

FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities
to human trafficking

EVALUATION REPORT BULGARIA

GRETA

Group of Experts
on Action against
Trafficking in Human Beings



Implementation of the
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on Action against Trafficking
in Human Beings

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Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by State Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the **use of information and communication technology (ICT)** to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of "vulnerability" appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, "by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce."

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as "those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked". It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.¹ Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - "urge", "consider", and "invite" – which correspond to different levels of urgency for bringing the State Party's legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb "urge" when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA "considers" that it is necessary to make further improvements to fully comply with an obligation of the Convention. By "inviting" a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

¹ [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

List of acronyms

CC	Criminal Code
CCP	Code of Criminal Procedure
CEDAW	Committee on the Elimination of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CEPEJ	European Commission for the Efficiency of Justice
ECHR	European Convention on Human Rights
ECRI	European Commission against Racism and Intolerance
EU	European Union
EUAA	European Union Asylum Agency
GDBOP	Directorate General for Combating Organised Crime
GLI	General Labour Inspectorate
ICT	Information and communication technology
ILO	International Labour Organization
IOM	International Organization for Migration
ISP	Internet Service Provider
JIT	Joint Investigation Team
KNSB	Confederation of Independent Trade Unions of Bulgaria
LCCTHB	Local Commissions for Combating Trafficking in Human Beings
LGBTI	Lesbian, gay, bisexual, transgender, intersex
NCCTHB	National Commission for Combating Trafficking in Human Beings
NGO	Non-governmental organisation
NIJ	National Institute of Justice
NLAB	National Legal Aid Bureau
NRM	National Mechanism for Referral and Support to Victims of Trafficking
NSI	National Statistical Institute
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
SACP	State Agency for Child Protection
SAR	State Agency for Refugees
SIC	Bulgarian Safer Internet Centre
THB	Trafficking in human beings
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Agency for Children
UNODC	United Nations Office on Drugs and Crime

Executive summary

This report, covering the period 2020-2024, evaluates the measures taken by Bulgaria to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as the use of technological innovations to prevent THB, protect victims and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Bulgarian authorities have taken a series of steps to develop the legislative and institutional framework for action against THB. The co-ordination of national action against THB is entrusted to the National Commission for Combating Trafficking in Human Beings (NCCTHB), a high-level political structure bringing together all relevant ministries and agencies, which regularly adopts national action programmes for combating THB. Further, local commissions for combating THB have been set up in 10 regions of the country. However, the report notes that frequent changes of government have affected the functioning of the NCCTHB, slowing the implementation of key reforms and policies. In 2024, the budget of the NCCTHB was increased by almost 190% to BGN 950,800 (approximately €486,000). While welcoming this increase, GRETA is concerned that the financial resources provided by the Bulgarian Government for combating THB are insufficient to meet the actual needs, and urges the authorities to allocate appropriate funding and ensure its timely availability for the services provided.

The number of victims of THB who took part in pre-trial proceedings was 457 in 2020, 466 in 2021, 153 in 2022, 89 in 2023, and 98 in 2024. Prior to 2021, the data covered victims in all ongoing pre-trial proceedings initiated for THB, whereas since 2022, only victims taking part in newly opened pre-trial proceedings are counted. All victims were Bulgarian nationals. The majority were subjected to sexual exploitation (64%), which concerned mostly women and girls. The second most common form of exploitation was forced labour (19%), which concerned more men than women. While the number of presumed foreign victims of THB has increased, none of them were formally identified as no criminal proceedings for THB were opened.

A number of research studies have been carried out into vulnerabilities to human trafficking in Bulgaria. Ethnic minorities such as the Roma, people with disabilities, children from disadvantaged areas, unaccompanied children and persons facing domestic violence, addiction or severe debt are particularly vulnerable. Men, especially from poorer areas, are at risk for forced labour in agriculture and construction. Asylum seekers and refugees face significant risks due to social and economic challenges. Further, the number of migrant workers has increased and they are at an increased risk of THB because of deceptive employment practices and insufficient protection.

GRETA welcomes the adoption of the National Programme for the Prevention of Child Violence and Abuse (2023-2026), which includes measures to combat THB. Various initiatives have focused on developing children's life skills, including media literacy and online safety skills. Measures have also been taken to increase the number of pupils who are permanently enrolled in the educational system and diminish the risk of early school leaving and early marriages. However, the report refers to the negative effects on children left behind by parents migrating to work abroad, including the risk of exploitation, with Roma children being disproportionately affected. GRETA considers that the authorities should continue investing in the prevention of child trafficking, with a particular focus on online methods of recruitment, and the protection of children from harmful practices, including child and forced marriages.

Unaccompanied or separated children are a group particularly vulnerable to THB and the Bulgarian authorities have taken steps to strengthen inter-agency coordination and use tools to identify vulnerabilities amongst them. However, GRETA is concerned by the disappearances of unaccompanied children and considers that the authorities should ensure that they are provided with safe, age and gender-appropriate accommodation, with adequately trained staff, and are appointed legal guardians as expeditiously as possible.

The report highlights the vulnerabilities of Roma to human trafficking and measures taken to address them, including through the work of Roma mediators. GRETA considers that the Bulgarian authorities should continue strengthening the prevention of THB through sustained social, economic and other measures for the Roma community, where intersecting forms of discrimination are present.

GRETA notes with concern that there is no vulnerability assessment of migrants at the borders nor in immigration detention facilities. Further, there are no interpreters to facilitate communication with the authorities at these key points for identification. GRETA considers that the Bulgarian authorities should strengthen the prevention of trafficking of asylum seekers, refugees and migrants, in particular by ensuring that a vulnerability assessment is systematically conducted and as early as possible in the asylum process and developing programmes for the social and economic integration of refugees. Further, GRETA welcomes the measures taken to raise awareness of the risks of trafficking and prevent trafficking and exploitation of Ukrainian refugees, and considers that the Bulgarian authorities should continue the support provided to them, as well as ensuring enhanced monitoring of workplaces employing Ukrainian refugees.

The authorities and trade unions have continued taking measures to inform Bulgarians migrating to work abroad about the risks of trafficking and exploitation, their rights and where to seek assistance. There is growing recognition that Bulgaria is becoming a destination country for migrant workers, with an estimated 67,000 third-country workers. Labour inspectors have found serious violations by foreign recruitment agencies which charge workers high fees and deceive them by replacing contracts or issuing contracts with falsified signatures. GRETA urges the Bulgarian authorities to take further steps to prevent THB of migrant workers, in particular by increasing the resources of the General Labour Inspectorate, introducing a legally binding certification of recruitment agencies which act as intermediaries for migrant workers arriving in Bulgaria, and ensuring that such workers are provided with contracts and information on their rights in a language that they can understand prior to arrival in Bulgaria.

Further, GRETA considers that the Bulgarian authorities should strengthen the prevention of THB through information and awareness raising aimed at eliminating gender stereotypes and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls. This should include the creation of further education, employment and participation opportunities for women and girls from Roma communities and for migrant, refugee and asylum-seeking women.

There is no data on the number of persons with disabilities who have been identified as victims of trafficking in Bulgaria. GRETA considers that the Bulgarian authorities should conduct research into the vulnerabilities of persons with disabilities to THB and develop preventive measures specifically aimed at this group, in particular by ensuring regular, effective and independent monitoring of residential centres for adults and children with disabilities, and further developing their access to economic, social and health-care services as a way to reduce their vulnerabilities to human trafficking.

NGOs met by GRETA during the evaluation visit highlighted that LGBTI persons are a particularly vulnerable group, notably due to stigma from their family and the society. GRETA considers that the Bulgarian authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations, in particular by conducting research into the vulnerabilities of LGBTI persons.

The National Mechanism for Referral and Support to Victims of Trafficking (NRM), first developed in 2008-2010, was approved as an official and mandatory document by the Council of Ministers in July 2016. However, the NRM lacks dedicated funding and there is still a lack of awareness of its existence and functioning. There is no evidence of proactive identification of potential victims of THB at the borders. Similarly, there is no identification of possible victims of THB in immigration detention centres. GRETA urges the Bulgarian authorities to further improve the proactive identification of victims of THB, including by providing systematic training to asylum and migration officials, border police staff, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants. Moreover, the implementation of the NRM should be assessed and the indicators for victim identification updated.

While welcoming the increase in the specialised services for victims of THB, GRETA notes with concern that the availability of State funding for victim assistance remains low and precarious. Victim support services have been primarily designed for women, particularly those exploited sexually, leaving men without tailored support. Access to health care remains a significant issue for victims of human trafficking. GRETA urges the authorities to provide adequate funding to ensure the availability, sustainability and quality of the specialised services for victims of THB and to support their long-term social inclusion, to guarantee their access to health care, and to strengthen the capacity to assist male victims of THB.

Bulgaria's Criminal Code and Law on Combating THB do not refer to the terms "vulnerability" or "abuse of a position of vulnerability" in respect of the crime of trafficking in human beings. GRETA urges the Bulgarian authorities to introduce the concept of "abuse of a position of vulnerability" in the criminalisation of THB, and to provide training and guidance to investigators, prosecutors and judges on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

In October 2022, the Prosecutor General issued Instructions for the organisation of the work of the Prosecutor's Office in relation to pre-trial proceedings opened for THB, and a specialised unit dealing with THB and related offences was set up within the Supreme Prosecutors' Office. Further, in June 2024, a specialised interagency unit was set up to facilitate the investigation of cases of THB. However, there has been a gradual decrease in the number of newly opened pre-trial proceedings for THB. GRETA notes with concern that a significant proportion of the penalties upon conviction for THB continue to be suspended. Another continuing issue of concern is the duration of criminal proceedings, both in the pre-trial and the trial phase, and the number of interrogations of victims. GRETA urges the Bulgarian authorities to take additional measures to strengthen the criminal justice response to THB, including by strengthening efforts to investigate, prosecute and convict perpetrators of trafficking for the purpose of labour exploitation, and ensuring that THB cases are prosecuted as such, rather than as other/lesser offences, and lead to effective, proportionate and dissuasive sanctions.

The Bulgarian authorities have reported a rising trend of traffickers using social networks and mobile applications to recruit and control victims. The report refers to various capacity-building activities, which comprise a focus on safe Internet use for children, teachers, school counsellors, social workers and Roma educational mediators. The National Police's Anti-Trafficking Unit and the Cybercrime Directorate work closely together to collect the necessary digital evidence in cases of human trafficking. GRETA considers that the Bulgarian authorities should further strengthen the capacity to detect and investigate cybercrime offences, and develop data-sharing procedures and co-operation protocols with private companies, including social network and gig-economy companies as well as rental platforms.

There have been no legislative changes concerning the recovery and reflection period, which is still not specifically defined in law. GRETA urges the Bulgarian authorities to implement without further delay its long-lasting recommendation to enshrine in law the recovery and reflection period as provided for in Article 13 of the Convention.

The report notes that obtaining legal aid remains challenging for victims of THB, with many conditions attached, and legal representation for these victims remains limited. Noting positively the proposed amendments to the Legal Aid Act, GRETA once again urges the Bulgarian authorities to ensure that victims of THB, regardless of their financial means, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings, and throughout the latter.

The Bulgarian authorities did not provide information on the number of victims of THB who had claimed and obtained compensation through criminal proceedings, but according to NGOs and lawyers, the difficulties highlighted in the third GRETA report remained. Since the entry into force of the Law on the Assistance and Financial Compensation to Crime Victims in 2007, only one victim of THB has received state compensation. GRETA urges the authorities to enable victims to effectively exercise their right to compensation, review the procedure and eligibility criteria for claiming state compensation, and set up a victim compensation fund which uses confiscated assets of perpetrators of THB.

General information on trafficking in human beings in Bulgaria (covering the period from 2020 until June 2025)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings (THB) Previous evaluations by GRETA	1 February 2008 <ul style="list-style-type: none"> • First evaluation report (published on 14 December 2011) • Second evaluation report (published on 28 January 2016) • Third evaluation report (published on 29 April 2021)
Co-ordination of national action against THB	National Commission for Combating Trafficking in Human Beings (NCCTHB)
National Rapporteur	National Commission for Combating Trafficking in Human Beings (NCCTHB) (equivalent mechanism)
Specialised bodies and NGOs contracted to implement the THB Victim Support Programme	<ul style="list-style-type: none"> • Permanent Working Group composed of experts from relevant ministries, agencies, international organisations and NGOs (operates under the NCCTHB) • 10 Local Commissions for Combating Trafficking in Human Beings (LCCTHB) • State Agency for Child Protection (SACP) • Agency for Social Assistance • NGOs providing services and running helplines: SOS-Families at Risk, Demetra, Animus Association, A21
National Strategy/Action Plan	<ul style="list-style-type: none"> • National Strategy 2017-2021 • National Programme 2024 • National Programme 2023 • National Programme 2022 • National Programme 2021 • National Programme 2020
Relevant legislation	<ul style="list-style-type: none"> • Criminal Code (Articles 159a to 159c criminalise trafficking in human beings, Article 16a contains a non-punishment clause for victims of trafficking) • Law on Combating Trafficking in Human Beings • Criminal Procedure Code • Protection of Persons at Risk in Relation to Criminal Proceedings Act • Crime Victim Assistance and Financial Compensation Act • Legal Aid Act • Asylum and Refugees Act • Foreigners in the Republic of Bulgaria Act • Social Services Act • Child Protection Act • Bulgarian Personal Documents Act • Labour Migration and Labour Mobility Act
National Referral Mechanism (NRM)	The National Mechanism for Referral and Support of Trafficked Persons was adopted by the Council of Ministers in 2016. Coordination Mechanism for the Referral and Care of Cases of Unaccompanied Children and Child Victims of THB Returning from Abroad National human trafficking hotline
Trafficking profile	Bulgaria is predominantly a country of origin for trafficked persons, as well as a transit country, but it is also increasingly becoming a destination country. The most frequent form of exploitation was sexual exploitation of women and girls, followed by forced labour, servitude, and trafficking of pregnant women for the purpose of selling their new-born babies. The main countries of destination were Germany, Belgium, the Netherlands, France, Italy and Switzerland. All formally identified victims were Bulgarian citizens.

I. Introduction

1. Bulgaria was amongst the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings (“the Convention”) and has been in the first group of Parties to be evaluated by GRETA under each evaluation round.

2. Over the years, the Bulgarian authorities have taken a series of steps to develop the legislative and institutional framework for action against THB, as well as to strengthen co-ordination between relevant actors and international co-operation. This includes amendments to the 2003 Law on Combating Trafficking in Human Beings and the provisions in the Criminal Code (CC), as well as the introduction of a National Referral Mechanism for Support of Trafficked Persons (NRM) in 2010 and its revision and formal adoption by the Council of Ministers in 2016. The National Commission for Combating Trafficking in Human Beings, chaired by one of the Deputy Prime Ministers, is a high-level political structure bringing together all relevant ministries and agencies, which regularly adopts national action programmes for combating THB. Further, local commissions for combating THB have been set up in 10 regions of the country. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, in particular the availability of state funding for anti-trafficking action and the implementation of the NRM, victims’ access to assistance, free legal aid and compensation, the provision in law of the recovery and reflection period, and data collection on THB.

3. On the basis of GRETA’s third report, the Committee of the Parties to the Convention adopted a recommendation to the Bulgarian authorities on 4 June 2021, requesting them to inform the Committee of measures taken to comply with the recommendation within a one-year period.² The report submitted by the Bulgarian authorities was considered at the 33rd meeting of the Committee of the Parties (15 December 2023) and was made public.³

4. On 5 March 2024, GRETA launched the fourth round of evaluation of the Convention in respect of Bulgaria by sending the questionnaire for this round to the Bulgarian authorities. The deadline for submitting the reply to the questionnaire was 5 July 2024 and the authorities’ reply was received on 22 July 2024.

5. An evaluation visit to Bulgaria took place from 30 September 2024 to 4 October 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Mr Thomas Ahlstrand, member of GRETA;
- Ms Ia Dadunashvili, member of GRETA;
- Ms Petya Nestorova, Executive Secretary of the Convention;
- Ms Jenna Logeais, Senior Project Officer in the Secretariat of the Convention.

6. During the visit, the GRETA delegation met members of the National Commission for Combating Trafficking in Human Beings (NCCTHB), subordinated to the Council of Ministers, along with its Secretary, Ms Daniela Saveklieva. The delegation also engaged with officials from the Ministry of Justice, Ministry of the Interior, Ministry of Labour and Social Policy (including representatives from the General Labour Inspectorate, the National Employment Agency, and the Agency for Social Assistance), Ministry of Education and Science, and Ministry of Foreign Affairs. Additionally, the delegation held discussions with representatives from the State Agency for Child Protection, the State Agency for Refugees, the Prosecutor’s Office, the National Investigation Service, the Supreme Court of Cassation, the National Legal Aid Bureau, the National Institute of Justice, the National Council for Assistance and Compensation to

² <https://rm.coe.int/recommendation-cp-rec-2021-01-on-the-implementation-of-the-council-of-/1680a2bc30>

³ <https://rm.coe.int/report-submitted-by-the-authorities-of-bulgaria-on-measures-taken-to-c/1680aba901>

Victims of Crime, and the National Statistical Institute. GRETA's delegation also consulted with the Office of the Ombudsperson, the Commission for Protection against Discrimination, the Commission for Forfeiture of Illegally Acquired Property, and the Central Commission against Antisocial Behaviour of Minors and Juveniles. Furthermore, the delegation had the opportunity to meet with Members of Parliament.

7. The GRETA delegation held separate meetings with representatives of non-governmental organisations (NGOs) and trade unions, lawyers representing victims of human trafficking and researchers.

8. Meetings were also held with representatives of the International Organization for Migration (IOM), the United Nations Agency for Children (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), and the Fundamental Rights Office of the European Border and Coast Guard Agency (Frontex).

9. In addition to holding meetings in Sofia, GRETA's delegation travelled to Burgas, Sliven and Varna, where it met with members of the Local Commissions for Combating Trafficking in Human Beings (LCCTHB), including deputy mayors and representatives of social and child protection services, law enforcement agencies, prosecutors and civil society representatives.

10. In the course of the evaluation, the GRETA delegation visited the three specialised shelters for adult victims of human trafficking, in Sofia, Burgas and Varna, a shelter for long-term integration of victims in Burgas, crisis centres for child victims of violence, including human trafficking, in Sofia and Varna, as well as the Child and Youth Advocacy Centre "Zona ZaKmila" run by the NGO Animus Association in Sofia. During these visits, the delegation held discussions with victims of human trafficking.

11. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 of this report. GRETA is grateful for the information provided by them.

12. GRETA wishes to place on record the co-operation provided by the Bulgarian authorities and in particular by the contact person appointed to liaise with GRETA, Ms Ernesta Rousseva, Chief Expert at the National Commission for Combating Trafficking in Human Beings

13. The draft version of the present report was approved by GRETA at its 53rd meeting (24-28 March 2025) and was submitted to the Bulgarian authorities for comments. The authorities' comments were received on 16 June 2025 and were taken into account by GRETA when adopting the final report at its 54th meeting (30 June - 4 July 2025). The report covers the situation up to 4 July 2025; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

14. Bulgaria continues to be primarily a country of origin for trafficked persons, as well as a transit country, but it is also increasingly becoming a country of destination. According to data collected by the Prosecutor's Office of Bulgaria, the number of victims of THB who took part in pre-trial proceedings was 457 in 2020, 466 in 2021, 153 in 2022, 89 in 2023, and 98 in 2024 (see the table in Appendix 1 for a detailed breakdown).⁴ The significant drop in the number of victims since 2022 is explained by the fact that until 2021, the data covered victims in all ongoing pre-trial proceedings initiated for THB, including those continuing from previous years. Starting from 2022, only victims taking part in newly opened pre-trial proceedings are counted. The majority of the victims were subjected to sexual exploitation (64%), which concerned mostly women and girls. All victims were Bulgarian nationals. While there are not official statistics on the countries where the exploitation took place, GRETA was informed that the main countries of destination were Germany, Belgium, the Netherlands, France, Italy and Switzerland, but some victims were also exploited internally, particularly in the capital city Sofia, other large cities, Black Sea and mountain resort areas, and border towns. The second most common form of exploitation was forced labour (19%), which concerned more men than women. In the third place, trafficking of pregnant women for the purpose of selling their new-born children (9%) was common in 2019-2021, but there was only one such victim in 2022 and none in 2023-2024. Trafficking for the purpose of servitude, which concerned mostly women and girls, was the fourth most common form of exploitation (7%). There were also several victims of trafficking for the purpose of organ removal, both men and women.⁵ The proportion of child victims was low (on average, around 7% per year).

15. In addition to the statistics collected by the Prosecutor's Office, the Secretariat of the NCCTHB collects alerts about presumed victims received through the submission of a form on the website of the NCCTHB (see paragraph 125), the national human trafficking hotline, operated by the NGO A21 in partnership with the NCCTHB,⁶ other NGOs, international organisations and other sources. The number of such victims was 60 in 2020 (35 women, 4 girls, 21 men), 132 in 2021 (80 women, 6 girls, 38 men, 8 boys), 93 in 2022 (53 women, 12 girls, 25 men, 3 boys), 63 in 2023 (50 women, 13 men), and 78 in 2024 (49 women, 29 men). These figures partially overlap with the data collected by the Prosecutor's Office as some of the presumed victims participate in pre-trial proceedings.

16. As regards **emerging trends of trafficking in human beings**, while sexual exploitation of women and girls remains the predominant form of exploitation, there has been an increase in identified victims of forced labour, who are mostly men. Another trend is the increase in foreign nationals detected as victims of THB, even though they are not formally identified as no criminal proceedings for THB have been opened. Thus in 2021-2023, the Secretariat of the NCCTHB received alerts about seven possible foreign victims of THB (three Ukrainian women, two Vietnamese women, a Polish woman with a child, and a Filipino woman). In 2024, the NCCTHB identified informally 11 foreign victims (including eight of labour exploitation, one of sexual exploitation, and two at risk of trafficking, from Nepal, Philippines, Turkmenistan, Morocco and Bangladesh). The use of the internet and social media by traffickers has become more prevalent, enabling them to recruit and control victims remotely. The Bulgarian authorities also indicated that there was an increase in the number of victims of human trafficking that are "sold" by their own family members. Traffickers are reportedly increasingly employing a more complex form of exploitation, simultaneously subjecting victims to various types of abuse such as sexual exploitation, forced labour and servitude.

⁴ Due to the change in the method for reporting data on victims since 2022, it is not possible to compare the data with the previous reporting period (2015-2019) when there was an annual average of 440 victims in ongoing pre-trial proceedings for THB, including proceedings initiated in previous years.

⁵ Namely, 5 in 2020, 8 in 2021, 1 in 2022, and 0 in 2023. As the data in 2020-2021 is cumulative, it is not possible to know how many of the victims were identified in each year.

⁶ [Bulgaria - 080020100 Bulgaria](https://www.a21.org/bulgaria)

17. As regards the **legislative framework relevant to combating THB**, the Bulgarian Personal Documents Act was amended in 2023 by adding a new paragraph 10 to Article 76, as well adding Article 76b, thus making it possible to prevent vulnerable adults from travelling outside Bulgaria for reasons of their own protection if information about a specific and obvious risk of becoming victims of trafficking in human beings has been received by the Directorate General for Combating Organised Crime, the National Police, the Border Police or the regional directorates of the Ministry of the Interior. This measure is applied for a period of up to six months by order of the Secretary General of the Ministry of the Interior, on the basis of a motivated proposal by one of the previously mentioned structures of the Ministry, and after an individual assessment of the principle of proportionality and an opinion of the NCCTHB. The decision can be appealed against according to the provisions of the Code of Administrative Procedure. GRETA was informed during the evaluation visit that there had been no instances in which this measure was applied. **Despite the existing safeguards to prevent the misuse of this measure, GRETA is concerned by its potential negative impact on individuals' rights, particularly the right to freedom of movement, and considers that the Bulgarian authorities should examine the possibility of repealing it.**

18. In 2023, the Ministry of Justice's Council for Criminological Research commissioned a criminological study on human trafficking to a research team which produced the report "Trafficking in human beings: trends and prevention", published at the end of 2024.⁷ The report puts forth recommendations for legislative changes, including amendments to the Criminal Code (CC) provisions on THB and related offences, and the 2003 Law on Combating Trafficking in Human Beings (hereinafter "the Anti-Trafficking Law"), which was last amended in October 2019. These proposals are discussed in later parts of this report. GRETA was informed that in September 2024, a working group was set up to prepare draft amendments to the CC related to the implementation of the requirements of Directive (EU) 2024/1712 of the European Parliament and the Council of June 13, 2024, amending Directive 2011/36/EU on the prevention and combating of human trafficking and the protection of its victims. The working group has so far held four meetings and is expected to complete its work by the end of July 2025.

19. GRETA wishes to highlight that Bulgaria's full integration into the Schengen Area, took effect on 1 January 2025 following the agreement reached at the Council of the EU in December 2024, will have implications for the fight against THB in Bulgaria, presenting both opportunities and new challenges, which should be carefully taken into consideration by the national authorities.

20. The **institutional framework** for combating THB has remained largely unchanged. The National Commission for Combating Trafficking in Human Beings (NCCTHB) is a high-level body set up in 2004 to co-ordinate the anti-trafficking activities of all relevant ministries and agencies.⁸ It is chaired by one of the Deputy Prime Ministers and comprises deputy ministers and deputy chairs of relevant agencies. However, the political instability in Bulgaria, reflected in seven parliamentary elections in the period of 2021-2024 and frequent changes of government, has affected the functioning of the NCCTHB. The Chairperson of the NCCTHB has changed repeatedly and the adoption of the budget for the implementation of the national action programme has been delayed, putting at risk the operation of the shelters for victims of THB and the provision of other services. The frequent changes of government have also been reflected in changes of the heads of the regional police directorates. The political instability has hindered the fight against THB in Bulgaria, slowing down the implementation of key reforms and policies.

21. The day-to-day work of the NCCTHB is ensured by its Secretariat (administration), which acts under the Council of Ministers as a national co-ordinator, ensuring interaction between ministries and agencies, local commissions, civil society, international organisations and partners in other countries. As a result of high staff turnover, the NCCTHB's workforce declined from 10 in 2019 to as few as three at its lowest point in 2023, creating significant operational challenges. Following the appointment of a permanent Secretary of the NCCTHB at the end of 2023, the staffing situation has stabilised and the staff number is currently 10 (including the Secretary).

⁷ Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024.

⁸ <https://antitrafficking.government.bg/en/about#about>

22. The composition of the Permanent Expert Working Group, which operates under the NCCTHB, has been expanded and currently includes 62 experts from relevant ministries, agencies, NGOs and international organisations.⁹ The State Agency for Refugees was included in the Expert Working Group. The Expert Working Groups holds meetings two to four times a year. In addition, its members maintain ongoing communication related to case management, prevention, capacity building and co-ordination.

23. There continue to be 10 Local Commissions for Combating Trafficking in Human Beings (LCCTHB) set up in regions where the prevalence of THB is considered to be a problem.¹⁰ According to the independent evaluation of the implementation of the National Strategy for Combating Trafficking in Human Beings (see paragraph 26), some of the local commissions are very active and visible, while others have very limited activities; this is linked to the fact that they are part of the municipal administrations and receive different levels of support and funding from them. The lack of state funding for the work of the local commissions prevents them from fulfilling their potential. Further, NGOs met during the visit noted that the number of local commissions is not sufficient as there are 28 regions in Bulgaria and some local commissions have reportedly refused to co-operate with neighbouring regions because of the limited budget and human resources. **Stressing the importance of providing sufficient resources to the LCCTHB to enable the carrying out of anti-trafficking activities at local level, GRETA considers that the Bulgarian authorities should enhance the support provided to their work and set up such commissions in additional regions of the country.**

24. GRETA notes positively that the budget of the NCCTHB has increased during the reporting period. While in 2021 and 2022 it was BGN 461,600 (approximately €236,000) per year and in 2023 it was BGN 532,400 (approximately €272,000), in 2024 the budget was increased by almost 190% to BGN 950,800 (approximately €486,000). Of this budget, BGN 644,400 (approximately €329,417) is allocated for operational costs, including funding of the specialised shelters for victims and other services, while BGN 237,400 (approximately €121,360) is designated for staff salaries. The total budget of the NCCTHB for 2025 amounts to BGN 1,038,700 (approximately €530,983), but the portion allocated to operational expenses, including the maintenance of the specialised services, has been reduced to BGN 580,000 (approximately €246,964). The Secretariat of the NCCTHB implements the majority of the activities included in the National Anti-Trafficking Programme (about 70%) and the activities of other institutions are covered by their budgets. While welcoming the budget increase, GRETA is concerned that the financial resources provided by the Bulgarian Government for combating THB are still insufficient to meet the actual needs, especially for shelters for trafficking victims. Considering the high costs of support and care for victims, anti-trafficking action continues to rely to a significant extent on external funding through projects and donors. Another major challenge is the recruitment and retention of staff, primarily due to inadequate remuneration. Many shelter staff are forced to take on second jobs to make ends meet. Consequently, **GRETA once again urges the Bulgarian authorities to allocate appropriate funding from the State budget to action against THB and to ensure its timely availability for the different services provided.**

25. In October 2022, the Prosecutor General issued Instructions for the organisation of the work of the Prosecutor's Office in relation to pre-trial proceedings opened for trafficking in human beings. The aim of these Instructions is to introduce a unified mechanism for handling and supervising cases of THB, to provide an effective protection of the rights of victims, to overcome difficulties in the prosecution, and to improve the inter-agency co-ordination and international co-operation in dealing with THB cases. Pursuant to these Instructions, a specialised unit dealing with THB and related offences was set up within the Supreme Prosecutors' Office. Further, in June 2024, a specialised interagency unit was set up to facilitate the investigation of cases of THB, comprising prosecutors from the Supreme Prosecutor's Office and officials of the National Police and the Directorate General for Combating Organised Crime (GDBOP).

⁹ See paragraph 26 of the second GRETA report on Bulgaria.

¹⁰ Blagoevgrad, Burgas, Montana, Pazardzhik, Plevn, Plovdiv, Ruse, Varna, Sliven and Veliko Tarnovo. The composition of the local commissions can be found at: <https://antitrafficking.government.bg/en/local/2-LCCTHB-BLAGOEVGRAD>

26. In 2017, Bulgaria adopted its first **National Strategy for Combating Trafficking in Human Beings** for the period 2017-2021,¹¹ a policy document setting out priorities and objectives for an effective and long-term response to THB. This Strategy was implemented through annual National Programmes for Countering THB. An independent evaluation of the Strategy was commissioned by the NCCTHB and conducted by the Institute of Philosophy and Sociology of the Bulgarian Academy of Sciences in October 2022.¹² The evaluation noted positively the increased participation of civil society in anti-trafficking action, the training provided to first-line practitioners such as pedagogical counsellors, social workers and health mediators, the National Referral Mechanism and the operation of several hotlines (see paragraph 125). The main gaps identified by the evaluation concerned: (1) lack of political will; (2) lack of effective legislative initiatives; (3) insufficient funding of anti-trafficking policies, which not only makes them unsustainable but also jeopardises the provision of services for victims; 4) lack of capacity and sufficient human resources, including the fact that some of members of the NCCTHB participate in it only formally; 5) lack of coherence in public policies, which leaves the impression of chaotic activities, further reinforced by the lack of a unified integrated database. According to the evaluation, the policies implemented during the period under review appeared unsustainable and underfunded, and failed to address the crime of THB through the criminal justice system, engendering a sense of impunity and undermining efforts to support victims to testify. Further, the evaluation did not identify any strategic engagement with the private sector.

27. Since the expiry of the 2017-2021 Strategy, the Council of Development under the Council of Ministers has decided that no new national anti-trafficking strategy should be adopted. According to the authorities, this decision was taken to prevent overlaps with other existing cross-cutting strategies which contain measures related to combating THB, including the National Strategy on Migration 2021-2025, the Crime Prevention Strategy 2021-2030, and the National Strategy for the Promotion of Equality of Women and Men 2021-2030. For example, the prevention measures to target THB contained in the National Strategy on Migration 2021-2025 include raising awareness on THB, particularly among vulnerable groups, and organising prevention campaigns and activities for third-country nationals. **While noting positively that anti-trafficking action is mainstreamed in other national strategies as a cross-cutting issue, GRETA stresses that there are advantages in developing a specialised anti-trafficking strategy which provides a longer-term, more strategic approach to planning of national anti-trafficking policy than the annual national programmes. Therefore, GRETA considers that the Bulgarian authorities should develop a new multi-annual National Anti-Trafficking Strategy.**

28. The NCCTHB has continued to adopt **annual National Programmes for Countering Human Trafficking and the Protection of Victims**.¹³ In 2023, the format of the annual programmes was changed in order to develop a clearer and more comprehensive framework of annual planning (this was one of the recommendations of the independent evaluation of the Strategy). The most recent National Programme is the one for 2024. It consists of seven sections: 1) interinstitutional co-ordination; 2) prevention, including general awareness-raising and prevention efforts for vulnerable groups; 3) capacity building for professionals, focusing on improving the implementation of the NRM and enhancing investigations 4); victim protection, with activities centred on implementing the NRM; 5) statistical data collection and analysis; 6) international co-operation to improve the exchange of best practices; and 7) legal amendments aimed at updating the legal framework. The Secretariat of the NCCTHB produces annual reports on the implementation of the National Programmes, which include the activities of the LCCTHB and other relevant stakeholders. The report is adopted by the members of the NCCTHB and, shortly afterwards, the Chairperson of the NCCTHB presents it to the Council of Ministers for adoption. **GRETA welcomes the commissioning of an independent evaluation of the implementation of the National Anti-Trafficking Strategy and considers that the Bulgarian authorities should commission independent evaluations of the annual National Programmes.**

¹¹ National Strategy for Combating Trafficking in Human Beings 2017-2021, available in Bulgarian at: https://antitrafficking.government.bg/wp-content/uploads/THB_Strategy_2017Last-2.docx

¹² Available in Bulgarian at:

https://antitrafficking.government.bg/uploads/IPhS_Monitoring_report_THB_strategy2021_FinalReport.pdf

¹³ The 2024 annual programme is available in Bulgarian at: https://antitrafficking.government.bg/uploads/NPPPTHZJ_24_2024_..pdf

29. Pursuant to the amendments to the 2019 Anti-Trafficking Law, the NCCTHB continues to act as an equivalent mechanism to a National Rapporteur on THB in the sense of Article 19 of Directive 2011/36EC. There were plans to set up a sub-working group involving members of the Permanent Working Group and the Office of the Ombudsman to draft a proposal for establishing an independent National Rapporteur, but due to the frequent changes of the Chair of the NCCTHB, this was postponed. As previously stressed by GRETA, the key features of National Rapporteurs' mechanisms within the meaning of Article 29, paragraph 4, of the Convention should be the ability to critically monitor the efforts and effectiveness of all state institutions, including national co-ordinators, and to that end maintain a constant exchange with civil society, the research community and other relevant stakeholders. A structural separation between these monitoring functions and executive functions makes possible an objective evaluation of the implementation of anti-trafficking legislation, policy and activities, identification of lacunae and shortcomings, and the formulation of comprehensive legal and policy recommendations. **GRETA reiterates its recommendation and considers that the Bulgarian authorities should examine the possibility of designating as a National Rapporteur a separate organisational entity or another already existing independent mechanism with a view to ensuring effective monitoring of the anti-trafficking activities of state institutions and making recommendations.**

30. In their comments on the draft GRETA report, the Bulgarian authorities indicated that the agenda of the last meeting of the NCCTHB, held at the end of June 2025, included the development of a new National Strategy for Combating THB and the possibility of establishing an independent National Rapporteur. **GRETA would like to be kept informed of the decisions taken.**

III. Addressing vulnerabilities to trafficking in human beings

1. Prevention of trafficking in human beings

a. Introduction

31. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

32. A number of research studies have been carried out into vulnerabilities to human trafficking in Bulgaria. A study commissioned by the LCCTHB in Varna and conducted by the NGO "Foundation SOS-Families at Risk Foundation" in 2022 looked into the origin and profiles of potential victims, as well as the traffickers' modus operandi.¹⁴ According to this study, the vulnerabilities of victims are often a combination of extreme poverty, disability, domestic violence, debts, drug addiction and lack of family and social support, resulting in a lack of alternatives, which traffickers use to obtain the victims' "consent". The study also highlighted the increasing use of drugs to create victims' dependence. The NGO Dignita Foundation has conducted studies on trafficking of Ukrainian refugees (see paragraph 81) and risks for trafficking for the purpose of sexual exploitation in marginalised Roma communities (see paragraphs 67-68). Further,

¹⁴ Available in Bulgarian at: https://antitraffic.government.bg/uploads/Report_THB_2017_2022_Ani_Nikolova.pdf

the recently published criminological study on human trafficking referred to in paragraph 18 explores the trafficking victim profiles, focusing on age, sex, socio-economic status and forms of exploitation.¹⁵ According to this study, victims typically come from marginalised social groups affected by poverty, detachment from the education system and the labour market, discriminatory practices and violence. The process of group victimisation is widespread in ethnic minorities, but also affects large groups of the Bulgarian population. Personal vulnerability factors are observed in individuals who are socially isolated (e.g. orphans, homeless, people with disabilities living alone, persons with intellectual disabilities, people with addictions). As regards sexual exploitation, the most vulnerable are young girls and women (aged 16 to 35 years) coming from a social environment of poverty, lack of education and dysfunctional family relationships, often from the Roma communities. In the case of labour exploitation, the main vulnerability factors are destitution, long-term unemployment, lack of qualifications, as well as severe economic stagnation in the area of residence.

33. Reference should also be made to the training manuals and resources on vulnerability indicators developed by the NGO Animus Association as part of the European ACTIVATE project, which produced training manuals for lawyers and social workers supporting third-country nationals.¹⁶ These manuals focus on vulnerabilities, including cross-sectoral ones, providing a classification of vulnerabilities and vulnerability indicators. Animus Association also published a "Guide of Typologies" on types of vulnerabilities.¹⁷

34. The NCCTHB's 2023 report highlights extreme poverty, disabilities, domestic violence, addiction, low education, unemployment and hopelessness as key vulnerability factors.¹⁸ According to it, ethnic minorities such as the Roma, people with disabilities, children from disadvantaged areas, unaccompanied children and persons facing domestic violence, addiction or severe debt are particularly vulnerable. Men, especially from poorer areas, are at risk for forced labour in agriculture and construction. Asylum seekers and refugees, particularly those aiming to join relatives in Western Europe, face significant risks due to social and economic challenges. The Secretariat of the NCCTHB has indicated that it consults the National Statistical Institute's reports on unemployment, poverty, social inclusion and demographics to analyse trends and plan awareness and prevention measures. Comparing this data with information from the NCCTHB shows that the North-Western regions of Bulgaria, which are amongst the poorest in the EU, have populations at higher risk of THB.

35. There is an increased awareness of the risks of trafficking of migrant workers, whose number in Bulgaria has risen due to important labour emigration and demographic changes. To overcome labour shortages, Bulgaria has eased labour migration rules for third-country nationals. However, these workers are at an increased risk of THB because of deceptive employment practices and insufficient protection (see paragraphs 99-100). The risks of trafficking of migrant workers were explored at the international conference "Human trafficking: the route of labour migration – pitfalls and opportunities for third-country nationals" organised by the NCCTHB and the International Justice Mission 6 February 2025 in Sofia.

36. The evaluation of the National Strategy for THB recommended general prevention measures aimed at children and youth, as well as targeted measures for at-risk groups, in particular homeless individuals, persons engaged in sex work, vulnerable families in extreme poverty and migrant communities.¹⁹ The 2024 National Anti-Trafficking Programme contains a specific section on prevention, including general awareness-raising and prevention efforts for vulnerable groups.²⁰ On 30 September 2024, a memorandum of understanding was established between the NCCTHB and the Commission for Protection against Discrimination, whereby both parties agreed to work together to implement projects, hold seminars, conferences and other initiatives in the field of protection and promotion of human rights, anti-discrimination, prevention of human trafficking and support to victims.

¹⁵ Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024.

¹⁶ <https://animusassociation.org/en/activate-enhancing-the-anti-trafficking-identification-prevention-and-support-mechanisms/>

¹⁷ <https://nrm.bg/en/aid-for-victims/indicators-of-vulnerability-to-human-trafficking/>

¹⁸ Available in Bulgarian at: https://antitrafficking.government.bg/uploads/2023_2024_final.pdf

¹⁹ Available in Bulgarian at: https://antitrafficking.government.bg/uploads/IPhS_Monitoring_report_THB_strategy2021_FinalReport.pdf

²⁰ Available in Bulgarian at: https://antitrafficking.government.bg/uploads/NPPPTHZJ_24_2024_..pdf

37. The Bulgarian authorities and civil society, with the support of international organisations, have taken a series of measures to raise public awareness and target specific vulnerable groups, in particular Roma communities and children. Prevention efforts include three annual national awareness campaigns targeting different forms of exploitation, alongside capacity-building initiatives for professionals. During the evaluation visit, GRETA heard of many examples at central and local level, including peer-to-peer education for teenage children and raising awareness of the risks related to internet, which are detailed later in the report. GRETA welcomes these efforts. **Noting the importance of taking into account the lived experiences and views of victims and survivors of trafficking when designing anti-trafficking policies and measures, GRETA invites the Bulgarian authorities to set up a trafficking survivors' advisory council.** Reference is made in this context to the ODIHR Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils.²¹

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

38. This section examines the preventive measures taken with regard to certain vulnerable groups on the basis of the information provided by the Bulgarian authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to trafficking *per se*, there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. Children

39. GRETA's second report on Bulgaria reviewed the measures taken to prevent child trafficking and considered that the Bulgarian authorities should continue to strengthen their efforts in the prevention of child trafficking, including by paying special attention to Roma communities and migrant children.²² GRETA followed up on these recommendations in its third report and reiterated that the Bulgarian authorities should strengthen their efforts to prevent and combat child trafficking.²³

40. Pursuant to the Convention, specific preventative measures should be taken to make children less vulnerable to trafficking and enable them to grow up without harm and to lead decent lives. In this regard, GRETA welcomes the adoption of the National Programme for the Prevention of Child Violence and Abuse (2023-2026), which includes measures to combat THB, alongside a 2023-2024 Action Plan for its implementation²⁴ and a forthcoming Action Plan for 2025-2026 which further reinforces measures to ensure the digital safety of children. Of relevance also is Bulgaria's National Action Plan on the implementation of Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee, adopted in 2022, whose main objective is to prevent social exclusion by guaranteeing access of children in need to key services such as early childhood education and care, schooling, health, healthy nutrition and housing.²⁵ This plan includes measures for the main target groups: children at risk of poverty and social exclusion, homeless children or children experiencing severe housing deprivation, children with disabilities, children with mental health issues, refugee and migrant children, with a focus on unaccompanied or ethnic minority children, children of minority ethnic origin (especially Roma), children in alternative/institutional care and children in precarious family situations. Bulgaria is among the countries where the share of children at risk of poverty or social exclusion is significantly higher than the average for the EU (25.9% or about 314,000 thousand compared to 19.3% for the EU in 2022) and has set the target for reducing the number of children at risk of poverty or social exclusion by 196,750 persons by 2030. According to the plan, nearly 50,000 children and their families will benefit from health prevention activities, home visiting services for children aged 0-3, early childhood development and intervention services.

²¹ OSCE/ODHIR, *Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs)*, 2024.

²² See paragraphs 86-93 of GRETA's second report on Bulgaria.

²³ See paragraph 264 of GRETA's third report on Bulgaria.

²⁴ <https://www-strategy-bg.translate.goog/FileHandler.ashx?fileId=31705& x tr sl=auto& x tr tl=en& x tr hl=en-US& x tr pto=wapp>

²⁵ [National action plans and progress reports - European Commission](#)

41. In their comments on the draft GRETA report, the authorities referred to policies of the Ministry of Education and Science focusing on improving the educational outcomes of pupils from vulnerable groups, including Roma. As a result of activities under the Mechanism for Joint Institutional Co-operation for Outreach and Inclusion of Children and Pupils in Mandatory Preschool and School Age Education, it has been possible to diminish the risk of early school leaving and early marriages, including by increasing the number of pupils who are permanently enrolled in the educational system. The number of educational mediators appointed in schools has increased (1,184 in May 2025) and they participate in outreach work, maintain contact with families, and provide daily information on pupil absences for unexcused reasons. Mediators working in schools or municipalities assist outreach teams in their work with families of pupils who have dropped out or are at risk of dropping out of education.

42. A 2022 public discussion on the impact of labour migration on children in Bulgaria, organised by the Ombudsperson of Bulgaria and the joint Council of Europe/EU programme ROMACT,²⁶ highlighted the negative effects on children left behind by parents migrating to work abroad, including the risk of exploitation, with Roma children being disproportionately affected in this context. The UN Committee on the Rights of the Child noted in 2024 its deep concern by the discrimination and social exclusion faced by Roma children, which places them in particularly vulnerable situations.²⁷

43. The National Study of Violence against Children, commissioned by UNICEF and presented in April 2021, shows that one in 10 children in Bulgaria reports experiencing online bullying and harassment,²⁸ particularly on social media platforms. In 2024, the NGO Bulgarian Safer Internet Centre handled 1,749,747 reports, of which 95% concerned child sexual abuse materials.²⁹ Around 70,000 of them concerned Bulgaria and were referred to the Cyber Crime Department of Ministry of the Interior.

44. With a view to developing children's life skills (including media literacy and online safety skills), knowledge and participation, campaigns targeting school children and parents have taken place to raise awareness on digital safety, focusing on the risks of online exploitation (see also paragraphs 178-179). NGOs also offer resources and guidance to protect children from cyber threats, including a national helpline for online safety run by the NGO Safer Internet Centre (see paragraph 179). Under the EU-funded "REBOOT NOW" project (2022-2024), the NGO Animus Association has provided psychological support and prevention activities in schools in Sofia, focusing on mental health, non-violent communication and human trafficking awareness for children, teachers and parents.³⁰ Animus Association has also been delivering different programmes for building children's life skills.³¹ Another example is the work by the NGO A21 Bulgaria on preventing child trafficking by educating parents, organising prevention sessions in schools and kindergartens, and providing specialised training for frontline professionals. Efforts have also been made to expand and strengthen the volunteer network of students and youth linked to local commissions, which provides peer sessions in schools and initiatives with vulnerable groups. For example, in Varna, 150 new peer youth volunteers are trained each year on topics related to THB, online safety risks, risky sexual behaviour and drug prevention. Another example of prevention work is the participation in 2023 of the 10 local anti-trafficking co-ordinators in the Ministry of the Interior's awareness-raising national programme "Prevention of crime among young people" on topics related to human trafficking including 40 primary and secondary schools and more than 600 students.

45. The National and Local Commissions for Combating Human Trafficking, in collaboration with various organisations, regularly host capacity-building events for education professionals. These events focus on the risks of human trafficking, identification, protection, prevention and the safe use of the

²⁶ <https://www.coe-romact.org/content/report-public-discussion-children-left-behind-between-labour-migration-institutional>

²⁷ UN Committee on the Rights of the Child, Concluding observations on the combined sixth and seventh periodic reports of Bulgaria, Adopted by the Committee at its ninety-fifth session (15 January–2 February 2024), p.14.

²⁸ <https://www.unicef.org/bulgaria/media/10846/file/BGR-VAC-research-summary-ENG.pdf>, p.6.

²⁹ <https://www.safenet.bg/v-mezhdunarodni-den-za-bezopasen-internet-naczionalniya-czentar-otbelyaza-20-godini-ot-sazdavaneto-si/>

³⁰ REBOOT NOW - Prevention of Gender-Based Violence in Schools after Lockdown (CERV-2021-DAPHNE- PJG 101049567)

³¹ <https://bezstrah.org/>

Internet. From 2019 to 2023, a total of 36 trainings were conducted, reaching 1,160 professionals. Training for childcare professionals, legal guardians, and education professionals is provided within the child protection system. According to the Ministry of Education, between 2020 and 2024, 300 education practitioners, primarily philosophy teachers and psychologists, have been trained on THB, with participants selected by local education inspectors, and two experts from each region being trained annually, totalling 56 experts trained each year.

46. GRETA visited the Advocacy and Support Centre for Children "Protection Zone" ("Zona ZaKmila") in Sofia, which is run by the NGO Animus Association. It was initially set up with UNICEF support in 2016 and after being licensed by the State Agency for Child Protection and the Agency for Quality of Social Services, since 2022 it has been operating with state funding. It follows the Barnahus model and is designed to assist children who have experienced violence or are at risk of violence, as well as their families. The centre offers a specialised approach, integrating legal, medical, psychological and social services with child-friendly procedures and a welcoming environment. It has specially trained staff to interview children and lawyers to provide legal support. There is a specially equipped room for interviewing children by all relevant institutions connected to the child's case ("blue room"). A joint project is currently underway between the Ministry of Justice, UNICEF Bulgaria and the Institute for Social Activities and Practices to establish eight more "Protection Zone" centres. Further, in their comments on the draft GRETA report, the authorities indicated that there are currently 71 "blue rooms" available throughout the country.

47. The National Helpline for Children, which uses the harmonised European telephone number 116 111, is managed by the State Agency for Child Protection (SACP). It is available 24/7 to provide counselling and receive reports about child risks. Between May 2020 and June 2025, a total of 89 reports concerning children at risk of trafficking were registered through it.³² During the same period, the helpline registered 131 reports concerning children at risk of early cohabitation. In 2023, a phone application was developed that features a chat function, allowing better accessibility for individuals with hearing or speech impairments. In 2023, leaflets were created on the helpline and were translated into English and Ukrainian, under the joint UNICEF-Child Helpline International Project "Hearing the Voices of Ukrainian Children and Young People: Child Helplines Responding to the Ukraine Crisis".

48. During the GRETA visit, the authorities acknowledged that significant work remains to be done to protect children from child and forced marriage and highlighted this as a priority area. They emphasised the sensitivity of this issue, underscoring that it requires all state institutions, along with NGOs, to unite their efforts to end such practices. The legal age of consent for sexual activities in Bulgaria is 14 and in 2023, an amendment to the Family Code introduced a complete ban on marriages for individuals under 18.³³ However, the law is not systematically enforced as child marriage through traditional marriages (cohabitation) is seen by some officials as part of Roma traditions and thus remains a serious risk for Roma children. Roma mediators play a key role in inspiring Roma children to pursue education and move away from harmful traditions. Through family visits and direct communication, mediators encourage children to return to school, improving their prospects. In March 2024, a meeting in Sliven focused on preventing early marriages and pregnancies, as part of the National Action Plan for Preventing Violence against Children (2022-2026). The awareness campaign "Can You See Me?", developed by the A21 Foundation and implemented in Bulgaria in partnership with the NCCTHB was launched in 2022 and implemented nationwide in multiple places, tailored to specific themes, including child and forced marriages. In the first nine months of 2024, the National Helpline for Children carried out 76 consultations concerning calls related to cohabitation of children (received from the children themselves, parents, relatives, neighbours, school staff or medical personnel). The children were provided with psychological support and the information was forwarded to the social services and the police. Further, a working meeting was held between the SACP, GDBOP and representatives of the Norwegian police, in connection with a case of prevention of child marriage between Bulgarian citizens on the territory of Norway.

³² The reports related to 36 girls, 11 boys, 10 groups of children and 1 child whose sex was not specified.

³³ Previously, individuals over 16 could marry with parental or legal permission under certain conditions.

49. Since 2010, the deinstitutionalisation reform in Bulgaria has aimed to improve the lives of children by removing them from specialised institutions and supporting their integration into family care and community life. The reform has significantly reduced the number of children in institutional care (from 7,587 in 2010 to 158 in 2024), while increasing family-based care and social services. This shift is crucial for preventing trafficking of children, especially those with disabilities, by creating stable, supportive family environments and reducing reliance on institutional settings vulnerable to exploitation.

50. According to UNHCR, from 2021 until September 2024, there were 10,994 asylum applications from unaccompanied and separated children in Bulgaria (of which 839 in 2024).³⁴ The SACP monitors the efforts of relevant government agencies for unaccompanied children and issues annual reports on the application of the Co-ordination Mechanism for collaboration between institutions in cases of unaccompanied or separated children. The SACP maintains a database of unaccompanied and separated children, which included 790 children in 2024 (from Afghanistan, Syria, Iraq, Iran, Pakistan, Morocco, Somalia, the Russian Federation, Eritrea, Egypt). In 2023, 1,950 children were registered in the database. The data will be integrated into the National Information System for children of the SACP, which is currently under development, with a planned completion date by the end of 2027.

51. According to the State Agency for Refugees (SAR), tools developed by the EU Asylum Agency (EUAA) are used to identify vulnerabilities among unaccompanied children seeking protection, including a form for a quick and comprehensive assessment of the child's best interests, a risk assessment guide and early psychological support (if requested by the child). No presumed victims of THB have been identified amongst unaccompanied children by the SAR.

52. Bulgaria has established three "Safe Zones" for unaccompanied children, located in Sofia (in the districts of Voenna Rampa, with a capacity of 100 places,³⁵ and Ovcha Kupel, with a capacity of 138 places) and in Harmanli, near the border with Türkiye (with a capacity of 98 places). They are operated by IOM, with teams including social workers, psychologists, legal experts and interpreters. Staff provide 24-hour, seven days per week care, including registration, case management and organisation of group activities. The children can attend school in the community. Despite the welcome measures taken to set up "Safe Zones", there have been incidents of children going missing. According to the authorities, this is because Bulgaria is not the final destination of the children and they continue their migration journey. If a child leaves the centre and does not return within 24 hours, staff are required to notify law enforcement, triggering a search and a missing child alert.

53. The Law on Asylum and Refugees provides that unaccompanied children can be accommodated with relatives, foster families and in residential care services; however, there are no sufficient places in residential care facilities and there are no foster family programmes. The absence of appropriate reception and care arrangements within the national child protection system contributes to the high absconding rate of unaccompanied children and exposes them to risks of exploitation. In 2023, 43 unaccompanied children were accommodated in residential social care services in four municipalities. According to the authorities, in the best interests of the child and for the successful integration of children seeking and receiving international protection, accommodation in residential social services is prioritised. However, as noted by the UNHCR, the country's child protection system remains under-resourced, making it difficult to effectively address the needs of these children.³⁶

54. In 2020, an amendment to Article 25 of the Asylum and Refugees Act provided that unaccompanied children seeking international protection shall be represented throughout the proceedings by a lawyer entered in the register for legal aid of the National Legal Aid Bureau. UNHCR co-operates with the Bureau to provide training to lawyers. However, the UN Committee on the Elimination of Racial Discrimination (CERD), in its Concluding Observations on Bulgaria, expressed concern about reports of unaccompanied children facing the risk of being wrongly identified as "accompanied" and therefore placed in detention

³⁴ UNHCR, Bulgaria Protection Brief #1: The protection of unaccompanied and separated children, July 2024, p.3.

³⁵ This "Safe Zone" was visited by GRETA during the third evaluation visit, see paragraphs 257-258 of the third report.

³⁶ UNHCR, Bulgaria Protection Brief #1: The protection of unaccompanied and separated children, July 2024, p.3.

centres, and recommended improving the identification process for unaccompanied children.³⁷ Further, UNHCR has stressed the need for independent guardianship that can cater for the needs of unaccompanied children. As noted in GRETA's second report on Bulgaria, Bulgarian law does not provide for a special procedure for appointing guardians to foreign unaccompanied children.³⁸

55. According to the Asylum and Refugees Act, asylum-seeking and refugee children have access to education under the same conditions as Bulgarian children. There has been a significant increase in the number of asylum-seeking and refugee children enrolled in schools.³⁹ However, according to the UNHCR, legislative provisions guaranteeing additional support in schools are not consistently applied, leading to lower attendance and motivation due to failure to equip schools and teachers with skills and tools to aid integration.⁴⁰ UNICEF Bulgaria has highlighted the need to raise the awareness and provide better training opportunities to staff in the institutions working with children to meet the social integration needs of migrant children.⁴¹ Furthermore, language barriers hinder refugee children's access to education and essential services in Bulgaria, preventing effective communication with health-care providers and social workers, making them easier targets for traffickers.

56. According to UNHCR, the Co-ordination Mechanism for collaboration between institutions in cases of unaccompanied or separated children (see paragraph 50) is not working effectively. NGOs met during the GRETA visit stated that they had observed an increase in the number of migrant children traveling alone. These children, often from the Middle East and Africa, face a long and perilous journey, during which they are vulnerable to exploitation in various countries. Many of these children, particularly unaccompanied teenage boys, go missing quickly, and the situation is even more dire for younger children, including 7–8-year-olds from Afghanistan and Syria. The number of unaccompanied girls is also on the rise. These girls face additional risks, including the threat of being coerced into arranged marriages in Western Europe. NGOs highlighted that there remains no reliable system for tracking unaccompanied children once they go missing, with many using fake documents or being unregistered in official systems, leaving their fates uncertain. UNHCR referred to cases of unaccompanied children disappearing from Bulgaria and subsequently being found locked up in farms or apartments in Germany. The SACP does not maintain a register for asylum-seeking children who have disappeared, but this functionality is foreseen as part of the ongoing development of the National Information System (see paragraph 50), which aims to strengthen the overall capacity for child protection and case monitoring.

57. Further, according to NGOs, the training efforts are insufficient and fail to reach all employees on a consistent basis. In 2024, the UN Committee on the Rights of the Child noted with concern the insufficient capacity of professionals in Bulgaria to apply the principle of the best interests of the child and recommended the Bulgarian authorities strengthen the capacity of all relevant professionals, including through systematic training, to assess and determine the best interests of the child as a primary consideration.⁴² There are several NGO initiatives aimed at addressing their needs, such as educating and training social workers at reception centres to improve identification and support for vulnerable children.

³⁷ UN Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-third to twenty-fifth periodic reports of Bulgaria, p.9.

³⁸ See paragraph 149 of GRETA's second report on Bulgaria.

³⁹ According to the Ministry of Education, in the second term of the 2023-2024 school year, 1,323 children with temporary protection were enrolled in preschool education, and 3,582 children with temporary protection from Ukraine in school education. In the 2024-2025 school year, 1,738 Ukrainian children were enrolled in schools.

⁴⁰ UNHCR, Bulgaria Protection Brief #1: The protection of unaccompanied and separated children, July 2024, p.4.

⁴¹ UNICEF report Un/Equal Childhood: Deep Dive in Child Poverty and Social Exclusion in Bulgaria, p.8.

⁴² UN Committee on the Rights of the Child, Concluding observations on the combined sixth and seventh periodic reports of Bulgaria, Adopted by the Committee at its ninety-fifth session (15 January-2 February 2024), p.5.

58. **GRETA welcomes the legislative, policy and practical measures taken by the Bulgarian authorities to prevent trafficking in children, in particular amongst unaccompanied children and children in Roma communities, and considers that the authorities should take further steps to:**

- **protect children from harmful practices and reduce their vulnerability to child trafficking in all its forms. This includes creating a safe and supportive environment where children's rights and well-being are prioritised, including through the prevention of child and forced marriages;**
- **provide training on THB consistently and widely to teachers, social workers, health and Roma mediators, child welfare professionals and all other professionals working with children, ensuring they are equipped with the knowledge and skills to effectively address and prevent trafficking in a way that is in the best interests of the child;**
- **continue investing in the prevention of child trafficking as part of the school curriculum, with a particular focus on online methods of recruitment, by including it in programmes for developing media literacy and children's life skills;**
- **prevent the disappearance of unaccompanied and separated children by ensuring that they are provided with safe, age and gender-appropriate accommodation, with adequately trained staff; efforts must continue to be made to expand appropriate alternative care solutions following the principle of the best interests of the child;**
- **ensure consistent and quality legal representation for unaccompanied or separated children seeking international protection and the appointment of trained and certified legal guardians as soon as possible after their identification;**
- **strengthen efforts to prevent school dropout among asylum-seeking and refugee children by equipping schools and teachers with the necessary skills and resources to support integration, ensuring sustained attendance and motivation.**

ii. Disadvantaged minorities

59. In its previous reports on Bulgaria, GRETA has highlighted the vulnerability of Roma communities to human trafficking, emphasising the need for a comprehensive and co-ordinated approach to improve their integration, access to education, health care and social services,⁴³ and to prevent THB through social and economic actions for vulnerable groups, including outreach in Roma communities.⁴⁴

60. The official statistics collected by the Bulgarian authorities are not disaggregated by ethnicity. However, data from the national human trafficking hotline operated by the NGO A21 indicates an increase in the proportion of presumed victims who are Roma: from 11.1% in 2022 to 20% in 2023.⁴⁵ This increase could be attributed to better knowledge of how to report cases to the hotline, which was advertised as part of the awareness-raising campaign "Can You See Me?", produced by A21 and broadcast by Roma TV channels. Roma displaced due to the war in Ukraine are highlighted as particularly vulnerable to trafficking, emphasising the compounded risks faced by marginalised groups within the Roma population.

⁴³ See paragraph 128 of GRETA's first report on Bulgaria.

⁴⁴ See paragraph 104 of GRETA's second report on Bulgaria.

⁴⁵ Bulgaria Annual Hotline Report 2023 <https://www.a21.org/hotlinereport-2023-bulgaria>, p.4.

61. The National Strategy for Roma Equality, Inclusion and Participation 2021-2030 sets out guidelines for the implementation of policies aimed at improving the socio-economic inclusion and participation of Roma communities.⁴⁶ It highlights the vulnerability of Roma, especially women and children, to human trafficking and recognises that they face various forms of discrimination, including trafficking, forced marriages and child marriages. The strategy calls for specific actions to fight human trafficking, particularly in poor areas, and to offer extra protection for ethnic minority victims. One of the general objectives set out in this Strategy is the intensification of efforts against human trafficking. The Strategy is put into action through short-term national action plans. So far, two plans have been adopted, for 2022-2023⁴⁷ and 2024-2027.⁴⁸ The latter includes training clergy, police officers and judges to better address human trafficking within Roma communities.

62. In September 2024, Bulgaria's Parliament passed a law allowing individuals without permanent addresses, often living in illegal settlements, to register with municipalities and receive official IDs. This is particularly important for Roma communities, who are frequently affected by lack of legal documentation. By granting unregistered individuals legal recognition, this legislative change helps reduce the risk of trafficking and ensures better access to essential services, offering a critical step toward protecting marginalised groups and supporting their integration into society. GRETA welcomes this development.

63. GRETA has previously stressed the crucial role of Roma mediators in connecting the Roma community with public services in health, education and employment, and in preventing THB. In its 2022 report on Bulgaria, the European Commission against Racism and Intolerance (ECRI) recommended expanding the successful work of these mediators to promote integration and reduce discrimination.⁴⁹ The Employment Agency takes steps for the integration of economically inactive persons from the Roma communities in the labour market, with the assistance of Roma mediators, whose number has increased (73 in 2021, 83 in 2024). Women employed as Roma mediators make up about 80%. Since 2022, the Employment Agency has launched a series of trainings for Roma mediators, together with the National Network of Roma Labour Mediators Association. A new project financed by the Programme "Development of Human Resources" started in 2023, including related to the integration of inactive people into the labour market, with an emphasis on disadvantaged communities. Further, Roma mediators from the Sofia and Montana regions participated in a training on safe labour migration to Germany.

64. The NCCTHB has implemented various prevention activities targeting the Roma. In 2022, the NCCTHB Secretariat collaborated with IOM Bulgaria to hold eight sessions for Roma mediators' networks, raising awareness about safe labour migration and protection from trafficking for labour exploitation. In 2023, 14 additional sessions for Roma mediators were held by IOM Bulgaria and the NCCTHB, focusing on the risks of trafficking related to labour migration. In 2020, local anti-trafficking co-ordinators led sessions for over 1,800 primary and secondary school students, including in areas with prevalence of Roma, focusing on online trafficking risks and promoting safe internet use. Additionally, the LCCTHB in Montana organised two sessions for 40 Roma women. Further, the LCCTHB in Sliven organised campaigns and training in Roma neighbourhoods, focusing on the promoting school attendance and preventing child marriages and the sale of newborn babies.

⁴⁶ https://commission.europa.eu/document/download/0a7fca87-7f1e-43ba-b02e-d4f4edb8d73e_en?filename=national_strategy-english_google.docx.pdf

⁴⁷ https://commission.europa.eu/document/download/c187d61e-e885-461a-b9c7-e0ec2eb1d5d9_en?filename=BG_Roma%20strategy%20NAP%202022-2023%20ENG%20%283%29.pdf

⁴⁸ https://commission.europa.eu/document/download/416a3d0e-7210-4bd0-81cd-6e2b0086bfb8_bg?filename=BG_Roma%20strategy%20NAP%202024-2027%20BG_0.pdf&prefLang=en

⁴⁹ <https://www.coe.int/en/web/portal/-/bulgaria-progress-on-addressing-inequalities-but-more-needed-to-protect-lgbt-and-roma-from-discrimination-and-hate-speech-and-help-refugees>

65. As part of the project "Raising the awareness of local communities in areas with significant Roma populations on asylum and migration issues" (2020-2024), funded by the Norwegian Financial Mechanism, IOM Bulgaria organised campaigns, information sessions, workshops and seminars to raise awareness among Roma communities about human trafficking and access to social and health services. A social media campaign was launched, reaching about 235,000 individuals and having 75,000 video views.⁵⁰

66. Bulgaria has participated in several projects targeting Roma communities and with a component on THB. The JUSTROM programme (2016-2022), a joint initiative between the EU and Council of Europe, aimed to reduce discrimination and improve access to justice for Roma women, delivered training of trainers on THB and organised cascade trainings for professionals, including health mediators. The joint Council of Europe/EU programme ROMACT, focusing on Roma inclusion, has been implemented since 2013, involving 66 municipalities. The ROMACT 9 agreement (2023-2025) continues efforts to improve education, housing and employment for Roma communities.

67. Over the past two years, the NGO Dignita Foundation has intensified its work in marginalised Roma communities, focusing on women and girls at risk of gender-based violence and trafficking. It carried out research in two Roma neighbourhoods - Karmen in Kazanluk and Druzha in Novi Pazar - and produced a report which identified key risk factors, including early school dropout, early marriage and childbirth, and substance abuse among teenagers. The findings are used to raise awareness through sessions for women and health mediators, and to provide empowerment training to at-risk women and girls. Further, training for trainers was provided on online risks, including THB, by the Bulgarian Safer internet Centre in November-December 2024 and February 2025 in Kyustendil, Dupnitsa, Radomir, Pleven and Sofia.

68. The research by the NGO Dignita Foundation found an alarming drug use crisis in the Roma neighbourhood Karmen in Kazanluk. Nearly half of the local youth are using a drug known as "Pernik" or "Piko", a methamphetamine that reportedly emerged in 2018. This has led to a phenomenon of sexual exploitation, where children are coerced into sexual acts in exchange for drugs, significantly increasing their vulnerability to trafficking. Similarly, in Sliven, GRETA was informed by the LCCTHB of the increased use of drugs on victims who are first forced to take them and then their addiction is used to control them. NGOs met by GRETA highlighted that the Bulgarian government's decision to defund drug prevention programmes over a decade ago led to the collapse of the national network of drug addiction services and the absence of addiction counselling. Today, the burden of addressing drug addiction largely falls on NGOs, with minimal state involvement. Despite the National Strategy for Combating Drugs (2020-2024), which outlines goals for demand reduction and improved interagency co-ordination, the lack of enforcement against drug dealers and insufficient rehabilitation services continue to allow the crisis to worsen. GRETA is concerned about this situation, which poses serious risks, including further exacerbating individuals' vulnerabilities to THB.

69. **While welcoming the measures taken to address the vulnerabilities of Roma to human trafficking and the work of the Roma mediators, GRETA considers that the Bulgarian authorities should continue strengthening the prevention of THB through sustained social, economic and other measures for the Roma community, where intersecting forms of discrimination are present. This should include measures to promote access to education, the labour market and drug prevention and rehabilitation services, especially for women, children and young people, as a means of addressing the root causes of THB.**

⁵⁰ [Closing Event Highlights for the Migration Awareness Project | MOM | International Organization for Migration](#)

iii. Asylum seekers and refugees

70. Bulgaria is situated on the Western Balkans and Eastern Mediterranean routes, serving as a transit point for many migrants from the Middle East and Afghanistan heading to Western Europe. The State Agency for Refugees (SAR) processed a total of 22,518 applications for international protection in 2023.⁵¹ This represents a sharp increase compared to the number of applications that were processed in 2020 (3,525) and 2021 (10,999). Statistics provided by the SAR for the period from 1 January 2024 to 31 October 2024 show that the top five countries of origin by the number of applications for international protection submitted (excluding Ukraine) were Syria (7,118), Afghanistan (1,778), Morocco (773), Egypt (580) and Iraq (496).⁵² From September 2023 to August 2024, Bulgaria reported more than 9,200 first instance decisions issued, a marked increase compared to the previous 12 months. At the end of August 2024, there were 6,100 cases pending a decision at first instance, less than half compared to August 2023. It is worth noting that the level of abscondment is very high, due to the transit nature of Bulgaria in migration routes. As a result, a big percentage of the decisions taken are concluded *in absentia*. At the end of August 2024, Bulgaria was the third EU country with the highest workload as regards incoming Dublin requests (after Italy and Croatia) and it sent close to 15,000 replies, while at the same time the Bulgarian Dublin Unit operated with significantly limited human resources.⁵³

71. When a third-country national or stateless person expresses their intent to apply for international protection in Bulgaria, they must be given a copy of the guidelines outlining the application process, the procedures that will be followed, and the rights and obligations of applicants. These guidelines list organisations offering social and legal assistance. The guidelines are read aloud with a translator present, and a copy is provided in a language the applicant understands. In their comments on the draft GRETA report, the authorities indicated that, to raise awareness of THB, in 2024 the SAR organised the screening of films from the "Can You See Me?" campaign at registration and reception centres, to inform vulnerable groups and employees about the methods of involvement in trafficking and exploitation. Further, the SAR promotes the national human trafficking hotline 0800 20 100 (operated in more than 150 languages).⁵⁴

72. As indicated in GRETA's third round report, the Law on Asylum and Refugees defines "persons from a vulnerable group" as children, unaccompanied children, disabled people, elderly people, pregnant women, single parents with children, victims of trafficking in human beings, people with severe health problems, people with mental disorders and persons who have suffered torture, rape or other serious forms of mental, physical or sexual violence. In 2020, amendments to the Law on Asylum and Refugees required that in the event of identified vulnerability of special needs, a mandatory vulnerability assessment by the SAR is to be carried out and, if necessary, an individual support plan drawn up. According to the SAR's internal regulation, these documents must be included in the applicant's personal file, even if vulnerability is identified later in the asylum process, in order for the SAR to take them into consideration when deciding on whether to grant international protection.⁵⁵ Additionally, an early identification questionnaire was introduced to assess special needs for applicants with traumatic experiences, ensuring proper referrals to psychological or medical care.⁵⁶ According to the authorities, social experts from the SAR are involved in the registration process to identify vulnerable individuals and those with special needs by looking for visible signs of vulnerability. In the next stage, during an interview, further details about their circumstances are gathered, and appropriate support measures are put in place. The SAR staff follow the EUAA guidelines to identify persons with special needs. In their comments on the draft GRETA report, the authorities indicated that in 2024, training on "Multidisciplinary and holistic approach to dealing with psychological trauma in victims of trafficking" was provided to social experts by the Animus Association.

⁵¹ UNHCR, Bulgaria Protection Brief #1: The protection of unaccompanied and separated children, July 2024, p.2.

⁵² https://aref.government.bg/sites/default/files/2024-11/C-Yearly-Applications-2024_10%20EN.XLSX

⁵³ Operational plan 2023-2026 agreed by the European Union Agency for Asylum and Bulgaria, p.6.

⁵⁴ [Bulgaria - 080020100 Bulgaria](#)

⁵⁵ https://asylumineurope.org/wp-content/uploads/2024/04/AIDA-BG_2023-Update.pdf p.58. See also https://www.bghelsinki.org/web/files/reports/183/files/2023%20Annual%20RSD%20Report_EN%20clean%20-%20final.pdf p.9.

⁵⁶ https://asylumineurope.org/wp-content/uploads/2024/04/AIDA-BG_2023-Update.pdf p.58.

73. The SAR collects statistics on the number of asylum seekers identified as vulnerable.⁵⁷ In 2023, it identified 6,155 asylum seekers as vulnerable (27% of all new applicants), including 3,843 unaccompanied children (i.e. cases where the vulnerability identification is straightforward and almost automatic as it derives from the child's statement about his/her age), 130 single parents and 54 disabled persons. By way of comparison, the number of identified vulnerable asylum seekers was 797 in 2019. However, according to UNHCR, vulnerability assessments are not always conducted at the reception centres by SAR caseworkers, and those conducted are superficial. According to SAR's internal guidelines, social workers should be present during registration to identify vulnerabilities such as age, gender, disability, or experiences of torture, gender-based violence, or other severe forms of violence.⁵⁸ However, according to the Bulgarian Helsinki Committee's monitoring, in 2023, SAR social workers were present for only 50% of asylum seeker registrations.⁵⁹

74. Bulgaria's reception system comprises six reception centres, including one transit centre and five registration and reception centres, with a total accommodation capacity of 3,782. At the end of August 2024, more than 1,600 persons were reported in the reception system. Access to the registration and reception centres is given to NGOs with different profiles, which provide asylum seekers with advice on legal issues and organise a variety of activities.

75. At present, there is no system for integration of persons who have received international or temporary protection in Bulgaria. Since the completion of the Integration Programme in 2013, no other measures have been taken at national level to provide the necessary support to third-country nationals for their inclusion in society. Following amendments to the Employment Promotion Act, foreigners enjoying temporary protection, including Ukrainians, have acquired the right to register with the Labour Offices and enjoy the rights of jobseekers (including information on job vacancies, recruitment mediation and vocational training). Asylum seekers have access to the labour market when the procedure for determining their status takes longer than three months from the moment of submission of the asylum claim. In 2024, the SAR issued 1,074 certificates to asylum seekers concerning their access to the labour market. However, there are a number of barriers, such as not speaking Bulgarian and lack of documents confirming the asylum seeker's education and qualifications or a certificate of absence of previous convictions. The National Employment Agency's website does not list specific programmes aimed at refugees and has a search engine only in Bulgarian. GRETA was informed that the UNHCR launched a Refugee Employment Programme in 2024.

76. Following Russia's full-scale invasion of Ukraine on 22 February 2022, over 3 million Ukrainians entered Bulgaria, of whom almost 200,000 registered for temporary protection and some 65,000 remained in Bulgaria in January 2025. A key protection measure adopted by the Bulgarian Government on 10 March 2022 was the humanitarian aid programme for Ukrainians seeking temporary protection in Bulgaria.⁶⁰ As of 1 May 2025, a new Programme for Humanitarian Support and Integration of Displaced Persons from Ukraine granted temporary protection in Bulgaria is in force.⁶¹ Law No. 32/2022, which took effect on 26 April 2022, modified Article 39 of the Asylum and Refugees Act and introduced Article 39a, outlining the rights of persons benefiting from temporary protection to reunite with their family members, work, receive housing or suitable accommodation, access social assistance, enjoy health insurance, and receive medical care and services under the same conditions as Bulgarian citizens. Further, the Law on Labour Migration was amended in June 2022, and Article 9, paragraph 5, of this law provides that a work permit is not required for third-country nationals granted temporary protection, who enjoy the same rights as Bulgarian citizens with regard to access to the labour market and employment. Registration forms have been prepared for Ukrainian citizens, as well as brochures with information on how to have easy access to the labour bureaus. Information campaigns and job fairs have been conducted, and accommodation

⁵⁷ https://asylumineurope.org/wp-content/uploads/2024/04/AIDA-BG_2023-Update.pdf p.59.

⁵⁸ UNHCR, Bulgaria Protection Brief #1: The protection of unaccompanied and separated children, July 2024, p.5.

⁵⁹ https://www.bghelsinki.org/web/files/reports/183/files/2023%20Annual%20RSD%20Report_EN%20clean%20-%20final.pdf p.58.

⁶⁰ By Decision No. 145 of 10 March 2022 of the Council of Ministers.

⁶¹ <https://refugeelight.bg/en/humanitarian-aid-program-Ukrainians>

establishments have been visited in order to explain the services offered by the Employment Agency. The “Solidarity” project for subsidised employment was active until end of July 2023.

77. The Government has established an online portal “Bulgaria for Ukraine” to inform displaced individuals from Ukraine about their rights, which can be consulted in Bulgarian, Ukrainian and English and provides access to a 24-hour hotline.⁶² Information on human trafficking is available on this website with tips on what to watch out for and contact details of relevant agencies and organisations in case of risk, as well as a link to the NCCTHB website. Further, the Bulgarian Red Cross, together with the Ministry of Health, launched a health care hotline to help Ukrainian refugees. The Bulgarian Helsinki Committee, with the assistance of the UNHCR, also launched a hotline for legal assistance to Ukrainian refugees.⁶³

78. Moreover, the Secretariat of the NCCTHB has carried out activities to prevent THB among Ukrainians, including sessions for Ukrainian women on the risks of labour exploitation, sexual exploitation and gender-based violence. Additionally, it provided training for volunteers assisting the Ukrainian community, developed and disseminated identification guidelines for professionals, and printed and distributed both online and offline information materials and posters with concise identification guidance.

79. UNHCR conducted a multisector needs assessment of Ukrainians residing in Bulgaria, including their vulnerability to be involved in THB, which was disseminated among relevant institutions and organisations. Further, UNHCR has a network of protection and inclusion centres, and provides legal assistance, education and cash assistance to Ukrainian refugees (some 7,000 persons received the latter in 2023). In addition, the Protection from Sexual Exploitation and Abuse Network, set up by UNHCR, UNICEF and Animus Association, works to prevent sexual exploitation and abuse by aid workers.⁶⁴

80. Further, IOM Bulgaria has been actively supporting Ukrainian refugees, thanks for increased funding from the EU and Switzerland. It held several information sessions for Ukrainians living in Bulgaria, focused on social adaptation, integration, risks of human trafficking and available support. It also operates mobile protection teams that provide legal, social and psychological support. Additionally, cash-based assistance and accommodation support are available, based on vulnerability criteria.⁶⁵

81. The NGO Dignita Foundation carried out two research projects concerning the risks faces by Ukrainian refugees, one in Bulgaria and another covering six EU countries (Bulgaria, Romania, Greece, Poland, Slovakia and Germany).⁶⁶ The risk groups identified include mothers with several children, elderly people, persons with disabilities, unaccompanied children and men who have left Ukraine in order to avoid conscription. Situational risks include language barriers, uncertain accommodation, lack of child care enabling the mothers to take up formal employment, and barriers in accessing social and health services. Dignita has been working with Ukrainian refugee women to prevent THB and promote their economic integration through the labour market, organising information sessions which provide information on rights, job application processes and red flags, while fostering a sense of security and community.

82. However, during GRETA’s visit, concerns were raised by NGOs about the challenges Ukrainian refugees face when it comes to participating in the formal economy. Some 11,000 Ukrainians are accommodated in state accommodation and are allowed to work not more than 8-9 hours per week. If they choose to take up legal employment, their social benefits are cut off. Additionally, involvement in integration programmes for vulnerable groups further restricts their ability to enter into labour contracts. Should they choose to work, they would be required to leave the state housing and pay rent, which creates

⁶² <https://ukraine.gov.bg/>

⁶³ <https://ukraine.gov.bg/useful-contacts/>

⁶⁴ <https://data.unhcr.org/en/working-group/456?sv=0&geo=0>

⁶⁵ With IOM support, by the end of 2024, a total of 9,241 Ukrainians received legal and social assistance, psychological counselling and services, 3,254 cash assistance, 5,217 medical support, 4,774 vouchers for families with children, 1,605 Bulgarian language training, and 597 rental accommodation assistance. Over 2,500 Ukrainians started work with IOM support

⁶⁶ https://d2n14n6fbtpdpz.cloudfront.net/wp-content/uploads/2025/04/06132510/Risks_Human_Trafficking_Labour_Exploitation_Ukrainian_Refugees_EradicatingII_2024_EN.pdf

a significant barrier to both economic independence and stability. Further, concerns were raised about the accommodation of Ukrainian refugees, many of whom were placed in hotels along the Black Sea Coast, and risks of labour exploitation. There have also been reports of women being provided with private accommodation and asked to provide sexual services in return.

83. GRETA notes with concern that there is no vulnerability assessment of migrants at the borders nor in immigration detention facilities. Further, there are no interpreters to facilitate communication with the authorities at these key points for identification. Bulgaria is being monitored since January 2024 by Frontex fundamental rights monitors, who have recorded credible allegations of pushbacks with the use of force at the border with Türkiye, preventing the submission of applications for international protection. Reference can be made to the case of *D v. Bulgaria* (application 29447/17, judgment of 20 July 2021), in which the European Court of Human Rights found Bulgaria in violation of Article 3 (prohibition of inhuman and degrading treatment) and Article 13 (right to an effective remedy) of the European Convention on Human Rights because of the rapid return to Turkey of a journalist arrested at the border, refusing to initiate asylum proceedings and thus exposing him to a real risk of ill-treatment.⁶⁷

84. **While welcoming the steps taken in Bulgaria to amend the legislation and improve the detection of vulnerabilities among asylum seekers, GRETA considers that the Bulgarian authorities should strengthen the prevention of trafficking of asylum seekers, refugees and migrants, in particular by:**

- **ensuring that a vulnerability assessment is systematically conducted and as early as possible in the asylum process, and sensitising SAR professionals to the vulnerabilities that lead to THB;**
- **ensuring that a proper vulnerability assessment is carried out in respect of all third-country nationals apprehended at the borders or in the Bulgarian territory in order to identify their vulnerabilities and special needs;**
- **reduce the vulnerability to THB of asylum seekers and refugees by developing programmes for their social and economic integration, including language training, education, vocational training, effective access to work, social assistance and housing.**

85. **GRETA welcomes the measures taken to raise awareness of the risks of trafficking and prevent trafficking and exploitation of Ukrainian refugees, and considers that the Bulgarian authorities should continue the support provided to them, as well as ensuring enhanced monitoring of workplaces employing them. In this respect, GRETA refers to its Guidance Note on Addressing the Risks of Trafficking in Human Beings Related to the War in Ukraine.⁶⁸**

iv. Migrant workers

86. In its previous reports, GRETA outlined the steps taken by the Bulgarian authorities to prevent and combat THB for the purpose of labour exploitation, and commended Bulgaria's progress, while recommending further steps such as expanding the labour inspectors' mandate, strengthening the monitoring of recruitment agencies and improving migrant worker protections.⁶⁹

⁶⁷ [D.C. BULGARIE](#)

⁶⁸ <https://rm.coe.int/guidance-note-on-addressing-the-risks-of-trafficking-in-human-beings-r/1680a663e2>, accessed 10 July 2024.

⁶⁹ See paragraphs 75-85 of GRETA's second report and paragraphs 195-213 of GRETA's third report on Bulgaria.

87. In its third report, GRETA detailed the measures taken by the Bulgarian authorities, trade unions and NGOs to prevent trafficking of Bulgarian nationals migrating to work abroad through legislative changes, awareness raising campaigns, access to information and labour inspections.⁷⁰ The NCCTHB and the local commissions have continued their awareness-raising efforts targeting Bulgarians who migrate to seek job opportunities abroad.

88. Regarding Bulgarians migrating to work abroad, each year, at the start of the active season for seeking work abroad, the General Labour Inspectorate (GLI) issues a press release to inform the public about the risks associated with leaving the country for employment. The Ministry of Foreign Affairs distributes materials to prevent THB and provides training to its staff. Citizens are encouraged to contact embassies before migrating for work, familiarise themselves with local labour laws and understand their rights.

89. In 2012, Bulgaria's Ministry of Labour and Social Policy and the Federal Ministry of Labour and Social Affairs of Germany signed a Memorandum of Understanding based on the co-operation agreement between the two countries on combating human trafficking for the purpose of labour exploitation. More than 420,000 Bulgarian labour migrants worked in Germany at the time and improving their access to labour and social rights were among the priorities. There are 13 counselling centres for labour migrants in Germany employing Bulgarian-speaking counsellors. Since 2021, a bilateral mechanism for referral and co-ordination of cases of human trafficking for forced labour and labour exploitation between Germany and Bulgaria has been developed. Online training on the implementation of this mechanism was provided to 65 Bulgarian labour inspectors and 130 Employment Agency and Labour Offices representatives. Further, pre-departure information sessions for Roma mediators were organised.

90. The two Bulgarian trade union confederations - Confederation of Independent Trade Unions of Bulgaria (KNSB) and Podkrepa - have intensified their prevention work. They have concluded agreements with the Labour Inspectorate and inform it of alerts they receive about labour law violations. Trade unions also participate in joint inspections and information campaigns targeting migrant workers, together with the Labour Inspectorate and the police. Trade unions have developed informational leaflets on labour rights, health and safety, which are distributed to Bulgarians working in France, Germany and Italy. They also run campaigns on social security and employment rights, especially in high-risk sectors like agriculture. Digital tools, including multilingual mobile applications by the European Federation of Food, Agriculture and Tourism Trade Unions, help seasonal workers access vital information. These efforts are complemented by face-to-face support, ensuring that workers are informed about their rights and have access to help when trafficked or exploited.

91. Trade unions raised concerns about the exploitation of posted workers and provided examples of "letterbox" companies registered in Bulgaria and recruiting workers from Bulgaria and other countries who are employed in EU countries (e.g. Austria, the Netherlands) without proper social and health insurance or being paid salaries which do not correspond to the work carried out. Concerns were also raised about Bulgarians recruited to work as live-in care workers in Germany, Austria, Italy, Greece and other EU countries. It was reported that the recruitment companies rotate care workers every six months to avoid certain entitlements, such as paid leave and travel costs.

92. There is growing recognition that Bulgaria, traditionally a country of origin, is becoming a destination country for migrant workers, due to the labour force crisis in Bulgaria. It is estimated that there are some 67,000 third-country migrant workers in Bulgaria, and there are 23,517 registered foreign workers in tourism. The National Strategy on Migration 2021-2025 stresses that the fight against THB and the protection of victims is a national priority, including active prevention among vulnerable groups.⁷¹ The Strategy sets the objectives of adopting a sustainable national migration policy through well-managed migration to ensure that economic migration matches the needs of the labour market, and the arrival of

⁷⁰ See paragraphs 202-212 of GRETA's third report on Bulgaria.

⁷¹ <https://migrant-integration.ec.europa.eu/sites/default/files/2021-05/NationalStrategyonMigrationoftheRepublicofBulgaria2021-2025.pdf>, pp 28-29.

migrants entering Bulgaria legally is facilitated. It also stresses that migrant integration is essential for sustained economic growth, but it can only be achieved under conditions of social cohesion and positive multicultural dialogue.

93. Bulgaria has introduced into national legislation relevant EU provisions on labour and social protection and labour migration. The 2016 Labour Migration and Labour Mobility Act regulates the access of third-country nationals to Bulgaria's labour market. Article 49, paragraph 2, of the Act provides that third-country nationals who are holders of a Single Residence and Work Permit, a EU Blue Card or a Seasonal Worker Permit are equal to Bulgarian citizens in terms of working conditions, including with regard to pay, working hours and breaks, termination of employment, minimum age for starting work, participation in collective bargaining, safety and health at work, and conditions for access and enjoyment of social security rights. Third-country nationals have the right to change their employer if they have a EU Blue Card or are seasonal workers. As of 1 May 2024, changes came into force to ease the procedures for seasonal employment of third-country nationals who are now able to continue to work for the same employer or change employers, but for no more than 180 days consecutively within every 12 months from the initial registration, without having to leave the territory of the country. The requirement for seasonal workers employed for up to nine months to provide documents for completed education, professional qualification and prior experience has been dropped. Employers of third-country national migrant workers which violate the legal provisions are deprived of the right to have visas issued to new workers and there have reportedly been some 20 companies identified by labour inspectors as exploiting workers.

94. Intermediary employment activities are regulated by the Employment Promotion Act (EPA), which does not apply to third-country nationals, and the Ordinance on the Terms and Procedures for Carrying Out Intermediary Employment Activities. In light of the need to address the challenges arising from the employment of third-country nationals, discussions are underway within an inter-institutional working group with the aim of developing proposals to introduce a regulatory mechanism for intermediary activities related to third-country nationals' access to the Bulgarian labour market.

95. Bulgaria concluded a bilateral agreement with the Republic of Moldova on the regulation of labour migration in June 2018. The National Employment Agency offers informational materials for both employers and Moldovan workers, covering job opportunities, pay, working conditions and relevant institutions. On-the-spot checks are carried out on migrant workers and they are provided with materials on their rights in Bulgaria.

96. In partnership with the Ministry of Foreign Affairs, the Secretariat of the NCCTHB provides information to migrant workers coming for seasonal work or other types of employment in Bulgaria. Since 2018, KNSB has been supporting third-country migrant workers, providing informational leaflets in languages such as Farsi, English, Ukrainian and Russian. They also work at refugee registration centres, offering workshops, training and legal advice to ensure asylum seekers and Ukrainian refugees understand their rights and avoid exploitation. Additionally, the national human trafficking hotline operated by A21 offers support to migrant workers, providing 24/7 accessibility and live translation services in over 200 languages. This service includes job vetting to prevent trafficking by verifying the legitimacy of job offers.

97. The work of the General Labour Inspectorate (GLI) has been detailed in previous GRETA reports.⁷² There are 28 regional directorates of the GLI. As of May 2023, the GLI had a total of 515 inspector positions, of which only 311 (60%) were filled. The GLI conducts regular inspections in priority areas and monitors the activities of labour intermediaries, recruitment agencies and entities hiring third-country nationals. It targets high-risk sectors such as agriculture, construction, hospitality and domestic services. During inspections, labour inspectors use documents ("declarations") translated into different languages to inform workers on relevant issues, in which they can put in writing facts related to the work carried out, including their remuneration.

⁷² See paragraph 83 of GRETA's second report and paragraphs 208-211 of GRETA's third report on Bulgaria.

98. The GLI has concluded co-operation agreements with counterparts in Portugal, Poland, Greece, Cyprus, France, Germany and Norway. Further, the GLI has concluded tripartite co-operation agreements with the competent authorities of EU Member States and the European Labour Authority (ELA) in connection with the conduct of joint and co-ordinated inspections. In 2023 and 2024, 11 such agreements were concluded (three with Belgium, two with Germany, two with Cyprus, and one each with the Netherlands, Latvia, Malta and Greece). As part of them, joint inspections took place in the sectors of transportation (four), construction (four) and agriculture (two).

99. Trade unions met by GRETA during the visit provided examples of third-country migrant workers subjected to labour exploitation. In one case, a group of Uzbek nationals reportedly worked for six months without pay in a sewing company, under the pretext of being trained. After being fired, they faced extreme poverty and vulnerability. The trade unions, in collaboration with the Embassy of Uzbekistan, arranged for their repatriation. GRETA was informed that there have been cases of migrant workers from Asian countries (e.g. India, Nepal) arriving in Bulgaria in groups (20 to 50 people) with work contracts in the sectors of tourism and services and disappearing soon afterwards, which raises concerns that they may be moved around EU countries by criminal networks. NGOs also reported cases of Nepalese workers who were working for a totally different company (metal processing) from the one for which they were contracted (tourism), with their passports being taken away and the employer controlling their phones.

100. To help jobseekers access information about licensed companies offering temporary work and private employment agencies, a centralised electronic Employment Register has been created, available in Bulgarian and English.⁷³ When posting job vacancies, each employment and recruitment agency is required to provide the registration number under which it is authorised to operate. However, the licensing requirement applies only to employment intermediary agencies providing jobs outside Bulgaria and does not apply to foreign agencies which recruit workers to work in Bulgaria, creating a gap. Such workers sometimes pay up to €5,000 to intermediary agencies and run substantial debts before arriving in Bulgaria. The GLI has come across serious violations by foreign employment agencies which deceive workers by replacing contracts or issuing contracts with falsified signatures. The work contracts issued to migrant workers are available only in Bulgarian and the workers receive them once they are in the country. Moreover, Bulgaria still lacks legislation regulating the employment of domestic workers.

101. While welcoming the range of measures put in place to protect Bulgarian migrant workers abroad and third-country migrant workers on Bulgarian territory and the important involvement of trade unions, GRETA notes that there are remaining gaps and new challenges. **Referring to GRETA's Guidance Note on combating trafficking for labour exploitation⁷⁴ and the Council of Europe Committee of Ministers Recommendation to Member States CM/REC(2022)21 on prevention and combating trafficking in human beings for the purpose of labour exploitation,⁷⁵ GRETA urges the Bulgarian authorities to take further steps to prevent THB of migrant workers, in particular by:**

- **increasing the resources of the General Labour Inspectorate to enable it to conduct proactive inspections in all sectors;**
- **introducing a legally binding certification of recruitment agencies which act as intermediaries for migrant workers arriving in Bulgaria and ensuring that such workers are provided with contracts and information on their rights in a language that they can understand prior to arrival in Bulgaria.**

⁷³ <https://chtp-povr.az.government.bg/employment-register>

⁷⁴ <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>

⁷⁵ <https://rm.coe.int/0900001680a83df4>

102. **Further, GRETA considers that the Bulgarian authorities should:**

- **continue to raise awareness among the general public as well as, in a targeted manner, among migrant workers in Bulgaria and Bulgarians seeking employment abroad, about the risks of THB for the purpose of labour exploitation, the rights of victims of trafficking and workers' rights under labour laws, including through the national human trafficking hotline;**
- **continue providing training on THB to the General Labour Inspectorate, the Employment Agency, the migration directorates of the Ministry of the Interior and other agencies involved in the issuing of visas and work permits to foreign workers;**
- **conclude agreements with the main countries of origin of migrant workers and ensure that they include monitoring mechanisms to prevent THB and labour exploitation.**

v. Vulnerabilities related to the gender dimension of human trafficking

103. In its third report on Bulgaria, GRETA highlighted that THB is a gendered phenomenon and a form of violence against women. GRETA considered that further efforts should be made to promote gender equality, combat violence against women and support specific policies for the empowerment of women and girls as a means of combating the root causes of THB. In this regard, GRETA welcomes the legislative reforms that were introduced to tackle domestic violence in 2023, following the widespread protests that erupted in over 30 cities across Bulgaria in July 2023 because of public outrage over the violence suffered by an 18-year-old girl from Stara Zagora.⁷⁶

104. The Ministry of Labour and Social Policy is responsible for organising and co-ordinating the implementation of the state policy in the field of gender equality. A new National Strategy for the Promotion of Equality between Women and Men 2021-2030 was adopted, accompanied by action plans. The plan for 2023-2024 includes measures related to improving the professional qualifications of experts working in the field of combating THB and improving interaction in cases of child victims.

105. As noted in paragraph 67, in 2024, the NGO Dignita Foundation conducted an analysis focusing on vulnerabilities to trafficking for sexual exploitation among marginalised Roma communities. The analysis identified overlapping vulnerability factors. The findings were presented to high-level representatives of relevant public bodies in Sofia in June 2024. Following this, Dignita engaged specialists on topics such as domestic violence, addictions and human trafficking, conducting awareness raising sessions for women and health mediators in the communities.

106. Concerns about the vulnerabilities of women from third countries, including asylum seekers and refugees from the Middle East, Africa and Ukraine, were raised during GRETA's visit. Among them, especially vulnerable are women travelling alone or fleeing situations of gender-based violence, single mothers, pregnant women, women with small children, and women with little or no formal education or no work experience. The NGO Animus Association indicated that more than 50% of the beneficiaries of their "Mother and Baby Unit" are women from third countries, in an extremely vulnerable position or at risk of human trafficking. NGOs stressed that despite the need for comprehensive support, the budget of the Secretariat of the NCCTHB was too limited to address these groups.

107. The National Justice Institute, supported by the Justice Programme of the Norwegian Financial Mechanism 2014-2021, conducted training activities to sensitise prosecutors and judges about the rights and protection needs of victims of domestic and gender-based violence.

⁷⁶ https://www.svobodnaevropa.bg/a/32528068.html?utm_source=chatgpt.com

108. GRETA considers that the Bulgarian authorities should strengthen the prevention of THB through information and awareness raising aimed at eliminating gender stereotypes and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls. This should include the creation of further education, employment and participation opportunities for women and girls from Roma communities and for migrant, refugee and asylum-seeking women.

vi. Persons with disabilities

109. Persons with disabilities⁷⁷ are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination.⁷⁸ Reference can also be made to the Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support.⁷⁹

110. Bulgaria ratified the UN Convention on the Rights of Persons with Disabilities in 2012 but has yet to ratify its Optional Protocol. In the Concluding observations on the initial report of Bulgaria (22 October 2018), the Committee on the Rights of Persons with Disabilities emphasised the need to strengthen consultation mechanisms with disability organisations, particularly for women and children with disabilities, to ensure their active participation in policy development. It called for improved access to support services, inclusive education, and employment opportunities, and stressed the need for accessible legal frameworks, awareness-raising campaigns, and better safeguards against ill-treatment, particularly in institutional settings.⁸⁰

111. Bulgaria has adopted a National Strategy for People with Disabilities 2021-2030,⁸¹ which aims to improve the quality of life of people with disabilities, including children with disabilities and their families, by creating conditions and providing opportunities for their full and equal participation in the community.

112. The monitoring of specialised institutions for adults and residential care services for persons and children with disabilities is primarily carried out by the Agency for the Quality of Social Services. It is responsible for inspecting and overseeing the provision of social services through periodic, thematic, extraordinary and follow-up inspections. It also conducts annual national monitoring to assess the effectiveness of social services. Additionally, each service provider must perform regular internal control and quality monitoring, while municipalities are tasked with overseeing services within their jurisdiction. The Directorate of Social Assistance supervises the placement of children in foster care.

113. The National Employment Agency supports persons with disabilities by implementing actions aligned with Article 27 of the UN Convention on the Rights of Persons with Disabilities, the National Strategy for Employment of Persons with Disabilities 2021-2030, the Law on Promotion of Employment and the Regulations for its implementation, as well as the Law on People with Disabilities. Each Employment Office has designated mediators for unemployed persons with disabilities. An individualised approach is applied to the provision of employment services, tailored to the specific needs, health status and education of the person. A standardised package of services has also been created, including support for job search, access to education, psychological support and inclusion in training programmes.

⁷⁷ According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

⁷⁸ OSCE, *Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings*, March 2022, p.16.

⁷⁹ CEDAW, *General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration*, paragraphs 40 and 55.

⁸⁰ <https://www.undocs.org/en/CRPD/C/BGR/CO/1>

⁸¹ <https://mlsp.government.bg/uploads/41/test/nshu-2021-2030-translated.pdf>

114. GRETA was informed by NGOs working with people with disabilities that those with mild intellectual disabilities are especially vulnerable to human trafficking. This vulnerability can be heightened by certain traits, such as trusting nature and a tendency to believe unrealistic expectations. Many of these individuals face psychological difficulties that can make navigating daily life more challenging, increasing their susceptibility to exploitation. GRETA was told that there is a lack of dedicated support for people with mild intellectual disabilities, as they often fall into a grey area, not meeting the criteria for full disability status. Without a supportive family or access to legal advocacy, they face barriers in accessing their rights and the necessary services, with many institutions offering only minimal, consultative support rather than comprehensive assistance. This issue is further compounded by a significant lack of data regarding people with disabilities, making it difficult to address the needs of this vulnerable population effectively.

115. There is no data on the number of persons with disabilities who have been identified as victims of trafficking in Bulgaria. Research shows that people with disabilities are particularly vulnerable to trafficking in human beings for the purpose of forced begging.⁸²

116. In 2023, the LCCTHB in Sliven, in co-operation with the NGO Initiative Empathy Foundation - Sliven, organised a focus group for persons with special needs.

117. GRETA considers that the Bulgarian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group, in particular by:

- **ensuring regular, effective and independent monitoring of residential centres for adults and children with disabilities, including by facilitating specialised NGOs' access to these facilities;**
- **ensuring that professionals assisting persons with disabilities, including caregivers, legal guardians and teachers, are provided with training on human trafficking with a focus on vulnerabilities that lead to THB;**
- **further developing access to economic, social and health-care services for persons with disabilities as a way to reduce their vulnerabilities to human trafficking.**

vii. LGBTI persons

118. GRETA emphasises that, in general, LGBTI people are at greater risk of becoming victims of trafficking, particularly because they are often marginalised in society and excluded from their families, making them ideal targets for traffickers looking for people with less protection. They also face difficulties in accessing the labour market, as employment opportunities are scarce for those who identify outside the traditional gender binary, leading them to work more in the informal economy (including prostitution) or even to accept abusive job offers. In addition, LGBTI people are often over-represented among children in street situations and can be victims of discrimination by the authorities and services, making them less likely to file a complaint or ask for help.⁸³

119. There has been no research in Bulgarian on the vulnerability to trafficking based on sexual orientation or gender identity. However, NGOs met by GRETA during the evaluation visit highlighted that LGBTI persons are a particularly vulnerable group, notably due to stigma from their family and the society. The Secretariat of the NCCTHB and NGOs have received reports of LGBTI victims exploited for the purpose of sexual exploitation.

⁸² Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024.

⁸³ See: <https://lac.iom.int/en/blogs/lgbtqi-victims-human-trafficking> and <https://2017-2021.state.gov/wp-content/uploads/2019/02/272968.pdf> (accessed on 12/2/2025).

120. In its 2022 report on Bulgaria, ECRI noted the lack of official data on the LGBTI population in Bulgaria. ECRI recommended that the authorities set up a working group, which includes organisations from the LGBTI community, to carry out research into existing forms of discrimination against LGBTI persons with a view to developing a national strategy and action plan to combat intolerance and discrimination against LGBTI persons.⁸⁴

121. The particular vulnerabilities and needs of LGBTI migrants, asylum seekers and refugees were highlighted in the report on the fact-finding mission to Bulgaria on 11-14 September 2023 by the Special Representative of the Council of Europe Secretary General on Migration and Refugees. The report notes that while the NGO Bilitis Foundation⁸⁵ resource centre addresses some of their needs, it is the responsibility of the authorities to respond to the vulnerabilities of LGBTI individuals upon their arrival in the country, throughout the asylum process, during their stay in asylum centres, and after they are granted international protection.⁸⁶

122. In a statement published in August 2024, the UN Human Rights Office expressed deep concern over Bulgaria's signing into law of a legislative amendment banning discussions of sexual orientation and gender identity in schools. The statement calls on the Bulgarian authorities to take urgent steps to prevent and combat violence and discrimination, particularly against LGBTI youth. This concern was shared by Council of Europe Commissioner for Human Rights, who called on the authorities to tackle discrimination and hostile rhetoric against LGBTI people. GRETA is concerned that banning discussions of sexual orientation and gender identity in schools could increase the vulnerability of LGBTI persons to THB by isolating them, limiting support networks and exacerbating discrimination and violence.

123. GRETA considers that the Bulgarian authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations, in particular by conducting research into the vulnerabilities of LGBTI persons.

2. Measures to protect and promote the rights of victims of trafficking

a. Identification of victims of THB

124. As explained in GRETA's third report on Bulgaria, the National Mechanism for Referral and Support to Victims of Trafficking (NRM), first developed in 2008-2010, was approved as an official and mandatory document (with the status of secondary legislation) by the Council of Ministers in July 2016. The NRM sets out the obligations of different stakeholders and regulates the co-ordination of the various stages of dealing with cases of THB (victim identification, risk assessment, urgent needs, referral, crisis intervention, recovery and reflection period, social inclusion, safe return, participation in criminal proceedings, compensation). The identification system consists of informal and formal identification. Informal identification is carried out by agencies and organisations coming into contact with the victims, including through helplines and outreach work, and gives presumed victims access to assistance. Formal identification is vested with the bodies in charge of the pre-trial proceedings to whom presumed victims are referred if they consent to participate in such proceedings. Throughout the NRM, there are specific sections concerning child victims and foreign victims. The appendices to the NRM include lists of indicators for the identification of victims of THB, and criteria and standards for providing social services to victims.

⁸⁴ <https://www.coe.int/en/web/portal/-/bulgaria-progress-on-addressing-inequalities-but-more-needed-to-protect-lgbti-and-roma-from-discrimination-and-hate-speech-and-help-refugees>

⁸⁵ <https://bilitis.org/en/>

⁸⁶ Report of the fact-finding mission to Bulgaria by Ms Leyla Kayacik, Special Representative of the Secretary General on Migration and Refugees, 11-14 September 2023, paragraphs 72-74, available at: <https://rm.coe.int/0900001680ae3ac0>

125. With a view to increasing victim identification and encouraging victims to self-report, there are several hotlines: the national hotline for combating human trafficking, run by the NGO A21,⁸⁷ the national hotline for victims of violence, run by the NGO Animus Association,⁸⁸ as well as a phone number of the Secretariat of the NCCTHB with the possibility to submit a form ("alert") on their website.⁸⁹ These hotlines are promoted via different online and offline communication channels.

126. In 2021, an Advisory Group⁹⁰ was formed to create an online platform in order to facilitate the work of the competent authorities and NGOs in the context of the implementation of the NRM. The platform, launched in 2022, includes information on all participants of the NRM and an interactive map of social services that provide support to trafficking victims.⁹¹ Training on the NRM has been provided by the Secretariat of the NCCTHB, LCCTHB, NGOs and international organisations (IOM, UNHCR).

127. GRETA was informed that an evaluation and update of the NRM is expected to be carried out under the new stage of the Swiss-Bulgarian Co-operation Programme, which started in early 2025 and will run for four years, with an overall budget of CHF 1.7 million (approximately €1,819,850). At the beginning of 2025, an agreement was signed between Bulgaria and Switzerland, within the framework of which the NCCTHB is expected to sign a contract to implement activities amounting to CHF 320,818 (approximately €346,643). It is envisaged that the activities would cover, *inter alia*, an external evaluation of the NRM, including a proposal for amendments, as well as targeted prevention and raising awareness with a focus on safe migration of Roma, improved data collection, and improved competencies in terms of identification, referral and support of victims.

128. The previously mentioned study conducted by the NGO SOS-Families at Risk (see paragraph 32) analysed the application of the NRM and found some good practices in the proactive identification of presumed victims, for example by social workers. The study also highlighted gaps in victim identification, which are related to the victims' lack of trust in the institutions, difficulties arising when victims have intimate relationships with the traffickers, and lack of knowledge on the part of officials identifying victims of the *modus operandi* and indicators of THB.⁹² According to NGOs met by GRETA, there is still a lack of awareness of the NRM. Most of the victims met by GRETA were identified after reporting themselves to the police. GRETA stresses the need for improving the proactive detection of victims of THB, which is not dependent on victims self-identifying, and sharing of information between participants in the NRM.

129. GRETA notes with concern that the NRM lacks dedicated funding. Challenges persist in the referral process, particularly in organising the return of victims of trafficking from destination countries. These expenses are not covered by state funding and are instead addressed through collaborative efforts with NGOs and international organisations, often relying on external funding from projects.

⁸⁷ [Bulgaria - 080020100 Bulgaria](#)

⁸⁸ [Национална гореща телефонна линия за пострадали от насилие | Фондация "Асоциация Анимус"](#)

⁸⁹ [Начало | Национална комисия за борба с трафика на хора](#)

⁹⁰ The Advisory Group included representatives from the State Agency for Refugees, the Agency for Social Assistance, the Agency for Quality of Social Services, the State Agency for Child Protection, the Prosecutor's Office, the General Directorate National Police, the General Directorate Combating Organised Crime, the General Directorate Border Police, the Chief Labour Inspectorate, IOM and UNHCR. The creation of the platform is part of the activities under the project "ACTIVATE - Improving the Identification of Victims, Prevention of Human Trafficking and Support Mechanisms," funded by the Asylum, Migration and Integration Fund and implemented by the NGO Animus Association.

⁹¹ www.nrm.bg

⁹² Available in Bulgarian at: https://antitrafficking.government.bg/uploads/Report_THB_2017_2022_Ani_Nikolova.pdf

130. There is increased awareness of the fact that Bulgaria, which has traditionally been a country of origin, is also a country of destination of trafficked people. While in the previous reporting period the NCCTHB Secretariat had received only two alerts about presumed foreign victims of THB, the number of such alerts has increased in recent years, reaching 18 presumed foreign victims in 2021-2024 (see paragraph 16). However, there have been no formal identifications as this remains linked to the opening of pre-trial proceedings for trafficking. The NGO Animus Association runs a programme for vulnerable third-country national women, of whom some 80% have reportedly experienced trafficking situations, but none have been formally identified as victims of THB. Only three presumed foreign victims of THB have been referred to specialised shelters for assistance (two in Varna and one in Sofia) since 2021. According to NGOs met by GRETA, women from Moldova and Ukraine are advertised on sites for sexual services and are engaged in prostitution in Sofia and Black Sea resorts, but the cases are treated by the Prosecutor's Office as administrative violations. In this context, some prosecutors met by GRETA indicated that without a complaint from a potential victim there can be no criminal case for THB.

131. The SAR has received training and guidance on the identification of potential victims of THB seeking international protection, conducted by Animus Association, A21, Bulgarian Healthcare Committee and UNHCR. The EUAA manuals and guidelines for identifying and working with vulnerable groups of asylum seekers are being used by the SAR. During the registration of asylum seekers, SAR officials explain in detail the stages of the procedure, in a language that the person concerned understands. The information includes contacts of NGOs and institutions that can provide assistance on various issues, including the rights of victims of trafficking in human beings. Social experts from the SAR carry out initial needs assessments of the newly admitted persons and in case of suspicion that a person has become a victim of trafficking or has another vulnerability, a "full" needs assessment is carried out and, if necessary, the competent institutions are informed to carry out follow-up actions. However, GRETA was informed that the initial interviews with asylum seekers conducted by the SAR do not include questions specifically targeting possible situations of human trafficking. The Law on Asylum and Refugees provides for an initial medical examination to assess whether an applicant is vulnerable, but the chances of identifying victims of trafficking during routine medical check-ups are not very high. No cases of persons identified as victims of trafficking amongst asylum seekers have been identified. The SAR does not maintain statistics about the grounds on which international protection has been granted and it is therefore not possible to know if any persons have been granted international protection because of being victims of THB.

132. The GLI exercises control over violations of the labour legislation, the employment promotion legislation and the Labour Migration and Labour Mobility Act, which are defined as administrative violations. Labour inspectors do not have legal powers to investigate the criminal offence of trafficking in human beings and when they find that there is a violation beyond their competence, they notify the relevant authorities (Prosecutor's Office, Ministry of Interior, NCCTHB). The GLI does not monitor uncontrolled sites and the publication of fraudulent job advertisements and has no authority to remove them. However, it checks for published job advertisements in connection with the control of intermediary agencies. In December 2023, an online training of labour inspectors was conducted, organised by the NCCTHB to raise awareness regarding labour exploitation, including the NRM and targeted prevention among vulnerable communities, which covered approximately 18% of the staff of the GLI.

133. There is no evidence of proactive identification of potential victims of THB at the borders and no such victims have been identified by the Border Police. GRETA's third report raised concerns about the increased number of refusals of entry and expulsions without an individual assessment of protection needs ("pushbacks") along the border of Bulgaria and Türkiye. According to Frontex fundamental rights officers, these incidents have decreased thanks to improved co-operation with Türkiye. However, Border Guards are not instructed to look for indicators and risks of THB amongst irregular migrants and the risk analysis documents provided to Border Guards are reportedly silent on this issue. Further, GRETA was informed that there is a lack of interpreters for interviewing irregular migrants and Border Guards do not know to whom to refer potential victims of THB. Similarly, there is no identification of possible victims of THB in immigration detention centres.

134. GRETA pays particular attention to the awareness of staff working in prisons and remand prisons to the issue of THB, due to the fact that some victims of THB might be detained as a result of failure to carry out the identification procedure and apply the non-punishment principle. According to the Bulgarian authorities, thanks to the non-punishment provision which is enshrined in the Bulgarian CC, victims of THB should not be found in prisons. In case a prisoner claims to have suffered from trafficking in human beings, he/she has the right to report to the Prosecutor's Office, as well as to speak with the relevant social worker and/or psychologist. No training or sensitisation has been provided to prison staff on the issue of THB, except for the welcome initiative of the LCCTHB in Sliven, which organised in 2024 training on THB for staff working at the women's prison in Sliven (which holds all female prisoners in the country).

135. **GRETA urges the Bulgarian authorities to further improve the identification of victims of THB, including by:**

- **providing systematic training to officials of the SAR, migration officials, border police staff, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants, focusing on the proactive identification of victims of trafficking and the procedures to be followed;**
- **ensuring that the police, border police and immigration police have access to qualified and trained interpreters by introducing a regulation and remuneration for interpreters in these services;**
- **ensuring that pre-removal risk assessments prior to all forced removals from Bulgaria fully assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of *non-refoulement*. In this context, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection.⁹³**

136. **Further, GRETA considers that the Bulgarian authorities should:**

- **assess the implementation of the NRM and update the indicators for victim identification;**
- **encourage self-identification through strengthened outreach amongst vulnerable groups (e.g. persons engaged in prostitution, migrant workers, ethnic minorities), the provision of accessible information to potential victims and steps to build their confidence in the institutions;**
- **ensure the sustainability of the national human trafficking hotline as an instrument for early detection of victims as well as prevention;**
- **expand the training of law enforcement officers, asylum case workers, social workers, cultural mediators, interpreters and legal professionals on the vulnerabilities to THB, the evolving methods of recruiting and controlling victims, the impact of trauma on victims, and how to build confidence and overcome prejudices and misconceptions which result in failure to identify victims.**

⁹³ <https://rm.coe.int/guidance-note-on-the-entitlement-of-victims-of-trafficking-and-persons/16809ebf44>

b. Assistance to victims

137. The NRM regulates the steps and procedures to be followed in order to ensure assistance to victims of THB. According to the NRM, assistance to all victims of human trafficking is unconditional. Formally and informally identified victims can benefit from the specialised residential and other services provided for under the Anti-Trafficking Law, as well as from services provided for under the Social Services Act and funded as state delegated activities.⁹⁴

138. In the period following the third evaluation by GRETA, the political instability referred to in paragraph 20 deteriorated the provision of services to victims of THB. In July 2023, GRETA received reports raising serious concerns about the risks of discontinuation of the provision of assistance to victims of THB in Bulgaria. The state funding for the running of the specialised shelters for victims of THB had been interrupted, making it impossible to provide minimum standards of care to the victims, including food, medication, essential supplies and security of the premises. On 13 July 2023, GRETA sent a letter to the then-Chair of the NCCTHB, requesting information on the urgent steps taken to ensure the sustainability of the assistance and protection measures provided to victims of human trafficking. Subsequently, the Council of Europe provided a direct grant of €14,900 to the NCCTHB and the NGO SOS-Families at Risk for the urgent support of victims at the specialised shelter in Varna. As noted in paragraph 24, the budget of the NCCTHB was increased in 2024, ensuring the continuation of the functioning of the specialised services. However, towards the end of 2024, there was once again uncertainty about the funding of the shelters and other services in 2025, due to the absence of a Chair of the NCCTHB entitled to approve the documents for the tender for the provision of services. In their comments on the draft GRETA report, the authorities indicated that the public procurement procedures for awarding the management of the specialised services have been completed and contracts have been concluded with the NGOs Demetra and SOS Families at Risk.

139. At present, the NCCTHB operates seven specialised services for adult victims of THB, including three shelters for temporary accommodation (in Sofia, Burgas and Varna), one shelter for subsequent/long-term reintegration (in Burgas) and three counselling centres (in Sofia, Burgas and Varna). The total accommodation capacity is 26 places. Further, since 2020, one of the country's crisis centres for children, in Sofia, has been designated as priority accommodation of child victims of human trafficking, operating under the Social Services Act as a state delegated activity (see paragraph 145).

140. As noted in paragraph 10, the GRETA delegation visited all three specialised shelters for adult victims of human trafficking (in Sofia, Burgas and Varna) as well as the shelter for long-term integration of victims in Burgas. GRETA was impressed by the dedication and caring attitude of the staff working at the shelters who work in difficult circumstances.

141. The shelter in Sofia was set up in 2021 and is run by the NGO SOS-Families at Risk. With a capacity of 10 beds, it was accommodating 5 women at the time of the visit (3 more women were periodically coming for consultations on social and legal issues and psychological counselling). The shelter employs 6 staff, including social workers, providing presence around the clock. The victims can remain in the shelter until the end of the criminal proceedings. Since its opening, the shelter had accommodated 41 persons (36 women and 8 children of the victims), all but three of whom were Bulgarian nationals.⁹⁵ The majority were trafficked abroad for the purpose of sexual exploitation. Some 80% of the women had no formal education or were with intellectual disability or mental illness. The shelter assists them to obtain certification of their disability, which entitles them to financial assistance, supports them in finding employment and following education and vocational training.

⁹⁴ These include 11 crises centres for adults, 20 crises centres for children, 4 temporary accommodates centres and 5 shelters.

⁹⁵ One woman from the Philippines (exploited in domestic work), and one woman from Poland and one woman from Ukraine (trafficked for sexual exploitation).

142. The shelter in Burgas is run by the NGO Demetra. It has a capacity of six places and was accommodating two women at the time of the visit. In 2020-2024, a total of 52 persons were accommodated at the shelter (28 women, 17 children of victims and 7 men). Victims are provided with psychological counselling, legal consultations, art therapy and support to find work. In Burgas, GRETA also visited a three-room flat used for long-term integration of victims, located in the same building as the shelter, which was undergoing refurbishment. One man, a victim of labour exploitation in the Netherlands, was accommodated there at the time of the visit.

143. The shelter in Varna, run by the NGO SOS-Families at Risk, has a capacity of 10 beds and was accommodating 4 women at the time of the visit. From 2021 up to October 2024, it had had 44 clients (36 victims and 8 children of victims). The length of stay depends on the risk assessment and the victim's participation in criminal proceedings. Many women have disabilities and stay at the shelter until another social service can be found. There have been only three presumed foreign victims accommodated in the shelter (from Poland, Philippines and Ukraine). The shelter employs 6 staff members, one of whom works part-time.

144. According to data provided by the Secretariat of the NCCTHB, the total number of persons who received assistance (including residential and consultation services) was 25 in 2020, 42 in 2021, 51 in 2022, 45 in 2023, 49 in 2024, and 30 in the first half of 2025. The majority of them were women trafficking for sexual exploitation. The figures include children of the victims. The number of men who received assistance was 0 in 2020, 1 in 2021, 3 in 2022, and 2 in 2023.

145. GRETA also visited a crisis centre for child victims of violence in Sofia, with priority accommodation of child victims of human trafficking, with a capacity of 10 beds. The crisis centre comprised three services: a crisis centre for children in street situations, a crisis centre for victims of trafficking and a day centre. In 2022, it accommodated 22 children, of whom two were girls believed to be victims of human trafficking. GRETA was informed that many of the children have learning disabilities. The establishment is funded by the state budget (Agency for Social Assistance) and is operated by Sofia Municipality as a state-delegated service. While the crisis centre for children in Sofia is the only one in the country which receives victims of THB as a priority, all crisis centres in the country receive children with a range of different problems (i.e. victims of domestic violence or neglect, victims of THB, children who have committed illegal acts, substance abusers, etc.). As a result, the specific needs of child victims of THB cannot be adequately met. According to reports, child victims of trafficking become the target of ridicule and humiliating treatment.⁹⁶ Children are placed in crisis centres by court decision, for a period of up to six months, upon a request of the Social Assistance Directorate, a prosecutor or a parent. The State Agency for Child Protection (SACP) has issued "Methodological Guidelines for Operating Crisis Centres as a Social Service" and carries out inspections, both planned and ad hoc, following a report or a complaint.⁹⁷ The last three inspections of a crisis centre for children were conducted in 2023, each carried out following the submission of a report.

146. While welcoming the increase in the specialised services for victims of THB and the budget of the NCCTHB, the availability of State funding for the assistance of victims of trafficking remains low and precarious. The procedure for annual procurement (tenders) for the running of shelters and other services for victims of trafficking has been repeatedly delayed due to gaps in the appointment of the Chair of the NCCTHB. Further, it is difficult to engage and retain staff with short-term, precarious contracts due to delays in the procurement procedure.

147. Further, GRETA notes that the funding per person per day for the running of crisis centres under the Social Services Act is three times higher than that provided to shelters for victims of THB under the Anti-Trafficking Law. It should be noted that the victims accommodated in the shelters include women and girls who are severely traumatised from the exploitation they have suffered and require specialised services and protection. In their comments on the draft GRETA report, the Bulgarian authorities indicated

⁹⁶ See p. 54 of https://antitrafficking.government.bg/uploads/Report_THB_2017_2022_Ani_Nikolova.pdf

⁹⁷ See paragraphs 139-140 of GRETA's second report on Bulgaria.

that a discussion on possible mechanisms to secure sustainable funding for specialised services for victims was included in the agenda of the last meeting of the NCCTHB at the end of June 2025.

148. During GRETA's visit, civil society highlighted the importance of addressing the vulnerabilities of men to THB. Victim support services have been primarily designed for women, particularly those exploited sexually, leaving men without tailored support. Male victims, often at greater risk of forced labour, require specific attention. In 2024, the NGO Animus Association contributed to the publication of "Empowering Men Affected by Trafficking in Human Beings through Adult Education: Guidelines and Recommendations developed by Victim Support Organisations" which highlight the specific needs of male victims.

149. Access to health care remains a significant issue for victims of human trafficking in Bulgaria. As noted previously, the majority of victims accommodated in the specialised services are people with various forms of mental illness and/or intellectual disabilities. Their condition requires long-term medical work and monitoring. A large part of the victims are also persons with lost health insurance rights because they were not paying contributions while they were trafficked. The absence of contributions to the National Health Insurance System, including by victims of crime, limits access to medical services beyond emergency care. This restriction on access to health care, including dental services, may contribute to the victims' reluctance to assist the authorities in the prosecution of perpetrators. GRETA stresses that access to health care is fundamental element of recovery for a victim of exploitation, violence and/or abuse.

150. GRETA welcomes the efforts made to maintain and expand the availability of specialised services for victims of THB. Despite these efforts, there are continuing gaps in the provision of assistance to victims of THB in Bulgaria. **Consequently, GRETA once again urges the Bulgarian authorities to ensure that the assistance measures provided for in the Convention and by Bulgarian law are guaranteed in practice, in particular by:**

- **providing adequate funding to ensure the availability, sustainability and quality of the specialised services for victims of THB and to support their long-term social inclusion;**
- **ensuring that child victims of THB benefit from specialised accommodation and services across the country, taking into account the best interests of the child;**
- **guaranteeing access to health care to all victims of THB;**
- **strengthening the capacity to assist male victims of THB, including the provision of residential services for them.**

3. Substantive criminal law and procedural law

a. Notion of abuse of a position of vulnerability in the law and case-law

151. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.⁹⁸ It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when "an individual's personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim's situation."⁹⁹

⁹⁸ See UNODC Issue Paper *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, p. 3.

⁹⁹ UNODC [Guidance Note](#) on "abuse of a position of vulnerability" as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

152. Bulgaria's Criminal Code (CC) and Law on Combating THB do not refer to the terms "vulnerability" or "abuse of a position of vulnerability" in respect of the crime of trafficking in human beings. As explained in GRETA's previous reports, the basic offence of trafficking in human beings, as laid down in Article 159a, paragraph 1, of the CC, is a combination of actions and exploitative purposes, while the means are considered as aggravating circumstances ("qualifying elements") under Article 159(a), paragraph 2, of the CC. Therefore, to prove the *corpus delicti*, it is sufficient to demonstrate that one of the actions took place with the purpose of exploitation, without having to prove the use of means. While acknowledging that this may contribute to making the prosecution of traffickers easier in terms of evidential requirements, GRETA notes that there are potential risks, such as confusion with other criminal offences, difficulties regarding mutual legal assistance with countries which have incorporated the means in their national definition of THB, and the interpretation of Article 4(b) of the Convention concerning victim's consent.¹⁰⁰ In this respect, GRETA notes that the 2024 criminological study, which analysed Bulgarian law and legal practice related to THB (see paragraph 18) argues that the absence of the element of "means" in the basic offence of THB in the Bulgarian CC has a number of negative effects, such as problems around interpreting the irrelevance of the victim's consent where no means have been used, and difficulties in differentiating between trafficking for the purpose of sexual exploitation and pimping.¹⁰¹ The study identifies a number of other differences between Bulgarian and international law and makes recommendations for addressing them in the context of the forthcoming transposition of the revised EU Anti-trafficking Directive.

153. The Bulgarian authorities have argued that several other parts of the provisions regulating THB offences are part of the concept of "vulnerability". According to them, this concept includes some of aggravating circumstances under Article 159(a), paragraph 2, of the CC, namely the commission of the THB offence "with regard to an individual who has not turned eighteen years of age", "through the use of coercion or by misleading the individual, "through abuse of a status of dependency" and "through the abuse of power". THB committed with such aggravating circumstances is punishable by imprisonment from three to 10 years and a fine of from BGN 10,000 to 20,000 (equivalent to from €5,111 to €10,222). Further, the authorities have argued that Article 159(a), paragraph 3, of the CC, which criminalises trafficking of a pregnant woman with the aim of selling her child, is a reflection of the legislator's acceptance that when the victim is a pregnant woman (in the latter case, a special purpose of the act is required, namely, the sale of the child), vulnerable victims are involved and this increases the public danger of the act. The punishment for the latter offence is from three to 15 years' imprisonment and a fine of from BGN 20,000 to 50,000 (equivalent to from €10,222 to €25,555).

154. Judges from the Supreme Court of Cassation met during the visit argued that Article 159(a), paragraph 2, of the CC, using the term of "abuse of a status of dependency", covers the Convention's term of "abuse of a position of vulnerability".

155. The Prosecutors' Office pointed out that when determining the type and degree of punishment, the court is required to take into account all aggravating and mitigating circumstances. Therefore, circumstances such as the very young age of the victim, the pregnancy of a trafficked woman or the victim's poor health leading to his/her vulnerability should be considered as aggravating factors in determining the individual sentence. However, it is not sufficient to objectively demonstrate the victim's vulnerability, but also necessary to prove that the offender knew or ought to have known of the victim's vulnerability and intentionally manipulated the victim on that basis.

156. While the Bulgarian authorities have provided a lot of information on training provided to prosecutors and judges, it would not appear that the concept of "abuse of a position of vulnerability" is addressed in criminal justice training. Neither is there a specific guidance on applying this concept.

¹⁰⁰ See paragraph 180 of GRETA's second report on Bulgaria.

¹⁰¹ Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024, pp. xvii-xviii and xxii.

157. According to lawyers representing victims of THB, in practice, the prosecutor leading the case would often start the proceedings with a “working” accusation under the first paragraph of 159a of the CC and, later in the course of the investigation, after accumulation of evidential material, the prosecutor may deem that the accusation better falls under one or more of the scenarios provided in the second paragraph (qualifying circumstances), most often “abuse of a status of dependency” or “promising, giving away or receiving benefits”. Lawyers representing victims of THB have argued that perpetrators should be investigated under 159a, paragraph 2, of the CC (“abuse of a status of dependency”) on the account of using of the victim’s emotional dependence, after engaging in an intimate relationship with her, using the victim’s dependence from narcotic substances and personally supplying her with such substances, or using the victim’s emotional and financial dependence, after having a baby together with her.

158. GRETA stresses the fundamental importance of using a definition of THB on which there is international consensus. As noted in paragraph 151, “abuse of a position of vulnerability” is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking. Although GRETA understands that, in Bulgarian law, in many cases “a status of dependency” can be interpreted as a situation of vulnerability, GRETA stresses that adopting legislation in harmony with the wording of the Convention has many advantages, including gaining legal clarity and avoiding a limited national interpretation of the concept and international misunderstanding. As part of the legislative changes which are expected to take place with a view to harmonising Bulgarian legislation with the revised EU Anti-Trafficking Directive, **GRETA urges the Bulgarian authorities to introduce the concept of “abuse of a position of vulnerability” in the criminalisation of THB, and to provide training and guidance to investigators, prosecutors and judges on how victims’ position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.**

b. Investigation, prosecution and sanctions

159. As noted in paragraph 25, in October 2022, the Prosecutor General issued Instructions for the organisation of work in relation to pre-trial proceedings opened for THB.¹⁰² The aim of these binding Instructions is to introduce a unified mechanism for handling and supervising cases of THB, provide an effective protection of the rights of victims, overcome difficulties in the prosecution, and improve inter-agency co-ordination and international co-operation. Pursuant to these Instructions, specialised prosecutors and investigators should be assigned to THB cases. Cases of THB with a transnational element or involving children should be assigned to investigators from the National Investigation Service. The Instructions also provide for the prioritisation of the collection of evidence, including financial evidence, and measures to prevent situations of direct contact between victims and perpetrators. The Instructions pay particular attention to measures against legal persons involved in THB, including confiscation of criminal assets and compensation of victims.

160. Further, in June 2024, a specialised interagency unit was set up to facilitate the investigation of organised crime, including THB, comprising prosecutors from the Supreme Prosecutor’s Office and officials of the National Police and GDBOP. It presents monthly reports to the Prosecutor General and the Minister of the Interior. An order was issued by the Prosecutor General a.i. in September 2024 concerning the provision of enhanced methodological assistance and monitoring of the investigation and prosecution of cases including THB. Further, the Supreme Prosecutor’s Office introduced in September 2024 a register for pre-trial proceedings on THB. The list of prosecutors and investigators assigned to THB cases is updated monthly. There are currently 579 prosecutors and 152 investigators across the country assigned to work on THB cases.

161. New police officers are trained at the Academy of the Ministry of the Interior and the subject of THB is included in their curriculum. Specialised modules on THB are also provided to senior police officers.

¹⁰² Available in Bulgarian at: https://prb.bg/bg/pub_info/opovestyavane-na-dokumenti/vtreshni

162. The authorities provided detailed information on the training provided to prosecutors and investigators on the topic of THB (10 training sessions in 2020 involving 54 prosecutors, 11 investigators and 6 prosecutor's assistants; 9 training sessions in 2021 involving 24 prosecutors and 14 investigators; 5 training sessions in 2022 involving 6 prosecutors and 1 junior investigator; 8 training sessions in 2023 involving 46 prosecutors and 19 investigators; and 6 training sessions in 2024 involving 12 prosecutors). Pursuant to the above-mentioned 2022 Instructions, each prosecutor and investigator designated to work on THB cases must receive training on conducting interviews with victims and available victim protection measures, the use of ICT, and financial aspects of THB.

163. Training of the judiciary is provided at the National Institute of Justice (NIJ) as well as within different projects. The obligatory training of junior judges, prosecutors and investigators includes the topic of human trafficking, but serving judges are not obliged to follow training. In their comments on the draft GRETA report, the authorities indicated that in the context of mandatory initial training, during the period from 1 January 2020 to 31 May 2025, 154 junior judge candidates, 168 junior prosecutor candidates and 113 junior investigator candidates were trained on issues related to THB. Self-learning resources have been accessed by 1,768 representatives of the judiciary. As of 31 May 2025, a total of 913 judges, prosecutors, investigators and other professionals have received training from the NIJ on topics related to THB. Further, as part of the project "Prevention and combating violence against women and domestic violence", a series of training session focusing on the rights of victims and the prevention of secondary victimisation were provided, including concerning trafficking of women for the purpose of sexual exploitation. Another relevant project implemented since 2024 is related to enhancing juvenile justice.

164. There has been a gradual decrease in the number of newly opened pre-trial proceedings for THB over the years and compared to the previous reporting period.¹⁰³ According to data provided by the Prosecutor's Office, the number of newly instituted pre-trial proceedings for THB was 76 in 2020, 55 in 2021, 57 in 2022, 52 in 2023, and 64 in 2024. The majority of them (around 80%) were for THB for sexual exploitation. The number of persons prosecuted to THB was 69 in 2020, 77 in 2021, 65 in 2022, 52 in 2023, and 69 in 2024. The number of persons convicted of THB and punished with a final judicial decision was 46 in 2020, 27 in 2021, 37 in 2022, 40 in 2023, and 42 in 2024. The number of penalties imposed on the convicted persons was 73 in 2020 (13 effective prison sentences, 31 suspended prison sentences, and 27 fines amounting to BGN 340,900, equivalent to approximately €174,234), 39 in 2021 (9 effective prison sentences, 18 suspended sentences, and 12 fines amounting to BGN 107,500, equivalent to approximately €54 943), 49 in 2022 (12 effective prison sentences, 25 suspended sentences, 12 fines amounting to BGN 134,000, equivalent to approximately €68,487), 63 in 2023 (19 effective prison sentences, 20 suspended sentences, 1 probation, 23 fines amounting to BGN 223,010, equivalent to approximately €113 980), and 54 in 2024 (8 effective prison sentences, 34 suspended sentences, 12 fines amounting to BGN 107,200, equivalent to approximately €54,800). Since 2014 no data has been collected by the Prosecutor's Office as regards the length of punishments imposed by final convictions.

165. GRETA notes the relative lack of prosecuted cases of trafficking for the purpose of labour exploitation in Bulgaria. As noted in the third GRETA report, there are no criminal offences of forced labour or labour exploitation under Bulgarian law. Forced labour is only criminalised in the context of human trafficking (Article 159a of the CC). Even though the Bulgarian definition of the basic offence of THB does not include the element of means, in case there is no proof of use of force or physical violence, cases of severe exploitation are not investigated as human trafficking, but are considered to constitute administrative (labour law) violations. It would appear that prosecutors apply an unduly narrow definition of the concept of "forced labour". Failure to collect supporting evidence during labour inspections, due to lack of proper engagement with victims of exploitation, contributes to the lack of successful prosecutions. Interlocutors met during the visit provided examples illustrating difficulties in prosecuting cases of THB for the purpose of labour exploitation. One example provided by NGOs concerned a case in which pre-trial proceedings were opened in the city of Rousse, but despite clear indications of labour exploitation, the case was closed by the Prosecutor's Office. In Burgas region, GRETA was informed of a case in which two men from Kyrgyzstan were contracted by an intermediary agency to work in agriculture in Bulgaria. Their

¹⁰³ The number of pre-trial proceedings in THB cases was 85 in 2015, 104 in 2016, 86 in 2017, 60 in 2018, and 87 in 2019.

living and work conditions did not correspond to the contract, they did not have medical and social cover, and when they complained, they were sacked. The Prosecutor's Office in the town of Karnobat (Burgas Region) refused to open pre-trial proceedings. GRETA was informed that labour inspectors do not report cases which might involve THB to the police and prosecution. It is noteworthy that labour inspectors are not involved in the work of the local anti-trafficking commissions.

166. GRETA notes with concern that a significant proportion (around 2/3) of the penalties upon conviction for THB continue to be suspended. A considerable proportion of first-instance criminal proceedings for THB end with a plea-bargaining agreement (court settlement) between the prosecution and the perpetrator, resulting in lenient sentences and suspended imprisonment.¹⁰⁴ Various interlocutors noted that the general knowledge of judges of THB and their sensitivity to the position of trafficking victims is still low. GRETA stresses once again that failure to convict traffickers and the absence of effective sentences engenders a culture of impunity and undermines efforts to support victims to testify. GRETA refers to the 2024 criminological study on THB commissioned by the Ministry of Justice (see paragraph 18) which found that the penalties for THB are lenient, there is an underestimation of the public dangerousness of the offences, and the sanctions are not effective, proportionate and dissuasive. In addition, insufficient use is made of financial sanctions, such as confiscation, as well as deprivation of certain rights when the offender has acted in an official position. The study criticises the practice of punishing THB as a minor crime which jeopardises the purposes of the correction process.¹⁰⁵

167. In their comments on the draft GRETA report, the Bulgarian authorities have argued that the plea-bargaining procedure is comprehensively regulated in the Code of Criminal Procedure (CCP) and has proven its benefits as a procedural tool for concluding cases within a reasonable time. The authorities highlighted that Article 381(3) of the CCP allows a plea agreement only if the material damages caused by the crime have been compensated or secured,¹⁰⁶ and that since the criminal offence of THB carries minimum imprisonment penalties, in case of a court settlement, imprisonment cannot be replaced by probation. According to Point 17.1 of the 2022 Instructions for the organisation of the work of the Prosecutor's Office in relation to pre-trial proceedings opened for trafficking in human beings (see paragraph 159), when a plea agreement proposal is submitted, prosecutors must carefully assess the public danger of the act and the offender considering the specific facts of the case. The court's order approving the agreement is served on the victim or their legal heirs, who are informed of their right to seek non-pecuniary damages in civil court. Point 18 of the 2022 Instructions directs prosecutors, in cases where the victim is a child or a person with mental or physical disabilities, to consider filing a civil claim on the victim's behalf under Article 51 of the CCP. However, GRETA is concerned that the possibility and advantages of plea bargaining in less serious cases (see paragraph 166) might induce officials to downgrade a THB case in order to facilitate a convenient outcome.

168. Another continuing issue of concern is the duration of criminal proceedings, both in the pre-trial and the trial phase, and the number of interrogations of victims. GRETA was provided with cases of THB which have reached the Supreme Court of Cassation, and from which it is evident that it could take up to 10 years from the start of the investigation and the final conviction.

¹⁰⁴ The number of plea-bargaining agreements (court settlements) in THB cases was 19 in 2020, 12 in 2021, 21 in 2022, 18 in 2023 and 30 in 2024.

¹⁰⁵ Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024.

¹⁰⁶ The settlement of the case under the plea agreement does not preclude compensation for the damage sustained by the victim. See paragraph 201 of GRETA's third report on Bulgaria.

169. **While welcoming the attention paid by the Prosecutor's Office to improving the investigation and prosecution of THB and the setting up of a specialised interagency unit, GRETA once again urges the Bulgarian authorities to take additional measures to strengthen the criminal justice response to THB, including by:**

- **strengthening efforts to investigate, prosecute and convict perpetrators of trafficking for the purpose of labour exploitation and providing guidance on the scope of forced labour, in line with the ILO indicators of forced labour and the case-law of the European Court of Human Rights;**
- **ensuring that THB cases are prosecuted as such, rather than as other/lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;**
- **ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ).¹⁰⁷**

170. **Further GRETA considers that the Bulgarian authorities should continue providing specialised training to police officers, investigators, prosecutors and judges on THB, the rights of victims, the impact of trauma, and the application on the concept of "abuse of a position of vulnerability", which is part of the international definition of THB.**

c. Criminalisation of the use of services of a victim

171. As noted in previous GRETA reports, using the services of trafficked persons is criminalised under Article 159c of the CC, which reads as follows: "A person who takes advantage of a person who has been subjected to trafficking in human beings for the purpose of debauched activities, forced labour or begging, removal of a body organ, tissue, cell or body fluid or holding him/her in forceful subjection, regardless of his/her consent, shall be punished by imprisonment from three to 10 years and a fine of from BGN 10,000 to 20,000". The Bulgarian authorities have stated that it is possible that the exploitation is carried out personally by the perpetrator or that he/she knowingly creates the conditions for such exploitation by others.

172. GRETA was provided with one example of application of Article 159c of the CC. By judgment No. 60 of 2 March 2023 of the Varna Regional Court in criminal case No. 499/21, confirming verdict No. 260047 of 26 February 2021 of the Varna District Court in criminal case No. 652/2019, a man was found guilty under Article 159c of the CC and sentenced to three years' imprisonment and a fine of BGN 10,000 (approximately €5,111).

173. **GRETA considers that the Bulgarian authorities should carry out targeted information campaigns to raise awareness of the criminalisation of the use of services of victims of THB.**

¹⁰⁷ <https://rm.coe.int/cepej-2018-26-en-rapport-calvez-regis-en-length-of-court-proceedings-e/16808ffc7b>

IV. Addressing human trafficking facilitated by information and communication technology (ICT)

174. Countries monitored by GRETA have reported an increased use of information and communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.¹⁰⁸ As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted several challenges to the identification, investigation, and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

175. As noted in paragraph 16, the Bulgarian authorities have reported a rising trend of traffickers using social networks and mobile applications to recruit and control victims of THB for the purpose of sexual exploitation, advertise sexual services, and manipulate victims through personal messages. Further, traffickers post fake job advertisements offering high salaries, free transport and accommodation to lure victims into exploitative work. Investigations also show that traffickers study victims' photos and backgrounds - such as family, social status and relationship details - before making contact, using psychological tactics to persuade victims into exploitation.

176. The GLI, which monitors and analyses methods of deception in recruitment and unfair labour practices, has observed the growing use of the internet and social media as the primary means of communication between job seekers and employers. This trend, often seen in economically underdeveloped areas, can result in workers being hired without a contract, on unclear terms, or without meeting the employer in person. The Bulgarian authorities indicate that this makes it difficult for them to act against exploitative practices. The analysis by the GLI shows the increasing role of ICT in recruiting, controlling and exploiting workers, especially in trafficking situations. The GLI uses digital technologies to raise awareness about the risks of exploitation, including regular campaigns against undeclared work.

177. According to Eurostat, in 2023, only 36% of people in Bulgaria had basic or advanced digital skills, which is well below the EU average of 56%. Among Bulgarians aged 16-24, 53% had basic or advanced digital skills, which is again much lower than the EU average of 70%.¹⁰⁹ GRETA notes that improving digital skills is crucial in the fight against human trafficking, as traffickers often exploit online platforms to lure and manipulate vulnerable individuals, making it essential for people to be equipped with the knowledge and tools to recognise and avoid such threats.

178. The NCCTHB and the LCCTHB, in partnership with various organisations, regularly organise capacity-building events, which comprise a focus on safe Internet use for teachers, school counsellors, social workers, and Roma educational mediators. For example, the LCCTHB in Sliven ran an awareness campaign on human trafficking and cybercrime targeting school children and parents, highlighting the use of the Internet for recruitment, exploitation and control of vulnerable persons. UNICEF is planning various activities in 2025-2026 on online safety for children, aiming to reach 10,000 students, 2,000 professionals and 5,000 parents. This will include training 2,000 children on online safety and digital skills, improving

¹⁰⁸ Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>, published in April 2022.

¹⁰⁹ https://ec.europa.eu/eurostat/databrowser/view/eq_dskl07/default/table?lang=en&category=eq.educ.eq_dskl

100 schools' responses to online bullying, and qualifying 40 mentors for support in cyberbullying. Special resources on online safety and cyberbullying will also be developed.¹¹⁰

179. Further, in their prevention and awareness sessions, A21 Bulgaria offers practical steps to reduce the risks associated with technology and provides tailored guides for teachers, parents and students to navigate the digital world safely. The Bulgarian Safer Internet Centre (SIC) informs children, parents and teachers on using digital technology securely for learning, communication and entertainment. SIC operates a hotline for reporting child sexual exploitation and a helpline (124 123) for online issues, while also delivering educational programmes and resources to raise awareness about online risks and prevention strategies. Since 2023, SIC has been managed by the Parents Association, in consortium partnership with the Bulgarian Family Planning Association and the National Network for Children.

180. Bulgaria, along with Malta, Italy, Austria and Belgium, is participating in the EU-funded project DISRUPT (2023-2025) aimed at tackling technology-facilitated child trafficking.¹¹¹ The project focuses on enhancing law enforcement's digital capabilities, improving co-ordination and fostering public-private partnerships. The NGO and Research centre 'Law and Internet Foundation' is the project's partner in Bulgaria. DISRUPT seeks to raise awareness, share best practices and ensure the effective use of digital evidence in investigations and prosecutions. It will also explore how electronic evidence can help detect trafficking vulnerabilities and prevent harm, including identifying potential victims online before they are trafficked, while reducing secondary victimization risks.

181. The Council for Electronic Media oversees media service providers to ensure they comply with the Broadcasting Act.¹¹² It has the authority to sanction providers, refer violations to the relevant authorities and monitor compliance as required by law. GRETA was informed that, in 2022, the Secretariat of the NCCTHB received a report about a music video on YouTube promoting THB. The NCCTHB Secretariat alerted the Council for Electronic Media, with support from the Permanent Working Group. As a result, the content was removed from the platform.

182. The Bulgarian authorities indicated that the National Police's Anti-Trafficking Unit and the Cybercrime Directorate¹¹³ (set up in March 2023), both part of the GDPOB, work closely together to collect the necessary digital evidence in cases of human trafficking where the Internet and social media are involved. While there are many tools to monitor websites for child sexual abuse materials, there is no capacity to screen proactively websites advertising sex services and suspicious work adverts for trafficking indicators, and limited collaboration between the specialised units dealing with THB and cybercrime. GRETA was informed that when conducting investigations into cases of human trafficking involving the use of ICT, police officers from the specialised human trafficking unit actively co-operate with the Cybercrime Directorate.

183. GRETA was informed that the Cybercrime Directorate's staff co-operate with government organisations, private companies, technology firms, financial institutions, foundations and citizens to ensure timely counteraction to crimes committed using high-tech means and methods.

¹¹⁰ <https://www.unicef.org/bulgaria/en/press-releases/fantastico-and-unicef-join-forces-again-violence-free-school-and-safe-online>

¹¹¹ [Enhance Digital led InvestigationS, proSecutions and jUdicial resPonses for dismantling Trafficking chains of children \(DISRUPT\)](#)

¹¹² Available in Bulgarian at: <https://lex.bg/laws/ldoc/2134447616>

¹¹³ This Directorate performs tasks related to combating organised criminal groups and individuals involved in unauthorised access to computer information systems, destruction and modification of computer data, dissemination of passwords, and infection with computer viruses; crimes related to cryptocurrencies; online financial fraud; violations of copyright and related rights; the production, possession, and distribution of pornographic materials involving children; as well as incitement or instigation to discrimination, violence or hatred based on race, nationality or ethnic origin, among others.

184. In their reply to the GRETA fourth-round questionnaire, the authorities indicated that the Bulgarian legal framework does not include regulations for detecting or removing online content related to potential or actual THB. The same lack of regulation applies to the rules of conduct for internet service providers and electronic services. During the visit, GRETA was informed that there have been no instances of content being removed or websites being shut down by law enforcement agencies.

185. According to GRETA's study on Online and Technology-Facilitated THB, Bulgaria is one of the countries that have raised concerns about the inadequate data retention obligations imposed on Internet Service Providers (ISPs) - only six months, a period regarded as insufficient for conducting thorough and effective investigations.¹¹⁴

186. In its third evaluation round report on Bulgaria, GRETA noted that too much emphasis is put on the victim's testimony during criminal investigations.¹¹⁵ ICT also plays a crucial role in protecting witnesses from the potential harm or re-traumatisation often associated with direct courtroom appearances. Although national legislation permits the use of video testimonies (Article 139, paragraphs 7 and 8, of the CCP), during the fourth evaluation visit to Bulgaria, GRETA was informed that this option remains underutilised, despite its proven ability to reduce emotional distress and provide a safer environment for victims and vulnerable witnesses. Greater implementation of this practice is needed to better protect victims and ensure a more effective and compassionate legal process.

187. Bulgaria is a party to the Council of Europe Convention on Cybercrime (Budapest Convention) since 2005 and has signed, but not yet ratified, its Second Additional Protocol on enhanced co-operation and disclosure of electronic evidence.

188. **GRETA considers that the Bulgarian authorities should:**

- **strengthen the capacity to detect and investigate cybercrime offences and develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings by investing in capacity building and digital tools to conduct proactive investigations. This should involve training of law enforcement officers, labour inspectors and financial police officers in the areas of Internet monitoring and online investigation, such as cyber-patrolling, undercover online investigation, and social network analysis, in order to identify victims of human trafficking recruited and/or exploited online;**
- **make use of technology to protect vulnerable victims and witnesses through the use of video testimonies and to develop child-friendly procedures;**
- **develop data-sharing procedures with companies holding relevant data and consider developing co-operation protocols with private companies, including social network and gig-economy companies as well as rental platforms to foster the timely provision of information. Such protocols/procedures should clarify the legal requirements under which ICT companies, ISPs and content hosts operate, designate a contact point within companies, and clarify the national agencies responsible for specific actions, e.g. requesting evidence or taking down THB-related content;**
- **devise common procedures for the rapid exchange of digital evidence with ISPs and reassess the length of data retention obligations imposed in ISPs for the purposes of police investigations.**

189. **Furthermore, GRETA invites the Bulgarian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.**

¹¹⁴ <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>

¹¹⁵ See paragraph 134 of GRETA's third report on Bulgaria.

V. Follow-up topics specific to Bulgaria

1. Data collection

190. During the previous evaluation rounds, GRETA has raised concerns about the absence of a comprehensive and coherent statistical system on measures to protect and promote the rights of victims as well as on the investigation, prosecution, and adjudication of THB cases.

191. Following the third evaluation by GRETA, in 2022 the National Statistics Institute (NSI) joined the Permanent Expert Working Group under the NCCTHB in order to contribute to improving the collection, analysis and reporting of data.

192. GRETA welcomes the introduction in January 2022, by Order RD-02-03/1.04.2022 of the Prosecutor General, of a modified victim reporting methodology by the Prosecutor's Office, which now makes it possible to report how many victims were identified in the context of pre-trial proceedings in each calendar year (see paragraph 14).

193. Despite these efforts, data collection on THB remains a significant challenge for the national authorities, particularly in terms of establishing a unified methodology with comparable indicators and avoiding double counting. The matter was discussed at a forum organised by the NCCTHB in October 2022, which concluded that creating a comprehensive and functional data collection system on THB would require an analysis of existing models and the legal changes required, and an assessment of the technical support and maintenance needs of a future data collection system. The NCCTHB has proposed to include an analysis on how to develop a comprehensive data collection system on THB in Bulgaria as part of the activities of the next phase of the Swiss-Bulgarian Co-operation Programme (see paragraph 127).

194. **GRETA considers that the Bulgarian authorities should develop without further delay a comprehensive system for the collection and analysis of data on measures to protect and promote the rights of victims of THB, which should ensure the participation of all relevant actors that can contribute to the provision of data, including NGOs, and the investigation and prosecution of human trafficking and related offences.**

2. Recovery and reflection period

195. In its second and third evaluation reports, GRETA urged the Bulgarian authorities to enshrine in law the recovery and reflection period and ensure that it is systematically offered to presumed foreign victims of trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2 of the Convention during this period.

196. There have been no legislative changes concerning the recovery and reflection period, which is still not specifically defined in law in accordance with Article 13 of the Convention. As described in previous GRETA reports, Article 26 of the Law on Combating Trafficking in Human Beings requires that once individuals are identified as victims of trafficking, the pre-trial proceedings authorities must inform them immediately about the possibility of receiving special protection if they agree to co-operate in the investigation within a one-month period. If the victim is a child, the period can be extended up to two months upon the recommendation of the State Agency for Child Protection.

197. According to the authorities, Article 26 should be looked at in combination with the Regulation on the shelters for victims of trafficking, adopted pursuant to Article 12(1) of the Anti-Trafficking Law, which provides for a range of assistance services to which victims of THB are entitled. Further, the authorities noted that all adult victims of THB referred to specialised residential and consultative services were granted a recovery and reflection period.

198. GRETA notes that neither Article 26 of the Anti-Trafficking Law nor the Regulation on the shelters refer to the concept of “recovery and reflection period”, its purposes (i.e. to enable the presumed victim to recover and escape the influence of traffickers and/or to take an informed decision on co-operating with the competent authorities), and the fact that presumed (foreign) victims of trafficking shall not be expelled from the country during the recovery and reflection period. The term “special protection” in Article 26 of the Anti-Trafficking Law is unclear and cannot be construed as being equivalent to “recovery and reflection period” as defined in the Convention. Further, unlike the Convention, Bulgarian legislation does not specify that the recovery and reflection period must be granted as soon as there are reasonable grounds to believe that a person is a victim of trafficking in human beings, i.e. before the identification process has been completed. In the context of an increasing number of foreign victims of THB being detected in Bulgaria, having a clear legal provision for the granting of the recovery and reflection period ensures that the person concerned will not be removed from the territory of the country during the identification period.

199. The previously mentioned 2024 criminological study on THB also found that Article 26 of the Anti-Trafficking Law does not provide for a recovery and reflection period in the sense of Article 13 of the Convention and Article 6 of the Council Directive 2004/81/EC. Further, the study points out that there is no indication of the authority competent to grant the period, the procedure for granting it, the moment from which the period starts running, the grounds for early termination, the possibility to appeal, and the fact that no expulsion orders can be enforced against victims. There is also uncertainty as to what types of assistance depend on the victim’s agreement to co-operate.¹¹⁶

200. Further, the 2022 report by the NGO SOS-Families at Risk (see paragraph 32) found that the right to a recovery and reflection is not applied in practice. From interviews with victims arriving in the shelters, it was clear that they were not informed of this right by the investigative authorities and provided information to investigators without an explanation of the procedure and their rights.¹¹⁷

201. GRETA remains concerned that Bulgarian legislation fails to ensure the right to a recovery and reflection period regardless of the victim’s willingness to co-operate with authorities. In this context, GRETA refers to its 2024 Guidance Note on the recovery and reflection period, which states that having a clear legal basis for granting the recovery and reflection period created legal certainty and consistency of application.¹¹⁸

202. GRETA once again urges the Bulgarian authorities to implement without further delay its long-lasting recommendation by enshrining in law the recovery and reflection period as provided for in Article 13 of the Convention. Officers performing identification should be issued with clear instructions stressing the obligation to systematically offer the recovery and reflection period to all presumed foreign victims of human trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period.

¹¹⁶ Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024, pp. xxvii-xxviii.

¹¹⁷ https://antitraffic.government.bg/uploads/Report_THB_2017_2022_Ani_Nikolova.pdf

¹¹⁸ <https://rm.coe.int/guidance-note-on-recovery-and-reflection-period-group-of-experts-on-ac/1680b1a3ca>

3. Legal assistance and free legal aid

203. In its third evaluation report, GRETA urged the Bulgarian authorities to take further steps to facilitate and guarantee access to justice for victims of THB, in particular by ensuring that a lawyer is appointed as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not he/she wants to co-operate with the authorities and/or make an official statement.

204. GRETA discussed with the national authorities during its evaluation visit whether any consideration had been given to making free legal aid for victims of THB unconditional and not dependent on proving a lack of financial means to pay for a lawyer.¹¹⁹ The Bulgarian authorities explained that although informal discussions had been held, there were no plans to amend the Legal Aid Act. However, in their comments on the draft GRETA report, the authorities indicated that draft amendments to the Legal Aid Act were being prepared, including a provision stipulating that victims of human trafficking and other forms of violence, irrespective of their financial means, shall receive specialised and free legal aid from the earliest stages of criminal and civil proceedings until their final resolution.

205. According to NGOs and lawyers met by GRETA, obtaining legal aid is challenging, with many conditions attached. There are still very few lawyers specialised in representing trafficking victims in court and legal representation for these victims remains limited.

206. Regarding the allocation of adequate funding for the provision of legal assistance and legal representation, the Ministry of Justice has set up a working group tasked with drafting amendments to the Ordinance on the Payment for Legal Aid to increase the amount of the lawyers' fees, in response to inflation and changes in the minimum wage. The preparatory work for amending the remuneration for legal aid has been completed and the Ministry of Finance is expected to recalculate the budget allowances to cover the increased fees. The draft amendments to the Ordinance on the Payment of Legal Aid were published for public discussion in October 2024. The draft was subsequently forwarded on 29 May 2025 for further interdepartmental coordination, accompanied by an updated financial justification.

207. Due to the growing popularity of the National Free Legal Aid Telephone Number, it is envisaged to launch two more telephone lines for consultations, which implies a doubling of the number of lawyers who will work on the telephone line.

208. Lawyers listed in the National Legal Aid Register are required to complete 20 hours of legal training annually. In 2022, the National Legal Aid Bureau (NLAB) organised five training sessions related to THB as part of the response to the arrival of Ukrainian refugees. Thematic training under the Asylum and Refugees Act, are held every year, and conducted in collaboration with Bar Associations across Bulgaria, the Krastyu Tsochev Attorneys' Training Centre, the State Agency for Refugees, the Bulgarian Helsinki Committee and UNHCR. They are aimed at lawyers in the National Legal Aid Register, focusing on protecting the rights of victims of crime and trafficking.

209. In 2023, the Secretariat of NCCTHB, the NLAB and the National Council for Assistance and Compensation to Victims of Crime developed a training programme. They planned to organise capacity-building events for lawyers, social workers, care workers and psychologists to improve their understanding of procedures to help trafficking victims access their rights, but these plans were not implemented due to a lack of financial support. In May 2025, the Secretariat of the National Council for Assistance and Compensation to Victims of Crime, the Animus Association and the NLAB organised the first training seminar for 54 lawyers and social workers from Sofia, Pernik, Kyustendil, Blagoevgrad and Pazardzhik. A similar seminar targeting other regions is planned for the autumn, in co-operation with Dignita Foundation.

¹¹⁹ See paragraph 68 of GRETA's third report on Bulgaria.

210. Further, under the project "Improving Access to Justice for Persons Living Below the Poverty Line with a Special Focus on Women, Children and the Roma Community," financed by the Norwegian Financial Mechanism and implemented by the NLAB in 2021-2023, 350 lawyers were trained, 8,545 consultations were provided to members of the Roma community, mobile teams of lawyers were established to offer consultations to individuals residing in remote settlements, a co-ordination mechanism was established to provide support to victims, and a mobile application was developed.

211. Noting positively the proposed amendments to the Legal Aid Act, GRETA once again urges the Bulgarian authorities to ensure that victims of THB, regardless of their financial means, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings, and throughout the latter. This should include steps to ensure that:

- **access to free legal aid for victims of THB is unconditional and does not depend on a proof of lack of financial means to pay for a lawyer;**
- **adequate funding is made available for the provision of legal assistance and legal representation.**

4. Compensation

212. In its third evaluation report, GRETA urged the Bulgarian authorities to make additional efforts to guarantee effective access to compensation for victims of THB.¹²⁰ There have been no legislative changes relevant to victim compensation, but the 2022 Prosecutor General's Instruction (see paragraph 25) provides for the prioritisation of the collection of evidence, including financial evidence, and pays particular attention to confiscation of criminal assets and compensation of victims.¹²¹

213. In its third report, GRETA also urged the Bulgarian authorities to ensure the Prosecutor's Office applies in practice Article 51 of the CCP by claiming compensation on behalf of child victims during the criminal trial. The 2022 Prosecutor General's Instruction has introduced the possibility of applying Article 51 of the CCP through bringing a civil action on behalf of a child victim when submitting the indictment, where the child victim is unable to defend his/her rights and legitimate interests (i.e. he/she does not have a legal representative).

214. The authorities have emphasised that Bulgaria has effective legal provisions under the CCP to ensure that victims of crimes, including THB, can seek compensation from the offender as part of the criminal trial. The courts are obliged to address any compensation claims made by victims (Articles 301 and 307 of the CCP).

215. GRETA refers to the case of *Krachunova v. Bulgaria* (application no. 18269/18), in which the European Court of Human Rights issued a judgment on 28 November 2023.¹²² The applicant in this case sought compensation for earnings from sex work that her trafficker had taken. The Bulgarian courts denied compensation on the basis that returning the money would contradict "good morals" since the applicant was engaged in prostitution and since prostitution was considered to bring "immoral earnings", which at the time were criminalised under Article 329, paragraph 1, of the CC.¹²³ The applicant argued that there was no legal path for her to seek compensation for lost earnings. The Court found a violation of Article 4 of the ECHR, ruling that Bulgaria had failed to adequately balance the applicant's rights against public interest. The Court emphasised that States had a positive obligation to enable victims of trafficking to claim compensation for lost earnings from traffickers. The Court's decision referred to the third-party intervention made by GRETA in this case, according to which to deny victims of sexual exploitation

¹²⁰ See paragraph 111 of GRETA's third evaluation report on Bulgaria.

¹²¹ Order RD-02-03/1.04.2022 of the Prosecutor General.

¹²² <https://hudoc.echr.coe.int/fre-press#%7B%22itemid%22:%5B%22003-7811893-10838069%22%5D%7D>

¹²³ In a judgment issued on 27 September 2022, the Constitutional Court of Bulgaria found that Article 329, paragraph 1, of the CC is unconstitutional.

compensation from their traffickers for loss of earnings - because prostitution is considered illegal, immoral or undesirable - would run contrary to the object and purpose of the international instruments created to provide effective protection to victims of all forms of human trafficking, in particular Article 15 of the Council of Europe Convention against Trafficking in Human Beings. Following the judgment, the Prosecutor General submitted a request for reopening of proceedings before the Supreme Court of Cassation. By judgment No. 100 of 27 February 2025, the Supreme Court annulling the decision of the Sofia City Court, which had upheld the first-instance judgment dismissing the applicant's civil claim for pecuniary damages, and returned the case for re-examination.

216. The Bulgarian authorities did not provide GRETA information on the number of victims of THB who had claimed and obtained compensation through criminal proceedings, but according to NGOs and lawyers met by GRETA, the difficulties highlighted in the third report remained.

217. By way of illustration, in 2022, a case involving a victim of trafficking for sexual exploitation was brought before the Sofia District Court.¹²⁴ The judge ruled that the trafficker's guilty plea during the investigation did not establish the victim's harm or prove a causal link between the crime and the claimed moral damages. The claim for pecuniary damages was also dismissed, with the judge arguing that paid sexual services violated "good morals." In 2023, the Sofia City Court upheld this decision upon appeal. In 2024, the Supreme Court of Cassation dismissed the appeal as inadmissible, noting that the civil court was not bound by the criminal verdict's details, and that it was the claimant's burden to prove that the defendant was responsible for trafficking the claimant. It is however noteworthy that the Supreme Court confirmed that "a person who is exploited for prostitution disposes of a right, protected by the law, to receive compensation from the person who trafficked them", in accordance with *Krachunova v. Bulgaria*. Meanwhile, the Commission for Forfeiture of Illegally Acquired Property found no significant property discrepancies in the defendant's assets and did not pursue a forfeiture claim.

218. Further, GRETA was informed of difficulties in enforcing compensation orders. By way of illustration, Varna District Court had ordered the perpetrator in criminal case No. 652/2019 to pay a victim of THB for the purpose of sexual exploitation BGN 5,000 (equivalent to some €2,555) plus interest as compensation for moral damages, in that in 2018 he recruited and transported her from Sofia to Varna for the purpose of sexual exploitation (crime under 159a CC), BGN 5,000 plus interest as compensation for moral damages, in that he used the services of the victim (crime under 159c CC), and BGN 10,000 (equivalent to some €5,111), plus interest, as compensation for moral damages, in that he raped her on three separate occasions. The verdict of the Varna District Court was delivered on 26 February 2021 and confirmed by the Varna Regional Court with judgment No. 60 dated 2 March 2023. The execution case was opened on 16 July 2024. The bailiff summoned the trafficker, who is currently serving his sentence at Varna Prison, to pay the sum, which he failed to do as he was unemployed, and the prison administration was unable to engage him in any paid labour activity. Moreover, he is sentenced to pay a fine of BGN 30,000 (equivalent to some €15,333) as an additional punishment to his prison term, as well as BGN 3,900 (equivalent to some €1,993) as costs and fees for the trial. The creditors of these sums are governmental institutions which have priority over the victim. GRETA notes that the fact that traffickers remain unemployed for prolonged periods while incarcerated prevents the collection of compensation awarded to victims and hindering the enforcement of fines owed to the State.

219. GRETA was not provided with information about whether there has been further development to include the topic of compensation in training programmes for lawyers, prosecutors and judges. The NGO Animus Association has produced a leaflet aimed at informing lawyers and other professionals about how to access compensation for THB victims.

¹²⁴ Civil case 5690/2022, IV-C court composition.

220. As regards state compensation, in pursuance of Article 37 of the Transitional and Final Provisions to the Law on Amendment and Supplement to the CPC, at a meeting of the National Council for Assistance and Compensation to Victims of Crime held on 30 May 2024, a form for individual assessment of victims of crimes under Article 7b, paragraph 6, of the Law on Assistance and Financial Compensation to Victims of Crime was approved by the Minister of Justice. The form was sent to the Prosecutor's Office and the Ministry of the Interior. The purpose of the assessment is to determine the physical and mental condition of the victim as a result of the crime and to establish the existence of specific protection needs. It is mandatory to assume that there are specific protection needs when the victim is a child, a person with disabilities, or a victim of trafficking in human beings. In these cases, as well as when there is a suspicion that significant harmful consequences have occurred for the victim, an extended individual assessment is carried out, which may involve a psychologist, doctor or other appropriate specialist.

221. GRETA was informed that, since the entry into force of the Law on the Assistance and Financial Compensation to Crime Victims in 2007, a total of 11 victims of THB applied for state compensation. As already indicated in the third GRETA report, only one victim of THB has received state compensation: in 2018, financial compensation in the amount of BGN 7,400 (approximately €3,782) was granted to a victim of THB for expenses incurred for court and clerical expenses. The National Council for Assistance and Compensation of Victims of Crime declined four applications: three on the grounds that there were plea-bargaining agreements, which presupposes that the victims' material damages were compensated, and one because there was no enforceable act of a judicial authority. Six applications were forwarded to the determining authorities of other EU Member States on whose territory the offence was committed.

222. The Commission for Forfeiture of Illegally Acquired Property has no powers in connection with the sale of the confiscated property or its subsequent use, including in terms of compensation for victims of crime. GRETA was informed that the Commission is conducting a number of forfeiture cases against persons accused of trafficking in human beings. The authorities have provided two examples since 2021 of seizure or confiscation of properties of traffickers who were convicted of THB by courts in Belgium and the Netherlands, however, the convictions were handed down many years ago.

223. The recommendation to establish a victim compensation fund using confiscated assets from perpetrators of human trafficking has faced significant challenges. Despite discussions on potential measures at a forum in October 2022, and subsequent consultations with key stakeholders such as the Ministry of Finance and the National Revenue Agency, the necessary amendments to the legal framework have proven difficult to implement. As a result, the authorities have proposed a solution involving the in-kind donation of confiscated goods to be received by the Secretariat of the NCCTHB and distributed to specialised and crisis service providers.¹²⁵ Essential goods, including clothing, footwear and hygiene products, valued BGN 119,718 (approximately €61,200), were donated by the Customs Agency to the crisis centres and specialised services for victims of THB. While this approach helps improve the living conditions of victims, GRETA is concerned that it does not fully address the need for a direct compensation mechanism.

224. The previously mentioned 2024 criminological study on human trafficking (see paragraph 18) makes several recommendations for improving victims' access to compensation, including expanding the scope of application of Article 51 of the CCP and broadening the right of prosecutors to claim compensation on behalf of victims in criminal proceedings, defining the conditions for using assets confiscated by the State for a victim compensation fund, expanding the scope of state compensation to cover moral damages, and increasing the maximum amount of state compensation.¹²⁶

¹²⁵ See the Bulgarian Government's reply to the recommendation of the Committee of the Parties, p.5, available at: <https://rm.coe.int/report-submitted-by-the-authorities-of-bulgaria-on-measures-taken-to-c/1680aba901>

¹²⁶ Iva Pushkarova et al, *Trafficking in Human Beings: Trends and Prevention*, Sofia, 2024.

225. GRETA welcomes the adoption of the 2022 Prosecutor General's Instruction related to pre-trial proceedings for THB which aims, *inter alia*, to improve victims' access to compensation. However, the lack of effective compensation from the perpetrator or the State remains an issue of concern. Despite the fact that considerable criminal assets have reportedly been identified and forfeited in cases of human trafficking, they are not being used to compensate or assist victims of trafficking. Further, the requirements to be met by a victim of trafficking to be eligible for state compensation remain prohibitively high, and moral damages are not covered.

226. GRETA notes that the human rights-based approach to combating human trafficking implies fair and appropriate compensation for the material and non-material harm suffered. The withholding of wages from victims is a common feature of trafficking which, together with other factors, renders victims completely dependent on their traffickers and leaves them without any real alternatives to their exploitation. As such, unpaid wages constitute a harm suffered by victims as a direct result of being trafficked, for which they should be able to obtain compensation. While compensation for unpaid wages should normally be paid by the traffickers, GRETA notes that this option may not be available in practice to victims of trafficking, due to the restrictive interpretation of the courts or because traffickers often do not have assets which can be confiscated. In this context, Article 15, paragraph 4, of the Convention requires States Parties to take steps to guarantee access to state compensation for victims who are unable to claim compensation from the perpetrators. While the Convention leaves it to the States Parties to determine the conditions for compensation provided by the State, GRETA is of the view that such compensation should include both material damages, such as unpaid wages, and non-material damages.

227. GRETA once again urges the Bulgarian authorities to make additional efforts to guarantee access to compensation for victims of THB, in particular by:

- **enabling all victims of trafficking to effectively exercise their right to compensation primarily in the criminal proceedings;**
- **ensuring that the Prosecutor's Office applies in practice Article 51 of the CCP and broadening the application of this provision to vulnerable victims;**
- **reviewing the procedure and eligibility criteria for claiming compensation from the state and amending the relevant provisions to ensure that state compensation is capable of covering compensation for moral damages and unpaid wages;**
- **setting up a victim compensation fund which uses confiscated assets of perpetrators of THB to fund compensation;**
- **including the topic of compensation in the training programmes for lawyers, prosecutors and judges.**

228. Further, GRETA considers that the Bulgarian authorities should take further steps to enable access to compensation for victims of trafficking by making compensation awarded in criminal proceedings payable by the State in advance, and the State taking the responsibility to recover the amount from the offender.

VI. Conclusions

229. Since the publication of GRETA's third report on Bulgaria on 29 April 2021, progress has been made in some areas covered by that report.

230. The budget of the National Commission for Combating Trafficking in Human Beings (NCCTHB) was increased, and the staffing situation of its Secretariat was stabilised. In October 2022, the Prosecutor General issued Instructions for the organisation of the work of the Prosecutor's Office in relation to pre-trial proceedings opened for trafficking in human beings. An independent evaluation of the National Strategy for Combating Trafficking in Human Beings (2017-2021) was conducted in October 2022, positively highlighting increased civil society participation, training for first-line practitioners, and the implementation of the National Referral Mechanism. Since 2023, the annual National Programmes for Countering Human Trafficking and the Protection of Victims follow a revised format to ensure clearer, more comprehensive planning. Further, a National Programme for the Prevention of Child Violence and Abuse (2023-2026) was adopted, including measures against human trafficking.

231. GRETA welcomes these positive developments in Bulgaria. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Bulgarian authorities to take action in the following areas:

- **Assistance of victims** (Article 12 of the Convention). The Bulgarian authorities should ensure that victim assistance measures are effectively implemented by securing adequate funding for specialised services for victims, providing dedicated accommodation and support services specifically for child victims of THB, guaranteeing access to health care for all victims of THB, and strengthening the capacity to assist male victims.
- **Recovery and reflection period** (Article 13 of the Convention). The Bulgarian authorities should enshrine in law the recovery and reflection period and issue clear instructions on its application in practice.
- **Legal assistance and free legal aid** (Article 15 of the Convention). The Bulgarian authorities should ensure that access to free legal aid for victims is unconditional and not dependent on proof of lack of financial means to pay for a lawyer, and that adequate funding is made available for the provision of legal assistance and legal representation.
- **Compensation** (Article 15 of the Convention). The Bulgarian authorities should make additional efforts to guarantee access to compensation for victims of THB, including by enabling all victims to effectively exercise their right to compensation in criminal proceedings, reviewing the legislation on state compensation, and establishing a fund financed by confiscated assets from traffickers to support victim compensation.

232. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

233. As regards the thematic focus of the fourth evaluation round, which is on **vulnerabilities to trafficking in human beings**, the Bulgarian authorities have acknowledged that disadvantaged minorities such as the Roma, people with disabilities, children from disadvantaged areas, unaccompanied children and persons facing domestic violence, addiction or severe debt are particularly vulnerable. There is also an increased awareness of the risks of trafficking and exploitation of migrant workers, whose number in Bulgaria has risen. Measures to address the risks faced by these vulnerable groups have been included in the 2024 National Programme for Countering Human Trafficking and the Protection of Victims.

234. While welcoming the measures taken by the Bulgarian authorities to prevent trafficking through measures addressed at vulnerable groups and to provide assistance to victims, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter or priority:

- reduce the vulnerability of **children** to trafficking in all its forms, including through the prevention of child and forced marriages, and preventing the disappearance of unaccompanied and separated children;
- introduce a legally binding certification of recruitment agencies which act as intermediaries for **migrant workers** arriving in Bulgaria and ensure that such workers are provided with contracts and information on their rights in a language that they can understand;
- strengthen the prevention of trafficking of persons from the **Roma community** by promoting access to education, the labour market and drug prevention and rehabilitation services;
- ensure that a vulnerability assessment is systematically conducted as early as possible in the asylum process, and develop programmes for the social and economic integration of **asylum seekers and refugees**;
- strengthen the prevention of THB through information and awareness raising aimed at eliminating gender stereotypes and gender-based violence as an essential measure to prevent harmful practices leading to THB of **women and girls**;
- improve access to economic, social and health-care services for **persons with disabilities** as a way to reduce their vulnerabilities to human trafficking.

235. Moreover, GRETA stresses the fundamental importance of using a definition of THB on which there is international consensus and urges the Bulgarian authorities to introduce the concept of “**abuse of a position of vulnerability**” in the criminalisation of THB, and to provide training and guidance to investigators, prosecutors and judges on how victims’ position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

236. GRETA welcomes the steps taken by the Bulgarian authorities to strengthen online safety and tackle technology-facilitated trafficking, including the awareness-raising activities that have been organised. In order to address the routine **use of ICT** to recruit and exploit victims of trafficking, the Bulgarian authorities should invest in capacity building and digital tools to conduct proactive investigations on trafficking cases, and develop data-sharing procedures with companies holding relevant data as well as common procedures for the rapid exchange of digital evidence with ISPs.

237. GRETA invites the Bulgarian authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Bulgaria to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention, and looks forward to continuing the dialogue with the Bulgarian authorities and civil society.

Appendix 1

Statistics on victims and criminal cases of THB in Bulgaria

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection.

Indicators		Years					
		2019	2020	2021	2022	2023	2024
Number of identified victims, based on pre-trial proceedings¹²⁷		404	457	446	153	89	98
By:							
	Women	322	369	346	104	52	71
	Girls	31	27	20	6	12	6
	Men	49	58	98	41	25	21
	Boys	2	3	2	2	0	0
Type of exploitation	Sexual	280	336	282	62	49	57
	Labour	44	69	107	44	39	11
	Organ removal	8	5	8	1	0	0
	Servitude	16	8	27	45	1	30
	Sale of newborns	56	39	42	1	0	0
Newly opened pre-trial proceedings		84	76	55	57	52	64
Prosecuted persons		73	69	77	65	52	69
Suspected traffickers¹²⁸		57	48	36	36	29	n.a.
Convicted traffickers		61	46	27	37	40	42

¹²⁷ Prior to 2022, this data was based on the pre-trial proceedings beings monitored. After 2022, only the victims taking part in newly opened pre-trial proceedings were included in the data.

¹²⁸ The Ministry of the Interior includes in this data suspected traffickers in Bulgaria and abroad.

Appendix 2

List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

Topics related to the fourth evaluation round of the Convention

Prevention of trafficking in human beings

- Noting the importance of taking into account the lived experiences and views of victims and survivors of trafficking when designing anti-trafficking policies and measures, GRETA invites the Bulgarian authorities to set up a trafficking survivors' advisory council (paragraph 37).

Measures to prevent the vulnerability of specific groups to trafficking in human beings

Children

- GRETA welcomes the legislative, policy and practical measures taken by the Bulgarian authorities to prevent trafficking in children, in particular amongst unaccompanied children and children in Roma communities, and considers that the authorities should take further steps to:
 - protect children from harmful practices and reduce their vulnerability to child trafficking in all its forms. This includes creating a safe and supportive environment where children's rights and well-being are prioritised, including through the prevention of child and forced marriages;
 - provide training on THB consistently and widely to teachers, social workers, health and Roma, mediators, child welfare professionals and all other professionals working with children, ensuring they are equipped with the knowledge and skills to effectively address and prevent trafficking in a way that is in the best interests of the child;
 - continue investing in the prevention of child trafficking as part of the school curriculum, with a particular focus on online methods of recruitment, by including it in programmes for developing media literacy and children's life skills;
 - prevent the disappearance of unaccompanied and separated children by ensuring that they are provided with safe, age and gender-appropriate accommodation, with adequately trained staff, and are appointed legal guardians as expeditiously as possible; efforts must continue to be made to expand appropriate alternative care solutions following the principle of the best interests of the child;
 - ensure consistent and quality legal representation for unaccompanied or separated children seeking international protection and the appointment of trained and certified guardians as soon as possible after their identification;
 - strengthen efforts to prevent school dropout among asylum-seeking and refugee children by equipping schools and teachers with the necessary skills and resources to support integration, ensuring sustained attendance and motivation (paragraph 58).

Disadvantaged minorities

- While welcoming the measures taken to address the vulnerabilities of Roma to human trafficking and the work of the Roma mediators, GRETA considers that the Bulgarian authorities should continue strengthening the prevention of THB through sustained social, economic and other measures for the Roma community, where intersecting forms of discrimination are present. This should include measures to promote access to education, the labour market and drug prevention and rehabilitation services, especially for women, children and young people, as a means of addressing the root causes of THB (paragraph 69).

Asylum seekers and refugees

- While welcoming the steps taken in Bulgaria to amend the legislation and improve the detection of vulnerabilities among asylum seekers, GRETA considers that the Bulgarian authorities should strengthen the prevention of trafficking of asylum seekers, refugees and migrants, in particular by:
 - ensuring that a vulnerability assessment is systematically conducted and as early as possible in the asylum process, and sensitising SAR professionals to the vulnerabilities that lead to THB;
 - ensuring that a proper vulnerability assessment is carried out in respect of all third-country nationals apprehended at the borders or in the Bulgarian territory in order to identify their vulnerabilities and special needs;
 - reduce the vulnerability to THB of asylum seekers and refugees by developing programmes for their social and economic integration, including language training, education, vocational training, effective access to work, social assistance and housing (paragraph 84);
- GRETA welcomes the measures taken to raise awareness of the risks of trafficking and prevent trafficking and exploitation of Ukrainian refugees, and considers that the Bulgarian authorities should continue the support provided to them, as well as ensuring enhanced monitoring of workplaces employing them. In this respect, GRETA refers to its Guidance Note on Addressing the Risks of Trafficking in Human Beings Related to the War in Ukraine (paragraph 85).

Migrant workers

- Referring to GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/REC(2022)21 on prevention and combating trafficking in human beings for the purpose of labour exploitation, GRETA urges the Bulgarian authorities to take further steps to prevent THB of migrant workers, in particular by:
 - increasing the resources of the General Labour Inspectorate to enable it to conduct proactive inspections in all sectors;
 - introducing a legally binding certification of recruitment agencies which act as intermediaries for migrant workers arriving in Bulgaria and ensuring that such workers are provided with contracts and information on their rights in a language that they can understand prior to arrival in Bulgaria (paragraph 101);
- GRETA considers that the Bulgarian authorities should:
 - continue to raise awareness among the general public as well as, in a targeted manner, among migrant workers in Bulgaria and Bulgarians seeking employment abroad, about the risks of THB for the purpose of labour exploitation, the rights of victims of trafficking and workers' rights under labour laws, including through the national human trafficking hotline;

- continue providing training on THB to the General Labour Inspectorate, the Employment Agency, the migration directorates of the Ministry of the Interior and other agencies involved in the issuing of visas and work permits to foreign workers;
- conclude agreements with the main countries of origin of migrant workers and ensure that they include monitoring mechanisms to prevent THB and labour exploitation (paragraph 102).

Vulnerabilities related to the gender dimension of human trafficking

- GRETA considers that the Bulgarian authorities should strengthen the prevention of THB through information and awareness raising aimed at eliminating gender stereotypes and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls. This should include the creation of further education, employment and participation opportunities for women and girls from Roma communities and for migrant, refugee and asylum-seeking women (paragraph 108).

Persons with disabilities

- GRETA considers that the Bulgarian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group, in particular by:
 - ensuring regular, effective and independent monitoring of residential centres for adults and children with disabilities, including by facilitating specialised NGOs' access to these facilities;
 - ensuring that professionals assisting persons with disabilities, including caregivers, legal guardians and teachers, are provided with training on human trafficking with a focus on vulnerabilities that lead to THB;
 - further developing access to economic, social and health-care services for persons with disabilities as a way to reduce their vulnerabilities to human trafficking (paragraph 117).

LGBTI persons

- GRETA considers that the Bulgarian authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations, in particular by conducting research into the vulnerabilities of LGBTI persons (paragraph 123).

Identification of victims of THB

- GRETA urges the Bulgarian authorities to further improve the identification of victims of THB, including by:
 - providing systematic training to officials of the SAR, migration officials, border police staff, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants, focusing on the proactive identification of victims of trafficking and the procedures to be followed;
 - ensuring that the police, border police and immigration police have access to qualified and trained interpreters by introducing a regulation and remuneration for interpreters in these services;
 - ensuring that pre-removal risk assessments prior to all forced removals from Bulgaria fully assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement. In this context, reference is made to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection (paragraph 135);

- Further, GRETA considers that the Bulgarian authorities should:
 - assess the implementation of the NRM and update the indicators for victim identification;
 - encourage self-identification through strengthened outreach amongst vulnerable groups (e.g. persons engaged in prostitution, migrant workers, ethnic minorities), the provision of accessible information to potential victims and steps to build their confidence in the institutions;
 - ensure the sustainability of the national human trafficking hotline as an instrument for early detection of victims as well as prevention;
 - expand the training of law enforcement officers, asylum case workers, social workers, cultural mediators, interpreters and legal professionals on the vulnerabilities to THB, the evolving methods of recruiting and controlling victims, the impact of trauma on victims, and how to build confidence and overcome prejudices and misconceptions which result in failure to identify victims (paragraph 136).

Assistance to victims

- GRETA once again urges the Bulgarian authorities to ensure that the assistance measures provided for in the Convention and by Bulgarian law are guaranteed in practice, in particular by:
 - providing adequate funding to ensure the availability, sustainability and quality of the specialised services for victims of THB and to support their long-term social inclusion;
 - ensuring that child victims of THB benefit from specialised accommodation and services across the country, taking into account the best interests of the child;
 - guaranteeing access to health care to all victims of THB;
 - strengthening the capacity to assist male victims of THB, including the provision of residential services for them (paragraph 150).

Notion of abuse of a position of vulnerability in the law and case-law

- GRETA urges the Bulgarian authorities to introduce the concept of “abuse of a position of vulnerability” in the criminalisation of THB, and to provide training and guidance to investigators, prosecutors and judges on how victims’ position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 158).

Investigation, prosecution and sanctions

- While welcoming the attention paid by the Prosecutor’s Office to improving the investigation and prosecution of THB and the setting up of a specialised interagency unit, GRETA once again urges the Bulgarian authorities to take additional measures to strengthen the criminal justice response to THB, including by:
 - strengthening efforts to investigate, prosecute and convict perpetrators of trafficking for the purpose of labour exploitation and providing guidance on the scope of forced labour, in line with the ILO indicators of forced labour and the case-law of the European Court of Human Rights;
 - ensuring that THB cases are prosecuted as such, rather than as other/lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;
 - ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ) (paragraph 169);

- Further GRETA considers that the Bulgarian authorities should continue providing specialised training to police officers, investigators, prosecutors and judges on THB, the rights of victims, the impact of trauma, and the application on the concept of “abuse of a position of vulnerability”, which is part of the international definition of THB (paragraph 170).

Criminalisation of the use of services of a victim

- GRETA considers that the Bulgarian authorities should carry out targeted information campaigns to raise awareness of the criminalisation of the use of services of victims of THB (paragraph 173).

Addressing human trafficking facilitated by information and communication technology (ICT)

- GRETA considers that the Bulgarian authorities should:
 - strengthen the capacity to detect and investigate cybercrime offences and develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings by investing in capacity building and digital tools to conduct proactive investigations. This should involve training of law enforcement officers, labour inspectors and financial police officers in the areas of Internet monitoring and online investigation, such as cyber-patrolling, undercover online investigation, and social network analysis, in order to identify victims of human trafficking recruited and/or exploited online;
 - make use of technology to protect vulnerable victims and witnesses through the use of video testimonies and to develop child-friendly procedures;
 - develop data-sharing procedures with companies holding relevant data and consider developing co-operation protocols with private companies, including social network and gig-economy companies as well as rental platforms to foster the timely provision of information. Such protocols/procedures should clarify the legal requirements under which ICT companies, ISPs and content hosts operate, designate a contact point within companies, and clarify the national agencies responsible for specific actions, e.g. requesting evidence or taking down THB-related content;
 - devise common procedures for the rapid exchange of digital evidence with ISPs and reassess the length of data retention obligations imposed in ISPs for the purposes of police investigations (paragraph 188);
- GRETA invites the Bulgarian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 189).

Follow-up topics specific to Bulgaria

Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

- As regards the legislative framework relevant to combating THB, the Bulgarian Personal Documents Act was amended in 2023 by adding a new paragraph 10 to Article 76, as well adding Article 76b, thus making it possible to prevent vulnerable adults from travelling outside Bulgaria for reasons of their own protection if information about a specific and obvious risk of becoming victims of trafficking in human beings has been received by the Directorate General for Combating Organised Crime, the National Police, the Border Police or the regional directorates of the Ministry of the Interior. This measure is applied for a period of up to six months by order of the Secretary General of the Ministry of the Interior, on the basis of a motivated proposal by one of the previously mentioned structures of the Ministry, and after an individual assessment of the principle of proportionality and an opinion of the NCCTHB. The decision can be appealed against according to the provisions of the Code of Administrative Procedure. GRETA was informed during the evaluation

visit that there had been no instances in which this measure was applied. Despite the existing safeguards to prevent the misuse of this measure, GRETA is concerned by its potential negative impact on individuals' rights, particularly the right to freedom of movement, and considers that the Bulgarian authorities should examine the possibility of repealing it (paragraph 17).

- Stressing the importance of providing sufficient resources to the LCCTHB to enable the carrying out of anti-trafficking activities at local level, GRETA considers that the Bulgarian authorities should enhance the support provided to their work and set up such commissions in additional regions of the country (paragraph 23);
- GRETA once again urges the Bulgarian authorities to allocate appropriate funding from the State budget to action against THB and to ensure its timely availability for the different services provided (paragraph 24);
- While noting positively that anti-trafficking action is mainstreamed in other national strategies as a cross-cutting issue, GRETA stresses that there are advantages in developing a specialised anti-trafficking strategy which provides a longer-term, more strategic approach to planning of national anti-trafficking policy than the annual national programmes. Therefore, GRETA considers that the Bulgarian authorities should develop a new multi-annual National Anti-Trafficking Strategy (paragraph 27);
- GRETA welcomes the commissioning of an independent evaluation of the implementation of the National Anti-Trafficking Strategy and considers that the Bulgarian authorities should commission independent evaluations of the annual National Programmes (paragraph 28);
- GRETA reiterates its recommendation and considers that the Bulgarian authorities should examine the possibility of designating as a National Rapporteur a separate organisational entity or another already existing independent mechanism with a view to ensuring effective monitoring of the anti-trafficking activities of state institutions and making recommendations (paragraph 29).

Data collection

- GRETA considers that the Bulgarian authorities should develop without further delay a comprehensive system for the collection and analysis of data on measures to protect and promote the rights of victims of THB, which should ensure the participation of all relevant actors that can contribute to the provision of data, including NGOs, and the investigation and prosecution of human trafficking and related offences (paragraph 194).

Recovery and reflection period

- GRETA once again urges the Bulgarian authorities to implement without further delay its long-lasting recommendation by enshrining in law the recovery and reflection period as provided for in Article 13 of the Convention. Officers performing identification should be issued with clear instructions stressing the obligation to systematically offer the recovery and reflection period to all presumed foreign victims of human trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period (paragraph 202).

Legal assistance and free legal aid

- Noting positively the proposed amendments to the Legal Aid Act, GRETA once again urges the Bulgarian authorities to ensure that victims of THB, regardless of their financial means, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings, and throughout the latter. This should include steps to ensure that:

- access to free legal aid for victims of THB is unconditional and does not depend on a proof of lack of financial means to pay for a lawyer;
- adequate funding is made available for the provision of legal assistance and legal representation (paragraph 211).

Compensation

- GRETA once again urges the Bulgarian authorities to make additional efforts to guarantee access to compensation for victims of THB, in particular by:
 - enabling all victims of trafficking to effectively exercise their right to compensation primarily in the criminal proceedings;
 - ensuring that the Prosecutor's Office applies in practice Article 51 of the CCP and broadening the application of this provision to vulnerable victims;
 - reviewing the procedure and eligibility criteria for claiming compensation from the state and amending the relevant provisions to ensure that state compensation is capable of covering compensation for moral damages and unpaid wages;
 - setting up a victim compensation fund which uses confiscated assets of perpetrators of THB to fund compensation;
 - including the topic of compensation in the training programmes for lawyers, prosecutors and judges (paragraph 227);
- Further, GRETA considers that the Bulgarian authorities should take further steps to enable access to compensation for victims of trafficking by making compensation awarded in criminal proceedings payable by the State in advance, and the State taking the responsibility to recover the amount from the offender (paragraph 228).

Appendix 3

List of public bodies, intergovernmental organisations and civil society actors with which GRETA held consultations

Public bodies

- Secretariat of the National Commission for Combating Trafficking in Human Beings
- Ministry of Justice
- Ministry of the Interior
- Ministry of Foreign Affairs
- Ministry of Labour and Social Policy
- Ministry of Education and Science
- State Agency for Child Protection
- State Agency for Refugees
- General Labour Inspectorate Executive Agency
- National Employment Agency
- Agency for Social Assistance
- National Council for Assistance and Compensation to Victims of Crime
- National Legal Aid Bureau
- National Institute of Justice
- Commission for Forfeiture of Illegally Acquired Property
- National Statistical Institute
- Commission for Protection against Discrimination
- Central Commission against Antisocial Behaviour of Minors and Juveniles
- Prosecutor's Office
- National Investigation Service
- Supreme Court of Cassation
- Members of Parliament
- Office of the Ombudsperson
- Local Commission for Combating Trafficking in Human Beings, Burgas
- Local Commission for Combating Trafficking in Human Beings, Sliven
- Local Commission for Combating Trafficking in Human Beings, Varna
- Social Services for Children and Adults Directorate, Sofia Municipality

Intergovernmental organisations

- International Organization for Migration (IOM)
- United Nations Agency for Children (UNICEF)
- United Nations Refugee Agency (UNHCR)
- Fundamental Rights Office of the European Border and Coast Guard Agency (Frontex)

NGOs and other civil society organisations

- A21
- Animus Association Foundation
- Caritas Sofia
- Centre for the Study of Democracy
- Confederation of Labour Podkrepa
- Confederation of Independent Trade Unions of Bulgaria (CITUB)
- Demetra Association
- Dignita Foundation
- Foundation SOS Families at Risk
- Integro Association
- International Justice Mission
- Law and Internet Foundation
- Maria's World Foundation
- Nadja Centre Foundation
- Pulse Foundation

Other

- Swiss Contribution Office at the Embassy of Switzerland in Bulgaria

Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Bulgaria

GRETA engaged in a dialogue with the Bulgarian authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Bulgarian authorities on 18 July 2025 and invited them to submit any final comments. The comments of the authorities, submitted on 19 September 2025, are reproduced hereafter.

**CONSOLIDATED ADDITIONAL COMMENTS (WITH AMENDMENTS) FROM
BULGARIAN INSTITUTIONS TO THE FINAL GRETA REPORT UNDER THE
FOURTH EVALUATION ROUND ON THE IMPLEMENTATION OF THE COUNCIL
OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN
BEINGS BY BULGARIA**

01 October 2025

Sofia

The final report was circulated for review and input to: the Office of the Deputy Prime Minister and Chair of the NCCTHB, Ministry of the Interior, Ministry of Justice, Supreme Cassation Prosecutor's Office, Supreme Court of Cassation, Ministry of Education and Science, National Investigative Service, Ministry of Foreign Affairs, State Agency for Child Protection, Ministry of Health, Ministry of Labour and Social Policy, Ministry of Finance, Ministry of Economy and Industry, Supreme Judicial Council, National Council for Assistance and Compensation to Crime Victims, the Secretary General of the Council of Ministers, National Statistical Institute, State Agency for Refugees, Agency for Social Assistance, Executive Agency "General Labour Inspectorate", Employment Agency, National Bureau for Legal Aid, National Institute of Justice, Counter-Corruption And Unlawfully Acquired Assets Forfeiture, Commission, General Directorate for Combating Organised Crime, General Directorate "Border Police", General Directorate "National Police", Directorate "International Operational Cooperation", Directorate "Legal and Regulatory Activities", Directorate "European Union and International Cooperation" (for information), and the Central Commission for Combating Anti-Social Behavior by Minors.

The Secretariat of the NCCTHB received additional comments from the following authorities included below: Ministry of Justice, Supreme Cassation Prosecutor's Office, Ministry of Labour and Social Policy, Executive Agency General Labour Inspectorate, Ministry of Health, State Agency for Refugees, State Agency for Child Protection, Agency for Social Assistance

Supreme Cassation Prosecutor's Office (SCP)

Reference: GRETA Report, paras. 48, 68, 234

After reviewing the content of the report, we find that the comments made by the Prosecutor's Office of the Republic of Bulgaria (Prosecutor's Office) on the draft monitoring report of the Group of Experts on Action against Trafficking in Human Beings (GRETA), as well as the

statistical data and other relevant information provided, have been accurately reflected in the final version of the document.

Regarding the finding in §68 of the report concerning the lack of prosecution in relation to drugs and the distribution of narcotic substances, which according to GRETA increases the vulnerability of persons to trafficking in human beings, we note that, according to official statistics of the Prosecutor's Office for 2024, compared to the previous two years, there is an increase in almost all main indicators reflecting the work of prosecutors in investigations of crimes involving narcotic substances and precursors.

The number of pre-trial proceedings under supervision increased by 16.6% compared to 2023 and by 30.8% compared to 2022. The number of newly initiated pre-trial proceedings is 21.6% higher than in the previous year and 35.8% higher than in 2022. The number of pre-trial proceedings concluded by prosecutors is 13.7% higher than in 2023 and 29.1% higher than in 2022.

The number of convicted and sanctioned persons with a final court act is 0.8% higher compared to 2023 and 18.9% higher compared to 2022.

For crimes under Articles 354a – 354e of the Criminal Code (illegal trafficking of narcotic substances and precursors), 14,784 (12,679; 11,301) cases were under supervision, of which 10,672 (8,776; 7,861) were newly initiated pre-trial proceedings.

Table – Crimes under Articles 354a – 354e CC

Indicators	2022	2023	2024
Supervised pre-trial proceedings	11,301	12,679	14,784
Newly initiated pre-trial proceedings	7,861	8,776	10,672
Concluded pre-trial proceedings	8,456	9,598	10,913
Prosecutorial acts submitted to court	3,468	4,035	4,159
Persons under submitted prosecutorial acts	3,674	4,278	4,369
Convicted and sanctioned persons with final court act	3,426	4,041	4,073

The recommendations made in the report relating to the work of the Prosecutor's Office concern activities which are already considered a priority.

For example (in connection with the findings in §48), a representative of the Prosecutor's Office took part in the interinstitutional working meeting held on 29 July 2025, dedicated to the problems of early cohabitations and marriages (organised on the initiative of the Ministry of Labour and Social Policy and the State Agency for Child Protection). In a letter to the SACP, the Prosecutor General declared commitment and support for the initiatives included in the national campaign, as well as for coordinating actions in implementing the proposed action plan.

The Prosecutor's Office has undertaken participation through the regional prosecution offices in holding interinstitutional meetings at local and regional levels in municipalities and regions with the highest number of registered cases of early marriages and cohabitations. This represents a commitment for prosecutors to participate in monthly meetings aimed at identifying progress in implementing the undertaken measures and discussing difficulties and challenges.

An additional measure has also been proposed by the Prosecutor's Office for inclusion in the campaign: *"Conducting awareness-raising talks by prosecutors from regional prosecution offices in schools located in regions with the highest number of registered cases of early cohabitations and marriages. Presentation of case studies from practice."*

The recommendation made in §234 for conducting training of prosecutors and investigators on the ways of recognizing the vulnerable situation of victims and how abuse of such vulnerability may occur in the context of trafficking in human beings will be taken into account in preparing the internal training programme of the Prosecutor's Office.

Ministry of Labour and Social Policy (MLSP)

Reference: GRETA Report, paras. 58, 137, 139, 147, 150, Annex 2 (Follow-up issues)

In connection with the receipt by the Ministry of Labour and Social Policy (MLSP), under Incoming No. 37-138/06.08.2025, of the final GRETA report from the fourth evaluation round on Bulgaria's progress in implementing its commitments under the Council of Europe Convention on Action against Trafficking in Human Beings, it is noteworthy that the information submitted in relation to the preliminary GRETA monitoring report, included in MLSP letter No. 37-93/06.06.2025, was not taken into account and is not reflected in the present final report. In this regard, I am resubmitting it, with updated data, as follows:

On para. 58 (para. 56 of the preliminary report):

- Protection of children from harmful practices and reducing their vulnerability to trafficking in all its forms. This includes the creation of a safe and supportive environment prioritising the rights and well-being of children, including through the prevention of child marriages and forced marriages.

Under the meaning of the legislation on child protection, children who are victims of trafficking and unaccompanied foreign children, including refugee children, are considered children at risk. Appropriate child protection measures are undertaken in relation to these children, in accordance with their needs and best interests. The child protection system provides assistance, protection and support to children affected by violence, trafficking or other forms of abuse, and takes preventive actions against the involvement of the child in harmful activities, as well as measures for overcoming the trauma from their experiences. The measures applied depend on the case assessment, the risks identified and the needs of the child. Work with children affected by violence, trafficking or other forms of abuse necessarily includes psychological support and counselling in order to improve their psycho-emotional condition and overcome the traumatic experience.

Referral of the child and the parents to appropriate social services is part of child protection measures in the family environment. Suitable services for children affected by violence and trafficking include information and counselling, advocacy and mediation, therapy and others, provided in Community Support Centres. If family-based child protection measures prove ineffective, children may be placed under alternative care (with relatives, foster families or residential social services). Specialised support for children affected by violence or other forms of exploitation, including trafficking, is mainly provided in crisis centres, which offer shelter,

information and counselling, advocacy and mediation, therapy, and training for acquiring skills. According to data from the Social Assistance Agency, as of the end of July 2025, there are 19 Crisis Centres for children operating as state-delegated activities in the country, providing support to 203 children.

It should be noted that all social services financed from the state budget for the support of children and families are free of charge. Use of state-funded social services for urgent support in crisis situations is also free – until the urgency ceases – including support and shelter for victims of domestic violence and victims of trafficking, among others.

On para. 150 (para. 148 of the preliminary report):

- Provision of adequate funding to ensure the availability, sustainability and quality of specialised services for victims of trafficking in human beings and to support their long-term social inclusion.

In line with the ongoing reform in the field of social services, there is a tendency for annual increases in financial resources for state-delegated social services (including crisis centres). According to the SSA, social services may be funded from the state budget, municipal budgets and private service providers, with the main resources provided by the state budget. All social services that are state-delegated activities are financed from the state budget through municipal budgets according to standards adopted annually by a Council of Ministers Decision (CMD). For comparison, in 2023 the standard for financing one person in a crisis centre for one year was BGN 18,360 (CMD No. 280/05.05.2022), in 2024 – BGN 25,553 (CMD No. 84/28.11.2023), and in 2025 – BGN 29,488 (CMD No. 93/25.02.2025).

Additionally, in 2022 the Ordinance on the Quality of Social Services was adopted. This Ordinance is a key legislative act for the social services sector, aiming to improve the quality and efficiency of services in support of beneficiaries, and is significant for individualising support and care for users.

- Ensuring that child victims of trafficking benefit from specialised accommodation and services throughout the country, with due consideration of the best interests of the child. The information referred to under para. 58 concerning child protection and support measures for child victims of trafficking, including the possibility of accommodation in crisis centres, is relevant.
- Strengthening the capacity to assist male victims of trafficking, including the provision of accommodation services. There is no legal restriction preventing male persons from being accommodated in social services providing shelter (crisis centres). Social services may be used by all individuals who need support.

On Annex 2 “List of GRETA’s conclusions and proposals for action”, under “Follow-up issues specific to Bulgaria”:

– GRETA once again strongly urges the Bulgarian authorities to allocate adequate state budget funding for anti-trafficking activities and to ensure its timely provision for the various services delivered (para. 24):

The information under para. 150 (first indent) regarding the funding of state-delegated social services (including crisis centres) is relevant.

Ministry of Health (MoH)

Reference: GRETA Report, para. 149

Feedback from MoH:

1. The report is well structured, comprehensively covering the issues of victims of human trafficking, and the Ministry of Health has no comments or recommendations on the material provided.

2. In para. 149 of the report, it is stated that access to healthcare remains a serious problem for victims of human trafficking in Bulgaria.

In this regard, we inform you (as noted in the report) that a large part of the victims of trafficking are persons with mental health problems and/or intellectual disabilities. Such patients may sometimes require long-term medical care. On the other hand, it is noted that in most cases, victims of trafficking are uninsured, which inevitably creates difficulties in their access to healthcare, including dental care.

Pursuant to Art. 109, para. 1 of the Health Insurance Act (HIA), hospital medical care provided to persons with interrupted health insurance rights must be paid for. The HIA also explicitly provides that “uninsured persons under this law shall pay for the medical care provided to them at prices determined by the healthcare establishments, with the exception of medical and other services provided to them under Art. 82 of the Health Act.” Persons with irregular health insurance status cannot benefit from free healthcare at a medical facility financed by the NHIF, and must pay for the services used.

When, for various reasons, persons are not health-insured, they are entitled to a guaranteed minimum of free healthcare access. Such cases are listed in Art. 82, para. 1 of the Health Act, including the provision of emergency medical care, intensive treatment, obstetric care for all uninsured women, and others.

In cases where individuals have no income and/or personal property enabling their participation in the health insurance process, according to Art. 343, para. 1, item 3 of the National Framework Contract for Medical Activities 2023-2025, the NHIF arranges the purchase of hospital medical services under Council of Ministers Decree No. 17/2007 on determining the conditions and procedures for spending targeted funds for diagnosis and treatment in hospital healthcare establishments for persons who have no income and/or personal property enabling their participation in the health insurance process, pursuant to the NHIF Budget Act. In such cases, payment is made through targeted funds from the Social Assistance Agency.

State Agency for Refugees (SAR)

Reference: GRETA Report, paras. 53, 153

Additional information related to para. 53 of the report:

- In 2024, under the Child Protection Act, a total of 58 unaccompanied children seeking or granted international protection were placed in residential social care services.
- Given the shortage of available places in social services for unaccompanied refugee children, in 2024 the State Agency for Refugees under the Council of Ministers developed and submitted a project proposal entitled “Establishment of Alternative Social Services for Unaccompanied Refugee Children in Bulgaria”, funded by the Asylum, Migration and Integration Fund (AMIF) 2021–2027. The grant agreement was signed on 20 June 2025. The project foresees the establishment of six new residential social care services for unaccompanied refugee children in four municipalities: Burgas, Malko Tarnovo, Tundzha and Ivaylovgrad.

The project partners are the above-mentioned municipalities, the International Organisation for Migration and UNICEF, with which the State Agency for Refugees concluded cooperation agreements.

This is the first project in the country specifically aimed at providing comprehensive social services for unaccompanied minors seeking international protection in the Republic of Bulgaria. The main objective is to protect the rights of unaccompanied refugee children seeking or granted international protection in the Republic of Bulgaria, by ensuring quality care and access to services.

Additional information related to para. 135 of the report:

- Concerning the recommendation in paragraph 135 of the report, we inform you that the State Agency for Refugees, in cooperation with the European Union Agency for Asylum, has launched awareness-raising sessions on issues related to human trafficking. The main objective of the sessions is to inform participants about the risks associated with human trafficking, in particular in the form of labour exploitation, while at the same time familiarising them with the mechanisms for self-protection and with the available support services.

The sessions will be held regularly and participation will be voluntary. The content of the sessions will be organised into several key steps, each with a clear goal and structure. The introductory part will present the topic of human trafficking by defining the concept and highlighting the different forms of exploitation, using examples and visual aids. The next step will focus on the link between migration, gender and vulnerability to human trafficking. This will be followed by attention to the recognition of early warning signs of trafficking and an understanding of its consequences. The penultimate step will be dedicated to what participants can do if they identify a risk or if they are already in such a situation.

Agency for Social Assistance (ASA)

Reference: GRETA Report, para. 53

The ASA provide the following notes and comments, considered necessary to be reflected in the process of finalisation:

We propose that paragraph 53 be supplemented with the following text: “Taking into account the needs of unaccompanied foreign children, including refugee children, national legislation in the field of migration, asylum and refugees guarantees the right of unaccompanied foreign children and refugee children to protection through measures under the *Child Protection Act* and referral to social services for children.

For the accommodation and support of foreign children and refugee children at risk, the established national network of social services for children at risk is used. The protection measures regulated by the *Child Protection Act* are applicable also to unaccompanied foreign children and refugee children. In cases where a protection measure and accommodation of an unaccompanied foreign child in a social service for children is undertaken, the Social Assistance Directorate carries out an assessment of the location of the service and the resources of the settlement. An assessment is made of the social, educational and health infrastructure in the area, as well as the availability of social service providers, NGOs and international organisations that could provide specialised support for children, expertise and interpretation.

The ASA, together with the State Agency for Refugees (SAR), works on measures undertaken by the Social Assistance Directorates in the country regarding the accommodation of unaccompanied children who have been granted international protection. Providing a safe environment and meeting the needs of unaccompanied children may be ensured by their accommodation, as a protection measure, in residential care services (Crisis Centre, Family-Type Placement Centre, Transitional Housing). The main purpose of the residential service is to support the achievement of maximum independence, in combination with other social, health and educational services.

It is the responsibility of the territorial structures to hold meetings and consultations with local municipal authorities in order to define activities, responsibilities and approaches regarding unaccompanied children who have been granted international protection in the country. Refugee children enjoy specific rights and special protection in accordance with statutory principles and international human rights law. Unaccompanied refugee children are a particularly vulnerable group of children at risk within the meaning of the *Child Protection Act*. Meeting their needs for protection and support requires the application of a multidisciplinary approach and the involvement of all stakeholders.

Progress has been made by the Ministry of Labour and Social Policy (MLSP) towards improving coordination and cooperation between state authorities and non-governmental and international organisations in the implementation of joint activities for the protection and safeguarding of the rights of unaccompanied foreign children in Bulgaria. The *Co-ordination Mechanism for co-operation between institutions and organisations in cases of unaccompanied or separated foreign children residing on the territory of the Republic of Bulgaria, including children seeking and/or granted international protection* has been approved by the Minister of Labour and Social Policy. In exercising its powers, ASA, as a party to the Co-ordination Mechanism, cooperates and partners with international and non-governmental organisations working on issues concerning unaccompanied foreign children. These organisations provide information to the central-level bodies under the Co-ordination Mechanism on ongoing programmes and projects in support of unaccompanied children, as well as to staff directly working with the children, including possibilities for interpretation from rare languages.

Foster care is one of the main priorities in ASA's activities and a key element in the strategic process of deinstitutionalisation of children in the Republic of Bulgaria. It represents not only an alternative to institutional care but also an important instrument for ensuring a safe and supportive family environment for children left without parental care. Within this process, ASA continues to develop and strengthen foster care by encouraging new families to participate, providing specialised training and supervision, and actively raising public awareness about the importance of this type of care.

Foster care for children at risk is provided under a regional model of organisation and management (through project activity), which includes recruitment, assessment and training of candidate foster families, mutual adaptation and support, and supervision of foster families in caring for placed children.

National legislation in the field of child protection, asylum and refugees guarantees access of unaccompanied foreign children, including refugee children, to the protection measure "placement in a foster family." Foster care is of particular importance for children at risk, and as a result of the joint efforts of state institutions, local authorities (as service providers) and the non-governmental sector, progress has been achieved in recent years in developing foster care throughout the country, allowing more children to grow up in a family-like environment.

Children at risk are placed in foster care where, following a needs assessment, it has been concluded that foster family placement is appropriate. Child Protection Departments (CPD) within the Social Assistance Directorates act in line with the principles set out in child protection legislation, as well as the specifics of each individual case, which is strictly individual. ASA recognises the needs of unaccompanied children and their vulnerable situation. In this regard, the development of foster care for unaccompanied refugee children in Bulgaria is also a focus in the project activities through which foster care is implemented. Efforts are directed towards increasing the number of candidate foster families, strengthening public support for the cause, and developing foster care in Bulgaria."

Ministry of Justice (MoJ)

Reference: GRETA Report, para. 158 (previous para. 156), para. 227 (former para. 218)

- On para. 158

"GRETA stresses the fundamental importance of using a definition of THB on which there is international consensus. As noted in paragraph 149, "abuse of a position of vulnerability" is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking. Although GRETA understands that, in Bulgarian law, in many cases "a status of dependency" can be interpreted as a situation of vulnerability, GRETA stresses that adopting legislation in harmony with the wording of the Convention has many advantages, including gaining legal clarity and avoiding a limited national interpretation of the concept and international misunderstanding. As part of the legislative changes which are expected to take place with a view to harmonising Bulgarian legislation with the revised EU Anti-Trafficking Directive, GRETA urges the Bulgarian authorities to introduce the concept of "abuse of a

position of vulnerability” in the criminalisation of THB, and to provide training and guidance to investigators, prosecutors and judges on how victims’ position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking”:

Feedback from the Ministry of Justice:

The concept of abuse of a position of vulnerability is already regulated in Bulgarian law and is not limited only to the situation of dependency referred to in the GRETA report. It is provided for both in the Combating Trafficking in Human Beings Act and the Criminal Code. The notion of “vulnerability” is broader and includes situations such as: belonging to a risk group; cases involving minors under 18; use of coercion, deception, or a state of dependency; abuse of authority; provision of benefits; or cases involving pregnant women with the purpose of selling the child. We consider that the notion of “abuse of a position of vulnerability” is adequately and comprehensively encompassed within the provisions of Bulgarian legislation, which cover a range of situations reflecting various factors indicative of victims’ vulnerability, such as age, gender, social status, place of residence, and the manner in which the offence is perpetrated. Accordingly, all scenarios cited as involving abuse of a position of vulnerability are classified as aggravated forms of the crime of trafficking in human beings and are subject to more severe penalties than the basic offence. In this regard, we are of the view that Bulgarian legislation is fully consistent with the relevant international standard.

Relevant Bulgarian legislation (translated excerpts):

Combating Trafficking in Human Beings Act, Additional Provisions, §1:

1. ‘Trafficking in human beings’ means the recruitment, transportation, transfer, harbouring or receipt of persons, regardless of their expressed will, by means of coercion, abduction, unlawful deprivation of liberty, deception, abuse of authority, abuse of a state of dependency, or giving/receiving/promising benefits, for the purpose of exploitation.
...
6. ‘Risk group’ means a group of persons who, due to their age, sex, social status, or place of residence, are potential victims.

Criminal Code

Special Part

Section IX (New – SG No. 92/2002) Trafficking in Human Beings

Art. 159a.

(1) (New – SG No. 92/2002) (Amended – SG No. 27/2009; amended – SG No. 84/2013)

Anyone who recruits, transports, conceals or receives individual persons or groups of persons for the purpose of being used for sexual exploitation, for forced labour or for begging, for the removal of a bodily organ, tissue, cell or bodily fluid, or for being held in forced subjugation regardless of their consent, shall be punished by imprisonment of two to eight years and a fine of three thousand to twelve thousand leva.

(2) (Amended – SG No. 27/2009) Where the act under para. 1 has been committed:

- 1. against a person under eighteen years of age;

- 2. through the use of coercion or by deceiving the person;
- 3. through abduction or unlawful deprivation of liberty;
- 4. through the use of a state of dependency;
- 5. through abuse of power;
- 6. through promising, giving or receiving benefits;
- 7. (new – SG No. 84/2013) by an official in or on the occasion of the performance of their duties,

the punishment shall be imprisonment of three to ten years and a fine of ten thousand to twenty thousand leva.

(3) (New – SG No. 75/2006, in force from 13.10.2006; amended – SG No. 27/2009)

Where the act under para. 1 has been committed against a pregnant woman for the purpose of selling her child, the punishment shall be imprisonment of three to fifteen years and a fine of twenty thousand to fifty thousand leva.

Art. 159b.

(1) (Amended – SG No. 27/2009)

Anyone who recruits, transports, conceals or receives individual persons or groups of persons and transfers them across the border of the country for the purpose under Art. 159a, para. 1, shall be punished by imprisonment of three to twelve years and a fine of ten thousand to twenty thousand leva.

(2) (Supplemented – SG No. 75/2006; amended – SG No. 27/2009)

If the act under para. 1 has been committed under the circumstances of Art. 159a, paras. 2 and 3, the punishment shall be imprisonment of five to twelve years and a fine of twenty thousand to fifty thousand leva.

In addition to the above provisions, Bulgaria has introduced and fully implements the provisions of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, replacing Council Framework Decision 2001/220/JHA, which also contains provisions regarding the category of vulnerable victims.

Law on Assistance and Financial Compensation to Victims of Crimes

Chapter Two “a” (New – SG No. 48/2023, in force from 1.09.2023)

Individual Assessment of Victims of Crimes

Art. 7a. (New – SG No. 48/2023, in force from 1.09.2023)

(1) Victims of crimes are entitled to an individual assessment. The purpose of the assessment is to determine the physical and psychological condition of the victim as a result of the committed crime and to establish the existence of specific protection needs within the meaning of § 1, para. 4 of the Supplementary Provisions of the Criminal Procedure Code.

(2) It is mandatory to assume that specific protection needs exist where:

- 1. the victim is a child or a person with disabilities;
- 2. the person is a victim of terrorism, trafficking in human beings, a crime committed on the order of or in execution of a decision of an organised criminal group, a crime under Chapter

Two, Section VIII of the Special Part of the Criminal Code, a crime committed in conditions of domestic violence, or a crime committed on racist or xenophobic grounds;

- 3. the victim is in material or other dependency on the perpetrator.

Criminal Procedure Code

Supplementary Provisions (Title amended – SG No. 7/2019)

§ 1. (4) (New – SG No. 63/2017, in force from 5.11.2017; supplemented – SG No. 48/2023, in force from 1.09.2023)

“Specific protection needs” within the meaning of this Code exist where it is necessary to apply additional means of protection against secondary and repeat victimisation, intimidation and retaliation, emotional or psychological suffering, including for the preservation of the dignity of victims during questioning. Specific protection needs are determined in accordance with the procedure of this Code and the procedure of the Law on Assistance and Financial Compensation to Victims of Crimes.

2. On para. 227 (former para. 218):

“GRETA once again urges the Bulgarian authorities to make additional efforts to guarantee access to compensation for victims of THB, in particular by: reviewing the procedure and eligibility criteria for claiming compensation from the state and amending the relevant provisions to ensure that state compensation is capable of covering compensation for moral damages and unpaid wages.”

Information from the Ministry of Justice:

The matter referred to is already fully regulated by Bulgarian legislation. Regardless of whether a victim of human trafficking files a claim for compensation of damages under the Criminal Procedure Code (CPC), the Civil Procedure Code (CPCiv), or under the Law on Support and Financial Compensation of Victims of Crimes, both types of damages – pecuniary and non-pecuniary – are covered. Therefore, the information contained in the paragraph is factually incorrect. It should also be taken into account that specifically the issue regarding unpaid wages constitutes pecuniary damage, which is easily quantifiable and undoubtedly falls within the scope of claims for compensation of pecuniary damages. As regards non-pecuniary damages, there is also no doubt that the victim may claim such damages within the framework of criminal or civil proceedings, as well as when filing a claim under the Law on Support and Financial Compensation of Victims of Crimes. Please see below the provisions of Bulgarian legislation explicitly regulating the possibility of compensation for pecuniary and non-pecuniary damages. The recommendation should therefore be removed from the draft report.

Criminal Procedure Code

Chapter Eight. VICTIM

Section I. General Provisions

Person having the status of victim

Art. 74. (1) A victim is a person who has suffered pecuniary or non-pecuniary damages from the crime.

- (2) In case of the death of the person, this right passes to his or her heirs.
- (3) The accused may not exercise the rights of a victim in the same proceedings.

Rights of the victim in pre-trial proceedings

Art. 75. (1) In the pre-trial proceedings the victim has the following rights: to be informed of his or her rights in the criminal proceedings; to receive protection for his or her security and that of close persons; to be informed of the course of the criminal proceedings; to participate in the proceedings under the terms provided for in this Code; to make requests, comments and objections; to appeal acts which result in the termination or suspension of the criminal proceedings; to have a representative; to be accompanied by a person designated by him or her; to receive a written translation of the decree for termination or suspension of the criminal proceedings if he or she does not speak Bulgarian; to request acceleration of the pre-trial proceedings in the cases provided in this Code. Requests, comments, objections, as well as appeals of acts leading to termination or suspension of the criminal proceedings may also be made electronically, signed with a qualified electronic signature.

(2) The authority initiating the pre-trial proceedings shall immediately notify the victim thereof, if he or she has indicated an address for summons in the country or an electronic address.

(3) The victim shall exercise his or her rights if he or she expressly requests to participate in the pre-trial proceedings and indicates an address in the country for summons and notifications concerning the course of the proceedings. With the express consent of the victim, which may be withdrawn at any time, the summons and notifications may also be made to an electronic address indicated by him or her.

(4) The victim may not be accompanied by a person designated by him or her if this is contrary to the interests of the victim or may hinder the criminal proceedings.

Section IV. Civil Claimant

Person who may participate as a civil claimant

Art. 84. (1) The victim or his/her heirs, as well as legal persons who have suffered damages from the crime, may bring a civil claim for damages in the criminal proceedings and be constituted as civil claimants.

(2) A civil claim may not be brought in criminal proceedings when it has been filed under the Civil Procedure Code.

Application for filing a civil claim

Art. 85. (1) The application for filing a civil claim shall state: the full name of the applicant and of the person against whom the claim is brought; the criminal case in which it is submitted; the crime from which the damages were caused; and the nature and amount of damages claimed.

(2) The application may be oral or written.

(3) The civil claim shall be filed no later than the start of the preliminary hearing, and in cases of private prosecution cases – no later than the start of the trial before the first instance court.

Persons against whom a civil claim may be brought

Art. 86. A civil claim in the criminal proceedings may be brought against both the defendant and other persons who bear civil liability for the damages caused by the crime.

Rights of the civil claimant

Art. 87. (1) The civil claimant has the following rights: to participate in the criminal proceedings; to request securing of the civil claim; to examine the case file and make necessary extracts; to present evidence; to make requests, comments and objections; and to appeal court acts infringing his/her rights and legal interests. Requests, comments, objections and appeals may also be made electronically, signed with a qualified electronic signature.

(2) The civil claimant shall exercise the rights under para. 1 to the extent necessary to prove the grounds and amount of the civil claim.

Procedure for examination of the civil claim

Art. 88. (1) The civil claim in the criminal proceedings shall be examined under the rules of this Code, and insofar as there are no applicable rules, under the Civil Procedure Code.

(2) The examination of the civil claim may not be a reason for postponing the criminal case.

(3) When the criminal proceedings are terminated, the civil claim shall not be examined but may be brought before a civil court.

Law on Support and Financial Compensation of Victims of Crimes

In force since 01.01.2007

Chapter One. GENERAL PROVISIONS

Art. 1. (1) This law regulates the conditions and procedure for support and financial compensation by the State for victims of crimes – Bulgarian citizens or citizens of EU Member States.

(2) Under the conditions and procedure of this law, support and financial compensation may also be granted to foreign citizens in cases where they have been victims of the crime of terrorism or in cases provided for in an international treaty to which the Republic of Bulgaria is a party.

Art. 2. The purpose of the law is to recognise and guarantee the protection of the rights and legitimate interests of victims of crimes.

Art. 3. (1) Under the conditions and procedure of this law, support may be received by victims and members of their families who have suffered pecuniary and non-pecuniary damages from publicly prosecutable crimes, and financial compensation – by victims who have suffered pecuniary damages from the crimes listed in para. 3.

(2) When the victim has died as a result of the crime, the right to support and financial compensation passes to his or her heirs or to the person with whom he or she was in de facto cohabitation.

(3) Financial compensation may be received by the persons under paras. 1 and 2 when they have suffered damages from the following crimes:

1. terrorism; intentional homicide; attempted homicide; intentional grievous bodily injury; indecent assault; rape; trafficking in human beings;

2. crimes committed on the order of or in execution of a decision of an organised criminal group;
3. other serious intentional crimes resulting in death or grievous bodily injury.

3. On para. 228 (previous para. 219):

“Further, GRETA considers that the Bulgarian authorities should take further steps to enable access to compensation for victims of trafficking by making compensation awarded in criminal proceedings payable by the State in advance, and the State taking the responsibility to recover the amount from the offender”:

Information from the Ministry of Justice:

In view of the detailed information provided above under paragraph 227, which sufficiently substantiates the legal guarantees and opportunities for victims of trafficking in human beings to claim compensation for the damages suffered in criminal proceedings, as well as regarding the forms of support under the Law on Support and Financial Compensation for Victims of Crimes, Bulgaria considers that the existing legal framework for compensation is regulated in accordance with national practice and reality to a sufficient degree and does not envisage its conceptual change, as formulated in paragraph 219 of the draft report.