

**BRIEFING FROM GLOBAL INITIATIVE  
TO END ALL CORPORAL PUNISHMENT OF CHILDREN**

**BRIEFING ON BULGARIA FOR THE COMMITTEE AGAINST TORTURE  
STATE EXAMINATION – October/November 2011**

*From Peter Newell, Coordinator, Global Initiative  
[info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)*

**BULGARIA (fourth report – CAT/C/BLR/4)**

**Corporal punishment of children in Bulgaria**

Corporal punishment is prohibited in all settings in Bulgaria, including the home. Article 11(2) of the Child Protection Act (2000) states: “Every child has a right to protection against all methods of upbringing, that undermine his or her dignity, against physical, psychical or other types of violence; against all forms of influence, which go against his or her interests.” The Regulation on the Implementation of the Child Protection Act (in force 2003) defines violence against children as “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” (article 1); physical violence is described as “the infliction of bodily injury, including pain or suffering, without damage being caused to health”. Prohibition is confirmed in legislation (regulations) relating to schools and other institutions.

However, despite prohibition, research reveals a significant degree of public opinion in favour of corporal punishment in childrearing in some circumstances – over 45% in a 2009 survey of 1,000 adults.<sup>1</sup> In a survey of 202 teachers, 46% believed that more than half of children in Bulgaria are spanked.<sup>2</sup>

**Bulgaria’s reply to the question about corporal punishment in the List of Issues**

In the List of Issues adopted by the Committee Against Torture, the Committee asks the state party to 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-violent forms of discipline and steps taken to bring to justice alleged offenders in breach of the prohibition of corporal punishment, and on compensation provided to the victims” (Question 42).

In its written reply (7 September 2011, CAT/C/BGR/Q/4-5/Add.1, paras. 289-293), the Government describes in detail the legal provisions for protecting children from corporal punishment, but mentions only briefly the measures undertaken to ensure implementation of the prohibition, alluding to “awareness raising”, “guidelines” and “mechanisms” but giving no specific examples.

**Recommendations by human rights treaty bodies**

In its concluding observations on the state party’s second report in 2008, the **Committee on the Rights of the Child** expressed concern at the continued use of corporal punishment in all settings,

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<sup>1</sup> Vitosha Research (2009), *Physical Punishment in Child-Rearing in Bulgaria*. Part of the Childhood Without Abuse project, which includes studies carried out in Bulgaria, Lithuania, Latvia, Macedonia, Moldova, Poland, and Ukraine in 2005 and 2009

<sup>2</sup> Nobody’s Children Foundation et al (2009), *Sofia teachers’ attitudes toward child abuse*. Part of the Childhood Without Abuse project, which includes studies carried out in Bulgaria, Lithuania, Latvia, Macedonia, Moldova, Poland, and Ukraine in 2005 and 2009

despite its prohibition in law. The Committee recommended that Bulgaria undertake public and professional awareness raising, promote positive, non-violent parenting and education, and ensure appropriate measures are taken in relation to offenders (CRC/C/BGR/CO/2, paras. 31 and 32).

**We hope the Committee Against Torture will highlight the importance of sustained promotion of positive, non-violent disciplinary methods in childrearing and education and recommend that the Government of Bulgaria take a comprehensive approach to ensuring that the law prohibiting all corporal punishment is widely known and enforced, including through appropriate and ongoing public education and professional training as well as effective responses to perpetrators.**

*Briefing prepared by the Global Initiative to End All Corporal Punishment of Children  
[www.endcorporalpunishment.org](http://www.endcorporalpunishment.org); [info@endcorporalpunishment.org](mailto:info@endcorporalpunishment.org)  
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