

Country File

BULGARIA



Last updated: **December 2008**

Region	Europe
Legal system	Civil Law
UNCAT Ratification/ Accession (a)/ Succession (d)	16 December 1986
Relevant Laws	<ul style="list-style-type: none">• Constitution of 1991• Code of Criminal Procedure of 1974 (State Gazette No. 89, 1974)
Relevant Articles	<ul style="list-style-type: none">• Prohibition of Torture: Article 29 of the Constitution• Definition of Torture:• Penalties:• Others:<ol style="list-style-type: none">1. Extradition: Article 439b of the Code of Criminal Procedure2. International law status: Article 5 of the Constitution
Languages Available	<ul style="list-style-type: none">• Bulgarian (official language)• English
Other Relevant Information	

Relevant Articles – BULGARIA

BULGARIAN

Конституция На Република България 1991

Чл. 5

- (1) ...
- (4) Международните договори, ратифицирани по конституционен ред, обнародвани и влезли в сила за Република България, са част от вътрешното право на страната. Те имат предимство пред тези норми на вътрешното законодателство, които им противоречат.
- (5) Всички нормативни актове се публикуват. Те влизат в сила три дни след обнародването им, освен когато в тях е определен друг срок.
- (5) ...

Чл.29

- (1) Никой не може да бъде подлаган на мъчение, на жестоко, безчовечно или унижаващо отношение, както и на насилствена асимилация.
- (2) ...

ENGLISH (Translation)

Constitution of 1991

Article 5

- (1) ...
- (4) Any international instruments which have been ratified by the constitutionally established procedure, promulgated and come into force with respect to the Republic of Bulgaria, shall be considered part of the domestic legislation of the country. They shall supersede any domestic legislation stipulating otherwise.

Article 29

- (1) No one shall be subjected to torture or to cruel, inhuman or degrading treatment, or to forcible assimilation.
- (2) ...

Code of Criminal Procedure of 1974 (State Gazette No. 89, 1974)

Article 439b Conditions for rejection of extradition

(New, SG No. 64/1997)

- (1) Extradition of Bulgarian citizen for trial or for serving of punishment in another country shall not be allowed.
- (2) Extradition of foreign citizen shall not be allowed:
 1. ...
 3. if the person is to be subjected in the requesting country to violence, torture or another cruel, inhuman or humiliating punishment, and no guarantees have been provided for protection of the rights stipulated in this Code;
 4. ...