




REPUBLIC OF BULGARIA
MINISTRY OF JUSTICE

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(Please quote)
Signed by: Veselina Petrova Andonova

Ms. Dunja Mijatović
Council of Europe Commissioner for Human Rights

Dear Ms. Mijatović,

In response to your letter, dated 12th May 2022, I would like primarily to thank you for the support given to Bulgaria in improving the national legislative framework for combating violence against women and domestic violence. The topic is a priority for the Ministry of Justice, in view of which the cooperation with the Council of Europe and the shared in-depth expertise have always been sought and highly valued on our part. We also note with gratitude the recommendations made during your visit to Bulgaria in 2019, which were taken into account in the process of drafting the amendments to the Protection against Domestic Violence Act.

I would like to confirm with satisfaction that the controversial issues that have arisen in relation to the bill have been resolved and it has already been finalised. In the process of its preparation we set two main objectives — to regulate a set of measures aimed at creating reliable, effective protection and guarantee for the protection of the life, health and rights of persons at risk of domestic violence and to strengthen institutions in order to implement a coherent state policy in the field of domestic violence by coordinating, implementing, monitoring and evaluating policies and measures to prevent and combat domestic violence.

I would also like to present the main points of the bill:

- The scope of the law has been extended — in addition to the rights of victims of domestic violence and the current protection measures, the draft law regulates the bodies and the mechanisms for conducting the state policy for prevention and protection against domestic violence and the interaction between them. Prevention programmes and specialised services for protection, assistance and support to persons who are victims of domestic violence or are at risk have been provided. The procedure for imposing protection measures against domestic violence has been improved in order to speed up proceedings and ensure more effective protection;

- The obligation of the state to follow a consistent national policy in the field of domestic violence is guaranteed by coordination, implementation, monitoring and evaluation of the policies and the measures to prevent and combat domestic violence;
- The circle of victims of domestic violence who may seek protection under the Protection against Domestic Violence Act has been expanded;
- The circle of persons who can initiate a proceedings before the court for issuing a protection order has also been extended;
- The types of measures for protection against domestic violence, which may be imposed by the competent authorities, have been increased;
- There will be a possibility to provide free legal aid in a simplified manner;
- A national body has been established for coordination, monitoring and evaluation of policies and measures to prevent domestic violence and improve the interaction between the different state authorities and the organisations that are relevant to the problem — National Commission for Prevention and Protection against Domestic Violence as a specialised permanent collegiate body;
- A coordination mechanism setting out clear rules of action and coordination between the competent authorities and organisations has been established, thereby ensuring reliable, timely and adequate protection of persons who have suffered violence;
- The establishment and the maintenance of a national information system on cases of domestic violence has been envisaged;
- Prevention and protection programmes as well as specialised services providing protection, assistance and support to persons who are victims of domestic violence or are at risk have been regulated;
- Judicial proceedings for imposition of measures for protection against domestic violence has been optimised and improved with respect to its speed, effective law enforcement and the creation of safeguards for protection of the interests of the victims.

In response to your recommendation for urgent provision of support services for victims of domestic violence in Bulgaria, I would like to inform you that the bill provides for the budget of the Council of Ministers to determine annually funds for the financing of projects of legal entities, active in prevention and protection against domestic violence, for the development and implementation of:

- programmes for prevention of domestic violence, related to the preparation and approval of programmes in educational establishments; programmes for working with the bodies of the judicial authorities and the Ministry of Interior; training of persons who carry out the prevention and protection under the law and who monitor its application; conducting seminars and conferences; publications;
- specialised services for protection, assistance and support to victims of domestic violence or is at risk – national telephone line with a single harmonised telephone number; social, psychological and legal counselling for victims of violence; specialised programmes for rehabilitation and/or protection of adults or children, victims of violence or witnesses, in an

advisory centre or in a protected dwelling; specialised programs for overcoming aggression and dealing with anger for perpetrators of domestic violence, which include social and psychological counselling.

The bill also envisages a person who has suffered domestic violence or is at risk to be provided separately or as a whole with the following specialised services for protection, assistance and support:

- national telephone line with a single harmonised telephone number for assistance to persons victims of domestic violence or at risk;
- Advisory Centre for Victims of Domestic Violence;
- Protected housing.

To this end, the additional provisions propose definitions of the types of specialised services to be provided free of charge to victims of domestic violence, regardless of whether they have agreed to cooperate in identifying the perpetrator of the violence. When using a specialised service, victims of domestic violence will be provided with appropriate and timely written information in a language they understand.

At the same time, perpetrators of domestic violence will be referred to a specialized program for overcoming aggression and dealing with anger. The program shall be either part of a specialised service or shall be provided as a complex of services.

With regard to the elimination of the requirement of “systematic” violence in the definition of crimes committed in the context of domestic violence, as referred to in your letter, I would like to emphasize that the issue remains in the attention of the Ministry of Justice. A separate Working Party of representatives of the academia and the judiciary has been set up to discuss the possible amendments to the Criminal Code in the desired direction. The Working Party will also take note of the Committee of Ministers Recommendation CM/Rec(2019)1 on preventing and combating sexism.

Lastly, I would like to assure you that the Ministry of Justice would continue to build on what has been achieved so that the rights and the protection of victims of violence against women and domestic violence in Bulgaria take their priority place at political and institutional level.

Yours sincerely,



Signed by: *Nadejda Gueorquieva Iordanova*

ВЯРНО С ЕЛЕКТРОННО
ПОДПИСАНИЕ ОРИГИНАЛ