

# Women in Prison: Bulgaria

Analysis from the National Preventive Mechanism

| December 2024



# Bulgaria



UNCAT Ratification  
16 December 1986

OPCAT Ratification  
1 June 2011

National Preventive Mechanism (NPM)

## Ombudsman of the Republic of Bulgaria

NPM legal framework

Amendments to Ombudsman Act, Chapter IV, Article 28 (2012)

NPM operationalisation

Since 2012

NPM structure

Specialised directorate within the Ombudsman

NPM composition

1 Director and 5 experts (3 women)

## I. Facts and Figures

### Prison population

Total prison population

**6,501**

Women in prison (total)<sup>2</sup>

**207 | 3.18%**

Women serving a sentence

**204**

Women in pre-trial detention

**3**

Source: Administration of Sliven Prison, October 2023<sup>3</sup>

### Women in prison - Characteristics

Nursing women / women living with their child (up to 1 year)

**3**

Women with mental health conditions (as per medical diagnosis issued by a psychiatrist)

**12**

Source: Administration of Sliven Prison, October 2023

### Prisons for women

Total number of women's prisons

**1<sup>1</sup>**

Source: Ombudsman of the Republic of Bulgaria, October 2023

<sup>1</sup> There is only one prison for women in Bulgaria. It is located in the city of Sliven and includes the following types of facilities: a prison dormitory of closed type, two prison dormitories of open type and a correctional facility for juvenile girls. Women can be detained also in pre-trial detention facilities around the country for standing trial or for the purposes of a medical care. In pre-trial detention facilities, women are accommodated in separate cells away from other groups of detained persons.

<sup>2</sup> The information relates only to women held in Sliven Prison and does not include data on women held in pre-trial facilities outside Sliven.

<sup>3</sup> Information provided to the Bulgarian National Preventive Mechanism by the administration of Sliven Prison, as of 9 October 2023.

## II. Recommendations

### Solitary confinement

- + The measure of solitary confinement should be applied only in extreme situations, taking into account the needs of the person and providing sufficient guarantees to respect her right to a due process.

### Mental health

- + To increase the number of staff, especially the number of psychologists and social workers.
- + A screening program for women with mental health conditions in the penitentiary system should be established on a regular basis and not only applied when a person enters prison.

## III. Detention issues

### Solitary confinement

#### a. Legal and regulatory framework

Under the Bulgarian law, solitary confinement is the most severe disciplinary punishment in prison. Therefore, the procedure and conditions, including the offense to which it can be applied, should be clearly specified in the law.

A person can only be isolated in a penal cell for serious or systematic violations of prison rules. According to the Bulgarian law, solitary confinement in a penal cell can be imposed for a maximum period of 14 days for adult prisoner and 3 days for juvenile prisoner.

If a convicted person has two or more punishments of solitary confinement and none of them has been served, the stay in a penal cell may be extended up to 20 days, but not more than the total number of days with which he or she is punished.

Upon admission and release from a penal cell, a mandatory search shall be conducted on the prisoner. During their stay in a penal cell, persons deprived of liberty shall not have any right to use food deliveries.

The conditions in the penal cell and the items which the convicts may keep shall be determined by the rule for application of the law. The penal cells shall be located in high security areas, ensuring isolation from the rest of the premises.

Rooms arranged as punishment cells shall meet all hygiene and health requirements - they shall be free from moisture, have direct access to daylight, be well locked, heated, have ventilation facilities and a secure bed.

Solitary confinement can only be imposed by written order of the competent authority. The order for disciplinary punishment of solitary confinement in a penal cell is subject of appeal before the Administrative court within three days of its announcement.

Prisoners isolated in a penal cell shall be visited by a medical specialist every working day. The medical examination shall be carried out on site, unless the case requires otherwise. By request of the prisoners the medical examination shall be carried immediately.

The undertaken medical examinations shall be certified in the relevant written documents, which shall be attached to the medical file of the convicted person.

### b. The use of solitary confinement in practice

According to the information provided by the women's prison, the number of women held in solitary confinement as disciplinary punishment has decreased over the past few years, which is considered as a positive trend.

	2021	2022	2023 <sup>4</sup>
<b>Women held in solitary confinement</b>	37	27	5

However, despite the safeguards introduced in the law and the possibility to appeal the measure, it should be noted that the risk of violating the right to due process is high. In this regard, it is worth noting that, even if the measure is appealed, the court's assessment is usually formal and based on documents submitted by the prison administration. Furthermore, prisoners cannot always afford a lawyer or provide enough witnesses for their case.

Another problem at legislative level is that appealing against the measure does not stop its execution. That means that, if the court delays in issuing its decision, and the prisoner's appeal proves to be justified, the person will have suffered an unlawfully imposed measure. In such a case, the only defence left is to sue for compensation for non-pecuniary damage resulting from the execution of an unlawful act.

Solitary confinement has a number of negative effects on women detainees, making it necessary to provide them with additional and effective rehabilitation support. Isolation in women can lead to high levels of depression, contributing to feelings of doom and a sense of loss of perspective in life.

Possible measures to support women detainees include expanding opportunities for voluntary work and involving them in rehabilitation activities, minimising the negative effects of isolation by involving them in cultural, informational and sporting activities, and enhancing the professional competences of prison staff in order to adequately respond to the individual needs of each woman.

### Access to mental healthcare

Healthcare for persons deprived of liberty with mental health conditions in Bulgaria is subject to special regulation which establishes the conditions and procedures of healthcare in correctional facilities. In general, findings from the NPM revealed several shortcomings in relation to healthcare in prison, such as: poor quality; lack of medical professionals; neglect of detainees' complaints, untimely referral of detainees to external specialists for diagnosis and treatment, and poor sanitary and hygiene conditions.

Healthcare of detainees with mental health conditions is provided in the medical centre of all prisons in Bulgaria and in the Specialized Hospital for active treatment at the prison in Lovech (SHAT). If necessary, healthcare for detainees may also be provided in other healthcare facilities.

There are two units in the Specialised Hospital at Lovech's prison: one unit for men, with a capacity of 40 beds, and one unit for women, with total capacity of 10 beds. In addition to this, there is a stationary unit in every prison where persons with mental health conditions are placed until they are transferred to the Specialized Hospital.

The person deprived of liberty shall be informed about the offered healthcare services and all medical activities shall be carried out after the person has given their informed consent. Any additional

<sup>4</sup> As of 9 October 2023, according to the information provided by the administration of Sliven prison to the Ombudsman of the Republic of Bulgaria.

healthcare service beyond the offered volume of healthcare may be provided at the patient's request and their own expense, at prices set by the health establishment. Medical, financial and statistical records shall be kept and stored at the Hospital. Every detainee with mental health conditions shall be prescribed, free of charge, the necessary medication for their treatment upon discharge from the hospital. Inmates from all over the country are admitted for treatment in the Specialised Hospital.

One of the main recommendations by the NPM over the years has been that all prisons must employ a specialist psychiatrist to monitor prisoners with mental health conditions. From December 2022, psychiatrists in prisons are on civil contracts.

According to the most recent data, one psychologist works with about 200 prisoners and one social worker with 100 prisoners. The NPM has repeatedly recommended to increase the number of staff, especially the number of psychologists and social workers. However, so far authorities have not taken measures to implement this recommendation, alleging lack of funds for salaries.

According to the Bulgarian legislation, the initial training of prison's staff shall include health-related information on:

- + the external signs of emergency conditions and the actions of staff in the event of the need for somatic emergency care and psychiatric emergency care;
- + signs of withdrawal states in alcohol and/or drug dependence and initial actions to manage them;
- + characteristic features of mental health conditions, suicidal attitudes and ways to prevent self-harm;
- + involvement of non-medical professionals in the design of programmes for persons with addictions (alcohol and/or drug). Consultants from other medical facilities may be brought in to assist in the healthcare of detainees.

In case of suspected mental health condition of a person deprived of liberty, the inspector-psychologist, in cooperation with a psychiatrist at the prison medical centre or an external psychiatrist, shall conduct clinical-psychological and psychiatric examinations to clarify the diagnosis. Detainees with alcohol and/or drug dependencies or at risk of suicide shall be supervised by the psychiatrist, who, together with the inspector-psychologist and the inspector for social activities and educational work, shall draw up a program for their treatment.

On admission to a prison, detainees shall be placed in a reception ward for a period of 14 days to one month, and juveniles shall also be supervised by a tutor, a doctor and a psychologist. After the initial medical examination, detainees are consulted by a psychiatrist and a psychologist, who necessarily give an opinion on:

- + the detainee's mental health state and their characteristics, such as suicidal tendencies, self-harm and aggressive behaviour;
- + the symptoms of drug and/or alcohol dependence and the measures to be taken during the sentence.

Findings from the NPM revealed, over the years, the high percentage of women detainees with mental health conditions or who later develop them while in prison. In October 2019, during an inspection carried out at the women's prison, it was found that 42 women had mental health conditions.

In this regard, the NPM recommended that a screening program for persons with mental health conditions in the penitentiary system should be established on a regular basis and not only applied when a person enters prison. This recommendation has not yet been approved by the Ministry of Health.

### Contact with the outside world

According to the Execution of Penalties and Detention Act, visits shall be carried at least twice in a month. Besides that, the convicted persons have the right of correspondence and phone calls. The allowed time for a visit is up to 60 minutes by order of the Chief Director of the Chief Directorate for Execution of Penalties.

The distance of Sliven Prison (307 km away from the capital Sofia) and other populated areas inevitably creates obstacles for regular visits. It is therefore recommended to consider extending the visiting hours for women serving their sentences far away from their permanent addresses. Another measure which could be taken to ensure the right to have contact with family and the outside world is to grant home leave to women who have good behaviour.

## IV. Other relevant NPM information on women in prison

- + Annual Reports of the Ombudsman of the Republic of Bulgaria as a National Preventive Mechanism: <https://www.ombudsman.bg/en/p/annual-reports-558>

This report is part of the Global Report on Women in Prison.  
Access the full report here: [www.apt.ch/global-report](http://www.apt.ch/global-report)