

BULGARIA: Tier 2 Watch List

Bulgaria is a source and, to a lesser extent, a transit and destination country for men, women, and children subjected to sex trafficking and forced labor. Bulgaria remains one of the primary source countries of human trafficking in the EU. Bulgarian women and children are subjected to sex trafficking within the country, as well as in Europe, Russia, the Middle East, and the United States. Several NGOs assert internal trafficking is increasing. Bulgarian men, women, and children are subjected to forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, Italy, Lithuania, the Netherlands, Norway, Spain, Sweden, the UK, and Zambia, predominantly in agriculture, construction, and the service sector. Bulgarian children and adults with disabilities are forced into street begging and petty theft within Bulgaria and also in Austria, Greece, Italy, Sweden, and the UK. Romanian girls are subjected to sex trafficking in Bulgaria. Government corruption creates an environment enabling some trafficking crimes.

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. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bulgaria is placed on Tier 2 Watch List. During the reporting period, governmental anti-trafficking efforts in prosecution, protection, prevention, and coordination all declined. Bulgaria remained one of the largest source countries of trafficking victims in the EU, yet the government did not fund specialized trafficking victim services. Two state-owned trafficking shelters for women ceased to operate. While a municipality opened one apartment for post-shelter accommodation in November 2014, the country's overall capacity to shelter and provide services was minimal relative to the number of victims identified. Specialized services for child and adult male victims of trafficking were nonexistent. National coordination was marked by inactivity due to the absence of a key leader, staff turnover, structural changes, and overall political instability. Authorities prosecuted and

convicted considerably fewer traffickers and issued suspended sentences for the majority of those convicted. Law enforcement action against public officials and police officers complicit in trafficking offenses increased significantly.

RECOMMENDATIONS FOR BULGARIA:

Enhance efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, and hold convicted traffickers accountable with prison sentences; provide for specialized assistance, including shelter care, to men, women, and children subjected to trafficking; enhance national coordination through an active national commission and secretariat and development of a current national action plan; proactively target, investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison sentences; provide all male victims with services, including reintegration assistance and legal services; provide sensitivity training to prosecutors and judges working with sex trafficking victims; implement a comprehensive database of trafficking crimes and victims identified, referred, and assisted; and allocate government funding for awareness campaigns, including outreach activities to Romani communities.

PROSECUTION

The government did not make progress in law enforcement efforts, as the government prosecuted and convicted considerably fewer traffickers and issued suspended sentences to the majority of those convicted. Bulgaria prohibits all forms of trafficking through Article 159 of its criminal code, which prescribes penalties of between two and 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Authorities launched 81 sex trafficking and six labor trafficking investigations in 2014, compared with 82 sex trafficking and 12 labor trafficking investigations in 2013. Authorities charged 43 defendants with sex trafficking and four with labor trafficking in 2014, compared with 114 and five, respectively, in 2013. The government convicted 53 sex traffickers and one labor trafficker in 2014, compared with 85 sex traffickers and five labor traffickers

convicted in 2013. Consistent with previous years, only 18 of the 53 convicted sex traffickers—34 percent—received a prison sentence. In contrast with previous years, the government was unable to report the range of sentences imposed on convicted traffickers that resulted in imprisonment; observers noted the need for improved police and judicial statistics. The specialized court for organized crime, established only in 2012, became more active on human trafficking cases. In June 2014, the court sentenced the leader of a trafficking ring and his two accomplices to prison. Observers reported judges prescribed lesser penalties to sex traffickers if their victims had initially entered prostitution willingly, despite Bulgarian and international law deeming past experience in prostitution irrelevant when there is subsequent exploitation. An almost year-long period of inactivity at the directorate for combating organized crime resulted in fewer trafficking cases reaching prosecution. Parliament, in February 2015, reversed the reorganization and reinstated the directorate to the Ministry of Interior. Bulgarian authorities cooperated with nine foreign governments on transnational investigations. The government provided some specialized training for police officers, investigators, prosecutors, and judges.

The government demonstrated efforts to combat trafficking-related complicity of public officials. In August 2014, authorities began investigating seven police officers accused of bribery and blackmail, due in part to soliciting bribes from pimps; comparatively, authorities did not launch investigations of police officers in 2013, following five investigations in 2012. Investigations of other police officers in recent years included allegations of recruiting victims, forcing a woman into prostitution, and warning traffickers of planned police raids. Observers alleged police and prosecutors rarely pursued high-profile traffickers, and action against traffickers exploiting Bulgarian victims within the country was minimal. In addition, observers alleged some prosecutors arbitrarily dropped charges against defendants. In January 2013, a court imposed a 10-year sentence on a former municipal councilor charged with leading an organized crime group involved in human trafficking; an appeal of the sentence is still pending.

PROTECTION

The government decreased victim protection efforts and did not adequately provide for victim services. The prosecution service identified 409 victims of sex trafficking and 27 victims of labor trafficking in 2014, compared with 428 sex trafficking and 56 labor trafficking victims identified in 2013. The government identified two foreign child victims in 2014. Observers alleged law enforcement could not effectively identify victims, particularly among the vulnerable refugee population, and noted the border police, refugee authority officials, and consular officials have not referred victims to care providers. Reports indicated police did not proactively search for signs of trafficking among women detained for prostitution, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. Victims were often required to give testimony in the presence of the alleged trafficker, and alleged traffickers were permitted to confront victims in court and question them through the judge, including inquiries into victims' previous sexual relationships.

From January to September 2014, the government allocated 69,000 lev (\$40,100) to NGOs to operate the two state-run shelters, a decrease from 116,313 lev (\$67,679) allocated in 2013. Each shelter had capacity to house six adult females at a time, and in 2014 the two shelters accommodated 16 female victims in total, a decrease from 29 victims assisted in 2013. Funding for the two shelters lapsed in September 2014. Prior to the funding lapse, NGOs provided victim services in the two national shelters, including medical and psychiatric services and assistance in reintegration, such as preparation for job interviews. In November 2014, the municipality of Burgas opened one apartment as part of its reintegration plan; victims could stay at the apartment rent-free, though no trafficking victims did so during the reporting period. The government operated 15 crisis centers for child victims of violence that could provide shelter and generalized psychological and medical assistance to child victims of trafficking in 2014. The government provided a fixed sum per victim assisted in any of the crisis centers which, according to the State Agency for Child Protection, was insufficient to cover victims' needs, maintain the centers' premises, and attract qualified staff. Despite

a 2012 government ordinance prescribing crisis centers to be specialized per type of violence, none of these centers were specialized for trafficking victims. The government did not offer male victims specialized services, including legal aid, reintegration assistance, and shelter. Bulgarian law allows foreign victims who cooperate with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation. Foreign victims who choose not to assist in trafficking investigations are permitted to remain in Bulgaria for 40 days for recovery before repatriation; the recovery period for foreign child victims is 70 days. No victims received compensation during the reporting period; observers reported the process for seeking compensation continued to be overly bureaucratic and authorities did not always inform victims of their right to apply for compensation and legal aid.

PREVENTION

The government decreased efforts to prevent trafficking. National coordination was marked by inactivity as the inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, experienced staff turnover and the long-term absence of a key leader. In stark contrast with previous years, the commission held only one awareness campaign in 2014. Nine local commissions continued to run awareness campaigns targeting vulnerable communities, including school children. The government adopted a national action plan for combating human trafficking, as it has done annually in previous years; however, the 2014 plan was not approved until July 2014, and the government did not approve a plan for 2015 by the close of the reporting period. In March 2015, UNHCR called for Bulgarian authorities to investigate allegations of Bulgarian border authorities routinely pushing back asylum seekers, often with violence, including members of the Yazidi minority who were particularly vulnerable to human trafficking in Syria and Iraq. The government provided anti-trafficking training for its diplomatic personnel, aimed at preventing their engagement or facilitation of trafficking crimes. The government demonstrated efforts to reduce the demand for commercial sex.

