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## О ЖЕСТОКОМ ОБРАЩЕНИИ С ДЕТЬМИ В БОЛГАРИИ

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**Аннотация.** Сегодня весьма актуальна проблема насилия над детьми и подростками. Случаи агрессивного вербального и физического воздействия на детей и среди детей стали очень частыми. Понимание прав, проблем и потребностей детей способствует разработке эффективной политики и мер, направленных на улучшение положения детей в Болгарии. В статье описано правовое регулирование, проводимые мероприятия и службы, занимающиеся защитой детей в Болгарии. Представлены данные из разных источников, касающиеся жестокого обращения с детьми. Потенциал судебной медицины в политике государства по борьбе с жестоким обращением с детьми пока не реализован в полной мере. Актуальные приоритеты в Болгарии такие же, как и в соседних странах. Многие стороны жестокого обращения с детьми скрыты от соответствующих служб и общества, поскольку о большинстве таких случаев не сообщается или они не регистрируются. Причинами этого являются низкий уровень готовности общества осознать проблему и участвовать в предотвращении насилия среди детей, игнорирование прав ребенка на защиту и обязанности каждого гражданина информировать соответствующие органы о детях, находящихся в ситуации риска. Это касается не только Болгарии, но и всех стран Европы.

**Ключевые слова:** жестокое обращение с детьми, судебная медицина, законодательство, Болгария

## THE CHILD ABUSE IN BULGARIA

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**Abstract.** The problem with violence among children and adolescents is very popular today. The reason is that the cases of aggressive verbal and physical acts on and among children have become very frequent. The better recognition of child rights, problems and needs will contribute to the elaboration of effective policies and practices for improvement of the state of children in Bulgaria. The legislation, procedures and authorities related to child protection in Bulgaria are described. Data collected from different sources concerning child abuse, are presented. The use of forensic medicine in prevention of child abuse is still not fully implemented in government politics. Actual priorities are common with other countries of the region. Many aspects of violence against children remain hidden for the specialized institutions and for the society, because in most cases these acts are not reported or registered. Reasons for this to happen are the lack of social sensitivity and engagement for prevention of violence against children, the ignorance of child's right to protection and of everyone's obligation to inform agencies for child protection about children at risk as well. This is not specific for Bulgaria only, but applies to all the European countries.

**Keywords:** child abuse, forensic medicine, legislation, Bulgaria

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The problem with violence among children and adolescents is very popular today. The reason is that the cases of aggressive verbal and physical acts on and among children have become very frequent. The better recognition of child rights, problems and needs will contribute to the elaboration of effective policies and practices for improvement of the state of children in Bulgaria.

The lack of consistent information about the number of children affected by maltreatment limits the ability of the public health community to respond to the problem in several ways. First, it limits ability to gauge the magnitude of child maltreatment in relation to other public health problems. Second, it limits ability to identify those groups

at highest risk who might benefit from focused intervention or increased services. Finally, it limits ability to monitor changes in the incidence and prevalence of child maltreatment over time. In turn, this limits the ability to monitor the effectiveness of child maltreatment prevention and intervention activities [1].

Bulgaria functions as a parliamentary democracy within a unitary constitutional republic. A member of the European Union, NATO and the World Trade Organization, it has a high Human Development Index of 0.834, ranking 56th in the world in 2006.[2] Freedom House in 2008 listed Bulgaria as «free», giving it scores of 1 (highest) for political rights and 2 for civil liberties [3].

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If you are under 18, according to Bulgarian law, you are still a child.

### International legislation

The UN Convention on the Rights of the Child (UN CRC) is the most ratified document in the whole world. This is a significant achievement for the reunification of the State parties, aiming promotion of child welfare, but this also implies the immense responsibility of the governments and civil society to fulfill the undertaken commitments. The Republic of Bulgaria is a state party under the Convention since 1991. In subsequent years the following were also ratified: In 1992 – the Convention for the Protection of Human Rights and Fundamental Freedoms; In 1994 – the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; In 2001 – by an Act of Parliament the Republic of Bulgaria ratified the Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, as well as Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; In 2002 – the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption; In 2003 – the Convention on the Civil Aspects of International Child Abduction, and the European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children;

### Legal provisions in Bulgaria

A legal definition of «child abuse» (violence against children) is contained in the Regulation on the Implementation of the **Child Protection Act**:

1. «**Child abuse**» is any act of physical, mental or sexual violence, neglect, commercial or other exploitation, entailing an actual or likely damage to the health, life, development or dignity of children, which may occur in any of the family, school or social environment.

2. «**Physical abuse**» is the infliction of bodily injury, including pain or suffering, without damage being caused to health.

3. «**Mental abuse**» are all the acts, which may have a harmful impact on the mental health and development of children, such as underestimation, derision, threat, discrimination, **neglect** or other forms of negative treatment, as well as the lack of capacity in parents, custodians and guardians, or caretakers, to provide for the care of and ensure an appropriate support environment to the children.

4. «**Sexual abuse**» is the use of children for the purpose of obtaining sexual gratification.

Other provisions concerning violence (abuse) are also contained in:

The **Constitution of the Republic of Bulgaria**, adopted in 2001 (subsequently amended in 2003), specifies that every citizen shall have the right to life and that infringement upon human life shall be punished as a most serious criminal offence (Art. 28). Nobody shall be subjected to torture, cruel, inhuman and degrading treatment or forced assimilation (Art. 29, para 1).

Bulgarian legislation has been constantly changing after 1990 in order to allow guarantees for the rights and protection of children.

The **Penal Code** (PC) of the Republic of Bulgaria specifies that children<sup>1</sup> (under the age of 14) are criminally irresponsible. Young persons<sup>2</sup> (who have turned 14 years of age, but who are under 18) are criminally responsible, reduced periods being envisaged for the service of «imprisonment», as a sentence to which they are subject, as well as possibilities for its substitution for suspended or less serious sentences.

<sup>1</sup> Remark of Translator: or *minors*, the two terms being used interchangeably, according to context.

<sup>2</sup> Remark of Translator: or *underage*, the two terms being used interchangeably, according to context.

By virtue of the latest amendments to PC from 2002 and 2003, aggrieved criminal liability and increased sentence periods have been envisaged with regard to the:

- murder of a child or person under 18 years of age, committed by their parents (Art. 116);
- murder of a newborn child (Art. 120);
- assistance for or incitement to the suicide of a child or young person (Art. 127);
- bodily injury of a child (Art. 131);
- communication of a sexually transmitted disease to a child or young person (Art. 135);
- abduction (Art. 142) and illegal deprivation of liberty (Art. 142a) of a child or young person;
- sexual assault of a child (Art. 149) and of a young person (Art. 150);
- intercourse with a child or young person, insofar the act committed does not qualify under Art. 152 as rape (Art. 151);
- rape of a female person under 18 years of age (Art. 152);
- incitement to prostitution, sexual assault or intercourse with a child or young person (Art. 155);
- abduction of a female person under 18 years of age, to the purpose of making her available for indecent activities (Art. 156);
- homosexual activities with a child and with a young person (Art. 157);
- the production, distribution and possession of material containing pornography, involving a child or a young person, or a person who has the appearance of a child or young person (Art. 159);
- trafficking of persons under 18 years of age (Art. 159a);
- leaving a person in parental care or legal guardianship without supervision or sufficient care, thereby placing at risk his or her physical, mental or moral development (Art. 182);
- torture of a child or young person remanded in the care of the perpetrator or whose upbringing has been assigned to the latter (Art. 187);
- forcing a child or young person to commit a criminal offence or prostitute (Art. 188);
- systemic use, by a parent or legal guardian, of a child as a beggar (Art. 189);
- parent who forces his or her own child under 16 years of age to live together with an adult person as his or her spouse (Art. 190);
- inciting or facilitating a young person under 16 years of age or of a child to live together with the perpetrator as his or her spouse (Art. 191);
- parent or another relative who receives ransom in order to allow his daughter or female relative who is under 16 years of age to live with another as his spouse (Art. 192);
- inebriation of or sale of alcoholic drinks to a person under 18 years of age (Art. 193);
- incitement to or assistance for the use of narcotic substances by a child or young person (Art. 354b).

Measures have been mapped out and amendments to the Labour Code are adopted, in view of institutionalising the reduction of the serious forms of child labour.

The **Civil Procedure Code** (CPC) envisages special judicial proceedings for the restoration of child custody and the exercise of the right to personal contact, proceeding at the implementation of the Hague Convention on the Civil Aspects of International Child Abduction.

In 2000 a **Child Protection Act** (CPA), as amended in 2003) was adopted in the Republic of Bulgaria. CPA defines a child as any person under the age of 18. CPA specifies the need to ensure special protection by the state in respect of children at risk (Art. 5). Art. 11 regulates the right of every child to protection against violence. On the basis of CPA and a special **Ordinance on the Terms and Conditions for Affording Police Protection to Children** adopted in 2001, police authorities afford police protection

to children who make the object of criminal offences, for the life and health of whom an imminent threat or the risk of being involved in the commission of criminal offences exist, or who are lost or in a helpless condition or left without supervision. Police protection is afforded by police authorities in district police directorates for a period not to exceed 48 hours (as per an amendment to the Ordinance from 2003).

A **Regulation on the Implementation of the Child Protection Act** came in force in 2003. The following secondary pieces of legislation associated with CPA were also adopted in the same year: an **Ordinance on Specialised Protection of Children in Public Areas**, an **Ordinance on Criteria and Standards for Child Social Services**, an **Ordinance on the Terms and Conditions for Implementation of Measures to Prevent the Abandonment of Children and Their Placement in Institutions**, an **Ordinance on the Terms and Conditions for the Applications, Selection and Approval of Foster Families** and an **Ordinance on the Protection of Children with Manifest Talents**.

In accordance with the **Sentence Enforcement Act**, young persons currently serve sentences of «imprisonment» separately from adults, under a less stringent regime. Courts also apply the sentence of «probation» in respect of young persons who have committed criminal offences.

In 2003 the **Fight against Trafficking of Human Beings Act** was adopted, whereby measures for the protection of and assistance to victims of trafficking have been regulated, especially women and children. Secondary legislation thereto has also been adopted, i.e. a **Regulation on Hostels for Provisional Placement and on Protection and Assistance Centres for Victims of Trafficking in Human Beings**, as well as a **Regulation on the Structure and Operations of the National Commission for Combating Trafficking in Human Beings**. A central body to combat trafficking in human beings, as well as local structures attached to it, have been set up by virtue of these legal provisions.

In 2004 amendments to the **Fight against Anti-Social Acts of Children and Young Persons Act** was adopted. By virtue of this Act educational measures (Art. 13) in respect of children and young persons, authors of anti-social acts, are applied. Educational measures are applied with a view to prevent anti-social acts of children and young persons and ensure their normal development and education.

In 2004, the National Assembly adopted the **Protection against Domestic Violence Act** and the **Protection of Persons under Threat in Relation to Criminal Proceedings Act**, which became a legal fact in 2005.

Legislation in the field of education also guarantees child protection against violence, at different levels and in respect of specific criteria. The general legal framework is binding on all types of kindergartens, schools and service units of the education system.

In accordance with the **National Education Act**, art. 4, para 1, citizens have the right to education. They may continually heighten their education and qualifications. Under para 2, no restrictions or privileges are admitted, based on race, ethnicity, sex, ethnic or social origins, religion or social status.

In the **Regulation on the Implementation of the National Education Act** the roles and responsibilities of the various participants in the teaching and school education processes, including those of students, have been set out.

Art. 128 and Art. 129 provide that a teacher: must protect the life and health of students and children during the teaching and school education processes and other activities organised by him or her, the school or kindergarten; may not violate the rights of children and students, degrade their personal dignity, or apply any forms of physical or mental violence against them; has no right to remove a student from classes or any extra-curricular or out-of-school activities.

Art. 132 specifies the conditions for upbringing, training and education of children and students., which guarantee: equal opportunities for physical, mental and social development; their rights, freedom and security; respect for their dignity, deference and affection to children; training in a spirit of understanding, peace and tolerance; involvement with national traditions and cultural values.

Art. 133 and Art. 134 provide for the rights of students and their opportunity to take part, as partners, in school education, having an active role in the achievement of training and education process aims.

Art. 139 specifies the procedures for the service of sanctions on students in the event of failure to perform their obligations set out in the Regulation on the Implementation of the National Education Act and the Regulation on School Operations. .

Subsequent provisions deal with the possibilities available to students to appeal against sanctioning decisions at school, regional education inspectorate and Ministry of Education and Science level.

Documents adopted, guaranteeing the rights of **children with disabilities** and of **children from ethnic minorities**, are of particular importance. These are the **National Plan for Integration of Children with Special Training Needs** and the **Strategy for Integration of Students from Ethnic Minorities in Education**.

Job descriptions for specialists working with children also include a **Code of Professional Ethics** for those working with children.

In 2002 a **National Programme for the Children of Bulgaria** was adopted, which regulates interagency efforts for protection of the rights, life and health of children, as well as cooperation of state institutions with non-governmental organisations.

In 2003 a **National Strategy for the Protection of Street Children**, a **National Action Plan against Commercial Sexual Exploitation of Children** and the **2003–2005 Plan for Reduction of the Number of Children Raised in Specialised Institutions in the Republic of Bulgaria** were adopted and are currently implemented.

A **Plan for Work with Child Beggars**, envisaging measures for the protection of children used for begging and for the reduction of begging in larger populated areas was also adopted in 2004.

A **National Programme for Prevention of Trafficking in Human Beings** and a **National Programme for Child Protection** were adopted in 2005.

An **Anti-Discrimination Act** was also adopted in 2003, whereby all forms of discrimination are prohibited. Art. 4, para 1 thereof provides:

«Any form of direct or indirect discrimination based on sex, race, nationality, ethnicity, citizenship, origin, religion or belief, education, convictions, political affiliations, personal or social status, disability, age, sexual orientation, family status, financial situation or any other indicators provided for by law or an international agreement to which the Republic of Bulgaria is a party, shall be prohibited».

The minimum age of valid consent to sexual activity is 14 years and it is identical for girls and boys. By virtue of the 2004 amendments to CPC it has also been made identical for heterosexual and homosexual contacts. In accordance with PC, intercourse with children under the age of 14 is punishable. A punishable act is also committed by an adult person (over 18 years) who has sexual contact with a person over 14 years of age where the latter does not understand the nature and implications of the act.

Criminal law operates an age distinction between children and young persons, both in respect of perpetrators and victims of crime. As regards the age of perpetrators, children (under the age of 14, in accordance with Bulgarian legislation) are criminally irresponsible, whereas special rules apply to young

persons (PC, Fight against the Anti-Social Acts of Children and Young Persons Act). In certain cases PC envisages for a criminal offence committed by a young person to be heard and a sanction to be served not by a court, but by a specialised administrative commission, pursuant to a special procedure under the FAASACYPA. Only this Commission rules with regard to crimes and other offences committed by a child (aged 8–14), since children are criminally irresponsible.

PC criminalises the violence of parents against children, incest, various offences committed by a woman in child-birth, and the murder of a parent/legal guardian. At the same time PC allows for the offender not to be punished or for the sentence imposed not to be served where a perpetrator of a forced sexual intercourse or of acts aimed at obtaining sexual gratification and a victim subsequently enter marriage.

There are **no specialised courts** tasked with addressing violence against children. Cases are heard by the general courts, some special rules in the Criminal Procedure Code (CPC) applying to the interrogation of young persons, a possibility being envisaged for examination of the case behind closed doors, where this is required to protect good morals or prevent disclosing facts pertaining to the private life of citizens (Art. 262 CPC). A witness who is a young person (including the victim of violence) is interrogated, upon decision of the pre-trial body, in presence of a pedagogue or psychologist, and where necessary – in presence of a parent or legal guardian.

The system for the protection of children also applies to children who are foreign nationals, refugees or who have no particular status.

Bulgarian customs and traditions are not associated with violence or child mutilation. There are no traditions of dishonouring young girls. Corporal punishment is prohibited in the Republic of Bulgaria, in respect of all citizens.

#### Procedures

Tip-offs about violent crimes against children are filed in pursuance of general CPC rules – Art. 186 and Art. 187. All citizens and public officials have a general obligation to report crime – Art. 174 CPC.

CPA also contains a provision introducing the obligation to provide assistance:

Art. 7 (1) A person who becomes aware that a child is in need of protection is obligated to immediately notify the Social Assistance Directorate, the Child Protection State Agency and the Ministry of Interior.

(2) The same obligation also applies to every person, who has become aware of the above, in relation to the exercise of his or her profession or occupation, even where such person might be bound by rules of professional secret.

(3) Central and local bodies of the executive branch of government and specialised child institutions are obligated to provide timely assistance and give information to the Child Protection State Agency and the Social Assistance Directorates in the discharge of their official obligations, following the terms and conditions of the Personal Data Protection Act.

Existent legislation provides for general procedures, i.e. no special complaints procedure has been envisaged in respect of violence and, therefore, the general rules apply. A fundamental piece of legislation is the Proposals, Tip-Offs, Complaints and Applications Act. Below, the relevant provisions of the Ordinance on Criteria and Standards for Social Services to Children are found:

Art. 6 (1) Providers of social services for children shall be obligated to make a procedure available for the submission and examination of complaints filed by children, their parents, legal custodians/guardians or child caretakers and by staff.

(2) A procedure under para shall include:

1. rules for the registration and examination of complaints;
2. a fixed period of examination;
3. rules affording children the possibility to consult an adult of their choice when they wish to file a complaint.

(3) Providers of social services for children shall be obligated to examine and rule on each complaint within the set period, in an aim and lawful way.

(4) Files shall be kept of all complaints and action taken by a provider of social services to eliminate violations, which shall be accessible for inspection by the Social Assistance Agency and the Child Protection State Agency.

(5) The Head of the Social Assistance Directorate at the Social Assistance Agency shall inform the Chair of the Child Protection State Agency of all tip-offs received against a provider of social services.

Under CPA, one of the measures for protection of children is legal aid provided by the state.

Under CPC, a defendant young person is mandatorily appointed, within the context of criminal proceedings, a defence counsel who is a lawyer – Art. 70, para 1, item 1 CPC; s. also, for legal aid, Art. 15 Child Protection Act. Under Art. 76 CPC, pre-trial or trial judicial bodies appoint a special representatives, acting for a child or young person, victim of a crime, where his or her interests contradict those of a parent/legal guardian, e.g. where a parent or legal guardian has been indicted of a violent crime against the child.

Art. 76 CPC Para (2) Where the interests of a child or young person, victims of crime, contradict those of their parent, custodian or guardian, the relevant body shall appoint a lawyer to act as their special representative who shall, on behalf of the child or young person, exercise the rights under Art. 52 and 60. A special representative shall take part in criminal proceedings as mandatory.

Under the draft Domestic Violence Act a special procedure is envisaged, which will be carried out before the regional court, for the provision of injunctive relief, imposing measures for protection against violence, social protection and rehabilitation.

Public awareness raising with regard to complaint and tip-off procedures is achieved through the training of the following target audiences:

- Staff in institutions and schooling establishments;
- Providers of social services;
- Children.

The procedure for submission of complaints and tip-offs is extremely simplified.

#### Authorities

Since 2003 prevention of violence against children has been among the priorities of state policy for the protection of children. The realisation of this priority is within the competence of various central and local authorities, the main coordinating role being given to the **Child Protection State Agency** and the **Ministry of Interior**.

The **Child Protection State Agency (SACP)** has statutory powers to observe the full enjoyment by children of the right to protection against involvement in activities, which are not favourable to their physical, mental, ethical and educational growth (Art. 11, para 1 Child Protection Act). The Agency was established on 1 January 2001, in accordance with the requirements of the Child Protection Act adopted on 31 May 2000.

Special units working to provide child protection at local level have been set up within **Social Assistance Directorates** across the country, which in turn belong to the structure of the **Social Assistance Agency**. Child Protection Departments exist in all municipalities of Bulgaria (272). They develop municipal strategies for child protection, determining local level priorities in child protection policy, including the priority of «prevention of violence». Child Protection Commissions with advisory functions are also established within Social Assistance Directorates, in which take part representatives of municipal administration, Social Assistance Directorates, regional units of the National Police Service, regional education inspectorates with the Ministry of Education and Science, district healthcare centres, local commissions for combating anti-social acts of children and young persons, as well as of legal not-for-profit

entities, which carry out child protection activities and deal in particular with the prevention of violence against them.

After 2003 the right to protection against the use of children for begging, prostitution, distribution of pornographic material and the obtaining of illegal financial income, as well as against sexual violence (Art. 11, para 3 Child Protection Act) is guaranteed by the Minister of Interior who is the central body for the protection of children and is also competent to address, within his competence, violence against children.

There is also a **Central Commission for Combating Anti-Social Acts of Children and Young Persons** attached to the Council of Ministers. In accordance with the Act, educational measures (Art. 13) are applied in respect of children and young persons who have committed anti-social acts. Educational measures are applied with a view to prevent the anti-social acts of children and young persons and to ensure their normal development and upbringing.

The third sector has also a fundamental role in initiatives addressing violence against children. There are approximately 130 **non-governmental organisations** (NGOs) in Bulgaria, actively working on child issues, some of which are specialised in various aspects of violence against children. Their main activities are focused on the prevention of violence, information campaigning, and some also provide recovery and reintegration services for children victims of violence.

**Media** have a central role in increasing public awareness of the issue of violence against children. The National Action Plan against Sexual Commercial Exploitation of Children determines the position of media as a partner in propagating zero tolerance for violence against children.

**Data collection, analysis and research**

Beside the National Institute of Statistics, databases are kept by institutions competent in respect of specific issues (SACP, Ministry of Interior).

The Bulgarian Government did not conduct or commission any scientific research projects on the problem of violence against children in the last years.

An enquiry on «Children's Rights – Awareness and Attitude of Students and Professional Groups Working with Children» was commissioned and implemented with the support of SACP in 2002. According to respondent students, the biggest threat to the health and life of children is violence in all its forms – physical, mental and sexual, both in family and school (39.1%), followed by parents dependent on alcohol and drugs (18.6%). The largest share of responses concern sexual violence, followed by mental violence in family and school, and by physical violence, also in family and school.

There is a difference in the data collected by the institutions (Ministry of Interior, Ministry of Health, SACP, etc.), regarding the methods of gathering of the information and the aims of use of the data.

Since the establishment of the State Agency for Child Protection in 2001 started to collect information on the number and profile of victims of child abuse, which allows to monitor processes in children's development, to outline the trends and accordingly to take adequate measures to prevent violence and child protection. The main tool for gathering information is a specially designed information card, which should be completed by all departments for child protection, carrying out activities related to child protection at the municipal level. Questions in the card include key indicators on cases of violence against children during the reporting period, such as: number of cases of violence against children, type of violence; place of violence, age and marital (family) status of children – victims of violence, etc.

The total number of cases of child abuse, on which have worked departments for child protection in the period 2001–2008, are presented in Figure 1.

The distribution of incidence of violence by place is listed above (table 1).

The above data strongly emphasise the fact that the highest number of registered cases are of family violence, which keeps the lead position over the entire period and considerably outweighs all other types of registered violence. In order

**Table 1. Distribution of incidence of violence in 2001–2008 by place and relative share**

	2001	2002	2003	2004	2005	2006	2007	2008
Child abuse – total; of which:	75	632	1995	2181	1429	1742	1593	1602
Family violence	47 (62.7%)	420 (66.5%)	1614 (81%)	1487 (68.2%)	1103 (77.2%)	1435 (82.4%)	1296 (81.4%)	1297 (81%)
Street violence	-	60 (9.5%)	80 (4%)	188 (8.6%)	119 (8.3%)	112 (6.4%)	91 (5.7%)	98 (6%)
Violence in educational institutions	9 (12%)	78 (12.4%)	206 (10.3%)	311 (14.3%)	114 (8%)	110 (6.3%)	123 (7.7%)	118 (7.4%)
Violence in public areas	8 (10.7%)	40 (6.3%)	36 (1.8%)	45 (2.1%)	43 (3%)	69 (4%)	59 (3.7%)	52 (3.3%)
Violence in specialised institutions	11 (14.7%)	34 (5.3%)	59 (2.9%)	150 (6.8%)	50 (3.5%)	16 (1%)	24 (1.5%)	37 (2.3%)

**Table 2. Distribution of incidence of child abuse by type and relative share (2003–2008)**

	2003		2004		2005		2006		2007		2008	
total number	1995		2181		1429		1742		1593		1602	
abuse	incidence	%	incidence	%	incidence	%	incidence	%	incidence	%	incidence	%
mental	393	20%	628	29%	257	18%	288	17%	298	18.7%	254	16%
physical	505	25%	525	24%	486	34%	587	34%	568	35.7%	490	30%
sexual	108	5%	149	7%	100	7%	147	8%	145	9.1%	190	12%
neglect	989	50%	879	40%	586	41%	720	41%	582	36.5%	668	42%
total	1995		2181		1429		1742		1593		1602	

**Table 3. Distribution of incidence of child abuse by type (2009–2018)**

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
total number	1602	2881	2773	279	518	522	412	640	459	553
abuse	incidence	incidence	incidence	incidence	incidence	incidence	incidence	incidence	incidence	incidence
mental	n/a	n/a	382	48	n/a	147	100	119	99	110
physical	n/a	n/a	713	31	235	213	145	210	168	218
sexual	n/a	n/a	354	n/a	n/a	54	55	46	41	61
neglect	n/a	n/a	726	n/a	114	108	112	158	133	152
non appropriate methods of upbringing	n/a	n/a	n/a	n/a	n/a	n/a	n/a	13	26	30

to reverse this trend it is necessary not only to deploy family support, but also prevention services, including the wide involvement of state institutions, non-governmental and civil organisations (parent associations, school boards, student and youth organisations).

Data about the distribution of incidence of child abuse in Bulgaria according to the reports of SACP is presented in Table 2.

For the next period (2009–2018) the information from the annual reports of SACP is not well structured and non clear and the methods of gathering the information are not unified, so the numbers are not following any rule (Table 3).

#### Forensic Medicine and child abuse

The forensic medicine in Bulgaria play a key role in documenting evidence of physical and sexual child abuse, sometimes of child neglect also.

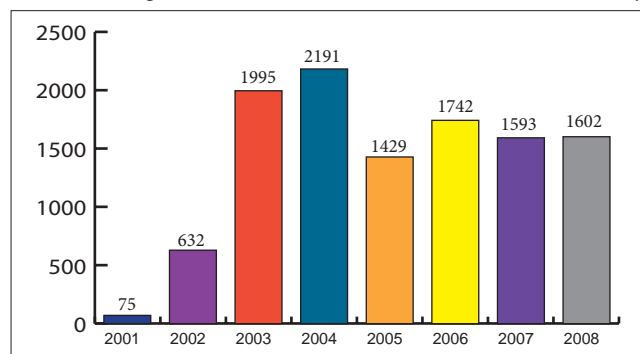
Every district has a department of forensic medicine equipped with a clinical examination office. This is a place where usually the victims come to complain of abuse, often before or without going to other institutions.

All the cases of child death are investigated in forensic pathology departments. All the procedures performed are according to the regulations of the Ministry of Health and the Criminal Procedural Code (CPC), depending on the case.

Unfortunately, there is no national register and statistics upon all the data collected in forensic medicine departments, so the information is not used for ruling out any improvements in the system for prevention of child abuse.

The specialists in forensic medicine are not included in any governmental institution or council for the protection of children.

In this situation it was a hard task to collect uniform data from forensic medicine departments in Bulgaria, concerning cases of child abuse and children's death. We collected the data for 2008, registered in the districts of Sofia, Plovdiv, Varna, Stara Zagora, Gabrovo, Rousse, Shumen, Razgrad, Kustendil, Yambol, Turgovishte and Dobrich, which cover a territory



**Fig. 1. Total number of cases of child abuse, on which have worked departments for child protection in the period 2001–2008**

with a population of approximately 4 497 000 people (57% of 7 900 000 total Bulgarian population, with 7 of the biggest cities included).

The reported physical violence prevails in places outside the family (street, school, public areas), according to the forensic examinations. People (children and their parents or other relatives) coming to forensic medicine departments have a different approach for their future acts against the violence survived – usually for instituting a proceedings versus the violators or for having a proof just in case of future incidents.

The data from forensic medicine departments, concerning child abuse in 2008 points out proportionally bigger number of cases of child sexual abuse than numbers from the data in SACP report for 2008. This is a proof for the real state of child abuse in Bulgaria (registered cases): an insufficient synchronisation in the legislation exists, concerning in part the interaction and coordination between the institutions and the justice system in Bulgaria [15].

Violence against children is a multifaceted problem with causes at the individual, close relationship, community and societal levels. Preventing and responding to violence against children requires that efforts systematically address risk and protective factors at all four interrelated levels of risk (individual, relationship, community, society) [16].

#### Priorities

The priorities were implemented in the National Program for Child Protection 2005 and are current today:

- ▶ 1. Raising children's awareness of the problem of sexual exploitation and development of prevention mechanisms
  - Conducting an awareness campaign, involving children, to prevent child abuse and the sexual exploitation of children for commercial purposes;
  - Distribution and organizing the study of the Interpol manual of the best practice of specialists working on criminal offences against children;
- ▶ 2. Rehabilitation and reintegration of the victims of abuse and sexual exploitation.
  - Establishment of a national helpline for children in need of help and support (working);
  - Establishment of emergency counseling centers for children who are victims of sexual exploitation;
- ▶ 3. Development of a national mechanism for exchange of information among the institutions and organizations concerned with children's problems. Here is the place for the forensic medicine units, too.
  - Devising a mechanism for gathering information about children who are victims of commercial sexual exploitation and following up the development of each specific case;
  - Conducting surveys of groups, children and families at risk, of the nature and elimination of risk factors, of the degree of the phenomenon's spreading in Bulgaria. The surveys shall be conducted on a regular basis, making the results public accordingly;

**Table 4. Activities of Forensic Medicine Departments in 2008**

	Total number	female	male
Total autopsies	3467		
Number of dead children (violent or unexpected death)	107 3 % of total autopsies	46 43 %	61 57 %
Children dead from violence	12 – 11.2 % of children's autopsies, of which suicide cases – 6 (5.6 %)		
Total physical examinations	8490		
Examinations of children under 18	863 10.2 % of total examinations	374 43.3 %	489 56.7 %
Sexual child abuse	166 19.2 % of child abuse	142 85.5 %	24 14.5 %

• Collecting information about the good practices at national and international level.

#### ◇ CONCLUSION

Many aspects of violence against children remain hidden for the specialized institutions and for the society, because in most cases these acts are not reported or registered. Reasons for this to happen are the lack of social sensitivity and engagement for prevention of violence against children, the ignorance of child's right to protection and of everyone's obligation to inform agencies for child protection about children at risk as well. This is not specific for Bulgaria only, but applies to all the European countries.

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