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**Bulgarisch**

Die folgenden Sprachen wurden bereits übersetzt: bg.

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**Victims' rights - by country**

Bulgarien

You will be considered a **victim of crime** if you have suffered damage, e.g. you have been injured or your property has been damaged or stolen, etc., as a result of an incident, which constitutes a crime according to national law. As a victim of crime, the law grants you certain individual rights before, during and after court proceedings (trial).

If you are a **family member of a victim** of a crime who has passed away, you will be able to exercise his/her rights only if you are his/her legal heir.

If you have suffered from one of a number of very serious crimes (1) you will be given some **additional rights**, regarding the assistance and compensation you can obtain. If you are a child, parent, spouse or cohabitant of a victim of one of those crimes and he/she has passed away as a result of that crime, you will be granted his/her additional rights.

**Criminal proceedings in Bulgaria** consist of investigation by the police, during which evidence is collected about the offence committed and about its alleged perpetrator. If enough evidence is collected, the case goes to trial. The trial concludes with the court convicting or acquitting the defendant and possible appeals before higher courts. The main objective is to assess who is responsible for committing a certain crime and, subsequently, to determine an appropriate penalty.

If you have suffered from one of a number of during the investigation of the crime, during the trial or after the first trial. Also, read more about the help and support you can get.

*Notes:*

*1. Crimes entitling victims to additional rights*

*According to Bulgarian legislation, victims of certain types of crime have additional rights. These crimes are: terrorism, murder, premeditated grave bodily injury, sexual violence and rape that led to serious damage to health, human trafficking, any crime ordered or committed by an organised criminal group or any other serious intentional crime where the immediate consequences are death or serious bodily injury.*

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**1 - My rights during the investigation of a crime**

**How and where can I report a crime?**
**How can I follow up on what the authorities do after I report a crime?**
**How can I be involved in the investigation of the crime?**
**What are my rights as a witness?**
**I am a minor. Do I have additional rights?**
**What information can I obtain from police or victim support organisations during the investigation of the crime?**
**Can I receive legal aid?**
**How can I get protection, if I am in danger?**
**What services and assistance can I be given during the investigation of the crime?**
**Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?**
**How will my case continue after the end of the investigation?**
**Can I appeal if my case is closed without reaching the court?**
**I am a foreigner. How are my rights and interests protected?**
**More information**

**How and where can I report a crime?**

You can **report a crime**:

to the police - by post, personally at a police station, or by phone on the European emergency number 112 or on the emergency number of the Bulgarian police 166;

to a public prosecutor – by post or personally before the prosecutor on duty in the nearest prosecutor's office.

You may submit your report orally and sign the minutes the police or prosecutor will prepare. You may also submit a report in writing: no special form is required but you must sign the report. You can make your report in any language and should include relevant personal details. Anonymous reports are not prohibited, but cannot oblige the authorities to act.

You have the right to be received by the police in a specially designated area and be treated with respect, taking into account your sex, age and the crime you have suffered from. You will be referred to institutions or organisations offering aid to victims of crime. You can be assisted by an interpreter free of charge if you do not speak Bulgarian or have hearing or speaking impairments. To submit a crime report you can, but are not obliged to, use a lawyer at your own expense.

There is no specific deadline for reporting a crime, except for the period after which public prosecution cannot be initiated. This period may vary from three to twenty years, depending on the seriousness of the crime.
After receiving your report, the authorities will assess the available information and if there is reasonable suspicion of a crime they will start proceedings. If the prosecutor refuses to do so, you will be notified. You can appeal the refusal before the superior prosecutor. The notification will indicate where you can submit your appeal.

**How can I follow up on what the authorities do after I report a crime?**

After reporting a crime, you may request and receive the registration number given to your report and the name and contact details of the officer in charge of it. Using the registration number you can contact the police officer in charge of your case to receive information about the progress of the investigation.

**How can I be involved in the investigation of the crime?**

If you want to take part in the investigation or obtain information, you need to make a request to the police or the prosecutor and provide an address in Bulgaria, even if you are a foreigner - your own, that of your lawyer or a friend/relative – notifying the authorities in case of any change. You can, but are not obliged to, use a lawyer, generally at your own expense.
You are not required to prove any aspects of the crime.
If you do not speak Bulgarian you have the right to an interpreter free of charge in your personal contacts with the authorities. You have the right to be informed about the progress of the case and about your right (as a victim or heir to a victim) to ask the court to freeze the offender's property, if you intend to file a civil claim once the case goes to trial.
You can be present at investigative actions, if that would not hamper the investigation and if the police or the prosecutor so permits. If the police refuse to let you be present, you can appeal before the prosecutor. If he/she upholds the refusal, you can appeal to his/her superior.
On your request, you can personally examine the case file after the investigation is completed with the help of an interpreter free of charge, if needed. The police will present the file and explain the rights you have. If you cannot study the materials yourself, the police officer will clarify and read them to you. You can make requests, remarks and objections.
In some cases, e.g. when the offender has been caught at the scene of the crime, the police may undertake an accelerated investigation in which you will not be allowed to participate.

**What are my rights as a witness?**

If you are summoned to be interviewed as a **witness**, you have to attend before the police or the prosecutor. You have additional rights, related to your testimony:
to use written notes;
to be assisted by an interpreter free of charge, if needed;
to be accompanied by a lawyer, generally at your own expense;
to be interviewed at your location, if you cannot go to the police or the prosecutor's office due to illness or disability;
to be interviewed through a videoconference or a telephone conference, if you are outside Bulgaria;
not to reply to questions, which may imply that you, your relatives, siblings, spouse or co-habitant may have committed a crime;
to request revocation of acts that impact on your rights;
to be reimbursed for the working day(s) off and the expenses incurred.
You will be warned in advance that you should not refuse to be interviewed, give false testimony or hide details. You are expected to tell conscientiously and accurately everything you know about the case.

**I am a minor. Do I have additional rights?**

If you are **under 18 years of age**, you have the right:
to be interviewed in a suitable environment in the presence of a person of teaching background or a psychologist and your parents or guardians;
to be interviewed via videoconference even if you reside in Bulgaria;
to always benefit from legal aid free of charge in all proceedings affecting your rights and interests.
If your interests are in conflict with those of your parent, guardian or custodian (e.g. if he/she has previously harmed or otherwise acted against your interests), the prosecutor will appoint a lawyer free of charge to represent you.

**What information can I obtain from police or victim support organisations during the investigation of the crime?**

If you are a victim (or heir/relative of a victim) of certain crimes (1), you have the right to be informed by police and victim support organisations, in writing or orally, in a language you understand, about:
how and where you can report a crime and what follows;
how and where you can obtain counselling, support and legal aid free of charge;
how and where you can receive protection for you and your relatives and financial compensation;
how to protect your rights and interests, if you are a foreigner or if you have been victimised abroad.
You can also check a brochure available in Bulgarian, English, German and French.
A permanent toll-free victims telephone line will be operational soon. If you are a child, or a child around you is being victimised, you can call free of charge the **24-hour hotline for children in need 116 111**, where consultants can accept a report in Bulgarian or English.

**Can I receive legal aid?**

You have the right to free legal aid only if you are a victim (or heir/relative of a victim) of certain crimes (1). You have to make a request to the prosecutor or the police officer investigating the case. In such cases, legal aid is given to you free of charge, if you present evidence that you cannot pay for it.

**How can I get protection, if I am in danger?**

You, or the public prosecutor with your consent, can ask the court to ban the offender from approaching you. The court's decision cannot be appealed. The ban applies until the end of proceedings, but you can request its lifting at any time.
If you are a **witness** and your evidence might endanger you or your relatives, upon your request or with your consent the prosecutor or the court can place you under temporary witness protection measures:
**Personal physical protection by the police** for you and/or your parents and grandparents, children and grandchildren, siblings, spouse or persons in particularly close relations with you;
**Keeping your identity a secret** by replacing your personal data with an identification number and allowing direct access to you only to the police, the prosecutor and the court.
If you are a witness in proceedings for specific crimes (crimes against the person; arson; explosion; drug-related crimes; organized crime; etc.) and you cannot be protected with the above measures, you can also enter a special protection programme (2).
If you are a **victim of domestic violence,** you can turn to the regional court at your place of residence to impose a protection measure under the domestic violence legislation. This is not part of the criminal proceedings.

**What services and assistance can I be given during the investigation of the crime?**

You can receive **medical help** from medical institutions if you have valid health insurance. Citizens of the 27 EU Member States, Iceland, Liechtenstein, Norway and Switzerland can benefit from the European Health Insurance Card. You can call the emergency units of hospitals at the European emergency number 112.

If you are a victim (or heir of a victim) of certain crimes (1), you may receive free **psychological support** by the Nadja Centre and the Foundation for Assisting Victims of Crime and Combating Corruption, if you submit a written request.

If you are a **victim of human trafficking**, you have additional rights, such as:

to use shelters and assistance centres;

to receive support and assistance from diplomatic and consular officials abroad;

to get special protection (e.g. prolongation of your accommodation in a shelter, issuance of long-term residence permit), etc.

**Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?**

Bulgarian legislation does not provide for mediation in criminal proceedings. However, your case may end up with an 'agreement' between the prosecutor and the defendant's lawyer, prepared after the closing of the investigation and approved by court. Agreement can be reached in proceedings for many types of crime, except for some serious crimes against the person, such as murder and sexual crimes. It states whether a crime has been committed and what the penalty should be. The court will notify you if an agreement has been approved.

An agreement cannot be concluded if your property damages from the crime have not been covered or secured. When approved by court, the agreement is equal to a sentence having entered into force and can thus significantly decrease the length of the proceedings.

**How will my case continue after the end of the investigation?**

After the end of the investigation, the prosecutor will:

close or suspend the case, if the act committed is not a crime, the involvement of the offender has not been proven, the identity of the offender has not been discovered, a very important eyewitness cannot be interviewed, etc.; or

bring the case to court.

**Can I appeal if my case is closed without reaching the court?**

When the prosecutor closes or suspends the case on any of the grounds mentioned, you, as a victim or an heir to a victim, will receive a copy of this decision and can **appeal to the court within seven days.** You can further appeal the court's decision within seven days before the higher court, but only if the case was closed definitively (not suspended temporarily). In all other cases you cannot appeal against the court's decision. For the appeal procedures, you can, but are not obliged to, have a lawyer, generally at your own expense.

**I am a foreigner. How are my rights and interests protected?**

If you are a foreigner and you have suffered from a crime in Bulgaria you have all the rights described above. Specifically, you can:

submit a crime report in your own language;

use the assistance of an interpreter free of charge, if you do not speak Bulgarian;

take part in the investigation and obtain information, if you provide an address in Bulgaria;

receive additional information about your entitlements as a foreign citizen from police and victim support organisations in a language you understand, if you are a victim of certain crimes (1);

be interviewed outside Bulgaria through a videoconference or a telephone conference;

consult a brochure on victims' rights available in English, German and French;

benefit from free legal aid if you are a victim of certain crimes (1); you need to make a request to the prosecutor or the police officer investigating the case and present evidence that you cannot pay for it;

submit documents to Bulgarian authorities in a foreign language, accompanied by a duly certified Bulgarian translation;

be issued a long term residence permit, if you are a victim of human trafficking.

**More information:**

Criminal Procedure Code (Наказателно-процесуален кодекс) – in Bulgarian

Law on Assistance and Compensation to Victims of Crime (Закон за подпомагане и финансова компенсация на пострадали от престъпления) – in Bulgarian and English

Law on Health (Закон за здравето) – in Bulgarian

Instruction No Iз-507 on Receiving Citizens and Supporting Victims of Crime (Инструкция № Iз-507 на МВР от 26 март 2008 г. за осъществяване на прием на граждани и подкрепа на жертви на престъпления в структурните звена на национална служба "Полиция") – in Bulgarian

Law on Legal Aid (Закон за правната помощ) – in Bulgarian

Law on Protection of Persons in Criminal Procedure (Закон за защита на лица, застрашени във връзка с наказателно производство) – in Bulgarian

Law on Protection against Domestic Violence (Закон за защита от домашното насилие) – in Bulgarian

Law on Combating Human Trafficking (Закон за борба с трафика на хора) – in Bulgarian

Law on Child Protection (Закон за закрила на детето) – in Bulgarian

*Notes:*

*1. Crimes entitling victims to additional rights*

*According to Bulgarian legislation, victims of certain types of crime have additional rights. These crimes are: terrorism, murder, premeditated grave bodily injury, sexual violence and rape that led to serious damage to health, human trafficking, any crime ordered or committed by an organised criminal group or any other serious intentional crime where the immediate consequences are death or serious bodily injury.*

*2. Special protection programme*

*The special protection programme includes the following measures:*

*· personal physical guard;*

*· property guard;*

*· temporary safe accommodation;*

*· change of residence, place of work or study, or transfer to another place of imprisonment;*

*· in exceptional circumstances only: change of identity.*

*It may be accompanied by a temporary ban on disclosing your personal data and by social, medical, psychological, legal or financial assistance.*

*The programme can also apply to your parents and grandparents, children and grandchildren, siblings, spouse or persons you are in particularly close relations with.*

*3. Civil claimant*

*If you want to claim compensation for damages from the offender as part of the criminal proceedings you have to become a civil claimant. To do so you have to submit a request to the court orally or in writing. You need to include information about yourself, the offender or another person you are claiming damages from, the case, the crime and the nature and amount of your damage. If you are unable to protect your rights and legal interests due to young age or physical or psychological disabilities, the prosecutor can submit the civil claim for you. When you become a civil claimant you will obtain a number of rights to help you actively participate in the proceedings.*

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## 4 - Help and support for victims of crime

National Council for Assistance and Compensation of Victims of Crime
Ministry of the Interior
National Legal Aid Bureau
Association of Organisations Supporting Victims of Crime
Foundation for Assisting Victims of Crime and Combating Corruption
Nadja Centre
Centre for Assisting Victims of Torture – ACET
Bulgarian Gender Research Foundation
Animus Association Foundation

### National Council for Assistance and Compensation of Victims of Crime

The National Council for Assistance and Compensation of Victims of Crime is the state body responsible for state-provided compensation.

The National Council for Assistance and Compensation of Victims of Crime

is responsible for the payment of financial compensation

provides assistance to Bulgarian citizens victimised on the territory of another EU Member State in filling in financial compensation request forms and sends them to the competent authority in the respective Member State

assists citizens of other Member States legally residing and victimised on the territory of the Republic of Bulgaria who have the right to financial compensation

CONTACTS:

Website: https://www.compensation.bg

### Ministry of the Interior

The Ministry of the Interior receives and supports persons victimised by crimes or other violations of public order.

The Ministry of the Interior

helps persons who are victimised by crimes or other violations of public order

investigates crimes under the supervision of public prosecutors

CONTACTS:

Website: https://mvr.bg

For the contact details of all police stations click here.

### National Legal Aid Bureau

The National Legal Aid Bureau organises, together with bar councils, the provision of legal aid to persons in need, including victims of crime.

The National Legal Aid Bureau

organises, together with bar councils, the provision of legal aid

keeps the National Register for Legal Aid

pays for and controls the legal aid rendered

CONTACTS:

Website: https://mjs.bg

### Association of Organisations Supporting Victims of Crime

The Association of Organisations Supporting Victims of Crime provides information on the activity of its constitutive organisations in the different regions.

The Association of Organisations Supporting Victims of Crime

was created and registered by the Foundation for Assisting Victims of Crime and Combating Corruption, Nadya Centre, ACET, the Bulgarian Gender Research Foundation and other organisations for the purpose of electing a standing representative in the National Council for Assistance and Compensation of Victims of Crime

provides information on the activity of its constitutive organisations in the different regions

CONTACTS:

Telephone: +359 2 980 0262 - Website: n/a

### Foundation for Assisting Victims of Crime and Combating Corruption

The Foundation for Assisting Victims of Crime and Combating Corruption provides legal and technical information and psychological assistance to victims of crime.

The Foundation for Assisting Victims of Crime and Combating Corruption

provides legal and technical information and psychological assistance to victims of crime

conducts anticorruption activities

CONTACTS:

Telephone: +359 2 980 0262 - Website: n/a

### Nadja Centre

Nadja Centre renders assistance to women and children who are victims of physical, sexual and psychological violence.

The Nadja Centre

helps women and children, victims of physical, sexual and psychological violence

provides psychological, medical, social and legal consultations and psychotherapy, and directs victims to other services and experts; provides telephone consultations and information

operates a 24-hour national hotline for children in need

has branches and centres in Sofia, Ruse, Kyustendil, Stara Zagora, Targovishte and Sandanski
CONTACTS:
Website: http://centrenadja.org/

**Centre for Assisting Victims of Torture – ACET**

The Centre for Assisting Victims of Torture provides medical and psychological consultations for victims of violence and torture.
The Centre for Assisting Victims of Torture – ACET
provides medical and psychological consultations for victims of violence and torture
provides support and rehabilitation for victims of violence or torture
has a rehabilitation programme in Sofia, Plovdiv, Varna, Stara Zagora and Kazanluk
CONTACTS:
Website: https://www.hhri.org/organisation/assistance-centre-for-torture-survivors-acet/

**Bulgarian Gender Research Foundation**

The Bulgarian Gender Research Foundation works in the field of protecting women from violence in all its forms – domestic violence, trafficking of women, and sexual harassment at work.
The Bulgarian Gender Research Foundation
works towards protection of women from violence in all its forms – domestic violence, trafficking of women, sexual harassment at work
raises awareness and sensitivity among the public on gender equality issues
has branches in Plovdiv, Haskovo, Silistra and Gorna Oryahovitsa
CONTACTS:
Website: http://www.bgrf.org/

**Animus Association Foundation**

The Animus Association renders psychological and social assistance to victims of violence.
The Animus Association Foundation
does direct psychological and social work with victims of violence (domestic, sexual violence and human trafficking)
does community work – lobbying, prevention and networking among partners; training of specialists for recognising violence and working with its victims
supports a 24/7 hotline (0 800 18 676) for victims of violence, which offers emotional support after a violent experience and information on organisations and services offering help
operates the Hotline for children – victims of violence or children at risk 116 111
supports a 24/7 crisis unit, where victims of violence and their children can stay for up to four days;
provides psychological counselling for dealing with the post-violence crisis, social work and advocacy – accompanying the victims and support of their relations with social, medical, legal and other institutions
conducts psychotherapeutic and consultative programmes
CONTACTS:
Website: http://www.animusassociation.org/

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## 2 - My rights during the trial

How can I be involved in the trial?
What are my rights as a witness?
I am a minor. Do I have additional rights?
Can I receive legal aid?
How can I get protection, if I am in danger?
How can I claim damages from the offender or receive compensation from the state?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
I am a foreigner. How are my rights and interests protected?
More information

### How can I be involved in the trial?

When your case goes to court you will receive information about the first court hearing and you have to decide how you are going to participate in the trial. You have three options: to participate as a victim without a specific legal status in the proceedings, as a civil claimant (1) and/or as an additional private prosecutor (2).
If you choose to participate only as a **victim,** you:
will be informed about the date of the court sessions;
can get acquainted with the case materials and take notes;
can be present at the court hearing unless it is not public ( i.e. takes place behind closed doors and only in the presence of a limited number of persons), in which case you will need permission from the judge.
If you decide to participate as an additional private prosecutor (2) and/or civil claimant (1) you will have a number of additional rights:
to have a lawyer present (not obligatorily), generally at your own expense, unless you prove you cannot pay for his/her services;
to ask for the exclusion of any judge, the prosecutor, the lawyers or the registrar, the experts and the interpreters, if you have justified reasons to doubt their impartiality;
to present material evidence, call witnesses, request expert opinions, etc.;
to be present at inspections performed by the court;
to request the performance of new investigative actions;
to make statements, requests, remarks and objections, examine and cross-examine the defendant and the witnesses and object against the interview of specific witnesses;
to request the court to order the offender to cover your expenses if the case ends with a conviction;
to appeal against the decisions of the court, including the verdict and the penalty.

In case you wish to become additional private prosecutor and/or civil claimant, you need to notify the court. You can do this in writing (no specific form is necessary) or orally during the court session. In any case, you need to notify the court before the presentation of evidence. After that you can no longer become a civil claimant or additional private prosecutor.
In some cases you may not be allowed to participate in the trial as additional private prosecutor (2) or civil claimant (1). The law does not allow for such participation in some specific types of accelerated proceedings (e.g. when the offender has been caught at the scene of the crime). The court may also decide to reject your participation, even if it is not excluded by the law. In such case you can appeal against that decision before the higher court. If you are rejected as a civil claimant, you can still file your claim at the civil court.
There are some less serious crimes (e.g. insult, libel, minor bodily injury, caused by a relative, etc.), which are prosecuted by you as a victim and not by the public prosecutor. If you are a victim of such a crime you have to submit a complaint directly to the court. By doing this you will become a private prosecutor (3). As a private prosecutor you will have the same scope of rights as the additional private prosecutor and the civil claimant.

**What are my rights as a witness?**

If you have also been summoned as a **witness**, you are obliged to appear before the court and stay at its disposal until needed. You also have specific rights related to your testimony:
to use written notes;
to be assisted by an interpreter free of charge, if needed;
to be accompanied by a lawyer, generally at your own expense;
to be interviewed at your location if you cannot appear at the court due to illness or disability;
to be interviewed at your location through a videoconference or a telephone conference, if you are outside Bulgaria;
not to reply to questions which may imply that you, your relatives, siblings, spouse or actual co-habitant may have committed a crime;
to request the revocation of acts affecting your rights; and
to be reimbursed for the working day(s) off and the expenses incurred.

**I am a minor. Do I have additional rights?**

If you are **under 18 years of age**, you can:
be interviewed in a suitable environment in the presence of a person of teaching background or a psychologist and your parents or guardians;
be interviewed via videoconference, i.e. without direct contact with the offender, even if you reside in Bulgaria;
be interviewed in a non-public hearing (i.e. taking place behind closed doors and only in the presence of a limited number of persons); after you give your testimony you will be taken out of the courtroom unless the court rules otherwise;
always receive legal aid free of charge in all proceedings, affecting your rights and interests.
If your interests are in conflict with those of your parent, guardian or custodian, the court will appoint a lawyer free of charge to represent you.

**Can I receive legal aid?**

You can request a lawyer free of charge if you participate in the trial as an additional private prosecutor (2), private prosecutor (3) and/or civil claimant (1).
You need to present evidence to the court that you are unable to pay the fees for a lawyer. The court will examine the evidence and assign a lawyer for you.
You also have the right to free legal aid if you are a victim (or heir/relative of a victim) of certain crimes (4). You have to make a request to the court and legal aid is given to you free of charge, if you present evidence that you cannot pay for it. If possible, the bar council will nominate the lawyer you have specified.

**How can I get protection, if I am in danger?**

You can ask the court to ban the offender from approaching you. The court's decision cannot be appealed. The ban lasts until the end of criminal proceedings, but you can request its lifting at any time.
If you are a **witness** and your evidence might endanger you or your relatives, you can request the prosecutor or the court to place you under temporary witness protection measures:
**Personal physical protection by the police** for you and/or your parents and grandparents, children and grandchildren, siblings, spouse or persons in particularly close relations with you;
**Keeping your identity a secret** by replacing your personal data with an identification number and allowing direct access to you only to the police, the prosecutor and the court.
If you are a **witness,** an additional private prosecutor (2) or civil claimant (1) in proceedings for crimes against the person, arson, explosion, drug-related crimes, organized crime, etc. and you cannot be protected with the above measures, you can also enter a special protection programme (5).
If you are a **victim of a sexual offence**, you can have your trial in a non-public hearing (i.e. taking place behind closed doors and only in the presence of a limited number of persons).

**How can I claim damages from the offender or receive compensation from the State?**

You can **claim damages** before the criminal court (as part of the criminal proceedings) or the civil court (in separate proceedings) **within five years of the commission of the crime or the discovery of the perpetrator**.
You are free to file a civil claim to the civil court whenever you suffer damages. It does not matter whether the incident was a crime, whether the crime was reported or whether there was any criminal procedure at all.
If you choose the criminal court, you have to present your claim before evidence starts being presented at the first instance court. You cannot bring a civil claim to the criminal court if you have already claimed before a civil court.
The criminal court may decide not to examine your claim if it is too complicated and its examination would delay the criminal proceedings. In this case you can file your claim against the alleged offender before the civil court.
The **compensation from the offender** covers all damages caused by the crime, without minimum or maximum levels or a scale.
You might be also entitled to **compensation from the State** if you are a victim (or heir/relative of a victim) of certain crimes (4). Please consult the factsheet on compensation to victims of crime in Bulgaria (available in Bulgarian) of the European Judicial Network.

**Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?**

Bulgarian legislation does not provide for mediation in any part of the criminal proceedings.
However, your case may end up with an 'agreement' between the prosecutor and the defendant's lawyer, approved by court. During the trial the agreement has to be prepared before the end of the judicial inquiry. Agreement can be reached in proceedings for many types of crime, except for some serious crimes against the person, such as murder and sexual crimes. It states whether a crime has been committed and what the penalty should be. The court will notify you if an agreement has been approved.
An agreement cannot be concluded if your property damages from the crime have not been covered or secured. When approved by court, the agreement is equal to a sentence having entered into force and can thus significantly decrease the length of the proceedings.

**I am a foreigner. How are my rights and interests protected?**

If you are a foreigner who has suffered from a crime in Bulgaria, you have all the rights explained above. Specifically, you can:
use the assistance of an interpreter free of charge, if you do not speak Bulgarian;
be summoned to the proceedings in your own country;
be interviewed outside Bulgaria through a videoconference or a telephone conference;
submit to authorities documents in a foreign language, accompanied by a duly certified Bulgarian translation;
consult a brochure on victims' rights available in English, German and French;
benefit from free legal aid, if you participate in the trial as an additional private prosecutor (2), private prosecutor (3) and/or civil claimant (1) or if you are a victim of certain crimes (4); you need to make a request to the court and present evidence that you cannot pay for it;
be issued a long term residence permit, if you are a victim of human trafficking.
Criminal Procedure Code (Наказателно-процесуален кодекс) – in Bulgarian
Law on Assistance and Compensation to Victims of Crime (Закон за подпомагане и финансова компенсация на пострадали от престъпления) – in Bulgarian and English
Law on Legal Aid (Закон за правната помощ) – in Bulgarian
Law on Protection of Persons in Criminal Procedure (Закон за защита на лица, застрашени във връзка с наказателно производство) – in Bulgarian

**More information:**
Criminal Procedure Code (Наказателно-процесуален кодекс) – in Bulgarian
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*Notes:*
*1. Civil claimant*
*If you want to claim compensation for damages from the offender as part of the criminal proceedings you have to become a civil claimant. To do so you have to submit a request to the court orally or in writing. You need to include information about yourself, the offender or another person you are claiming damages from, the case, the crime and the nature and amount of your damage. If you are unable to protect your rights and legal interests due to young age or physical or psychological disabilities, the prosecutor can submit the civil claim for you. When you become a civil claimant you will obtain a number of rights to help you actively participate in the proceedings.*
*2. Additional private prosecutor*
*If you want to press charges in court along with the public prosecutor you have to become an additional private prosecutor. To do so you have to submit a request to the court before the presentation of evidence starts. Your request can be oral or written and you have to include information about yourself and about the circumstances of the crime. You do not have to pay any state fee and the court can sentence the offender to cover the costs you have incurred. When you become an additional private prosecutor you will obtain a number of rights to help you actively participate in the proceedings, including the right to continue the prosecution even if the public prosecutor withdraws charges.*
*3. Private prosecutor*
*For a limited number of crimes (e.g. insult, libel, minor bodily injury, caused by a relative, etc.), only you, as a victim or an heir of a victim of such a crime, can initiate proceedings by submitting a complaint directly to the court. The proceedings will begin directly in court and no preliminary investigation will take place. The complaint needs to be submitted in writing and contain relevant information about you, the person you are complaining about and the incident. You have to sign it and submit it within six months of the day on which you learned about the crime. You need to pay a state fee of 12 BG Leva (6 Euro) and attach the receipt to your complaint. You are also obliged to pay a certain amount specified by the court, which will be used to cover the expenses for the proceedings. You may also claim compensation from the offender for the damages suffered. You will have to prove all aspects of the crime because no public prosecutor will participate in the trial. If necessary, you can seek the assistance of the police in collecting data.*
*4. Crimes entitling victims to additional rights*
*According to Bulgarian legislation, victims of certain types of crime have additional rights. These crimes are: terrorism, murder, premeditated grave bodily injury, sexual violence and rape that led to serious damage to health, human trafficking, any crime ordered or committed by an organised criminal group or any other serious intentional crime where the immediate consequences are death or serious bodily injury.*
*5. Special protection programme*
*The special protection programme includes the following measures:*
*· personal physical guard;*
*· property guard;*
*· temporary safe accommodation;*
*· change of residence, place of work or study, or transfer to another place of imprisonment;*
*· in exceptional circumstances only: change of identity.*
*It may be accompanied by a temporary ban on disclosing your personal data and by social, medical, psychological, legal or financial assistance.*
*The programme can also apply to your parents and grandparents, children and grandchildren, siblings, spouse or persons you are in particularly close relations with.*
Last update: 25/07/2022
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## 3 - My rights after the (first) trial

Can I appeal against a sentence or if the defendant is declared not guilty?
Is further appeal possible?
What rights do I have after the court sentence enters into force?
More information

### Can I appeal against a sentence or if the defendant is declared not guilty?

The trial concludes with the court convicting the defendant or declaring him/her not guilty. If convicted, the defendant will be sentenced. This could involve an imprisonment, a fine or some other form of penalty. You can appeal against the verdict or the penalty only if you have participated in the proceedings as a civil claimant (1), additional private prosecutor (2) and/or private prosecutor (3). If you were a civil claimant (1), you can appeal only as far as your civil claim is concerned.

You need to **submit your appeal within fifteen days** from the date you were informed of the sentence. The appeal court rules on the correctness of the whole sentence regardless of the appeal grounds you have stated. It can establish new facts and can look at all types of evidence.

Appeals have to be made in writing and signed and should state:

the court to which they are submitted;

relevant personal information;

what you are asking the court to do;

why are you appealing; and

any evidence you want the court to collect.

The court to which you are appealing may:

refer the case back to the first instance court;

modify the sentence or issue a new one;

close or suspend criminal proceedings; or

uphold the sentence.

**Is further appeal possible?**

If you have participated as a civil claimant (1), additional private prosecutor (2) and/or private prosecutor (3), you can further **appeal against the court's decision before the Supreme Cassation Court within fifteen days** of being informed of it.

The appeal has to be made in writing and signed and should contain:

relevant personal information;

the part of the sentence or decision against which you are appealing;

the reason for the appeal (violation of law, serious violation of procedural rules or unfair penalty) and

what you are asking the court to do.

The Supreme Cassation Court may:

uphold the sentence or modify it;

close or suspend proceedings; or

refer the case back to one of the previous courts.

**What rights do I have after the court sentence enters into force?**

If the sentence has not been appealed or once the appeal procedure is finished, the sentence enters into force and your role in the proceedings is generally over. In some cases, you can continue to benefit from the special protection programme (4) if you have been placed under such during the proceedings.

The law does not provide you with the right to get information about the release of the perpetrator or to participate in the work of the authorities involved in the early release or amnesty procedures.

**More information:**

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Law on Protection of Persons in Criminal Procedure (Закон за защита на лица, застрашени във връзка с наказателно производство) – in Bulgarian

*Notes:*

*1. Civil claimant*

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*3. Private prosecutor*

*For a limited number of crimes (e.g. insult, libel, minor bodily injury, caused by a relative, etc.), only you, as a victim or an heir of a victim of such a crime, can initiate proceedings by submitting a complaint directly to the court. The proceedings will begin directly in court and no preliminary investigation will take place. The complaint needs to be submitted in writing and contain relevant information about you, the person you are complaining about and the incident. You have to sign it and submit it within six months of the day on which you learned about the crime. You need to pay a state fee of 12 BG Leva (6 Euro) and attach the receipt to your complaint. You are also obliged to pay a certain amount specified by the court, which will be used to cover the expenses for the proceedings. You may also claim compensation from the offender for the damages suffered. You will have to prove all aspects of the crime because no public prosecutor will participate in the trial. If necessary, you can seek the assistance of the police in collecting data.*

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*The special protection programme includes the following measures:*

*· personal physical guard;*

*· property guard;*

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*It may be accompanied by a temporary ban on disclosing your personal data and by social, medical, psychological, legal or financial assistance.*

*The programme can also apply to your parents and grandparents, children and grandchildren, siblings, spouse or persons you are in particularly close relations with.*

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## 1 - My rights as a victim of crime

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## 2 - Reporting a crime and my rights during the investigation or trial

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## 3 - My rights after trial

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## 4 - Compensation

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## 5 - My rights to support and assistance

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