



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General
12 September 2011

Original: English

Committee against Torture

Forty-sixth session

9 May–3 June 2011

List of issues to be considered in connection with the consideration of the fourth and fifth periodic reports of Bulgaria (CAT/C/BGR/4-5)

Articles 1 and 4

1. With reference to previous recommendations of the Committee (para. 6 (a))¹ and in view of the statement made by the State party in paragraph 193 of its report (CAT/C/BGR/4-5), please provide information on the current status of the bill incorporating a comprehensive definition of the crime of torture that covers all the elements contained in article 1 of the Convention into the Penal Code of Bulgaria.²

Article 2³

2. With reference to previous recommendations of the Committee (para. 6 (b) and (d)), please provide additional information regarding specific steps taken by the State party to ensure that legal safeguards contained in the Code of Criminal Procedure against torture and ill-treatment of persons deprived of their liberty are complied with in practice in all cases as from the outset of detention. In particular, please provide information on measures taken to ensure:

(a) The legal obligations to grant access to a lawyer from the very outset of a person's deprivation of liberty;

¹ Paragraph numbers in brackets refer to the previous concluding observations adopted by the Committee and published under symbol CAT/C/CR/32/6.

² CAT/C/BGR/4-5, para. 192.

³ The issues raised under article 2 could imply also different articles of the Convention, including but not limited to article 16. As general comment No. 2 (2007) on implementation of article 2 by States parties, paragraph 3, states: "the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment (hereinafter 'ill-treatment') under article 16, paragraph 1, are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture ... In practice, the definitional threshold between ill-treatment and torture is often not clear." See further chap. V of the same general comment.

(b) That the exercise of the right to access to a lawyer is recorded in writing (e.g. in a special register of visits by lawyers or an entry in the general police custody register) in view of allegations that some police officers had attempted to discourage detainees from exercising their right to a lawyer;

(c) That the system of legal aid is truly effective so that ex officio lawyers are contacted and meet with their clients while in police custody;

(d) That, when injuries are recorded by a doctor that are consistent with allegations of ill-treatment by detainees, the record is systematically brought to an independent body such as the Prosecutor;

(e) That juvenile detainees are able to contact their parents from the outset of their arrest.

3. According to paragraph 93 of the State party's report, "Pursuant to the Constitution and the Criminal Procedure Code, police detention cannot exceed 24 hours, or 72 hours, if carried out on the authority of an arrest warrant issued by a prosecuting attorney, prior to the arraignment of the accused person before a court of law". Please provide data that these time limits are respected in practice.

4. Please provide information on the respect of the rights of persons detained under legislation relating to aliens, including the right to legal assistance, to have confidential meetings with lawyers, to be informed about their rights and have information on the rules of detention in a language they understand.⁴ Please also clarify whether the lawyers of pretrial detainees held in investigation detention facilities have to be contacted by investigators, and not the detainees themselves⁵ and whether foreign detainees in such facilities are made to sign various legal documents in Bulgarian even when they do not understand the language.⁶

5. Please provide information on progress made in the reform of the justice system, including the prosecution service, with a view to strengthening its independence, effectiveness, efficiency and consistency,⁷ and in particular on any specific measures to remedy the delays in the conduct of criminal proceedings.⁸ Please provide information on the length of detention during pretrial proceedings in penal cases. Please provide information on the use of non-custodial measures, including probation, conditional release (parole), home leave, and amnesties and data on the number of persons concerned, disaggregated by gender, ethnic group, geographical region and type and location of places of deprivation of liberty where they occurred.⁹

6. Please provide information on the measures taken to clearly define the legal age of criminal responsibility in order to guarantee that children under the age of 14 years are entirely treated outside of the criminal justice system on the basis of social and protective measures. Please provide information on steps taken to reform the system of juvenile justice¹⁰ and in particular on any steps taken by the State party to establish juvenile courts or

⁴ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), "Report to the Bulgarian Government on the visit to Bulgaria carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 15 to 19 December 2008" (CPT/Inf (2010) 29), paras. 45 and 46.

⁵ CPT 2008 report, para. 61.

⁶ Ibid., para. 62.

⁷ A/HRC/16/9, para. 80.63.

⁸ CCPR/C/BGR/Q/3, para. 19.

⁹ CPT 2008 report, para. 64.

¹⁰ A/HRC/16/9, para. 54.

chambers for children over the age of 14¹¹ with specialized judges throughout the country.¹² Please also provide information on measures taken to use deprivation of liberty, including placement in correctional educational institutions, as a means of last resort.

7. With reference to previous recommendations of the Committee (para. 6 (k)), please provide updated information on the following:

(a) The regime of detainees serving life sentences, including those serving life sentence without possibility of parole;

(b) Any amendments to the Criminal Code that would include a provision to eliminate the sentence of life imprisonment without possibility of parole;¹³

(c) If there have been any changes in the policy of security restrictions concerning life-sentenced prisoners such as handcuffing when outside their cells and the implementation of a segregated regime of an initial period of five years ordered by the sentencing court and not imposed as a tool of prison management;¹⁴

(d) Detailed information on the number of life-sentenced prisoners, including how many of them join the mainstream prison population after the initial five years.¹⁵

8. Please provide information about the periodicity and conditions of independent monitoring of places of detention by the Ombudsman and non-governmental organizations (NGOs) and indicate which and how many NGOs participate in such monitoring.¹⁶ Please indicate why NGOs such as the Bulgarian Helsinki Committee are obliged to seek the prosecutor's permission each time when they want to speak in private with a pretrial detainee.¹⁷

9. Please provide information on:

(a) The setting up of an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles);

(b) Measures taken by the State party to prevent the excessive use of force and firearms by law enforcement personnel, including the review of the legislation which allows the use of firearms to arrest a suspect regardless of the seriousness of the alleged offence or the threat to other people;

(c) Whether the Penal Code criminalizes conduct motivated by hatred against vulnerable groups. Please provide information on measures to protect vulnerable groups included in the Protection against Discrimination Act;¹⁸

(d) With reference to previous recommendations of the Committee (paras. 5 (b) and 6 (b)), please provide information on specific measures to strengthen safeguards against the torture and ill-treatment by police and law enforcement officials which disproportionately affect the Roma. Please also provide information on specific measures taken to recruit more persons of Roma origin into police and law enforcement and on the

¹¹ A/HRC/WG.6/9/BGR/3, para. 29.

¹² CRC/C/BGR/CO/2, para. 69 (d).

¹³ CPT 2008 report, para. 67.

¹⁴ Ibid., paras. 77 and 78.

¹⁵ Ibid., para. 78.

¹⁶ Ibid., para. 63.

¹⁷ Ibid., para. 63.

¹⁸ A/HRC/16/9, para. 12.

number of officers of Roma origin.¹⁹ Please provide an assessment of the results of the Action Plan adopted in 2007 to implement the Strategic Guidelines for Development of the Integrated Model, “The Police Close to Society” for 2007–2010.²⁰

10. Please provide information on the effectiveness of the national 24-hour hotline set up in August 2009 which provides information as well as legal and psychological support to protect victims of violence, including domestic violence, as well as on the effectiveness of the adoption in 2005 of the Domestic Violence Act and the 2009 amendments to the Penal Code. Please provide information on the number of persons housed in the three shelters and five crisis centres.

Article 3

11. With reference to previous recommendations of the Committee (para. 6 (f)), please provide information on measures taken by the State party to ensure that no person is expelled, returned or extradited to a country where there are substantial grounds for believing that he/she would be in danger of being subjected to torture. Please provide updated figures on the number of requests for asylum and the number granted for the reporting period.²¹

12. With reference to previous recommendations of the Committee (para. 6 (g)), please provide information on efforts made by the State party to strengthen cooperation between the State Agency for Refugees and the Ministry of the Interior. Please also explain why the State Agency for National Security is not obliged to consult the State Agency for Refugees about whether persons with refugee status against whom a national security order has been issued risk persecution, torture or ill-treatment in the country to which they are to be expelled.²² Please clarify the purpose of having the Chairperson of the State Agency for Refugees provide an opinion on the safety of the country to which an alien is to be returned if he/she has already decided to deny refugee status or turn down the asylum application of that person.²³

13. Please explain how in practice expulsion or extradition decisions are appealed. Do appeals have suspensive effects? Please provide statistical data on such appeals.²⁴ Please provide statistical data during the reporting period on the numbers of refugees and asylum-seekers; persons extradited or returned and to which States; and persons not extradited on grounds that they would be in danger of being subjected to torture.

14. Please provide information on the following:

(a) The number of persons who had applied for asylum at the border, including those who had lodged first-time applications, and were held at the Busmantsi detention centre while awaiting an interview, although the Bulgarian Law on Foreigners stipulates in section 29 (2) that “the accommodation of foreigners seeking protection shall be carried out by the State Agency for Refugees in a centre or another sheltering place upon assessment of the health condition, family and material status of the foreigner, according to requirements and procedures determined by the State Agency for Refugees (SAR)”,²⁵

¹⁹ CERD/C/BGR/CO/19, para. 16.

²⁰ CAT/C/BGR/4-5, para. 102.

²¹ Ibid., para. 107.

²² CPT 2008 report, para. 30.

²³ CAT/C/BGR/4-5, para. 45.

²⁴ Ibid., para. 174.

²⁵ CPT 2008 report, para. 26

(b) The grounds for depriving a person of their liberty while awaiting the outcome of their asylum application²⁶ and holding them together with foreigners who are detained pending expulsion or removal to the border, including those deemed as a threat to national security or public order;

(c) Information on the status of the border transit centre which was to have been opened in 2009 in the village of Pastrogor.

15. Please provide updated information about the length of stay at Busmantsi, including the maximum length of detention pending deportation prescribed by law, and disaggregated data on the length of stay and category of persons currently held there, including those awaiting the enforcement of coercive administrative measures.²⁷ Please provide information about the availability of qualified interpreters for foreigners held in the Busmantsi detention facility, including in connection with detainees' health problems and about referrals to outside specialists and hospital facilities, and the visits of doctors to solitary confinement units.²⁸ Please also provide information about suicide attempts, acts of self-harm and hunger strikes of persons detained at the Busmantsi facility.²⁹

16. Please provide specific information about the cases of the following two persons who were returned to Lebanon from Bulgaria in 2010 and who, according to information outlined below, were allegedly subjected to torture. Please also indicate whether the authorities of the State party have followed the situation of the persons concerned after their return to Lebanon:

(a) Youssef Kayed, a Palestinian refugee born in September 1971, left Lebanon for Bulgaria in 2009 following persecution by the Lebanese authorities. He applied for asylum in Bulgaria and upon rejection of his request and subsequent appeal was deported back to Lebanon despite fears that he would be arrested and tortured upon return. Upon his arrival in Lebanon on 27 November 2010, he was arrested at the Beirut International Airport. When his brother visited him in January 2011, Mr. Kayed weighed only 45 kilograms at the time and said that he had been subjected to torture;

(b) Moussa Kamel Ismael, a Palestinian refugee born in 1982, left Lebanon for Bulgaria in 2008 following persecution in Lebanon. He requested asylum in Bulgaria which was rejected in July 2010 and he was subsequently deported to Lebanon despite fears that he would be arrested and tortured upon return. Upon his return to Lebanon on 27 November 2010, he was arrested at the Beirut International Airport and is currently in Roumieh prison. While he was held at the Ministry of Defence, he was subjected to severe torture methods as well as beatings on his legs.

Articles 5, 6, 7 and 8

17. Since the consideration of the previous report, please indicate whether the State party has rejected, for any reason, any request for extradition by another State for an individual suspected of having committed an offence of torture, and has started prosecution proceedings as a result. If so, please provide information on the status and outcome of such proceedings.

18. Please provide information on any steps taken by the State party to ensure that crimes under international law are included in chapter fourteen of the Criminal Code

²⁶ Ibid., appendix I, p. 42.

²⁷ Ibid., paras. 25 and 26

²⁸ Ibid., para. 37

²⁹ Ibid., para. 29

regarding “Outrage on Peace and Humanity”, thereby broadening the definition of crimes against peace and humanity and making them consistent with standards of international law. Do Bulgarian courts have universal jurisdiction over such crimes, including acts of torture?

Article 10

19. Please indicate if there are programmes to train medical personnel or other persons involved with detainees on how to detect signs of torture or cruel, inhuman and degrading treatment. Is the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) part of this training as well as of the training of all those directly involved in the documentation and investigation of torture and ill-treatment?

20. Please provide information on measures taken by the State party to provide specialized training to staff in State institutions for children with mental disabilities in order to avoid their ill-treatment which in certain cases resulted in death.

21. Please provide information on training in international human rights law, in particular regarding the prevention of torture, including specific information about the curricula and content, frequency, level, numbers and type of public servants who have participated in induction and periodic courses and seminars as well as in courses abroad and international projects and programmes.³⁰

22. Please provide information on training provided to law enforcement personnel with regard to the use of force, including on the basis of the international standards contained in the United Nations Code of Conduct for Law Enforcement Officials and Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in order to combat incidents of abuse, ill-treatment and torture. Please also provide information on specialized training on provisions of the Convention provided to staff at the Busmantsi detention facility for dealing with aliens, including about their legal status and the procedures applicable to them.

23. Please provide information on steps taken by the State party to conduct awareness-raising campaigns to prevent all forms of violence and harassment related to sexual orientation and gender identity.³¹

24. Please outline measures to develop and implement a methodology to assess the impact of training on the prevention of torture and ill-treatment.

Article 11

25. With reference to previous recommendations of the Committee (para. 6 (i)), please provide information on the following:

(a) Specific measures taken by the State party to improve conditions in detention facilities, in particular the investigative detention facilities, to ensure that they provide at least minimal outdoor exercise for detainees, as well as updated information on the closing of the two remaining underground detention facilities at Gabrovo and Shumen;³²

³⁰ CAT/C/BGR/4-5, paras. 137 and 139.

³¹ A/HRC/WG.6/9/BGR/3, para. 22.

³² CAT/C/BGR/4-5, para. 183.

(b) Steps taken to bring conditions in police directorates, prisons and other detention facilities, in particular the border detention centres in Svilengrad, Petrich and Slivnitsa, some of which were described as inhuman and degrading,³³ in line with international standards,³⁴ with due regard for the special needs of juveniles;

(c) Clarify information about the existence of metal rails in the corridors of police directorates to which persons in police custody are handcuffed as a substitute for proper holding facilities;³⁵

(d) Specify the disciplinary procedures for placement in solitary confinement, the maximum length of time that can be spent in a solitary confinement unit, and whether registers are maintained.

26. Please provide information about the improvement of conditions of detention, including on the following:³⁶

(a) Specific measures taken in order to remedy overcrowding, provide adequate food, prompt medical care, ventilation, heating, lighting, clean bedding, integral sanitation in cells, open air exercise yards and rooms for visits;³⁷

(b) Whether the requirements concerning minimum sanitation standards the fulfilment of which was set for 1 January 2009 have been met and do they correspond to international standards?³⁸ Also, please specify whether detained persons are obliged to buy medication themselves;³⁹

(c) Measures taken by the State party to remedy the lack of medical staff and equipment deficiencies in detention facilities. Please provide detailed information on the 26 instances of ongoing criminal proceedings for poor living conditions in penitentiary facilities, including on the 10 cases among them on which writs of execution have been issued;⁴⁰

(d) The annual budget allocations per inmate and the steps taken by the State party to comply with the recommended standard of providing 6 m² of space per detainee.

27. With reference to previous recommendations of the Committee (para. 6 (k)), please provide information on preventive measures taken by the State party to monitor and prevent inter-prisoner and other violence, including sexual violence, in detention facilities. Please provide disaggregated data on the number of such incidents per year since the adoption of the previous recommendations and the type of follow-up provided by the authorities. Please provide information about the 44 deaths in detention in 2007 as well as the number of deaths in detention during the reporting period.⁴¹

28. Please provide information on steps taken to reform the penitentiary system and improve the professionalism and increase the number of staff in prisons in order to improve the ratio of staff to prisoners.⁴² Please provide information on steps taken to increase the salaries of prison staff to allow for an alternative shift pattern so they do not have to take a

³³ A/HRC/WG.6/9/BGR/3, para. 23.

³⁴ CPT 2008 report, para. 56.

³⁵ *Ibid.*, para. 22.

³⁶ CAT/C/BGR/4-5, para. 184.

³⁷ CPT 2008 report, para. 49.

³⁸ CAT/C/BGR/4-5, para. 184.

³⁹ CPT 2008 report, para. 59.

⁴⁰ CAT/C/BGR/4-5, para. 162.

⁴¹ *Ibid.*, para. 114.

⁴² CPT 2008 report, para. 66.

second job to supplement their income. Please clarify whether job descriptions for prison service staff who are under the Ministry of Justice⁴³ are still based on those for police officers established by the Ministry of the Interior.⁴⁴ Also, Please also provide information on why police officers exercising a guardian function, and not specialized staff, are the only staff present at weekends at the Busmantsi detention centre.⁴⁵

Articles 12 and 13

29. With reference to previous recommendations of the Committee (para. 6 (c)), please provide information on measures taken by the State party to establish an effective, reliable and independent complaint system to initiate prompt and impartial investigations into allegations of torture and ill-treatment and prosecute and punish those found responsible.⁴⁶ Please provide statistical data regarding such reported cases and the results of the investigations, disaggregated by, inter alia, gender, ethnic group, geographical region and type and location of places of deprivation of liberty where they occurred. Please also indicate whether there is a fully independent body that would enable the Ministry of the Interior to deal objectively with complaints directed against the police and provide information on the effectiveness of the specialized Human Rights Commission set up within the National Police Department.⁴⁷

30. Please provide information on the following:

(a) The discrepancy between the number of complaints filed against officers of the system of penitentiary facilities for beatings or other instances of torture and ill-treatment of inmates between 2001 and 2008 (total of 396) and the fact that only 20 were substantiated and disciplinary penalties imposed;⁴⁸

(b) Information on investigations of ill-treatment of detained persons initiated by prosecutors after unannounced visits to police establishments and investigation detention facilities, where they can check documentation and speak to detainees in private;⁴⁹

(c) The measures taken by the State party to respond to allegations of detainees that their complaints of ill-treatment had not been taken seriously or had been ignored by the judges before whom they were brought;⁵⁰

(d) Disaggregated data on the number of complaints, investigations, prosecutions, convictions and sentences during the reporting period.

31. Please provide the exact number of children currently placed in institutions for mentally disabled children. Please provide updated information on the outcome of the investigations by the Prosecutor General of 166 deaths and 30 cases of abuse of children and on any other investigations of this type of crime. Please also provide information on the rest of the death cases of children which occurred between 2000 and 2010 in the same institutions.

⁴³ Ibid., paras. 49 and 50.

⁴⁴ CPT 2008 report, para. 70.

⁴⁵ Ibid., para. 42.

⁴⁶ A/HRC/16/9, para. 13.

⁴⁷ CERD/C/BGR/CO/19, para. 16.

⁴⁸ CAT/C/BGR/4-5, para. 160.

⁴⁹ A/HRC/WG.6/9/BGR/3, para. 17.

⁵⁰ Ibid., para. 25.

32. Please provide information on the number of complaints regarding torture and ill-treatment of children in schools, boarding schools, remand and other detention centres to mechanisms of complaints and investigation and on related investigations, prosecutions, convictions, sentences and penalties imposed.⁵¹ Please also provide information on the measures taken to expand and facilitate children's ability to file complaints about torture and ill-treatment in these institutions. Please also provide data on the number of children subjected to psychological, physical and sexual abuse and the results of action taken by courts against perpetrators in this regard.

33. Please provide detailed information about the death in custody in October 2009 of Hasun Albaadzh, who was detained at the Busmantsi detention centre prior to deportation, and on the results of any investigation in this regard.

34. Please provide disaggregated data on the number of complaints, investigations, prosecutions, convictions, as well as the penalties imposed in relation to domestic violence, including violence against children; sexual violence, including marital rape; and violence against vulnerable groups such as street children, Roma, LGBT persons and other vulnerable groups.

35. According to paragraph 37 of the State party's report, a "special part of the Penal Code now provides for increased liability for crimes against the individual, against human rights, for crimes constituting abuse of office. In compliance with the relevant international legal instruments, towards the end of 2002, a new section IX on human trafficking was introduced into chapter two (articles 159a through 159c)". Please provide information on the penalties imposed for trafficking in persons.⁵² Please provide data, disaggregated by gender, age, country of origin and urban/rural areas and information on the number of complaints, prosecutions, convictions and penalties imposed for traffickers, and any measures taken to provide assistance, compensation and rehabilitation of the victims under the relevant legislation.⁵³ In particular, please provide information on the trafficking of Roma children, young children, pregnant women and newborns from Bulgaria to neighbouring countries where they are said to be taken away and sold by members of criminal organizations⁵⁴ and on the trafficking of women for sexual exploitation.⁵⁵

Article 14

36. With reference to previous recommendations of the Committee (para. 6 (h)), please provide information on the following:

(a) Steps taken by the State party to ensure that all persons who have been victims of a violation of their rights under the Convention obtain redress and have an enforceable and effective right to fair and adequate compensation, including the means for as full a rehabilitation as possible;

(b) Information on measures taken by the State party to guarantee compensation beyond that accorded within the framework of the revival process of 1984–1989 in accordance with the Act on the Political and Civil Rehabilitation of Repressed Persons;⁵⁶

⁵¹ CRC/C/BGR/CO/2 paras. 28 and 29.

⁵² CAT/C/BGR/4-5, para. 37.

⁵³ CRC/C/BGR/CO/2, paras. 65 and 66, and CCPR/C/BGR/Q/3, para. 12.

⁵⁴ A/HRC/WG.6/9/BGR/2, para. 30.

⁵⁵ A/HRC/16/9, para. 25.

⁵⁶ *Ibid.*, para. 58.

(c) Disaggregated data on the number of cases brought by victims of torture or ill-treatment, or their families, compensation from the State or from a public servant, including the number of requests for compensation made, the number granted, the type and the amounts ordered and those actually provided in each case;

(d) Information on any measures taken by the State party to provide compensation to persons against whom legal proceedings were delayed.

Article 15

37. Please provide information on any case where evidence has been held inadmissible under article 15 of the Convention, the provisions of which exclude explicitly any evidence obtained as a result of torture.⁵⁷

Article 16

38. Please provide information on measures taken by the State party to revise the entire system of care for children with mental disabilities. Has the Ministry of Labour and Social Policy taken steps to modify the State party's policies and law in this regard? Please provide updated information with regard to the State party's policy to close all State institutions for children within a 15-year period. Please provide information on whether placement of adults with mental disabilities in social care homes continues as a result of administrative procedures, without the control of courts.

39. With reference to previous recommendations of the Committee (para. 6 (e)), please provide information on measures taken by the State party to address the situation of persons with mental disabilities and psychological problems in homes and hospitals, ensuring that their living conditions, therapy and rehabilitation are not in violation of the Convention. In particular, please provide information on measures taken to abolish violent and discriminatory practices against persons with disabilities in the medical setting, including deprivation of liberty and enforced administration of intrusive and irreversible treatments such as neuroleptic drugs and electroshock.

40. Please provide information regarding recognition of the legal capacity of persons with disabilities to make their own decisions and ensure that their health care is based on free and informed consent. Please provide information on the situation regarding involuntary treatment and involuntary confinement. Also, please provide information on measures taken to ensure their access to justice, including appeal procedures, and on the monitoring and reassessment of diagnoses by specialists.

41. Please provide information on the treatment of children with mental disabilities and psychological problems, including with regard to education, and whether conditions in which they live are adapted to their needs, in particular in view of the reported causes of 238 deaths of mentally disabled children since 2000, more than three-quarters of which were described as avoidable since they resulted from physical deterioration caused by neglect; exposure to cold and long-term immobility; malnutrition; infections caused by poor hygiene; and accidents.

42. Please provide information on measures taken by the State party to ensure the elimination of corporal punishment in all settings, including through appropriate and ongoing public education and professional training on positive, participatory and non-

⁵⁷ CAT/C/BGR/4-5, paras. 16 and 17.

violent forms of discipline and steps taken to bring to justice alleged offenders in breach of the prohibition of corporal punishment,⁵⁸ and on compensation provided to the victims.⁵⁹

43. Please provide information on the following:

(a) The number of children living without parental care in social-care institutions, including street children and those of Roma origin, and on the periodicity of reviews of their placement and of conditions in the institutions;⁶⁰

(b) Whether children without parental care are placed in facilities separately from children in conflict with the law.⁶¹ Please provide information on any amendments to the Penal Code that would include a clear definition of “anti-social” acts on the basis of which children can be placed in social educational boarding schools (SBS) and correctional boarding schools (CBS);

(c) Information regarding the number of street children and measures taken to prevent children from leaving families and schools for the street;⁶²

(d) Information on the placement in “crisis centres” for a period of up to six months, with possible renewal, of children who are victims of trafficking, together with children in conflict with the law.

44. Please provide information on the number of calls to the national telephone number for children subjected to domestic violence whose cases were often connected to trafficking and how many cases were investigated and prosecuted as a result.⁶³ Please provide data on the number of children in the nine crisis centres for children at risk of violence or any other crime.⁶⁴

45. Please provide information on the following:

(a) Whether the State party has established a centralized system for the comprehensive collection of data disaggregated by sex, age, ethnic or social origin and urban/rural areas regarding children who are victims of abuse, including psychological, physical and sexual abuse;⁶⁵

(b) Disaggregated data on children who are victims of economic and sexual exploitation and in particular those from vulnerable groups, including Roma;⁶⁶

(c) Statistics on socially vulnerable children engaged in harmful and exploitative labour, particularly in agriculture, industry and domestic service, and measures taken to prosecute those responsible.⁶⁷

46. Please provide disaggregated data on the number of complaints, investigations, prosecutions, convictions, as well as the penalties imposed in relation to domestic violence, including violence against children; sexual violence, including marital rape; and violence against vulnerable groups such as street children, Roma and LGBT persons.

⁵⁸ CRC/C/BGR/CO/2, paras. 31 and 32.

⁵⁹ CCPR/C/BGR/Q/3, para. 9.

⁶⁰ CRC/C/BGR/CO/2, para. 39.

⁶¹ *Ibid.*, para. 40.

⁶² A/HRC/16/9, para. 34.

⁶³ *Ibid.*, para. 34.

⁶⁴ A/HRC/16/9, para. 55.

⁶⁵ A/HRC/WG.6/9/BGR/2, para. 27.

⁶⁶ CRC/C/BGR/CO/2, para. 19.

⁶⁷ CRC/C/BGR/CO/2, para. 59, and A/HRC/16/9, para. 76.

Other issues

47. The previous recommendations of the Committee were also the subject of a follow-up procedure with regard to paragraphs 6 (b), (c), (d), (i) and (k) to which the State party did not respond.

48. Please provide updated information on the progress regarding the State party's ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which the State party signed on 22 September 2010.

49. With reference to previous recommendations of the Committee (para. 7), please provide information on measures taken to circulate and make publicly available in the country the State party's reports to the Committee and its concluding observations, in appropriate languages, through official websites, the media and NGOs.

50. Please provide updated information on measures taken by the State party to respond to any threats of terrorism and please describe if, and how, these anti-terrorism measures have affected human rights safeguards in law and practice and how it has ensured that those measures comply with all its obligations under international law, especially the Convention, in accordance with relevant Security Council resolutions, in particular resolution 1624 (2005). Please describe the relevant training given to law enforcement officers; the number and types of persons convicted under such legislation; the legal safeguards and remedies available to persons subjected to anti-terrorist measures in law and in practice; whether there are complaints of non-observance of international standards; and the outcome of these complaints.
