

BULGARIA

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RULES/GENERAL LAWS

General	Penal Procedure Code of the Republic of Bulgaria (2006, amended 2011) (English version) https://www.legislationline.org/download/action/download/id/4152/file/PENAL_PROCEDURE_CODE_am2011_en.pdf
	Criminal Code of the Republic of Bulgaria (1968, amended 2017) (English version) https://www.legislationline.org/download/action/download/id/7578/file/Bulgaria_Criminal_Code_1968_am2017_ENG.pdf
	Law On Defence And Armed Forces Of The Republic Of Bulgaria https://websrv.mod.bg/en/documents_zakoni.html
	Statute for the Army Service of the Armed Forces of the Republic of Bulgaria https://websrv.mod.bg/bg/documents_ustavi.html
	Military Police Act http://vp.mod.bg/documents/military_police_act.pdf
	When deployed as part of UN Peace Operations, Bulgarian Armed Forces respect the Law on Defense and Armed Forces (chapter three, section II, articles 61-76), and the Statute for military Service of the Armed Forces of the Republic of Bulgaria (chapter IV, articles 223-242). When deployed, military personnel are always considered on duty. For the deployed Military Police officers, along with the abovementioned documents, the Military Police Act applies.
SEA: military offence?	According to the country's legislation, SEA are not considered a military crime. The applicable framework on offences of sexual exploitation or sexual abuse is stipulated within the Criminal Code of the Republic of Bulgaria (1968, amended 2017) . According to par. 4, sec. 1, the Criminal Code applies to Bulgarian citizens for crimes committed by them abroad. The Joint Forces Command, which carried out the national control over the deployed military units outside the territory of the country, do not have any information about a case of sexual exploitation and abuse (SEA) (as defined in the SG Bulletin 2003).
Powers of the Commanding Officer (CO)	In accordance with Standing operating procedures (SOP), established for each of the participation abroad, the Commander may apply "confinement to camp" for a military serviceman who has committed a SEA while participating in a UN peace operations. In practice, the detention of the serviceman is carried out by the authorities of the Operation commander in the field, to which the military unit has been assigned. (Statute for the Army Service of the Armed Forces of the Republic of Bulgaria) The CO has right to impose administrative and disciplinary penalties.
INVESTIGATION	
Who can investigate?	In the case of allegations of SEA in the field, the CO appoints a commission to conduct an investigation. The initial investigation is carried out by a representative from the Military Police Service, if present in the field. Military investigating police officer, deployed under the CO command have the right to investigate a criminal offense. If the Bulgarian troops are under Allied Command, the investigation is carried out by the Commander of the operation, and a representative from the Bulgarian contingent joins the investigative group.
National Investigation Officer (NIO)	There are no Military prosecutors deployed due to the small size of the Bulgarian military contingents abroad. Usually, a Military investigative officer is sent along with the contingent. In case of necessity, a commission may be appointed and deployed to the mission area with a mandate to investigate the specific case of SEA.
PROSECUTION	
Referral	The results of the investigations about SEA conducted by peacekeepers are reported through the chain of command to the Commanding officer and to the Military prosecutor, appointed for the specific case.
Who can charge?	In case where the alleged offender is a military member (officer, sergeant or soldier), both the National and the Military Prosecutor's Office have the right to bring charges. The military prosecution does not interfere if the offender (the criminal) is a civilian person.
JUSTICE	
Military justice	The Republic of Bulgaria has a Military Justice System. Military prosecutors and investigators In the course of their duties are independent of the military authorities. The Military Prosecutor's Office is part of the Prosecutor's Office of the Republic of Bulgaria, which is headed by a Prosecutor General. The Prosecutor General supervises the legality and plays methodological guidance of the activities of all prosecutors and investigators for the correct application of the laws and the protection of the legitimate rights and interests of citizens, legal persons and the state. The Military Prosecutor's Office consist of three Military District Prosecutor offices. The three offices cover the whole territory and have timetable specified for the trials they deal with. The Military Police Service deploys serviceman to the field as Investigative police officer and who works both under the mission (operation) commander and the Military prosecutor.
Deployable Court Martial?	If necessary, a prosecutor may be deployed to the mission area.

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