

**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 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 Austria, Belgium, Cyprus, the Czech Republic, Finland, France, Germany, Greece, Italy, Macedonia, the Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, Turkey, and the United Kingdom. Bulgarian men, women, and children are subjected to conditions of forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, the Netherlands, Italy, Norway, Spain, Sweden, and the United Kingdom. Labor trafficking victims are predominantly exploited in agriculture, construction, and in restaurants. Ethnic Roma men, women, and children are particularly vulnerable to becoming trafficking victims due to social marginalization, and represent a significant share of identified trafficking victims. Some Bulgarian children are forced into street begging and petty theft within Bulgaria and also in Greece, Italy, Sweden, and the United Kingdom. Bulgarian women and girls with mental disabilities are increasingly subjected to sex trafficking, particularly in the Netherlands.

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 provided increased funding for two state-owned trafficking shelters, identified more victims of trafficking, and provided care for more female trafficking victims. Shelter capacity for female victims was insufficient, and the government lacked specialized services for male victims. The government prosecuted slightly fewer cases against alleged trafficking offenders, and the majority of convicted offenders did not receive a sentence requiring time in prison. Law enforcement action against public officials and police officers remained limited, although one court imposed a 10-year sentence on a former municipal official for leading an organized crime group involved in trafficking. The government more than doubled funding for prevention campaigns, which included a number of robust public awareness events and advertisements. It also held trainings on trafficking for labor mediators, social workers, journalists, and Roma specialists working to prevent trafficking. Although the government increased its outreach to Roma communities, Roma engagement remained insufficient overall. The government adopted its 2013 national action plan in January.

**Recommendations for Bulgaria:** Investigate, prosecute, and convict government officials complicit in trafficking, and ensure that convicted officials receive prison sentences; enhance efforts to investigate, prosecute, and convict trafficking offenders, and ensure that the vast majority of convicted offenders serve time in prison; take legislative action to prohibit the prosecution of trafficking victims for acts committed as a direct result of their being trafficked; continue to increase the number of victims referred by government officials to service providers for assistance, especially repatriated victims; increase the capacity of existing shelters for adult female trafficking victims, and implement service offerings including legal services, reintegration assistance, and shelter for male victims as outlined in the national referral mechanism; and intensify outreach activities to Roma communities.

**Prosecution**

The Government of Bulgaria made limited progress in its anti-trafficking law enforcement efforts during the reporting period, as prosecutions of alleged traffickers declined slightly and investigations of allegedly complicit public officials remained low. Bulgaria prohibits both sex and labor trafficking 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 2012, police conducted 121 sex trafficking investigations and seven labor trafficking investigations, compared with 119 sex trafficking and nine labor trafficking investigations conducted in 2011. Authorities prosecuted 91 individuals for sex trafficking and two for labor trafficking in 2012, compared to 102 persons prosecuted for sex trafficking and 13 for labor trafficking in 2011. The government convicted 94 offenders of sex trafficking and three offenders of labor trafficking in 2012, compared to 95 sex trafficking offenders and 17 labor trafficking offenders convicted in 2011. The percentage of convicted offenders sentenced to prison terms remained low; the government reported that 53 of the 110 offenders convicted for trafficking and the separate offense of baby selling were sentenced to time in prison, with 40 defendants sentenced to up to three years' imprisonment, 12 defendants sentenced to three to five years, and one defendant sentenced to five to 10 years' imprisonment. The remaining 57 convicted offenders received suspended sentences, 33 of whom were also fined.

Combating human trafficking is covered in the regular curricula of the Interior Ministry's Police Academy, the Foreign Ministry's Diplomatic Institute, and the National Institute of Justice, which is the country's training institution for judges, prosecutors, and investigators. The government sponsored seminars for a total of 180 investigating police officers, prosecutors, and judges on international law enforcement cooperation and best practices in countering both sex and labor trafficking. Bulgarian law enforcement officials also collaborated on joint human trafficking investigations with law enforcement counterparts from nine other governments.

The government demonstrated inadequate efforts to combat trafficking-related complicity of government officials in the reporting period. The government began investigations of five police officers in 2012 for trafficking-related complicity, all of which were ongoing at the close of the reporting period. By comparison, the government investigated seven police officers in 2011 and 12 officers in 2010. The alleged criminal acts that were the subject of the 2012 investigations included forcing a woman into prostitution, recruiting victims, and warning traffickers of planned police raids. In January 2012, a court imposed a 10-year sentence on a former municipal councilor who was charged with leading an organized crime group involved in human trafficking; an appeal of the sentence is pending. There were no other reported prosecutions or convictions against public officials in the reporting period. In 2012, two districts' prosecution services terminated investigations of four border police officers and one police officer for trafficking-related corruption. There were reports alleging corruption on the part of Ministry of Interior officers responsible for investigating trafficking, noting that information leaks had compromised several anti-trafficking operations.

## **Protection**

The Government of Bulgaria demonstrated mixed results in protecting trafficking victims over the last year. Two state-run shelters received more funding and provided care for more women; however, a limited number of victims received government-funded services overall. Through the government's national referral mechanism, law enforcement and other officials referred trafficking victims to services regardless of their nationality or readiness to assist with police investigations. The national prosecution service recorded data on victims who chose to assist law enforcement. In 2012, the prosecution service identified a total of 646 victims of trafficking, including 65 children, compared with 512 identified victims in 2011, 70 of whom were children. Of the 646 victims, 574 were victims of sex trafficking and 72 were victims of labor trafficking. The government identified one foreign victim in 2012, a Czech national who was sexually exploited in Bulgaria.

The government allocated the equivalent of approximately \$59,300 for victim assistance to the two state-run shelters in 2012, a large increase from the equivalent of approximately \$27,000 spent in 2011. The local governments of Varna and Burgas provided rent-free facilities for these shelters. NGOs provided victim services in these shelters, including medical and psychiatric services, as well as assistance in reintegration, such as preparation for job interviews. Each shelter has a capacity of six persons, and in 2012 the two shelters accommodated 24 victims in total, a large increase from the nine victims assisted in each of the previous two years. All 24 were female sex trafficking victims. Victims could leave the shelters on their own without supervision. Male victims had difficulty obtaining legal and reintegration assistance, and did not have access to trafficking-specific shelters. NGO representatives reported that government support of labor trafficking victims was only basic despite the services outlined for them in the national referral mechanism. They also reported that victims were unaware of their right to apply for compensation. NGO representatives claimed that the national referral mechanism should be incorporated into the legal framework so that first responders are obligated to refer victims to specialized care.

The government operated 14 crisis centers for child victims of violence that provided shelter and psychological and medical assistance to approximately 24 child victims of trafficking in 2012, compared to 67 in 2011 and 79 in 2010. The government encouraged victims to assist in the prosecution of trafficking cases, and it offered witness protection programs. Bulgarian law allowed foreign victims who cooperated with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before mandatory repatriation. Foreign victims who chose not to assist in trafficking investigations were permitted to remain in Bulgaria for 40 days for recovery before mandatory repatriation to their country of origin; the recovery period for foreign child victims was 70 days. The government continued to enforce a provision in the Penal Code that allows for up to two years' imprisonment of those who profit from immoral activities, and at least 10 women were arrested under this provision in January 2013; this provision could be used against potential sex trafficking victims because prostitution is not regulated in Bulgaria.

## **Prevention**

The Government of Bulgaria demonstrated substantial efforts to prevent human trafficking during the reporting period. The inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, spent the equivalent to approximately \$87,600 on prevention campaigns, training, and international visits, a large increase from the equivalent to approximately \$37,000 spent in 2011. The commission, in coordination with its nine local bodies, sponsored a number of innovative public awareness-raising campaigns to attempt to reduce the demand for sex trafficking and reach vulnerable groups looking for summer jobs abroad. The Deputy Prime Minister, Commission experts, and victims of trafficking gave three public lectures on the social and criminal impact of trafficking at universities.

The Commission trained approximately 225 labor mediators on identifying labor exploitation, and approximately 50 social workers on trafficking victim protection and assistance. The Commission also organized trainings for prevention specialists in a Roma community, and 30 national and local journalists. The Commission hosted an international conference where more than 100 experts from 47 countries discussed the root causes of human trafficking, with expert panels on working with Roma communities and using public-private partnerships for more effective prevention campaigns. In 2012, the National Commission received 64 complaints of potential labor exploitation, and referred all of them to the Labor Ministry's Inspectorate for investigation into fraudulent job offers and administrative punishment; in 2011, the Commission referred 11 such cases. The Government of Bulgaria annually adopts a national action plan for combating human trafficking. The 2012 plan was approved in May 2012 and the 2013 plan was approved in January 2013. The government demonstrated efforts to reduce the demand for commercial sex by publishing outdoor and print advertisements emphasizing the punishments for offenders.