



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

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## Committee against Torture

### List of issues prior to submission of the seventh periodic report of Bulgaria\*

#### Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee’s previous recommendations

##### Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations (CAT/C/BGR/CO/6, para. 37),<sup>1</sup> the Committee requested the State party to provide information on follow-up to the Committee’s recommendations on issues of particular concern, namely on the excessive use of force, the national preventive mechanism, and the situation of asylum seekers and migrants (see paras. 12 (b) and (d)–(f), 20 and 24 (b)–(e)). The Committee expresses its appreciation for the State party’s follow-up response on those and other matters contained in its concluding observations and for the substantive information provided on 6 December 2018 (CAT/C/BGR/CO/6/Add.1) on the follow-up issues. The Committee considers that the recommendations included in paragraphs 12 (b) and (d)–(f), 20 and 24 (b)–(e) mentioned above have been partly implemented (see paras. 4, 7 and 12 of the present document).

##### Articles 1 and 4

2. With reference to the Committee’s previous concluding observations (paras. 7 and 8), please provide information on:

(a) Measures taken during the period under review to adopt a definition of torture that covers all the elements contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to include torture as a separate and specific crime in its legislation<sup>2</sup> and to ensure that penalties for torture are commensurate with the gravity of this crime; so that it is not prosecuted under different articles of the Criminal Code;

(b) Steps taken to ensure that the absolute prohibition of torture is non-derogable and that acts of torture are not subject to any statute of limitations.

##### Article 2<sup>3</sup>

3. With reference to the Committee’s previous concluding observations (paras. 9 and 10):

\* Adopted by the Committee intersessionally on 2 December 2020.

<sup>1</sup> Unless otherwise indicated, paragraph numbers in parentheses refer to the previous concluding observations adopted by the Committee.

<sup>2</sup> CCPR/C/BGR/CO/4, para. 26 (a).

<sup>3</sup> The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee’s general comment No. 2 (2007), the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture



(a) Please provide information on steps taken during the period under review to monitor and guarantee in practice the enjoyment of all fundamental legal safeguards to all arrested and detained persons, including those in administrative detention, from the outset of their deprivation of liberty;<sup>4</sup> whether the practice of 24-hour administrative detention outside the scope of criminal proceedings before persons detained in police stations are charged with a criminal offence continues; and if so, whether such persons have confidential access to a lawyer or public defender who is independent from the police from the outset of their deprivation of liberty and during all stages of detention and criminal proceedings against them, including during so-called “exploratory talks”; as well as on any steps taken to ensure that legal aid providers are independent from the police; and on any disciplinary measures or other punishment meted out to officials who fail to comply with the rights of persons deprived of their liberty to fundamental legal safeguards; in addition, please provide information on reports that legislation was enacted in January 2019 that provides explicitly for waiver of the right to a lawyer;

(b) Please also explain how vulnerable groups, such as minors, foreigners and persons with psychosocial and intellectual disabilities, are informed about their rights and guaranteed full enjoyment of fundamental legal safeguards, both in law and in practice;

(c) Please provide information on whether arrested persons are informed from the outset of deprivation of liberty of the charges against them, including whether detention orders contain information about the factual grounds for detention; whether they are informed about their rights, both orally and in writing in a language that they understand; whether they are actively discouraged from and threatened in relation to availing themselves of those rights, by law enforcement officials; whether they are able to promptly contact a family member or any other person of their choice about their detention, immediately after apprehension; and whether they are brought before a court within 48 hours of their apprehension;

(d) Please provide information on whether persons deprived of their liberty undergo an entry medical examination within 24 hours of their arrival in a place of detention; whether they are able to request and receive a medical examination in confidentiality by an independent doctor; and whether injuries observed on persons admitted to investigation detention facilities are recorded and evaluated in the medical record of the detainee;

(e) Please provide information on whether the detention of persons deprived of their liberty is recorded in a register at the place of detention and in a central register of detained persons, and whether their lawyers and family members have access to the relevant register entries.

4. With reference to the Committee’s previous concluding observations (paras. 11 and 12) and the follow-up information provided by the State party,<sup>5</sup> please provide information on:

(a) Whether the State party has issued at the highest level an unambiguous public statement reaffirming that impunity for acts of torture and ill-treatment will not be tolerated; that such acts will be promptly prosecuted; and that persons who commit acts of torture or are otherwise complicit in or acquiesce to torture will be criminally prosecuted and held personally responsible;

(b) The training provided to law enforcement officers pursuant to the adoption in August 2018<sup>6</sup> of the methodological guidelines with a view to implementing and enforcing the ordinance on the use of force and special means adopted by the Ministry of the Interior, and whether it includes training on the Basic Principles on the Use of Force and Firearms by

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and other cruel, inhuman or degrading treatment or punishment under article 16 (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 also chapter V of the same general comment.

<sup>4</sup> CCPR/C/BGR/CO/4, para. 26 (d).

<sup>5</sup> CAT/C/BGR/CO/6/Add.1, paras. 1–12.

<sup>6</sup> Ibid., para. 2.

Law Enforcement Officials and on the Body of Principles for the Protection of all Persons under Any Form of Detention or Imprisonment;

(c) Measures taken to ensure that all allegations of criminal conduct by law enforcement officials are examined by an investigative and oversight mechanism which is fully independent of the law enforcement authorities;

(d) The outcomes of the two pretrial proceedings relating to abuse by law enforcement officials signalled to the Internal Security Directorate in 2017 and of the five pretrial proceedings initiated in 2018,<sup>7</sup> as well as on any other cases signalled during the period under review; and on whether all persons under investigation for having committed acts of torture or ill-treatment are immediately suspended and remain suspended throughout the investigation;<sup>8</sup>

(e) The number of complaints alleging torture and ill-treatment by law enforcement and other public officials; on steps taken to investigate and prosecute alleged cases during the period under review, in view of the low number of pretrial proceedings;<sup>9</sup> on any resulting convictions and sentences; and on whether cases of torture and ill-treatment are recorded in appropriate registers.

5. With reference to the Committee's previous concluding observations (paras. 25 and 26), please provide information on:

(a) Steps taken by the State party during the period under review to amend its legislation in order to include domestic violence, including marital rape, as a specific crime in the Criminal Code<sup>10</sup> that entails ex officio prosecution;

(b) Any consideration given to removing the term "in a systemic fashion" from article 93, item 1, of the Additional Provisions of the Criminal Code in order to qualify domestic violence as a graver punishable offence; as well as to the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),<sup>11</sup> and in this context, please explain why the Istanbul Convention is incompatible with the Constitution of Bulgaria, as per the ruling of the Constitutional Court in 2018;

(c) Specific steps taken to encourage the rising number of victims to report cases of violence to the authorities; to ensure that acts of violence, including domestic and sexual violence, are registered by the police and are promptly investigated; and to remedy poor investigative techniques and the mishandling of evidence of domestic violence, in particular in cases of rape;

(d) Measures taken to ensure that all victims of gender-based and domestic violence benefit from protection, including restraining orders, and to abolish the one-month time limit for applying for protection orders;

(e) Steps taken to ensure that victims of gender-based and domestic violence have access to medical and legal services, including counselling; to an independent complaints mechanism; and to redress and rehabilitation; as well as to a sufficient number of safe and adequately funded government-run shelters in Sofia and in all districts throughout the country;

(f) Whether mandatory training has been provided to police and other law enforcement officials, prosecutors, judges<sup>12</sup> and social workers on the vulnerability of victims of gender-based and domestic violence; also, on any compilation of statistical data, disaggregated by the age and ethnicity of the victims and their relationship to the perpetrator; on domestic and other forms of violence, including marital rape; and on the number of

<sup>7</sup> Ibid., paras. 6–7.

<sup>8</sup> Request by the follow-up rapporteur for additional information, dated 27 June 2019.

<sup>9</sup> Ibid.

<sup>10</sup> CCPR/C/BGR/CO/4, para. 22 (a).

<sup>11</sup> Ibid., para. 22 (d).

<sup>12</sup> Ibid., para. 22 (c).

complaints, investigations, prosecutions and convictions of perpetrators and the sentences handed down.<sup>13</sup>

6. With reference to the Committee's previous concluding observations (paras. 27 and 28), please provide information on:

(a) Steps taken to enforce the State party's legislation to combat human trafficking, implement the national anti-trafficking strategy for the period 2017–2021, and provide the National Commission for Combating Trafficking in Human Beings with funds sufficient to carry out its mandate;

(b) Steps taken to protect victims of trafficking, including minors and Roma women, including by affording them free legal and specialized medical and psychological assistance,<sup>14</sup> redress, and enhanced assistance in reporting incidents of trafficking to the police, including through the setting up of a 24-hour hotline for victims;

(c) Steps taken to provide specialized training to public officials, in particular law enforcement, immigration and prosecutorial personnel, on how to identify victims and investigate, prosecute and sanction perpetrators;<sup>15</sup> as well as on whether a mechanism to identify victims of trafficking has been set up during the period under review;

(d) International cooperation with countries of origin, transit and destination of trafficking in order to prevent and punish transnational forms of trafficking and prevent the return of trafficked persons to their countries of origin if they would be in danger of torture; also, please provide disaggregated data on the number of investigations, prosecutions and sentences handed down to perpetrators of human trafficking during the period under review.

7. With reference to the Committee's previous concluding observations (paras. 19 and 20) and the follow-up information provided by the State party,<sup>16</sup> please provide information on:

(a) Whether, pursuant to its accreditation with "A" status in March 2019, the Office of the Ombudsman,<sup>17</sup> serving as the national preventive mechanism against torture, has been provided with sufficient financial and human resources to carry out its mandate effectively;<sup>18</sup> whether the national preventive mechanism enjoys complete financial and operational autonomy in the performance of its functions; and whether funding is provided through a dedicated budget line referring specifically to the national preventive mechanism;

(b) Whether the Office of the Ombudsman, acting as the national preventive mechanism against torture, has the capacity and is able to carry out unannounced visits to all places where persons are deprived of their liberty, such as investigation detention facilities, special centres for the temporary accommodation of foreigners, juvenile reformatories, and institutions for persons with intellectual and psychosocial disabilities;

(c) Measures taken to ensure the follow-up to and effective implementation of the recommendations issued by the Office of the Ombudsman as a result of its monitoring activities in places of deprivation of liberty, including with regard to the treatment of persons, protection measures, material conditions, access to medical care, contacts with the outside world, and measures relating to the administration and financing of detention facilities; and on awards of redress to victims, the prosecution of perpetrators, and the improvement of other conditions and circumstances related to the prevention of torture and ill-treatment;

(d) Whether non-governmental organizations are in a position to complement the monitoring undertaken by the national preventive mechanism, including, inter alia, through regular visits to psychiatric hospitals and social care institutions for adults and children with intellectual and psychosocial disabilities.

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<sup>13</sup> Ibid., para. 22 (b).

<sup>14</sup> See also CCPR/C/BGR/CO/4, para. 24 (b).

<sup>15</sup> CCPR/C/BGR/CO/4, para. 24 (a).

<sup>16</sup> CAT/C/BGR/CO/6/Add.1, paras. 15–20.

<sup>17</sup> Request by the follow-up rapporteur for additional information, dated 27 June 2019.

<sup>18</sup> CCPR/C/BGR/CO/4, para. 8.

### Article 3

8. With reference to the Committee's previous concluding observations (paras. 21 and 22), please provide information on:

(a) Steps taken by the State party during the period under review to comply fully with its obligations under article 3 of the Convention and ensure that individuals under its jurisdiction receive appropriate consideration by the competent authorities, including an impartial review by an independent decision-making mechanism on expulsion, return or extradition, with suspensive effect;

(b) Measures to fulfil the State party's non-refoulement obligations by guaranteeing the in-country right to appeal an expulsion order when there are substantiated grounds for believing that a person would be at risk of being subjected to torture; as well as on ensuring respect for all safeguards and interim measures with regard to asylum and deportation procedures;

(c) The results of follow-up undertaken by the State party with the authorities of Turkey regarding the situation of Abdullah Buyuk, who was extradited to Turkey in August 2016, in violation of articles 28 and 29 of the Constitution of Bulgaria, according to the Ombudsman; as well as on the situation of Youssef Kayed and Moussa Kamel Israel since their arrival in Lebanon.

9. With reference to the Committee's previous concluding observations (paras. 23 and 24) and the follow-up information provided by the State party,<sup>19</sup> please provide information on:

(a) Steps taken to ensure that all persons seeking international protection have the right to apply for asylum,<sup>20</sup> have access to a prompt and fair identification and refugee status determination procedure with individual assessments, and enjoy adequate procedural safeguards and are not subjected to arbitrary detention; also, on any steps taken to ensure reception capacity and guarantee a dignified standard of living in accordance with asylum seekers' specific needs, and to ensure availability of adequate health-care and psychological services;

(b) Measures taken to ensure the protection of unaccompanied and separated children, including a working model for their representation; to ensure qualified guardians and proper legal representation<sup>21</sup> and to prevent the registration of unaccompanied children apprehended upon irregular entry as being "accompanied" by adults they are not related to; and on whether a single body for coordinating the child protection policy has been established;

(c) The content of the State Agency for Refugees' standard operating procedures for treating victims of sexual or gender-based violence.<sup>22</sup>

### Article 10

10. With reference to the Committee's previous concluding observations (paras. 31 and 32), please provide information on:

(a) Steps taken to ensure that training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) has been made an essential requirement for all medical professionals and other public officials involved in work with persons deprived of their liberty; as well as on any training provided to law enforcement, prosecutorial and judicial officials on non-coercive investigation methods;

(b) Whether the State party has developed and implemented specific methodologies to assess the effectiveness and impact of training and education programmes provided to law enforcement and other public officials on the absolute prohibition of torture

<sup>19</sup> CAT/C/BGR/CO/6/Add.1, paras. 21–29.

<sup>20</sup> CCPR/C/BGR/CO/4, para. 30 (a).

<sup>21</sup> *Ibid.*, para. 32.

<sup>22</sup> Request by the follow-up rapporteur for additional information, dated 27 June 2019.

and on the provisions of the Convention, and whether these training and education programmes have resulted in a reduction of the number of cases of torture.

### Article 11

11. With reference to the Committee's previous concluding observations (paras. 13 and 14), please provide information on:

(a) Whether the State party has conducted a fundamental review of its approach to deprivation of liberty and has accelerated the implementation of and provided increased funding for the strategy for reforming places of detention in order to bring them into line with international standards; on consideration given to the introduction of non-custodial measures in the penal sanction system as alternatives to detention, and to conditions for conditional release; and on the implementation to date of the Strategy for Development of the Penitentiary System in Bulgaria for up to 2025;

(b) Specific steps taken during the period under review to enhance budgetary allocations in order to improve living conditions in most places of detention by addressing issues such as: overcrowding; insufficient living space per prisoner; dilapidated buildings and infrastructure; poor hygiene facilities, including inadequate water, sanitary and sewage facilities; insufficient access to hot water and showers; lack of access to toilets at night in some places of detention; inadequate heating and cell furnishings such as bedding; poor ventilation and insufficient access to natural and artificial light; electricity cuts; inadequate quantity and quality of food and drinking water; insufficient purposeful activities and exercise; and deficient health care; in addition, please clarify whether there is a list of foodstuffs that can only be purchased from the prison shops, which reportedly maintain artificially high prices, and whether prisoners are prohibited from keeping food brought to them during visits;

(c) Specific enhancements of the programme for the construction, reconstruction, renovation and modernization of the facilities of the penitentiary and probation system; on respect of the time frames for repair, renovation and relocation of existing detention facilities, including information on any acceleration in implementation of the projects for the construction of new prisons in order to reduce overcrowding, especially in Sofia Prison and the detention facilities in G.M. Dimitrov Boulevard and Major Vekilski Street in Sofia, and achieve adequate living space per inmate, in particular with regard to the Sofia, Burgas and Varna prisons that were described as unfit for habitation; as well as on any transfers between certain existing detention facilities with a view to mitigating the conditions described above; also, on any consideration given to making parole available to prisoners, including all persons sentenced to life imprisonment;<sup>23</sup>

(d) Whether all underground police detention facilities in the State party have been closed during the period under review; and on whether Sofia Prison, Kremikovtsi Prison Hostel and the Keramichna Fabrika Prison Hostel in Vratsa have been closed in accordance with the statutory requirements set forth in article 46 of the Execution of Punishments and Remand Custody Act;

(e) Specific steps taken to improve the quality of health services provided to inmates, including by adequately staffing medical centres and specialized prison hospitals; by prompt medical screening upon entry into detention facilities and after transfers; by recruiting more qualified medical doctors; by facilitating referrals to outside specialist services without handcuffing or immobilizing inmates, including for psychiatric and dental care; by facilitating requests by inmates for private medical assistance; by appropriately maintaining medical files and registers, including through recording injuries as well as the use of force and special means; and by preventing the spread of infectious diseases; please also provide information about promptly investigating all incidents of death in custody, ensuring independent forensic examinations and prosecuting and punishing those responsible; provide the Committee with the results of investigations into one suicide in custody in 2018

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<sup>23</sup> CCPR/C/BGR/CO/4, para. 28.

and two suicides in custody in 2019; and provide information about any consideration given to carrying out a general structural reform of health care in the penitentiary system;

(f) Specific steps taken to increase the number of qualified prison staff; abolish 24-hour shifts and eradicate reported aggressive behaviour by prison staff towards inmates, including excessive use of force, and the use of special equipment and beatings of prisoners in cells; provide continuous training on prison management and the prevention of inter-prisoner violence;<sup>24</sup> and put an end to reported corruption in the prison system whereby inmates have to pay custodial staff for services provided by law, and investigate and prosecute those responsible for corruption; in addition, please indicate whether prisoners continue to be handcuffed, including reportedly for days, during all transfers, and whether meetings of prisoners under special or strict regimes with family take part under video surveillance and in the presence of guards;

(g) Please provide information on the disciplinary measures applied in places of detention, including for juveniles, and on the appeal and review mechanisms; and please specify what the maximum duration of solitary confinement is, and under what conditions solitary confinement would be imposed on a prisoner.

### Articles 12 and 13

12. With reference to the Committee's previous concluding observations (paras. 17 and 18) and the follow-up information provided by the State party,<sup>25</sup> the Committee remains seriously concerned at the claim that the deaths occurred more than 15 years ago and that none of the 187 inspections and pretrial proceedings into 243 deaths of children in specialized institutions has yielded any results owing to "insufficient evidence of intentional or negligent criminal activity", and requests the State party to provide information on:

(a) Any subsequent actions taken by the authorities, and on any prosecutions during the period under review of staff of the specialized institutions in question in which the children died between 2000 and 2010;

(b) Specific steps taken during the period under review to close the institutions in question or improve the material conditions and treatment in them in order to prevent the recurrence of inhuman treatment and negligence conducive to death; and on how the amendments made in 2010 to the Ordinance on Criteria and Standards for Social Services for Children and the Law on Health have contributed to remedying the situation;

(c) What the perceived benefit is of the introduction of the "legal obligation ... to notify the child's relatives/custodians/guardians and the competent authorities, as well as to keep mandatory clear and traceable documentation in the event of death" once the child has died;

(d) The number, type and mandate of the control bodies established to conduct regular inspections, and the authorities to which they report, and whether their reports are implemented and made public.

### Article 14

13. With reference to the Committee's previous concluding observations (paras. 33 and 34), please provide information on any amendments to the Assistance and Financial Compensation to Crime Victims Act during the period under review with a view to ensuring that victims of torture and ill-treatment have an enforceable right to fair and adequate compensation. In addition, please provide information on redress and compensation measures for the period under review, including rehabilitation orders, and requests for rehabilitation and compensation, and on the amounts offered to the victims in accordance with the decisions of courts and other legal mechanisms.

<sup>24</sup> CCPR/C/BGR/CO/4, para. 28.

<sup>25</sup> CAT/C/BGR/CO/6/Add.1, paras. 13–14.

**Article 15**

14. With reference to the Committee's previous concluding observations (paras. 35 and 36), please provide information on:

(a) Whether the State party has enacted legislation during the period under review specifically prohibiting the use of statements obtained through any form of coercion or torture as evidence in all judicial proceedings, in conformity with article 15 of the Convention;

(b) Specific steps taken to ensure that, in practice, statements made as a result of torture may not be invoked as evidence in any proceedings, except against the persons accused of torture; and provide the Committee with information on any cases in which confessions were deemed inadmissible on the grounds that they had been obtained through torture; as well as on whether any officials have been prosecuted and punished for extracting such confessions;

(c) Specific steps taken to ensure that all persons, including juveniles, convicted on the basis of coerced evidence or as a result of torture or ill-treatment, are afforded a new trial and adequate redress.

**Article 16**

15. With reference to the Committee's previous concluding observations (paras. 15 and 16), please provide updated information on:

(a) Specific steps taken by the State party to ensure that national legislation guarantees effective legal safeguards, including effective legal representation, for all persons with intellectual and psychosocial disabilities concerning civil involuntary hospitalization in State and municipal medical settings, effective judicial review of their hospitalization and their legal capacity,<sup>26</sup> including the right of the patient to be heard in person by the judge ordering the hospitalization and to appeal decisions of involuntary hospitalization and medication; and to ensure that the court always seeks the opinion of a psychiatrist who is not attached to the psychiatric institution admitting the patient; in addition, please provide information on the current status of the Strategy for Mental Health 2020–2030 and the related Action Plan;

(b) Steps taken to review the legal status and capacity of all patients and ensure that their consent is requested both with regard to hospitalization and in relation to psychiatric and medical treatment, and in particular concerning involuntary hospitalization in psychiatric institutions, as well as psychiatric and medical treatment in such institutions, including with regard to the use of chemical and physical restraints, in order to preserve their mental and physical integrity and allow patients to challenge violations of their rights; also, on whether admission procedures and the system of guardianship continue to include officials from the institutions in which the persons with disabilities are confined, which may result in a conflict of interest and de facto detention; whether placements continue to be done at the request of other persons and not the person with a disability; and whether institutionalization is applied only as a last resort and for the shortest period of time;<sup>27</sup>

(c) Steps taken to renew agreements by the health ministry and other relevant ministries with civil society institutions in order to allow them to monitor such facilities; on specific steps taken to establish an independent complaints mechanism; and on the investigation during the period under review of complaints of ill-treatment of persons with psychosocial and intellectual disabilities hospitalized in psychiatric institutions, including the Radnevo State Psychiatric Hospital, on prosecutions of those responsible, and on any redress provided to victims; in addition, please provide information on any steps taken during the period under review to increase the number of qualified staff in all such institutions, for both adults and children, and to ensure that they are not located far from towns and cities, with bad road and communication infrastructure;

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<sup>26</sup> See also CCPR/C/BGR/CO/4, para. 18 (b).

<sup>27</sup> CCPR/C/BGR/CO/4, para. 18 (c).

(d) Specific steps taken during the period under review, including renovations and refurbishments, and noting in which institutions, with a view to improving the material conditions in psychiatric hospitals and centres for children with intellectual and psychosocial disabilities that amount to inhuman and degrading treatment, such as caged spaces, lack of furniture, poor hygiene and health care, and poor access to sanitary facilities; as well as on any closures of institutions unfit for habitation;

(e) Specific steps taken to prevent all forms of ill-treatment in psychiatric and other institutions by setting up internal control mechanisms; to ensure the use of medication that strictly complies with medical needs and to prevent systemic neglect and the excessive use of medication and chemical restraints; and to prevent the enforced administration of non-consensual, intrusive and irreversible psychiatric treatment and therapies such as narcoleptic drugs; and updated information on steps to reduce violence and self-destructive behaviour among patients; and to eradicate punitive behaviour by staff based on a person's impairment, and prevent negligence and harassment of and violence against children with intellectual and psychosocial disabilities; as well as on the implementation of the Persons with Disabilities Act and of the Personal Assistance Act which entered into force on 1 January 2019. In addition, please provide an explanation for the exceptionally high death rate in 2019 (28 deaths for a capacity of 60 persons) at the Home for Adults with Dementia in the village of Gorsko Kosovo in Suhindol Municipality.

16. With reference to the Committee's previous concluding observations (paras. 29 and 30), please provide updated information on:

(a) Steps taken during the period under review to define hate crimes in national legislation, to establish protocols to prevent them, and to ensure that, in criminal prosecution of offences, motivation by discrimination constitutes an aggravating circumstance; and to ensure that excessive use of force by law enforcement officials against members of vulnerable minority communities, such as Roma, Muslims and their places of worship, migrants, refugees and asylum seekers, Turks, Jews, persons of African descent, and members of sexual minorities, as well as human rights activists defending them, is promptly investigated, that perpetrators are prosecuted and punished with appropriate sanctions,<sup>28</sup> and that victims are provided with remedies and redress, including reparation for damages;

(b) Steps taken during the period under review to systematically investigate violence and hate crimes against vulnerable minority groups, prosecute perpetrators, convict and punish them if found guilty; and specifically on the outcome of any proceedings in relation to the attacks carried out by the Ataka political party against the Muslim community in May 2011 near the Banya Bashi mosque in Sofia.

### **Other issues**

17. Please provide updated information on the measures taken by the State party to respond to threats of terrorism. Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State party has ensured that those measures are compatible with all its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area; the number of persons who have been convicted under legislation adopted to combat terrorism; the legal remedies and safeguards available in law and in practice to persons subjected to anti-terrorism measures; and whether there have been complaints of non-observance of international standards in applying measures to combat terrorism and, if so, what the outcome was.

18. Given that the prohibition of torture is absolute and cannot be derogated from, including within the framework of measures related to states of emergency and other exceptional circumstances, please provide information on any steps taken by the State party during the coronavirus disease (COVID-19) pandemic to ensure that its policies and actions comply with its obligations under the Convention. In addition, please specify the measures taken in relation to persons deprived of their liberty and in other situations of confinement,

<sup>28</sup> See also CCPR/C/BGR/CO/4, para. 10.

such as in homes for the elderly, hospitals, or institutions for persons with intellectual and psychosocial disabilities.

**General information on other measures and developments relating to the implementation of the Convention in the State party**

19. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken to implement the provisions of the Convention or the Committee's recommendations, including institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State party considers relevant.

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