



VIOLENCE AGAINST WOMEN

DOES THE GOVERNMENT CARE IN BULGARIA?

FACT SHEET*

2006

(...) It is the responsibility and in the interest of states as well as a priority of national policies to safeguard the right of women not to be subjected to violence of any kind or by any person. To this end, states may not invoke custom, religion or tradition as a means of evading this obligation.

/Council of Europe: Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence, Appendix/

DOES THE STATE CARE ABOUT VIOLENCE AGAINST WOMEN? NATIONAL BODIES, POLICIES, ACTION PLANS, AND BUDGET

Bulgaria is in the process of establishing its state machinery for gender equality. This is being accomplished with the creation of the National Council on Equality between Women and Men (reporting to the Government); the Demographical Policy, Social Investments and Equal Opportunities Directorate of the Ministry of Labor and Social Policy; and the Consultative Commission on Equal Opportunities (reporting to the Minister of Labor). The Commission to Combat Trafficking in Persons has also been established. None of these bodies addresses the issue of violence against women explicitly.

The Act on Protection against Domestic Violence, adopted in 2005, states that a national plan for protection against domestic violence should be adopted by the government. The *Program for Prevention and Protection against Domestic Violence* (PPPDV) was adopted in October 2006.

A *National Action Plan on Overcoming and Counteracting Trafficking in Persons and Protecting Its Victims for 2006* has also been adopted. No concrete budget is earmarked for the particular actions, but in the case of each of them a responsible ministry or government institution is called for providing the financial means to cover the expenses.

Special provisions addressing violence against women are included in a separate subchapter in the Annual *National Action Plan on Gender Equality* for 2005 and 2006 as well. However, very few steps are undertaken for the implementation so far.

DO WOMEN VICTIMS OF VIOLENCE HAVE LEGAL PROTECTION?

The Act on Protection against Domestic Violence gives legal definition of 'domestic violence'; regulates the relations related to domestic violence; and provides protection measures. The state's responsibilities under the law are to ensure the implementation of prevention and protection programs, as well as programs providing assistance to the victims. The law establishes the institution of a protection order, which are valid for up to one year. The measures prescribed by the court may be one or more of the following: obliging the perpetrator to refrain from continuing acts of domestic violence;

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removing the perpetrator from the common habitation; prohibiting the perpetrator to approach the home and place of work of the victim, or any other places where the victim pursues his or her social contacts or recreation; temporarily relocating the residence of the child with the innocent or victimized parent; obliging the perpetrator to attend specialized programs; and advising the victim to attend rehabilitation programs. In case of direct and impending threat to life or health of the victim, the regional court shall issue an emergency protection order within 24 hours. Failure to comply with the protection order entails the arrest of the perpetrator.

The Act on Countering Trafficking in Human Beings (adopted in 2003 and in force since January 2004) provides a definition of 'trafficking' and introduces measures to prevent trafficking, to improve coordination between state bodies and NGOs, and to protect victims of trafficking in human beings.

Guidelines for dealing with cases of violence against women exist for journalists and police personnel. Special codes of conduct for dealing with domestic violence cases are under elaboration by the Ministry of Interior.

DOES THE STATE PROVIDE ASSISTANCE FOR WOMEN 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.

There are services available to victims of violence but these are provided mainly by NGOs and their number is insufficient. The establishment of state-run hotlines and social services for victims of violence rely mainly on external sources of finance.

Currently there are only two shelters for women and children victims of domestic violence in Bulgaria: one in Silistra, where the Women's Association Ekaterina Karavelova operates a shelter with a capacity for ten victims and the other in Pleven, where the Center Open Door runs a shelter with a capacity for eight victims. The number of protected houses is not sufficient. Obligations for the state in securing shelters and other services and rehabilitation for victims of violence are legally defined both in the Act on Countering Trafficking in Human Beings and in the Act on Protection against Domestic Violence. 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 (appr. 138,000 euros) 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.

There are 16 telephone hotlines operated by women's NGOs providing psychological and legal assistance for women victims of violence in different cities and towns in Bulgaria. None of them is free of charge.

There are two crisis centers working in the country. The "crisis unit" of the Animus Association can formally accommodate six women for stays from three to seven days, while the crisis center of the Diva Foundation may host eight women for up to ten days.

There is no program available in the whole country for men with aggressive behavior who perpetrated domestic violence. NGOs have launched several treatment programs for offenders, but due to lack of finance none of them is available at the moment. According to the Act on Domestic Violence, the perpetrator may be obliged to attend specialized programs. However, the fact that there are no programs like this available for perpetrators at the moment prevents from implementing this measure.

IS THERE EDUCATION AND TRAINING IN THE COUNTRY ON VIOLENCE AGAINST WOMEN AND GENDER EQUALITY?

Though the National Action Plan for Gender Equality for 2005 envisioned some tasks to promote gender equality through education, in reality school curricula almost completely lack any mention of violence against women or other gender issues. Violence against women is indeed discussed in a textbook for 9th grade students, but it provides a rather general overview. However, the Chair of the Commission against Discrimination has officially announced that the Commission would revise all schoolbooks, for pupils of 1st to 12th grades, in order to identify and remove all discriminatory information.

The existing commissions, legal provisions, national plans and programs for action foresee educating pupils at primary and secondary schools on the risks of trafficking, as well as on human rights and children's rights on a permanent basis.

The Ministry of Interior and the Ministry of Education organized and has run a new *Program for Prevention of Criminality towards Children and the Youth*, starting from January 2006. The second month of the program was dedicated to the prevention of trafficking and young people from the whole country were introduced to the work of border police in the field of trafficking, and trafficking in women particularly.

The NGO sector, with a support from foreign sources, occasionally initiates projects and programs aiming to educate pupils on the different forms of violence against women, gender discrimination and stereotypes.

There are no mandatory courses for future law enforcement professionals and practicing professionals specifically addressing the issue of violence against women. According to Article 6(2) of the Act on Protection against Domestic Violence, “The authorities of executive power shall carry out a selection and training of the persons assigned with protection under this Act.” But at the moment there are no such regularly conducted mandatory training programs.

There is a special course for future professionals in the Police Academy on trafficking that encompasses trafficking in women primarily. In all prosecutors’ offices there are training courses on working with trafficking cases. Similar training seminars are offered by university teachers and NGOs to other future and practicing professionals as well, such as police officers, judges, social workers, psychologists, and journalists, but these are not held on a regular and mandatory basis.

DO THE MEDIA CARE ABOUT THE PROBLEM OF VIOLENCE AGAINST WOMEN?

The Act on Radio and Television, adopted in 1998, states in Article 10(6) that “In pursuit of their broadcasting activities, radio and television operators shall be guided by the principles: (...) inadmissibility of broadcasts which are contrary to good morals, especially if they contain pornography, extol or condone brutality or violence, or incite to hatred on grounds of race, sex, religion or nationality.”

The Bulgarian Media’s Ethical Code in its Chapter “Crime and brutality” contains the following obligations: treat with caution the identification of victims and witnesses of crime, especially in cases involving sexual assault; refrain from glorifying or unnecessarily sensational reporting about crime, violence and brutality; be careful not to be used as a platform by those who promote, incite or use violence; do not add to the distress of people affected by tragedy or crime and report such matters with sympathy and constraint.

The Council for Electronic Media – the official media watch organization – does not directly include issues of violence against women or gender issues in its strategy and monitoring practice and there are no relevant cases of violence against women reported in their work. The Council initiated a broad discussion of the problem of distributing pornographic programs and their harmful influence on minors and officially announced that it is determined to screen and prohibit programs that would lead to physical or psychological violence against children.

Media schools do not offer mandatory education on gender issues, including violence against women, but there are project-based and opt-in programs for the future journalists.

DO SUFFICIENT STATISTICS, FACTS, AND FIGURES EXIST?

National Statistical Institute collects gender segregated statistics about the forms of violence that are criminalized under the Criminal Code. The Ministry of Interior collects data on crime perpetrators and victims but these data are not publicly available. The National Center for Public Opinion Polling does not collect regular statistics on violence against women but initiated a representative survey on domestic violence in 2003.

The annual number of sexual offences (rape, attempted rape, and molestation) recorded by the police is between 900 and 1,000. Victimization surveys identify a rather low reporting rate among victimized women: 11.4 percent in year 2002 and zero percent in 2004.¹

The main findings and figures of the national opinion poll show that domestic violence is a private issue according to 49.2 percent of the respondents, while 50.8 percent consider it a public issue.²

According to the 2004 Annual Report of the Animus Association’s Rehabilitation Centre for Women, Adolescents and Children Survivors of Violence, there were 1,579 calls on the hotline. The largest number of calls, with 936, was related to domestic violence. The number of calls related to trafficking in women was 300.

¹ For further details, see the website of the Center for the Study of Democracy at <http://www.csd.bg/en/security/artShow.php?id=4965>

² National Center for Public Opinion Polling (2003) *Public Opinion on Domestic Violence*, official survey of the NCPOP, based on interviews and financed by the National Assembly in March 2003.

MAIN RECOMMENDATIONS TO THE GOVERNMENT

In the field of legislature and implementation:

- The state should implement all adopted laws in the field of violence against women – the Act on Countering Trafficking in Human Beings, the Act on Protection against 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.

For the state budget:

- 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 Countering Trafficking and by the Act on Protection against Domestic Violence.

In the area of training and awareness-raising:

- 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.

In the area of research and statistics:

- 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.

MORE INFORMATION

www.stopvaw.org, www.cwsp.bg

