



Téléfax: (41-22) 917 90 22  
Télégrammes: UNATIONS, GENEVE  
Télex: 41 29 62  
Téléphone: (41-22) 917 91.39  
Internet www.ohchr.org  
Email: mmorales@ohchr.org



Palais des Nations  
CH-1211 GENEVE 10

REFERENCE: jmn/mm/fg/follow-up/CAT

17 February 2006

Mr. Ambassador,

In my capacity as Rapporteur for follow-up on Conclusions and Recommendations of the United Nations Committee against Torture, I refer to the examination of the third periodic report of Bulgaria (CAT/C/34/Add.16) by this Committee, at its 32<sup>nd</sup> session, from 3 to 21 May 2004. At the end of that session, the Committee's Conclusions and Recommendations (CAT/C/CR/32/6) were transmitted to your Permanent Mission. In paragraph 8 of those Conclusions and Recommendations, the Committee asked, pursuant to its rules of procedures, that Bulgaria provide, within one year (by May 2005), further information regarding areas of particular concern identified by the Committee in paragraph 6 (b), (c), (d), (i) and (k) (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective.

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's Conclusions and Recommendations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Bulgaria on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept, Mr. Ambassador, the assurances of my highest consideration.

A handwritten signature in cursive script, reading "Felice D. Gaer".

Felice D. Gaer  
Rapporteur for Follow-up on Conclusions and Recommendations  
Committee against Torture

H.E. Mr. Petko Draganov  
Ambassador  
Permanent Representative of Bulgaria  
Chemin des Crêts-de-Pregny 16  
1218 - Geneva

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 19 OF THE CONVENTION**

**Conclusions and recommendations of the Committee against Torture**  
*(Extracts for follow-up)*

**BULGARIA**

(...)

**D. Recommendations**

6. The Committee recommends that the State party:

(...)

(b) Strengthen the safeguards provided in the Code of Criminal Procedure against ill-treatment and torture and pursue efforts to reduce incidents of ill-treatment by police and other public officials, and devise modalities for collecting disaggregated data and monitoring the occurrence of such acts in order to address the issue more effectively. The State party is encouraged to pursue its efforts to recruit persons of Roma origin into the police;

(c) Take measures to establish an effective, reliable and independent complaint system to initiate and undertake prompt and impartial investigations into all allegations of ill-treatment or torture and to punish those found responsible. The Committee requests that the State party provide it with 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;

(d) Ensure that, in law as well as in practice, all persons deprived of their liberty are duly registered at the place of custody and guaranteed, and informed of, the rights to have access to counsel, to contact next of kin and to a doctor. In this respect an independent free legal aid system for detainees should be established. Strict rules on the maintenance of medical records for all detained persons should be established and rigorously adhered to;

(...)

(i) Take measures to improve the conditions in detention facilities, in particular the investigative detention facilities, with a view to closing the remaining five facilities that are underground, and ensure that all detention facilities provide at least minimal outdoor exercise for detainees;

(...)

(k) Review the regime of detainees serving life sentences, including those serving life sentence without possibility of parole.

(...)

8. The Committee requests the State party to provide, within one year, information in response to the Committee's recommendations in paragraph 6 (b), (c), (d), (i) and (k), above.