitate the continued development and maintenance of the English and national-language Country Pages of the STOPVAW website.

The responsibilities of the National Monitors include the monitoring of government compliance with international obligations and the distribution of information to the international community about the successes and failures of their governments in combating violence against women. The website and the Network are active forums for information sharing, knowledge transfer, and advocacy work.

At the end of 2005 a new, comprehensive Survey to Monitor Violence against Women was initiated by NWP, inviting the National VAW Monitors and other experts to map the situation on violence against women in their respective countries, with special regard to state responses. The survey methodology prepared for the Monitors and experts to follow built upon the Council of Europe Committee of Ministers' Recommendation No. R (2002) 5 on the protection of women against violence. The goal was to collect concise and comparative information from those who are in the field, as a basis for further analysis and update. Another aim was to contribute to the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence.

By following the words and spirit of the Recommendation of the Council of Europe, the examined fields include, among others:

- responsible government bodies and their mandates regarding violence against women;
- action plans and their implementation;
- state budgets to combat violence against women, including support for NGOs;
- laws, regulations, and codes of conduct;
- services and assistance to victims (shelters, hotlines, crisis centers, legal aid, etc.);
- training and education at all levels;
- role of the media;
- awareness-raising activities; and
- research and statistics.

As a result of the monitoring survey, Country Fact Sheets and Country Monitoring Reports were prepared. These Fact Sheets and Country Reports issue a non-

governmental assessment of the countries' situation in the above fields, and formulate clear recommendations to the governments.⁴

Data collection for the monitoring survey was closed on December 1, 2006. Updated information on further developments in the efforts to combat violence against women in the countries concerned is available on the STOPVAW website.

We hope that both the Fact Sheets and Country Reports will be useful advocacy tools at the national and international levels, and that, by generating legal and policy changes, they will urge the states to fully meet their international commitments to combat violence against women.

Éva Földvári
Program Director
Open Society Institute
Violence against Women Monitoring Program

Enikő Pap
Program Officer and Project Coordinator
Open Society Institute
Violence against Women Monitoring Program

⁴ The reports are available online at www.soros.org/women and www.stopvaw.org/Country_Pages.

Acknowledgements

The Violence against Women Monitoring Program of the Open Society Institute would like to acknowledge the contribution of the following individuals and organizations in doing research for, drafting, and revising the Country Monitoring Reports and Fact Sheets:

NATIONAL EXPERTS

- Albania:** Aurela Bozo (*Center for Legal Civic Initiatives*) and Dr. Edlira Haxhiymeri (*Shelter Project for Abused Women and Girls, in Tirana*)
- Armenia:** Susanna Vardanyan and Eduard Grigoryan (*Women's Rights Center*)
- Azerbaijan:** Yuliya Gureyeva (*Consultant for Azerbaijan Gender Information Center*) and Ruhiyya Isayeva (*Chairwoman of Legal Resource and Information Centre Public Union, member of the Collegium of Advocates of Azerbaijan*)
- Bosnia and Herzegovina:** Nada Ler Sofronić Ph.D. (*Research, Policy and Advocacy Center "Woman and Society," Sarajevo*) and Duška Andrić-Ružičić (*"Infoteka" Department at Women's Association "Medica", Zenica*)
- Bulgaria:** Liliya Sazonova (*Center of Women's Studies and Policies*)
- Croatia:** Sandra Benčić, Adriana Bego, and Sanja Sarnavka (*B.a.B.e. Women's Human Rights Group*)
- Czech Republic:** Marie Vavroňová, PhDr. Jiří Vavroň, PhDr. Branislava Vargová, Mgr. Dana Pokorná, PhDr. Petra Švecová, JUDr. Iva Pavlíková, and Mgr. Petra Ledvinková (*ROSA-Center for Battered and Lonely Women Civic Society*)
- Estonia:** Helve Kase (*Estonian Institute for Open Society Research Foundation*)
- Georgia:** Marina Meskhi (*Anti-Violence Network of Georgia*)
- Hungary:** Julia Spronz (*Habeas Corpus Working Group*) and Judit Herman (*NANE Association*)
- Kazakhstan:** Yuri Zaitsev, Anna Drelikh (*Feminist League*), and Alma Yessirkegenova (*Independent Consultant*)
- Kyrgyz Republic:** Nurgul Djanaeva (*Forum of Women's Non-Governmental Organizations of Kyrgyzstan*)

- Kosovo:** Luljeta Demolli (*Kosovar Gender Studies Center*)
- Lithuania:** Vilana Pilinkaite-Sotirovic (*Center for Equality Advancement*)
- Macedonia:** Gabriela Mihova, Jasminka Friscik, Marija Gelevska, and Stojan Misev (*Association for Emancipation, Solidarity and Equality of Women of the Republic of Macedonia – ESE*)
- Mongolia:** M. Mendbayaar (*Women’s Leadership Foundation*)
- Montenegro:** Vanja Mikulic, Irena Milatovic, and Biljana Zekovic (*SOS Hotline for Women and Children Victims of Violence, Podgorica*), in cooperation with the Gender Equality Office of the Government of Montenegro
- Poland:** Agata Krakowka and Artur Czerwinski (*Network of East-West Women Polska*)
- Romania:** Roxana Tesiu (*Center for Partnership and Equality*) and Adela Dinu (*APoWeR – Association for the Promotion of Women in Romania*)
- Russia:** Larisa Ponarina (*ANNA National Center for the Prevention of Violence, Moscow*)
- Serbia:** Biljana Brankovic (*Association Anthropy, Belgrade, Serbia*)
- Slovakia:** MUDr. Jana Olearniková and Mgr. Sylvia Králová (*ZZŽ Fenestra*)
- Tajikistan:** Moufara Hamidova
- Ukraine:** Halyna Fedkovych (*Western Ukrainian Center “Women’s Perspectives”*)

THE EDITORIAL TEAM

Enikő Pap
 Judit Herman
 Judit Wirth
 Miklós Vörös
 Minnesota Advocates for Human Rights (English editing only)
 Q.E.D. Publishing

1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN

1.1 National institutions or government bodies responsible for policy coordination and implementation

The gender equality machinery in Bulgaria is in the process of establishing itself. The National Council on Equality between Women and Men (NCEWM) is the most important body, and it is the first step in the establishment of such machinery. The Ministry of Labor and Social Policy itself serves as an equality body; it is in charge of the policy for gender equality at the executive level. In March 2004 a specialized Equal Opportunities for Women and Men Sector was introduced within the Labor Market Policy Directorate. In 2005 it was transformed into the Demographical Policy, Social Investments, and Equal Opportunities Directorate, thus placing gender equality issues in a more marginalized position. A Consultative Commission on Equal Opportunities (to the Minister of Labor and Social Policy) has also been established.

Additionally, a Commission for Protection against Discrimination, an Ombudsman, and a Commission for Countering Trafficking in Human Beings (NCCTP) have been established. The Economic and Social Council was established as an independent consultative body for expressing the interest of civil society organizations (including women's NGOs) on the economic and social development of the country in 2003. A Subcommittee of Women's Rights and Gender Equality to the Standing Committee on Human Rights and Religious Affairs was established in February 2006.

All of these bodies are new and explicit measures on the part of the state are still necessary in order to activate them.

The National Council on Equality between Women and Men (NCEWM) was set up in November 2004. The Council acts as a consultative body to the Council of Ministers and develops and implements the national policy on gender equality in

collaboration and coordination with the government authorities and the nongovernmental sector.⁵

The permanent members of the NCEWM are representatives of relevant ministries and state institutions. Its associated members are representatives of other organizations, academic institutes, national organizations, and social partners or NGOs invited for the purpose by the National Council's Chairperson (Minister of Labor and Social Policy). The permanent members of the NCEWM are 22 in number (representatives of ministries and state institutions). There are also 14 associated members (social partners), so the total number of members is 36.

The *Report of the National Council on Equality between Women and Men* for 2005 was presented on February 20, 2006 during its first working session in its new format but no conclusions about violence against women were mentioned in the report.⁶

The Demographic Policy, Social Investments, and Equal Opportunities Directorate has 13 employees. As stated in Article 33(a) of the Organizational Statute of the Ministry of Labor and Social Policy, among the responsibilities of the newly established directorate are: preparation of methodologies for monitoring and research of gender equality; analysis and assessment of the compliance between Bulgarian and EU legislation in the area of equal opportunities; developing the ministry's budget for programs addressing gender equality; developing legislative acts in the area of equal opportunities; organizing, coordinating, and participating in the implementation of the *National Plan for Gender Equality*; and providing the administrative and technical maintenance of the NCEWM.

In February 2003 a Consultative Commission on Equal Opportunities was set up at the Ministry of Labor and Social Policy consisting of representatives of the state authorities responsible for the elaboration and implementation of gender equality

⁵ Article 2 of the Statute states that the National Council consults the Council of Ministers; discusses drafts of normative and other acts related to gender equality issues, and presents positions on them; discusses drafts of Council of Minister's Acts and presents a position for their relevance to the objectives of the Gender Equality Policy; coordinates the actions of State Bodies and nongovernmental organizations towards realization of the National Action Plan for Gender Equality and the international undertakings of Republic of Bulgaria in this sphere; independently or jointly with the Commission for Protection against Discrimination submits measures for realization of the National Policy on Gender Issues in the Republic of Bulgaria; maintains contacts with similar state bodies abroad as well as with international organizations with similar tasks and spheres of action; supports the implementation of important national and regional projects of social partners and NGOs in the sphere of gender equality, harmonizing work with family and parental duties and gives account of the final results; and organizes the conduct of research under topics related to its activity.

⁶ Source: phone interview with Lili Abadjieva, Secretary of NCEWM, July 2006.

policy, social partners, and NGOs. It is chaired by the Minister of Labor and Social Policy. The deputy chair is a representative of NGOs working on women's issues. Its aim is to improve the coordination of efforts towards gender and social equality in Bulgaria and to reinforce the administrative capacity of state institutions and organizations responsible for the policy of equality. The work of the Commission could be identified as the first positive step to put equality issues on the agenda. However, keeping in mind its limited powers, consultative functions, and the absence of any controlling functions, such a structure is not able to provide guarantees for achieving gender equality in fact – or for empowering women.

Although at present only a few municipalities have structures dealing with equal treatment issues and problems of women, assisting consultative bodies are being gradually established within the Municipal Councils; e.g., the Public Council on Social Activities and Protection of the Child in Razgrad. In the course of its activity the Council is responsible for recognizing and resolving problems of women. As of June 1, 2004, Veliko Turnovo Municipality appointed a special expert on gender, youth, and children's issues. The responsibilities of this expert also include the development of an action plan promoting gender equality on the local level.

The National Commission to Combat Trafficking in Persons (NCCTP), affiliated with the Council of Ministers, was established in November 2004. As stated in Articles 2 and 3 of the Structural and Operational Rules of the Commission, it is prescribed “to lead, coordinate, and control activities relevant to the implementation of the national policy and strategy to suppress and combat human trafficking and ensure victim protection (...) by means of an administration and local commissions to combat trafficking in persons.” The Commission “shall hold regular meetings in accordance with a pre-announced agenda. The regular meetings shall be convened by the Chairperson at least four times a year.” (Article 11) By exemption it may decide to hold meetings *in camera* when so required. The representatives of legal nonprofit entities and of international organizations with resident offices in the country that engage in anti-trafficking activities and trafficking victim support shall participate in National Commission meetings as observers.

The NCCTP has to submit an annual report on its own operations and the operations of the local commissions to the Council of Ministers.⁷ The Chair of the Commission is in charge of submitting the report.

The local commissions conduct the state's policy and strategy in the area of combating human trafficking in the territory of the respective municipalities by submitting to the National Commission a draft budget for the implementation of the municipal anti-trafficking policy and annually reporting on performance before the respective Mayor and the National Commission (Article 16).

The NCCTP is a collective body comprised of a Chairperson, two deputies, and members. The Chairperson is the Deputy Prime Minister. The NCCTP includes a Deputy Minister of Foreign Affairs, a Deputy Minister of Labor and Social Policy, a Deputy Minister of Interior; a Deputy Minister of Justice, a Deputy Minister of Health, a Deputy Minister of Education and Science, a Vice President of the State Agency for Child Protection, and a Deputy Chairperson of the Central Enforcement Commission for Anti-Social Behavior of Juveniles and Minors. The Commission's activities are supported by an administrative staff and headed by a Secretary. There were 11 Commission members in 2005 and 10 members in 2006. The Local Commissions consist of three to seven members; their exact number is subject to regulation by the Mayor. They are chaired by a Deputy Mayor. The Act of May 7, 2003 on Countering Trafficking in Human Beings⁸ (hereafter: Act on Trafficking) states that the Local Commissions shall include representatives of the local government competent in the area of education, health care, and social policy, representatives of the Local Enforcement Commission for Anti-social Behavior of Juveniles and Minors, the Child Protection Departments with the 12 Social Support Directorates, the police, and nongovernmental organizations as well as teachers, psychologists, lawyers, physicians, and others (Article 5).

The Commission for Protection against Discrimination has the power to receive and investigate complaints, issue rulings, and impose sanctions. According to the inner rules of the nine-member Commission there are particular person(s) in charge of different types of discrimination. To submit a petition to the Commission is quicker than to initiate a procedure under the Act of January 1, 2004 on the Protection against

⁷ The Chairperson of the National Commission is responsible for the following areas: submitting a national program to suppress and combat trafficking in persons; ensuring victim protection annually for endorsement by the Council of Ministers; scheduling meetings of the National Commission and moderate the latter; hosting roundtable discussions to debate proposals and issues relating to the activities of the National Commission and local commissions before the Council of Ministers; and disposing of the budget and assets of the National Commission.

⁸ Promulgated in *State Gazette* No. 46, May 20, 2003.

Discrimination⁹ (hereafter: Act on Discrimination). A case has to be completed within three months of initiation, while under the law it can take longer. A number of cases were lodged with the Commission for breaches of the Act on Discrimination, including two cases for sexual harassment that are still in the process of investigation. Decision on them is expected to be announced shortly.¹⁰

No special budget has been allocated for the operation of the above bodies (only the respective ministries to which the particular body is affiliated are mentioned as a source of funding but with no clear indications on the amount to be provided).¹¹ The experts and finances needed for the administrative and technical work of the NCEWM are provided by the Ministry of Labor and Social Policy. In 2005 the amount was as follows: 20,000 levas (around 10,000 euros) for services and 200,000 levas (around 100,000 euros) for the implementation of its functions. The 220,000 levas were provided for the entire work of the Council on Gender Equality, including violence against women issues. In an interview with the Secretary of the NCEWM, she explained that violence against women tasks and budget are included in the broader gender equality activities and budget so it cannot be separately defined.

According to Article 17 of the Statement of Operational Requirements (SOR), the National Commission based in the city of Sofia shall be a legal unit of budget support. It shall be a second-level spending unit within the Council of Ministers. Also, the Chairperson of the National Commission shall dispose of the budget and assets of the Commission. (Article 18) The budget allocated for 2005 was 400,000 levas (200,000 euros) and for 2006 it was 336,995 levas (168,500 euros).

So far little progress has been achieved in the implementation of the tasks of the newly-adopted bodies described above. For example, the local commissions prescribed by the Act on Trafficking still have not been created a year and a half after its adoption. The still-vague system of cooperation between the different institutions that have been established also causes problems – as well as their funding.

⁹ Promulgated in *State Gazette* No. 86, September 30, 2003.

¹⁰ The manuscript was closed in the spring of 2006.

¹¹ For example, the Consultative Commission on Equal Opportunities has no official budget but the Ministry of Labor and Social Policy covers its expenses if they exist; the National Council on Equality between Women and Men received 220,000 levas (110,000 euros) in 2005; and the budget allocated to the Commission for Protection against Discrimination was 1,800,000 levas (900,000 euros) in 2005.

1.2 National action plans and other policy documents

In 2004 the Council of Ministers developed and approved the annual *National Action Plan on Gender Equality for 2005* (NAPGE 2005), and a similar NAPGE was approved for 2006 as well. There are concrete subchapters in the *National Plan for Gender Equality* that refer to violence against women addressing the issues of domestic violence and trafficking in women in a separate subchapter (NAPGE 2005 in subchapter 7, NAPGE 2006 in subchapter 6).

The *Report on the Implementation of the NAPGE 2005* states that the measures listed in Subchapter 7 of the Plan under “Fight against domestic violence and trafficking in human beings” have not been realized. It is suggested in the report that a working group consisting of representatives of the institutions in charge of the implementation of these measures should be established. Once created, the working group has to accomplish joint actions to implement the measures from the NAPGE 2006. The only positive steps in terms of domestic violence and trafficking in human beings mentioned in the report concern trafficking in children, namely the drafting of the Coordination Mechanism for Referral, Care, and Protection of Repatriated Bulgarian Unaccompanied Minor Victims of Trafficking. According to experts in the field, the document will strengthen the partnership and coordinated action between institutions and will more effectively combat trafficking in children.

The types of actions prescribed by the NAPGE 2006 in terms of violence against women are the following:

- conducting information campaigns against domestic violence and trafficking in human beings, especially in women (person responsible: Minister of Internal Affairs and Minister of Justice; deadline: December 31, 2006);
- conducting trainings for magistrates (judges, prosecutors, and examining magistrates) so that they can properly implement the Act of April 2, 2005 on Protection against Domestic Violence¹² (hereafter: Act on Domestic Violence) and the Act on Trafficking (person responsible: Minister of Justice; deadline: December 31, 2006);
- implementing and controlling the measures combating domestic violence and protection of the victims (persons responsible: Minister of Interior and Minister of Labor and Social Policy; deadline: December 31, 2006);
- conducting trainings for representatives of the National Employment Agency, Labor Office Directorate, and the Agency for Social Assistance to educate

¹² Promulgated in *State Gazette* No. 27, March 29, 2005.

them to work with victims of trafficking¹³ (person responsible: Minister of Labor and Social Policy; deadline: December 31, 2006).

The organization, coordination, and control of the realization of the *National Action Plan for Promotion of Gender Equality for 2005 and 2006* are assigned to the Minister of Labor and Social Policy, jointly with the Minister of Finance, but no concrete amounts have been allocated. Because of that, very few steps have been undertaken, and most of the actions are still in the planning phase.¹⁴

No exact budget amounts are mentioned for the above actions; only the responsible ministries for the implementation of the actions are named. The ministries are to decide on the specific amounts.

Additionally, the *Program for Prevention and Protection against Domestic Violence* (PPPDV) was adopted in October 2006.

According to Article 4 of the Regulations of the Organization and the Work of the NCCTP,¹⁵ the NCCTP has to draft a *National Program on Combating Trafficking in Human Beings* and submit it to the Council of Ministries yearly. This program was adopted for 2005.¹⁶ On July 20, 2006 the government passed a *National Program on Overcoming and Counteracting Trafficking in Persons and Protection of Victims*. The Program states that (1) local commissions for combating trafficking in persons will be set up in four municipalities in high-risk regions in the country and (2) centers for protection and help for victims of trafficking will also be opened in two of these

¹³ The types of action prescribed by the NAPGE 2005 in terms of violence against women were, among others, conducting information campaigns against domestic violence and trafficking in persons, especially in women; creating integrated schemes supporting the victims of domestic violence; creating conditions for organizing centers for support and provision of services to victims of domestic violence (homes for temporary lodging); establishment of an SOS line for victims of domestic violence, and elaboration of training programs for work with victims of domestic violence.

¹⁴ For example NGOs which initiated and delivered trainings for police officers and judges on the implementation of the Act on Domestic Violence stated that there was active cooperation and support in implementing the trainings from the Ministry of Interior and some cooperation from the Ministry of Justice. However, none of the Ministries financially supported the trainings.

¹⁵ Available in Bulgarian at <http://lex.bg/laws/ldoc.php?IDNA=2135480535>. Promulgated on March 9, 2004.

¹⁶ The *National Program on Combating Trafficking in Human Beings*, adopted in February 2005, prescribed the establishment of administrative structures at the national and local level, as stipulated in the Act on Trafficking, and public awareness-raising on issues relating to human trafficking and the mechanisms for its prevention. The measures aim at the inclusion of high-risk groups, the training of specialists responsible for issues relating to human trafficking, as well as conducting research and launching information campaigns.

municipalities. The deadline for both actions was the end of 2006, and the responsible actors were the local Commissions and the mayors in the respective cities. The budget is not specified but will be provided by the budget of the Commission, the municipalities' budgets, and other sources (projects and programs) coming out of the state budget. Organizational rules and codes of conduct of the above-mentioned centers for protection and help for victims of trafficking will be designed by the local commissions. The deadline is a month after the set-up of the centers, and local commissions are responsible. A mechanism to provide victims clients of these centers with medical and psychological assistance will be designed. (Office responsible: Ministry of Health. Deadline: permanent.)

Educational and qualifical courses as well as measures and projects providing employment opportunities for victims of trafficking will be established by the Ministry of Education, MLSP and the mayors of the respective municipalities on a permanent basis. By the end of 2006 three temporary accommodation crisis centers for child victims of trafficking will also be opened. (Office responsible: Ministry of Labor and Social Policy and the Agency for Social Assistance.)

An organization for research and analysis of statistical data on trafficking in human beings will be established with the National Commission and an official website of the Commission will be opened by December 2006. (Office responsible: the Commission.)

The program provides for the expansion of the range of extracurricular activities related to promoting human rights and children's rights at primary and secondary schools. (No concrete deadline is indicated in the program; only that it is a permanent responsibility of the Ministry of Education.)

The program includes participation in information campaigns and dissemination of materials on trafficking among high-risk groups such as women, children, ethnic minorities, and society as a whole. (Deadline: July – December 2006. Office responsible: the Commission and the local commissions.)

A reference book with information on national and international law and the institutional framework for preventing and counteracting human trafficking in Bulgaria will also be compiled by December 2006. (Office responsible: the Commission.)

Trainings for the staff of the structures recently established as a result of the Act on Trafficking as well as for police officers, judges, prosecutors, journalists, representatives of the Agency for Social Assistance etc. working in the field of trafficking in human beings will be delivered by December 2006. (Offices responsible: the Commission, Ministry of Interior, Ministry of Foreign Affairs, and MLSP.)

A mechanism for financial assistance for Bulgarian citizen victims of trafficking will be established by July 2006. (Office responsible: Ministry of Foreign Affairs.)

The Ministry of Justice will be responsible for the ratification of the Convention on Action against Trafficking in Human Beings adopted on May 15, 2005 by the Council of Europe, for the adoption of a national strategy for assistance of victims of crimes and violence, and for drafting a bill on the assistance and compensation of victims of violence. (Deadline: December 2006.)

The responsible actors for the implementation of the program are the Chairperson of the National Commission, the President of the State Agency for Child Protection, and the Minister of Foreign Affairs, the Minister of Labor and Social Policy, the Minister of Interior, the Minister of Justice, and the Minister of Health. No concrete budget is established for the particular actions, but after each action the ministries or institutions that have to provide money from their own budget are indicated.

No NGO reports on the implementation of NAPGE 2005 and the *National Program on Combating Trafficking in Human Beings* have been submitted.

1.3 State monitoring of existing legislation and policies

Bulgaria is required to submit periodic government reports detailing the compliance and implementation of international conventions with regard to women's issues to several UN Committees. Among them three periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) have been submitted. (The Second and the Third Periodic Reports were submitted more than seven years after the deadline – in 1994 instead of 1987). The Fourth, Fifth, and Sixth Reports that were to have been submitted subsequently in 1995, 1999, and 2003 still have not been submitted.

1.4 State budget and budget of the law enforcement bodies for combating violence against women. State financial support for NGOs working in the field of violence against women.

In the *National Action Plan for Gender Equality for 2005* it is generally stated that the expenses related to the realization of the plan are provided by the framework of the approved resources under the budget of the ministries and other state bodies responsible for its realization, but no concrete amounts are mentioned.

In the *National Plan for Protection against Trafficking in Human Beings* the Ministry of Foreign Affairs, the Ministry of Interior, the National Commission to Combat Trafficking in Persons, the Ministry of Labor and Social Policies, and even NGOs are

mentioned among the main sources of financing to support anti-trafficking actions in 2005. When the actions in the *National Plan* were listed under “leading institutions” and “source of finances,” it only indicated: “all engaged institutions” or “from the budgets from all engaged institutions.” The total budget allocated to the Commission for the implementation of the plans for 2005 was 400,000 levas (200,000 euros), and for 2006 it was 336,995 levas (168,500 euros).

Additionally, indications and obligations declaring the state’s responsibility to financially support the fight against violence against women do exist in the Act on Domestic Violence and in the Act on Trafficking. For instance Article 3 of the latter states that “The Council of Ministers shall allocate resources in the national budget for the establishment and maintenance of shelters, centers, and commissions.” However, usually the exact amount or proportion of the state’s central budget or the municipality budget that is to be directed to countering violence against women efforts is not clearly stated. Thus it is up to the particular body (municipality, for instance) to decide on its proportion, if it is delivered at all.¹⁷

The central budgets of the different law enforcement bodies are not defined based on the kind of the crimes or issues that they deal with, and that is why none of them have a separate budget line for working on cases of violence against women.

There is no unified, centralized information system within the state’s structures that could provide data about the amount allocated to NGOs. Program budgeting, when a concrete problem (field of activity) is addressed, and consequently the state allocates funding to it, has recently been introduced. Currently the budget is formed based on the ministries’ requests for a particular amount. That is why neither the amount that has been allocated to combat violence against women nor the amount transferred to NGOs working in the field can be identified. The state bodies that finance NGOs working on violence against women are the Ministry of Labor and Social Policy, the Agency for Youth and Sport, the Ministry of Finance, and – rarely – municipalities. However, the main sources of finances for women’s NGOs in Bulgaria are private international donors and organizations and foreign states’ programs (like MATRA, USAID, CIDA, etc.).

¹⁷ For example the state (the Ministry of Finance) provided 25,000 levas (12,500 euros) to the shelter for women victims of violence in Silistra for 2006 and the amount is expected to grow to 31,000 levas (15,500 euros) for 2007, which covers approximately 70 percent of the shelter’s expenses. But there is no budget line item directed to violence against women in the state or the municipality budget in Silistra.

1.5 State financing system to compensate victims

According to the newly adopted *National Program on Overcoming and Counteracting Trafficking in Persons and Protection of Victims* of 2006, the government will draft a law regulating the compensation of victims of violence. The Act on Assisting and Compensating Survivors of Crimes (including victims of rape and trafficking in human beings) was discussed by the Council of Ministers in October 2006 and is in front of the Parliament for adoption.

According to the regulation in force, the court can penalize the perpetrator of domestic violence with a fine from 200 to 1,000 levas (from 100 to 500 euros). However, the money does not go to the victim but directly to the state budget, with no relation to special funds aimed at reducing violence against women (like services assisting survivors of violence or counseling for perpetrators). Moreover, victims of trafficking face a difficult homecoming: forced to work as prostitutes abroad, they have no social and medical insurance in Bulgaria, and cannot integrate themselves back into society.

If the victim does not raise the case under the two laws (Act on Trafficking and Act on Domestic Violence), but goes under the Penal Code, and if the case is won by her, she can be compensated, but there is no data available on the number of violence against women beneficiaries (there is no such classification in the legal system) and the money distributed.

1.6 Recommendations of the UN CEDAW Committee to the state and their implementation

The most recent concluding observations of the UN Committee on the Elimination of Discrimination against Women for Bulgaria date back to May 14, 1998. The principal subjects of concern in terms of violence against women were the following:

- The Committee identified the problem of violence against women in Bulgaria, both in the public and private spheres, as one of its dominant concerns. The Committee expressed concern at the fact that legal proceedings for domestic violence may only be initiated upon the complaint of the victim.
- The Committee was concerned about the extent of trafficking in women, regarding both Bulgarian women who are led into prostitution in other European countries by organized crime as well as women from other countries who have fallen into prostitution in Bulgaria.
- The Committee urged the Bulgarian government to appoint an ombudsperson in accordance with the current proposal before Parliament. The Committee further urged the government to ensure that sufficient resources are allocated

to enable the office to function effectively. The ombudsperson should also be provided with a clear mandate to address gender issues.

- The Committee recommended that legislative measures protecting women against all forms of violence, both public and private, be strengthened. The Committee urged the government to develop an array of medical, psychological, and other measures to assist women victims of violence and to change prevailing attitudes on domestic violence, which view it as a private problem, and to encourage women to seek redress. A range of strategies is available, including the utilization of popular music, theatre and so on, with the cooperation of civil society, including women's organizations. The Committee requested the Bulgarian government to include information on steps taken to address domestic violence in its next report.
- The Committee encouraged Bulgaria to implement its intention to cooperate at the regional and international levels with regard to the problem of trafficking in women and their exploitation through prostitution. The Committee suggested that in order to tackle the problem of trafficking in women, it is essential to address women's economic vulnerability which is the root cause of the problem. In addition, national legislation should be reviewed and amended in accordance with the Convention, effective administrative and police structures need to be created, media sensitization and training campaigns should be conducted and the work of women's nongovernmental organizations in this area should be promoted. The Committee also requested that the Government of Bulgaria include in its next report yearly data on the number of women trafficked into Bulgaria and the number of those women who have been returned to their countries of origin, as well as the number of women trafficked out of Bulgaria to other countries and the number of perpetrators engaged in trafficking who have been arrested, prosecuted, and sentenced.

The state has undertaken the following steps to implement the Committee's recommendations concerning violence against women:

- With regard to the Committee's concern that legal proceedings for domestic violence may only be initiated upon the complaint of the victim, Article 8 of the newly adopted Act on Domestic Violence states that apart from the victim's petition, the proceedings for issuing the protection order may be instigated (1) at the request of the executive director of the Social Assistance Agency; (2) at the petition of a brother, sister, or a person in direct relation to the victim, or a lateral relation to the second degree, where immediate protection is required.

- Some legal steps have been undertaken regarding trafficking: the Act and the Commission on Countering Trafficking in Human Beings were established but the real implementation is ahead.
- The Act on the Ombudsman was enforced on January 1, 2004 and the Ombudsman's Office was established in April 2005. The Ombudsman's responsibilities do not directly encompass gender issues but are directed more generally to protect citizens' rights and freedoms that are violated by acts or omissions by state and municipal authorities, administrations, or by a person charged with the provision of public services. The only proscription in the law that addresses gender dimensions states that petitions are to be submitted by all persons regardless of their sex – among other characteristics.
- Medical, psychological, and other measures to assist women victims of violence are still the top priority for NGOs in Bulgaria. In 2006 the Ministry of Finance provided money for some of the programs run by NGO service providers. For example the Ministry of Labor and Social Policy recommended that the shelter for victims of violence against women in Silistra should be funded by the state and the response from the Ministry of Finance was the institution that provided the money for the shelter. Therefore, although far from sufficient, this initiative has to be pointed out as a good attempt by the government to get involved in countering violence against women.
- The required legislation has been adopted. No statistics on the number of women trafficked into or from Bulgaria are available.

The Women's Alliance for Development and the Bulgarian Center for Human Rights prepared an *Alternative Report on the Implementation of CEDAW by Bulgaria in 1998*. The Report's main conclusion is that although the achievements *de jure* in the field of equality exist, the Bulgarian legislation and social practice in implementation of the Convention leave much to be desired.¹⁸

¹⁸ The Convention has been ratified by the state but not yet promulgated, which means that there are legal obstacles to its implementation; there are no cases in practice with a direct reference to the Convention, nor is there a decision based on it; there is a lack of positive measures in the fields of protection of women against violence, trafficking, and forced prostitution inclusive; the State reports only about the *de jure* situation, which it considers satisfactory, and the violations in the private sphere are apparently out of the scope of the country report; there is no mention of domestic violence in the Penal Code and hence when a woman suffers a middle or light injury it is up to her to prosecute the perpetrator by an individual complaint. The report was prepared eight years ago and since then many positive steps have been undertaken by the state that satisfy some of the comments in the alternative report.

2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE

2.1 Laws addressing violence against women or its different forms. Restraining or protection orders

The laws directly addressing violence against women in Bulgaria are: the Act on Trafficking, and the Act on Domestic Violence. Additional laws that can be used to protect women's rights are: the Act on Discrimination, aims at transposing *inter alia* the equal treatment of women and men. Article 5 of this law regulates sexual harassment. The Act on the Ombudsman could also be mentioned.

The Act on Trafficking introduces measures to prevent trafficking, to improve coordination between state bodies and NGOs, and to protect victims of trafficking in persons. The law also provides a definition of 'trafficking'.¹⁹ The law prescribes the establishment of a National Commission within the government, to be chaired by a Deputy Prime Minister.

According to Article 1 the law shall provide: (1) The powers and objectives of the state authorities involved in combating trafficking in human beings as well as the interrelations between them; (2) The status and objectives of the shelters, centers, and commissions established under this Law for the protection and support of victims of human trafficking; (3) The measures to prevent and defy trafficking in persons; (4) The measures aimed at protecting and supporting the victims of human trafficking, especially women and children; (5) Placing trafficking victims who collaborate with the investigation under special protection. Article 2 states that national and local commissions for combating trafficking in human beings, shelters for temporary housing of victims of trafficking, and centers for protection and support of victims of trafficking shall be set up to accomplish the activities and objectives in Article 1.

The Act on Domestic Violence was created to regulate the situations related to domestic violence and to provide protective measures. It provides a legal definition of the term 'domestic violence'.²⁰ Article 4 of the law states: "In the case of domestic

¹⁹ "Trafficking in persons means the recruitment, transportation, transfer, concealment, or acceptance of human beings, regardless of their own will, by means of coercion, abduction, deprivation of liberty, fraud, abuse of power, abuse of a state of dependence, or by means of giving, receiving, or promising benefits to obtain the consent of a person who has control over another person, when it is carried out for the purpose of exploitation."

²⁰ "Each act of physical, psychological, or sexual violence, including the coercion into sexual relations, the forcible limitation of personal freedom and personal life committed against persons who have been in a family or kinship relationship, intimate relations or inhabiting the same housing facility on the grounds above or for other reasons."

violence the victim shall be entitled to address the court for protection.” According to Article 5(1) of the law shall be implemented through any of the following: (1) placing the respondent under an obligation to refrain from applying domestic violence; (2) removing the respondent from the common dwelling/house for a period specified by the court; (3) prohibiting the respondent from going in the vicinity of the home, the place of work, and the places where the victim has his or her social contacts or recreation, on such terms and conditions and for such a period as is specified by the court; (4) temporarily relocating the residence of the child with the parent who is the victim or with the parent who has not carried out the violent act at stake, on such terms and conditions and for such a period as is specified by the court, provided that this is not inconsistent with the best interests of the child; (5) placing the respondent under an obligation to attend specialized programs; and (6) advising the victims to attend recovery programs. The measures under subsection 1, points 2, 3, and 4 shall be imposed for a period from one month to one year.

In all cases of violence, the court shall also penalize the respondent by a fine between 200 and 1000 levas (from 100 to 500 euros). As to the state’s responsibilities under the law, it states that it shall ensure the implementation of programs aimed at the prevention of and protection against domestic violence as well as programs providing assistance to victims. The validity of the protection order is for up to one year. In order to expedite the procedure, the applications and requests are registered immediately so that the decision will be issued within four to six weeks.

2.2 Applicable provisions in criminal law

2.2.1 Criminal offences

Every crime connected with violence against women is under the general provisions and procedures.

Domestic violence is not criminalized in the Penal Code.

Article 152(1) of the Penal Code defines rape as follows: “Who copulates with a female person: unable to defend herself and without her consent; by compelling her to it by force or threat; by bringing her to a helpless state, shall be punished for rape by imprisonment of two to eight years.” Sentences for rape range between two and eight years of imprisonment but can reach up to 20 years in case of serious bodily injury or suicide of the victim. Spousal rape, though not specifically addressed in the penal code, can be prosecuted under the general rape statute.

The Penal Code was amended in 2002 and made trafficking in persons a criminal offense. According to Article 159 the definition and punishment of ‘trafficking in persons’ is: (1) “Who gathers, transports, hides, or receives individuals or groups of

people in order to be used for vicious practice, involuntary servitude, seizure of body organs or to be kept under compulsory submission regardless of their consent, shall be punished by imprisonment of one to eight years and a fine of up to 8,000 levas” (4,000 euros).

The law prohibits sexual harassment that involves intercourse.

When the perpetrator of a criminal act is an official or the state itself, they are penalized. The penalty in such cases is higher as it is considered an aggravating circumstance, in that the perpetrator undermined not only personal but also state interests, and such penalty always results in imprisonment. Article 161(2) regulates punishment when the act of homicide/murder is committed “by an official, as well as by a representative of the public, by a person from the system of the police, or on occasion of fulfillment of his duty or function” and it results in imprisonment of 15 to 20 years, life imprisonment or life imprisonment without an option. Similarly, Article 131 defines as an aggravating circumstance if the bodily injury is made by an “an official, by a representative of the public, by a person from the police during or on occasion of fulfillment of his duty or function” and results in “imprisonment from three to 12 years for serious bodily harm; from one to five years for average bodily harm; up to three years for light bodily harm according to Article 130(1) and up to one year or corrective labor according to Article 130(2).” In the chapters regulating trafficking or rape, it is not mentioned what happens when the perpetrator is a state official.

2.2.2 Criminal procedures and prosecution

Ex officio prosecution is applicable to all crimes under the Penal Code. An exception to the general rule is when the crime is inflicted on an ascendant, descendant, spouse, brother, or sister of the perpetrator. In these cases (the crime includes destruction and damaging, light and average bodily harm, threat, when the perpetrator says or does something humiliating the honor or the dignity of another in his presence, etc.) the criminal proceedings shall be instituted upon a complaint of the aggrieved.

The police are obliged to record all reported cases. When it comes to domestic violence, however, it is not the Penal Code but the Act on Domestic Violence that legally binds police to support (consequently, though not explicitly written in the law) by investigating the cases.

In general, violence against women is not treated as an aggravating or mitigating circumstance in deciding about prosecution or sentencing.

Crimes against persons who have not reached 14 years of age are an aggravating circumstance in the whole Penal Code. Additionally, chapter four (2) regulates “Crimes against youth” and criminalizes persons who torture a minor, compel a minor

or underage person to commit a crime, employ a person under 18 years, sell alcoholic beverages to a person under 18 years of age, etc.

Trafficking in children is considered an aggravated circumstance. The punishment for trafficking if a minor was involved increases to two to ten years in prison and fines of up to approximately 10,000 levas (5,000 euros). In addition, inducement to prostitution is punishable by up to three years' imprisonment, and the penalty rises to 10 to 20 years if the victim is a minor under age 18 or is legally incompetent.

The possibility of a quick procedure exists in the Act on Domestic Violence: based upon the request of the victim, a legal procedure has to be initiated and a decision to be issued by the prosecutor within 24 hours.

2.2.3 Special provisions in the defense of children

There is a special chapter in the Penal Code regulating children's and family issues. The Child Protection Act ensures special protection of children against violence, by prescribing, among other things, urgent police measures in cases of an occurrence or threats of violence against children.²¹

²¹ • Article 5(1) Special protection shall be secured to: children at risk; [...]
 In the additional provisions to the law a definition of "child at risk" is provided: [...]
 b) who has become victim of abuse, violence, exploitation, or any other inhuman or degrading treatment or punishment either in or out of his or her family;
 c) for whom there is a danger of causing damage to his or her physical, mental, moral, intellectual, and social development; [...]
 • Article 11(1) Every child has a right to protection against involvement in activities that are harmful to his or her physical, mental, moral, and educational development.
 (2) Every child has a right to protection against all methods of upbringing that undermine his or her dignity; against physical, psychical, or other types of violence; against all forms of influence, which go against his or her interests.
 (3) Every child has a right to protection against the use of children for purposes of begging, prostitution, dissemination of pornographic material, receipt of unlawful pecuniary income as well as protection against sexual abuse.
 • Article 25 A child may be placed to live out of his or her family in cases where: [...]
 (4) The child is a victim of violence in the family and is in danger of her/his physical, mental, moral, intellectual, and social development.
 • Article 38 Police protection is an urgent measure to be applied when:
 1. the child has become subject of crime or there is an immediate threat for his or her life or health, as well as when there is a danger of the child getting involved in a crime; [...]

The Act on Trafficking contains special articles regulating protection of a child against trafficking.²²

2.3 Applicable provisions in civil and family law for cases of violence against women

There are no provisions in the civil and family law for cases of violence against women. According to the general rules of the Code of Criminal Procedure, the victim can submit a damage claim for compensation of pecuniary and non-pecuniary damages within the first phase of the penal procedure. At the end of the penal procedure, if the defendant is found guilty by the court, the court has to also determine whether the victim has the right to be compensated, and how. If the defendant is found not guilty, the victim has the right to submit a separate damage claim later on.

As it was mentioned above, the Act on Assisting and Compensating Survivors of Crimes is in front of the Parliament for adoption.

Special procedural laws or provisions for cases of violence against women exist, but only in the Act on Domestic Violence.

2.4 Victim protection and protection of witnesses

On November 9, 2004 the National Assembly adopted witness protection legislation that has been in force since May 25, 2005.

The Act on Witness Protection includes special protective measures available to witnesses, victims, defendants, suspects, convicts, and experts providing essential testimony, explanations, or information in trafficking cases as well as their close

²² Article 1(1) This law settles: 4. the measures for protection and help to the victims of trafficking in human beings, especially to women and children; [...]

Article 21 On receiving information regarding a child-victim of trafficking in human beings, the bodies of Article 2 shall be obliged to inform immediately the State Agency for protection of the Child, which shall undertake the respective measures according to the Child Protection Act.

Article 22 The children-victims of trafficking in human beings shall be accommodated in individual rooms, separately from persons of age.

Article 23 Education in the state or municipal schools in the country shall be provided for child-victims of trafficking in human beings, under the conditions and by the order of the Law of the National Education.

Article 24(1) The bodies, the asylums, and the centers under Article 2 shall undertake immediate action to find the families of child-victims of trafficking in human beings. (2) In the cases of paragraph 1 the specialized bodies under the Child Protection Act shall undertake measures for providing representation.

relatives. Victims of crimes associated with trafficking, including participation in an organized crime scheme, are also covered by the legislation. Protective measures for witnesses range from being provided a personal guard and temporary placement in safe houses, to changing their residence or workplace, to changing identity in extreme cases. The legislation also provides for witnesses to be transferred abroad if there are not sufficient security guarantees in the country of their residence. Victims generally are not jailed, although they could be detained for brief periods for questioning until referred to an NGO for assistance and, if necessary, repatriation. There is a special provision that allows for residency and employment of trafficking victims while they participate in criminal proceedings. According to the US Department of State's *Report on Trafficking in Human Beings* (2005), the government reported one instance of the use of these protections.²³ According to the most recent *Monitoring Report Bulgaria May 2006*, issued by the European Commission, four persons were granted protection within the witness protection program.²⁴

Special procedures prescribed in the Penal Code for hearing victims or witnesses in order to avoid secondary victimization are implemented in the pre-trial procedures connected with violence against women. For example Article 210(a) of the Code of Criminal Procedure provides the possibility for avoiding secondary questioning of witnesses and victims of violence – these were used in 21 pre-trial procedures in the region of Plovdiv. Also, there are special rooms for avoiding direct contact between the witness or victim and the perpetrator when the first has to identify the second. In terms of violence against women, such conditions (*in camera* hearing, etc.) refer to victims of trafficking, sexual harassment, and debauchery. Domestic violence can also be included in the above-mentioned crimes, as Article 4 of the Act on Witness Protection states that special protection can be provided for witnesses who testify about crimes covered by Chapter 2 of the Penal Code. This chapter includes murder, bodily injury, etc. that can be used as general provisions to initiate a domestic violence case.

Articles 6 and 11 of the Act on Witness Protection regulate data protection and state that information and personal data of the witness shall be protected. Additionally, Article 24 of this law states that the personal data used in implementation of the law is secret information and that the administrator of this information is the Minister of Justice or a person that he/she appoints. The article also states that third persons have no access to the personal information made available when implementing this law, and even the protected person himself/herself can be denied information on his/her data, if it is in his/her best interest and for his/her protection.

²³ See: www.state.gov/g/tip/rls/tiprpt/2005/46613.htm.

²⁴ See: http://ec.europa.eu/comm/enlargement/report_2006/pdf/monitoring_report_bg_en.pdf.

Also, in the Regulation of Shelters for Victims of Trafficking, Article 14 states that people working in the shelter are obliged to save all personal information and data about victims that became available to the working staff due to their professional obligations, and that the latter have to respect the dignity of the victims of trafficking. According to Article 20 of the Act on Trafficking all victims of trafficking in human beings are provided with anonymity and protection of their personal data.

Article 3 of the Act on Witness Protection includes special protective measures available to experts providing essential testimony, explanations, or information in trafficking cases. Additionally, Article 15 of the Regulation of the Shelters for Victims of Trafficking states that the security of shelters is provided by the police or by other security organizations.

There are no provisions about sexual violence against children, or regarding the defense of children in general in the Act on Witness Protection. There is no provision in the Act of January 1, 2004 on the Protection of the Child²⁵ (hereafter: Child Protection Act) providing that professional confidentiality is on an exceptional basis in cases of sexual violence against children, but Article 16(1) of the Child Protection Act states that “All information, obtained through administrative or judicial proceedings and concerning a child shall not be disclosed without the parents’ consent and without the child’s consent where the child has reached the age of 10.” Under the same article, “social workers and officials who become aware of personal data when implementing their duties are obliged to keep the legal provisions regarding the protection of personal data as well as to respect the personal dignity.” Article 16 also states that “the court may permit the bodies under this Act to use information pursuant to paragraph 1 without the consent of persons under paragraph 1, should it become necessary in view of the child’s interests, or for purposes of undertaking child protection measures.”

There is always a social worker from the Social Assistance Agency to the Ministry of Labor and Social Policy and a parent in the Court when it comes to a case where the victim is a child. Additionally, Article 15 of the Child Protection Act states that in every administrative or court procedure in which the interests of the child are concerned, the child must be heard in the Court if s/he is over 10 years old. If the child is under that age, s/he can be heard depending on her/his development. In both of the cases the Court has to provide the child with all relevant information needed to form an opinion and to inform her/him about the possible consequences of her/his opinion and decisions.

²⁵ Promulgated in *State Gazette* No. 48, June 13, 2000.

2.5 Legal assistance and representation for the victims of violence against women

A new law on legal assistance has been in force since 2006 (Act of January 1, 2006 on Legal Assistance). Its aim is to provide equal access to justice for individuals by providing representation and legal protection. Both victims and perpetrators can be aided by this law. According to Article 21 the legal consultation before the legal procedures, the preparation of the documents needed to initiate a procedure, legal assistance, and legal presentation are offered free of charge to those who fulfill the criteria for taking advantage of this law.

The legal aid under the law is offered by advocates and is financed by the state.²⁶ According to Article 22 the advantage of free legal assistance is offered to persons who have low or no incomes and who (1) are hosted in special institutions providing social services; (2) are adoptive families; and (3) are defendants who have no financial resources to pay for an advocate. In this regard, among the main criteria for receiving such assistance are the income of the person, his/her property, his/her state of health, age, etc.

2.6 Providing information for victims about their rights, obligations, and the services available

Article 26 of the Act on Trafficking states: “(1) Pre-trial proceedings authorities shall promptly inform the individuals who have become victims of human trafficking, upon identification thereof, about the possibility of receiving special protection if within one month the victims declare their consent to collaborate with the investigation. (2) The timescale in Paragraph 1 may be extended up to two months based on a proposal by the State Agency for Child Protection when the victim of trafficking is a child.”

Article 18(1) of the Act on Witness Protection states that when a witness is included in the program for protection s/he signs a written agreement in which detailed rights and obligations are included.

2.7 Mainstreaming women’s safety in laws and regulations of the national, regional, and urban planning

Violence against women and women’s safety are factors not present in the laws, regulations, and guidelines of national, regional, and urban planning.

²⁶ Articles 3 and 4 of the Act on Legal Assistance.

3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION

3.1 Professional guidelines and operational protocols for dealing with cases of violence against women

Special codes for police officers dealing with violence against women (domestic violence) cases are under elaboration by the Ministry of Interior.

There are no special laws or compulsory codes for therapists and health professionals.

The Code for Professional Ethics for Judges in Bulgaria was approved by the High Judicial Council in the beginning of 2004 but there are no sections on violence against women cases and the only regulation referring to gender, among others, is in Part 4, Article 3. “The judge cannot express preferences or prejudices towards a certain group of people based on their sex.”

The Ethical Code of Bulgarian Media includes violence against women in its regulations.²⁷

3.2 Legal regulations of inter-agency cooperation

In the laws dealing with different forms of violence against women, requirements for cooperation between state and nongovernmental agencies, representatives of law enforcement professionals, social workers, etc. exist, but their implementation is insufficient.

In the Act on Domestic Violence Article 6 states: “The bodies of the Executive branch and the natural and legal persons registered by virtue of Articles 18(2) and (3) of Act of January 1, 2003 on Social Assistance²⁸ (hereafter: Act on Social Assistance) shall work jointly to provide protection to the victims of domestic violence.” Also, the Final Provisions to the law states: “(3). The State shall assist the municipalities and nonprofit legal entities with establishing and supporting services and centers designed to implement the measures under Article 5(1), points 5 and 6.”

The Act on Trafficking states: “Article 1(2) This Act is intended to ensure co-operation and co-ordination between state bodies and the municipalities as well as between them and the nongovernmental organizations (NGOs), with a view to preventing and

²⁷ See Section 7 below.

²⁸ Promulgated in *State Gazette* No. 56, 1998. For example, such legal persons registered by virtue of section 18(2) and (3) of the Act on Social Assistance are women’s NGOs providing assistance to violence against women victims.

defying trafficking in human beings and developing the national policy in that area.” Also, Article 5 of the same law prescribes multi-agency work for the activities of the local commissions: “The Local Commissions shall include representatives of the local government competent in the area of education, health care, and social policy, representatives of the Local Enforcement Commission for Anti-social Behavior of Juveniles and Minors, the Child Protection Departments with the Social Support Directorates, the police, nongovernmental organizations as well as teachers, psychologists, lawyers, physicians, and others. The meetings of the Local Commissions shall be attended by a regional prosecutor.”

It is prescribed by the laws regulating violence against women that police officers, psychologists, social workers, and governmental representatives must work together. Additionally, Articles 81 and 82 of the Regulation to the Act on the National Police of December 15, 1993 (National Police Act)²⁹ state that the Fight against Organized Crime Directorate and the Border Police Directorate prevent and counter trafficking for the purpose of sexual exploitation by organizing cooperation between police and the other governmental and nongovernmental structures. Also, there are special coordinated plans for joint action when cases connected with trafficking are investigated, and the prosecutors are obliged to coordinate with the police.

3.3 Medium- and long-term coordinated action plans for the different professions

The chairperson of the National Commission to combat human trafficking is responsible for the annual submission of a national program and action plan to suppress and combat trafficking in persons and to ensure victim protection, for endorsement by the Council of Ministers.

3.4 Involvement of NGOs and other agencies in drafting laws and shaping policies

In theory, NGOs and state authorities should collaborate within the National Council on Equality between Women and Men, Consultative Commission on Equal Opportunities, and the National Commission to Combat Trafficking in Persons. In practice, the National Council on Equality between Women and Men has had only a few meetings and only recently included representatives of nongovernmental sector. The Consultative Commission on Equal Opportunities includes NGOs. However, its sessions are not regular, but are administered and initiated by the state authorities from

²⁹ In force since June 2006, available in Bulgarian at www.mvr.bg/NR/rdonlyres/80A54E54-F45F-4D53-94C3-3F90E79B4125/0/PPZMVR.pdf.

the Ministry of Labor and Social Policy. At the same time, Article 4 of the *National Program on Overcoming and Counteracting Trafficking in Persons and Protection of Victims* establishes a special permanent expert group with representatives of the ministries in charge of the work of the Commission to Combat Trafficking in Persons. The expert group will focus on assisting the coordination between institutions when dealing with multi-agency work.

Additionally, a number of nongovernmental organizations provide professionals with the opportunity to participate in gender-related forums, gathering representatives of women's NGOs and international organizations, women in executive positions from central and local governments, trade unions, academia, media, etc. But these are *ad hoc* events, not ones that are systematically and regularly organized.

According to Article 2(a) of the Act on Legal Acts ministries are obliged to discuss all laws with social actors before adopting them. Thus, although there is no systematic mechanism to involve NGOs in drafting and designing laws and policies in both areas of law that regulate violence against women (trafficking and domestic violence), women's NGOs play an important role. For example, it was the nongovernmental sector that initiated, drafted, and lobbied for the Act on Domestic Violence. NGOs have a consultative role concerning laws and policies in the National Council on Equality between Women and Men, the Consultative Commission on Equal Opportunities, and the National Commission to Combat Trafficking in Persons.

3.5 Leading NGOs working in the field of violence against women in the country

As the research *Trafficking in Human Beings – the Bulgarian Reply*³⁰ suggests, in practically all of the geographic regions of Bulgaria, there are NGOs which are active in different degrees and which fight trafficking in different ways. The NGOs are listed below (in alphabetical order).

- *Animus Association Foundation* (Sofia): Focuses on the rehabilitation of women, adolescents, and child-victims of violence through counseling and psychotherapeutic programs, social support programs, 24-hour Crisis Unit and a program to support the children of clients. Active in lobbying, prevention, networking, media campaigns, and trainings.
- *Bulgarian Gender Research Foundation*: Promotes social equality and women's human rights in Bulgaria through research, education, and advocacy programs with joint efforts of lawyers, university professors, and women's rights activists.

³⁰ Source: website of *Women's Alliance for Development* www.women-bg.org/docs/Trafik_humanen.pdf (Also available in English).

Works against violence on women, especially against domestic violence and sexual harassment, provides legal aid to women, i.e. women victims of trafficking.

- *Caritas Bulgaria*: The migration office of Caritas Bulgaria cooperates with local and international supra-governmental, governmental, and nongovernmental organizations involved in the issue of trafficking of women.
- *Center of Women's Studies and Policies (CWSP)*: Within the Gender Equality Monitoring Agency (GEMA), CWSP operates the National Violence against Women Monitor Program and implements activities connected with conducting surveys and research on the status of women; monitors violence against women; maintains the Bulgarian Country Page of www.stopvaw.org; participates in and promotes the "16 Days of Activism Against Gender Violence," etc.
- *Center Open Door Association (Pleven)*: Provides assistance to women victims of violence and offers free-of-charge psychological and legal consultations. Most important, the Center runs a shelter (set up in 2003) where women and children victims of domestic violence are hosted from three to six weeks. Additionally, places for temporary jobs are provided for clients of the center in the newly established Social Enterprise of the Open Door Center.
- *Demetra Association (Burgas)*: Provides programs for protection and care for women and children survivors of violence (domestic and sexual violence, trafficking). Individual consultations with psychologists, social workers, physicians and lawyers. Program for psychological help for men with violent behavior. Free-of-charge legal protection for victims of violence.
- *Diva Foundation for Care in the Community (Plovdiv)*: Focuses on prevention of trafficking and support to victims of trafficking and other forms of violence against women. They run a crisis center for victims of violence against women.
- *Ekaterina Karavelova Women's Association (Silistra)*: Provides counseling to victims of domestic violence. Importantly, it runs a municipality-funded shelter for battered women, victims of domestic violence and trafficking. The organization has branches in Bulgaria.
- *Gender Project for Bulgaria Foundation*: Develops campaigns against violence against women and equality between men and women. Works towards changing attitudes in society on gender equality issues. Lobbies for legal changes in the field of prevention and protection of victims of violence and trafficking. Works with the media for raising awareness regarding violations of women's human rights.

- *Ikar Association* (Haskovo): Works in the field of social services for high-risk groups and mainly women, children, and the elderly, on prevention of violence and crime.
- *Maria Center* (Gorna Oryahovitsa): Works on prevention and advisory services for women and children who have become victims of domestic violence, sexual violence, and trafficking; social reintegration of victims of violence and disadvantaged people. It offers information, crisis intervention, and consulting, psychotherapy, legal advice, social intermediation, and preventive programs.
- *Nadia Center* (Sofia): Provides free-of-charge qualified assistance to victims of violence and trafficking, respecting the clients' anonymity. Maintains a hotline for consulting and provide information, emotional support, and understanding as well as counseling and psychotherapy, legal and social advice. Makes referrals to medical experts, governmental, and nongovernmental organizations. Actively works to inform the public about the problems created by violence against women and cooperate with agencies and institutions, and nongovernmental organizations from Bulgaria and abroad.
- *P.U.L.S. Foundation* (Pernik): Conducts preventive programs among teenagers; provides assistance and protection to women and young women who have survived trafficking. Works on prevention of sexual violence and trafficking of women and girls. Gives psychological and legal advice and social intermediation to people who are threatened by trafficking and who have become victims of trafficking.
- *Resource Center Open Door* (Veliko Turnovo): Provides complex information in the sphere of human rights of children and women, and services to victims of domestic violence (including a hotline).
- *SOS Family in Disgrace Association* (Varna): Provides psychological support of victims of violence to overcome trauma. Promotes social reintegration and rehabilitation of women and children survivors. Provides long-term psychotherapy, psychological consultations, social work, self-help groups, legal consultations, and representation in courts. In the field of education it organizes seminars and trainings.
- *WAD* (Sofia): Coordinates informational activities on women's human rights; building organizational and individual capacity through educational and training programs and courses with a focus on gender issues and equality. Raises public sensitivity to violations of women's human rights, including violence. Conducts lobbying and advocacy activity to promote gender equality, policy gender analysis and practices in different spheres. Mobilizes public opinion on issues related to legislation and policy for equality and protection of women.

The main source of funding of the above organizations is external (not governmental) donors. There is no data on the percentage of the state funding.

Legal expert in the field of violence against women is Genoveva Tisheva (Bulgarian Gender Research Foundation). Experts from organizations providing psychological consultations: Rosanka Venelinova, psychotherapist (Nadja Center) and Nadejda Stoytcheva, psychotherapist (Animus Association Foundation).

4. SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES

There are two police units, one within the National Border Police, and the other within the National Service for Organized Crime Control, that specifically address the problem of trafficking in persons.

The National Service for Organized Crime Control is a specialized police inquiry service for the counteraction and neutralization of the criminal activities of local and international criminal structures. To implement these tasks, the National Service conducts, alone or in cooperation with other specialized bodies, activities to counteract organized crime. In its structure it has a Human Trafficking and Trade Sector, the main tasks of which are the following:

- (1) to counteract the criminal activities of trans-border organized criminal structures engaged in trafficking and trade of women and underage girls for sexual exploitation;
- (2) to detect and neutralize the criminal activities of local and international criminal organizations engaged in illegal migration for and via the territory of the Republic of Bulgaria and which are engaged in the forgery of documents; to counteract the legalization of illegal income from these activities; and
- (3) to detect and preclude the activities of criminal organizations hidden behind companies (without licenses) which hire people to work abroad and make illegal profits from taking Bulgarian citizens abroad in fraudulent ways.

The National Border Police Service is a specialized protection and operational inquiry police service of the Ministry of Interior for the protection of the state border and the control of the observance of border regime. To prevent, detect, and investigate crimes related to human trafficking, the Border Police detects and arrests trespassers at the border, wanted persons, and vehicles, and conveys them to the competent bodies, does not allow persons who have been prohibited to enter or exit the country, implements border regime and controls, prevents, detects, and participates in investigations of

crimes and other violations of the 19 cases provided for by the law. There are around 30 police officers working specifically on trafficking in human beings issues, covering the 28 checkpoints on the border.

In the appeals court and in the regional prosecutor's offices, special units for fighting organized crime (including trafficking) exist.³¹

The Ministry of Foreign Affairs, through the diplomatic and consular services of the Republic of Bulgaria abroad, has special obligations under the Act on Trafficking.³²

The above-mentioned units are established as legally required. Most of the staff of the above-mentioned units and all persons responsible for the methodological control of the units passed special trainings. In the border police around 30 people were trained to work with victims of violence.³³

There is a possibility to be heard by a female officer if the victim wishes so. There is a tendency within the Ministry of Interior to accept more women in the Police Academy and consequently to hire more women police officers. In an interview with a captain from the National Border Police Services on February 6, 2006, it was mentioned that currently there are around 30 percent women in the ranks of the police in Bulgaria (compared with few years ago when there were approximately 20 percent).

5. AVAILABLE SERVICES

5.1 Shelters

Currently there are only two shelters for women and children victims of domestic violence in Bulgaria: in Silistra, Women's Association Ekaterina Karavelova has

³¹ For example, in the regional prosecutors office in Sofia there is a unit "Crimes against the person" in which there are prosecutors specially appointed to work on cases of trafficking in human beings.

³² According to Articles 16, 17, and 18 these are the following:

- (1) to provide help and assistance to Bulgarian citizens, human trafficking victims, for repatriation to Bulgaria;
- (2) for the consular services, in cooperation with the bodies of the Ministry of the Interior, to cooperate for the quick and timely issue of identity documents to Bulgarian citizens who have become victims of human trafficking;
- (3) to inform, by distributing information material, interested parties and risk groups about the rights of human trafficking victims;
- (4) to provide information on the Bulgarian legislation in the field of combating human trafficking to the respective foreign countries.

³³ Source: Captain Dimitrina Boncheva, Border Police, phone interview on February 3, 2006.

operated a shelter since 2000; in Pleven, Center Open Door started a shelter in 2003. Centers for protection and help for victims of trafficking will also be opened in two municipalities in high-risk regions – this is prescribed in the adopted *National Program on Overcoming and Counteracting Trafficking in Persons and Protection of Victims* in 2006.

Additionally, the center for family support in Gabrovo hosts adolescents, mothers, and pregnant women, but does not directly deal with violence against women, and in Stara Zagora the shelter Samaryani is active on behalf of adolescent victims of violence but does not accept women. By the end of 2006 three temporary accommodation crisis centers for child victims of trafficking will also be opened.

The first shelter in the country was Center Nadja, in Sofia, which opened in 1997, and offered 18 places for victims of violence. However, it was closed for lack of human and financial resources.

The operators of the two currently existing shelters in Pleven and Silistra do not take in victims of trafficking for security reasons. Nevertheless, victims of trafficking can find places of refuge in Bulgaria: IOM operates seven safe houses especially for victims of trafficking, including in the south of the country where no shelter for victims of domestic violence exists. (IOM reported sheltering 74 women and nine girls in 2004.) Victims of trafficking can be hosted in crisis centers as well (see Section 5.3), but for a very limited period of time. In Open Door there are eight places for victims, while in Silistra's shelter there are ten places for victims of violence against women. This means that there are 18 places for women victims of violence (including their children) in the shelters in Bulgaria. The number of women who can be hosted in the shelters is absolutely insufficient, given that in Bulgaria there are approximately 3.8 million women, and according to statistics the percentage of women victims of violence ranges from 20 to 25 percent of the total number of women in the country.

At present, more than 160 women have stayed in Women Association Ekaterina Karavelova's shelter since 2000. The now defunct shelter of Center Nadja in Sofia accommodated 832 women during its time of operation. In Pleven, Open Door hosted 25 women victims of violence in the shelter since it was established in 2003.

As a rule, there are from five to seven people waiting to be hosted in the shelters (including children) in Open Door Pleven. Similar to the situation with Animus Crisis Center, the coordinator of Open Door Pleven estimated that the shelter is not big enough, and the real need is for at least 20 places (compared to the existing eight).

At the same time, the coordinator of Silistra's shelter states that since 2000 the shelter has always had free places, and there has never been a case of a victim needing support who could not be accepted and hosted.

The services of all of the shelters are free of charge. The period for which women victims of domestic violence are sheltered is different: in the shelter in Pleven it is from three to six weeks and it offers eight beds, while Ekaterina Karavelova in Silistra operates a shelter with seven beds. The center for family support in Gabrovo has the capacity to host clients from three to six months. Victims who leave their home are often accompanied by their children in the shelters for an average of one or two months until the social workers find them a new place to live and a job to sustain themselves.

Both psychological and social assistance are provided in Open Door and in the Silistra shelter. The Open Door team assists victims in finding adequate medical care but do not provide them with it in the shelter, while in Silistra a part-time doctor is available for victims. Additionally, there are two advocate-members of the team of Open Door Consultation Center (which is different from the shelter) who give free-of charge legal consultations for clients of the shelter, but victims have to pay themselves if their case is legally presented in the court.

The shelters provide immediate help.

There are six persons working in Open Door: a coordinator, three social workers, and two pedagogues. All of them were trained in the first level of family consulting, and they started working for Open Door as volunteers on the hotline which gave them important abilities. Additionally, psychologists and two advocates work in the consulting center to the shelter. In Silistra's shelter four social workers are hired for full-time work, and a psychologist, advocate, logistics manager, and a physician are part-time employees.

Women from throughout the country can be hosted at these shelters but the number of protected houses is not sufficient, and their location does not cover the southern part of the country, which is a big disadvantage for the people from this region.

Shelters are in secret, unsigned locations and victims usually are referred to them through the hotlines or women's NGOs.

In theory, immigrant women can be hosted but at present there has been no request for this in either of the shelters. There have been, however, foreign women in the Open Door shelter. The operators are NGOs. As for funding, the situation is the same for all services assisting victims of violence against women: legal mechanisms for protection exist but they are not actively used. Although the state obligation to secure shelters and rehabilitate victims of violence are legally defined both in the Act on Trafficking and in the Act on Domestic Violence, there are no concrete measures undertaken by the state to fulfill its obligation. According to the *Program for Prevention and Protection against Domestic Violence*, each district center will have shelter rooms for victims of domestic violence and 270.000 BGN has been set aside by the state to support the operation of

these shelters – but it is too early to tell when these shelters will open. As well, there are shelters and crisis centers which have closed or are about to be closed due to lack of funding after the international organizations which have supported them financially have begun to withdraw this important support they have given to the state itself.

At present, only the Municipal Council of Silistra has decided to provide funds from the municipal budget for 2005 to the local shelter for women who are victims of domestic violence. This is the first and only positive step of an executive at the local level to officially acknowledge the necessity of this social service. The shelter in Silistra was financed by international donors and the Agency for Social Support to the Ministry of Labor and Social Policy for the period 2000–2005. From January 2006 on it was financed by the state through the Ministry of Finance (25,000 levas, 12,500 euros). The manager of the shelter expects that there will be two more people hired for the shelter in 2007, and thus the funds from the state will rise to 31,000 levas (15,500 euros) for 2007. This money constitutes around 70 percent of the shelter's needs and does not cover food and legal assistance provided to victims (the latter is covered by NGOs). Additionally, the building in which the shelter is located is provided by the Silistra municipality free of charge.

As a part of a project financed by the British Embassy in Bulgaria and Counterpart Bulgaria Foundation, and in order to make the shelter self-sustainable, Open Door initiated a good practice – it started social enterprise at the shelter. The municipality of Pleven gave permission for economic activities to be run by the staff and the clients of the shelter. The development of this initiative enables Open Door to generate finances from the economic activities that will be invested in its main activity and aim: assistance to women victims of violence. This is an original and unique way of maintaining a shelter for victims of violence that is not reliant upon external finances (governmental or international) and the existence of which is guaranteed to a great extent by its own activities.

According to the US State Department's *Report on Human Rights 2004* the government provided buildings to IOM: "several local shelters and safe houses (some free of charge, others for a nominal fee) where IOM provides housing, protection, and reintegration assistance to victims of trafficking, including those willing to testify in the prosecution of traffickers."³⁴ Additionally, a home for temporary lodging was established by the Minister of Labor and Social Policy and the Mayor of Sofia who had an official meeting at the end of November 2005 at which they agreed to provide buildings and establish temporary shelters for children victims of violence, as is already done in several cities in Bulgaria. However, these shelters will host predominantly

³⁴ US State Department, *Report on Human Rights 2004*, www.state.gov/g/drl/rls/hrrpt/2004/41674.htm.

homeless children or child-victims of violence but there is no clear and official undertaking of responsibility for the mothers of these children who are also victims of violence.

The work in the shelters is based on European standards for working with victims of violence – confidentiality, protection of personal data, teamwork, regular supervision, etc. Also, there is inner order for clients and staff members, principles of acceptance of new clients, etc.

A general code of conduct is stated in the Regulation of the Shelters for Victims of Violence.³⁵ For example, Article 20 of the regulation covers cases when a child-victim of trafficking is hosted: he/she should be hosted in a separate room, the state agency for child protection should be informed, etc. Article 21 of the regulation covers the period for which the victim (a woman or a child) can be hosted in the shelter: up to ten days unless the victim, the local commissions combating trafficking in human beings, or the consultants from the shelter (if places are available) claim exception.

As for multi-agency work, the shelters usually have a database and good contacts with relevant institutions and organizations providing services for victims of violence against women from the region and in the country as a whole. The shelters cooperate with each other and have written agreements with the police, agencies for social assistance, the labor offices, and other relevant social actors in the field of violence against women, in order to guarantee the interest and needs of the victims in the best manner possible. For instance, thanks to this multi-agency work and good relations between Open Door and the local and governmental authorities, the above-mentioned self-sustainable shelter in Pleven was set up and has been maintained since 2003. It has good coordination with the local police office, social services and the labor offices, and has signed contracts with them. But the staff of the shelter in Pleven claims that more assistance and understanding of a victim's needs is necessary from the municipality. Often mothers escape from the perpetrator together with their children, and they are sheltered together. For this, there is a special room equipped for children in Open Door. Moreover, shelters actively cooperate with the local branches of the state agency for child protection.

The individual files for each client are regularly assessed in team meetings and a final report is prepared after the completion of each case. One of the main conclusions from these reports – and from the yearly reports – is that domestic violence affects all levels of society, regardless of the economic or social status of the victims. Also, domestic violence has a dramatic effect upon children, which indicates the need for more preventative work in that area. The positive trend registered in the reports after the

³⁵ Available in Bulgarian at <http://lex.bg/laws/ldoc.php?IDNA=2135480536>, promulgated on March 9, 2004.

adoption of the new Act on Domestic Violence is that cooperation with the police officers at all levels is much better than it was in the past. The annual reports of the shelter in Silistra indicate that most of the clients of the shelter are referred by the network of organizations dealing with violence against women. There were 69 women directed by NGOs and 16 women who contacted the shelter themselves who were hosted in 2005. Usually these reports are emailed to NGOs and other social actors dealing with violence against women. Only few of the organizations post them on their website, which would make them more accessible.³⁶

5.2 Hotlines

There are 16 hotlines operated by women's NGO staff and volunteers which provide psychological and legal assistance for victims of violence in different cities and towns in Bulgaria.

Domestic violence, trafficking in human beings, sexual harassment, and sexual assault are also covered by the hotlines which do not specialize in a single form of violence, but deal with all of them. Hotlines provide mainly psychological assistance and serve as a referral mechanism to other services. At the same time some of them combine psychological and legal advice. (For instance, in Animus free legal consultations are offered each Wednesday from 9:30 a.m. to 1:30 p.m., while the rest of the time the line provides emotional support for the victims.) Others are a source for legal consultations only for women victims of violence against women. (As in the case of Bulgarian Gender Research Foundation which works two days a week.) In many of the organizations the hotline serves as a point of triage. Most callers are victims of violence but they might also be relatives (e.g., parents of trafficked women) or, less commonly, people who are not personally affected but just want to learn more about the issue of violence.

The sixteen hotlines are distributed all over the country but none of them is free of charge.

Animus Association (Sofia), Diva Foundation (Plovdiv), Resource Center New Alternative (Blagoevgrad) and the Center for Family Support (Gabrovo) keep their lines open 24 hours, and the other organizations usually keep their lines open during office hours (i.e. until 5 or 6 p.m.) on weekdays, and sometimes on weekends too.

Depending on the inner structure of the 16 NGOs offering SOS lines, the operators are either psychologists and therapists or highly-motivated volunteers who undertake a week-long training on how to consult with victims, and undergo a probation period of

³⁶ For example, see www.divafoundationbg.org/en/annualreports.shtml (FGO *Diva*), www.animusassociation.org/en/report.html (*Animus Association*).

only listening to cases, followed by a period of taking hotline calls with the direct supervision of the coordinator of the hotline, and only then (usually from two to three months after the initial training) operate the line alone. In this last phase, consultants (both psychologists and volunteers) have regular group supervision accompanied by individual supervision when needed. Some of the hotlines organize further trainings for their operators based on the needs of the operators and the clients of the hotline. For example, training sessions are conducted on working with children or another specific group of clients, or on crisis intervention or accessing the available database, etc.

The number of operators differs based on the working hours of the hotline and the structure of work within the organization. For instance, in Animus there are a minimum of 25 volunteers selected from all candidates for the position two times a year.

Although the setting up and running of state-financed hotlines and social services for victims of violence are guaranteed by two separate laws (one on domestic violence and the other on trafficking in human beings) they rely mainly on external sources of financing like international organizations, embassies, etc. An exception to the rule is the Municipality of Kyustendil whose Directorate for Social Assistance runs a hotline for victims of violence against women from 9:00 a.m. to 5:30 p.m. on weekdays (a similar hotline is supported by Triadica Municipality in Sofia but it works only with children and adolescents) and the hotline providing legal consultations which is run by the Bulgarian Gender Research Foundation, and is financed both from the state and external sources.

Furthermore, some hotlines are project-based, and finances are not guaranteed after project completion. For instance, Knowledge, Success, Change Association in Dupnica set up a new hotline for victims of violence in Dupnica in March 2005, but it is conducted as a part of the one-year project called "Center for Work with Women Victims of Domestic Violence" started at the beginning of 2005.

Hotline operators (who as a rule are only women) are usually introduced to codes and regulations during the initial training. These codes of conduct are similar for the different hotlines but are not identical. They can contain instructions on how to use the extensive database which contains information and contact details of other services and organizations, information of the scope and limits of a hotline consultation, and possible open and closed questions to utilize in conducting a consultation, etc. The main principles of hotline work are: absolute respect for the client's personal story; active listening and emotional support; assessment of the concrete needs of the client; and provision of information about the rights and options of the client.

The point of first contact between a service organization and a victim of violence is typically through the helpline that the organizations offer, though in varying degrees of permanence. Based on the multi-agency work, it is duty of the operator, if directly

requested by the caller or if the operator believes that the hotline cannot provide some services to the victim, to refer her/him to an other appropriate expert or service, be it in or out of the organization. The list of such organizations is broad, and encompasses both governmental and nongovernmental institutions. Often in cases of trafficking in women, when the victim calls from abroad, the list includes international organizations, embassies, or other bodies outside of the country.

Most of the hotlines prepare reports and evaluations of their work. As a result of this analysis, statistic about the number of callers, the form of violence against women that motivated the call, the duration of the conversation, the institutions to which the victim was referred are available. These statistics can be obtained on request or, in some cases are published on the NGOs' website.³⁷ For example, according to their own statistics the number of telephone consultations at Open Door has been 720 since 2003. There were 1579 calls to Animus Association in 2004. The largest number of calls (936) was related to domestic violence. The number of calls related to trafficking in women was 300. The number of calls related to child abuse and abuse of adolescents was 126. There were 675 calls to FGO Diva, and 56 percent of them resulted in an appointment with a psychologist from the foundation, 14 percent received information, six percent were referral calls and 24 percent were anonymous.

Evaluation of the work is regularly done in group supervisions. Thanks to the analysis of the calls, predictions about the hotline's dynamics can be made. Thus the "peak" number of calls is usually expected before or during big holidays, after media campaigns, and after the adoption of an important piece of legislation. For instance, after the implementation of the Act on Domestic Violence the numbers of the calls and inquires about how to take advantage of this law dramatically increased. More importantly, the reports are used as a reflection and indication of society's needs and attitudes towards violence, and, based on NGO analysis, the steps that remain to be taken for a more effective protection of women's rights as well as new strategies for this protection.

5.3 Crisis intervention centers

Presently there are two crisis centers which are available for victims of domestic violence, trafficking in women, sexual assault, and sexual harassment. Animus Association's Crisis Unit can formally accommodate six women from three to seven days, while Diva Foundation's crisis center hosts eight women for up to ten days. In cases of emergency, the period of stay can be prolonged by several weeks.

³⁷ For instance, *Animus Association*, www.animusassociation.org/en/report.html, in chapter 4 "Statistics" or FGO *Diva*, Annual report, www.divafoundationbg.org/en/annualreports.shtml.

These centers are available free of charge and clients from all over the country and abroad can be hosted if places are available.

The centers provide immediate help. Their staff is trained to provide emergency help to women who have just been severely beaten, or have just escaped from a traffickers' group, by offering them psychological and social assistance and legal support, when needed. Many clients need immediate psychological/psychiatric or medical examinations and treatment and sometimes placement in an institution is necessary. The social workers at the crisis center assist victims in obtaining all necessary services, including medical exams and treatment, reissuing identity documents, and obtaining information on housing and employment opportunities. They also assist the victim in drawing up an action plan to help her regain autonomy (for example, when on leaving the perpetrator she needs a new place to stay and a job to be independent).

The services are also available for immigrant women and for foreign victims of trafficking when the country of transit or destination is Bulgaria.

The maintenance of the house, the salaries of the staff, and all other expenses for clients – including some social aid, medicines, food, travel and other expenses – are donated by international organizations and embassies and are project-based. At present no support has been granted to crisis centers from the state budget.

In Animus there are six psychologists and two clinical social workers. In Diva there are 11 people: two psychologists, four social workers, and five volunteers. They pass a training course on how to intervene in crisis situations and how to work with women in crisis.

The inner documents covering the code of conduct of both centers include basic principals like respect for the personality and the personal story of the victim, the individual approach, trust and understanding of her needs, multi-agency work, etc.

There are individual supervisions and group supervisions twice a week where all the cases are analyzed and strategies and action plans for each of them are designed. Additionally, a written report is prepared about the number of cases, the work completed by the centers – at Animus twice a year, in Diva once a year. The annual report is disseminated to institutions, organizations, donors, and experts working in the field. The annual reports for 2004 are posted on the websites of both organizations. Moreover, Diva publishes monthly reports about their activities and the number of clients hosted in the crisis center. This report is electronically disseminated to the above-mentioned target groups.

The main findings of these reports are that after the adoption of the Act on Domestic Violence the number of clients who approach crisis centers substantially increased, victims are more apt to seek and defend their rights, the number of women victims of

violence against women who escape with their children from the perpetrator rose, and victims more often seek redress and help after the first act of violence, instead of after years of harassment. Still, there are negative conclusions also: many women are afraid of separation and after the crisis intervention they return to their husbands and the violent pattern reoccurs (only ten percent of women succeed in completely breaking free of the aggressive victim – perpetrator model and do not repeat it in the future with other partners). This last statistic indicates the need for long-term therapy following or accompanying the crisis intervention, so that personal transformation and new models of intimate relations are made possible for victims of violence against women.

From these reports it can be seen that in 2004 the crisis center of Animus Association served 293 survivors of domestic violence, sexual violence, and trafficking in 895 sessions at its Crisis Unit. 101 women and 70 children were provided with crisis accommodation. Considerable success was achieved in supporting the clients in finding employment. The clients of the Crisis Unit continued using individual empowerment consultations for stimulating their initiative, developing their professional orientation, and for improving their ability to cope with their main problem of finding employment and achieving financial independence.

5.4 Intervention programs for the perpetrators

At the moment there are no intervention programs for the perpetrators in Bulgaria.

There have been several short- and long-term projects run by NGOs which address the needs of men who have perpetrated domestic violence. They were financed by international organizations on a project basis, and due to lack of finances, none of them is operational at the moment.

The most developed project was the Cultivation of Non-Violence Awareness Program conducted by Demetra in Burgas. It was focused on individual and group consultations for boys and men with violent behavior with the goal of preventing future aggression. These individual and group consultations for boys and men with violent behavior took place in prisons, regional police departments, and secondary schools for a period of one year from 2000 to 2001. However, there was no legal obligation for the violent men to seek psychological assistance at that time, and that is why they would usually come for just one session. The consultations for violent boys at school were mandatory, and they would come more regularly. However, the biggest success were the group consultations in prison, and at the end of the project, even the prisoners themselves admitted that if they had had the chance to have such consultations before they came to prison, they would most probably not be in prison at all. Furthermore, the social inspectors working in the prison reported that 90 percent of the prisoners have changed their

aggressive behavior towards them as a result of the program, which indicates that there have been positive personal transformations.

Both Open Door Veliko Turnovo and Center Nadja Turgovishte expressed the will to work not only with victims but also with perpetrators. (Accessing these men is obviously not easy – for example, at Demetra in Burgas a male social worker counseled perpetrators of violence. However, only a handful had sought help voluntarily over the course of two years when the project was run. Mostly, the social worker found these clients when visiting prisons.) Also, Animus Association designed a program for psychological counseling for couples who needed assistance in solving conflicts in their relationship. Animus is also developing a program which provides an opportunity for male perpetrators who want to control their violence to receive professional psychological help. For each separate case a team will be formed, consisting of a male and a female therapist. The program supports couples who want to stay together and establish a partnership without violating each other's human rights. However, it is still in the process of development.

The programs focused on working with men and boys with violent behavior were project-based, and none of them operates at present in the country. In theory, according to Articles 5(5) and (6) of the Act on Domestic Violence protection against domestic violence under the Act shall be provided through: "(...) directing the victims of domestic violence to recovery programs; (...) obliging the perpetrator of violence to attend specialized programs." There are two factors that have prevented the participation of men in such programs at present: the courts have not used this possibility; and there are no programs like this available so that perpetrators can be referred to them. That is why, although they are very important, programs like this remain unpopular in this country, and it is predominantly women and children who contact NGO social and psychological services asking for assistance.

5.5 Other victim support services

As well as crisis intervention and hotline consultation, long-term face-to-face counseling by psychologists/psychiatrists or lawyers is available. The services provided in personal counseling are conducted and financed by NGOs and chiefly fall into one of two categories: psychological counseling and legal help. The victims' ignorance of their legal rights combined with the prohibitive costs of any legal action is a major barrier for many to seek legal action. Some of the organizations might temporarily offer to pay for the costs of legal actions (when covered by a project grant) but even if a woman brings her case to court, she will encounter little sympathy.

Among the rehabilitation programs Animus runs "Who is Margaret?" Women's Social Club, financed by external donors, where different women can meet. Some participants

have experienced violence and have managed to deal with their traumatic experience and benefit from staying in contact with the organization and helping other women. Others have experienced violence but are not yet ready to take radical steps in order to change their lives. These women benefit from the safe environment where they find understanding and respect. Within the framework of the club there is a Correspondence Program which is aimed at supporting women who live in situations of violence outside of Sofia and have no access to organizations that offer help. The club members keep in touch with them through letters, thus offering emotional support and important information. The letters are a form of human exchange and support. The women from the club share their own experience of violence and the ways they dealt with it. For example, coordinated by Animus staff, a team of seven volunteers wrote 63 letters to victims of violence thus supporting 37 women survivors of violence in 2004.

6. EDUCATION AND TRAINING

6.1 The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula and the availability of sex education programs

According to Article 6 of the *National Action Plan for Gender Equality* for 2005, the following measures and activities were to be introduced by the Minister of Education and Science in 2005:

- launching an assessment of the existing practice in the educational system, related to reception of pupils and students in terms of gender equality and the European practice (deadline: May 31, 2005);
- preparing an offer to the high schools to include the problems of gender equality and protection against discrimination, based on gender and gender-education in the process of training and qualification of teachers (deadline: May 31, 2005);
- promoting, through the opportunities and the responsibilities of the Ministry of Education and Science, programs for gender equality (gender-training of social gender dimensions) (deadline: December 31, 2005);
- applying additional State Educational Requirements to textbooks and school materials with an aim to eliminate from them those texts and illustrations that could perpetuate messages confirming inequality and discrimination based on gender and ethnic minority status (deadline: December 31, 2005).

Moreover, among the measures prescribed by the National Commission for Combating Trafficking in Human Beings in 2005 is a program to educate pupils from both primary and secondary schools about the risks of trafficking in human beings. The program provides for the expansion of the range of extracurricular activities related to promoting human rights and children's rights at primary and secondary schools on a permanent basis.

A new mandatory subject entitled "Civic education" was introduced three years ago in the secondary schools. However, it does not encompass violence against women, and the accent is put on ethnic and religious minorities and human rights as a whole. In general, there are no special items or topics in the school curricula about violence against women or gender. In the school textbooks there is very little, if any, information about gender.

In spring 2006, after a meeting with representatives of the European Commission, the Chairperson of the Commission against Discrimination officially announced that it would revise all textbooks, from grades 1 to 12, in order to identify and remove all discriminatory information from them. It was announced that this initiative would be supported by the Ministry of Education.

Violence against women is mentioned in the *Manual on Psychology* for grade 9. It is included in more general overview on the issue of aggression, and as a subsection on conflict in the family, and both sexual violence and domestic violence are presented with some practical advice on how to avoid sexual harassment. Other school books which deal with violence against women have not been identified.

The nongovernmental sector occasionally initiates projects and programs to educate pupils about different forms of violence against women, gender discrimination, and stereotypes, with the support of external donors. Usually, the emphasis is put on domestic violence, and on a preventative approach to trafficking in human beings. Several projects have been undertaken by various women's NGOs, targeting students from high-risk groups (Roma children and children from disadvantaged families or pupils with permanently unemployed parents), and teaching them how to recognize

potential traffickers and the situation of trafficking in human beings, how to evaluate the risk, and how to reduce it.³⁸

A new program entitled “Prevention of Criminality towards Children and Youth,” organized and run by the Ministry of Interior and the Ministry of Education began in January 2006. Each month is dedicated to a specific issue in the area and children within the country are educated on the featured issue. The second month of the program was dedicated to the topic “Prevention of trafficking in human beings,” hence prevention seminars were delivered in Bulgarian schools. Young people from the entire country were introduced to the work of the border police in the field of trafficking in human beings and particularly trafficking in women. The Minister of Interior, the Vice Minister from the Ministry of Education, the Director of the National Border Police Service, representatives from IOM, border police officers, and others took part in the first seminar. The pupils were introduced to the mechanisms of trafficking in human beings: job offers, offers to travels abroad, and the myth of ‘easy life’. A movie called *Open Your Eyes*, provided by IOM, was shown during the demonstration. The aim of the seminars is, through films and discussions by the border police, to train pupils all over the country on how not to be trafficked and how to recognize this particular crime. The seminars covering trafficking in human beings were delivered each day during March in a school in Bulgaria.

In the textbook for “Civic education,” there is a small section on children’s rights and the *Convention on the Rights of the Child*. Part of the convention itself is attached at the end of the manual.

There are mandatory sex education programs in secondary schools: in grade 8 Biology and grade 9 Psychology. Apart from these there are non-mandatory classes led by the tutor of the class that include discussions on the subject and take place in all grades. They are conducted as a part of the school curricula: usually by teachers of biology or tutors, and in these cases are financed by the Ministry of Education and Science. The

³⁸ For example, the main purpose of campaigns of *Face to Face Bulgaria* is to stop trafficking in persons and forced prostitution by activating the defensive mechanism of society and by educating children and young people on how to protect themselves from the traps of pimps. *Face to Face* is working against forced prostitution primarily among potential victims. To fulfill its mission, *Face to Face* works with girls from orphanages, explaining to them the dangers of working abroad and what traps pimps set. *Face to Face* develops programs and projects oriented to potential victims of child and forced prostitution. *Face to Face* efforts are made in a number of fields: (1) organizing discussions and lectures with children from vulnerable groups about forced prostitution and the ways to protect themselves and their friends; (2) creating educational programs for orphans to obtain new skills in order easier for adaptation to and fulfillment in society; (3) launching projects and campaigns that inform society about the reality of child prostitution; and (4) holding charity campaigns for the orphanages *Face to Face* works with.

emphasis is rarely put on gender equity. Additionally, particular NGOs for family planning organized and financed non-obligatory visits in schools educating pupils on sexuality and health.

6.2 Mandatory and other training programs for future professionals

There are no mandatory trainings about violence against women for future law enforcement professionals.

There is, however, a special course on trafficking for future professionals in the Police Academy which encompasses primarily trafficking in women. The course has been organized and financed by the Police Academy since 2003. This module is delivered twice a year for five days each time. The lecturers are from the Academy as well as from external places (from international and nongovernmental organizations, practitioners from police services, etc.).

At the Free University in Burgas, there is a special, non-compulsory subject in “Psychology and social work” which covers domestic violence. The subject was the initiative of a teacher who is involved in the nongovernmental sector. The support of the university administration has enabled the course to be taught for more than ten years. More than 1200 students have participated in it, and have been educated about causes and consequences of domestic violence as well as in how to treat survivors of violence against women. The course is financed by the university.

Additionally, at Sofia University a University Center for Conflict Management and Organizational Research was developed. It offers courses like (1) “Trauma, healing and conflict transformation” which investigates the social-psychological dynamics in responding to pain and suffering in situations of extended violent conflict, and (2) “Prejudice and gender issues” which covers sex and gender differences, the psychology of women, the psychology of men, and social and personal realities created by gender interaction.

NGOs are the organizers of trainings for future law enforcement professionals. For example, Animus Association organizes programs for future professionals who study to become social workers, psychologists, journalists, and physicians. They have been relatively regularly (once a year for more than three years) organized by Animus, but the funding was project-based. About 100 students were trained in 2004 and 2005. The training center of Animus works with the main universities to provide courses in psychology and social work. Forty-one students from Sofia University, New Bulgarian University, and the Medical College did their practical studies at Animus in 2004. Additionally, Demetra in Burgas organized several two-day training seminars covering trafficking in human beings and domestic violence, in which more than 160 future

professionals have participated for the last five years. All of them were financed by the Open Society Institute or other international organizations.

6.3 Mandatory and other training programs for practicing professionals

Article 6(2) of the Act on Domestic Violence states: “The authorities of executive power shall carry out a selection and training of the persons assigned with protection under this Act.” However, there are no regularly conducted mandatory trainings for practicing professionals about violence against women. To prevent trafficking, the government has cooperated with NGOs and international organizations to conduct information and education campaigns to combat trafficking. The *National Program on Overcoming and Counteracting Trafficking in Persons and Protection of Victims* in 2006 prescribed training for police, prosecutors, judges, diplomats, social, child and family protection personnel and journalists by the end of 2006.

In all prosecutors’ offices in the country, training programs on how to work on cases of trafficking in human beings have been delivered; they are part of the High Appeal Prosecutor’s Office’s plan. The trainings are financed by the state through the budget of the Prosecutors’ office. Their duration and content are defined yearly, as they are thematically connected with existing laws. Prosecutors are also involved in different forms of education on the subject abroad: in trainings initiated by the European Union and the Council of Europe. Prosecutors participated in trainings organized by the Embassy of the United States in Bulgaria and the US States Department (there were two seminars on trafficking in Veliko Turnovo in 2004 and several seminars for prosecutors from Plovdiv).

A number of NGOs provide training in different aspects of gender issues. The ones with most experience are:

Women’s Alliance for Development: a training center which offers different opportunities for training focused on improving gender equality as a preliminary condition for the sustainable development of Bulgarian society.

Animus Association Foundation: a training center which develops courses and programs in three areas: the problems of psychological trauma; work in the community; and organizational consulting.

There are occasional training programs for practicing professionals organized by NGOs. The Bulgarian Gender Research Foundation and Minnesota Advocates for Human Rights organized a series of seminars for police officers and judges from different regions in Bulgaria aimed at educating the above-mentioned target groups on how to successfully implement the Act on Domestic Violence. The training seminars took place from May 22–26, 2006. These seminars were the second phase of the

training conducted at the end of November and beginning of December in 2005 on the same topic, funded by a grant from the Oak Foundation. There were approximately 80 participants; the duration of the training was five days.

Demetra Association and the police in Burgas conducted a project focused on improving and developing the professional knowledge and skills on domestic violence of the staff of the police. Thirty police inspectors and a team of police officers working on specific cases of violence against women were among the target groups. It was financed by the Legal Program of the Open Society Institute, Sofia. The duration of the project was six days. The police officers were educated on how to work on a concrete case together with representatives of the nongovernmental sector, social workers, and psychologists. As a result of the project, a book was published describing the new approach of teamwork and its effectiveness in combating family abuse.

P.U.L.S. Foundation, in cooperation with the local police department in the town of Pernik held a six-day sensitizing training course for 45 representatives of the local police, in which the police officers were given an introduction in psychological trauma and needs of the victims. Representatives of the police shared their beliefs and stereotypes about intimate partner abuse in an open discussion and discussed the obstacles they face when working on violence cases. Also, several working meetings took place in order to build conditions for effective preventative work with victims of violence by creating a partnership between representatives of the police, the court, the prosecutor's office, and the services for assistance of women and children victims of violence. This project, entitled "Police – an effective partner in combating violence against women," was financed by the Open Society Institute. One of the most important results of the project was that the number of the cases conducted by teamwork of psychologists and police officers significantly increased. Additionally, the number of the cases of violence directed by the police to organizations supporting victims with psychological care has risen.

Animus Association has delivered regular (although project-based) training programs on violence against women. The training center team conducted 109 training events with 950 participants in 2004. NGOs working on the problems of violence against women, NGOs involved with gender issues, and specialists from government institutions such as the police, child protection departments, and the regional inspectorate at the Ministry of Education as well as school psychologists students in the humanities and women and girls at risk of trafficking continue to be the main users of the training centers. The training seminars were financed by international organizations and the Ministry of Finance. The content encompassed psychological trauma and needs of survivors of violence, principles of working with victims of violence against women, prevention of burnout when dealing with violence against

women, teamwork, etc.³⁹ The cooperation between the training center of the Academy and the Ministry of Interior was very active in 2004: trainers from Animus delivered eight lectures for 165 police officers from the Departments of “Missing Persons,” “Working with Minors,” and “Crime against the Person.”

6.4 Gender equality issues in higher education curricula and human rights programs

Several universities in Bulgaria already offer gender studies education in their Master’s and Doctor’s programs: Sofia University Sv. Kliment Ohridski, New Bulgarian University, American University in Bulgaria, Blagoevgrad, Plovdiv, but there is no special classes on violence against women in any of them. At Sv. Kliment Ohridski a full-time Master’s program in gender studies was established, which is designed for graduates from the humanities. The program offers multidisciplinary studies with a focus on the socially-constructed differences between the sexes and their effect on the various fields of theory and practice. The abovementioned programs are organized and financed by the universities themselves.

The human rights education programs do not offer a gender perspective.

7. THE ROLE OF THE MEDIA

7.1 Media law provisions concerning violence against women and the portrayal of women

The Radio and Television Act of November 24, 1998⁴⁰ was last amended and supplemented in 2004 and has been in force in its current form since January 1, 2005. The act is publicly available in Bulgarian and English.⁴¹

The only provision covering violence against women is in Article 10(6):⁴² “In pursuit of their broadcasting activities, radio and television operators shall be guided by the following principles: [...] inadmissibility of broadcasts which are contrary to good

³⁹ The catalogue of the training unit describes 18 training modules divided into five categories and is printed in Bulgarian, English, and Russian, the languages in which the Training Center provides training. It was disseminated among government institutions and NGOs in the country and abroad.

⁴⁰ Promulgated in *State Gazette* No. 138, November 24, 1998.

⁴¹ See the English version at www.ifj-europe.org/docs/psb-bu-law1.doc.

⁴² Amended and published in *State Gazette* No. 79 in 2000.

morals, especially if they contain pornography, extol or condone brutality or violence, or incite to hatred on grounds of race, sex, religion or nationality.”

Article 33(11)⁴³ states that the Electronic Media Council “shall exercise supervision over the broadcasting activities of radio and television operators solely with regard to: [...] compliance with any restrictions as may be provided for in the law, in the licenses and in the effective international treaties to which the Republic of Bulgaria is a party.” Broadly interpreted, the latter allows references to the international instruments regulating violence against women to which Bulgaria is a party.

7.2 Guidelines and codes of conduct for media professionals

On November 25, 2004 the Ethical Code of Bulgarian Media was signed by around 50 Bulgarian print and electronic media representatives in the presence of the President, Prime Minister, and the Head of Parliament of the Republic of Bulgaria. Ethical Code of Bulgarian Media is publicly available in Bulgarian and English.

The Ethical Code of Bulgarian Media directly considers violence against women in its chapter titled “Crime and brutality”: “2.6.3. We shall treat with caution the identification of victims and witnesses of crime, especially in cases involving sexual assault, unless they give consent to being identified; 2.6.4. We shall refrain from glorifying or unnecessarily sensational reporting about crime, violence, and brutality; 2.6.5. We shall be careful not to be used as a platform by those who promote, incite, or use violence; we shall report on their activities with due constraint and only if there is a clear public interest; 2. We shall not add to the distress of people affected by tragedy or crime and report such matters with sympathy and constraint.”

It refers more generally to gender issues in its chapter titled “Discrimination”: “2.5.1 We respect everyone’s right to live in safety and security, and we shall avoid publishing material that incites or encourages hatred, violence, or any form of discrimination; 2.5.2 We shall not refer to a person’s race, color, religion, ethnic background, sexual orientation, mental or physical condition, unless it is of importance to the meaning of the story.”

7.3 Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women

The official Bulgarian media watch organization is the Council of Electronic Media. It is an independent specialized authority in charge of the regulation of radio and TV

⁴³ Amended and published in *State Gazette* No. 79 in 2000.

broadcasting in the country by registration and licensure of radio and TV operators, and by exclusively supervising these radio and TV operators.

The Council for Electronic Media does not directly include violence against women or gender issues in its strategy and monitoring plans, and there are no relevant violence against women cases in their work. At the same time, they participated in drafting the new Radio and Television Act where a very broad statement about violence against women exists.

Additionally, the Council for Electronic Media initiated a broad discussion of the problem of distribution of pornographic programs and their harmful influence on minors, and officially demonstrated that it is determined to control and prevent programs that would lead to physical or psychological violence against children.

7.4 Training programs for media professionals on violence against women

There is no compulsory education in media schools, and only project-based and voluntary programs exist for journalists on violence against women and gender issues. Sometimes lectures on violence against women and gender issues are included in the program of media schools but this inclusion is unofficial and is not systematic. It can be an initiative coming either from a particular teacher to include violence against women as a separate lecture or as an item of an existing, officially established lecture (then the funding is provided by the particular academic institution), or an initiative of the project-driven NGO action (which is true of the majority of the cases, and then the training is financed by external donors as a part of a certain project).

Among such courses is the three-day course on trafficking in human beings which took place in 2005 and was organized by the NGO called Media Development Center in Sofia in cooperation with the Media and Development International, New York, and financed by the Stability Pact Anti-Trafficking Task Force for South-Eastern Europe. The project was part of the professional program of the Media Development Center to train journalists, and of the Regional program for journalists from South-Eastern Europe for fighting trafficking.⁴⁴ The topics connected the issue of trafficking in women on a global and local level as well as offering an analysis of its social aspects. Additionally, the link between the investigation journalism and trafficking was discussed.

After the completion of the training participants worked for a month on their own materials relating to the problem of trafficking. Their articles were published on the

⁴⁴ There were eight journalists from regional print and electronic media from Varna, Veliko Turnovo, Vidin, Burgas, Kazanluk, Plovdiv, Silistra, and Russe who were interested in the subject and took part in the training.

website created for this purpose: www.jnet-trafficking.org. The Journalists' Network on Trafficking established as a part of the project plans to bring original reporting on trafficking as well as highlighting important and innovative reports from around the region. The network's website serves as an online resource center for journalists interested in covering the issues around trafficking throughout South-Eastern Europe.

Another example of training media representatives is the "gender mainstreaming in public policies and programs project" financed by the Canadian International Development Agency and implemented by the Center of Women's Studies and Policies (CWSP) in 2004–2005. Among the participants who attended the seminars were approximately 15 journalists from national and local media from all over the country. Within the project's framework, five two-day trainings took place in different cities and towns in Bulgaria, focusing both on theoretical issues and practical tools of gender mainstreaming.

7.5 Media activity in raising the awareness of the general public of violence against women

Since 2000 both the print and electronic media have actively participated in the "16 Days of Activism against Gender Violence" campaign. For example, in 2005 an essential part of the campaign itself was coordinated by the Bulgarian Media Coalition and Nadja Center (an NGO). Moreover, more than 40 print and electronic media representatives took part in the campaign by broadcasting programs, announcing events dedicated to the campaign, popularizing social services for victims of violence, interviewing professionals who assist victims of violence against women, giving press conferences, etc. Some of them were awarded certificates for their contributions on December 10, 2005.

As a part of the annual meeting of NGOs working on women's, gender and equal opportunity issues (since 2002) CWSP and the Media Development Center are organizing the 5th Annual National Media Competition on presenting gender equality issues in print and electronic media in Bulgaria. The award-winning materials are posted on both organizations' websites, thus raising the awareness of society to the issue and motivating media representatives to work on women's problems. CWSP also issues a regular electronic newsletter on the violence against women situation in the country and abroad.

Furthermore, some of the national TV stations support the anti-violence movement on a regular basis. There have been programs, articles, and news items dedicated to the new Act on Domestic Violence and violence against women. A popular show on one of the national TV stations even launched a campaign against domestic violence, giving

voice, on the one hand to victims of violence; and on the other hand to the police and nongovernmental sector's attempts to counter the issue.

However, many of the initiatives often seek a sensational 'hot topic', rather than expressing a responsible attitude and persistent dedication to work on the elimination of violence against women. Trafficking in women is often reported about in lurid stories of organized crime, victims of forced prostitution are referred to as 'priestesses of love', etc. instead of as women who have gone through an ordeal. Even when some of the journalists, newspapers, radio or TV programs demonstrate authentic attempts to make a difference on the issue, their actions are sporadic and show a lack of information on the real situation of violence against women and the problems that are to be overcome. The latter is an indication of the need for governmental and nongovernmental organizations to systematically and more effectively organize short and long-term training programs on violence against women for media representatives in order to change their perception of the nature of violence against women and the suffering of its survivors.

7.6 Analyses on violence against women in the media

The most recent and extensive analysis on presentation of violence against women in the media is "Trafficking in Human Beings – the Bulgarian Reply" which has a chapter titled "Human Trafficking" in the Pages of the National Printed Media, written as part of the project Combating Child Prostitution and Trafficking. The donor was USAID, and the project has been implemented by Creative Associates International in collaboration with five Bulgarian NGOs.

The analysis is based on the review of publications in 17 national media vehicles from January 1, 2002 to September 30, 2003. A total of 804 articles dealing with human trafficking were monitored. The review of the publications in the national newspapers shows a considerable increase in the number of the articles dedicated to this problem, and it is encouraging that no Bulgarian media neglected the trafficking issue, which is predominantly referred as trafficking in women.

Thematically, the publications were divided into seven large groups: Bulgarian traffickers and Bulgarians trafficked abroad was the most popular (240 articles), reporting on the work of the police was the second (207 articles), and specific scandalous cases were the third (129 articles). Interestingly, events and nationwide actions against trafficking such as the enactment of the Act on Trafficking, national conferences, action plans, or NGO projects were the least popular issues for journalists, together with feature articles about the victims of trafficking and their true stories and interviews with representatives of NGOs or police officers (only 47 articles). Nevertheless, the positive conclusion of the authors of the research is that the issue is

covered with more analytical depth compared to the situation witnessed some years ago, which included the belittling of the problem and its coverage in sensational, superficial articles.

The main recommendations of the project are the following: A holistic approach to trafficking used by many NGOs and national plans may become an effective weapon only if it is part of a viable, funded government and municipal policy. More efforts must be made to sensitize the media about the issue of trafficking, and especially to increase its ability to analyze the reasons for it and its sources. NGOs must continue to involve the media as the most powerful ally in the name of their common goal. The efforts to combat trafficking must be more evident in the media. They should make the institutions that can provide assistance more visible to victims and potential victims.

8. AWARENESS RAISING

8.1 Campaigns on violence against women

The biggest outreach initiative is the yearly campaign “16 Days of Activism against Gender Violence” which, according to the estimation of its coordinators, reaches two to three million people in Bulgaria through a combination of TV and radio features and live events. Since 2003 the “White Ribbon Campaign” to sensitize men and boys to the problem of violence has been also organized within the framework of the 16 Days Campaign.

Another campaign organized from 2001 to 2003 was “V-Day.” Open Society Foundation, Sofia (OSF) got involved by funding a series of V-Day events in early 2001 in Theatre 199. Eve Ensler, author of *The Vagina Monologues* and initiator of V-Day, personally participated.⁴⁵ Fifty-nine NGOs participated in V-Day activities – not only from Bulgaria, but also five from Bosnia, two from Serbia, 15 from Kosovo, one from Croatia, and 15 from Macedonia. The profits from ticket sales went to Animus Association. The OSF effort to combat violence against women took the unusual form of support for Theatre 199 to stage Eve Ensler’s play in different Bulgarian towns, and it subsequently became a huge success. More than 100 performances occurred (originally there were going to be only 15) attracting well over 4,000 visitors. In all places an accompanying program on violence against women was offered which

⁴⁵ *The Vagina Monologues*, as the title says, consists of a series of monologues about the vagina. It is based on interviews Eve Ensler conducted with many women all over the world and deals with sexuality, pleasure, and body image, but also contains harrowing accounts of violence against women.

involved local anti-violence organizations, and at the end of the tour there was a roundtable in which all of the involved NGOs participated.

In 2000 IOM Bulgaria also organized the national campaign titled “Open Your Eyes” funded by the United States State Department, and in November 2006 another information campaign under the same motto took place in Bulgaria, Croatia, Bosnia and Herzegovina, Hungary, and Italy with the active participation of the Italian Ministry of Internal Affairs as well as the Italian Ministry of Foreign Affairs.

Finally, the most recent campaign against trafficking in human beings (including trafficking in human beings for sexual exploitation) was initiated by the Bulgarian branch of the international humanitarian organization Care in June 2006. It presented an exhibition entitled *Trafficking in People* which consisted of nine short films and clips in which prominent Bulgarian public figures dealt with the theme in a non-standard way. The films were shown at the “Red house” in Sofia, and by the end of the summer they were offered in ten other Bulgarian towns and at the major Black Sea resorts, and in some not-so-densely populated areas. The national campaign continued until September and was financed by the Austrian branch of Care in Vienna.

All forms of violence against women were addressed by the 16 Days Campaign but the emphasis in Bulgaria has always been on domestic violence while IOM’s campaign was predominantly aimed at prevention of trafficking in human beings.

The printed materials were distributed through NGO networks in most of the big cities, while the promotional materials broadcast via electronic media are believed to have reached even smaller cities and towns.

The 16 Days Campaign has had several donors over the years. Among the most significant ones are: Network Women’s Program of the Open Society Institute, the Open Society Institute–Sofia, Novib, the British Embassy, IOM, etc. No government fund has ever supported these campaigns.

There has not been a single organizer of the 16 Days Campaign and its character has never been very centralized. There have always been different NGO initiatives undertaken as a part of the campaign, but not officially included into its mainstream activities. However, NGOs like Nadja Center, Network Women’s Program of the Open Society Institute, Sofia (in the years before 2003), Bulgarian Gender Research Foundation, and others would often act as coordinators of many of the campaign’s activities. In the last campaign (of 2005) Nadja Center and the Bulgarian Media Coalition were the coordinators of most of the events and managed to very actively involve the media in their presentations.

The main message of these campaigns was always strategically chosen in connection with the actual needs and legal and political events taking place in society. At the same time,

more general ideas like the elimination of violence and of gender-based stereotypes, the promotion of human (and women's) rights, etc. were also put on the agenda.

Among the target groups were young women at risk, men and boys, police officers, social workers, journalists, lawyers, judges, civil servants, etc. They were addressed during workshops, lectures, or through dedicated print materials, TV commercials, documentaries, performances, press conferences, dissemination of posters, broadcasting interviews with violence against women experts, etc. Most counseling centers used stickers as a cheap and effective way to advertise their existence and contact details. Other campaign activities were: prevention projects in schools, publishing a children's book on violence against women, monitoring courts dealing with domestic violence, etc. The White Ribbon Campaign used novel ways of getting to the audience, including mounting big billboards.

Such campaigns in Bulgaria proved to be very powerful lobbying tools: three of the most significant gender-sensitive laws (the Act on Discrimination, the Act on Trafficking and the Act on Domestic Violence) were adopted after such events. Another way to measure their effectiveness is by assessing the increase in the number of people who turn to organizations and institutions offering violence services, and the quality of the cooperation between governmental and nongovernmental institutions, as a result of such campaigns. There is no national report about the effectiveness of these campaigns or any follow-up of their activities.

8.2 Conferences and other awareness raising, information, and prevention programs

There has not been a national conference, program, or project about violence against women since 2003. There have been a number of conferences and events addressing the issue, which are usually organized by NGOs and externally funded, but they had a very limited, local coverage. Some examples of such events are:

Two conferences entitled "Countering Trafficking in Human Beings" (on June 7, 2005) and "Domestic Violence" (January 9, 2006) were organized and financed by the Law Department of New Bulgarian University in Sofia. Among the lecturers were representatives of the National Service for Combating Organized Crime (NSCOC), Animus Association Foundation, CWSP, students and teachers from the New Bulgarian University and other Universities.

The "Domestic Violence" project was conducted by Demetra Association and the police in Burgas, and financed by the Legal Program of the Open Society Institute–Bulgaria in Sofia. The project focused on establishing and applying new practices in the work of the police and NGOs on the issues of domestic violence and the re-

victimization of the survivors of violence. A closing conference was organized where the results were announced and good practices were promulgated.

The project “Police – an effective partner in combating violence against women” financed by the Open Society Institute and realized by P.U.L.S. Foundation in cooperation with the local police department in the town of Pernik, was organized in 2005. The project opened with a joint press conference of the Regional Department of the Ministry of Interior and P.U.L.S. Foundation announcing the objectives of the conference. Also, at the end of the project, a regional press conference took place, where police, social workers and representatives of the local Court presented statistics from their respective areas of work and proposed practical suggestions on how to collaborate more effectively with each other to better protect victims of violence, and to reduce their number.

The Sixth National Annual Meeting of nongovernmental organizations working on women’s, gender and equal opportunities issues in Bulgaria was held from March 5 to 7, 2004 in Sofia. It addressed the changes in Bulgarian legislation concerning the rights and status of women in the context of EU integration and, more specifically, the Act on Discrimination, the Act on Trafficking and the Act on the Ombudsman. The organizer and funder of the event, CWSP, gathered 170 representatives of NGOs, central and local governments, academic institutions, and the media from more than 30 cities.

8.3 Information materials for the victims about their rights and the services they can seek help

Domestic violence, sexual harassment, and trafficking in human beings are covered by existing brochures. They usually contain addresses of organizations which provide support to victims of violence in several towns, statistics and general information about violence against women, practical tips for girls and women who are going abroad, advice on how to avoid violence against women within the country, and services which the (potential) victim can access. With a view to prevention, the information targets different groups at risk of violence against women: young women, clients, unemployed women, students and adolescents in institutions as well as representatives of the relevant state institutions (local authorities, police, etc.).

Bulgarian is most often the language of the brochures. Apart from being a country of origin, Bulgaria is a country of transit and destination for trafficked women. To target these groups, as a part of La Strada Program, Animus occasionally produces brochures in Romanian and Russian.

The brochures/packages are produced and disseminated by NGOs with no state support or involvement. The donors are international organizations.

The number of copies depends upon the project and budget of the particular organization; no centralized statistics are collected. For instance, in the 2005 16 Days Campaign 15,000 flyers, 10,000 brochures, and 4,000 posters were published by Nadja Center with information about the campaign and the services available for victims of violence against women. In 2004–2005 CWSP disseminated over 2,000 brochures with the full texts of the laws regulating violence against women and gender equality as well as the Act on Domestic Violence.⁴⁶

The materials are not distributed on a regular basis but are project-based. Most of the informational materials were disseminated with the help of the partners' networks of NGOs in the country, so they are available in the big cities and towns, and as a rule, not in small villages.

The materials are available at the state agency for child protection, the Social Assistance Directorates, the different structures of the Ministry of Interior, including police stations in Sofia and throughout the country, border police, Missing Persons Departments, National Service for Combating Organized Crime, etc. Law enforcement institutions usually take part in the distribution of the informational materials.

9. RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN

9.1 Research programs and surveys

The organizers and conductors of research programs on domestic violence include NGOs, the National Center for Public Opinion Polling, and the Institute of Criminology, while among the donors are international organizations, OSF Sofia, the National Assembly, the Police Academy, USAID, etc.

When it comes to NGOs, research, like lobbying and monitoring is the domain of Sofia-based organizations. But provincial service organizations have produced research

⁴⁶ In 2004 AAF printed 28,500 anti-trafficking brochures: (15,000 copies of the brochure *Travel Guide for Modern Girls*; 6,000 copies of the brochure *The Story of a Girl*; 3,000 copies of the brochure *Small Book about the Big World*; 4,000 copies of the brochure *Return to Bulgaria*; 500 copies of the brochure *In the Labyrinth of Job Seeking*), 4,000 stickers with the number of the help-line for victims of violence and 2,000 prevention posters.

too; typically, this is applied research in preparation for counseling activities and is not done by the organizations themselves, but is outsourced to independent researchers.

There is not enough detailed analysis on the national situation of violence against women in Bulgaria, although there are different and sometimes contradictory analyses conducted by NGOs and research teams, listed below:

1. The *Public Opinion on Domestic Violence* is an official survey based on interviews with people over 18 years from 125 units in 55 residence areas in Bulgaria. It was realized by the National Center for Public Opinion Polling (NCPOP) and financed by the National Assembly in March 2003. The main findings of the research show that according to 49 percent of the respondents domestic violence is a private issue, while 50.8 percent consider it a public issue. 76 percent saw financial issues (i. e. poverty) the main reasons for domestic violence; 51 percent mentioned unemployment and there were even numbers for bad upbringing and everyday stress (42 percent). The police are seen as the institution which people will usually advise victims of violence to address (66 percent) and only 10 percent of all respondents think that the assistance of NGOs should be sought. As to the victims of violence, respondents have most often encountered children witnesses of frequent fights between parents (43 percent), women victims of physical (40 percent) and psychological (37 percent) abuse within the family; elderly victims of abuse from their children (38 percent), children abused by their parents (26 percent) and women victims of sexual abuse in the family (12 percent). As for personal experience, 5.5 percent have experienced either physical, or, more often, psychological (12 percent) abuse from their spouses/partners; 4–5 percent refused to answer such a question (which can be interpreted as a rather positive answer to the question if whether violence is experienced). The idea of taking an abuser away from the family for a certain period of time has won a lot of supporters – 68 percent; while 81 percent agree that the contact between the abuser and the victim should be restricted and 78 percent consider it correct to limit the contact between the abuser and the children.⁴⁷

2. *Trafficking in Human Beings – the Bulgarian Reply*⁴⁸ analyzes the international conventions and Bulgarian legislation concerning trafficking in human beings, the role of state institutions in combating trafficking, Bulgarian NGOs against trafficking, categories of data collected by NGOs, methodological commentary on the data provided by NGOs, trafficking articles in the national print media, etc. The donor was USAID and the project was implemented by Creative Associates International in collaboration with five Bulgarian NGOs.

⁴⁷ The survey is published on the NCPOP's website in Bulgarian (www1.parliament.bg/nciom/) and its translated summary is available on the STOPVAW website in the Research and Reports section.

⁴⁸ See Section 7.

In this research the following conclusions were made: in all instances the victims were women; all specific victims were aged between 16 and 33 years. (This is a large age bracket which does not allow any claims as to a particular age being a risk factor in itself. All the same, most victims of trafficking are women between 18 and 25 years of age). It cannot be claimed that the distribution of victims per ethnicity is different from the country average but it is more characteristic for the Roma victims to have been recruited in trafficking by relatives and it is more difficult, if not impossible, for them to get away. All described instances are cases of sexual exploitation and at this stage, the term *trafficking* is synonymous with *forcing into prostitution*; in about one third of the instances described the trafficking is 'domestic'. NGOs which provide data on this issue indicate a 20–50 percent ratio of instances of domestic trafficking; as a rule the victims are taken out of the country forcefully although with regular documents which are taken away from them by the people accompanying them. The educational and economic status of the victims does not differ considerably from the country average. A considerable number of the victims have secondary (34 percent), vocational or even tertiary (13 percent) education, and come from families with an average social status (18 percent) and have good internal relations. But when scrutinized closely, the data about victims reveals that in practically every case there was at least one risk factor involved.⁴⁹

Among the main conclusions and recommendations are: trafficking as an infringement of human rights must be present in all violence prevention programs and human rights trainings, especially those designed for teenagers. The school should not delegate this task to the NGOs only; its own possibility to influence young people through civic education has not been sufficiently exploited. The competence of all employed in the education field – pedagogues, counselors, and educators – must be raised. The holistic approach to trafficking used by many NGOs and in many national plans may become an effective weapon only if it is a viable, funded government and municipal policy. More efforts are necessary to synchronize the cooperation between the organizations and institutions responsible, especially for child protection. Special trafficking prevention programs must be directed towards the creation of real labor opportunities for young women from high-risk groups, today and here in Bulgaria. The labor offices must develop special programs which prioritize the provision of employment and qualification to drop-out students so as to prevent them from turning to the streets. It is necessary that information be exchanged and collected regularly about initiatives and actions against trafficking, because currently it is impossible to have a general view of

⁴⁹ The main groups of women for whom the risk of being involved in trafficking is high are the following: single mothers; unemployed women who have completed their secondary education a few years ago; drug addicts; and those in contact with a crime-friendly circle of relatives or friends. (NGOs that provided data registered criminal surroundings for 88 percent of victims of trafficking.)

the picture. The data collecting about trafficking victims and persons at risk must reflect and must be relevant to trafficking reasons, circumstances, and victims' needs in recovery. The usage of standardized forms will contribute to outlining a clear picture, readable for all stakeholders. There is a great need for a national survey on the problem of trafficking in women, through which relevant data must be collected so as to give a more complete picture of the situation in Bulgaria, to analyze the roots of the problem and to assist in the further development of policy and strategies for prevention and combat. The organization of such a survey is one of the competences assigned to the National Committee to Act on Trafficking.⁵⁰

3. The Criminology Research Institute of the Ministry of Interior produced a research study in 2000 entitled *Violence against Women and Children – Essence and Prevention*, financed by the Ministry of Interior. It showed that violence against women is a serious problem which affects all strata of the society. Also, difficult economic situation, improper upbringing, lack of education, etc. have been identified as causes of violence against women, and therefore suitable programs were prescribed in information, education, mass media, and promotion of NGOs for protecting human rights etc.⁵¹

4. A research study entitled *Crime Trends in Bulgaria: Police Statistics and Victimization Surveys* was conducted by Center for the Study of Democracy and published in 2005 with the financial support of the US Department of Justice. From a base of female respondents (827 women in 2002 and 529 in 2003) who were asked questions about sexual offenses, the study concluded that between 12,000 and 51,000 women (or between 2,000 and 10,000 per year) have been sexually assaulted in some way over a period of five years (2000–2004). Regrettably, the very limited number of respondents does not permit any conclusions to be drawn from the results. Given that sexual crimes are a very sensitive topic, it may be concluded that it is likely that the number of victims is much greater. In the research the annual number of sexual offenses (rape, attempted rape, and molestation) recorded by the police is between 900 and 1,000. Both victimization surveys identify a rather low reporting rate among victimized women: 11.4 percent in 2002 and zero in 2004. This leads one to believe that the

⁵⁰ Source: website of Women's Alliance for Development, www.women-bg.org/docs/Trafik_humanen.pdf (available in English).

⁵¹ The methodology used included collection of empirical data: (1) research of documents (analytical documents from international and national conferences, seminars, etc.; documents covering violence against women and children as well as police prevention; research of 44 cases under the Penal Code that deal with violence against women, etc); (2) a survey asking about the criminal offenses against women and children conducted with 424 police officers working in different parts of the country; and (3) discussions with police officers and experts from NGOs organized in order to identify the reasons, consequences, and essences of the investigated issue. Source: Kitan Kitanov *Violence against Women and Children – Essence and Prevention* (Sofia: Criminology Research Institute) (2000).

higher figure of 10,000 offenses per year is more plausible (since the share of reported and recorded crimes is 10 percent or around 1,000).⁵²

5. In 2001 research called *Violence in Bulgaria with Reference to Children, Women, and Ethnic Minorities* was prepared by a team of scientists, coordinated by the Open Society Institute and commissioned and financed by UNDP. The empirical source of the study was the official police database of registered violent criminal acts, as defined by the rules of the Penal Code. Among the main findings of the research were:

- Social consciousness in Bulgaria lacks a clear understanding and concept about the victims of abuse.
- The authorities register information about the perpetrator rather than the victim of the crime, which results in a lack of reliable statistical data about the victims of violence. The victim is underestimated as opposed to the offender, and as a whole, society underestimates the factors of victimization.
- Domestic violence is rooted in patriarchal traditions which are quite strong in Balkan societies, and very typical for ethnic minorities.
- Structural violence i.e. the inequitable status of the woman in the family is still a fundamental principle in family relations.
- Women's reactions to domestic violence vary; for Bulgarian women the best solution is to get a divorce; driven into despair Muslim women tend to hang themselves; Roma women most often believe that beatings are a natural occurrence. However, it is important to note that the new generation of Roma women is less inclined to accept this 'natural order', and among the Roma domestic violence is beginning to be considered a problem.

6. In April 2005 a survey targeting 600 representatives of three different groups (ordinary people, victims of violence and police officers) assessed public opinion on the efficiency of the police in Pernik. The survey was conducted by P.U.L.S. Foundation in cooperation with the local police department, and financed by the Open Society Institute. When asked if they consider that the police would protect them in case of domestic violence the results indicated that 54 percent of respondents answered "No" or "Probably not". This activity was followed by the monitoring of two local newspapers for a period of three months in order to explore the image of the police officer in the local media.⁵³

⁵² The research is posted on the website of the *Center for the Study of Democracy* at www.csd.bg/en/security/artShow.php?id=4965.

⁵³ Source: *Annual Report of P.U.L.S. Foundation*. The results are published in the Annual Report and distributed to NGOs and other organizations only.

7. A nationally-representative sociological survey on domestic violence was conducted by the NOEMA Agency for Social and Market Analyses in March 2000, commissioned by the Gender Project for Bulgaria Foundation. It was disseminated through women's NGOs and other interested organizations in Bulgaria.

8. In 2004 a research study entitled *Non-Legitimate Violence* was conducted by Valentina Zlatanova and a group of prominent researchers. It was financed by the Open Society Institute–Sofia. Highlights were: in communities of lower social positions models of violence are more likely to be adopted for personal prosperity and hence, victims are at greater risk there; and, the concept of television's influence on aggression and violence was developed, etc.⁵⁴

9. As a part of the study in June 2000 a qualitative sociological survey of social attitudes towards violence and crime in the average Bulgarian city was conducted in Pernik, through interviews with four focus groups: students between the ages of 15 to 18; the police; Roma living in the respective neighborhoods of the town; and teachers, pedagogues, psychologists, and economists of both sexes. The survey was conducted by Tatyana Kmetova.⁵⁵

9.2 Violence against women on the agenda of research centers dealing with equality issues

There are provisions in the 2005 *National Plan on Gender Equality* for establishing research units at several state institutions but at present, they have not been established. There is a research Center on Gender Issues in the Department of Philosophy of the Sofia University "Sv. Kliment Ohridski" which is financed by the university itself and by international projects but at present, violence against women is not among the research topics.

As for the women's NGOs CWSP provides research on gender issues, the Bulgarian Gender Research Foundation is mainly a research organization, whereas the Gender Project for Bulgaria and the Women's Alliance for Development do some research but are more active in advocacy. When a study on violence against women by one of these organizations is conducted, as a rule it is project-driven and not financed by the state.

⁵⁴ Source: Valentina Zlatanova (2004) *Non-Legitimate Violence* (Sofia: IK Kvazar).

⁵⁵ Neither the research, nor the survey has been published.

10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN

10.1 Official statistics, data collection, and specific indicators on violence against women

Common indicators developed by the state to evaluate the scale of violence against women do not exist in Bulgaria.

The main government source of information regarding victims of violence against women is the official statistics of Bulgaria prepared by the National Statistical Institute. The Ministry of Interior collects data on crime perpetrators and victims, but this data is not publicly available.

The National Statistical Institute (NSI) is obliged to collect data on all criminal acts as defined in the Penal Code. Sexual violence is defined as a criminal act and hence the institute collects gender-segregated statistics on the number, education, age, etc. of the perpetrators of sexual violence. Listed below are the statistics on registered criminal offenses (rape, pimping, and abduction) in the Ministry of Interior and on criminal suspects by kind of offenses. Domestic violence is not defined in the Penal Code, so there are no statistics on it. The institute must also collect gender-segregated statistics on trafficking in human beings. However, because the amendment of the Penal Code that included trafficking in human beings in the list of the crimes was passed at the end of 2004 and the National Statistical Institute will issue the statistics for 2005 in April 2006, there is still no data on trafficking.⁵⁶

Different authorities – the Ministry of Interior, the National Investigation Service, the Supreme Prosecution Office of Cassation and the Ministry of Justice – maintain separate statistics classified according to different indicators, which makes a comparative analysis of the data received impossible. That is why, as the study *Crime Trends in Bulgaria: Police Statistics and Victimization Surveys* suggests, there are no efficient mechanisms for information exchange both among the separate bodies of the judiciary and between them and the police. Therefore, it is impossible to trace the relation between the number of sentenced persons or punished crimes and the number of reported crimes.

There are rules for recording violence against women cases in police files. The data collected by the police is gender-segregated and encompasses a variety of questions, including the relationship between the victim and the offender, the circumstances in which violence occurred, the previous acts, etc. For instance, with a victim of

⁵⁶ Source: National Statistical Institute (2004) *Statistical Yearbook 2004* (Sofia: NSI), pp. 443–459.

trafficking, an extensive questionnaire covering the possible reasons, persons involved, connection between the victim and the offenders, the place where the victim was trafficked, the conditions under which she worked, etc. is filled out by the victim in order to promote a more effective investigation and a database of offenders. For each documented case an investigation is required, and if the facts of violence against women are proven, a report is sent to the prosecutor's office within 72 hours of the initial victim's request. Additionally, during the trainings of the police on how to implement the Act on Domestic Violence, there were lectures, simulations, and sessions where police officers were trained to properly hear and treat victims of violence against women.

In 2001 the number of criminal suspects in cases of rape was 780, in 2002 it was 670, and in 2003 it was 767. Among the registered criminal offenses in 2003 the number of rapes was 611, the number of proven offenses was 585, and the discovery rate was 95 percent; in 2002 the number of registered offenses of rape was 497, the number of proven offenses was 477, and the proof rate was 96.⁵⁷ As for pimping and abduction in 2003 the number of registered offenses of pimping and abduction was 136, the number of proven offences was 125, the proof rate was 92 percent; in 2002 the number of registered offenses was 97, the number of proven offences was 83, the proof rate was 86.⁵⁸ In 2001 the number of crimes ending in conviction in rape cases was 139, in 2002 it was 129, while in 2003 it was 147. In 2001 there were 164 persons convicted of rape, in 2002 156 persons, while in 2003 184. In all of the rape cases in 2003 there were 147 men perpetrators who were convicted, and there were no women.

As for pimping and abduction in 2001 the number of suspects was 92, in 2002 it was 140, and in 2003 it was 168. In 2003 there were 12 convictions, in ten cases of them the perpetrator was a man and in two it was a woman.

According to data from the Prosecutor's office, there were 3,347 pre-trial proceedings connected with trafficking that went to trial in 2004. Moreover, 2,273 accusations have been made, which led to 900 sentences being handed down. Since 2002, 59 proceedings have been initiated in the National Investigation Service, accusing 91 persons. Severe punishments were imposed upon nine of them, which resulted in imprisonment terms from 12 to 16 years and fines from 200 to 250,000 levas. The statistics show that women with secondary education constitute the majority of victims of trafficking, while 13 percent of women victims possess higher education. In the prosecutors' office, statistics on the cases of trafficking are collected. Reports (tables) on trafficking cases are prepared on a three- and six-month basis. In the Appeal

⁵⁷ In 2001 the number of registered offenses of rape was 558, the number of proven offenses was 539, and the proof rate was 97 percent.

⁵⁸ In 2001 the number of registered offenses of pimping and abduction was 82, the number of proven offenses was 71, and the proof rate was 87 percent.

Prosecutor's Offices (APO), there were 159 pre-trial procedures on cases of trafficking for sexual exploitation in 2005. Of these, 44 were in the Appeal Prosecutor's Office in Sofia, 43 in Plovdiv, 15 in Varna, 29 in Burgas, and 28 in Veliko Turnovo. Apart from trafficking, in the five Appeal Prosecutors' Offices there is also data about the number of cases in which women were forced to debauchery: There were 35 debauchery cases in the APO in Sofia, 44 in Plovdiv, 29 in Varna, and seven in the Burgas's APO. Statistics on trafficking in human beings are collected by the police but they are not gender segregated.

There is no centralized information on the number of initiated legal procedures and convictions in the field of violence against women in Bulgaria. For the purpose of this report CWSP addressed 40 courts in Bulgaria with an official request to provide the statistics on the initiated procedures and convictions concerning violence against women cases. The results, based on the 13 received answers from courts and other official statistics announced by courts in print media are: There have been nine cases initiated for trafficking, both under Article 159 of the Penal Code and under the new Act on Trafficking, of which six are pending and three cases have received verdicts of over three years of imprisonment, but these decisions are still not in force.

Additional information is available from the US Department of State's *Report on Trafficking in Human Beings in Bulgaria 2005* where it is stated that the government reported seven convictions and 27 indictments filed by the prosecutors for suspected trafficking cases under the new trafficking provisions of the Criminal Code in 2003. Further, the government reported almost 900 sentences in 2004 for trafficking-related offenses, including forced prostitution, inducement to prostitution, and smuggling of persons.

There have been 321 initiated procedures under the Act on Domestic Violence since April 2005, when it entered into force. Of these, 123 had protection measures imposed, 42 cases are closed, and the rest are still pending. These statistics are not official as not all courts in the country were surveyed. However, the numbers can be seen as representative for cases of domestic violence, as almost all of the main courts, or the ones where there are women's organizations that regularly inform violence against women victims about their rights and assist them in initiating a legal procedure, are covered.

The Social and Child Protection Services do not collect data on violence against women, and nor do the health care institutions.

The National Center for Public Opinion Polling (NCPOP) does not collect regular statistics on violence against women, but it initiated a survey on public opinion on domestic violence (see above).

There is no regular statistical report of the law enforcement bodies on cases of violence against women. The National Statistical Institute issues yearly books where data about violence against women is accessible. However, police information is usually treated as confidential and is not accessible to the general public. Information is provided by the Prosecutor's Office, the Agency for Social Assistance, and the Agency for Child Protection upon request.

The question about the existence of a genetic databank in Bulgaria was not answered by the Ministry of Interior.

10.2 NGO statistics on violence against women

The available data on victims of violence against women collected by NGOs have been gathered for the NGOs' own purposes in line with their interests and specific work. Women's NGOs try to calculate the percentage of victims in the country either on the basis of the number of victims who contacted their organizations, or based upon unofficial and non-representative surveys.

Some NGOs maintain regularly updated statistics about the number of people seeking help, their relation to the violence (victim, abuser, relative, etc), and the kind of violence that prevailed among the cases they dealt with, etc. Animus Association's Rehabilitation Center for Women and Adolescents and Children Survivors of Violence prepare yearly statistics on the distribution of clients of the center by group, by type of stated problem, etc. In 2004 the distribution of clients by type of stated problem was: sexual violence three percent, trafficking 28 percent, other type of violence four percent, prevention nine percent, and domestic violence 60 percent.⁵⁹ In 2004 the distribution of the clients of the center by group was: adolescents, their families, and relatives 11 percent, couples 0 percent (four couples altogether), others with violence-related problems 27 percent, and victims of violence 62 percent.

There were 330 new clients who addressed the counseling and therapeutic programs, 215 of which were advised by telephone at reception and referred to other services and/or the crisis unit. 115 clients used the programs in 1,090 therapeutic and counseling sessions. 82 of the new clients contacted Animus because of a problem of domestic violence, 19 contacted Animus for problems of sexual violence, seven for trafficking and six for another type of violence. During the reporting period there were 1579 calls on the hotline. The largest number of calls (936) was related to domestic violence. There were 300 calls related to trafficking in women. The number of calls

⁵⁹ *Prevention* means clients who call the hotline or seek assistance in the office before going to work abroad (through an agency or a person), thus minimizing the possibility of becoming victims of trafficking.

related to child abuse and abuse of adolescents was 126. In 2004 293 survivors of domestic violence, sexual violence, and trafficking in women were counseled in 895 sessions at the crisis unit. 101 women and 70 children were provided with crisis accommodation. The team of the social program continued its main activities under the project. 291 clients used the social program with 1,483 hours of social work. 153 of the clients used other programs of the center as well. 117 of the clients of the social program received humanitarian aid in the form of cash, food, medicines, transport fares, etc.

As pointed out in the US Department of State's *Country Report on Human Rights Practices in Bulgaria* for 2004,⁶⁰ government authorities and NGO observers reported that in 2002 there were approximately 275 confirmed victims of trafficking that involved either internal trafficking or domestic victims trafficked internationally. However, the actual number of cases may be much higher. Women working in the sex industry formed a high-risk group for trafficking, and it was not possible to determine the number of prostitutes who were trafficking victims. According to the IOM and AAF there were also cases of trafficking in male children.

According to the data from NGOs, trafficking from Bulgaria has five main destinations: Kosovo, Macedonia, Albania, and Montenegro (21 percent); Poland and Slovenia (10 percent); Italy and Spain (19 percent); France, Germany, Belgium, Switzerland, and the Netherlands (41 percent); Cyprus and Middle East (in rare instances, 1.2 percent).

11. CASE LAW ON VIOLENCE AGAINST WOMEN

11.1 Cases on violence against women before the national and international bodies dealing with human rights issues

There is only one case initiated under the Act on Domestic Violence that reached the Supreme Court of Appeal.

In 2003 there was one case against Bulgaria before the European Court of Human Rights. "*M.C. vs. Bulgaria*" originated in an application (No. 39272/98) against the Republic of Bulgaria, lodged with the European Commission of Human Rights under former Article 25 of the Convention for the Protection of Human Rights and Fundamental Freedoms, by a Bulgarian national, M.C. on December 23, 1997. The applicant alleged violations of her rights under Articles 3, 8, 13, and 14 of the

⁶⁰ See the chapter called *Trafficking in human beings* at www.state.gov/g/drl/rls/hrrpt/2004/41674.htm.

Convention in that domestic law and practice in rape cases and the investigation into the rape she had been a victim of, did not secure the observance of the respondent State's positive obligations to provide effective legal protection against rape and sexual abuse. The applicant is a Bulgarian national who was born in 1980. She alleged that she had been raped by two men on July 31 and August 1, 1995, when she was 14 years and ten months old. The ensuing investigation was terminated with the conclusion that there was insufficient proof of the applicant having been compelled to have sex. As a result of this application, the Court unanimously decided that there had been a violation of the respondent State's positive obligations under both Articles 3 and 8 of the Convention, and that the respondent State (Bulgaria) is to pay the applicant, within three months from the date on which the judgment becomes final, according to Article 44(2) of the Convention, the following amounts: 8,000 euros for non-pecuniary damage, and 4,110 euros for costs and expenses, and any tax that may be chargeable on the above amounts.

11.2 Published court decisions, case studies, and analyses of case law

Some guiding cases, illustrations, and general guidance were provided to judges and prosecutors during the series of trainings on how to implement the Act on Domestic Violence by Minnesota Advocates for Human Rights and the Bulgarian Gender Research Foundation.

The Bulgarian Gender Research Foundation has conducted a study on violence against women and the effectiveness of the legal system. More than 100 cases initiated under the Act on Domestic Violence have been monitored. The main conclusions: in the capital of the country the implementation of the law is less effective than in the provinces; the police are more apt to cooperate in the implementation of the law than are the representatives of the judiciary; and there is a need for training of law enforcement officials so that they can better implement the law.⁶¹

⁶¹ This information is still not published; it was given for the purpose of this report by the executive director of BGRF.

12. RECOMMENDATIONS TO THE GOVERNMENT

- The state should implement all adopted laws in the field of violence against women – the Act on Trafficking, the Act on Domestic Violence and the Act on Witness Protection, in particular.
- The Council of Ministries should create a unified monitoring mechanism to supervise the implementation of relevant laws in the field of violence against women. Women’s NGOs should be involved in this monitoring process and the results should be publicly available to Bulgarian citizens.
- Special compulsory codes or guidelines about how to work on cases of violence against women should be developed for judges, psychological therapists, and health professionals.
- The various service providers to victims of violence against women (shelters, crisis centers, hotlines) should adopt a unified code of conduct.
- The legal requirement for coordinated, multi-agency work, and cooperation between the different authorities and parties – state, non-governmental agencies, representatives of the law enforcement professionals, social workers, etc. – should be more effectively implemented.
- In the state budget, a special budget line should be earmarked for the issue of violence against women so that the state bodies and institutions can fulfill their obligations in the field of violence against women.
- State-financed hotlines, shelters and social and rehabilitation services for victims of violence against women should be established by the end of 2006 as stipulated by the *National Program on Trafficking for 2006*, by the Act on Trafficking and by the Act on Domestic Violence.
- Mandatory regular training courses on violence against women and its different forms and on gender discrimination generally should be organized for and addressed to future and practicing professionals including police personnel, prosecutors and judges, health and social work professionals, child and family protection personnel as well as teachers.
- In order to raise the awareness of the media of the different forms of violence against women and to increase their ability to analyze and adequately reflect on the issue, training seminars should be organized.
- Statistics and gender segregated data concerning violence against women should be collected by the police, the courts and prosecutor’s offices, the social and child protection services as well as by the health care professions and should be made available for the public.

- A regular national report of the different professions about their statistics on cases of violence against women and its different forms should be prepared. All the data from the reports should be collected together and a unified database should be created on the basis of the reports. The national representative data on violence against women should be made available for the public.
- The National Assembly should finance on a more regular basis national representative surveys on violence against women, to be conducted by the National Center for Public Opinion Polling.

ANNEXES

Annex A. List of laws and regulations screened

- Act of December 15, 1993 on the National Police (National Police Act)
- Act of November 24, 1998 on Radio and Television
- Act of January 1, 2003 on Social Assistance (Social Assistance Act)
- Act of May 7, 2003 on Countering Trafficking in Human Beings (Act on Trafficking)
- Act of January 1, 2004 on the Ombudsman
- Act of January 1, 2004 on the Protection against Discrimination (Act on Discrimination)
- Act of January 1, 2004 on the Protection of the Child (Child Protection Act)
- Act of November 9, 2004 on Witness Protection
- Act of April 2, 2005 on Protection against Domestic Violence (Act on Domestic Violence)
- Act of January 1, 2006 on Legal Assistance
- Act on Legal Acts
- Criminal Code of the Republic Bulgaria
- Code for Professional Ethics for Judges
- Ethical Code of Bulgarian Media
- National Commission to Combat Trafficking in Persons (NCCTP): *Structural and Operational Rules*
- Regulation of Shelters for Victims of Trafficking
- Council of Europe: Convention on Action against Trafficking in Human Beings. Adopted on May 15, 2005
- Directive 2004/80/EC of 29 April, 2004
- European Court of Human Rights, “*M.C. vs. Bulgaria.*” Application No. 39272/98

Annex B. List of documents and books consulted

Council of Ministers of the Republic Bulgaria (2005) *Annual National Action Plan on Gender Equality for 2005* (NAPGE 2005)

Council of Ministers of the Republic Bulgaria (2006) *Annual National Action Plan on Gender Equality for 2006* (NAPGE 2006)

Council of Ministers of the Republic Bulgaria: *The Report on the Implementation of the NAPGE 2005*

Government of the Republic of Bulgaria: *National Plan for Protection against Domestic Violence*

Government of the Republic of Bulgaria: *National Program on Overcoming and Counteracting Trafficking in Persons and Protection of Victims*

Ministry of Justice of the Republic Bulgaria: *National Strategy for Assisting Victims of Violence*