

## **An Important Victory for Bulgaria?**

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The Bulgarian State Gazette, issue #27 from 10<sup>th</sup> of April 2009, announced a number of amendments made to the Criminal Code. An important amendment has been achieved in the sphere of protection against domestic violence. The protection measures have been strengthened with the amendment of Article 296, paragraph 1 of the Criminal Code, by introducing a punishment for failure to comply with the order for protection measures against domestic violence issued by the court, based on the Law against Domestic Violence. Criminalizing the violations of the orders is an extremely important guarantee for the effective protection of the victims of violence.

This amendment of the Criminal Code was demanded last year by the workgroup for amendments to the legislation against domestic violence, which is part of the Ministry of Justice.

The nongovernmental organizations who work in this sphere have been represented in the workgroup by the Bulgarian Gender Research Foundation (BGRF). In addition, all of these organizations have established an Alliance against Domestic Violence. They all stated clearly that such an amendment is needed, deducting this from the monitoring which had been done, and from the implementation of the law. In March 2008, a report prepared by the Bulgarian Gender Research Foundation and the American organization The Advocates for Human Rights described the experience, opinions and demands of the NGOs and the responsible State institutions – the police and the courts which are concerned with the implementation of the law. The lack of explicit criminalization for not complying with the protection orders in the Law against Domestic Violence was emphasized as one of the major obstacles to the effective implementation of the law. The NGOs' position was actively advocated in the Ministry of Justice and now, a year later, it is already a fact. The help and the understanding of the representatives of the Council on Legislation of the Ministry of Justice were essential, and though there are more things that can be improved, this amendment is undoubtedly a victory for civil society. At present, we all witness how a joint effort and successful lobbying can gain positive results.

Criminalizing the violation of protection orders was proposed by the BGRF and the experts who worked for the foundation when the first draft for the Law against Domestic Violence was proposed in 2000-2001, but during that time, the State representatives didn't realize the importance of the amendments in this law. Now, eight years later, the necessity of such an amendment in the Penalty Code was recognized, mainly to have greater effectiveness result from the actions of the police and the court.

The most important thing, however, is that this new order will secure the victims of domestic violence; it will help them to be less afraid, because the State would be at their side, as there are stricter sanctions for the aggressor.

What follows next are the amendments in the Law against Domestic Violence, which representatives of NGOs and Ministry of Justice have been preparing since last year. BGRF and the NGOs from the Alliance against

Domestic Violence insist on regular funding from the State for the services for protection and prevention from domestic violence which have been provided and implemented by the NGOs for more than 10 years. The Ministry of Justice is behind this idea but there are obstacles from other institutions which find the funding mechanism unconvincing as it gives funds to nongovernmental organizations that work with domestic violence issues.

Our goal is for constructive understanding on the part of the State, so that it will adopt the amendments in the Law against Domestic Violence.