



REPUBLIC OF BULGARIA
COUNCIL OF MINISTERS

NATIONAL COMMISSION FOR COMBATING TRAFFICKING IN HUMAN BEINGS

2016 ANNUAL REPORT

**ON THE ACTIVITIES OF THE NATIONAL COMMISSION FOR
COMBATING TRAFFICKING IN HUMAN BEINGS (NCCTHB)
TO COUNTER HUMAN TRAFFICKING AND PROTECT VICTIMS
OF TRAFFICKING IN BULGARIA**

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1. INTRODUCTION

Trafficking in human beings is a serious crime defined in the ‘*Crimes against the Person*’ Chapter of Bulgaria’s *Criminal Code*. The revenue generated by criminal groups involved in human trafficking comes next only to profits gleaned from illicit arms and drug trade. In this context, the main emphasis in 2016, at the European level, was placed on tracking the flows of illicit funds generated from human trafficking and on conducting parallel financial investigations in coordination with criminal investigations. European policies to counter trafficking in persons laid much focus also on the impact of the current migration crisis on the crime of human trafficking. On the one hand, there is the intermingling of migration flows that include irregular asylum seekers and trafficked persons. On the other hand, there is also the intermingling of organised crime networks involved in cross-border people smuggling and those, whose business is trafficking in human beings. At the same time, the migration crisis has brought to the surface a new group of persons vulnerable to human trafficking – the asylum-seeking migrants and the economic migrants from third countries. In the context of the new migration realities, unaccompanied migrant minors from third countries are also a high-risk group for trafficking in human beings.

The national anti-trafficking policy is informed and guided by both the national strategic documents and the international instruments to which Bulgaria is a party, i.e., Directive 2011/36/EU, which has been transposed into this country’s domestic law, the Council of Europe Convention on Action against Trafficking in Human Beings, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, to the United Nations Convention against Transnational Organized Crime (UNTOC), etc.

The National Commission for Combating Trafficking in Human Beings (NCCTHB) plays a central and coordinating role in the implementation of Bulgaria’s policy to counter human trafficking and protect its victims. The NCCTHB acts as a collegiate body with the Council of Ministers. The National Commission was established by virtue of the 2003 *Combating Trafficking in Human Beings Act* (CTHBA)¹. The organisation and operation of the Commission are governed by two sets of rules annexed to the Act (the *Regulations on the Organisation and Activities of the NCCTHB*² and the *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims*³). According to the CTHBA, the National Commission is chaired by a Deputy Prime Minister, designated by the Council of Ministers.

A major driver in the exercise of the National Commission’s essential functions and in the performance of its activities is its administration (ANCCTHB) headed by the Commission’s Secretary. The ANCCTHB is in charge also of preparing the meetings of the National Commission. Furthermore, the administration draws up and submits for approval to the Commission the *Draft Annual National Programme for Combating Trafficking in Human Beings and Protection of Victims*, the *Annual National Report on the Trends in the Area of Human Trafficking and on the Results Attained in Countering Trafficking in Persons*, as well as different strategic instruments, including the *National*

¹ Translator’s note (TN): Title in Bulgarian: *Закон за борба с трафика на хора*, abbreviated to ZBTH. (<https://www.hsph.harvard.edu/population/trafficking/bulgaria.traf.03.pdf>)

² TN: Title in Bulgarian: *Правилник за организацията и дейността на НКБТХ*

³ TN: Title in Bulgarian: *Правилник за приютите за временно настаняване и центровете за закрила и помощ на жертвите на трафика на хора*

Mechanism for Referral of and Support to Human Trafficking Victims (NRM), which is coordinated by the NCCTHB through its administration. (The National Referral Mechanism was endorsed by the Bulgarian Government in July 2016.)

Acting in its capacity as coordinator of the National Referral Mechanism, the NCCTHB's administration receives alerts and handles cases of human trafficking, notwithstanding the fact that as all other organisations, agencies, and institutions that are not pre-trial investigation authorities, the ANCCTHB also performs informal identification of victims of human trafficking. At the same time, the NRM provides that such informal identification is sufficient for any trafficking victim to be granted unconditional access to services and programmes designed to support victims of human trafficking (VHT).

Both in the exercise of one of its functions ascribed to it by the *Combating Trafficking in Human Beings Act* and in its capacity as Bulgaria's national rapporteur equivalent mechanism and NRM coordinator, the ANCCTHB collects data, monitors the work on cases of human trafficking, and provides additional support through the provision of various analyses – both in connection with drawing up national reports and in connection with reporting on various international studies, monitoring groups, and committees. An essential reason for the progress made by the National Commission and by the country as a whole, particularly in view of the fact that the issue of gathering and analysing data is a challenge for most EU Member States, is the access granted to the ANCCTHB to the Unified Information System for Combating Crime (UISCC) maintained by the Prosecutor's Office of the Republic of Bulgaria. This enables the ANCCTHB to review data on both the victims and the perpetrators of the crime of human trafficking, as well as to track the course of the criminal justice process. A process has been launched for reconciling information from the UISCC with the database maintained by the ANCCTHB on all informally identified VHTs. The process will be finalised in 2017 and will allow setting up the first single information system containing data on the victims (both formally and informally identified) and on the perpetrators of the crime of human trafficking. When the system is up and running, it will enable the formulation, both nationally and at the regional level, of more precise anti-trafficking policies based on empirical data. Periodic analyses of trends and events in human trafficking will provide also an opportunity for monitoring and assessment of the *National Strategy to Combat Trafficking in Human Beings*.

As at the end of 2016, there were 5 functioning services for victims of trafficking in human beings controlled and administered by the NCCTHB. This was the highest number of services designed solely for VHTs as a target group since the enactment of the *Combating Trafficking in Human Beings Act*. As at the end of 2016, the said services were provided and run by non-governmental organisations – the *SOS Families at Risk Foundation* and *Demetra Association*. Both NGOs are members of the Alliance for Protection against Gender Based Violence and Human Trafficking. In addition to these services, there exist the much-needed crisis centres. Some centres are for children only, while others are mixed-use facilities for both children and adult victims of violence and human trafficking. The crisis centres are run primarily by NGOs on a delegated budget from the Government and receive usually some co-financing under additional projects and programmes.

As at the end of 2016, there were Local Commissions for Combating Trafficking in Human Beings (LCCTHBs) set up in nine Bulgarian municipalities – Burgas, Varna, Ruse, Veliko Tarnovo, Sliven, Plovdiv, Pazardzhik, Blagoevgrad, and Montana. Their activities are coordinated through their

secretariats with methodological assistance from the secretary and the administration of the NCCTHB according to a programme approved at a meeting of each Local Commission. The core activities of the Local Commissions are financed from the budget of the National Commission. Cooperation and partnerships with NGOs, with other governmental institutions, in particular, the municipalities, and with the public sector are of crucial importance for all LCCTHBs. Two other municipalities, Pleven and Peshtera, started consultations in 2016 on the possibility to have Local Commissions for Combating Trafficking in Human Beings set up in their regions considering the cases of human trafficking uncovered there and the existing network of services.

Two regular meetings of the National Commission were held in 2016 (on 26 February and on 20 July). At those meetings, the NCCTHB members approved the revised NRM and the *National Strategy to Combat Trafficking in Human Beings*.

Three meetings of the Standing Expert Working Group with the National Commission (SEWG) were held in 2016 (on 2 March, on 2 and 3 June, and on 12 December). One meeting was held in an extended format (with additionally invited participants). All SEWG meetings were devoted to defining the main priority areas of the national anti-trafficking strategy. The *World without Borders* NGO joined the SEWG in 2016 and UNICEF Bulgaria also sent an official application to join.

In order to successfully implement the national anti-trafficking policy and in consideration of the trends affecting the punishable offence of trafficking in human beings, as well as the recommendations at the global and European level, the ANCCTHB has been active in the field of human trafficking awareness, prevention, and research. This includes conducting targeted research on vulnerability factors among at-risk groups, carrying out activities aimed at initiating professional discussions and increasing the capacity of professionals, particularly their capacity for early identification of trafficked persons and detection of trafficking cases, as well as for timely referral of human trafficking victims. By working closely with established European partners, such as other countries' national anti-trafficking coordinators or national rapporteurs, by actively participating in the network of the national anti-trafficking coordinators from South Eastern Europe, and by actively partnering with Swiss institutions and organisations, as well as through cooperative activities and partnerships with international and intergovernmental organisations, the ANCCTHB participates in active international cooperation for the purposes of the practical application of good practices and the elaboration of more efficient policies. The administration is actively involved also in the international coordination of human trafficking cases in order to provide timely redress and protection for the victims and to assist the criminal investigation, prosecution, and punishment of the crime. Accordingly, this country's participation in the informal cooperation networks and fora with the EU Anti-Trafficking Coordinator for the purpose of advocacy is also of major importance. It includes collaboration with the *EU Civil Society Platform against Trafficking in Human Beings*. Long-standing members of this platform, representing Bulgaria, are *Demetra Association*, *Neglected Children Society - ECPAT Bulgaria*, and the Center for the Study of Democracy (2013-1016). The '*Animus Association*' Foundation / *La Strada Bulgaria* also joined the CSO platform in late 2016.

The NCCTHB incurs expenditure in accordance with the functions and obligations ascribed to it by the *Combating Trafficking in Human Beings Act*:

- (1) for the performance of the principal activities required to achieve its mission and core tasks as laid down in the National Programme (containing seven key sections and thematic areas);

- (2) to cover the operating expenses of the Administration of the NCCTHB;
- (3) to cover the operating expenses of the shelters for temporary accommodation and the centres for the protection of and support for human trafficking victims;
- (4) to cover the operating expenses of the nine Local Commissions (LCCTHBs).

The *2016 National Programme for Preventing and Countering Trafficking in Human Beings and Protection of Trafficking Victims* was approved by the National Commission for Combating Trafficking in Human Beings (NCCTHB) at its meeting held on 26 February 2016. Apart from being required under the *Combating Trafficking in Human Beings Act*, the National Programme is drawn up in response to the need to implement clearly defined and decisive strategic policies and operational measures to ensure effective implementation of the anti-trafficking legislation and the mechanisms for victim identification, referral and social inclusion, including prevention of the crime of human trafficking, preceded by assessment and analyses of the current mechanisms, policies, and services.

The *National Programme for Preventing and Countering Trafficking in Human Beings and Protection of Trafficking Victims* contains seven sections and seven strategic goals. It is drawn up annually by experts in the employ of the ANCCTHB and the secretaries of the LCCTHBs in consultation with the experts for the Standing Expert Working Group with the National Commission (SEWG). The *2016 National Programme* was approved by Council of Ministers Decision No. 346 of 9 May 2016. All National Anti-Trafficking Programmes and Reports are available on the internet site of the NCCTHB.

The National anti-trafficking programme for 2016 was the most ambitious vis-à-vis the programmes from previous years. It contained more than 35 activities all of which were implemented. It is important also to take into consideration the activities carried out by the Local Commissions. Additionally, a number of documents were elaborated in the course of the year of significance for the long-term anti-trafficking policy. Those included a revised version of the *National Mechanism for Referral of and Support to the Victims of Human Trafficking* developed over the period from 2008 to 2010, a draft and finalised *National Strategy for Combating Trafficking in Human Beings*, a concept for a multidisciplinary team tasked with working on cases of human trafficking (NRM) with specific focus points and alternate team members from each key institution, draft amendments to the *Combating Trafficking in Human Beings Act* and the Regulations thereto. Particularly important was the clear definition of the ‘reflection and recovery period’ referred to in Directive 2011/36/EU and its timescale.

Another significant event in 2016 was the setting up of an independent team within the office of the ANCCTHB in the framework of a project component administered by the NCCTHB, part of the *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*, in coordination with the project components administered by the ‘*Animus Association*’ Foundation and the International Organization for Migration (IOM). The team is made up of a project manager, a project assistant, a programme coordinator, and a lawyer. It made a major contribution in 2016 to the work of the National Commission’s Standing Expert Working Group. In addition to coordinating the activities in the project framework, some of which were related to 2016 National Programme (such as developing the concept of a multidisciplinary team) the team plays a key role in conducting expert studies among vulnerable groups, delivery of training courses for experts, developing the National Commission’s partnership networks, and exchange of working visits.

2. TRENDS AFFECTING THE ISSUE OF HUMAN TRAFFICKING AND ANTI-TRAFFICKING ACTIVITIES CARRIED OUT BY INTERNATIONAL AND NON-GOVERNMENTAL ORGANISATIONS)

2.1. Trends

Data collection and periodic studies for the purposes of analysing the issue and the trends affecting it are undoubtedly important in the process of formulating targeted measures and policies to prevent and investigate the punishable offence of trafficking in human beings and protect its victims.

Notwithstanding that data collection, monitoring, and analysing the issue of human trafficking is a principal function of the National Commission, it is the Prosecutor's Office of the Republic of Bulgaria, in its capacity as the leading authority in charge of the formal identification of victims of human trafficking and of pre-trial criminal proceedings, that remains the main source of quantitative and qualitative data on human trafficking in Bulgaria. Additional information and data are provided by other governmental institutions, NGOs, and international organisations. Most of those organisations and institutions are also part of the institutional framework of the *National Mechanism for Referral of and Support to Human Trafficking Victims* (NRM).

According to data provided by the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (GRETA), over the period from 2013 to 2015 Bulgaria remained mostly a country of origin for trafficking of victims to other EU Member States (primarily to Germany, Greece, the Netherlands, Austria, Cyprus, Poland, Italy, and the Czech Republic). There was also a rising trend in internal trafficking. Over the period in question, there was also an increase in the number of cases where Bulgaria was a country of transit or destination for victims. The GRETA report stated that Bulgarian citizens were trafficked mostly for sexual exploitation (77 per cent) and also for labour exploitation (12 percent) mostly in the sectors of construction, agriculture and manufacture of goods.

The number of women and girls victims of trafficking was substantially higher than the number of men and underage boys. The GRETA report presented the following breakdown of human trafficking victims in Bulgaria over the period from 2013 to 2015 by gender and age:

Table 1. Number of trafficking victims in Bulgaria over the period from 2013 to 2015 by gender and degree of maturity

Year	Total number of victims	Females		Males	
		adults	minors	adults	minors
2013	538	427	48	46	17
2014	490	433	29	17	12
2015	383	353	28	23	5

Coping with the refugee crisis represents another serious challenge for Bulgaria. Most asylum seekers, women and girls, in particular, are vulnerable to human trafficking. The number of vulnerable unaccompanied minors is also on the rise.

The annual reports of Bulgaria's Supreme Prosecutor's Office of Cassation (SPOC) made available to the NCCTHB contained similar data.

The number of **criminal proceedings for human trafficking** overseen by the SPOC over the period from 2013 to 2015 was 540 in 2013, 495 in 2014, and 409 in 2015. The number of **newly initiated pre-trial proceedings** was 111 in 2013, 92 in 2014, and 85 in 2015.

Trafficking for sexual exploitation (acts of lewdness) remained the primary form of human trafficking over the reporting period. The number of victims trafficked for sexual exploitation and involved in criminal proceedings was 428 in 2013, 399 in 2014, and 316 in 2015. Most victims were women and girls, but there were also isolated cases of men and boys victims of the same crime (17 in 2013, 2 in 2014, and 4 in 2015).

The number of cases of trafficking for labour exploitation was the second largest – 44 in 2013, 16 in 2014, and 22 in 2015. According to official data, the most common victims of that crime were men and boys. Data shows that the number of women and girls trafficked for labour exploitation over the entire reporting period was considerably lower (11 in 2013, 3 in 2014, and 3 in 2015).

It is important to note also that according to organisations working directly with victims of human trafficking and identifying such victims informally, the number of sex trafficking victims and the number of trafficking victims exploited for labour are equal. Over the past two years, there was a discernible increase in the number of victims trafficked for labour exploitation.

The next most common form is trafficking of women for the purpose of baby selling. The number of criminal proceedings overseen by the prosecution was 0 in 2013, 17 in 2014, and 17 in 2015.

The number of victims kidnapped, trafficked, and held in slavery or servitude was 11 in 2013, 11 in 2014, and 2 in 2015.

The least number of pre-trial criminal proceedings were conducted for human trafficking for the removal of organs and body fluids – a total of five proceedings were supervised by the prosecution over the entire reporting period.

According to data provided by the SPOC, 49 pre-trial proceedings were initiated in the first half of 2016. The public prosecutors finalised 87 cases and a total of 23 bills of indictment were filed in court whereby 49 defendants were brought to justice to be tried. As at the end of the reporting period, the number of final convictions was 22. A total of 26 punishments were imposed and four defendants were given more than one punishment.

The total number of human trafficking victims involved in pre-trial criminal proceedings over the period from 1 January to 30 June 2016 was 250. 11 of those were of less than legal age (between 14 and 18 years of age) and 3 were minors (under 14 years of age). The data breakdown by gender indicated 30 males, one of whom was of less than legal age and three were minor boys. Most victims were females – a total of 220, ten of whom were girls of less than legal age.

According to data made available to the NCCTHB by the SPOC, a total of 67 pre-trial criminal proceedings were launched over the period from 1 January to 30 September 2016. Below is the data breakdown by the form of trafficking:

- 47 pre-trial proceedings were launched for human trafficking for the purpose of lewdness;
- 12 pre-trial proceedings were launched for human trafficking for the purpose of forced labour;

- no pre-trial proceedings were launched for trafficking for the removal of body organs;
- no pre-trial proceedings were launched on charges of trafficking for involuntary servitude;
- 8 pre-trial proceedings were launched under Article 182b(2) against pregnant women on charges of child-selling before delivery;
- 2 pre-trial proceedings were launched under Article 182b(1) of the *Criminal Code*⁴ (child-selling).

A total of 69 pre-trial proceedings were initiated for offences concerning trafficking in human beings.

No pre-trial proceedings against public officials on charges of human trafficking were initiated in the first nine months of 2016.

28 bills of indictment against 51 defendants on charges of human trafficking were filed in court.

A total of 29 persons were convicted by a final court judgment.

The total number of victims involved in pre-trial criminal proceedings for human trafficking that were completed over the period from 1 January to 30 September 2016 was 329.

According to the latest Eurostat report, a relatively large number of human traffickers are EU citizens (some 69 per cent). Bulgarian authorities reported that most suspects charged with human trafficking in this country were Bulgarian citizens.

Practical guidance in this respect is provided by a series of reports and studies conducted under the TRACE Project (*Trafficking as a Criminal Enterprise*), including the report ‘*Future Trends in Human Trafficking in Europe*’. As to human traffickers and their criminal networks, it is feared that the rise in social exclusion combined with not particularly favourable economic conditions will result in an increasing number of people willing to get involved in the commission of offences concerning trafficking in human beings. At the same time, human traffickers do not form one single homogenous group. They represent rather different types and groups of people from different backgrounds and with different profiles. What is usually common about them is that they want to maintain a lifestyle that requires them to exploit other people in order to increase their profits. Human traffickers will operate also in smaller schemes, as lone individuals, or as small ‘family businesses’. It is to be expected that children growing up in families involved in the business of trading in human beings are at high risk of getting involved in the same criminal business themselves. Policy developers should provide for activities to be carried out among the communities where human traffickers are active and where their victims are most often recruited from in order to gather information and data, as well as to carry out primary prevention at the level of root causes.

Over the period from 1 January to 31 December 2016, the ANCCTHB received a total of 105 reports and alerts concerning 136 persons. 8 cases involved underage victims of human trafficking (7 girls and a boy).

Representatives of international and non-governmental organisations have noted that the first reports and alerts concerning suspected victims of trafficking among asylum seekers from third countries are of crucial importance for anti-trafficking work.

⁴ Title in Bulgarian: *Наказателен кодекс*, abbreviated to NK. (http://www.vks.bg/english/vksen_p04_04.htm)

The reports received in 2016 concerned a total of 49 female victims of human trafficking. 27 of those were victims of trafficking for the purpose of sexual exploitation, 11 were victims of trafficking for the purpose of sham marriages (marriages of convenience), 7 were victims of trafficking for labour exploitation, 2 were victims of human trafficking for the purpose of forced begging, one case involved a victim trafficked for both forced begging and sexual exploitation, and one case involved both sexual exploitation and a marriage of convenience. There were half as many reports in 2016 concerning male victims of human trafficking. The total number of male victims reported was 29. 22 of those were victims of trafficking for the purpose of labour exploitation, 6 were victims of human trafficking for the purpose of forced begging and one case involved trafficking for sexual exploitation.

The summary statistics below present a breakdown of cases by the form of human trafficking:

- 43 victims of trafficking for labour exploitation** (2 children, 22 males, 7 females, 12 unknown);
- 31 victims of trafficking for sexual exploitation** (2 girls and 27 women, 1 male, 1 unknown);
- 11 victims of trafficking for the purpose of sham or forced marriages** (11 women);
- 8 victims of trafficking for the purpose of forced begging** (2 females, 6 males);
- 3 victims trafficked for sham/forced marriage/sexual exploitation** (2 girls, 1 woman);
- 1 case of baby selling** (1 girl);
- 1 victim of trafficking for the purpose of forced begging and prostitution** (1 girl);
- 1 victim of trafficking for the purpose of forced begging and sexual exploitation** (1 woman);
- 9 cases of no information available about the form of trafficking** (8 women and 1 unknown).

In terms of human trafficking, Bulgaria fits the general profile of the EU Member States, where:

- 80 percent of all registered victims are females;
- more than 1,000 children (approximately 3 percent of all human trafficking victims in the EU) are trafficked for the purpose of sexual exploitation;
- 69 percent of all registered victims are trafficked for the purpose of sexual exploitation;
- 95 percent of all trafficked victims of sexual exploitation are females.

At the same time Bulgaria, along with Romania and the Netherlands, is among the countries with the highest number of human trafficking victims as a proportion of the total population. Such share is exceptionally high among females: 13.1 per 100,000 population, which is five times as high as the EU-28 average.

According to data collected by the administration of the National Commission and by its institutional members, by the LCCTHBs, by NGOs, and by international organisations, trafficking for the purpose of sexual exploitation, particularly of female victims, was once again the most common form of human trafficking in 2016, as was in 2015.

Internal human trafficking remains primarily for the purpose of sexual exploitation and ‘in preparation’ for taking the victims out of the country. As regards **the recruitment of victims**, it is notable (based on the reports and alerts coordinated by the ANCCTHB) that trafficking is initiated much more often by a partner, a parent, a relative, or another close friend or acquaintance of the victim than by strangers. The search for a job and for a better life in terms of material living conditions (housing, income, and quality of life) are the main **push and pull factors**. In many cases, the

recruitment methods are coercion, extortion, and violence, including both physical and emotional abuse, although human traffickers increasingly make use of the so-called ‘soft methods’ of recruitment, particularly with respect to victims of sexual exploitation, including sex workers. Whatever the method of recruitment, the victims are invariably trafficked for the purpose of exploitation.

Online social networks are used both for recruiting and for manipulating the victims of human trafficking, as was indicated in the previous report of the. Various mobile smartphone applications are also used, especially to control the trafficking victims already recruited.

According to data provided in the annual reports of the NCCTHB and analyses of the periodic studies, the victims of human trafficking (both females and males) in an increasing number of cases over the period from 2012 to 2016 were persons with specific needs, such as:

- longstanding health problems and/or chronic diseases;
- permanent and/or longstanding physical impairments and/or disabilities;
- mental impairments and/or longstanding mental/psychiatric disorders.

The ANCCTHB received information about 9 cases of female and male victims with some form of mental and/or physical impairment or disability in the first six months of 2016 alone and the number of reported similar cases doubled by the end of the year.

The provision of timely and person-centred (based on the victims’ identified individual needs) counselling, assistance, and support remains a major challenge facing the institutions involved.

An increasing number of men and boys are identified as victims of human trafficking seeking specialised help and support. There has also been an increase in the registered cases of males of different sexual orientation and/or gender identity involved primarily in human trafficking for the purpose of sexual exploitation.

Working with alcohol or drug dependent victims of human trafficking remains a major challenge. The same holds true for victims who were drugged and in result developed an addiction. Finding solutions and appropriate work patterns remains a challenge as regards also the victims of human trafficking (either formally or informally identified) who are third country nationals, including asylum-seeking migrants and persons who have been granted humanitarian protection status. The challenges are not just of purely legal nature but relate also to the reconciliation of the various international legal instruments.

3. THE 2016 NATIONAL PROGRAMME TO PREVENT AND COUNTER TRAFFICKING IN HUMAN BEINGS AND PROTECT VICTIMS OF TRAFFICKING: REPORT OF THE ADMINISTRATION OF THE NCCTHB

The Secretary and the administration of the National Commission laid down in the *2016 National Programme* measures and activities aimed at coordinating the process of drawing up key documents having a direct bearing on the policies for institutional development and cooperation.

Section I, *Institutional and Organisational Measures*, included activities aimed at promoting well-functioning mechanisms for institutional support and fostering the development of both the national and local administrative structures provided for in the *Combating Trafficking in Human Beings Act*, including the coordination of the interaction between institutions and organisations – from victim identification and referral to victim reintegration, effective investigation and law enforcement. The priorities of Section I for 2016 included: (1) developing and adopting a *National Strategy to Combat Human Trafficking in Bulgaria 2017 – 2021* in synchrony with the elaboration of the second *EU Strategy towards the Eradication of Trafficking in Human Beings*; (2) increasing the capacity and reinforcing the activities of the nine Local Commissions for Combating Trafficking in Human Beings and enhancing their work on the issue of human trafficking at the regional level; (3) adopting the *National Mechanism for Referral of and Support to the Victims of Human Trafficking* (NRM) by a decision of the Council of Ministers; (4) setting up a multidisciplinary team to work on reported cases of trafficking victims.

The process of drafting the *National Strategy to Combat Human Trafficking in Bulgaria 2017 – 2021* was launched by the experts at the ANCCCTHB as early as at the beginning of the year. Additionally, series of consultation meetings were held with experts for the Standing Expert Working Group and with the Local Commissions who were consulted for their expert input. Additional experts and consultants from the civil society sector and from international organisations were involved as well. A working and discussion forum on the topic, with broader participation, took place in early June. It was opened by Mr Tsvyatko Georgiev, Deputy Minister of Interior and a member of the NCCTHB, and by Her Excellency Emma Hopkins, the Ambassador of Great Britain to Bulgaria. Ambassador Hopkins explained how the British model was built, and about the key balance that needs to be maintained between the weight afforded to measures, i.e., to ensure a clear balance between the measures to prosecute and punish the perpetrators and the measures to protect and assist the victims. The Strategy contains several parts. In addition to an introduction and a detailed analysis of the situations and the trends as part of the European framework and the Bulgarian context (including statistics from the period 2012 – 2016), the third part of the document describes the major challenges and operational guidelines, including:

- challenges related to the dynamic profile characteristics of the victims of human trafficking, their timely identification (both formal and informal), and the provision of comprehensive and relevant assistance and support corresponding to their needs;
- challenges related to enhancing the efficiency, effectiveness, and scope of prevention activities and practices at both the institutional and interinstitutional level, aimed at preventing the recruitment and re-trafficking of victims;

- challenges related to the awareness of the punishable offence of trafficking in human beings and to its timely, effective, and victim-friendly criminal investigation, prosecution, and punishment;
- challenges stemming from the migration crisis.

The main priority areas of the Strategy in terms of victim protection and support, including the area concerning children as the group most vulnerable to human trafficking (hence requiring the utmost concern and urgent reaction by all institutions and organisations), include:

- active prevention among the general public with a focus on all vulnerable groups;
- enhanced identification, protection, assistance, and support to the victims of human trafficking regardless of their ethnicity, nationality, religion, and gender;
- effective criminal prosecution and punishment of the crime of human trafficking;
- enhanced interagency and international coordination.

In addition to specific measures, the Strategy sets forth the parameters of implementation, monitoring, and financing. It has, of course, followed the main conclusions drawn at the closure of the first stage of the EU's *Strategy towards the Eradication of Trafficking in Human Beings (2012 – 2016)* and is tailored to the anticipated future actions.

Another fundamental document is the revised ***National Mechanism for Referral of and Support to the Victims of Human Trafficking (NRM)*** adopted by a decision of the Council of Ministers in July 2016. The adoption of the NRM by a decision of the Council of Ministers was of key significance for promoting the mechanism and its stricter implementation in coordinating cases of human trafficking. This is so because prior to being formalised, the NRM did not have the character of a peremptory rule, notwithstanding its approval by the National Commission in 2010, and the guidelines laid down in it were not necessarily followed by the institutions and organisations working in the area of anti-trafficking. Formalising the document resulted in increased awareness among all employees working on issues related to human trafficking and involved in victim identification and referral. The NRM's main objectives are to ensure full respect for trafficking victims' human rights, to set out the basic operational principles, and to lay down standard operating procedures in the identification, referral, protection, support, and social inclusion of all victims of the crime of human trafficking.

In the framework of the *2016 National Programme to Combat Trafficking in Human Beings and Protect Victims of Trafficking*, a team working under the Project '*Swiss-Bulgarian Cooperation on Identification and Long Term Assistance of Children and Adults Victims of Trafficking*', developed a concept for the collaborative work of a multidisciplinary (mobile) interinstitutional team on human trafficking cases under the *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*. The concept was developed with support from experts at the administration of the National Commission and from an expanded working group including representatives of all institutions represented on the team's permanent composition. In addition to clearly defined procedures for interaction, while working on trafficking cases, the concept provides the names of all team members and their deputies (as well as substitute members), as well as their contact details. The concept and the team are an integral follow-up to the NRM and to its part concerning the institutional framework and the principal institutions involved in working on cases of human trafficking.

In collaboration with the administration of the National Commission, the Local Commissions, represented mostly by their secretaries, participated throughout the year in a series of professional fora and meetings. More than five major events were held in 2016 in implementing Activity 2 of Section I of the *2016 National Programme* and with a view to building and strengthening the Local Commissions' organisational capacities, including on topics, such as developing programmes for prevention, coordination, and working on cases of trafficking in human beings.

Section II, *Prevention*, was aimed at raising the awareness and sensitivity of both the general public and the high-risk groups on issues related to trafficking in human beings. Three nationwide campaigns and a number of regional initiatives were planned for 2016. The campaigns were focused on the prevention of human trafficking for labour exploitation. They were organised on the occasion of 18 October – the EU Anti-Trafficking Day and aimed at preventing new forms of trafficking. A particular target group were the communities most vulnerable to human trafficking.

Under Activity 4 within Section II of the 2016 National Programme (*Carrying out outreach activities to create awareness of the risks of human trafficking among at-risk groups, including migrants and third-country nationals*), the ANCCTHB launched, in collaboration with the Migration Directorate within the Ministry of Interior, the production of a short educational video (a short film project) aimed at raising awareness about the problem of human trafficking and the risks of victimisation among the vulnerable groups of migrants and third-country nationals residing in the Republic of Bulgaria. Funding for the project was provided by the Hanns-Seidel Foundation in Bulgaria.

Another noteworthy activity was the continued strengthening of the volunteer network. The volunteers work actively on preventing trafficking in schools. Their activities are organised by the Local Commissions and are coordinated by the LCCTHB secretaries. In the period from 25 to 28 April 2016, the city of Blagoevgrad hosted for the second year running the sixth *Volunteer Academy for Prevention of Human Trafficking*. The 2016 Volunteer Academy was a joint event co-organised by the NCCTHB, the Campaign A21 Foundation, and the Hanns-Seidel Foundation in Bulgaria, the LCCTHB in the city of Blagoevgrad and the local municipality. The annual volunteer camp brings together volunteers from all over the country who are actively involved in anti-trafficking activities as part of the national and regional information campaigns in the cities where local structures for combating trafficking in people have been set up. Over 50 young people took part in the 2016 Volunteer Academy. Some of them were secondary school students who received such training for the first time and then joined the countrywide volunteer network.

In the framework of the summer campaign and on the occasion of 30 July – the World Day against Trafficking in Persons, the Prevention Directorate with the Varna Municipality and the LCCTHB in the same city organised, with support from the NCCTHB, a meeting of volunteers from across the country and the secretaries of the nine LCCTHBs. In addition to the training modules and discussions held at the forum, the participants were given specific instructions. The volunteers were split into teams and asked to conduct an outdoor campaign. At the conclusion of the prevention campaign conducted in downtown Varna, the participants reconvened to provide feedback and to have their performance evaluated.

In its prevention activities, the ANCCTHB has been increasingly trying to concentrate its efforts on a targeted prevention focused on specific cases and challenges, informed by and based on preceding research and need assessment. Therefore the main parameters of the 3 major campaigns carried out in 2016 were outlined accordingly. The nationwide campaign conducted on the occasion of 18 October – the EU Anti-Trafficking Day, focussed on the current forms and trends in human trafficking. Targeted prevention has become an increasingly important topic not only in the European context but also in connection with casework in Bulgaria and most of all with the coordination between anti-trafficking practitioners and the possibilities for investigating reports and alerts. The campaign included a series of discussion fora for experts and practitioners at both the national and regional levels, as well as other accompanying activities aimed at specialists, young people, pupils, and vulnerable communities. A number of regional outreach events were held as well. The campaign launch event was a round-table conference on the topic of ‘*Current Forms and Trends in Human Trafficking*’, held on 14 October 2016. It was opened by Mrs Meglena Kuneva, Deputy Prime Minister for European Policies Coordination and Institutional Affairs and Chair of the National Commission for Combating Trafficking in Human Beings. The event was followed by discussion fora held at the regional level, starting with a conference on the topic ‘*Early Marriages in the Context of Human Trafficking*’ in the city of Montana and the forum ‘*Human Trafficking for the Removal of Organs, Tissues, Cells, or Body Fluids*’ in the city of Blagoevgrad. Several round table conferences were also held across the country, including a conference on forced marriages in the city of Burgas (co-organised by the Local Commissions in the cities of Sliven and Burgas) and a conference on the sexual exploitation of men and boys in the city of Pazardzhik (co-organised by the Local Commissions in the cities of Pazardzhik and Plovdiv with the special participation of experts from the town of Peshtera). Multidisciplinary meetings were held also in the city of Varna in connection with the implementation of the NRM at the regional level. The participants discussed the differing forms of human trafficking taking into consideration the specific migration situation.

The professional fora on prevention of human trafficking were attended by *over 170 practitioners* from all over the country. All events received wide media coverage. Both on the occasion of the discussion fora and for training purposes, the ANCCTHB produced *three short videos covering the issues of human trafficking for the removal of organs, trafficking for sexual exploitation of men and boys, and trafficking for the purposes of sham marriages*. The training materials on prevention of human trafficking have been used as supporting material in specialised training events.

Ten additional training events and professional fora were conducted in 2016 in the regions covered by the Local Commissions. Some of those were designed for and open to the general public as well.

Section III, Staff Training, Specialisation, and Professional Development focused on enhancing the capacity and expertise of the specialists and representatives of the National Commission’s institutional members working in the area of combating trafficking in human beings and protecting the victims of human trafficking. 11 major activities were carried out in 2016. Half of them were organised and carried out by the administration of the NCCTHB. Priority was given to the multidisciplinary approach and to the exchange of information, experience and good practices with countries in the Schengen area. The main beneficiaries were representatives of the Ministry of Foreign Affairs, the Ministry of Interior, the Prosecutor's Office, the Ministry of Labour and Social Policy, the Employment Agency, the Ministry of Education and Science, the experts at the National Commission’s administration, etc.

The administration of the National Commission was involved in organising and carrying out a number of training events.

- A specialised training event took place in the city of Veliko Tarnovo in May and June of 2016. It was organised and held in cooperation with the Association of Public Prosecutors in Bulgaria and with financial support from the Hanns-Seidel Foundation in Bulgaria. The event was part of the annual Academy for Public Prosecutors. The main topic of the 2016 Academy was trafficking in human beings. The training event was attended by 40 public prosecutors from across the country.
- Trainers with the ANCCTHB were invited to conduct specialised training for 13 judges and public prosecutors. It took place in June 2016 at the initiative of the *Alliance for Protection against Gender Based Violence*, *Demetra* Association and the Ministry of Justice.
- The National Police General Directorate and the National Investigation Service, in cooperation with the ANCCTHB, conducted a training event for police investigators attended by some 30 officers.
- Experts in the employ of the ANCCTHB were involved in two joint fora with the MoI. Those were specialised training events for inspectors from the juvenile delinquency units attended by 70 trainees.
- A training event was held in November 2016 for representatives of the State Agency for Refugees and for heads of sectors, registrars, interviewers, and social workers from the Bulgarian Red Cross. The event was very significant for the NCCTHB as it followed on from two consecutive international meetings in the last two years on the overlaps between the topics of human trafficking, cross-border people smuggling, and asylum-seeking migrants. The topic of the forum was '*Initial Identification and Referral of Victims of Human Trafficking among Persons Seeking International Protection*'. It was attended by more than 25 practitioners. The lecturers were experts from the ANCCTHB and representatives of the project administered by the NCCTHB under the *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*, the United Nations High Commissioner for Refugees (UNHCR), the Foundation for Access to Rights (FAR) and the SOS-Families at Risk Foundation (in their capacity as providers of social services to victims of human trafficking on behalf of the NCCTHB in the city of Varna), and the Nadja Centre Foundation.

The Local Commissions for Combating Trafficking in Human Beings organised over 30 professional meetings and training events for specialists. The LCCTHBs in the cities of Varna, Burgas, and Blagoevgrad were most active in 2016 as regards holding professional fora on prevention of human trafficking. The LCCTHB in the city of Varna remained most active as regards collaboration and co-financing of proposed and implemented anti-trafficking activities with the involvement of the Prevention Directorate with the Varna Municipality, which is in charge of other issues in addition to human trafficking. In 2016, as in previous years, the Varna LCCTHB and the local Prevention Directorate focused on working at the regional level with smaller settlements and municipalities. At the initiative of its secretary, the Local Commission elaborated a work plan for the implementation of the

NRM at both regional and local levels and on the implementation of local policies to combat trafficking in human beings. Over 130 experts and practitioners were trained in 2016 with the Local Commission's assistance. Priority was given to the topic of identification and referral of the victims of human trafficking. Police investigators and police inspectors from municipalities within the Varna Province (Avren, Dolni Chiflik, Beloslav, Provadia, Dalgopol, Aksakovo, and Valchi Dol), as well as representatives of the smaller municipalities, were among the trainees.

The following seminars on the crime of human trafficking took place in 2016, according to information provided by the Supreme Prosecutor's Office of Cassation about training events throughout the year:

- A seminar titled '*Financial Investigations and Illegal Assets Forfeiture in the Context of Human Trafficking*' (1 public prosecutor participated);
- A seminar titled '*Trafficking in Human Beings in Bulgaria – Realities and Challenges*' (20 public prosecutors and 1 investigator participated);
- A seminar titled '*International Trafficking in Human Beings*' (3 public prosecutors participated);
- In-house training in the organisation of work and peculiarities of investigating the crimes referred to in Articles 279 through 281 of the *Criminal Code* and on organised crime groups set up to commit crimes referred to in Article 280 of the *Criminal Code* was conducted both in the first and in the second half of 2016 (45 public prosecutors and 4 investigators participated);
- A public prosecutor from the Office of Analysis within the Supreme Prosecutor's Office of Cassation took part in a training seminar in the Swiss Confederation under the Project '*Swiss-Bulgarian Cooperation on Identification of and Long-Term Assistance to Children and Adults Victims of Trafficking in Human Beings*';
- A seminar titled '*Strengthening the Effective Work of the Prosecutor's Offices of Bulgaria and Romania in the Field of Working with the Victims of Crime and Promotion of Cooperation with Local and Foreign Organisations for Support to Victims*' (69 prosecutors and 20 investigators participated).

Training events involving Ministry of Interior officers:

- A training module '*Human Trafficking: Causes, Identification, and Protection of the Victims*' organised through the Bulgarian Diplomatic Institute with the Ministry of Foreign Affairs (1 officer trained);
- Specialised training events for police investigators and police officers from the specialised units for combating human trafficking or working on cases of human trafficking;
- Training seminar '*Trafficking in Human Beings*' held in March 2016 (trainees were 28 police investigators and other police officers from the National Police General Directorate, the General Directorate for Combating Organized Crime, the Border Police General Directorate, Sofia Metropolitan Directorate of Interior, and the Regional Directorates of the Ministry of Interior);
- Two training seminars on human trafficking issues for public prosecutors, prosecuting investigators, and police investigators from the Regional Directorates of the Ministry of Interior in the cities of Vidin and Montana, and the Border Police Department in the city of Vidin (25 police investigators trained).

Section IV, *Protection, Rehabilitation and Reintegration of the Victims of Trafficking in Human Beings*, contained activities and measures aimed at providing assistance and protection to victims of human trafficking, building on existing key partnerships, and networking with institutions and organisations active in providing care and opportunities for social inclusion to victims of trafficking with a view to reducing the risk of re-victimisation. In view of the trends affecting the issue of human trafficking, especially for the purposes of labour exploitation and forced begging, the administration of the NCCTHB intends to expand its partnership with the non-governmental sector and with the agencies within the Ministry of Labour and Social Policy aimed at providing specialised support to male victims of human trafficking.

As at the end of 2016, there were five functioning facilities run by the NCCTHB providing specialised support services to victims of human trafficking. To ensure better support, some services are integrated. There are three residential care facilities (shelters) and two centres providing consultancy services in the regions of Varna and Burgas. By opening such specialised support service facilities that take account of a victim's specific needs and of the specificities of each individual case, the government provided the most substantial funding for specialised services (for victims of human trafficking alone) since the enactment of the *Combating Trafficking in Human Beings Act (CTHBA)* in 2003. (It is the CTHBA that governs the government's obligation to provide services to victims of human trafficking.)

The overall capacity of the above facilities is 14 persons. A total of 15 women were provided with care and support at the residential care facilities in the region of Varna and a total of 6 women received care at the facilities in the region of Burgas. 1 of the female victims was provided with support for subsequent reintegration.

The role of the NGOs providing services funded through delegated budget allocations from the government is also indisputable. The target groups (clients) of their centres are usually women and/or children victims of either various forms of violence or human trafficking. The victims of such violence could receive assistance and support at the different crisis centres across the country run by government structures in the respective municipalities, as well as by NGOs. A 'crisis centre' is a facility offering a complex of social services to meet the needs of that target group. As at mid-2016, there was a total of 22 crisis centres operating across the country, 14 of those providing services tailored to minor victims of violence and/or human trafficking and their capacity was 145 victims. The remaining 8 crisis centres are designed to meet the needs of adult victims of violence and/or trafficking and have the capacity to accommodate a total of 66 persons.

The activities set forth in **Section V, *Research, Analyses, and Statistical Reporting of Data on Trafficking in Human Beings***, were also given high priority throughout the year. This was justified both by the importance of the activities planned in the National Programme and by the NCCTHB's role as rapporteur on various analyses and studies of international reports and other countries' performance monitoring systems. Planning a larger number of measures in the area of gathering and analysing data was necessitated also in view of the need to draw up the *National Strategy to Combat Trafficking in Human Beings* and the need for effective planning of future measures and policies to counter the punishable offence of trafficking in human beings. Section V included also information regarding the collection of data on the victims of human trafficking, on the criminal investigations conducted, and on the punishments imposed on the perpetrators.

In the light of the decision in principle taken by the NCCTHB members at their meeting of 3 December 2015 to create and maintain a single database for the victims and perpetrators of the crime of human trafficking, an assessment was carried out in 2016 of the resources needed to operate a central system for gathering and analysing statistical data on human trafficking. The NCCTHB was granted access to the Unified Information System for Combating Crime (UISCC) maintained by the Prosecutor's Office of the Republic of Bulgaria, which enables the ANCCTHB to review information about the victims and the perpetrators of the crime of human trafficking, about basic demographic characteristics, and about the outcome of criminal proceedings. With a view to improving data collection and rendering the information on informally identified cases of human trafficking more usable, the ANCCTHB has been working towards a technical solution to merge the data on formally identified (within the UISCC) and on informally identified victims of human trafficking (including by the NGOs) with a view to gaining a complete picture of the victims' profiles and the methods of their recruitment.

With a view to developing efficient services and mechanisms for victim protection, the ANCCTHB carried out preliminary studies on the profiles of various groups of persons most of whom are either potential or informally identified victims of human trafficking. Such studies (or rather 'snapshots' of the current situation) were provided for in the National Programme. They were also necessitated in part by the interaction with the French local authorities and social services in the region of Bordeaux required to deal with Bulgarian citizens on a daily basis. The collaboration on that topic was launched by the detailed discussion and exchange of information at the working group meeting titled '*French-Bulgarian Cooperation in the Field of Combating Trafficking in Human Beings*' held on 22 and 23 June 2016. The forum was organised by the Embassy of France in Sofia and the UN Office on Drugs and Crime (UNODC) with the assistance of the NCCTHB. The participants shared information on potential cases of trafficking and exploitation of Bulgarian citizens in the French cities of Bordeaux, Toulouse, and Nice. The persons concerned were Bulgarian citizens from the cities of Pazardzhik, Peshtera, Plovdiv, and Varna. The meeting marked the beginning of closer cooperation between the social services in the respective Bulgarian and French municipalities, between police and judicial authorities, as well as between mediators and service providers. With a view to improving the information exchange and determining the main risk factors and risk groups in the municipality of Peshtera, the ANCCTHB, together with experts in protecting vulnerable groups, conducted a study in the area, in view of the fact that the families of most Bulgarian migrants to France, mostly of Roma origin, live there. 200 surveys and two focus-group meetings were conducted with a view to developing a mechanism for identification of and working with vulnerable groups. Specific recommendations for identification of victims of human trafficking were prepared and issued to the social services, municipalities, and various local institutions both in Bulgaria and in France.

Based on the reports and alerts received by the ANCCTHB, it carried out an analysis of the needs to provide support to male victims of trafficking covering a period of three years (from 2013 to 2015). Some of the main conclusions are presented below:

- Male victims of human trafficking are recruited mostly for economic reasons;
- Every 8th victim of human trafficking is a male;
- Most often males are recruited and trafficked for the purposes of labour exploitation or forced begging. However, cases of males trafficked for sexual exploitation are not exceptional. In most such cases, the victims are gay or transgender males;

- Every 8th male victim of human trafficking has some form of physical and/or mental disorder, impairment or disability;
- There is a strong need for specialised services for male victims of human trafficking;
- Consultancy services are preferred by male victims of human trafficking. At the same time, though, there seems to be a fair number of people who were either homeless or had family problems prior to being victimised for the purpose of exploitation and it is, therefore, urgent to find a long-term solution to their accommodation in shelters. As is the case with female victims, trauma and medical conditions are quite frequent and complications also occur, often as a result of health problems left untreated for years. It is, therefore, essential to collaborate with the Ministry of Health in finding the appropriate solutions.

The statistics below present a breakdown of the **alerts received by the administration of the NCCTHB** in its capacity as coordinator of the *National Referral Mechanism* and with reference to the goals and tasks set forth in Section V of the National Programme:

Time period: from 1 January to 31 December 2016

1) **Total number of alerts received: 105** (alerts pertaining to formally or informally identified victims of human trafficking or to potential cases of trafficking; this is not the number of people actually trafficked and/or victimised)

2) **Alerts concerning potential victims of human trafficking:**

* *Note:*

Potential victims were persons who might be recruited or were at risk of being recruited in trafficking of human beings, but who had not yet been recruited at the time of receiving the alert.

Total: 28 potential victims of human trafficking. Of those:

- **Potential child victims:** 15 (8 girls and 7 boys)
- **Potential female victims:** 12 women
- **Potential male victims:** 1 man

3) **Alerts concerning informally and/or formally identified victims of human trafficking: 108**

Unknown or unspecified type or form of trafficking:

- 9 victims (8 women, 1 victim of unspecified gender)

Unknown gender of the victims of human trafficking:

- 13 victims (12 for the purpose of labour exploitation; 1 victim of sexual exploitation)

Child victims – 8 in total (7 girls, 1 boy):

- 2 – trafficked for sexual exploitation
- 2 – trafficked for sham marriage/sexual exploitation
- 2 – trafficked for labour exploitation
- 1 – trafficked for the purpose of baby selling
- 1 – trafficked for forced begging/prostitution

Female victims – 49 in total:

- 27 – trafficked for sexual exploitation
- 11 – trafficked for sham or forced marriage

- 7 – trafficked for labour exploitation
- 2 – trafficked for forced begging
- 1 – trafficked for forced begging and sexual exploitation
- 1 – trafficked for sexual exploitation and sham marriage

Male victims – 29 in total:

- 22 – trafficked for the purpose of labour exploitation
- 6 – trafficked for the purpose of forced begging
- 1 – trafficked for the purpose of sexual exploitation

Total number of victims:

- calculation including potential victims, not yet recruited at the time of receiving the alert: **136** (of them 15 underage victims);
- **calculation including only the formally and/or informally identified victims (excluding the potential victims, not yet recruited): 108 (of them 8 underage victims)**

4) Type/form of exploitation – for the formally and/or informally identified victims (108 in total):

- 43 –labour exploitation (2 children, 22 men, 7 women, 12 unknown)
- 31 – sexual exploitation (2 girls и 27 women, 1 man, 1 unknown)
- 11 – sham or forced marriage (11 women)
- 8 – begging (2 women, 6 men)
- 3 – sham or forced marriage and sexual exploitation (2 girls, 1 woman)
- 1 – baby selling (1 girl)
- 1 – begging and prostitution (1 girl)
- 1 – begging plus sexual exploitation (1 woman)
- 9 victims for whom no information is available as to the type of human trafficking (8 women and 1 unknown)

Countries of destination (where the trafficked victims were exploited if information was available)

- 29 – Bulgaria (including a victim from Burkina Faso)
- 12 – Great Britain
- 9 – Germany
- 8 – Sweden
- 6 – Cyprus
- 5 – Spain
- 5 – Italy
- 4 – Austria
- 4 – France
- 3 – Switzerland
- 3 – Belgium
- 3 – The Czech Republic
- 2 – Greece
- 2 – Slovenia
- 1 – Lithuania
- 1 – Portugal

- 1 – Hungary
- 1 – Ireland
- 1 – India (Calcutta)

Cases initiated upon receipt of letters from the State Agency for Child Protection

- the first four-month period of 2016 – 27 children observed
- the second quarter of 2016 – 26 children observed
- the third quarter of 2016 – 20 children observed

Total number of cases of child victims observed: 73

Cases referred by the Social Assistance Agency

- 18 cases of adult victims of human trafficking, their gender was not specified
- Sexual exploitation – 12 cases
- Labour exploitation – 3 cases
- Labour exploitation + sexual exploitation – 1 case
- Forced begging – 2 cases
- External trafficking – 16 cases, internal trafficking – 2 cases.

Countries of destination:

France – 6 cases, Italy – 4 cases, Greece – 2 cases, Switzerland – 1 case, Germany – 1 case, Spain – 1 case, Great Britain – 1 case.

Developing the international cooperation through exchange of best practices in the area of preventing and countering trafficking in human beings is the main objective in the work of the ANCCTHB under **Section VI, *International Cooperation***.

With a view to overcoming the challenges related to migration and human trafficking, the ANCCTHB, in its capacity as responsible institution as per the National Programme, organised an international discussion forum ‘*Human Trafficking in the Context of the New Migration Challenges: Strengthening the Multidisciplinary Cooperation in Identifying and Supporting Victims of Human Trafficking among Migrants and Asylum Seekers*’. The forum built upon the existing experience and efforts and followed on from the successful international conference held in 2015 on the correlation between human trafficking and the issue of refugees and irregular migrants (organised jointly with the Council of Europe and the Office of the United Nations High Commissioner for Refugees). It followed also the meetings with Mrs Madina Jarbussynova, Special Representative and Co-ordinator for Combating Trafficking in Human Beings of the Organisation for Security and Co-operation in Europe (OSCE). The forum was organised jointly by the National Commission’s Secretariat and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, with the assistance of the Hanns-Seidel Foundation in Bulgaria. The event took place on 27 and 28 June 2016 in a hall at the “House of Europe” (the European Parliament Information Office in Sofia). It was attended by 60 participants including representatives of foreign diplomatic missions in Bulgaria and international organisations. The event was opened by the Chair of the NCCTHB, Mrs Kuneva, Mrs Maria Gabriel, a member of the European Parliament (video address), members of the National Commission – Mr Tsvyatko Georgiev, Deputy Minister of Interior, and Mr Kircho Kirov, Deputy Chair of Bulgaria's State Agency for Refugees. The panel sessions were moderated by leading experts

from the International Organization for Migration, representatives of GRETA, UNICEF, UNHCR, OSCE missions, the UN Office on Drugs and Crime (UNODC) in Vienna, the International Centre for Migration Policy Development (ICMPD), etc., who were invited to share their experience and expertise. Participants in the discussions were leading representatives of governmental, non-governmental, and international organisations, active in the field of identification, referral, and protection of human trafficking victims, as well as experts in the area of protecting the human rights of persons seeking international protection. The conclusions of the meeting indicated that there was a lot more to do and achieve as regards the identification and referral of potential victims of human trafficking among the vulnerable groups of migrants, asylum seekers, and applicants for international protection, particularly as regards the issue of child trafficking. There are challenges to be addressed in relation to the streamlining of legal procedures, the provision of legal protection and support, and access to specialised services.

In the course of her visit to Bulgaria, Mrs Madina Jarbussynova held meetings with the Chair of the NCCTHB and with representatives of a number of government ministries and agencies – MoI, MFA, SPOC, GLIEA, SACP, and SAR, as well a joint meeting with representatives of NGOs and international organisations.

The cooperation between the Republic of Bulgaria and the Swiss Confederation in the field of identification and protection of victims of human trafficking is of major importance. It is implemented by means of exchange of experience and sharing of best practices in the field of combating trafficking in human beings. Within the framework of Activity 3 of Section VI of the National Programme and under the Project ‘*Swiss-Bulgarian Cooperation on Identification of and Long-Term Assistance to Children and Adults Victims of Trafficking in Human Beings*’, the NCCTHB organised, in cooperation with its project partner FedPol, a visit to Switzerland in the period from 18 to 21 September 2016 for 8 Bulgarian experts representing the following institutions: 1. the Human Trafficking Sector of the General Directorate for Combating Organised Crime within the MoI; 2. the Border Police General Directorate within the MoI; 3. the Prosecutor's Office of the Republic of Bulgaria; 4. The National Investigation Service; 5. The Ministry of Labour and Social Policy. The delegation included also a representative of the ANCCTHB and two experts from the ‘*Animus Association*’ Foundation actively involved in combating trafficking in human beings.

The purpose of the visit was to increase the experts’ knowledge by way of exchanging best practices, building effective gateways for information sharing, and establishing direct personal contacts between the participants for the purpose of collaborating on current cases of trafficking. A number of meetings were organised in the course of the visit with representatives of the local law enforcement authorities, such as the Public Prosecution Service, criminal investigation inspectors, and experts in the field of combating human trafficking. Several field observations of locations where Bulgarian sex workers could be found were also conducted.

Furthermore, the NCCTHB is a partner under a number of international projects. Representatives of the ANCCTHB participated in a number of fora with an international dimension, including:

- In June 2016, a cooperation agreement was signed between the National Commission for Combatting Trafficking in Human Beings (NCCTHB) and the Czech NGO Diaconia Centre for

National Programs and Services. The purpose of the agreement was to jointly implement a project aimed at preventing human trafficking for the purpose of labour exploitation. The project's main component was a campaign against the labour exploitation of Bulgarian citizens travelling to and/or seeking employment in the Czech Republic. The campaign ran in Bulgaria from June to November 2016. In addition to information activities, it included the development of a web-based portal providing information on labour migration to the Czech Republic. Part of the campaign was implemented in cooperation with the Local Commissions for Combatting Trafficking in Human Beings (LCCTHBs) at the regional level.

- In October 2016, the administration of the NCCTHB was invited to act as implementing organisation of a project funded by the Embassy of the Kingdom of the Netherlands. The project aims at enhancing the capacity of practitioners in the field of preventing human trafficking by way of translating into Bulgarian and adapting the '*Handbook for Experts on Multidisciplinary Cooperation against Human Trafficking for Labour Exploitation*'. The Handbook was the result of a project titled '*TeamWork! Strengthening Multidisciplinary Cooperation against Trafficking for Labour Exploitation*', which was part of the preparation for the Netherlands Presidency of the Council of the European Union in the first half of 2016. The Handbook was elaborated by a joint team of the Ministry of Security and Justice and the Ministry of Social Affairs and Employment of the Netherlands. It has compiled the experience of a number of experts from the EU Member States and from various institutions and organisations relating to practices of collaboration and prevention of human trafficking for labour exploitation. The project will be completed in 2017 and an electronic version of the Handbook in the Bulgarian language will be made available.
- The NCCTHB collaborated with the Embassy of the Kingdom of the Netherlands in connection with yet another project implemented by the Embassy on the labour migration of Bulgarian citizens to the Netherlands. Both the NCCTHB and the LCCTHBs were actively involved in the implementation of information campaigns among at-risk groups. The administration of the NCCTHB and secretaries of LCCTHBs took part in the project's closing forum on 30 November 2016. Both the National and the Local Commission will join forces and will continue to work together with the network established as an outcome of the project by the centres run by the Amalipe Centre for Interethnic Dialogue and Tolerance and the Roma mediators and will continue their efforts to prevent human trafficking for labour exploitation primarily through targeted prevention and working with vulnerable groups.
- The administration of the NCCTHB continued its partnership and support within the framework of a follow-up project implemented by the Netherlands Helsinki Committee in collaboration with the '*Animus Association*' Foundation. The project is aimed at improving the access of human trafficking victims in Bulgaria to specialised legal assistance. The NCCTHB and the '*Animus Association*' Foundation organised a series of focus-group meetings and discussions with lawyers, public prosecutors, judges, and police investigators. The project will be finalised with a round table conference to be held in Sofia in January 2017.

The purpose of **Section VI of the National Programme, *Legislative Measures***, was to improve the existing legislative basis with a view to enhancing the efficient combating of human trafficking in Bulgaria. The activities planned in Section VII aimed at updating the legal framework to ensure more efficient implementation of the government policy to prevent and counter trafficking in human beings.

The main activities included drafting amendments to (1) the *Combating Trafficking in Human Beings Act*; (2) the *Regulations on the Organisation and Activities of the National Commission for Combatting Trafficking in Human Beings*; and (3) the *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims* and the associated non-regulatory acts. The process of drafting amendment proposals was initiated by the secretary and the experts of the ANCCTHB. In 2016, the ANCCTHB put forward legislative amendment proposals for the first time even though the task of drafting such proposals has been set forth in the *National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking* since 2010. Legislative amendments were most necessary in connection with the transposition of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and with the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings.

The experts of the Standing Expert Working Group with the National Commission (SEWG) and the secretaries of the Local Commissions also sent their proposals and opinions to the ANCCTHB and those were included on the agenda of the last SEWG meeting for 2016. Further steps include drawing up an initial draft and supporting documents; presentation at a meeting of the NCCTHB and conciliation procedure; public consultations, processing the results, and drawing up the final draft to be submitted to the Council of Ministers; presentation at a meeting of the Council of Ministers and deliberations on a *Bill to Amend the Combating Trafficking in Human Beings Act*⁵.

⁵ TN: Title in Bulgarian: *Закон за изменение и допълнение на Закона за борба с трафика на хора*, abbreviated to ZID ZBTH

4. THE 2016 NATIONAL PROGRAMME TO PREVENT AND COUNTER TRAFFICKING IN HUMAN BEINGS AND PROTECT VICTIMS OF TRAFFICKING: REPORTS OF THE INSTITUTIONAL MEMBERS OF THE NCCTHB

MINISTRY OF INTERIOR (MoI)

1. In 2016, **employees of the MoI were involved in the following activities** laid down in the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking*:

Section I, Institutional and Organisational Measures

Activity 1: Develop and adopt a *Strategy to Combat Human Trafficking in Bulgaria 2017 – 2021*.

An officer with the Human Trafficking Sector of the General Directorate for Combating Organised Crime (GDCOC) within the MoI participated in a working group tasked with drafting the Strategy.

Activity 3: Consultation, coordination, and adoption of the *National Mechanism for Referral of and Support to Human Trafficking Victims* (NRM).

An officer with the GDCOC participated in a working group tasked with updating the *National Mechanism for Referral of and Support to Human Trafficking Victims*, which was subsequently adopted by the Council of Ministers.

Activity 4: Develop a concept for the collaborative work of a multidisciplinary (mobile) interinstitutional team on human trafficking cases under the *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*.

An officer with the GDCOC participated in a working group tasked with setting up the multidisciplinary team as part of the Swiss-Bulgarian Project ‘*Cooperative Efforts of Bulgaria and Switzerland for Immediate and Unconditional Protection of Human Trafficking Victims and Prevention of Trafficking in Human Beings*’.

Section II, Prevention

Activity 3: Conduct a campaign to raise awareness and public knowledge about the current forms and trends in human trafficking on the occasion of 18 October – the EU Anti-Trafficking Day.

Officers with the Human Trafficking Sector of the GDCOC were involved in the shooting of a film about the current forms of human trafficking to be used in the training of experts working on trafficking cases. They participated also in roundtable meetings on the topic of current forms and trends in human trafficking, held in the cities of Sofia, Blagoevgrad, and Burgas.

Activity 4: Carrying out outreach activities to create awareness of the risks of human trafficking among representatives of at-risk groups, including migrants and third-country nationals.

Officers with the Directorate for International Operational Law Enforcement Cooperation (DIOLEC) and the GDCOC participated in regional seminars titled ‘*Together against Trafficking in Human Beings*’ in the cities of Blagoevgrad, Sliven, Plovdiv, and Pazardzhik, organised by the Campaign A21

Foundation and the Local Commissions for Combating Trafficking in Human Beings. The main purpose of the initiative was to raise awareness of the problem, to improve communication, and to encourage cooperation between the different institutions and organisations. A representative of the DIOLEC gave a presentation on the topic '*International Tools for Countering Human Trafficking. Collaboration with the European Police Office (Europol)*'.

Activity 6: Carry out information and awareness-raising activities aimed at preventing human trafficking for labour exploitation.

A DIOLEC officer participated from 31 March to 2 April 2016 in a seminar on the problems related to countering human trafficking for labour exploitation organised by the RiskMonitor Foundation. The seminar was designed to examine the problem in detail and to trigger and stimulate discussion on the main subjects of the collaboration between the different institutions.

On 3 November 2016 a DIOLEC representative took part in a discussion forum '*Human Trafficking for the Removal of Organs, Tissues, Cells, and Body Fluids in the Context of the Current Trends and New Forms of Exploitation*', organised by the NCCTHB in the city of Blagoevgrad.

Section III, Staff Training, Specialisation, and Professional Development

Activity 1: Conduct a training module '*Human Trafficking: Causes, Victim Identification and Protection*' through the programme run by the Diplomatic Institute of the MFA.

An officer with the GDCOC gave a lecture at the Diplomatic Institute.

Activity 3: Conduct specialised training events for police investigators and police officers from specialised units tasked with combatting trafficking in human beings or working on cases of human trafficking.

A training seminar '*Trafficking in Human Beings*' was held on 31 March 2016 at the Police Academy of the MoI. It was organised at the joint initiative of Mr Evgeni Dikov, Director of the National Investigation Service and Deputy Prosecutor General for Criminal Investigation Affairs and the leadership of the National Police General Directorate (GDNP) within the MoI. The training was delivered following the methodology for investigating crimes against the governmental order (Articles 279 through 281 of the *Criminal Code*) developed by the National Investigation Service. The trainees were 28 police investigators and other police officers from the GDNP, the GDCOC, the Border Police General Directorate (BPGD), the Sofia Metropolitan Directorate of Interior, and the Sofia Regional Directorate of the MoI. The lecturers at the training seminar were a public prosecutor from the Supreme Prosecutor's Office of Cassation, a prosecuting investigator from the National Investigation Service, and the Secretary of the National Commission for Combating Trafficking in Human Beings.

At the initiative of the National Investigation Service, two training seminars on human trafficking and illegal migration issues were held on 30 June and 1 July 2016 for public prosecutors, prosecuting investigators, and police investigators from the Regional Directorates of the Ministry of Interior in the cities of Vidin and Montana, and the Border Police Department in the city of Vidin. 25 police investigators were trained.

Activity 4: Conduct information and training activities about the risks of human trafficking among representatives of vulnerable Roma ethnic communities.

A working meeting with representatives from Poland, the Czech Republic, and Romania, working on combating trafficking in human beings was held on 17 November 2016 at the DIOLEC. The meeting was organised at the initiative of the GDCOC as part of the international project *‘Increasing the Effectiveness of Referral, Support, Protection and Reintegration of Victims of Trafficking in Human Beings through the Practical Application of the Transnational Mechanism’* implemented with support from the Norwegian Financial Mechanism. The purpose of the meeting was to help the participants become aware of the situation and share best practices employed by the institutions in those countries in the context of international police cooperation and joint action on cases of cross-border trafficking in human beings.

No training activities about the risks of human trafficking among vulnerable Roma ethnic communities were conducted in 2016 because of a change in the schedule of events under both projects made in agreement with the foreign project partners.

Activity 5: Conduct specialised training events for MoI officers, judges, and magistrates.

The activities planned as part of the international projects funded by the EEA and Norway Grants – *‘Cooperation to Fight Cross-Border and Organised Crime’* and *‘Increasing the Effectiveness of Referral, Support, Protection and Reintegration of Victims of Trafficking in Human Beings through the Practical Application of the Transnational Mechanism’* were not implemented in 2016 because of a change in the schedule of events under both projects made in agreement with the foreign partners.

Section V, Research, Analyses, and Statistical Reporting of Data on Trafficking in Human Beings

Activity 2: Collect and analyse data on both the victims and the perpetrators of the crime of human trafficking.

At the request of the NCCTHB, the Ministry of Interior presented up-to-date information on cases of human trafficking victims. The file contained information on 38 victims of trafficking and included the results of completed investigations and of either pre-trial or judicial proceedings initiated, pending, or concluded.

Section VI, International Cooperation

A DIOLEC officer participated from 13 to 19 November 2016 in the OSCE’s innovative simulation-based training exercise in the Italian city of Vicenza. The Bulgarian participant was designated following a selection procedure. The topic of the training project was *‘Countering Human Trafficking along Migration Routes’* and its purpose was to help the participants become aware of the main means of identifying victims of human trafficking among mixed-migration flows. The training focused also on the importance of financial investigations and the international judicial and police cooperation in combating trafficking in human beings.

The overall goal of the project was to enhance the capacity of participating states and partners for co-operation to rapidly identify victims of human trafficking along migration routes and to effectively prosecute traffickers exploiting highly vulnerable segments of the mixed-migration flows.

55 representatives from 31 OSCE participating States took part in the training event. The group included representatives of judicial and law enforcement authorities, social services, non-governmental organisations, labour inspectorates, lawyers, cultural mediators, and interpreters, all involved in the process of preventing and combating human trafficking and supporting its victims.

A DIOLEC officer took part in a conference ‘*Consolidating Partnership by Increasing Cross-Border Multidisciplinary Cooperation against Trafficking in Human Beings*’ held in Bucharest from 20 to 22 April 2016.

Combating trafficking in human beings is one of the priorities in the EU policy cycle for organised and serious international crime. Therefore, all EU Member States coordinate and carry out through Europol, both nationally and internationally, joint actions. In 2016, the EU Member States, EU bodies, and third partners joined forces with Europol in the large-scale Police Operation Ciconia Alba to counter organised crime networks involved in the priority crime areas. Bulgarian authorities were represented in the operation by the GDCOC, the BPGD, the DIOLEC, and the GLIEA. The GDCOC, in its capacity as the MoI’s leading structure tasked with countering trafficking in human beings, conducted from January to November 2016 21 police operations and was involved in 4 teams investigating cases of human trafficking.

Section VII, Legislative Measures

Activity 1: Drafting amendments to the *Combating Trafficking in Human Beings Act* and Activity 2: Drafting amendments to the *Regulations on the Organisation and Activities of the NCCTHB*, the *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims*, and the associated non-regulatory acts.

Experts from the MoI participated in preliminary deliberations on the need to draft a *Bill to Amend the Combating Trafficking in Human Beings Act* and new *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims*.

Activity 3: Improve the interaction in the application of the Coordination Mechanism for referral and provision of care to unaccompanied minors and child victims of human trafficking returning from abroad and Activity 4: Adopt a Coordination Mechanism for interaction between the institutions and organisations for the purpose of guaranteeing the rights of unaccompanied alien minors residing in Bulgaria, including those seeking and granted international protection.

In compliance with the Coordination Mechanism, the Bulgarian Identity Documents Directorate within the MoI provided information that over the period from 1 January to 12 December 2016, coercive administrative measures provided for in Article 76a of the *Bulgarian Identity Documents Act*⁶ had been imposed on 12 minors.

Over the same period, officers with the Juvenile Offending Sector of the Criminal Police Department within the National Police General Directorate had worked on 7 cases of minor and underage victims in compliance with the Coordination Mechanism.

⁶ TN: Title in Bulgarian: *Закон за българските лични документи*, abbreviated to ZBLD. (https://kvlaw.bg/documents/f/en/07_bulgarian_personal_documents_act.pdf)

SUPREME PROSECUTOR'S OFFICE OF CASSATION (SPOC)

The Prosecutor's Office of the Republic of Bulgaria was involved in anti-trafficking activities and in protecting the victims of trafficking, including the activities set forth in the 2016 National Programme.

The following training events for magistrates took place in 2016 that were thematically related to combating trafficking in human beings in accordance with Section III of the National Programme:

- A seminar titled '*Financial Investigations and Illegal Assets Forfeiture in the Context of Human Trafficking*' with the participation of 1 public prosecutor;
- A seminar titled '*Trafficking in Human Beings in Bulgaria – Realities and Challenges*' with the participation of 20 public prosecutors and 1 prosecuting investigator;
- A seminar titled '*International Trafficking in Human Beings*' with the participation of 3 public prosecutors;
- In-house training in the organisation of work and peculiarities of investigating the crimes referred to in Articles 279 through 281 of the *Criminal Code* and on organised crime groups set up to commit crimes referred to in Article 280 of the *Criminal Code* was conducted both in the first and in the second half of 2016. A total of 45 public prosecutors and 4 investigators were trained;
- A seminar on the application of the newly adopted *National Mechanism for Referral of and Support to Human Trafficking Victims* at the local level and discussion of proposals on the *Draft National Strategy to Combat Trafficking in Human Beings*' with the participation of 1 public prosecutor;
- A public prosecutor from the SPOC participated in a training seminar in the Swiss Confederation under the Project '*Swiss-Bulgarian Cooperation on Identification of and Long-Term Assistance to Children and Adults Victims of Trafficking in Human Beings*' implemented by the NCCTHB.

On 20 July 2016, the Government approved the *National Mechanism for Referral of and Support to Human Trafficking Victims*. The mechanism constitutes the framework for enhanced cooperation between the institutions as to the provision of care to the victims. It is meant also to coordinate the efforts and the strategic partnerships with non-governmental and international organisations, and with the civil society.

Prior to being approved by the Government, the *National Mechanism for Referral of and Support to Human Trafficking Victims* was agreed with the Prosecutor's Office of the Republic of Bulgaria pursuant to the conciliation procedure provided for in the *Statutory Instruments Act*. Provision of care and support to the victims of human trafficking and respect for their rights are enshrined as a key priority in the National Referral Mechanism. This requires a comprehensive review of the training activities carried out for magistrates. A relevant training event was the seminar titled '*Strengthening the Effective Work of the Prosecutor's Offices of Bulgaria and Romania in the Field of Working with the Victims of Crime and Promotion of Cooperation with Local and Foreign Organisations for Support to Victims*', organised by the German Foundation for International Legal Cooperation (IRZ). The training seminar was conducted in 3 provincial centres (the cities of Sofia, Plovdiv, and Varna). A total of 65 public prosecutors and 20 prosecuting investigators attended the training events. Additionally, 4 public prosecutors attended a seminar on the same topic in Romania.

The amendments to Article 6(2) of the *Crime Victim Assistance and Financial Compensation Act (CVAFCA)*⁷ entered into force on 6 October 2016. Pursuant to the amended provision, the overseeing prosecutors in charge of pre-trial proceedings are required to ensure that the investigative bodies respect the victims' rights and inform them about the options and services available to them. In view of the obligation to inform the victims of crime (including victims of human trafficking) of their rights and in connection with the latest amendments to the CVAFCA, the Prosecutor General issued a letter dated 21 October 2016 publicising the models of the form and of the statement referred to in Article 6a(2) and Article 6a(3) of the CVAFCA to be used in pre-trial proceedings. The models were approved by the Ministry of Justice and are available on its information site, translated into foreign languages as well.

In the same context and in fulfilment of the requirements of Article 6a of the CVAFCA, the Prosecutor General issued Order RD-04-436 of 15 December 2016 governing the procedure for recording the statements of informing the victims of their rights under the CVAFCA.

The methodology for investigating the punishable offence of trafficking in human beings was updated and brought in conformity with the legislation in force as at 15 July 2015.

Data exchange between the Prosecutor's Office of the Republic of Bulgaria and the NCCTHB is governed statutorily by the provisions of Article 4(3) and Article 7(1) and (4) of the CVAFCA. The information on the activities of the Prosecutor's Office in 2015 aimed at countering trafficking in human beings submitted pursuant to the CVAFCA, was reflected in the National Commission's annual report.

NATIONAL INVESTIGATION SERVICE (NIS)

According to the *2016 National Programme to Combat Trafficking in Human Beings and Protect Victims of Trafficking*, which was composed of 7 sections, the National Investigation Service was designated as an institution responsible for carrying out certain activities under the Programme in its capacity as an institution represented on the NCCTHB and as a partner institution.

- Under **Section I, Institutional and Organisational Measures**, the NIS, in its capacity as an institution whose representative is a member of the NCCTHB, was designated as the responsible institution for the following activities:

1. **Activity 1:** Develop and adopt a *Strategy to Combat Human Trafficking in Bulgaria 2017 – 2021*. Mr Lachezar Penev, NIS Deputy Director and NCCTHB member, Mrs Vania Doicheva and Mrs Albena Gonkova, members of the Standing Expert Working Group with the NCCTHB (SEWG), participated in the national expert working meeting titled '*Preparing a Strategy to Combat Trafficking in Human Beings in Bulgaria*' on 26 January 2016. Mrs Vania Doicheva participated also in an SEWG working meeting on 2 and 3 June 2016 titled '*Developing a National Strategy to Combat Trafficking in Human Beings*'.

2. **Activity 3:** Consultation, coordination, and adoption of the *National Mechanism for Referral of and Support to Human Trafficking Victims* (NRM). Representatives of the NIS took part in the regular meeting of the Standing Expert Working Group with the NCCTHB held on 12 February 2016 where the

⁷ TN: Title in Bulgarian: *Закон за подпомагане и финансова компенсация на пострадали от престъпления*, abbreviated to ZPFKPP. (http://ec.europa.eu/justice_home/judicialatlascivil/html/pdf/national_law_cv_bul_en.pdf)

2016 National Programme to Combat Trafficking in Human Beings and Protect Victims of Trafficking and the Annual Report of the NCCTHB on the Activities Carried Out in 2015 were presented.

3. Activity 4: Develop a concept for the collaborative work of a multidisciplinary (mobile) interinstitutional team on human trafficking cases under the *Swiss-Bulgarian Programme of Cooperation in the Field of Identification and Protection of Victims of Trafficking*. Mrs Albena Gonkova, a member of the Standing Expert Working Group with the NCCTHB, took part in a high-level expert working meeting held from 17 to 19 February 2016 under the *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*. The purpose of the meeting was to contribute to improving the cooperation between the two countries. The NIS actively participated also in the development of a concept for the establishment and functioning of an interinstitutional coordination team to work on alerts concerning human trafficking.

- Under **Section III, Staff Training, Specialisation, and Professional Development**, the NIS, in its capacity as a partner institution, was involved in the following activities:

1. Activity 2: Conduct specialised training events for public prosecutors. The NIS Director and Deputy Prosecutor General for Criminal Investigation Affairs issued Order No. 3-79 of 8 June 2016, following on from an order issued by the Prosecutor General of the Republic of Bulgaria regarding the setting up of a forum titled ‘*National Distance Learning Programme for Prosecutorial and Investigative Bodies*’. The said Order determined sub-fora, including a sub-forum ‘*Methodology for Investigating the Punishable Offence of Trafficking in Human Beings*’.

2. Activity 3: Conduct specialised training events for police investigators and police officers from specialised units tasked with combatting trafficking in human beings or working on cases of human trafficking. The NIS Director and Deputy Prosecutor General for Criminal Investigation Affairs issued Order No. 2187 of 24 March 2016 to approve a face-to-face training programme for police investigators on investigating current forms of crime. A training seminar was conducted on 31 March 2016 for MoI officers on investigating the crime of human trafficking. The training was delivered by lecturers from the NIS, the Prosecutor General’s Administration, the NCCTHB, the SPOC, and the MoI.

- Under **Section V, Research, Analyses, and Statistical Reporting of Data on Trafficking in Human Beings**, the NIS, in its capacity as an institution represented on the NCCTHB, was involved in the following activities:

1. Activity 1: Carry out an economic assessment and put forward recommendations to develop and maintain a single database for both the victims and the perpetrators of the crime of human trafficking.

2. Activity 2: Collect and analyse data on both the victims and the perpetrators of the crime of human trafficking.

- Under **Section VI, International Cooperation**, the NIS, in its capacity as an institution represented on the NCCTHB, was involved in the following activities:

1. Activity 2: Conduct an interinstitutional forum ‘*Overcoming the Challenges Related to Migration, Refugees, and Human Trafficking*’ Mrs Albena Gonkova took part on 27 and 28 June 2016 in an international discussion forum ‘*Human Trafficking in the Context of the New Migration Challenges: Strengthening the Multidisciplinary Cooperation in Identifying and Supporting Victims of Human*

Trafficking among Migrants and Asylum Seekers'. The forum was organised jointly by the NCCTHB and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, with the assistance of the Hanns-Seidel Foundation in Bulgaria.

2. Activity 3: Improve the cooperation between the Republic of Bulgaria and the Swiss Confederation in the field of identification and protection of victims of human trafficking through the exchange of experience and learning about each other's best practices in relation to combating trafficking in human beings. Mrs Albena Gonkova, a member of the Standing Expert Working Group with the NCCTHB, took part in a high-level expert working meeting held from 17 to 19 February 2016 under the *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*. The purpose of the meeting was to contribute to improving the cooperation between the two countries. NIS representatives took part also in a 3-day working visit to Switzerland from 18 to 21 September 2016.

- Under **Section VII, Legislative Measures**, the NIS, in its capacity as an institution represented on the NCCTHB, was involved in the following activities:

1. Activity 1: Drafting amendments to the *Combating Trafficking in Human Beings Act*.
2. Activity 2: Drafting amendments to the *Regulations on the Organisation and Activities of the National Commission for Combating Trafficking in Human Beings*, the *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims*, and the associated non-regulatory acts.

Mrs Albena Gonkova, a member of the Standing Expert Working Group with the NCCTHB, participated in preliminary deliberations on the need to draft a *Bill to Amend the Combating Trafficking in Human Beings Act* and new *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims*.

3. Activity 6: Opinions on legislative amendments concerning the active criminal prosecution and punishment of the offence of trafficking in human beings and the efficient protection of its victims (including amendments to the *Criminal Code*, the *Ministry of the Interior Act*⁸, etc.). Mrs Albena Gonkova took part on 4 November 2016 in a focus-group meeting on improving the access to (specialised) legal assistance for victims of human trafficking in Bulgaria, Romania, and Hungary.

In addition to her involvement in the foregoing activities, Mrs. Albena Gonkova, in her capacity as prosecuting investigator with the NIS and member of the Standing Expert Working Group with the NCCTHB, participated in the simulation-based training exercise organised by the Organization for Security and Co-operation in Europe (OSCE) as part of the project '*Countering Human Trafficking along Migration Routes*'.

The simulation-based learning exercises was conducted in the period from 14 to 18 November 2016 at the training facilities of the Centre of Excellence for the Stability Police Units in Vicenza, Italy with the participation of some 150 law enforcement officials, prosecutors, labour inspectors, representatives of NGOs and public social services from different OSCE participating States and Partners for Co-operation.

⁸ TN: Title in Bulgarian: *Закон за министерството на вътрешните работи*, abbreviated to ZMVR. (https://www.mvr.bg/NR/rdonlyres/5F939B72-40AD-45AB-A78A-D09207DB695C/0/ZMVR_EN.pdf)

In the context of the situation in Europe, the OSCE region is witnessing massive movements of people caused by on-going conflicts, general instability and economic instability in neighbouring regions. These mixed-migration flows are comprised of refugees and economic migrants who are highly vulnerable to exploitation and potential victims of human trafficking.

In response to this situation and as part of its role in addressing this issue, the OSCE developed the training project titled ‘*Combating Trafficking along Migration Routes*’ to enhance the capacity of participating OSCE States to rapidly identify victims of trafficking and effectively prosecute traffickers, thus strengthening the overall criminal justice response along migration routes by promoting multi-institutional coordination and international cooperation.

SUPREME COURT OF CASSATION (SCC)

The Penal College of the Supreme Court of Cassation of the Republic of Bulgaria submitted the following information on its contribution to combating trafficking in human beings:

The SCC is the final court of appeal in Bulgaria for criminal cases. It examines also reopened criminal cases after final judgment at trial has been made.

The number of court cases for crimes under Articles 159a through 159d of the *Criminal Code* (Trafficking in People) heard and determined by the Penal College of the SCC did not increase in 2016. They represented rather only a small share of all cases heard and determined by the Penal College. This is so because the district courts⁹ in the country have original jurisdiction over such criminal cases. Accordingly, the Specialised Criminal Court¹⁰ has original jurisdiction over criminal cases for the crime under Article 159d, second option, of the CC (i.e., where the offence referred to in Articles 159a through 159c was committed at the orders or in implementing a decision of an organised criminal group). The provincial courts, the Sofia City Court, and the Specialised Criminal Court of Appeal (SCCA) have appellate jurisdiction to review judgements and decisions handed down in such cases by the trial courts. Only first-instance judgements handed down by provincial courts or appellate judgements delivered by the Sofia City Court or by the SCCA are subject to cassation review by the SCC. Pursuant to the procedure for reopening criminal cases on the grounds provided for in Article 422(1)(5) of the *Criminal Procedure Code* (CPC)¹¹, judicial acts not reviewed in cassation proceedings are subject to judicial oversight by the SCC only if they are newly delivered appellate judgements of the provincial courts or of the courts of appeal or decisions handed down by the courts of appeal. Following the amendments to the CPC (ref. Article 424(1) of the CPC, version promulgated in the State Gazette, issue 42 of 2015), requests for reopening criminal cases on the grounds for cassation provided for in Article 422(1)(5) of the CPC, are examined also by the courts of appeal but only where the judicial act was handed down by a district court or by a provincial court as the second court of instance with the exception of newly delivered judgements. It follows, therefore, that the SCC does not exercise judicial oversight over criminal cases prosecuting human trafficking. This exhaustive reminder of the original and functional jurisdiction over such cases ought to act as a hint that statistical

⁹ TN: Information about the judicial system in Bulgaria is available at https://e-justice.europa.eu/content_judicial_systems_in_member_states-16-bg-en.do?member=1

¹⁰ Ibid.

¹¹ TN: Title in Bulgarian: *Наказателно-процесуален кодекс*, abbreviated to NPK. (http://www.vks.bg/english/vksen_p04_03.htm)

information as to the initiated, heard, and determined court cases for human trafficking should be sought from the appropriate lower-level bodies of the judicial system.

Notwithstanding the limited order of procedure for regular highest-instance judicial oversight or for extraordinary review of final judicial acts in such cases, the Penal College of the SCC, in exercising its powers to ensure correct and consistent application of the law by all courts, strictly monitors the compliance with its established interpretative case law – both of principle and binding, as to the consistent interpretation and application of the law regarding crimes involving human trafficking.

Another aspect of the institution's activities relates to the fulfilment of its obligations set forth in Section III, *Staff Training* and in Section VII, *Legislative Measures* of the *2016 National Programme* of the NCCTHB. In 2016, as in previous years, SCC justices undertook training at the National Institute of Justice and participated in seminars and programmes organised by the NCCTHB and by various NGOs aimed at training magistrates and anti-trafficking practitioners. SCC justices attended also multidisciplinary training events pertaining to the crimes of human trafficking and to the rules and the mechanism for protection and referral of victims of trafficking. Justices of the Penal College of the SCC are constantly involved in working groups tasked with drafting amendments to the *Criminal Code* regarding this subject matter with a view to updating the legislative measures for improving the effectiveness of anti-trafficking efforts and with a view also to harmonising the national legislation with the Bulgaria's commitments and with the recommendations in EU legal instruments and in the international instruments which Bulgaria is party to.

MINISTRY OF JUSTICE (MoJ)

The Ministry of Justice was designated as a responsible institution for Activity 5 of Section VII, *Legislative Measures* of the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking*. In pursuance of this activity, the MoJ drafted the *Bill to Amend the Crime Victim Assistance and Financial Compensation Act* which partially introduced the provisions of Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. The amendments were promulgated in the State Gazette, issue 51 of 5 July 2016 and entered into force on 6 October 2016.

Furthermore, the MoJ drafted the *Bill to Amend the Criminal Procedure Code* to complete the transposition of the said Directive. The Bill was published for public consultation and comments on 26 August 2016 and was sent out for interministerial coordination pursuant to Article 32 of the *Rules of Procedure of the Council of Ministers and Its Administration*¹². The Bill is pending submission to the Council of Ministers for approval.

In 2016, the expert designated to represent the Ministry of Justice on the Standing Expert Working Group with the NCCTHB participated actively in the Working Group's meetings at which the *Annual Report of the NCCTHB on the Activities Carried Out in 2015* and the *2016 National Programme to Combat Trafficking in Human Beings and Protect Victims of Trafficking* were presented and approved

¹² TN: Title in Bulgarian: *Устройствен правилник на Министерския съвет и на неговата администрация* (УПМЧА), abbreviated to UPMSNA.

and priority areas were identified to serve as the basis for developing the *National Strategy to Combat Trafficking in Human Beings*.

The Ministry of Justice presented comments on the final draft of the GRETA Evaluation Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. The MoJ submitted reasoned objections against some of the recommendations contained in the report.

The Ministry of Justice provided information in response to a questionnaire concerning existing national measures establishing as a criminal offence the use of services which are the objects of exploitation of trafficking in human beings. The questionnaire was sent out in May 2016 for the purposes of a study on the implementation of Article 23, *Reporting*, of the Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, in the Member States' national legislation.

The expert designated to represent the Ministry of Justice on the Standing Expert Working Group with the NCCTHB presented an opinion on the *Bill to Amend the Combating Trafficking in Human Beings Act* and the draft *Regulations on the Shelters for Temporary Accommodation and the Centres for Protection of and Support to Human Trafficking Victims*, run by the National Commission for Combating Trafficking in Human Beings.

A meeting was held on 25 January 2016 at the Ministry of Justice between the Deputy Minister of Justice and the EU Anti-Trafficking Coordinator, Dr Myria Vassiliadou. Another meeting was held on 18 May 2016 with Sir John Randall, Vice-Chairman and Mr Anthony Steen, Chair of the UK-based Human Trafficking Foundation. The participants in those meetings discussed the causes of human trafficking in Bulgaria; which minority group and which region of the country the victims came from; whether they were subject to punishment for the crimes committed; whether the majority of the traffickers were males or females, whether prostitution had been established as a criminal offence, etc. It was pointed out that the Republic of Bulgaria gave priority to countering and prosecuting human trafficking and successfully ensured respect for human rights and provision of care and assistance to the victims of trafficking, and that the Ministry of Justice was actively involved in developing the legislation on combating trafficking in human beings.

MINISTRY OF FOREIGN AFFAIRS (MFA)

The summarised information on the activities carried out by the Ministry of Foreign Affairs as per the National Programme's sections comprises:

Section I, Institutional and Organisational Measures:

The MFA provided the ANCCTHB with information on any more significant cases where Bulgarian citizens, victims of human trafficking for labour exploitation, for sexual exploitation and for the purpose of sham marriages, were offered consular assistance and protection. In their referral activities, the Bulgarian consular officials abroad applied directly the provisions of the *National Mechanism for Referral of and Support to the Victims of Human Trafficking* (NRM) adopted in July 2016.

Section III, Staff Training, Specialisation, and Professional Development, Activity 1: Conduct the training module '*Human Trafficking: Causes, Victim Identification and Protection*' for intern

diplomats, diplomats performing consular functions and police attachés through the programme run by the MFA Diplomatic Institute.

The topic '*Human Trafficking: Causes, Victim Identification and Protection*' will be included in the forthcoming training in consular affairs and diplomacy, organised by the Diplomatic Institute.

Section VI, International Cooperation

In keeping with the operational objectives set forth in Section VI, including exchange of experience and good practices, participation in international projects aimed at countering trafficking in human beings and protecting its victims, developing and implementing international projects aimed at countering human trafficking, the MFA kept pursuing a consistent policy to confirm Bulgaria's full commitment to combat trafficking in human beings and its participation in the joint efforts of the international community in this regard. To this end, various means were made use of – debates on thematic issues within international organisations, meetings with partners at various levels, seminars and training events on the topic. The Bulgarian representatives consistently reiterated the priority given by Bulgaria's Government to preventing and countering human trafficking and protecting its victims.

An expression of our activities in this regard was Bulgaria's co-authorship in drafting the first ever UN Security Council Resolution on the issue of human trafficking in conflict situations, adopted unanimously at the UN Security Council meeting on 20 December 2016. Resolution 2331 (2016) was hailed as historic because it drew for the first time the attention of the Security Council to the issue of human trafficking as an international peace and security problem.

MFA representatives took part in the following international fora on the topic of human trafficking:

- Conference '*Preventing Trafficking in Human Beings for Labour Exploitation in Supply Chains*' (Berlin, 7 and 8 September 2016), organised by the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Ambassador Madina Jarbussynova, and by the German OSCE Chairmanship. An NCCTHB representative also attended the Conference.
- The Annual *OSCE Human Dimension Implementation Meeting* (Warsaw, 19 to 30 September 2016). The MFA representative presented a national statement regarding the Bulgarian institutions' efforts to counter trafficking in human beings.
- Eighth (regular) session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (17 to 21 October 2016, Vienna, Austria). The MFA representative presented a national statement, focusing on the national legal framework in the area of combating trafficking in human beings.
- Official presentation by the UN Office on Drugs and Crime of the Global Report on Trafficking in Persons 2016 in New York on 21 December 2016. The MFA representative presented a national statement, praising the UNODC's data collection activities and assistance to the Member States in their efforts to combat human trafficking. The statement highlighted also our country's efforts to counter trafficking in persons.

Following the presentation on 30 June 2016 of the *Annual Trafficking in Persons (TIP) Report* of the United States Department of State, where Bulgaria was placed, for the second year running, on Tier 2 Watch List, presenting the Bulgarian Government's efforts in preventing and countering trafficking in persons and supporting the victims of human trafficking in such a way as to ensure that our country

would be placed on a higher tier list in the next reports, has proved to be a key strand for action for the MFA. A meeting of the NCCTHB was initiated and held on 20 July 2016 to analyse the report. Meetings with representatives of the US Embassy in Sofia were held. Instructions were sent out to the Embassy of the Republic of Bulgaria in Washington to conduct meetings at the ambassadorial level at the State Department.

The MFA provided assistance to the ANCCTHB with organising the visit to Bulgaria of Ambassador Madina Jarbussynova, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, from 17 to 29 June 2016. She met at the MFA with Mrs Maria Spassova, Director of the Human Rights Directorate. Ambassador Jarbussynova visited also the temporary accommodation centre in the village of Busmantsi.

MINISTRY OF LABOUR AND SOCIAL POLICY (MLSP)

Under Section VI, *International Cooperation*, Activity 4: Interaction with the competent authorities of interested EU Member States with a view to taking joint action to resolve issues in relation to Bulgarian workers within their territory in cases of labour exploitation.

Bulgarian citizens can find detailed information about the living and working conditions in a given country on the information websites of the Labour and Social Policy Offices (LSPO) at the Embassies of Bulgaria. The websites offer also advice on avoiding violations and fraud, including information on how to avoid getting ensnared in exploitative labour situations. The more significant functions of the LSPOs include:

- Assistance in connection with the labour mobility/migration and integration of migrant workers;
- Protection of the interests of Bulgarian citizens carrying out a remunerated activity in the territory of the respective countries;
- Provision of information about the terms and conditions for carrying out a gainful occupation or remunerated activity in the respective countries, as well as in Bulgaria.

LSPO at the Embassy of Bulgaria in London

The Labour and Social Policy Office at the Embassy of Bulgaria in London worked actively in 2016 to raise Bulgarian citizens' awareness and to support them in exercising their right of free movement within the EU. A priority area in the activities of the London LSPO continues to be the prevention of labour exploitation and human trafficking. Information aimed at preventing trafficking in persons is available on the website of the LSPO, on the website of the MFA, and on the website of the Embassy of the Republic of Bulgaria in London. On the web page of the London LSPO, such information can be found in the section titled '*Living and Working in the UK*', subsection '*Access to UK labour market for Citizens' of Bulgaria*'.

An important segment of the activities of the LSPO in London in 2016 was working with persons seeking information or facing problems while working as au pairs or mothers' help, and as car wash attendants.

Providing information about the terms and conditions for carrying out a remunerated activity and protecting the interests of Bulgarian citizens working in the territory of the United Kingdom are among the key activities of the Embassy of the Republic of Bulgaria in London and of the Labour and Social

Policy Office in London. Both Bulgarian and British institutions are kept regularly informed of new fraudulent schemes purporting to offer jobs, of emerging trends related to problems in the workplace and exploitation, of any alleged violations, etc.

The Embassy informs the institutions in Bulgaria of all enacted legislative changes relating to combating labour exploitation in the UK. Once their implementation starts, a series of meetings will be held with the institutions that will have new rights and obligations for the purposes of improving the bilateral cooperation aimed at protecting the interests of Bulgarian citizens in the United Kingdom. Proposed changes include: creating the office of a Director of Labour Market Enforcement; creating an Intelligence Hub, a specialised analytical services unit tasked with sharing information and reforming the national regulator of the companies supplying labour force to the UK's food and drink processing and packaging, agriculture, and shellfish gathering sectors.

Issues and difficulties facing Bulgarian citizens working in the United Kingdom, including problems related to exploitation and human trafficking, are put to and discussed with UK institutions on a regular basis in bilateral meetings and in operational terms when handling specific cases. The cooperation with the competent UK institutions in this area is extremely active, based on mutual interest, and has been deepening in recent years. A Letter of Intent for Cooperation was signed in 2014 between the Ministry of Labour and Social Policy, the Ministry of Finance of the Republic of Bulgaria, and the Department for Work and Pensions of the United Kingdom of Great Britain and Northern Ireland. The parties to the Letter of Intent (LoI) expressly stated their intention to cooperate on cross-border employment issues, in the provision of services, and in the implementation of the Regulations on the coordination of social security. The first meeting of the bilateral working group set up under the LoI was held in London in February 2016. A significant part of all issues discussed at the meeting was precisely from the area of cooperation on prevention and protection work, working together on identifying violations of labour legislation, and taking appropriate measures to provide redress and protection.

Meetings with the three supervisory authorities in the UK were held in the second half of 2016:

On 8 September 2016, the Head of LSPO – London met with representatives of the UK's Employment Agency Standards Inspectorate to discuss the mechanism through which the Embassy of the Republic of Bulgaria could report cases of infringement upon the labour rights of Bulgarian citizens working in the UK, including cases of labour exploitation.

On 13 October 2016, a meeting was held at the Embassy of Romania with a representative of the National Minimum Wage Team. The participants discussed the possibilities for cooperation with the inspectors at Her Majesty's Revenue and Customs (HMRC) and the procedure for forwarding alerts received by the LSPO in London to HMRC inspectors.

On 30 November 2016, the LSPO held a meeting with the Gangmasters Licensing Authority (GLA), a Government body regulating companies supplying labour force to the UK's agriculture and food and drink processing and packaging sector. The topics of discussion included the increase in competencies following the GLA's transition into the new and reformed Gangmasters and Labour Abuse Authority (GLAA) expected to enter into effect in May 2017.

During the period covered by this report, the LSPO in London worked with the competent UK institutions on the following cases of Bulgarian citizens trafficked for labour exploitation, as well as for other purposes (begging, sexual exploitation, etc.):

Cases of human trafficking for labour exploitation:

- The persons known by their initials B.H. and V.N., both victims of labour exploitation, were returned to Bulgaria and the British authorities are conducting an investigation into their case. Support for their return to Bulgaria was provided through NGOs.
- The persons known by their initials L.Y. and V.A. refused to avail themselves of the support offered to victims of trafficking by the UK National Referral Mechanism. They stayed with an acquaintance of theirs in England, who provided them with shelter and airline tickets to Bulgaria.
- The person known by the initials S.A. was provided with support under the UK National Referral Mechanism.

Forced begging and sexual exploitation:

- N.G. was returned by the UK authorities to her father in Greece (on suspicion of forced begging and sexual exploitation).
- T.V. was returned to Bulgaria by the UK authorities. Measures were taken at the national level by the SACP to prevent her from leaving the country again (suspicion of forced begging).
- V.Ts. was returned to Bulgaria with the support of the Salvation Army and the UK authorities. She had been included in the UK mechanism for supporting victims of human trafficking. Provisions were made at the national level to ensure her safety which she declined. There was a suspicion of domestic abuse committed by her husband.
- I.T. was returned to Bulgaria by the UK authorities. She was pregnant and about to give birth in Bulgaria. There were suspicions that she had been sexually exploited. Back in Bulgaria, the SACP ordered an inquiry into her case.
- Another Bulgarian citizen, a victim of sexual exploitation, was returned to Bulgaria with the assistance of the police and St. Mungo's, a London charity for homeless.
- A pair of Bulgarian citizens, victims of human trafficking, and their UK-born three-month-old infant were also returned to Bulgaria. They were provided with assistance for their trip back home after they divulged the location of the safe house where they had been accommodated, thus putting themselves and others at risk. Their trip to Bulgaria was made possible with the assistance of an NGO.
- Assistance was provided also to a Bulgarian citizen, who was a victim of sexual violence and threats to her life by her live-in partner of many years. The woman was accommodated in a hostel run by St Mungo's, London's largest charity for homeless. Despite all efforts, she declined to be accommodated in a safe house in Bulgaria.

LSPO at the Embassy of Bulgaria in Madrid

In June 2016, the LSPO in Madrid provided assistance to the Municipal Emergency and Rescue Assistance Services (SAMUR Social) in Madrid in a case involving a Bulgarian citizen, a victim of labour exploitation in Spain. Several talks were held with the social workers at SAMUR Social and with the person's relatives in Bulgaria. The Head of the LSPO and the MoI representative at the Embassy in Madrid visited together the social services centre where the person had been accommodated and provided assistance with filling in a questionnaire for voluntary return. Measures were taken in respect of that person under the Project '*Assisted Voluntary Return and Reintegration of Victims of Human Trafficking*' run by the International Organization for Migration (IOM). The person

was interviewed by the Spanish police and procedural steps have been taken to locate and detain the perpetrators. On 1 July 2016, the person returned to Bulgaria at the expense of the above Project.

The LSPO in Madrid contacted subsequently the Social Assistance Directorate at the person's domicile to examine the possibilities for providing social assistance to him and his family (he has four children).

LSPO at the Embassy of Bulgaria in Berlin

In July 2016, the Head of the LSPO in Berlin provided assistance to a Bulgarian citizen, a victim of human trafficking, to return to Bulgaria. She was detained by the German federal police on 15 February 2016 at the Central Railway Station in the city of Rostock. At the time of her detention, she was unable to provide clear information about her origin and date of birth. The Office of Youth and Social Affairs in Rostock carried out an assessment of her age and based on her short stature, youthful appearance, and childlike behaviour she was classified as a minor. Therefore, pursuant to the Social Code, she was placed under guardianship. Until the end of June 2016, she lived with a foster family and received full social and educational care. During that time, she did not have any contact with her parents or other family members.

The Office of Youth and Social Affairs in Rostock managed, with the assistance of the Bulgarian authorities, to establish the young woman's identity and it was ascertained that she had turned 20 years of age. She had been a victim of severe child abuse in the past and had been forced by her parents into begging and prostitution. It was ascertained that her cognitive development did not match her age and that she was in need of special protection in a specialised secure care institution.

Given the fact that the woman was of full age, there were no legal grounds to keep her in the custody of the Office of Youth and Social Affairs and the provision of support to her was ended. The Youth Office immediately requested the assistance of the Head of the LSPO in Berlin to organise the young woman's trip from Rostock to Berlin where she would be issued a temporary passport and supplied with an airline ticket to Sofia.

The Head of the LSPO in Berlin contacted the '*Animus Association*' Foundation which committed itself to accommodate the woman in a centre for temporary accommodation and to provide assistance with her treatment and certification by a Territorial Expert Medical Commission on Disability. Accordingly, the Border Police and the National Commission for Combating Trafficking in Human Beings were notified of the case.

All steps relating to organising the young woman's return trip and issuing identification documents were considerably hindered by the lack of financial resources for such purposes at the diplomatic mission in Berlin. The Embassy does not have any financial resources for such purposes and all meals and transport costs, document fees, etc. are either borne by the diplomatic staff, or funding is sought from foundations or companies.

LSPO at the Embassy of Bulgaria in Athens and LSPO at the Embassy of Bulgaria in Nicosia

The LSPO in Athens and the LSPO in Nicosia implement awareness-raising activities to explain Bulgarian citizens' labour rights and entitlements to health care services, social services and benefits based on the payment of contributions to the social insurance systems pursuant to the legislation of the European Union. In this regard, the LSPO in Athens and the LSPO in Nicosia encourage, through

information campaigns, legal employment as an indispensable and essential condition for the protection of the labour rights of Bulgarian citizens carrying out a gainful occupation or remunerated activity in the Hellenic Republic and the Republic of Cyprus.

The LSPOs in Athens and in Nicosia maintain continuous working contacts with the labour inspectorates in the Hellenic Republic and the Republic of Cyprus and assist Bulgarian citizens in their communication with these institutions. The LSPO in Athens and the LSPO in Nicosia step in also to resolve cases of unfair Bulgarian employment intermediaries by communicating and providing assistance with submitting alerts to the competent Bulgarian institution – the General Labour Inspectorate Executive Agency (GLIEA). In the period from August to November 2016, such immediate assistance was provided to six Bulgarian citizens. Additionally, four other citizens were counselled and provided with the necessary information and contacts.

LSPO at the Embassy of Bulgaria in Vienna and LSPO at the Embassy of Bulgaria in Bern

The LSPOs in Vienna and in Bern also carry out awareness-raising activities with a view to protecting the labour rights of Bulgarian citizens, as well as to preventing and responding to abusive and fraudulent labour recruitment. They maintain contacts with the ‘*Animus Association*’ Foundation which provides support to victims of human trafficking.

In July 2016, the European Affairs and International Cooperation Directorate at the Ministry of Labour and Social Policy responded to a detailed questionnaire sent out by the International Labour Organization (ILO). The questionnaire contained a special part on forced labour resulting from human trafficking. There we presented the Republic of Bulgaria’s legal framework in the area of combatting forced labour and trafficking in human beings, the measures and activities undertaken in this regard, the support provided to victims of human trafficking for labour exploitation, and the cooperation with other organisations, institutions, and agencies, both nationally and internationally. The purpose of the questionnaire was to monitor the implementation of the commitment undertaken by all ILO member states to eliminate and prevent the use of all forms of forced or compulsory labour, including forced labour resulting from human trafficking. The questionnaire was designed also to verify the ILO member countries’ readiness to ratify the ILO Protocol of 2014 to the Convention concerning Forced or Compulsory Labour (No. 29), which addresses directly human trafficking for the purpose of forced labour. It is important to note in this regard that the Council of Ministers of the Republic of Bulgaria adopted in 2015 Decision No. 243 of 16 April 2015 to approve the Protocol of 2014 to the ILO Forced Labour Convention, 1930 (P029) and put forward also a proposal to the National Assembly to pass a legislative act relevant to the Protocol pursuant to Article 86(1) of the Constitution of the Republic of Bulgaria. After due deliberation, the 43rd National Assembly adopted the decision on 14 May 2015.

We provided the ILO with detailed information on the relevant provisions of the *Criminal Code*, the *Combating Trafficking in Human Beings Act*, the *Labour Code*, and the *Crime Victim Assistance and Financial Compensation Act*. We presented also in full detail the activities carried out by the General Labour Inspectorate and by the National Commission for Combating Trafficking in Human Beings, the prevention campaign designed to raise awareness of human trafficking for labour exploitation, and the social services aimed at providing support to trafficking victims pursuant to the *Rules for the*

*Implementation of the Social Assistance Act*¹³ (i.e., ‘Crisis Centre’ social services). We informed the ILO of our anti-trafficking cooperation within the EU and the Organization for Security and Co-operation in Europe and of our successful collaboration with countries from our region in combating this very vicious practice, i.e., our partnership with Romania, Greece, etc.

Under Section III, *Staff Training, Specialisation, and Professional Development*, Activity 7¹⁴, *Implement the ‘Training and Employment Programme for Long-Term Unemployed Persons’ and the National Programme ‘Activation of Inactive Persons’ – Risk Groups’*. Both programmes have contributed to improving the access to employment and the labour market participation of persons from the disadvantaged groups faced with the risk of poverty and social exclusion – the long-term unemployed and inactive persons. The Programmes have a preventative effect with regard to human trafficking as they encourage the social integration of persons from the at-risk groups.

1. Implementation of the ‘Training and Employment Programme for Long-Term Unemployed Persons’.

The Programme is aimed at enhancing the employability of long-term unemployed jobseekers, who have been continuously registered at the Labour Offices (Job Centres) for no less than twelve months, by providing them with training and employment. The persons covered by the Programme are supported through a wide range of services – information and counselling; drawing up an individual action plan defining appropriate intermediary services in accordance with each individual’s profile; motivating the proactive behaviour of individuals in the labour market; psychological support; occupational guidance; inclusion in job searching ateliers; facilitation in solving complex personal issues by case managers and psychologists. The long-term unemployed are included in training courses to acquire the first degree of formal professional qualifications or partial vocational training and are then hired in subsidised full-time or part-time employment. The target group of the Programme are the long-term unemployed job seekers. Priority is given to long-term unemployed recipients of social assistance, persons over 50 years of age, and persons under 29 years of age.

The Programme has two components. Component One is for private-sector employers while Component Two is for public-sector employers. The latter covers also working in emergency response teams for preventing accidents and mitigating the consequences of major accidents and natural or man-made disasters. As at 31 October 2016, 2,174 long-term unemployed persons were involved in the Programme activities.

2. Implementation of the *National Programme ‘Activation of Inactive Persons’*.

The Programme has been contributing to the activation and labour market inclusion of inactive persons, including discouraged persons and young persons under 29 years of age who are neither employed nor in education or training, through a wide range of services designed to increase motivation and ensure registration at the Labour Offices (Job Centres), inclusion in training courses, provision with employment or help returning young unemployed people to education.

92 Roma mediators were hired under the Programme as at 31 October 2016. They work at the local Labour Offices and their job is to motivate inactive persons to register, to search jobs, and to partake in

¹³ TN: Title in Bulgarian: *Правилник за прилагане на Закона за социално подпомагане (ППЗСП)*, abbreviated to PPZSP.

¹⁴ TN: Section III, Activity 7 of the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking*.

training events. They conduct also information campaigns about the key provisions and requirements of the regulatory framework in the area of employment, organise meetings where they provide advice to persons in need of assistance with finding a job and support them with drawing up a CV and a letter of motivation.

In the municipalities where the number of inactive young persons is the highest, 96 youth mediators (as at 31 October 2016) provide services aimed at young people neither employed nor in education or training. The mediators are young people with completed tertiary education hired under the *National Programme 'Activation of Inactive Persons'*. They communicate with unemployed young people and educate them about the legal provisions regulating employment, the services provided by the Labour Offices, and the opportunities to participate in training and employment programmes and measures. Informal meetings are also held at clubs and community cultural centres with a view to gaining young people's trust. In order to be more effective in their work, the youth mediators communicate with and obtain information from NGOs, vocational training centres, private labour exchanges, job fairs, temporary employment agencies, employers, and partnership networks. Over the period from January to October 2016, 10,235 inactive persons were registered at the Labour Offices as a result of the services provided under the Programme and 2,369 of them were placed in jobs.

Under Section VII, *Legislative Measures*, Activity 4, *Establish a Coordination Mechanism for interaction between the institutions and organisations for the purpose of guaranteeing the rights of unaccompanied alien minors residing in Bulgaria, including those seeking and granted international protection*, the signing and the approval of the Coordination Mechanism by the institutions involved is currently pending.

EMPLOYMENT AGENCY (EA)

1. Under Section II, *Prevention*, of the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking*, Activity 1, *Conduct an information campaign on the prevention of human trafficking for the purpose of labour exploitation*.

The Employment Agency has been disseminating the following materials prepared by the Agency itself or in collaboration with other institutions through its units and on its website www.az.government.bg:

- Information in Bulgarian from the Ministry of Social Affairs and Employment of the Netherlands concerning the living and working conditions in the country and potential abuse on the labour market;
- Information on changes in the access to the UK labour market for Bulgarian citizens;
- Comprehensive information on the access to the labour market in Germany titled '*Knowledge Is Protection*';
- The specificities of the legislation of the United Arab Emirates relating to the labour market and the employment of foreign workers;
- Avoiding the risks involved in seasonal berry picking jobs in the Kingdom of Sweden;
- The *Living and Working Conditions* section of the website www.eures.bg contains detailed information on all EU and EEA countries, including links to the local institutions exercising control over the conditions of employment.

2. Under Section II, *Prevention*, Activity 3, *Conduct an anti-trafficking information and prevention campaign on the occasion of 18 October – the EU Anti-Trafficking Day.*

On the occasion of 18 October – the EU Anti-Trafficking Day, the ‘*Animus Association*’ Foundation provided the Employment Agency with posters to be used in anti-trafficking campaigns. Accordingly, the posters have been sent out to all Labour Offices to be used and disseminated.

3. Under Section II, *Prevention*, Activity 6, *Conduct information and awareness-raising activities aimed at preventing human trafficking for the purpose of labour exploitation.*

During interviews with applicants for employment abroad, job seekers receive information materials describing workers’ rights and obligations under contracts of employment, as well as the addresses and phone numbers of the respective local labour offices and labour inspectorates, police, social services, and other important institutions, as well as the address and phone number to contact the labour and social affairs adviser at the Embassy of Bulgaria in the country they are leaving for. The applicants are advised of the need to respect the laws and regulations of the host country, to avoid suspicious contacts, to protect their identity documents and valuables. They are advised also of the risks posed by unregulated labour market intermediation and are provided with guidance how to react if involved in uncommon situations.

The Employment Agency’s units distributed also outreach materials prepared by the Campaign A21 Foundation about the National Helpline against Trafficking in Human Beings where callers may receive counselling or advice or may submit an alert in cases of suspected human trafficking.

4. Under Section III, *Staff Training, Specialisation, and Professional Development*, Activity 6, *Conduct training events for Roma mediators at the Labour Offices.*

The training events for Roma mediators conducted in 2016 were not specifically aimed at preventing human trafficking. Nevertheless, all new employees at the Employment Agency’s units are trained by their immediate superiors in recognising and countering trafficking in human beings.

5. Under Section III, *Staff Training, Specialisation, and Professional Development*, Activity 7, *Implement the ‘Training and Employment Programme for Long-Term Unemployed Persons’ and the National Programme ‘Activation of Inactive Persons’ – Risk Groups.*

A total of 2,244 unemployed persons were included in the *Training and Employment Programme for Long-Term Unemployed Persons*. 590 of those completed successfully a motivational training module in proactive behaviour in the labour market or were involved in professional qualification training, thereby reducing the risk of human trafficking and labour exploitation.

The hard work of 248 Roma mediators, youth mediators, case managers, and psychologists under the *National Programme ‘Activation of Inactive Persons’* resulted in finding jobs for a total of 10,235 inactive persons.

6. Under Section III, *Staff Training, Specialisation, and Professional Development*, Activity 8, *Conduct training events for labour intermediaries, the staff of the Labour Office Directorates within the EA, GLIEA inspectors, and social workers at the Social Assistance Directorates.*

28 labour intermediaries were trained in 2016 in two specialised training events conducted at the Centre for Human Resource Development and Regional Initiatives (CHRDR) with the MLSP. A new

training module was introduced in 2016 focusing on the prevention of human trafficking. Furthermore, all new employees at the Employment Agency's units are trained by their immediate superiors in recognising and countering trafficking in human beings.

GENERAL LABOUR INSPECTORATE EXECUTIVE AGENCY (GLIEA)

The GLIEA was designated in the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking* as a responsible institution under Section III, *Staff Training, Specialisation, and Professional Development*, Activity 8, *Conduct training events for GLIEA inspectors*, and under Section VI, *International Cooperation*, Activity 4, *Interaction with the competent institutions of the EU Member States with a view to taking joint actions to resolve issues relating to Bulgarian citizens within their territories in cases of labour exploitation*.

This was the result of the proposals put forward by the GLIEA in the process of drafting the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking* and constitutes also an overall assessment of the Agency's performance in its capacity both as a competent national control authority and as a liaison office within the meaning of Article 4 of Directive 96/71/EC in view of its active administrative cooperation with the competent authorities of the EU Member States in the area of transnational hiring-out and posting of workers in the framework of the provision of services.

In implementing the Programme, the General Labour Inspectorate Executive Agency carried out various activities in 2016, including information and publicity campaigns aimed at raising the awareness of the general public and at-risk groups about the issues of human trafficking. The Agency contributed to enhancing public intolerance toward this phenomenon and participated actively in the debates regarding the definition of the term 'human trafficking for labour exploitation'.

The Inspectorate participated actively throughout the year in the work of the Standing Expert Working Group (SEWG) with the NCCTHB. A number of meetings, round-table discussions, seminars, workshops, and working group sessions were held both at the national and international level, including with trade unions in Bulgaria, on issues relating to the free movement of workers, the cases of cross-border employment and service provision, the implementation of the regulations on the coordination of social security systems, etc. At all those fora the Inspectorate expressed actively its standpoint on the topics of discussion. In result of those activities and with a view to stepping up the fight against undeclared work in cross-border service provision, the Inspectorate received invitations to conclude bilateral agreements with the French Republic, the Kingdom of Belgium, the Kingdom of Spain, and the Kingdom of Norway.

In June 2016, a meeting was held at the GLIEA with Ambassador Madina Jarbussynova, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings. The topic of the meeting was the degree of implementation of the mechanisms relating to the understanding of trafficking for labour exploitation and for protection and countering such traffic in Bulgaria's national legislation. The meeting focused on the challenges that arise in combating trafficking in human beings for the purpose of labour exploitation. The participants discussed the possibilities to differentiate between the concepts of trafficking for the purpose of labour exploitation (forced labour within the meaning of the *Criminal Code*) and labour exploitation (labour slavery). They discussed also the existing possibilities for victim identification and referral to appropriate services and/or counselling. It

was pointed out at the meeting that in its work and in view of the definition of trafficking (Article 3 of the Palermo Protocol), the Inspectorate monitors for the existence of any of the three interrelated elements, i.e., the occurrence of certain actions – recruitment, transportation, transfer, harbouring or receipt of persons; the means whereby such actions were carried out – threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; and the achievement of the purpose of exploitation – forced labour or services, slavery or practices similar to slavery. The participants reiterated their understanding that the consent of a victim of trafficking in persons to the intended exploitation is irrelevant where any of the foregoing means have been used.

In response to the European Parliament Resolution of 12 May 2016 on implementation of the Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims from a gender perspective and in connection with the future priorities, orientations and actions set forth therein, the GLIEA will continue to focus its efforts on:

- working with labour market intermediaries, temporary work agencies and user undertakings, contractors, and subcontractors, especially in high-risk sectors as a way of preventing human trafficking for labour exploitation disguised as alleged service contracts, e.g., in the hotel and restaurant industry, for the provision of personal care services, etc.
- using the key role of the internet by deploying the possibilities offered by new technologies, the social networks, etc., with a view to disseminating good practices in combating human trafficking and for raising awareness and warning potential victims of the risks of trafficking, while having regard at the same time to the risks posed by the internet by facilitating human trafficking, in the recruitment of victims through fake job offers and offers for services provided by exploited victims, and for exchange of information between criminal networks;
- identifying the vulnerable groups of people at risk of becoming victims of human trafficking;
- defining a consistent approach to the prosecution of crimes involving human trafficking, including the introduction of stricter sanctions for the crimes of human trafficking, modern-day slavery and exploitation, or for practices similar to slavery and servitude;
- stepping up the cross-border cooperation by having the other Member States speed up their criminal investigations and prosecution proceedings;
- publicising information on the new forms of human trafficking and exploitation and publicising research related to the new trends and forms of human trafficking, so that they could be met with an appropriate and well-targeted response;
- initiating a discussion in relation to the alignment in the definition of ‘trafficking in human beings’ in the national legislation to match the definition set forth in Article 2 of Directive 2011/36/EU.

The General Labour Inspectorate Executive Agency exercises, within its remit, control over the compliance with the labour law, as well as specialised control in relation to the *Employment Promotion Act*¹⁵ and the newly enacted *Labour Migration and Labour Mobility Act*¹⁶. The legislative levers used to counter practices related to illegal, clandestine and low-paid employment and the forms of labour

¹⁵ TN: Title in Bulgarian: *Закон за насърчаване на заетостта (ЗНЗ)*, abbreviated to ZNZ.

¹⁶ TN: Title in Bulgarian: *Закон за трудовата миграция и трудовата мобилност (ЗТМТМ)*, abbreviated to ZTMTM.

exploitation are the pecuniary sanctions provided for in the above pieces of legislation. They are imposed by the controlling authorities on employers, natural and/or legal persons in all cases of violation of the labour law provisions, of the rules for ensuring health and safety at work, of the requirements for carrying out certain activities, and for violations related to labour migration and labour mobility.

Inspections are triggered by alerts received at the Agency. Where GLIEA inspectors have established violations, they impose coercive administrative sanctions in line with the Agency's statutory remit. Where it proves impossible to establish, within the scope of the inspection activities, the relevant information on a given company or individual that committed the offence, or if there is information about another offence falling outside the Agency's remit, the GLIEA notifies the appropriate authorities, including the prosecutor's office, the Ministry of Interior, the National Commission for Combatting Trafficking in Human Beings, etc. In all cases, the Inspectorate conducts an analysis with a view to formulating measures to prevent the vicious practices from reoccurring.

Based on the alerts received in 2016 from citizens, institutions and/or partner agencies, and in result of the inspections carried out by the GLIEA, it could be summarised that there existed cases that could be deemed trafficking in human beings for the purpose of labour exploitation. A person could, for instance, agree to travel to another country to do a particular job, but that does not mean that she or he has agreed to do forced labour or to work in conditions similar to slavery. Hence, it is not impossible to consider such person a victim of human trafficking.

Most often, cases of human trafficking for labour exploitation are identified in the cross-border employment of workers and employees. Unfortunately, posting of workers, including the provision of staff and/or intermediation may prove to be means of and/or used for trafficking Bulgarian citizens in cases where they travel to work abroad but are then deceived and/or forced to work in poor conditions for minimum or often no pay.

In the exercise of its control functions, the Inspectorate has found out vicious practices and trends in the labour market that could be defined as trafficking in human beings for the purpose of labour exploitation in the following cases:

- Fraud or deception exists where a job seeker is required to pay in advance for the provision of information, counselling, etc., or where persons are sent to work abroad by hollow companies or by "mailbox" companies under fictitious contracts of employment and without any health insurance or social protection.
- Abuse of a position of vulnerability exists where, following the initial voluntary recruitment of personnel, coercive methods are used at a later stage to place or maintain an individual in an exploitative situation. This situation may especially be true if the victim does not speak the local language. The person involved has no real and acceptable alternative but to submit to the abuse involved.
- Fraud or deception exists also where the nature of the work or services has been changed. If for instance, an individual was promised a job with adequate pay and good working conditions but in reality is not paid the promised wage and is forced to live in extremely poor conditions, such person is actually subjected to slavery-like and exploitative working conditions.
- Forced labour or services are present where threats of violence or relations of indebtedness (e.g., withholding from wages or no pay at all), and movement restrictions are used. In such cases,

workers are often paid only a small portion of their earnings with the promise to be paid in full at a later time. Thus, the employer becomes ‘indebted to the workers’ and the latter cannot leave without receiving their dues.

- Practices similar to slavery are in place where relations of indebtedness are involved. In such cases, the employers demand repayment of costs incurred for transportation, accommodation, food, etc., and the repayment of the debt becomes practically impossible.
- Servitude exists where an individual is unable to change the conditions of work or cannot escape.

In its capacity as a liaison office within the meaning of Article 4 of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, the GLIEA performs its functions by participating actively in the exchange of information with the national authorities responsible for monitoring the terms and conditions of employment in the other EU Member States.

In 2016, the GLIEA exchanged information through the Internal Market Information System (IMI) in connection with 105 requests for information. The Agency sent out 11 requests and received 94 requests for information from other Member States requiring the Agency to scrutinise the conditions of posting of Bulgarian workers by Bulgarian companies. Several parallel inspections were conducted in the framework of this administrative cooperation, e.g., with the competent public authorities of the French Republic and of the Kingdom of Belgium, with a view to ensuring more efficient enforcement response to cases of unlawful actions by employers trying to evade labour law requirements, including attempts at exploiting workers, fake posting of workers, and other vicious practices.

In combating trafficking in human beings for the purpose of labour exploitation, the GLIEA has been implementing the following measures: increased controls; close collaboration, including joint initiatives, with other control authorities; information and awareness-raising campaigns; transnational cooperation (in its capacity as a liaison office within the meaning of Article 4 of Directive 96/71/EC, the GLIEA participates actively in the exchange of information, through the Internal Market Information System, with the national authorities of the other EU Member States responsible for monitoring the terms and conditions of employment); drawing up guidelines on alignment of control practices; provision of information materials and conducting information campaigns (using the Agency’s website <http://gli.government.bg/>) aimed at preventing labour exploitation; issuing recommendations and warnings about potential risks, including information on Bulgarian legislation and good practices; participation in partnerships under bilateral and multilateral cooperation projects; involvement in the development and implementation of projects designed to counter human trafficking for labour exploitation.

In fulfilment of its obligations under Section III, *Staff Training, Specialisation, and Professional Development*, Activity 8, *Conduct training events for GLIEA inspectors*, of the *2016 National Programme to Prevent and Counter Trafficking in Human Beings and Protect Victims of Trafficking*, the GLIEA conducted in 2016 a two-day training event for inspectors with a view to updating and enhancing their expertise and improving their qualifications in connection with the legislative amendments stemming from the implementation of the Posting of Workers Directive. The purpose of the training was to inform the inspectors of the current amendments to the EU legislative framework and their implementation in Bulgaria’s national legislation in response to the trends driving the mobile workforce movement in Europe.

STATE AGENCY FOR CHILD PROTECTION (SACP)

Under Activity 3 in Section VII of the 2016 National Programme, *Improve the interaction in the application of the Coordination Mechanism for referral of and support to unaccompanied minors and child victims of human trafficking returning from abroad*, the State Agency for Child Protection (SACP) received in 2016 information and took protection measures in 28 cases of children (18 girls and 8 boys) involved in labour and sexual exploitation in the following countries: Germany – 2, Italy – 3, Sweden – 3, Switzerland – 1, the UK – 2, the Netherlands – 1, Poland – 1, Greece – 2, Austria – 2, Denmark – 1, Spain – 3, France – 1, Slovakia – 1, Hungary – 1, Bosna and Herzegovina – 1, Bulgaria – 3.

During the year, SACP experts coordinated, with the assistance of the other institutions and organisations responsible for the implementation of the Coordination Mechanism for referral of and support to unaccompanied minors and child victims of human trafficking returning from abroad, the repatriation of 16 children from the following countries: Sweden – 3, Austria – 2, Italy – 3, Denmark – 1, Spain – 2, the UK – 1, Bosna and Herzegovina – 1, Switzerland – 1, Germany – 2. The SACP received also support with transport arrangements for the children's return to Bulgaria from the International Organization for Migration. In compliance with the Coordination Mechanism, administrative measures under Article 76a of the *Bulgarian Identity Documents Act* were imposed on 17 children.

The implementation of the Coordination Mechanism for referral of and support to unaccompanied minors and child victims of human trafficking returning from abroad has resulted in a reduction in the number of cases referred. This is due to the improved coordination in the application of a multidisciplinary and interinstitutional approach with respect to children involved in the activities referred to in Article 11 of the *Child Protection Act*¹⁷. The results are the consequence of the joint efforts of all responsible institutions – the SACP, the SAA, the MoI, and the MFA, and of the improved collaboration at the local level between the Social Assistance Directorates, the District Departments of the MoI, the municipalities, the providers of 'Crisis Centre' social services, and the NGOs. Working in multidisciplinary teams both nationally and locally on each case of a child in need is the correct approach to reducing the scale of violence against children and child trafficking. This is precisely the work approach that the SACP introduced in its daily interaction with the institutions and NGOs in Bulgaria. Thus, the Agency fulfils one of its main functions, i.e., coordination and monitoring of cases involving violations of children's rights.

In 2016, the SACP coordinated the following cases involving exploitation of children:

- 8 cases (8 girls) – sexual exploitation
- 6 cases (4 girls and 2 boys) – pickpocketing
- 7 cases (4 boys and 3 girls) – begging
- 2 cases (2 girls) – forced marriage
- 1 case (a girl) – labour exploitation

¹⁷ Title in Bulgarian: *Закон за закрила на детето (ЗЗДет)*, abbreviated to ZZDet. (<http://www.refworld.org/docid/44ad32014.html>)

- 2 cases involving Afghani boys recruited in a network for trafficking people to West Europe. The boys were detained at the Sofia Airport and protection measures were taken in respect of them in accordance with the *Child Protection Act*.

In 2016, the SACP initiated an interinstitutional meeting with the managers of the crisis centres for child victims of violence, trafficking and exploitation. The meeting was organised in cooperation with the Social Assistance Agency and was kindly hosted by the mayor of the town of Alfatar. In result of the meeting, the representatives of the crisis centres submitted to the SACP their proposals for improving the interaction in working on cases of child victims of human trafficking. The SACP summarised the proposals and prepared methodological guidelines for working with child victims of trafficking and exploitation to be used by the employees of the ‘*Crisis Centre*’ social services and the Child Protection Departments with a view to improving the provision of care to this vulnerable group of children. The methodological guidelines were presented and approved by the practitioners at the second meeting of the crisis centre representatives in the city of Veliko Tarnovo. A review of all cases registered in 2016 will be carried out in view of the application of the guidelines and the actions taken by the social workers and experts working in this specialised service.

Under Activity 4 in Section VII of the 2016 National Programme, *Adopt a Coordination Mechanism for interaction between the institutions and organisations for the purpose of guaranteeing the rights of unaccompanied alien minors residing in Bulgaria, including those seeking and granted international protection*. The Coordination Mechanism was not signed in 2016 due to the following legal inconsistencies:

- The issue of synchronising the legal framework guaranteeing the rights of unaccompanied children seeking international protection in Bulgaria remains unresolved. On the one hand, the provisions of the *Asylum and Refugees Act*¹⁸ are applicable with respect to this group of children, and on the other hand, they are covered also by the legislation in the area of child protection, in particular, the *Child Protection Act*. The Chair of the State Agency for Refugees (SAR) is not a child protection authority within the meaning of Article 6 of the *Child Protection Act* and has no special powers in this regard. Currently, all children seeking international protection are accommodated at the centres run by the SAR until their application procedure is completed. These centres, however, are not specialised institutions or residential care facilities for children.
- The amended provision of Article 25 of the *Asylum and Refugees Act* regulating the legal representation of unaccompanied foreign children did not provide a solution to the problem since the Act in question does not regulate the procedure for appointing a legal representative (guardian) and does not provide for the regulation of such procedure by a piece of delegated legislation. An important fact is that local government is decentralised and there is no legal option for issuing instructions or rules in this regard by a central government institution. The *Asylum and Refugees Act* is not applicable with respect to unaccompanied alien children outside the target group of the international protection seekers.
- Access to healthcare for children declining to file an application for international protection in Bulgaria is not legally regulated. The same is true of the children whose claim for international protection status has been rejected.

¹⁸ Title in Bulgarian: *Закон за убежището и бежанците (ЗУБ)*, abbreviated to ZUB.
(<http://solicitorbulgaria.com/index.php/bulgarian-asylum-and-refugees-act>)

- There is no legally regulated option to have children claiming international protection status in this country placed in foster care or placed with relatives in kinship care.

The existing legal instruments, the institutions' internal rules and procedures, and the Coordination Mechanism do not provide solutions to purely practical problems that continue to encumber the work of the employees of the different agencies:

- The institutions lack legally regulated powers and financial resources to cover the costs of transportation, interpretation, and food for the children from the moment of establishing their presence in the territory of the country until their placement in an appropriate facility.
- The business hours of the institutions vested with powers to work on cases of unaccompanied alien children (the MoI and the social services) are not synchronised. Consequently, there is no continuity of their operations outside of the generally accepted business hours, as well as on weekends and official holidays.
- There is no integrated information system covering unaccompanied alien children that would allow real-time tracking of a child's location with a view to preventing the disappearance of unaccompanied alien children.
- No agreement has been reached yet as to setting up a specialised residential care service for unaccompanied alien children.

In order to overcome this situation, it is necessary to set up working groups in 2017 that should collaborate and communicate effectively since the practitioners working with this target group need to establish a coordination and operation algorithm with a view to guaranteeing the rights of unaccompanied alien children residing in Bulgaria, including those seeking and granted international protection. The State Agency for Refugees should initiate and support the development of such algorithm even though it does not have any prescribed responsibilities as a child protection authority within the meaning of Article 6 of the Child Protection Act. The existing *Rules of Procedure* of the State Agency for Refugees (in particular, Article 5) set forth the powers of its Chair, who is vested with managing, coordinating, and overseeing the implementation of the government policy regarding the granting of refugee status and humanitarian status to foreign nationals in the Republic of Bulgaria. Hence, the Chairperson may initiate the setting up of working groups to perform specific tasks relating to the protection of foreign nationals with the support and cooperation of all other child protection bodies in Bulgaria.

SOCIAL ASSISTANCE AGENCY (SAA)

In 2016, the territorial units of the SAA worked on the following 18 cases of underage victims of human trafficking:

- The Social Assistance Directorate in the city of Burgas worked on two cases involving human trafficking for sexual exploitation in Switzerland and for labour exploitation in Germany.
- The Social Assistance Directorate in the city of Varna worked on one case involving internal trafficking for the purpose of sexual exploitation.
- The Social Assistance Directorate in the city of Pazardzhik worked on five cases all of which involved victims from the town of Peshtera trafficked for sexual exploitation in France.

- The Social Assistance Directorate in the town of Velingrad worked on one case involving a victim from the same town trafficked for sexual exploitation in France.
- The Social Assistance Directorate in the Sofia ward of Serdica worked on one case involving a victim of human trafficking for the purpose of forced begging in Italy.
- The Social Assistance Directorate in the Sofia ward of Vazrazhdane worked on one case involving a victim of human trafficking for the purpose of labour exploitation in Italy.
- The Social Assistance Directorate in the Sofia ward of Oborishte worked on one case of forced begging in Greece, one case of internal trafficking for labour exploitation, and two cases human trafficking for sexual exploitation in Spain and Italy.
- The Social Assistance Directorate in the city of Pernik worked on three cases involving human trafficking for sexual exploitation in Greece and in Italy, and for labour exploitation in the UK.

MINISTRY OF HEALTH (MH)

The responsibilities of the Ministry of Health under the *2016 National Programme to Combat Trafficking in Human Beings and Protect Victims of Trafficking*, in its capacity as a partner of the Administration of the National Commission for Combating Trafficking in Human Beings (ANCCTHB) and of the other relevant institutions, related to achieving progress in the implementation of the policy to prevent and counter trafficking in human beings. In 2016, the MH was involved at the expert level in carrying out the activities laid down in the National Programme under Section I, *Institutional and Organisational Measures*, Activity 1, *Develop and adopt a Strategy to Combat Human Trafficking in Bulgaria 2017 – 2021* and Activity 4, *Develop a concept for the collaborative work of a multidisciplinary (mobile) interinstitutional team on human trafficking cases under the Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*.

In the context of its commitment and responsibility to carry out activities under Section IV, *Protection, Rehabilitation and Reintegration of the Victims of Trafficking in Human Beings*, relating to the provision of access to healthcare services for victims of human trafficking, the MH worked in coordination and collaborated actively with the NCCTHB and its regional structures – the Local Commissions for Combating Trafficking in Human Beings.

The provision of healthcare services is in line with the organisation of the healthcare system which guarantees the provision of emergency medical assistance to patients in need regardless of their citizenship, domicile or health insurance status, as well as the provision of other medical services outside the scope of the mandatory health insurance, including in-patient psychiatric care and psychological counselling; check-up examinations, tests, and obstetric care to all uninsured females regardless of the childbirth method; access to healthcare activities under national, regional, and municipal healthcare programmes. The MH implements a number of measures set forth in the main strategic instruments – the *National Healthcare Strategy 2020* and the *National Development Programme*, aimed at expanding the scope and enhancing the quality of the medical services provided to pregnant women and children. In implementing the *National Program to Improve Maternal and Child Health 2014-2020*, the healthcare system provides healthcare services that have significant health benefits, such as early diagnosis, prevention, and complex treatment of certain illnesses wherefore the MH provides financing. 31 healthcare advisory centres for maternal and child health have been opened

under the Programme where medical and non-medical practitioners – physicians, psychologists, and social workers, provide specialised counselling and psychological support to pregnant women, women who have recently given birth following pathology of pregnancy, children with disabilities and chronic diseases.

MINISTRY OF EDUCATION AND SCIENCE (MES)

The training activities provided for in the *2016 National Programme to Combat Trafficking in Human Beings and Protect Victims of Trafficking* under Section III, Activity 10, *Conduct specialised training events for school counsellors, psychologists, and teachers on trafficking in human beings and in early identification of potential victims*, were not carried out as planned under the *2016 National Programme 'Development of Pedagogical Specialists'*.

CENTRAL COMMISSION FOR COMBATING JUVENILE DELINQUENCY (CCCJD)

Both the Central and the Local Commissions for Combating Juvenile Delinquency organise annual campaigns to raise minors' and teenagers' awareness of the risks of sexual exploitation and human trafficking, and of the risk situations that could result in sexual assault.

In 2016, the Local Commissions for Combating Juvenile Delinquency (LCCJDs) published and/or distributed information materials of 11,288 copies on the issues of child trafficking and labour and sexual exploitation. The CCCJD and the LCCJDs organised 136 information campaigns. They reached 21,513 persons and raised their awareness of the issues of human trafficking and sexual exploitation.

The secretaries of the LCCJDs, voluntary youth workers, inspectors from the juvenile delinquency units of the MoI, school counsellors who are members of the LCCJDs, and young volunteers paid regular visits to all schools to present information and organise discussions on the issues of human trafficking and sexual exploitation.

5. ACTIVITIES CARRIED OUT BY INTERNATIONAL AND NON-GOVERNMENTAL ORGANISATIONS IN BULGARIA TO COUNTER TRAFFICKING IN HUMAN BEINGS AND PROTECT ITS VICTIMS

The civil society organisations and the international organisations play a key role in the provision of support and protection services to the victims of trafficking in human beings. As already noted above, some of these organisations represent Bulgaria in the *EU Civil Society Platform against Trafficking in Human Beings* (the *Neglected Children Society - ECPAT Bulgaria*, *Demetra Association*, and the ‘*Animus Association*’ Foundation). The services for victims of human trafficking are supervised by the NCCTHB but are provided and run by non-governmental organisations selected through tendering procedures – the *SOS Families at Risk Foundation* and *Demetra Association*. Both NGOs are members of the Alliance for Protection against Gender Based Violence. Most other social services are also provided by NGOs, CSOs, and international organisations. In 2016, the NCCTHB implemented key partnership and international projects in cooperation with non-governmental and international organisations, including the comprehensive *Swiss-Bulgarian Programme of Cooperation for the Prevention of Trafficking in Human Beings and the Identification, Protection, Support, Return and Reintegration of Victims of Trafficking*, and was in charge of its overall coordination.

SOS Families at Risk Foundation

The *SOS Families at Risk Foundation* was established in 2003. It negotiated a Memorandum of Cooperation with the Varna District Court. Under the MoC, representatives of the NGO are allowed to attend hearings before the court in cases tried under the *Protection against Domestic Violence Act*¹⁹. The NGO is granted also access to court information and the victims appearing before the court are referred to the support services provided by the NGO.

In 2016, the *SOS Families at Risk Foundation* carried out activities primarily in the area of the provision of support and protection services to the victims of trafficking in human beings.

A total of 17 victims were provided with support and care at the support service facilities run by the NGO – an advisory centre, a crisis centre, a shelter for temporary accommodation, and a centre for the protection of and support for human trafficking victims. One of the victims was an underage girl. The victims’ age ranged from 17 to 43 years. Seven of the victims had some disability or disease, in most cases mild to moderate mental disability and schizophrenia.

14 of the victims had been trafficked for the purpose of sexual exploitation and 3 victims had been forced into begging.

Eleven of the NGO’s clients provided with support and care had testified at various stages of criminal proceedings launched either in Bulgaria or in the country of destination.

An additional information note appended to its report presented the number of victims provided with services at the four support service facilities run the *SOS Families at Risk Foundation*.

¹⁹ Title in Bulgarian: *Закон за защита от домашно насилие* (ЗЗДН), abbreviated to ZZDN. (<http://evaw-global-database.unwomen.org/en/countries/europe/bulgaria/2005/protection-against-domestic-violence-act-state-gazette-27-of-29-march-2005>)

A representative of the *SOS Families at Risk Foundation* is a member of the LCCTHB in the city of Varna and the NGO participated actively in all activities and initiatives conducted in 2016 – a campaign on the occasion of 18 October – the EU Anti-Trafficking Day, the meetings of the LCCTHB, and presentations of the current situation of the victims being taken care of at the NGO’s four support service facilities, media publicity for the anti-trafficking campaigns, participation of NGO experts in training events, seminars, and other fora on the topic, initiated by the NCCTHB, the LCCTHB in Varna, and the Alliance for Protection against Gender Based Violence.

The NGO was represented in the working group tasked with drafting the *Strategy to Combat Trafficking in Human Beings 2016-2021* and in the working group set up to draft legislative amendments to adapt the national legislation to the requirements of the Istanbul Convention on preventing and combating violence against women and domestic violence, etc.

DEMETRA ASSOCIATION

The NGO was established in 1997 and has been working since to provide assistance and support to victims of domestic violence, trafficking in human beings, and gender-based violence. Over the years, the Association has been actively involved in lobbying for and in the drafting of amendments to the *Protection against Domestic Violence Act*, as well as in its implementation. It has conducted also training programmes for practitioners in the field – police officers, public prosecutors, judges, social workers, etc. The NGO provides support services to victims of domestic violence and human trafficking – social and psychological counselling, temporary accommodation, legal representation in court proceedings, etc.

Services provided by *Demetra Association* and number of clients provided with services in 2016:

- Shelter for temporary accommodation and centre for the protection of and support for victims of human trafficking in the Municipality of Burgas. The shelter provides protection and support to adult females identified as victims of human trafficking. The services provided during a victim’s stay at the shelter include safe and secure accommodation, meeting the victim’s basic needs, such as food, access to medical care, provision of essential supplies, crisis counselling and follow-up psychological support and counselling, legal counselling, and filing an application for victim assistance and financial compensation. Social work with the victims includes social mediation before institutions, mediation in dealing with the victim’s family, escort in meetings with institutions or in job interviews, assistance with obtaining documents, empowerment and reintegration work, social inclusion, coaching for independent life, occupational guidance and assistance with job applications, and inclusion of the victims in the educational system (where needed). A total of 5 victims of human trafficking were accommodated at the shelter from April 2016 when it was opened, till the end of the year.
- A shelter for temporary accommodation and follow-up reintegration in the Municipality of Burgas. The shelter for temporary accommodation and follow-up reintegration is located separately from the shelter for temporary accommodation and centre for the protection of and support for victims of human trafficking. The beneficiaries of the service are victims of human trafficking who have already used the services of the shelter for temporary accommodation, protection, and support. The social work focuses on successful follow-up reintegration, follow-up observation, social mediation, and advocacy. It is an open facility and the services provided in it are aimed at the victims’

empowerment with a view to their successful reintegration into society. One victim of human trafficking was accommodated at the shelter from April, when it was opened, till the end of 2016.

- Crisis centre for child and adult victims of violence. The service has been available to victims for six years now and includes a range of services aimed at coping with the crisis following the violence suffered by the victims. The victims are provided with protection and their basic needs are met. The centre offers accommodation for a period of up to six months and has the capacity to accommodate eight victims at a time. In 2016, the crisis centre provided care and support to 26 clients in total. 23 were victims of domestic violence and 3 were victims of human trafficking.
- Centre for the prevention of violence and crime – advisory centre. It offers a range of services to victims of domestic violence. The centre is staffed by professionals – a social worker, a psychologist, a lawyer, and an administrator. The facility offers also a programme for perpetrators of domestic violence. A total of 257 clients used the centre’s services in 2016. 488 counselling sessions were conducted and 69 applications under the Protection against *Domestic Violence Act* were drawn up.
- Crisis centre for child victims of violence. The centre provides 24/7 care to children who have experienced violence. It is staffed by professionals – social workers, educators, and a psychologist, who strive to ensure that the children accommodated at the centre are provided with protection and will overcome the trauma from the violence they experienced. The centre has the capacity to accommodate ten child victims of violence. In 2016, the centre provided services to a total of 25 clients. Five of them were at risk of being recruited to trafficking and one was a victim of human trafficking.
- *Vselena* (Universe) Centre, the first Sexual Assault Referral Centre (SARC) in Bulgaria. The centre has been functioning since 1 June 2016 under a multilateral cooperation agreement between Burgas Municipality, Sozopol Municipality, Burgas Regional Prosecutor’s Office, Burgas Regional Police, Burgas Regional Administration, the Burgas University Hospital, and *Demetra Association* with the active support of the British Embassy in Sofia²⁰. The SARC was set up to provide medical assistance, crisis counselling, and support to the criminal investigation in cases of rape and sexual assault. Its activities are meant also to prevent sexual violence within Burgas Province, Burgas Municipality, and Sozopol Municipality. A total of 13 victims of sexual assault were provided with support and care at the SARC from June 2016 when it was launched, till the end of the year.

The following projects were implemented in 2016:

- *Demetra Association* carried out a number of activities aimed at preventing sexual exploitation among young people from at-risk groups under the project titled ‘*Prevention of Sexual Exploitation in the Process of Deinstitutionalisation – 2014 – 2017*’.
- In 2015 and 2016, the organisation participated in a partnership project with the Alliance for Protection against Gender Based Violence funded by the MoJ. The purpose of the project was to provide training to judges, public prosecutors, and lawyers on the issues of domestic violence and gender based violence.
- In 2015 and 2016, the organisation implemented a project supported by the Norwegian Financial Mechanism. A number of training seminars on the issues of domestic violence were held for police officers, mayors, and representatives of social service facilities. Part of the project was the launch of a new service – mobile teams providing support to victims of domestic violence.

²⁰ <https://www.gov.uk/government/world-location-news/british-embassy-sofia-and-partners-launch-first-pilot-sexual-assault-referral-centre-in-bulgaria>

INTERNATIONAL ORGANIZATION FOR MIGRATION, MISSION IN BULGARIA

This report describes the achievements of IOM Sofia in the area of facilitating the voluntary repatriation and reintegration of migrants – Bulgarian and foreign citizens alike – who have been identified as victims of human trafficking.

The support the IOM mission provides includes a wide range of activities and services targeting victims of human trafficking, such as identification; repatriation; medical assistance; psychological and legal counselling; escorting vulnerable victims as they travel; safe transportation to the victims' final destination; provision of a secure residence; social integration; occupational guidance and training; a humanitarian packet (staple foods and medicines); pocket money; and adequate financial support to meet the supported individuals' specific needs.

Conclusions and Trends in 2016

1) In 2016, IOM Bulgaria recorded a nearly three-fold increase in the number of supported victims of human trafficking (84 registered persons) compared to the preceding 2015 (35 registered persons) and 2014 (19 registered persons).

2) There has been an increase in the number of male victims (a total of 44 persons) and in the number of registered cases of labour exploitation (48 cases) compared to 2015 when there were seven cases of labour exploitation and fourteen male victims.

Spain, Portugal, and the Czech Republic were the main countries of destinations of victims trafficked for the purpose of labour exploitation.

It is important to note that men were not the only victims of trafficking for labour exploitation. About ten percent of all registered cases involved women who had been subjected to labour exploitation, including underage girls.

3) Identified victims of human trafficking for the purpose of forced begging were primarily disadvantaged elderly people with a physical disability or some form of mental or behavioural disorder.

Our observations suggest that in many cases, alcohol dependency is an important factor leading to a vagrant lifestyle.

In the IOM's experience, these victims are vulnerable, marginalised, and unable to take care of themselves. They have no family, or if they do, their relatives refuse to assist and support them.

Sweden, Slovenia, Italy, and Austria are the top destination countries for victims of human trafficking for the purpose of forced begging.

Given that currently there are no crisis centres and shelters for male victims of human trafficking in Bulgaria, the lack of specialised housing facilities complicates efforts to provide this category of victims with reintegration assistance and services tailored to their specific needs and to ensure the sustainability of their reintegration.

4) In 2016, the IOM assisted two victims of human trafficking for the purpose of sexual exploitation who self-identified as transsexual. They were repatriated from Belgium and Spain.

5) In 2016, there were a few cases (three altogether) of a “new” kind of human trafficking for the purpose of arranging sham marriages between female Bulgarian citizens and male third country nationals.

6) Not everybody who gets identified as a victim of human trafficking abroad expresses willingness to be repatriated. A portion of all identified victims prefer to stay and continue their lives in the country where they were identified. Another portion (i.e., vagrants) often disappear while their repatriation is being organised.

7) Significantly fewer victims of internal trafficking were assisted compared to the number of victims identified abroad.

8) There was a higher number of registered cases involving individuals with moderate to severe mental disabilities. The mental state of these individuals was rarely identified before they started receiving assistance. Hence, part of the resources allotted for their reintegration were directed towards diagnosis, treatment, and follow-up care at specialised institutions.

9) The IOM’s reintegration support is aimed at improving the living conditions of the people it assists, as well as at providing them with opportunities for sustainable integration in the community through education and additional training, empowerment, social inclusion, starting a new job, starting their own business, etc.

The reintegration assistance provided to supported individuals in 2016 was most frequently directed towards the improvement of their living conditions (home repairs, furnishing, heating), the improvement of their health (payment of health insurance instalments and medical treatment), and the purchase of baby products.

10) Three victims were assisted under the program for protection of witnesses in court cases related to human trafficking.

11) In 2016, the IOM mission received information about a number of cases involving potential victims among third country nationals accommodated in the centres run by the State Agency for Refugees. The IOM did not conduct any subsequent activities in regard to any of those cases due to the lack of additional information or because of the fact that the individuals concerned had left the country.

The IOM mission works actively with the SAR to facilitate the identification of such cases and to ensure support for the identified victims through providing training in identification and referral, through regular visits to the SAR-run centres, through meetings with their management and staff, and through offering counselling sessions to the migrants.

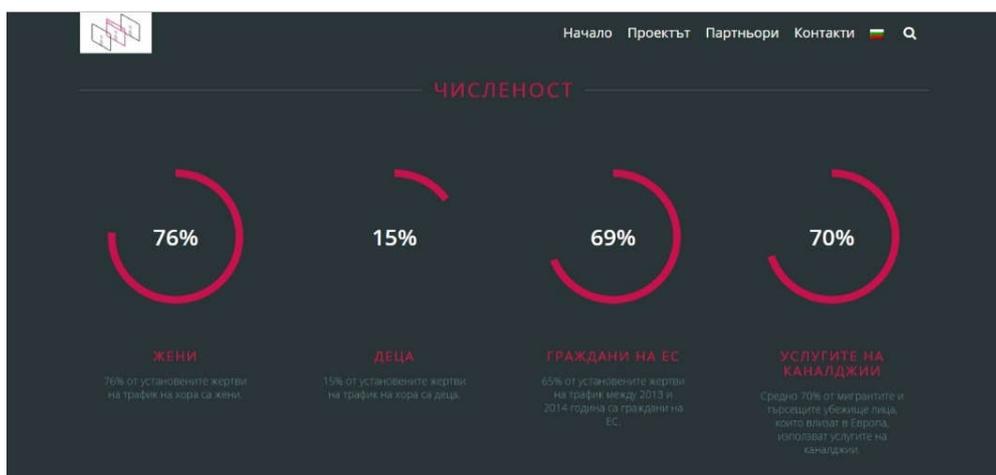
12) In the autumn of 2016, IOM Bulgaria conducted a seminar on the identification and referral of victims of human trafficking with a special focus on third country nationals. Seminar participants included representatives of the SAR (social workers, psychologists) and the MoI (the Border Police General Directorate, the GDCOC, and the Migration Directorate), as well as international experts from the IOM missions in Austria and Greece, who shared their experience working on the identification and referral of migrant victims of human trafficking and their observations on unfolding patterns.

In 2016, the IOM mission worked successfully on human trafficking cases in partnership with the NCCTHB (including the LCCTHBs), the MoI, the MLSP, the SAR, and the ‘*Animus Association*’ Foundation.

CENTER FOR THE STUDY OF DEMOCRACY

In 2016, the Center for the Study of Democracy continued to collaborate with the University of Trento (Italy) and the Teesside University (Middlesbrough, UK) on **advancing their shared understanding of the Internet's role in the process of human trafficking.**

A research analysis was compiled to examine data on the Internet's role in the stages of recruiting and exploiting victims of human trafficking and smuggling. Special guidelines for the execution of the research project were developed in the process of conducting in-depth interviews with key participants in human trafficking and smuggling. The results of the studies were presented in two separate reports.



Information on the number of victims of human trafficking and smuggling in the EU, published on the initiative's web page, www.surfandsound.eu

The first report reviewed the results of a web-based study on the use of the Internet in the process of human trafficking in Bulgaria. It was based primarily on a large sample of offers targeting women and girls aimed at recruiting workers for escort-service agencies abroad. Additionally, the study focused on online offers seeking to recruit cheap labour in other EU Member States. Most job postings – for sex services and cheap labour alike – are worded in suspicious and vague ways; thus, they are deemed to constitute risky web content. Even though in itself this research method cannot produce direct evidence for incidences of human trafficking, it facilitates the identification of online sites that potentially enable the recruitment and transportation of victims of human trafficking and that serve as effective communication channels for traffickers.

The web study focused primarily on websites for job listings, on social networks, on websites of agencies that facilitate marriages online, and on websites of agencies for escort services. In the process, the study identified over 190 cases of potential risk for human trafficking. The majority of the cases had to do with recruiting sex workers abroad, but the emphasis was also on the recruitment and transportation of cheap labour. Given the speedy advance of information technology in Bulgaria and the country's EU membership, a growing number of Bulgarians seek respectable and well-paid employment abroad, and the Internet constitutes one of the fastest and easiest means of achieving that goal.

The second report presented the core findings of the in-depth interviews conducted in Bulgaria in the course of ten months, from June 2015 to March 2016. The interviews were intended as preliminary research on the use of the Internet in two processes: (1) human trafficking and (2) smuggling of refugees and illegal migrants. They involved four groups of respondents: traffickers/smugglers; victims of human

trafficking / illegal migrants/asylum seekers; representatives of law enforcement authorities; and representatives of non-governmental organisations that work in the area anti-trafficking.

According to the respondents, the Internet is widely used in cases of human trafficking and smuggling alike, as well as in the phases of recruiting victims and their exploitation. The Internet plays a significantly larger role in human trafficking than it does in incidences of human smuggling, and the social network Facebook is more of an auxiliary, as opposed to primary, instrument in recruiting victims. In this regard, the most commonly used venues are online dating sites (in cases of human trafficking for the purpose of sexual exploitation) and websites advertising employment (in cases of human trafficking for labour exploitation). Even though Facebook is widely used as well, the recruitment of victims on this social network is regarded as slightly more challenging compared to online dating sites. In all cases, regardless of whether it takes place on Facebook or online dating sites, communication with victims takes the form of personal messaging.

Mobile apps (such as Whatsapp and Viber) and more traditional communication methods (such as Skype, phone calls, and e-mail) are used for the following reasons:

- Communication among traffickers that work as partners inside the country and across borders during all stages of human trafficking for the purpose of sexual exploitation, labour exploitation, and human smuggling;
- Communication with clients abroad during the stages of recruiting victims of human smuggling, recruiting and transporting victims for labour exploitation, as well as during the stage of exploitation in human trafficking for the purpose of sexual abuse;
- Communication with potential victims during the stage of recruitment and, consequently, with actual victims in the stage of exploitation during human trafficking for the purpose of sexual abuse.

Regardless of which one of the two types of human trafficking is involved, the Internet hardly plays any role in the stage of transporting victims. Mobile apps are only used for the purpose of coordinating the location and time of the new victims' arrival. In cases of human smuggling, mobile apps may be used by migrants to communicate movement details with the smugglers, but given that they cross the borders illegally, traditional phone calls are preferred.

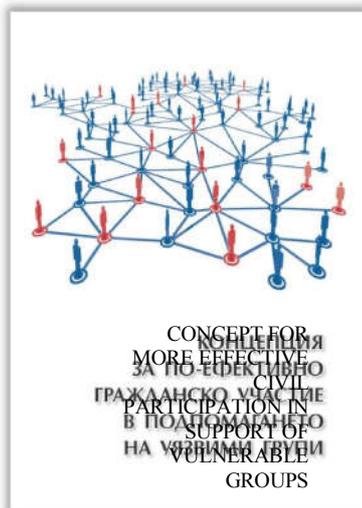
The role of the Internet in the recruitment of victims of human trafficking for the purpose of sexual abuse is expanding. Some of the respondents – including traffickers, victims of trafficking, and representatives of non-governmental organisations – shared that the majority of human trafficking incidences take place via the Internet. Other respondents – including victims of human trafficking and representatives of non-governmental organisations, as well as representatives of law enforcement agencies – point out that the share of victims entangled in a situation of trafficking via the Internet does not exceed half of all cases.

In 2016, the Law Program and Sociological Program of the Center for the Study of Democracy continued to investigate **the role civil society plays in ensuring that the state upholds equal rights in the case of four vulnerable groups** – foreigners seeking international protection; prisoners; victims of human trafficking; and victims of domestic violence. The results of the studies and the proposed practical measures were publicised widely through a specially-designated section on the Center's website and through social networks.

Experts with the Law Program continued to meet with institutions and NGOs in order to discuss ideas on how to improve cooperation between decision makers and the civil society for the sake of supporting these vulnerable groups. The consultations ended on 25 February 2016, with a working meeting titled *'Civil Society in Support of Vulnerable Groups'*. The meeting provided an opportunity to discuss new developments, such as updating of the National Mechanism for Referral of Human Trafficking Victims, improving the existing arrangements for public consultations, and assessment of the impact of legislation, where NGOs can participate actively.



The *Concept for More Effective Civil Participation in Support of Vulnerable Groups* summarises the



recommendations for promoting the participation of civil society organisations in efforts to support these communities. It focuses on the degree of cooperation between stakeholders with vested interests in the various groups, on ways to strengthen the coordination between institutions and organisations at various levels, and on the participation of NGOs in the drafting of legislation and policy making. It makes recommendations on mechanisms for gathering data based on uniform criteria, on the development of instruments enabling coordination, and on steps towards enhancing the role of civil society in legislative work groups and advisory bodies. It offers specific proposals for reforms in the penitentiary system, in mechanisms for the protection of victims of domestic violence and human trafficking, and in the infrastructure for assisting aliens seeking international protection. It also puts together a roadmap for legislative and practical

measures to support the four categories of vulnerable populations in their relations with institutions.

The Law Program at the Center for the Study of Democracy prepared also four [memoranda with recommendations](#) for stakeholders for advancing the status of vulnerable groups. The documents contain a variety of proposals supported by decision makers, experts, and civil society organisations, and they were disseminated through the respective institutions and civil society representatives.

As a member of the FRANET multidisciplinary research network of the **EU Agency for Fundamental Rights**, the Center for the Study of Democracy continues to gather data and information on various aspects of the protection of fundamental rights in Bulgaria. Since March 2016, it also has been drawing up reports on other issues related to migration dynamics, such as healthcare, human trafficking, gender-based violence, impact on local communities, migrants with disabilities, the reunification of separated refugee families, and the family reunification of separated children. All countries that participate in the study submit monthly reports that are published on the website of the Agency for Fundamental Rights (fra.europa.eu/en/theme/asylum-migration-borders/overviews).

CAMPAIGN A21 FOUNDATION

ACTIVITIES ON PREVENTION OF HUMAN TRAFFICKING AND REHABILITATION OF VICTIMS CARRIED OUT IN 2016 BY THE CAMPAIGN A21 FOUNDATION

1. Victims support and care

Provision of services to victims of trafficking

Over the period from January to December 2016, the Campaign A21 Foundation, Bulgaria supported 24 victims of trafficking, including 3 males and 21 females. 16 victims were trafficked for sexual exploitation and 8 were trafficked for labour exploitation. The victims of external trafficking were 22 and the countries of destination were Greece, Cyprus, the United Kingdom, the Netherlands, Italy, and the Czech Republic.

According to the individual needs of the victims of trafficking who requested assistance from the Campaign 21 Foundation, they were provided with support in the following areas:

- Safe return to the country;
- Accommodation in shelters, crisis centres for victims of trafficking, and provision of safe and protected environment;
- Social counselling and building skills for independent living through individual meetings, learning courses and training events;
- Psychological counselling and psychotherapeutic assistance;
- Access to medical services;
- Legal assistance;
- Provision of access to further learning and/or retraining and upskilling opportunities;
- Assistance with finding employment and enhancing professional competence;
- Mediation in communicating with institutions and organisations;
- Provision of material and financial aid (for personal needs, medical expenses, reestablishment of entitlement to health insurance benefits, issue of documents, transportation costs, etc.)

2. National Helpline against Trafficking in Human Beings – 0800 20 100

The national hotline against trafficking in human beings (0800 20 100) was launched officially on 17 October 2015. This is the first round-the-clock free countrywide telephone hotline, focused entirely on human trafficking. It is run and serviced by a team of the Campaign A21 Foundation, Bulgaria and was set up with the support of the National Commission for Combating Trafficking in Human Beings.

The number of the national hotline against trafficking in human beings is **0800 20 100**. It is serviced in full confidentiality, round the clock and toll-free for Bulgaria and Europe (code +359) by a team of well-trained experts. Alerts can be also submitted online on the Hotline website www.080020100.bg.

The calls received on the hotline could be grouped as follows:

Crisis. This category includes calls from self-identified victims in need of urgent assistance, as well as calls from persons close to potential victims. It also comprises calls concerning underage victims of trafficking or children even if they do not involve urgency.

Alerts. These are calls from persons willing to alert and provide information about a potential case of trafficking, suspicious or criminal activity, or specific locations where they suspect that illegal activities are being carried out.

Support. These are calls relating to requests for training, technical assistance, or help in combating trafficking in human beings. Examples: requests for printed materials, specialised information, presentations, etc.

Guidance. This category includes requests for referrals to organisations, institutions, and service providers active in the field of combating trafficking in human beings both in Bulgaria and abroad.

Information. These are inquiries for information about trafficking in human beings, such as statistics, risk factors, legislative framework, etc.

Related calls. This category includes calls that do not pertain to the specific activities of the hotline or are related thereto but are beyond its capabilities and capacity (such as domestic violence, labour exploitation, rape, etc.). Such calls are routed according to the degree of urgency and the specificity of each case.

Since the launch of the hotline in October 2015, more than 500 calls about various issues have been received, with over 30 of them reporting potential trafficking cases. Thanks to alerts for potential cases of trafficking received on the National Helpline, the Campaign A21 Foundation has successfully repatriated 9 potential victims located outside Bulgaria back to the country.

3. Prevention

In 2016, the A21 Campaign Foundation carried out several key initiatives on prevention of trafficking in human beings.

a) Regional workshops ‘*Together against Trafficking in Human Beings*’. Six regional workshops were conducted in partnership with the National and Local Commissions for Combating Trafficking in Human Beings. Their purpose was to raise awareness and improve the capacity of local institutions to identify and deal with victims of trafficking. **More than 450 representatives** of institutional stakeholders, including local police, prosecution, educational and social institutions, local media, non-governmental organisations, etc. participated in the workshops in the cities of Sliven, Blagoevgrad, Burgas, Plovdiv, Pazardzhik, and Veliko Tarnovo. Similar workshops will be organised in 2017 in the cities of Varna, Ruse, and Montana in partnership with the LCCTHBs.

b) Bulgaria-Greece Marathon. In partnership with the Dutch non-governmental organisation 4 Musketeer, the A21 Campaign Foundation carried out the second edition of a marathon run between Bulgaria and Greece at the Ilinden-Exochi border crossing checkpoint. The event aims at raising awareness about the problem of human trafficking in South-eastern Europe and at raising funds for the A21 activities in the region.

c) Freedom March. For the third consecutive year, the A21 Campaign Foundation implemented in Bulgaria this global event. Last year, more than 300 cities from all over the world took part in the march. The participants in the capital city of Sofia were 150 and the Local Commissions for Combating Trafficking in Human Beings in the cities of Plovdiv and Veliko Tarnovo also took part. Traditionally the most popular event, the march was covered by almost all national TVs and by a significant number of online and print media.

d) Trafficking prevention programme in the Homes for Children Deprived of Parental Care (HCDPC) in the town of Dupnitsa. The A21 Campaign team continued the implementation of a programme for trafficking prevention through personal growth with a group of young girls (12 to 16 years of age) from the HCDPC in the town of Dupnitsa. The programme is aimed at personal development, skills and values development, as well as information on the traffickers' main recruitment methods and on the possibilities to stay protected from trafficking.

e) A school program comprising school presentations and events. In 2016, we visited 15 settlements and 22 schools in Bulgaria, and the organisation informed approximately 2,500 students and educators about human trafficking and how to protect themselves.

f) Professional training seminars. In December 2016, the A21 Campaign Foundation launched training events for educators (teachers, school psychologists, and pedagogical counsellors) aimed at honing their skills to identify risks of trafficking. The first training seminars were held in the cities of Vratsa and Silistra and were supported by the Regional Education Offices. Similar training events are planned for each province in Bulgaria in 2017.

g) Social media. The organisation continued its active policy in the social media with a focus on Facebook where, in 2016, we reached over 1,700,000 persons. During the first month following the posting of the National Hotline video, it had been viewed by 43,000 users.

GENDER ALTERNATIVES FOUNDATION

The activities carried out by the Gender Alternatives Foundation (GA Foundation) in 2016 to counter trafficking in human beings and to assist and reintegrate its victims included:

1. Project '*Trafficking in Human Beings: Exit and Reintegration, Barriers and Opportunities*'. The GA Foundation partnered with the French organisation *Amicale du Nid*. The project was implemented within 24 months starting on 15 September 2014 and ending on 15 September 2016. The activities were carried out with financial support from the European Commission's Programme '*Prevention of and Fight against Crime*' (ISEC) run by Directorate-General for Home Affairs.

A study under this project was carried out in 2016 concerning the government structures involved in supporting victims of human trafficking aimed at informing the victims about the offices and institutions to which they can apply for assistance.

An international conference was held in Paris within the framework of the project on 3 June 2016 titled '*Trafficking in Human Beings for the Purpose of Sexual Exploitation - Victims' Views on Ensuring Better Protection of Their Rights*'. Three representatives of the GA Foundation, involved in the project implementation, and three other experts participated in the conference. The French participants included representatives of the courts, the police, the prosecution, the social services, the municipality of Paris, other non-governmental organisations, and female victims of trafficking in human beings.

More information on the project is available on the websites of the *Amicale du Nid* Foundation (www.amicaledunid.org) and the Gender Alternatives Foundation (www.genderalternatives.org).

2. Project '*Support to the Gender Alternatives Foundation in Its Efforts to Achieve Gender Equality through Providing Consultations, Defending Strategic Cases, Organising Conferences, Workshops and*

Training Events, Conducting Research, and Monitoring’ (Contract No. OCAY-14-499 financed by the OAK Foundation for the period from July 2014 to June 2017).

Within the global campaign ‘16 Days of Activism against Gender-Based Violence’ (beginning on the International Day for the Elimination of Violence Against Women on November 25 and ending on International Human Rights Day on December 10, 2016), the Gender Alternatives Foundation organised a lecture titled ‘*Trafficking in Human Beings – Crime against Human Rights*’. The lecture was delivered on 30 November 2016 at 2 p.m. in Hall 2 of the Plovdiv Appeals Court in the presence of students from the Law Department of the Plovdiv University ‘*Paisii Hilendarski*’. More than 40 students attended the lecture and participated in the ensuing discussion.

PULSE FOUNDATION

The organisation’s team carried out activities pertaining to the prevention of trafficking in human beings at several levels – from prevention to rehabilitation of victims.

In the field of prevention, our efforts were focused on the schools in the city of Pernik. In secondary schools, we held sensitising workshops with students. More than 10 workshops on sexual abuse and identification were carried out in 2016. During the sensitising training events with students, the psychologists of the PULSE Foundation often obtained information from young people that they were at risk of being trafficked.

An essential element of our work was related to setting up multidisciplinary teams with various professionals. Training seminars and workshops with various practitioners from the region are carried out on a regular basis. The organisation’s team participated in local, national, and international meetings, conferences and workshops, including the round-table meeting ‘Current Forms and Trends in Human Trafficking’ organised by the National Commission for Combating Trafficking in Human Beings; a workshop organised by the RiskMonitor Foundation and aimed at exchanging experience between Bulgarian and Norwegian experts on trafficking in human beings for the purpose of labour exploitation, in particular trafficking of young people, etc.

In parallel with those activities, the Crisis Centre accommodates victims of trafficking. They receive complex care and support there. A team of psychologists, social workers, and lawyers provides the necessary assistance to help the victims recover from the trauma experienced. In 2016, the PULSE Foundation team assisted and supported seven trafficking victims and five other persons at risk of being recruited.

The PULSE Foundation is on the register of organisations assisting victims of human trafficking included in the database of KOK (a German NGO network and a coordination office against trafficking in human beings). It is listed also in the European Platform for Combating Trafficking in Human Beings, as well as in the Global Modern Slavery Directory providing information on NGOs working with victims of trafficking.

The NCCTHB received also short reports and recommendations from the ‘*Ekaterina Karavelova*’ **Women’s Association and ETA Centre in the city of Silistra**. On 27 October 2016, the association conducted a one-day workshop with students at the Secondary School of Mathematics ‘*St. Kliment Ohridski*’, members of the informal group ‘*Informed and Protected*’ under the Project ‘*Modern-day Slavery*’. The topic of the workshop was ‘*Trafficking in Human Beings*’ and its purpose was the peer-

to-peer training of the participants. The workshop was moderated by Ms Katya Koleva, a psychologist, and Ms Hristina Kirova, a social worker, at the Crisis Centre in Silistra, both experienced in assisting victims of trafficking. A special guest was Mr Ventsislav Vassilev, an officer with the MoI's General Directorate for Combating Organised Crime. One of the recommendations put forward by the association was to produce more and diverse outreach materials on trafficking in human beings, designed especially for working with young people and students.

Information about prevention activities was received also from the **Naya Association in the city of Targovishte**. Their centre did not counsel any victims of human trafficking in 2016. One training event with 20 volunteers from two schools was carried out during the year. An information campaign was also held on 18 October – the EU Anti-Trafficking Day. Information materials were distributed, including among institutions and the instructional film *'Doll'* was shown in city schools.

LIST OF ABBREVIATIONS

ANCCTHB	Administration of the National Commission for Combating Trafficking in Human Beings
BPGD	Border Police General Directorate within the Ministry of Interior
CCCJD	Central Commission for Combating Juvenile Delinquency
CHRDRI	Centre for Human Resource Development and Regional Initiatives
CTHBA	Combating Trafficking in Human Beings Act
DIOLEC	Directorate for International Operational Law Enforcement Cooperation within the Ministry of Interior
CSO	Civil Society Organisation(s)
EA	Employment Agency (https://www.az.government.bg/en/pages/za-nas/)
GDCOC	General Directorate for Combating Organised Crime within the Ministry of Interior
GLIEA	General Labour Inspectorate Executive Agency (http://www.gli.government.bg/en/)
GRETA	Group of Experts on Action against Trafficking in Human Beings of the Council of Europe
ICMPD	International Centre for Migration Policy Development
IO	International organisation(s)
LCCJD	Local Commission(s) for Combating Juvenile Delinquency
LCCTHB	Local Commission(s) for Combating Trafficking in Human Beings
LOD	Labour Office Directorate(s)
LSPO	Labour and Social Policy Office(s)
MES	Ministry of Education and Science
MFA	Ministry of Foreign Affairs (http://www.mfa.bg/setlang/en)
MLSP	Ministry of Labour and Social Policy (https://www.mlsp.government.bg/index.php?lang=_eng)
MoI	Ministry of Interior (https://www.mvr.bg/en/default.htm)
MoJ	Ministry of Justice
NCCTHB	National Commission for Combating Trafficking in Human Beings (http://antitraffic.government.bg/en/)
NGO	Non-governmental organisation(s)
NIJ	National Institute of Justice (http://www.nij.bg/Default.aspx?lang=en-US)
NIS	National Investigation Service
NRM	National Mechanism for Referral of and Support to Human Trafficking Victims
OSCE	Organisation for Security and Co-operation in Europe
PORB	Prosecutor's Office of the Republic of Bulgaria (http://www.prb.bg/en/)
SAA	Social Assistance Agency (http://www.asp.government.bg/web/guest/home1)
SACP	State Agency for Child Protection (www.sacp.government.bg)
SAR	State Agency for Refugees (http://www.aref.government.bg/?cat=2)
SEWG	Standing Expert Working Group with the NCCTHB
SPOC	Supreme Prosecutor's Office of Cassation (http://www.prb.bg/en/)
UISCC	Unified Information System for Combating Crime maintained by Bulgaria's Prosecutor's Office
UNHCR	United Nations High Commissioner for Refugees
UNICEF	The United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
VHT	Victims of human trafficking