

FRANET

**Victim Support Services in the EU:
An overview and assessment of
victims' rights in practice**

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1. Part A:

The information presented in this phase is primarily based on analysis of the country specific reports received in phases 1 and 2 of the project; the general overview of the situation of victim support in Member States (phase 1) and the more in depth exploration of the situation, including promising practices which offer support to victims of crime in different ways (phase 2). Information has also been taken from secondary sources such as the 2009 APAV study on Victims in Europe.¹ While phase 2 of the project was divided into two parts, focussing firstly on generic victim support services and secondly on specialised areas of victim support, this third phase of the project, comprised of Parts A and B, will focus principally on the structure or lack thereof of generic victim support services; although a limited number of questions relate to specialised areas of victim support. For this part, please provide detailed, concise answers. For guidance purposes, sample answers are often provided, which primarily draw on information provided in country-specific reports from phases 1 & 2 of the project. When returning your report to the FRA, please ensure that all sample answers have been deleted, as these are for guidance purposes only and should not form part of your response. In addition, in cases where your country is one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

2.1 Scenarios

In the following situations, please describe the referral system (from police to victim support organisation) in the current victim support structure in your country; including whether police routinely refer the victim to a support service; where is the victim referred and who deals with the case in the end (as a guideline, keep to 2 or 3 sentences (maximum) per question within each scenario. Please choose either 'Yes' or 'No' for questions a. and c of each scenario, in addition to questions 6-13 and provide comments in the 'Description' field. For questions b and d, please provide your comments directly in the 'Description' field).

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
1	A female who has been beaten by her partner and calls the police	a. Do the police routinely refer the victim to a support service?		X	Under 2009 Instruction of the Ministry of Interior the police bodies cooperate and partner with competent institutions, organisations and specialized establishments for provision of legal, medical, psychological and financial support of the victims of crimes. ² Upon a special request the Ministry of Interior replied that it signed agreements with several victims support service providers for referral of the victims of domestic violence to their services. ³

¹ Aa, S. van der et al. (2009), *Project victims in Europe – Implementation of the EU Framework Decision on the standing of victims in the criminal proceedings in the Member States of the European Union*, Lisbon (see http://www.apav.pt/vine/images/report_vine_eng.pdf).

² Bulgaria, Ministry of Interior, Instruction Із-507 of 26 March 2008 for admission of citizens and support of victims of crimes in the structural departments of the National Police Service (*Инструкция Із-507 от 26 март 2008 г. за прием на граждани и помощ на жертви на престъпления в структурните звена на Национална Служба „Полиция“*), enforced on 1 January 2009, Art.17.

³ Bulgaria, Written reply І-6529, dated 8 March 2012, signed by the Minister of Interior. The agreement with the Bulgarian Centre for Gender Research Foundation in Sofia (Od 83, 18.05.2011) for referral of victims and perpetrators of domestic violence in the towns of Sofia, Plovdiv and Dimitrovgrad to the services provided by the Foundation was signed in May 2011. The services were funded under an EU Human Resources

		b. If yes, please name the service(s)	-	-	
		c. Do the police routinely contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	
2	A teacher reports the sexual abuse of a child to the police	a. Do the police routinely refer the victim to a support service?		X	
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	
	A person calls the police following a	a. Do the police routinely refer the victim to a support service?		X	

Operational Program project. The agreement ia-6550/21.06.2011 between the Plovdiv Regional Department of the Ministry of Interior, Plovdiv municipality and the Bulgarian Red Cross-Plovdiv Regional Department obliges the police to refer victims of domestic violence, trafficking and forced prostitution to the crisis centre in the town. The agreement ia-1478/15.02.2012 between Plovdiv Regional Police Department and Gender Alternatives Foundation aims at referral of victims and perpetrators of domestic violence identified by the police in Plovdiv to the services of the foundation. The agreement reg. number 22042/28.06.2011 is signed between Open Door Centre in Pleven and the Pleven Regional Police Department for cooperation and referral of victims of domestic violence to the services of the centre. The cooperation agreement (reg.number 1310/19.01.2012) was signed between the Silistra Regional Police Department and the Ekaterina Karavelova Association for cooperation on domestic violence cases. In May 2011 a cooperation agreement was signed between Turgovishte Regional Police Department, Turgovishte municipality, Turgovishte Regional Social Assistance Department, Naya Association and Marinov Gas LTD. for cooperation under a project for prevention of domestic violence in Roma community in several villages in Turgovishte region. The agreement AD-1271/7.11.2007 was signed between Police National Service and ACET – Centre for persons survivors of torture for cooperation in psycho-social consultations of foreigners who were subjected to torture or inhuman and degrading treatment under administrative measures applied by the Ministry of Interior.

3	burglary in their apartment	b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	
4	A person is the victim of a racist attack by a gang of youths	a. Do the police routinely refer the victim to a support service?		X	
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	
5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial assistance	a. Do the police routinely refer the victim to a support service?		X	
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	

6a	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X	The police are obliged to inform the local Social Assistance Department when they identify a victim of domestic violence who is a child, a person with disability or a person under guardianship. ⁴
6b	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X	The Social Assistance Department is responsible for monitoring of the implementation of the court-appointed measures in cases of domestic violence when the victim is a child, a person with disabilities or under guardianship, and when the measure concerns the temporary residency of the victim or the prescription of recovery support for the victim. ⁵ The Social Assistance Agency replied upon a request that the Social Assistance Departments (SAD) referred 34 children and 10 adults to immediate protection measures in 2011 and 52 children and 23 adults in 2012. ⁶ In 2011 the Social Assistance Departments identified 847 victims of domestic violence and referred 635 of them to social services; in 2012 they identified 969 victims of domestic violence and referred 756 of them to social services. In both 2011 and 2012 the SADs identified 74 victims of trafficking and referred 114 of them to social services. ⁷
7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status ⁸ ? If yes, describe them. If no, please provide a justification/explanation.		X	The support available to victims of crime under the Assistance and Financial Compensation for Victims of Crime Act can be accessed by foreign nationals only if they are not illegally present on the territory of Bulgaria (Art. 27). ⁹

⁴ Bulgaria, Instruction Iz-2673, dated 10.11.2010 for the order for cooperation between the bodies of the Ministry of Labour and Social Policy and the Ministry of Interior for protection from domestic violence (ИНСТРУКЦИЯ № Из-2673 от 10.11.2010 г. за реда за осъществяване на взаимодействието между органите на Министерството на вътрешните работи и на Министерството на труда и социалната политика при защита от домашно насилие), Art.9, available in Bulgarian at: http://www.asp.government.bg/ASP_Files/PNO/INSTRUKCIQ_z2673_ot_10112010_g_z_a_reda_z_a_osysestvqvane_na_vzaimodejstvieto.htm.

⁵ Bulgaria, Regulations for the Implementation of the Protection against Domestic Violence Act [Правилник за прилагане на закона за домашното насилие] (in force since 15 June 2010), Art. 9, available in Bulgarian at: <http://lex.bg/bg/laws/ldoc/2135684122>.

⁶ Bulgaria, Ministry of Labour and Social Policy, Written reply 041334, dated 28 February 2013.

⁷ Bulgaria, Ministry of Labour and Social Policy, Written reply 041334, dated 28 February 2013.

⁸ Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

⁹ Bulgaria, Assistance and Financial Compensation for Victims of Crime Act [Закон за подпомагане и финансова компенсация на пострадали от престъпления] (in force from 1 January 2007), Art. 27 (1), available in Bulgarian at: <http://lex.bg/bg/laws/ldoc/2135540550>.

7b	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status ¹⁰ ? If yes, describe them. If no, please provide a justification/explanation.		X	
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	Irregular migrants, asylum seekers and refugees receive specialized support from the Assistance Centre for Torture Survivors based in Sofia. ¹¹
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?	X		Only in specific cases the authorities hold the initiative, for example: recommendation of recovery treatment for victims of domestic violence is a measure that is prescribed by the courts. ¹²
9	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		X	No reliable/consistent publicly available data was identified.
10a	In reference to part 'c' of questions 1-5, in the event that police contact victim support services on the victim's behalf, is there an automatic transfer of the victim's data? ¹³		X	No explicit regulation of the transfer of data between agencies was identified.
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?	-	-	
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?		X	

2.2 Institutional aspects: role of state in victim support structure

In the following section, please complete/verify the information requested in the following tables, placing your country in the appropriate category, or, where information is provided, checking the accuracy of the information and revising as necessary (i.e. by moving your country name from the incorrect column to the correct column along with a justification).

¹⁰ Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

¹¹ Please refer to the webpage of the Assistance Centre for Torture Survivors at: <http://acet-bg.org/index.php?lang=2&pid=>.

¹² Bulgaria, Protection against Domestic Violence Act (*Закон за домашното насилие*) (adopted on 29 March 2005), Art. 5 (1), item 6, available in Bulgarian at: <http://lex.bg/laws/ldoc/2135501151>.

¹³ For example, personal data (name, address etc.) as well as any relevant details relating to the incident being transferred rather than having to be supplied again by the victim.

2.2.1 Models of generic victim support

Generic victim support organisations are for the present purposes defined as “**not limited to helping a particular type of victim of crime**”. With the above definition in mind, please:

a) Review the list and short description of structure of generic victim support organisations operational in your country provided for in Annex 2 and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned. **Countries listed in Annex 2 shaded in green (and in category ‘A’ below) have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should provide a short list (in Annex 2) of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area ‘Domestic violence and stalking’.**

b) Place your country in one of the following categories (A, B, C, D or E) and provide an explanation about why your country should be placed in that group. For each group, one example has been provided for guidance purposes. If your country is one of the examples provided, please review and revise the information as necessary, placing your country in a different group if the information provided is incorrect. **Please delete all examples from your response and insert your country name in only ONE column.** (Note: only country codes are listed. For full country names, please refer to Annex 1).

A: No generic victim support provider exists	B: At least one generic victim support service provider exists at national level. The main provider or structure is state run and state funded	C: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run but relies strongly on state funding	D: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run and does not rely strongly on state funding	E (OTHER) – if you cannot place your country in any of the other categories, please describe
Bulgaria				
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:

2.2.2 Public coordination of victim support services

Please answer the following questions by completing the tables. Two examples have been provided (for questions 1 & 2) for guidance purposes. **Please delete all examples from your response and insert your country name in only ONE column.** If your country is one of the examples provided, please review and revise the information as necessary. Please provide references to the full name of the Ministry or body in question in both English and the national language (Note: only country codes are listed. For full country names, please refer to Annex 1).

1. Please specify (by placing an 'X' in the relevant columns) which ministry or ministries have a role in victim support provision. In addition, please provide a short explanation in the comments field.						
	Ministry of Justice	Ministry of Health	Ministry of Labour/ Social Affairs	Ministry of Interior/	Any other	COMMENTS
Bulgaria	x ¹⁴		X ¹⁵	x ¹⁶		The Ministry of Interior and the Ministry of Justice stated that in general they are in cooperation with organizations working with victims of domestic violence and of trafficking in human beings. ¹⁷ The Ministry of Interior adopted a Methodology for working with victims of domestic violence. ¹⁸ The Ministry of Labour and Social Policy through the Social Assistance Departments are charged with monitoring the cases of domestic violence against vulnerable persons and are thus in cooperation with the Ministry of Interior. ¹⁹
2. Please provide a short description of which body (e.g. ministry, office for victims of crime, commission or any other body) has the overall or principal coordinating role in organising victim support services at national and federal level. If no one ministry or body has such a role, please provide an explanation/ justification.						
Bulgaria	There is not one body that coordinates the organisation of victim support services in Bulgaria. The Ministry of Justice provides financial compensation and					

¹⁴ Full title of the body in Bulgarian: Министерство на правосъдието (Ministry of Justice).

¹⁵ Full title of the body in Bulgarian: Министерство на труда и социалната политика (Ministry of Labour and Social Policy)

¹⁶ Full title of the body in Bulgarian: Министерство на вътрешните работи (Ministry of Interior).

¹⁷ No concrete references available for this comment.

¹⁸ Bulgaria, Ministry of Interior, Order No. Iz-717 of 5 April 2012 [*Методически указания за действията на полицейските органи по Закона за защита от домашно насилие*]. Information source: Ministry of Interior, Written reply No. Y-27735 of 13 March 2013.

¹⁹ Bulgaria, Protection against Domestic Violence Act (*Закон за домашното насилие*) (adopted on 29 March 2005), Art.6, para.1; Bulgaria, Regulation for the Implementation of Protection against Domestic Violence Act (*Правилник за прилагане на закона за домашното насилие*) (adopted on 15 June 2010), Art. 5.

	<p>support to victims of certain crimes and under certain conditions. The Ministry of Labour and Social Policy provides the funding and the supervision of service providers (NGOs or municipalities) that provide shelters, consultation services, legal aid and psychological support to victims of domestic violence and trafficking. The Ministry of Interior is obliged to inform the victims of crimes and domestic violence about their rights and in some cases to refer them to Social Assistance Departments or community-based services.</p>
<p>3. What is the legal basis for the type of victim support model that exists in your country (e.g. is it stipulated somewhere in a legal instrument that victim support services be state-run; state-funded etc.?)</p>	
	<p>The victim support activities carried out firstly by service providing NGOs (to victims of domestic violence and lately to victims of trafficking) were regulated by the 2002 amendments of Art. 16 and Art.18 of the Social Assistance Act. They stipulated the provision of community-based social services and the registration of NGOs providing them. In 2003 the Regulation for the Implementation of Social Assistance Act regulated 'crisis centres' with its Art.36, para.2, item 7, sub item 3 and para.1, item 25 of the Additional Provisions. The definition of the centres was again amended in 2009.²⁰</p> <p>On 1.01.2007, the Assistance and Financial Compensation of the Victims of Crimes Act entered into force.²¹ It provides for the right to assistance comprising urgent medical care, psychological consultations, free legal assistance and practical assistance²² to the victims of trafficking,²³ among victims of other serious crimes, if these crimes were committed after 30.06.2005.²⁴ Psychological consultations are provided by NGOs working in the field of protection of victims of crimes after the victim files an application. The costs of these consultations are paid by the Ministry of Justice to the NGOs that provide such services.</p> <p>Protection of children in emergency cases falls within the competence of the Ministry of Interior and its structures.²⁵ As emergency cases are considered instances where the child was the victim of a crime or where there was an immediate danger for his/her health or life or where the child is involved in a crime.²⁶</p> <p>Emergency protection measures can take several forms as follows:</p> <ul style="list-style-type: none"> • Placement of the child in special rooms, usually in the police offices where the authorities can prevent him/her from coming into contact with persons who may have negative influence or who may harm the child ; • Placement in special institutions or social services and, if there is a need, protection by a permanent bodyguard ; • Return of the child to his/her parents or persons who care for him/.her.

²⁰ 'Crisis centre' is a complex of social services for persons, who suffered violence, trafficking or other forms of exploitation which are provided within 6-months period and aim at individual support, meeting of everyday needs and provision of legal consultations for the users or psycho-social support when urgent intervention is needed, including mobile services of crisis intervention.

²¹ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007).

²² Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 8.

²³ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 3, para. 3.

²⁴ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art.3, additional para. 4.

²⁵ Bulgaria, Child Protection Act (13.06.2000), Art. 37 and 38 (enforced on 20.02.2009).

²⁶ Bulgaria, Child Protection Act (13.06.2000), Art. 38 (enforced on 20.02.2009). It should be noted that the same protection is provided when the child is lost or in a helpless situation or he/she is without supervision from an adult (Art. 38, para. 2).

	Urgent police protection can be provided for up to 48 hours. ²⁷ .
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²⁷ Bulgaria, Child Protection Act (20.02.2009), Art. 41. When this emergency protection expires, the authority must apply another form of protection such as placement in special institution or shelter, placement in the family of relatives and, in very rare cases, appointment of a guardian.

2.2.3 Funding:

Please answer the following questions by completing the tables. Please note that countries that do not have generic victim support service providers (i.e. that fall within category 'A' under question 2.2.2) should not answer questions c & e. For questions g-k, if your country does not have a generic victim support structure in place, please respond to the question with respect to a specialised area of victim support. **Please select one of the two specialised areas of victim support you focused on in your phase 2 country report to the FRA (see annex 3 for a list). As a default, please select the area 'Domestic violence and stalking'.** If you choose to take another area, provide a short justification for why you have chosen that area.

Important for all: Whether you answer questions g-k with respect to an organisation providing generic victim support or an organisation providing specialised victim support, please choose the biggest organisation (in terms of the organisation that receives most funding, helps most victims nationwide etc.).

For the year 2012, please specify the exact amount of funding:	Amount (in EURO)
a Budgeted by the state for compensation	The Ministry of Justice did not provide information about the amount of the compensation budgeted although a special request was sent to it.
b Paid out by the state for compensation	The Ministry of Justice did not provide information about the amount of the compensation paid although a special request was sent to it.
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)	---
d Budgeted by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.	255,897 Euro, provided by the Ministry of Justice to 18 NGOs working on domestic violence and trafficking, incl. for cooperation with the Ministry of Interior (2012-2013). ²⁸ Apart from victim support, this funding also covers monitoring and training activities.

²⁸ Bulgaria, Ministry of Interior, Written reply No. Y-27735 dated 13 March 2013. Funding was provided under Art. 6, para.7 of the Protection against Domestic Violence Act (adopted on 29 March 2005).

e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).			There are no generic victim support services in Bulgaria.
f Paid out by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.			The Ministry of Interior replied upon a request that the financially supported by the Ministry of Justice NGOs that work with domestic violence victims and provide training are 10. ²⁹
Reimbursement by the state of expenses incurred	Yes	No	Comments
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.	x		The Bulgarian Gender Research Foundation explained that they fund their services for victims of domestic violence in several ways. In practice, part of the Ministry of Justice funding is allocated in advance and after full report about the provided services the ministry decides whether to reimburse all the costs of the services or not. The delegated state budget for social services (allocated by the Ministry of Labour and Social Policy) is insufficient to cover the actual needs of the victims and is given after the services have been already provided. In fact the NGOs carry the

²⁹ Bulgaria, Ministry of Interior, Written reply U 27735, dated 13 March 2013. It states that these NGOs are: Association Centre for NGOs in Razgrad; Association Centre Dinamika, Russe; Association Demetra, Burgas; Foundation PULSE, Pernik; Association Open Door, Pleven; Association Naya, Turgovishte; Association Fund for Crime Prevention, Pazardzhik; Association 'Knowledge, success and change', Dupnica; Association 'Ekaterina Karavelova', Silistra and Social Activities and Practices Institute, Sofia.

			<p>burden of providing payment for the services they provide as they cannot stop the work with the victims because of lack of consistent funding. Another way for funding the BGRF used was the EU Human Resources Operational Programme. However, not all costs of the provided services were reimbursed under it and some of the costs were not recognized as such by the monitoring state agencies. As a result of this, the BGRF covered 50 % of the costs itself and it has raised concerns with the European Commission in relation to how the administration and design of the programme in Bulgaria for the purpose of provision of services to victims of domestic violence.</p>
<p>h With respect to your chosen organisation, is the organisation reimbursed by the state for expenses incurred through the provision of support to victims? If yes, please specify the criteria for reimbursement (e.g. per victim?).</p>		<p>x</p>	<p>This is not totally clear as different funding authorities and donors have different criteria. The number of provided consultations is one of them for example.</p>
<p>i If the answer to h is 'yes', please specify whether the organisation is reimbursed regardless of the victim's nationality (yes or no) and provide a short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country</p>		<p>x</p>	<p>The BGRF did not mention provision of services to victims with different</p>

nationals; b) EU country nationals and c) third country nationals?			nationalities.
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under 'comments'.		x	The BGRF did not mention provision of services to victims with illegal residency status.
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.		x	The BGRF did not mention any factors that would discourage it from supporting third country nationals. But it did not mention such cases of support.

2.2.4 Capacity:

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	60 (applications directly to state) ³⁰
b Received compensation from state sources.	12 ³¹
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	Generic victim support services do not exist in Bulgaria.
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	In 2011 the Social Assistance Departments identified 847 victims of domestic violence and referred 635 of them to social services; in 2012 they identified 969 victims of domestic violence and referred 756 of them to social services. In both 2011 and 2012 the SADs identified 74 victims of trafficking and referred 114 of them to social services. ³²

³⁰ Bulgaria, Ministry of Justice, Written reply No. 66-00-43, dated 27 February 2013.

³¹ Bulgaria, Ministry of Justice, Written reply No. 66-00-43, dated 27 February 2013.

³² Bulgaria, Ministry of Labour and Social Policy, Written reply 041334, dated 28 February 2013.

2.2.5 Official/academic studies on victims

Have any official or academic studies been published in your country in the last 5 years on the following (note: please provide a full reference for the study (following the FRA style guidelines) and provide a link if available online):

	Yes	No	Reference	Short description of the study's objectives and findings (2-3 sentences)
Studies on under reporting of crime?				See below.
Other national studies related to victims of crime (specify)	x		Bulgaria, Animus Association Foundation/La Strada Bulgaria/, <i>The right to compensation for victims of human trafficking in Bulgaria</i> , December 2011, available in English at: http://lastradainternational.org/?main=documentation&document=2903	The objective of the study was to research the legal mechanisms and their implementation for compensation of victims of trafficking in Bulgaria. The findings are that both the legislation and the practice have gaps which result in weak protection of the victims. The recommendations are for amendment of the legislation, setting up a special fund for compensation of victims of trafficking, provision of information about this on a hotline and trainings for legal professionals who deal with such victims.
			Bulgaria, Alpha Research (sociological agency), <i>Sexual abuse against women</i> , February 2011, available in Bulgaria at: http://alpharesearch.bg/bg/socialni_izsledvania/socialni_publicacii/seksualnoto-nasilie-nad-jeni-v-balgariya.746.html	89 % of the interviewed women define sexual abuse as a serious problem. They state that 10-12 % are the women who are victims of rape. 76 % of the victims state that the perpetrator was their close person, 46 % of them informed their relatives about the abuse, 29 % complained at the police about the abuse, 5 % report that the perpetrator was sentenced by the court. 71 % of the women victims of rape were raped at home. 82 % report that the reason of the sexual abuse is abuse with drugs/alcohol. 85 % of the victims assess the protection measures as insufficient and have biggest trust for the measures provided by NGOs.

2.3 Victim Helplines

Please complete the information in the following table, providing details on whether the country has a national victim support helpline, who funds it, operates it etc. Where the answer is 'no', please provide a short justification or explanation of the situation in the comments field. For example, for question 3, if the helpline does not operate 24 hours a day, 7 days a week, place an X in the 'No' column and specify the operating hours under 'Comments'. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-15), please answer the question directly in the 'Comments' field. Please provide information for 2012. Where this is not possible, please provide a justification and give data for the latest year possible.

	Bulgaria	Yes	No	Comments
1	Is there a helpline? If yes, please provide the name of the helpline and the contact details for the helpline (including the name of the body	x		The only available helpline for all people in need of help is the emergency line 112. The people who

	who runs it, contact phone number etc.) under 'Comments'.			call it are referred to medical help, police or other state run services.
2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').	x		The 112 line operates 24/7.
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	x		The 112 line operates nationwide.
4	Is the helpline free of charge?	x		The 112 line is free of charge.
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.	x		The 112 line targets all kinds of people in need of help, not only victims of crimes.
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')	x		The 112 line is state run.
7	Is the helpline funded by the state?	X		The Ministry of Interior is charged with the development and management of 112 Centres. ³³
8	Is the international EU victim support telephone number 116-006 available? ³⁴ If no, provide a justification and/or specify whether plans to implement this are underway.		x	Budgetary limitations did not allow the introduction of victim support number 116-006. The National Council for Assistance of Victims of Crime is planning discussions with NGOs in 2013 with the aim of introducing the number. ³⁵
Comments				
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.			The 112 Helpline offers referral to urgent medical care, police or fire fighting services.
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'			The information acquired revealed that in 2006 the Council of Ministers approved a budget of approx. 2 million Euro for a pilot introduction of the 112 helpline; a budget of 24 million Euro was approved for 2007. The 112 helpline started functioning on 30 September 2008. ³⁶
11	How many people were employed to run the helpline in 2012?			Number of personnel (total): 405 persons. ³⁷
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins			Only phone line.
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?			Phone calls.

³³ Bulgaria, National Emergency Calls System via the Unified European Number 112 [*Национална система за спешни повиквания с единен европейски номер 112*] (adopted on 28 November 2008), Art. 23, available in Bulgarian at: <http://www.lex.bg/bg/laws/ldoc/2135607842>.

³⁴ In 2010 the EU introduced an EU harmonised phone number (116 006) designated for use by victims of crime who need assistance in EU countries.

³⁵ Bulgaria, Ministry of Justice, Written reply No. 66-00-43, dated 27 February 2013.

³⁶ Bulgaria, Directorate of the National Emergency System 112 webpage at: http://www.112.mvr.bg/Tel_112/hronologia_izgraidane_v_bg.htm.

³⁷ Bulgaria, Rules on the Structure of the Ministry of State Policy on Disaster Management [*Устройствен правилник на Министерството на държавната политика при бедствия и аварии*] (in force on 1 July 2006), adopted by the Council of Ministers with Act No. 137 of 6 June 2006, see section Final Regulations.

14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	The 112 helpline is operated by Employees of the Ministry of Disaster Management.
15	Please specify the number of times the helpline was contacted in applic. If this information is not available, please provide a reason under 'comments'.	Available data for 2009: 3,814,404 phone calls to 112. ³⁸

³⁸ Bulgaria, Directorate of the National Emergency System 112 webpage at: http://www.112.mvr.bg/Za_nas/statistika_otcheti.htm.

2.4 Obligation of police to provide information

		Yes	No	Comments (max 2-3 sentences)
1	Are police legally obliged to provide all victims with information concerning victim support services? If yes, what is the legal basis for this obligation (e.g. name of the law)?	x		The police officers are obliged to report about the need of the victims of interpreter, teacher, psychologists, medical persons, etc. ³⁹ The police officers are obliged to provide victims of crimes and their close persons with information about the institutions, organisations and the establishments that provide legal, medical and psychological support and financial compensation and mediation. ⁴⁰
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The police officers are obliged to hear all victims of crimes and to refer them to other institutions and organisations if the problem presented by the victim is not of the competence of the Ministry of Interior. ⁴¹ The victims of crimes have the right to be informed about their rights during the criminal proceedings. ⁴² The police officers are obliged to inform the victims about the compensation and other services under the Assistance and Financial Compensation of Victims of Crimes Act. ⁴³
3	Are police legally obliged to provide all victims with information concerning their rights and role in criminal proceedings? If yes, what is the legal basis for this obligation (e.g. name of the law)?	x		The victims of crimes have the right to be informed about their rights during the criminal proceedings. ⁴⁴ The police officers are obliged to inform the victims about the compensation and other services under the Assistance and Financial Compensation of Victims of Crimes Act. ⁴⁵

³⁹ Bulgaria, Ministry of Interior, Instruction I3-507 of 26 March 2008 for admission of citizens and support of victims of crimes in the structural departments of the National Police Service (*Инструкция I3-507 от 26 март 2008 г. за прием на граждани и помощ на жертви на престъпления в структурните звена на Национална Служба „Полиция“*) (enforced on 1 January 2009), Art.12, para.2.

⁴⁰ Bulgaria, Ministry of Interior, Instruction I3-507 of 26 March 2008 for admission of citizens and support of victims of crimes in the structural departments of the National Police Service (enforced on 1 January 2009), Art.15, para.8. See also Order No. IZ-717 of 5 April 2012 [*Методически указания за действията на полицейските органи по Закона за защита от домашно насилие*], Ministry of Interior, Chief Directorate of National Police, Written reply No. Y-27735 of 13 March 2013.

⁴¹ Bulgaria, Ministry of Interior, Instruction I3-507 of 26 March 2008 for admission of citizens and support of victims of crimes in the structural departments of the National Police Service (enforced on 1 January 2009), Art.9, para.4 (enforced on 26 May 2009), available in Bulgarian at: <http://www.ciela.net/FreeStateGazette/OpenDocument.aspx?id=2135585485>.

⁴² Bulgaria, Criminal Procedure Code (*Наказателно-процесуален кодекс*) (adopted on 26 April 2006), Art. 75, para.1 (last amended on 28 May 2010), available in Bulgarian language at: <http://lex.bg/laws/ldoc/2135512224>.

⁴³ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art.6. para.6.

⁴⁴ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.1 (last amended on 28 May 2010).

⁴⁵ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art.6. para.4.

4	Are victims who do not understand or speak the language provided with free of charge interpretation in the language of their choice (e.g. during any interviews or questioning of the victim by the police)		x	If victims do not understand the official language (Bulgarian) the court, prosecutor or investigation body are obliged to appoint a translator or an interpreter for them free of charge if the criminal proceeding is already opened. ⁴⁶
5	Are victims notified about their right to receive information about:			The victims of crimes have the right to be informed about their rights during the criminal proceedings. ⁴⁷
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;	x		The victims have the right to not proceed or to end an investigation or to not prosecute the offender (when the offence is not prosecuted <i>ex officio</i>). ⁴⁸ The victims have the right to be informed about all developments of the criminal proceedings. ⁴⁹
	(b) the time and place of the trial, and the nature of the charges.	x		The victims are notified about the time and the place of the trial and the nature of charges if the victims have expressed will to participate in the pre-trial proceedings and notified about his/her address the investigating authority. ⁵⁰ The rights of the victims originate from the explicitly expressed will of the victims to participate in the pre-trial proceedings and if they provided their address to the investigating authority. ⁵¹
	(c) any final judgment in a trial	x		This right is not explicitly provided for in the legislation but can be presumed as the victims are entitled to participate fully in the trial. ⁵²

2.5 Training of practitioners on dealing with victims of crime

Please complete the information in the following table, selecting either 'yes' or 'no' and providing a short explanation in the comments field. Where 'Yes' or 'No' answers are not applicable, 'NA' has been inserted. In these instances, please answer the question directly in the 'comments' field.

With respect with how to deal with victims of crime, Is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):				
		Yes	No	Comments (max 2-3 sentences)

⁴⁶ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art. 21 para. 2 of CPC (last amended on 29 April 2006).

⁴⁷ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.1 (last amended on 28 May 2010).

⁴⁸ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.1 (last amended on 28 May 2010).

⁴⁹ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.1 (last amended on 28 May 2010).

⁵⁰ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.2 (last amended on 28 May 2010).

⁵¹ Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.3 (last amended on 28 May 2010).

⁵² Bulgaria, Criminal Procedure Code (adopted on 29 April 2006), Art.75, para.1 (last amended on 28 May 2010).

1	Police		x	The police officers who hear and support victims of crimes have to attend courses for raising their professional qualification at the Ministry of Interior Academy. ⁵³ The Ministry of Interior also replied upon a request that the Ministry of Justice would financially support 10 NGOs that would provide trainings for work with domestic violence victims. ⁵⁴
2	Prosecutors		x	Upon a special request the Ministry of Justice reported that a distance course about application of measures for protection against domestic violence was carried out by the Institute for Training of Magistrates, MJ, MLSP and NGOs. ⁵⁵ One prosecutor and one NGO representative took part in it. The Ministry of Justice also added that policemen, magistrates and lawyers were trained in 2008-2009 how to work with victims of crimes and these trainings would continue in 2013.
3	Judges		x	Upon a special request the Ministry of Justice reported that a distance course about application of measures for protection against domestic violence was carried out by the Institute for Training of Magistrates, MJ, MLSP and NGOs. ⁵⁶ Eighteen judges took part in it. One NGO representative took part in it. The Ministry of Justice also added that policemen, magistrates and lawyers were trained in 2008-2009 how to work with victims of crimes and these trainings would continue in 2013.
4	Court staff		x	No information was available regarding training of court staff.
5	Are Victim Support Organisations involved in this training? If yes, how are they involved? (e.g. they provide input through lectures; they fund the training; they organise and run the training themselves etc.)	X		10 NGOs that received funding from the Ministry of Justice for 2012-2013 will be carrying out training for police officers on dealing with victims of domestic violence. ⁵⁷ The Social Assistance Agency also replied that NGOs participate in the trainings of social workers. These NGOs are: Nadya

⁵³ Bulgaria, Ministry of Interior, Instruction I3-507 of 26 March 2008 for admission of citizens and support of victims of crimes in the structural departments of the National Police Service (enforced on 1 January 2009), Art.7, para.3.

⁵⁴ Bulgaria, Ministry of Interior, Written reply U 27735, dated 13 March 2013, National Police Department. It states that these NGOs are: Association Centre for NGOs in Razgrad; Association Centre Dinamika, Russe; Association Demetra, Burgas; Foundation PULSE, Pernik; Association Open Door, Pleven; Association Naya, Turgovishte; Association Fund for Crime Prevention, Pazardzhik; Association 'Knowledge, success and change', Dupnica; Association 'Ekaterina Karavelova', Silistra and Social Activities and Practicies Institute, Sofia.

⁵⁵ Bulgaria, Ministry of Justice, Written reply 66-00-43, dated 27.02.2013.

⁵⁶ Bulgaria, Ministry of Justice, Written reply 66-00-43, dated 27.02.2013

⁵⁷ Bulgaria, Ministry of Interior, Written reply No. U-27735 of 13 March 2013.

				Foundation, ANIMUS Association, SOS-families and children at risk (Varna), Bulgarian Centre for Gender Research and Social Activities and Practices Institute. ⁵⁸
6	Is systematic training of victim support staff carried out on how to deal with victims of crime? If yes, please indicate the nature of the training,		X	No concrete information was available on request.
7	Please briefly list any other category of officials coming into contact with victims that receive systematic training on how to deal with victims of crime (e.g. lawyers, restorative justice services etc.)	X		The Social Assistance Agency replied upon a request that social workers who work at Social Assistance Departments are trained annually in different skills and topics, including working with victims of domestic violence and trafficking. In 2011 and 2012 118 social workers took part in such trainings. ⁵⁹

2.6 Rights of victims in criminal proceedings

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary.

2.6.1 Definition of victim

Please provide a definition of the term victim in your country:

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term 'victim' (as provided for in national legislation)?	Victim is a person who suffered pecuniary or non-pecuniary damages of a crime. ⁶⁰
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	No
3	Are parents, children, other family members, same sex partner & first responders included under the main definition of the term victim? If not, are they included as 'indirect' victims or similar?	If the victim died the rights of the victim are exercised by his/her inheritors. ⁶¹

2.6.2. Decision not to prosecute

With regard to victims' rights to review a decision not to prosecute, please answer the following:

	Yes	No	Comments (Max word count 80 words)
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⁵⁸ Bulgaria, Ministry of Labour and Social Policy, Written reply 041334, dated 28 February 2013.

⁵⁹ Bulgaria, Ministry of Labour and Social Policy, Written reply 041334, dated 28 February 2013.

⁶⁰ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art.74, para.1.

⁶¹ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art.74, para.2.

If the prosecutor decides to discontinue a case, does the victim have the right to file for a review of the decision not to prosecute?	X		The victim has the right to file an appeal before the corresponding first instance court against the prosecutor's decision not to prosecute. ⁶²
Who undertakes this review?			The court. If the court upholds the decision of the Public Prosecutor, the victim can appeal before the higher court whose decision is final. ⁶³
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?	X		Yes, but only when the case had reached the court phase and the prosecutor had withdrawn subsequently. In addition, the victim must have requested to act as subsidiary prosecutor alongside the public prosecutor, and the request must have been made not later than the first court hearing. ⁶⁴
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	Victims can contact for information the prosecutor or investigating police officer who are appointed on the case. There is no hotline for this.

2.6.3. Right to be heard

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Some examples have been provided.

EXAMPLE: Germany	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	X		Victims can participate in criminal proceedings in the capacity of victims ⁶⁵ and witnesses. ⁶⁶
Do victims have a right to supply evidence during criminal proceedings?	X		Victims can participate in criminal proceedings as witnesses. ⁶⁷
Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):	X		There are no effective rules allowing for a protected manner of hearing testimonies, even by vulnerable victims. In practice, however, through negotiation with the court and the prosecutor, a lawyer defending a young victim of sexual crime succeeded in hearing the testimony of the victim in the absence of the defendant who was placed in a separate room. However, this is an exception rather than a rule. ⁶⁸ Young witnesses can give their testimony <i>in camera</i> , ⁶⁹ which excludes the public from the hearing but not the defendant.

⁶² Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 243, para.1.

⁶³ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 243, para. 5-7.

⁶⁴ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 77-78.

⁶⁵ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 75, para.1.

⁶⁶ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 118, para.1, item 2.

⁶⁷ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 118, para.1, item 2.

⁶⁸ Informal conversation with an in-house lawyer with the Bulgarian Helsinki Committee.

⁶⁹ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 263, para. 3.

2.6.4 Rights of victims at trial

The International Criminal Court (ICC) has created a special unit for victims and witness to provide support before, during and after the trial. Services are delivered by professionals who are often salaried employees of the court, and includes persons with expertise in trauma, including trauma from sexual violence. When providing testimony victims may also have support from family members, psychologists or legal representatives. These specialists are also able to advise prosecutors on appropriate security arrangements for victims and the court must take measures to protect the safety, physical and psychological well-being, dignity and privacy of victims. The statute allows for identities not to be made public, testimony to be provided by electronic means and the hearing to be confidential. The statute also calls for the court to establish principles relating to “reparations to victims, including restitution, compensation and rehabilitation” and to establish a trust fund which “works for victims by mobilizing people, funding opportunities for the benefit of victims and implementing court-ordered reparations awards.”

With the example of the ICC special victims’ unit in mind, please answer the following questions, choosing ‘yes’ or ‘no’ and providing a short description. If the answer is no, please provide a justification. Where ‘Yes’ or ‘No’ answers are not applicable (i.e. questions 2-4), ‘NA’ has been inserted. In these cases, please answer the question directly in the ‘Description/justification’ field.

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?		X	No information was available regarding the presence of any system accommodating victims.
2	Is there a separate waiting area for victims at court?		x	The Ministry of Justice replied that such areas are not planned either. ⁷⁰
3	Is special seating reserved for victims at trial?		X	There is no special seating area for victims.
4	What other services are available?		X	There are no special services provided for the protection of victims.
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	N/A	N/A	N/A
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?	N/A	N/A	N/A
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		N/A	N/A
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a statute) establishing the court?		X	No.
9	Do victims have the right to be accompanied by support persons during the trial?	X		There is no rule preventing the victims from appearing in court with a person who provides support.
10	Can victims access & copy trial records	X		Victims have access to the case materials and receive copies.

⁷⁰ Bulgaria, Ministry of Justice, Written reply 66-00-43, dated 27.02.2013.

2.6.5 Legal aid for victims:

Experts consider provision of legal advice the area where there is most room for improvement in the area of victim support activities, with significant advances needed to ensure free and easily accessible legal advice for all victims. With this in mind, please answer questions 1 -5 in the table below selecting only **one option** (a, b, c or d) for each question and providing a description under 'comments'. **Please specify what criteria, if any, entitle a victim to avail of certain categories of legal aid. There may be several criteria (as in the example below – please be as detailed as possible. If none of the descriptions match the situation in your country, please choose 'd' and provide a short explanation of the situation.**

Categories of legal aid		A: Available to all victims of crime as a fundamental right of victims	B: Available to certain categories of victims; e.g. only victims of serious crime, only victims who are nationals of that country etc. (please specify which victims are entitled to such advice):	C: Subject to other criteria; e.g. an economic 'means test' (please specify):	D: Other (please specify)
1. Free legal advice			X	X	
	Comments:		Victims of certain crimes can qualify under the Assistance and Financial Compensation of Victims of Crime (Art. 10) ⁷¹ and the Legal Aid Act ⁷² to receive free legal advice, free legal representation or psychological assistance subject to their economic situation.	Victims of certain crimes can qualify under the Assistance and Financial Compensation of Victims of Crime to receive free legal advice, free legal representation or psychological assistance subject to their economic situation.	
2. Free legal representation					X
	Comments:		Victims of certain crimes can qualify under the Assistance and Financial Compensation of Victims of Crime to receive free legal advice, free legal representation or psychological assistance subject to their economic situation.	Victims of certain crimes can qualify under the Assistance and Financial Compensation of Victims of Crime to receive free legal advice, free legal representation or psychological assistance subject to their economic situation.	If there is a conflict of interests between a child-victim and his/her parent(s) or guardian(s) the prosecutor (at the pre-trial

⁷¹ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act [AFCVCA] (*Закон за подпомагане и финансова компенсация на пострадали от престъпления*) (01.01.2007), Art. 10, available in Bulgarian at: <http://lex.bg/laws/ldoc/2135540550>.

⁷² Bulgaria, Legal Aid Act [*Закон за правната помощ*] (in force from 1 January 2006), available in Bulgarian language at: <http://www.lex.bg/bg/laws/ldoc/2135511185>.

					stage) or the judge (at trial) must appoint a special representative (a lawyer to the child) for the proceedings free of charge. ⁷³
3. Exemption from court fees				Free legal aid is provided under the Legal Aid Act. ⁷⁴ Victims who have become civil claimants and/or private accusers in the criminal proceedings have the right to have legal counsel. ⁷⁵ If the victim does not have enough money to pay for a lawyer, but he/she wants to have legal representation the court has an obligation to appoint him/her a counsel. ⁷⁶	X
	Comments:				Criminal proceedings in cases prosecuted by the prosecution

⁷³ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 101.

⁷⁴ Bulgaria, Legal Aid Act (*Закон за правната помощ*) (01.01.2006).

⁷⁵ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006) Art. 100, para. 1.

⁷⁶ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006) Art. 100 para. 2.

					service <i>ex officio</i> are free in Bulgaria and no court fees are collected. ⁷⁷ In cases prosecuted by a subsidiary prosecutor (the victim) there is a court fee and the victim is not exempt. ⁷⁸
4. Exemption from or reimbursement for expenses related to interpretation and/or translation					X
	Comments:				Not available.
5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings					X
	Comments:				Not available.
		The state	A victim support service	Both	Other (explain)
2. Who provides legal aid?					Free legal aid is provided by lawyers that are subordinated to the National Legal Aid Bureau and is funded by the state. Victims who have

⁷⁷ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 187, para. 1 (adopted on 23 December 2008).

⁷⁸ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 187, para. 2 (adopted on 23 December 2008).

place 'X' in one column only)				<p>become civil claimants and/or private accusers in the criminal proceedings have the right to have legal counsel.⁷⁹ If the victim does not have enough money to pay for a lawyer, but he/she wants to have legal representation the court has an obligation to appoint him/her a counsel.⁸⁰ The victims of domestic violence and trafficking receive legal aid at the victim support services.</p>
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79 Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 100, para. 1.

80 Bulgaria, Criminal Procedure Code (adopted on 26 April 2006) Art. 100 para. 2.

2.7 Compensation

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer: e.g. for question 2.7 (2), please select 'Yes' or 'No' and under comments, specify what measures victims can ask for during criminal proceedings. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary; i.e. by moving your country from the 'Yes' column to the 'No' column and vice versa.

	Victims' rights with regard to compensation	Yes	No	Comments and sources (max 2-3 sentences)
1	Do victims have the right to ask for compensation during criminal proceedings?		X	Financial compensation can be provided for victims of crime only after an act of the court comes into force or the act of the prosecution service for the termination of proceedings comes into force and the rules for this are very restrictive and are not relevant for most of the crimes. ⁸¹
2	Aside from compensation, do victims have the right to ask for other measures during criminal proceedings (e.g. return of property, reimbursement of expenses, measures for physical protection)?		X	The victim can receive protection in cases of domestic violence under the Protection from Domestic Violence Act, in separate civil proceedings. ⁸²
3	Is compensation paid by the offender?		X	The compensation is paid by the state. If the victim had joined the criminal proceedings as a civil claimant, then if the court awards compensation, then the defendant is liable to pay it. Alternatively, the victim can claim compensation in a separate law suit. ⁸³
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		X	No provisions of this kind exist in Bulgaria.
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?			N/A
6	Is compensation paid by the state?	X		Under the Assistance and Financial Compensation of Victims of Crime. ⁸⁴
7	Will the State advance payment of the compensation if the offender does not pay? Under			This option does not apply as such a fund does not exist.

⁸¹ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 12, available in Bulgarian at: <http://lex.bg/laws/ldoc/2135540550>.

⁸² Bulgaria, Protection against Domestic Violence Act [Закон за защита от домашното насилие] (adopted on 29 March 2005), Art. 5, available at: <http://www.lex.bg/bg/laws/ldoc/2135501151>.

⁸³ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 84.

⁸⁴ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), available in Bulgarian at: <http://lex.bg/laws/ldoc/2135540550>.

	which conditions?			
8	Does a compensation order exist?		X	Compensation is provided by the state if a victim qualifies for the support.
9	Do prosecutors have the power to mediate between the offender and the victim?		X	Such option does not exist in the Bulgarian criminal system.
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?		X	Prosecutors do not have any authority in obtaining compensation on behalf of the victim. No provisions exist for this type of service.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?			This fact would not make a difference in the decision to prosecute or not.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?			According to the experts the payment of compensation <i>may</i> be taken into account by the courts when deciding on the gravity of punishment. ⁸⁵ However, this falls under the judicial discretion.
13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	X		Claims for compensation made under the Assistance and Financial Compensation of Victims of Crime Act must be filed within 2 months of the date of coming into force of the court/ prosecutor's act finalising the proceedings. ⁸⁶
14	Do third country nationals have the right to apply for compensation?	X		Citizens of the EU receive financial compensation on equal basis with Bulgarian nationals. Other foreign nationals may receive compensation on the basis of existing international agreement. ⁸⁷
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?		X	Deduced from Art. 27, para. 1 of the Assistance and Financial Compensation of Victims of Crime Act, persons illegally present on the territory of Bulgaria may not receive the support.
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?	X		The crimes that qualify for support and compensation are expressly listed in the Assistance and Financial Compensation of Victims of Crime Act, Art. 3, para. 3: terrorism, murder with intent, grave bodily injury caused with intent, sexual violence resulting in grave damage of health, trafficking in human beings, criminal offences committed in the context of organized crime, other serious

⁸⁵ Bulgaria, Criminal Procedure Code (26.04.2006), Art. 381, para 4.

⁸⁶ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 18, para. 3.

⁸⁷ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 1.

				criminal offences committed with intent, which result in death or serious bodily injury. ⁸⁸
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2.8 Cross border support

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-12), please place your answer directly in the 'Description' field.

	Victims' rights with regard to cross border support	Yes	No	Description (max 2-3 sentences per question)
1	Is there a formal system of cross-border referral of victims (to a victim support organisation in the state in which the victim lives) when the victim who has approached the VSO or competent authority is resident in another state?		X	No information available on this type of service.
2	Can victims of crime report crimes in their own country if the crime was committed in another state?	X		The Bulgarian Criminal Code applies in cases where a crime was committed in another state and affected the rights of a Bulgarian citizen. ⁸⁹
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	X		Subject to an economic test. And with the exception of illegal migrants.
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.		X	There are no specialised rules accommodating victims of crime from other countries.
5	Is information made available to victims in different languages by the police? If yes, which languages?		X	Translation is provided for the testimony made by the victim to the police during pre-trial investigation and in court proceedings.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		The National Council for Assistance and Financial Compensation for Victims of Crime issues a brochure explaining the process of applying for support in Bulgarian, English, German and French. ⁹⁰
7	Do victim support services offer interpretation or translation services? If yes, in which languages?		X	Not routinely. Ad hoc.
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)		x	Information was not made available during the research.
		Description (max 2-3 sentences per question)		

⁸⁸ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 3, para. 3, available in Bulgarian at: <http://lex.bg/laws/ldoc/2135540550>.

⁸⁹ Bulgaria, Criminal Code [*Наказателен кодекс*] (in force from the 1 May 1968), Art. 5, available in Bulgarian at: <http://www.lex.bg/bg/laws/ldoc/1589654529>.

⁹⁰ Bulgaria, Assistance and Financial Compensation of Victims of Crimes Act (01.01.2007), Art. 7, para. 1, item 1. For the brochure in English, for example, see: http://www.compensation.bg/Documents/minp_mv_en.pdf.

9	What is the mechanism for victims to apply for compensation once they are back in their own country?	The general route applies to all applications for support.
10	What is the number of victims accessing victim support services who are non-nationals of the state?	Information was not made available during research.
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	No online method of accessing such services exists at present.
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?	No special regulations protecting the privacy of victims in cross border cases are available.

2.9. The role of volunteerism in victim support

From the research carried out in phases 1 & 2, one of the most striking features of the more robust generic victim support systems in Europe is the crucial role played by volunteers.

- a. With this in mind, please provide an overview (max 500 words) of the tradition of volunteerism in the area of the victim of support in your country; i.e. outlining whether such a culture exists, what is the historical background for why it does or does not exist; how is the situation changing and focusing on any discernible trends; explaining also the typical profile of volunteers who work in the field - e.g. well educated? Professional background - working in a particular field (e.g. legal, social work); typical tasks? (E.g. provision of legal/psychological advice? Or restricted to informing victims of rights etc.). How many hours a week do volunteers typically give of their time? Are numbers of volunteers increasing or decreasing?**

In Bulgaria the role of volunteers in providing victim support is generally based on their belonging to an organization that provides such services to victims of crime. Usually, the volunteers are students of law, journalism, languages, politics or psychology who spend a limited amount of time with a particular organization and move on. Most of the consistent work done in respect of victim support is performed by the employees of an organization. The culture of volunteering is still not very widely spread in Bulgaria and not many organizations are prepared to take on volunteers and provide them with real experience.

However, this trend is picking up at present, to include international students, scholars, and practitioners. It must be noted that most of the volunteers are young persons in their early 20s, for whom volunteering work is integrated in their study or career development plans. Volunteering by adults (who may be changing profession or combining their volunteering work with their regular jobs) is very rare.

The reasons for the lack of popularity in volunteering are economic and societal: the inability to afford time not earning a living for volunteering work; working without being paid is still not considered a plus when applying for a job in the country (as not earning money may be considered by potential employers as not working hard enough); the lack of promotion and information on initiatives (such as victim support) leads to a low value attributed to these initiatives by the population; prejudice to certain human rights issues; the fact that some organizations who take on volunteers appear not to devote sufficient attention to the volunteers.

b. If there is no tradition of volunteerism in the area of the victim of support in your country, please outline (in max 500 words) any recent initiatives or attempts in the area of victim support to encourage a greater culture of volunteerism.

N/A

2.10. The tradition of social work

In max 400 words, please provide an overview of whether there is a tradition of social work in your country, and if so, in what way (if any) is it linked to the victim support services structure in your country. In your answer, please include the level of education of a typical social worker (e.g. is university or third level education necessary?).

The concept of social work was made popular during the Socialist period in Bulgaria (1940s-1989) and in this way there is a long tradition of different types of social work. In its modern sense, pertaining to liberal democracies, social work has been developing progressively in the last 30 years, with most of the target areas still covered by state authorities or state-funded bodies.

Social workers typically hold a degree in psychology or another university degree.

Victim support is a new field in Bulgaria at present and it is just beginning to gain speed. The most effective victim support is provided by NGOs. The organizations that work in victim support typically specialise in a particular area such as women's rights or the rights of the child and their activities are not usually limited to victim support. Having enough practical and theoretical knowledge, these organisations are the most capable providers of victim support services. Generic victim support organizations practically do not exist at present. The most effective work in victim support is done by organisations who deal with domestic violence or human trafficking issues. Organisations whose work is limited only to victim support are still very rare.

The support of victims on state level is represented by the National Council for Assistance and Financial Compensation of Victims of Crime which set very narrow eligibility requirements that are difficult to comply with both in terms of fitting into the right profile for receiving support and in terms of paperwork and administration of the application. Apart from the state, a number of NGOs provide different types of victim support and training for personnel working with victims of crime and they receive funding from the state as well as privately.

At present the victim support network is still very limited and reliant on formal forms of (state) funding which makes it less flexible and independent.

2.11. Promising practices in the area of victim support

From the following list of promising practices (detailed explanations found under Annex 1), please identify whether there is a similar practice in your country (yes or no) and provide a brief explanation/description. If you have identified other promising practices not similar to the ones presented here, please provide details under '16' – 'Other promising practices'.

	Promising practice	Does a similar practice exist in your country?		Short description of the practice in your country, outlining similarities; differences etc. If there is no such practice, please provide a justification for this (e.g. this is not an issue; it is dealt with in other ways; it is a gap that still needs to be addressed)
		Yes	No	
1	Initiative to provide cross-border victims of crime with basic information: In May 2009, the Inter-Regional Crime Prevention working group of the <i>Grande Région</i> (LU, FR, DE, BE) published a basic information guide for victims,		X	Because of the novelty of victim support concept, cross-border services for victims of crime have not been established.

	detailing what to do in the event one is a victim of a crime or an accident.			
2	Assistance to tourist victims of crime: e.g. In Ireland , the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.		X	No specialised services aimed at tourist victims of crime exist at present.
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU Member States generate money for generic victim support services through a 'Victims of Crime fund' or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, NL, PL & SE).		X	No victim of crime fund exists in Bulgaria. Fines collected as criminal penalties are not dedicated to support victims of crime at present.
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of victims' rights and helping to prevent secondary victimisation.		X	Victims of crime may be accompanied by anyone of their choice. However, it is up to them to find a person for support. The presence of a pedagogue or a psychologist is obligatory during criminal proceedings when a child under 14 years of age takes part in them, and if necessary that of a parent. ⁹¹ If the child is above 14 years of age, the presence of a pedagogue or a psychologist is at the discretion of the judge. ⁹²
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.		X	Psychological and legal assistance is available to victims of crime under the Assistance and Financial Compensation of Victims of Crime Act but it is subject to a "need-based test" and the procedure for applying is inflexible and therefore might not be available in time for the proceedings. There is no regulation that aims to coincide such support with the criminal proceedings.
7	Some countries have legal clinics that provide free legal assistance to victims of crime.		X	No specialised free legal clinic exists to assist victims of crime. Most well-known (but not directly relevant) is the clinic for asylum seekers and refugees affiliated with the University of Sofia.
8	Some countries are exploring new and innovative ways of disseminating information to victims of crime in the form of web-based material, using social media and e-support etc. e.g. In SE, the Crime Victim Compensation		X	No such initiatives are in place at present.

91 Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 140, para. 1.

92 Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 140, para. 2.

	and Support Authority initiated web-based information site called the Trial School which uses narrators' voices, texts, photographs, films and 3D animations to explain what happens at a court trial. Victim Support Finland (RIKU) operates a mobile phone service providing advice to crime victims through automatic text messages, while in NL; the Victim Support fund has a website and a smart phone app to guide victims to support organisations.			
9	Some countries have created a 'Victim's Charter' which, not a legally binding document in itself, rather aims to describe the criminal justice system to a victim of crime, setting out victims' rights and providing clear information in relation to various aspects of criminal proceedings, state agencies, victim support organisations etc. (e.g. what happens when a crime is reported; what to expect during the investigation process, which agencies are involved in providing support etc.).	X		The website of the Prosecutor in Chief has a Q & A page which explains in plain terms the ways to file a complaint if one is a victim of a crime, how the proceedings develop, whether one needs a lawyer, etc. It is not a Victims' Charter per se but it is a move in the right direction. It is quite helpful as an initial search tool. ⁹³
10	In SE referral from the police works effectively since several local BOJ victim support services operate on the same premises as the local police station which also is seen as a way to quickly identify victims. All police districts, in over 100 districts around Sweden, have a Crime Victim Emergency Service. People who have training in and experience of the issues faced by victims of crime are available at these offices.		X	No omnipresent or well-developed and effectively functioning victim support service system is in place at present in Bulgaria.
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	X		The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.
12	As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.		X	No such practice was identified in Bulgaria.
13	Police forces in England and Wales have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998): Sample Extract from the policy: 1. Rationale 1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for		X	While NGOs working in the field of domestic violence are aware of repeat victimisation, no formal recognition of these issues by the authorities in practice has been made at this time.

⁹³ See the Q & A web page on the website of the Chief Prosecutor (available only in Bulgarian) at: <http://www.prb.bg/main/bg/pages/Vuprosi>.

	<p>subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime.</p> <p>1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified immediately and subject to a targeted crime reduction initiative.</p> <p>1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...].⁹⁴</p>			
14	<p>Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures undertaken by judges or prosecutors (or jury?) in respect of victims' rights? (e.g. jurors in FR swear an oath pledge not to betray the interests of the victim).</p>	X		Vulnerable persons (witness protection, matters of public morals, issues of privacy), primarily children, can testify <i>in camera</i> ; ⁹⁵ no other practical and effective measures of protection of victims of crime are being applied at present in Bulgaria.
15	<p>In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)</p>		X	No such programmes are available at present in Bulgaria.
16	<p>Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.</p>	NA	NA	

2.12 Role of the victim in practice

When it comes to perceiving or conceptualising victims of crime, certain ideal types or models can be distinguished. Based on your research and responses so far, please choose one from the following 4 descriptions of the role of the victim in the criminal justice system of your country (if possible indicating the most common view of legal practitioners (judges, prosecutors, lawyers) in your country. (If you believe that there are different perceptions of victims depending on various types of criminal offences, please consider cases of violent crimes.):

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)
1	The victim is seen essentially as a witness.		
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal	X	The victim is treated as a witness ⁹⁶ since more weight is placed on the

⁹⁴ <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

⁹⁵ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 263, para. 3.

⁹⁶ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 118, para.1, item 2.

	offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.			presumption of innocence. The victim's right is to join criminal proceedings as a civil claimant for damages. ⁹⁷ The victim, in theory, can do this in any case if he/she claims damages.
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.			
4	In addition to 1, 2 & 3, the victim is perceived as a person whose rights have been violated by the criminal offence and who therefore is entitled to see that justice is done and, to that end, to participate in criminal proceedings.			The victim can request to act as private prosecutor alongside the public prosecutor and to continue to prosecute if the public prosecutor withdraws from the proceedings - the request must have been made not later than the first court hearing. ⁹⁸
In the new EU Victims' Directive, the Commission refers to the varying roles of victims in criminal proceedings in each Member State as being determined by one of the following criteria. ⁹⁹ With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.				
	Description of victims' role in EU Directive	Yes	No	Explanation (maximum word count 200)
1	The national system provides for a legal status as a party to criminal proceedings;	X		The victim has a legal status as victim under Bulgarian criminal law, and is expected to participate as a witness.
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness		x	A victim who is also a witness under Bulgarian Criminal Procedure Code can be fined if he/she refuses to testify without legitimate reasons. ¹⁰⁰
3	The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.		X	

⁹⁷ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 84.

⁹⁸ Bulgaria, Criminal Procedure Code, (adopted on 26 April 2006), Art. 77-78.

⁹⁹ See Recital 20 Of the Victims' Directive, p 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).

¹⁰⁰ Bulgaria, Criminal Procedure Code (adopted on 26 April 2006), Art. 120, para 4 (last amended on 28 May 2010).

IMPORTANT:

In accordance with question 2.2.1b, if you have identified your country as belonging to category 'A'; please respond only to questions 3.3 and 3.4 of part B.

In accordance with question 2.2.1b, if you have identified your country as belonging to any category other than 'A'; please respond only to questions 3.1 – 3.3 of part B.

2 Part B:

3.1 Establishment of generic victim support organisations^{*101}

3.1.1 Please outline who (i.e. state or non-state actor) took the initiative for first setting up victim support services.

Max 250 words

3.1.2 Where did the money come from to support this first attempt?

Max 150 words

¹⁰¹ Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

3.1.3 What were the circumstances leading to the establishment of the victim support service(s)?

Max 200 words

3.1.4 Quality standards

	Yes	No	Description (max 3-5 sentences)
Do formally adopted key performance indicators exist in relation to the quality of services provided by generic victim support services? If yes, please describe them.		X	Such indicators do not exist at present in Bulgaria.

3.2 Personnel (professional staff and volunteers)*:

Taking the below as an example, please provide information with regard to professional staff and volunteers working in the area of generic victim support in 2012 (if more than one organisation dealing with generic victim support please produce a separate table for each organisation).

Country	Name of organisation	Professional staff		Volunteers		
		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work
Bulgaria						

3.3 Services provided by the state:

From the below list, please answer 'yes' or 'no' if the following general services are provided directly by the state free of charge to victims and provide a short description – **to be answered by all.**

Services provided to victims by the state (free of charge)	Yes	No	Description
a Free legal advice by courts or free legal assistance		X	Free legal advice is not provided by courts. Free legal assistance is provided if a victim qualifies for this service based on a "economic needs test."
b Free health/psychological assistance (e.g. crisis intervention centres)	X		Free health/ psychological assistance is provided if a victim qualifies for this service based on a "economic needs test."
c Emergency financial assistance		X	Not provided.
d Court accompaniment/support services			Not provided.
e Other (specify)			N/A

3.4 (Failed) Attempts to establish national generic victim support service provider**102

Please describe whether there has ever been any attempt to establish a generic victim support service organisation in your country, specifying the year in which it was established and who attempted it (i.e. state or non-state actor). Why did it not succeed? If you cannot identify such an attempt, please explain the absence of the establishment of such an organisation (historical reasons etc.) and identify whether there is any discussion at government level/media etc. concerning the need to establish/improve services for victims.

Max 250 words

(NOT RELEVANT TO BULGARIA)

E.g. For example, in Latvia, the absence of victim support services during the soviet period may explain the slow realisation about the needs and rights of victims of crime. Moreover, since the restoration of independence in 1991 Latvia has neither had a strong women's movement nor victim support movement which may also explain lack of state funded support services for victims of domestic violence and other groups of adults, victims of violence.

¹⁰² **This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

Annex 1 – Country codes

Code	Name of country
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

Annex 2 –list of generic victim support organisations by country

In accordance with question 2.2.1a, please review the list and short description of structure of generic victim support organisations operational in your country and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned.

Countries shaded in green have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should please provide a short list of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area 'Domestic violence and stalking'.

	Name/short description of organisation(s)
AT	In every of Austria's nine provinces (<i>Bundesländer</i>), branches of national organisations and local victim support organisations are operative. Weisser Ring (NGO) is currently the largest general victim support organisation operating in Austria. Today, the White Ring operates out of a federal office in Vienna and nine branches in all Austrian provinces, as well as 14 representation offices at regional level.
BE	Bureaux d'assistance aux victimes; Victim's reception service in each of the 27 judicial districts and at the community level, assistance to victims is organized through Centres for Victims of Crime;
BG	
CY	The Social Welfare Services which is the only umbrella service providing support to various victim "groups", the rest of the initiatives are targeted on specific victim "groups" and are under the non-governmental sector. However, the services provided by the SWS are targeted mainly towards victims of domestic violence and victims of trafficking.
CZ	The Probation and Mediation Service ("PMS"); the White Circle of Justice
DE	The largest volunteer victim support service (operating nationwide) is the Weisser Ring e.V. In Berlin, Hamburg, Lower Saxony, Saxony, Mecklenburg-Western Pomerania and Hesse independent victim support charities (Opferhilfe e.V) run local offices. A nationwide coverage of professional victim support services does not exist, although a number of the professional support services are organised under the auspices of the umbrella organisation Working Group of Victim Support in Germany 'ado'. In many states (Bavaria, Baden-Württemberg, Bremen, Saarland, Rhineland-Palatinate, Saxony-Anhalt, Schleswig-Holstein and Thuringia) generic professional victim support services as described above do not maintain offices. Here volunteer support services fill this gap.
DK	The Victim Support in Denmark (VID) (Offerrådgivningen, OID). The general victim support service in Denmark consists of 33 different general local entities with VID as their umbrella organisation.
EE	The citizen-initiated Union of Support to Victims of Crime "Victim Support" (Kuriteoohvrite Toetamise Uhing "Ohvriabi"), founded in 1994. It is still the only organisation that provides support to victims of crime in general, without specialisation to any type of victim group.
EL	
ES	The management of the Offices for Support to Victims of Crimes (Oficinas de Asistencia a las Víctimas de Delitos, OAV) is the responsibility of regional governments having the Spanish government used the ability to "set up management agreements entrusted with the Autonomous Communities and local Corporations". In Spain, these are the only victim support services that can be considered to have a generic character because of dealing with many sorts of victims particularly since this very year.

FI	In 1994, Victim Support Finland (Rikosuhripäivystys / Brottsofferjouren) began its activities. It was the first organisation to offer victim support services and still is the only organisation providing services to victims of various different types of crimes, as most other third sector actors specialise in providing assistance to certain specific victim groups.
FR	The National Institute for Victims and Mediation (L'Institut national d'aide aux victimes et de médiation, INAVEM) was established in 1986 to promote greater coherence and activity for victim support services. Since June 2004, the INAVEM has had the status of federation, representing member associations (www.inavem.org.). Services for victims (services d'aide aux victimes, SAV) are members of the INAVEM. 150 associations are adherents to the INAVEM and provide psychological, logistic, financial and legal support to victims .
HR	County Court level: There are special departments for victim and witness support (Odjeli za organiziranje i pružanje podrške svjedocima i žrtvama), established at the following seven county courts as part of the court administration: Zagreb, Split, Rijeka, Osijek, Zadar, Vukovar, Sisak. Special departments provide victim and witness support in trials for all criminal offences.
HU	Metropolitan and county offices of the Victim Support Service. There are also a few NGOs that operate in the field of victim support. The White Ring Association is specialised in assisting victims of any crime and it provides similar services as the state agency, however the scope of its activities is rather limited due to financial burdens
IE	Various non-governmental victim support organisations – e.g. the Federation for Victim Assistance (10 branches); Support After Crime Services; ITAS.
IT	
LT	
LU	In Luxembourg there are few generic victim support organisations, as typically, each organisation is tasked with clear missions and has clear responsibilities. They are two; Waisse rank Service d'aide aux victimes du parquet general. Other organisations offer assistance to victims of a particular type of violence.
LV	
MT	Victim Support Malta (VSM).
NL	Victim Support Netherlands (VSN) (<i>Slachtofferhulp Nederland</i> , SHN).
PL	Support Network for Victims of Crimes (consisting of 16 regional support centres); social welfare centres (<i>ośrodki pomocy społecznej</i>), crisis intervention centres (<i>ośrodki interwencji kryzysowej</i>) or the support centres (<i>ośrodki wsparcia</i>), which offer support for people in various crisis situations.
PT	Portuguese Association for Victim Support (<i>Associação Portuguesa de Apoio à Vítima</i> , APAV) - 15 victim support offices located throughout the country.
RO	
SE	The Swedish Association for Victim Support (<i>Brottsofferjouernas Riksförbund</i> , BOJ) is the national umbrella organisation for victim support services with about 100 local victim service centres in Sweden.
SI	
SK	Non-governmental organizations are virtually the only active players in the field of victim support services. <i>Pomoc obetiam násilia</i> is the leading victim support service provider.
UK	Victim Support (England and Wales) Victim Support (Scotland) Victim Support (Northern Ireland)

Annex 3 –list of specialised areas of victim support chosen in phase 2 (for countries with no generic victim support organisations)

BG	Domestic violence and stalking and trafficking in human beings.
EL	Domestic violence and stalking and trafficking in human beings.
IT	Trafficking in human beings and sexual abuse of children
LT	Domestic violence and stalking and trafficking in human beings.
LV	Sexual abuse of children and stalking and trafficking in human beings.
RO	Sexual abuse of children and stalking and trafficking in human beings.
SI	Domestic violence and stalking and trafficking in human beings.

Victim support organisations in Bulgaria

ANIMUS Association Foundation was the first NGO to provide services to victims of domestic violence and trafficking in human beings in practice.¹⁰³ They were consultation and crisis intervention services for victims of domestic violence.

Nadja Centre Foundation was set up in 1995 along with the new program started by the Bulgaria Women's Union for helping women who have experienced physical, sexual and psychological violence with the financial support by Novib, the Netherlands.¹⁰⁴ The foundation was set up by medical doctors, jurists, social workers and psychologists who support women, victims of violence. Centre Nadja Foundation offers telephone consultations and provides information, psychological, medical, social and legal consultation, psychotherapy and referrals of the ones who need help to other services and specialists. The first shelter founded in Bulgaria, offering support and protection to women and their children, victims of domestic violence, started functioning under the protection of Centre Nadja Foundation in April 1997.

The *Assistance Centre for Torture Survivors – ACET* is a non-governmental organization, founded in the end of 1995. Its main aims are the prevention of torture practices and the providing of rehabilitation services for victims of torture. The rehabilitation program of ACET is carried out in Sofia. ACET follows a policy of standardization of services for torture survivors.¹⁰⁵

¹⁰³ <http://www.animusassociation.org/en/history/>. ANIMUS was founded in the autumn of 1994 then the founders decided to work on the problems of women survivors of traumatic events as well as the challenge to establish a service for women-psychological counselling. Under its first successful project "Violence and Its Victims" supported by the EU ANIMUS created the first unit for constant work on the problem of violence. Thanks to projects supported by the Civil Society Development Foundation the organisation launched its program for institutional development and spread its ideas in the countryside. With the financial support of MAMA CASH ANIMUS started the establishment of a service for provision of real support to women victims of violence. With the financial support of Democracy Network Program ANIMUS laid the grounds for identifying the criteria for good practices in mental health for women in Bulgaria. The Staples Trust helped ANIMUS to prepare and start the care program for women victims of domestic violence. ANIMUS staff was trained how to develop and manage our Help-line thanks to the Charity Know How Fund. The program for women victims of domestic violence and the Help-line for support to women victims of violence were developed with the financial support of the American Embassy in Bulgaria. ANIMUS partnership with NOVIB gradually made it possible to include and emphasize on trafficking in women. The Service and its counseling and social programs now exist thanks to the financial support of NOVIB/MATRA. Through the La Strada project ANIMUS managed to initiate its lobbying and prevention activities against trafficking in women in Bulgarian society. Sofia Municipality supports ANIMUS in disseminating the Help-line number all over the public transport.

All above-mentioned sponsors helped ANIMUS to launch the Centre For Rehabilitation Of Women, Adolescents, And Children-Victims Of Violence in which the work is based on the philosophy of non violence and protection of the human rights. The experience from this centre was disseminated to other similar services and organizations in the country-Animus-Pernik, Animus-Plovdiv, Animus-Dobrich, and others.

¹⁰⁴ <http://www.centrenadja.hit.bg/koismenie-eng.htm>.

¹⁰⁵ <http://www.acet-bg.org/index.php?lang=2&pid=1>.

The *Bulgarian Gender Research Foundation* (BGRF) is founded in June 1998 in Sofia as an independent NGO.¹⁰⁶ The organisation works in the field of gender equality, prevention of domestic violence, reproductive rights and anti-discrimination by providing information, elaboration and production of researches, analyses and draft laws, conducting campaigns and lobbying for legislative changes, provision of training and consultations for professionals and working in wide networks in cooperation with other organizations, public institutions and experts.¹⁰⁷

During the period 1998-2000 several regional service providing NGOs were set up to support victims of domestic violence:

Foundation for Cares in the Community 'Diva' in Plovdiv,¹⁰⁸

Demetra Association in Burgas,¹⁰⁹

PULSE Foundation in Pernik,¹¹⁰

Open Door Centre in Pleven,¹¹¹

Foundation "SOS-families at Risk" in Varna,¹¹²

Women Association Ekaterina Kazavelova' in Silistra.¹¹³

In 2002 *Association Naya* started working in the region of Turgovishte¹¹⁴ and in 2003 the Bulgarian Fund for Women was set up as an NGO to fundraise and to make grants for programs aimed at women and girls' issues.¹¹⁵ Most of these NGOs started providing support for victims of trafficking in human beings also.

¹⁰⁶ <http://www.bgrf.org/index.php?lang=en>.

¹⁰⁷ The 'Prevention and Protection against Domestic Violence' Program provides services for interdisciplinary support for victims of domestic violence: legal, psychological and social consultations. It also aims at: legal advocacy for legislative changes; training for police, judicial authorities, local authorities, social services departments and NGOs; monitoring of the legislation and practice; building and maintaining of infrastructure for recovery and integration of victims of domestic violence – shelters and crisis centres; programs for work with the perpetrators of domestic violence.

¹⁰⁸ <http://www.divafoundationbg.org/en/index-en.php>.

¹⁰⁹ http://demetra-bg.org/?page_id=276.

¹¹⁰ <http://www.pulsefoundation.org/en/>.

¹¹¹ <http://www.opendoorcentre.hit.bg/>.

¹¹² <http://sos-varna.org/index.php>.

¹¹³ http://www.ekaravelova.net1.cc/index.php?option=com_content&task=view&id=12&Itemid=26.

¹¹⁴ http://alliancedv.org/index.php?option=com_content&view=article&id=255&Itemid=284.

¹¹⁵ <http://www.bgfundforwomen.org/en/who-we-are/history>.