

## Trafficking in Persons Report 2012

### United States Department of State

#### Office to Monitor and Combat Trafficking in Persons

### **BULGARIA (Tier 2)**

Bulgaria is a source and, to a lesser extent, a transit and destination country for women and children who are subjected to sex trafficking, and men, women, and children subjected to conditions of forced labor. Bulgarian women and children are subjected to sex trafficking within the country, particularly in resort areas and border towns, as well as in the Netherlands, Belgium, France, Austria, Italy, Germany, the United States, the Czech Republic, Finland, Greece, Spain, Norway, Poland, Switzerland, Turkey, Cyprus, Macedonia, and South Africa. Ethnic Roma men, women, and children are particularly vulnerable to becoming trafficking victims and represent a significant share of identified trafficking victims. Bulgarian men, women, and children are subjected to conditions of forced labor in Greece, Italy, Spain, the Czech Republic, Sweden, Norway, Cyprus, and Iraq. Some Bulgarian children are forced into street begging and petty theft within Bulgaria and also in Greece, Italy, and the United Kingdom.

The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the Government of Bulgaria sustained its high conviction rate and sent a larger percentage of convicted trafficking offenders to prison. While the government prosecuted roughly the same number of individuals for trafficking crimes as 2010, it investigated fewer cases in 2011. Prosecutors initiated prosecutions of two police officers in the reporting period, although they investigated fewer public officials overall. Although the government identified fewer victims, it continued to make effective use of its national referral mechanism, adopted in late 2010, to assist more victims. The government improved the operation of its two shelters for adult trafficking victims, providing services to significantly greater numbers of women than in previous years. The Government of Bulgaria continued its robust prevention efforts such as outreach campaigns targeting vulnerable populations, including Roma communities.

**Recommendations for Bulgaria:** Continue efforts to investigate, prosecute, and convict government officials complicit in trafficking, and ensure that guilty officials receive criminal punishment; continue efforts to investigate, prosecute, and convict trafficking offenders and ensure that a majority of convicted offenders serve time in prison; sustain efforts to ensure that no victims of trafficking are punished for acts committed as a direct result of being trafficked; continue efforts to reduce human trafficking, including extending prevention activities to more schools with a majority of Roma children; continue to increase the number of victims referred by government officials to service providers for assistance; take legislative action to prohibit the prosecution of trafficking victims for acts committed as a direct result of their being trafficking.

#### **Prosecution**

The Government of Bulgaria demonstrated increased overall law enforcement efforts during the reporting period. Bulgaria prohibits trafficking for both sexual exploitation and forced labor through Article 159 of its Criminal Code, which prescribes penalties of between two and 15 years' imprisonment for convicted offenders. These penalties are

sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2011, police conducted 119 sex trafficking investigations and nine labor trafficking investigations, compared with 149 sex trafficking and 11 labor trafficking investigations conducted in 2010. Authorities prosecuted 102 individuals for sex trafficking and 13 for labor trafficking in 2011, compared with 113 persons prosecuted for sex trafficking and five for labor trafficking in 2010. A total of 112 trafficking offenders were convicted in 2011 – 95 for sex trafficking and 17 for labor trafficking offenses – compared with 112 sex trafficking offenders and five labor trafficking offenders convicted in 2010. Only 54 of the 112 convicted trafficking offenders were sentenced to any time in prison, however, with sentences ranging from three to 13 years' imprisonment, compared with 43 of 117 convicted trafficking offenders sentenced to imprisonment in 2010. In 2011, the National Institute of Justice provided trafficking-specific training to 10 police officers, 14 investigators, 37 prosecutors, and 22 judges. In November, with the support of an NGO, the government held a seminar for 60 police officers, local officials, and NGO representatives on forms of international police cooperation and best practices in countering trafficking for both sexual and labor exploitation. Bulgarian law enforcement officials also collaborated on joint human trafficking investigations with law enforcement counterparts from nine other governments.

There were continued reports of trafficking-related complicity of government officials during the reporting period, including reports of government officials who provided sensitive law enforcement information to traffickers and intentionally hindered the investigations of high-level traffickers. The government demonstrated inadequate efforts in combating this complicity. Seven police officers were investigated for potential complicity in human trafficking in 2011, compared with 12 officers investigated in 2010. While the government prosecuted other officials for crimes related to facilitating the acquisition of fraudulent identity documents, it did not sufficiently investigate these cases to determine if the crimes entailed human trafficking as opposed to human smuggling.

## **Protection**

The Government of Bulgaria made modest progress in protecting victims of trafficking in the reporting period. The government spent \$27,000 in 2011 on victim assistance programs. The government continued implementing a national referral mechanism, adopted in 2010, to ensure that trafficking victims were identified and referred to specialized services. This mechanism divides victim identification into formal and informal stages, allowing victims to be identified and provided with assistance regardless of their readiness to cooperate with police investigations. In 2011, the government's prosecution service identified a total of 512 victims of trafficking, including 70 child victims, compared with 558 identified victims in 2010, 89 of which were children. Of the 512 victims, 404 were victims of sex trafficking and 108 suffered from labor exploitation. The government identified no foreign victims in 2011, compared to one foreign victim identified in 2010. NGOs identified an additional 55 to 91 victims in 2011, compared to 55 victims in 2010. Victims who did not cooperate with police investigations were not included in the official government statistics; however, law enforcement did not discriminate against those who did not cooperate and routinely referred them to NGOs. The government assisted a total of 150 victims of trafficking through its national referral mechanism, an increase from 110 in 2010. The national government, in cooperation with local governments, continued to fund two state-run trafficking shelters that provided long-term assistance, including medical and reintegration services for adult women; the shelters accommodated nine victims during the reporting period. Trafficking victims were permitted to enter and leave the shelters freely. No trafficking-specific government or NGO shelters were available to male victims of trafficking. The government continued to operate 11 crisis centers for child victims of violence that provided shelter and psychological and medical assistance to approximately 67 child victims of trafficking in 2011, compared to 79 in

2010. Foreign victims of trafficking were eligible for all assistance available to Bulgarian victims of trafficking. The government encouraged victims to assist in trafficking investigations and prosecutions; all 512 victims identified by the prosecution chose to cooperate with law enforcement in 2011. At least two women were placed in witness protection in 2011. Foreign victims who cooperated with law enforcement were eligible to stay in Bulgaria for the duration of the criminal proceedings before deportation or mandatory repatriation. Foreign victims who chose not to cooperate in trafficking investigations are permitted to remain in Bulgaria for 40 days for recovery before being returned to their country of origin; the recovery period for foreign child victims was 70 days. There were no reports of trafficking victims punished for unlawful acts that they committed as part of their being trafficked.

## **Prevention**

The Bulgarian government demonstrated significant efforts to prevent human trafficking during the reporting period. The government spent approximately \$37,000 in 2011 on prevention activities. In October, the government implemented its annual major campaign, "Human Trafficking – Time for Action," which in 2011 cost \$27,000 and utilized booklets, postcards, book separators, CDs, video and audio spots on major radio and television stations, outdoor advertisements, and campaign branding of three central metro stations in Sofia. The government also trained 180 teachers in engaging students in interactive discussions on trafficking. The National Commission for the Fight against Trafficking in Persons continued to serve as the government's focal point for coordinating anti-trafficking efforts. Six regional commissions operating under the national commission carried out trafficking prevention campaigns during the year. For instance, in July, the local commission in Pazardzhik organized a prevention campaign targeting the local Romani community during which it distributed information brochures, T-shirts, and hats. The National Commission routinely referred information of potentially fraudulent job offers to the Labor Ministry's Inspectorate for investigation and administrative punishment; in 2011, the Commission referred 11 such cases. The government operated mobile child protection units to identify vulnerable street children. The government also demonstrated efforts to reduce demand for commercial sex acts by emphasizing the punishments for offenders in its awareness campaigns. The Bulgarian government participated in a number of regional conferences, including hosting a seminar on labor trafficking in June 2011 that was attended by representatives from nine European countries. At the close of the reporting period, the Government of Bulgaria had developed but not yet adopted its 2012 national action plan for combating human trafficking.