

G R E T A

Group of Experts on Action
against Trafficking in Human
Beings

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Reply from Bulgaria to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

Fourth evaluation round

Thematic focus: Addressing vulnerabilities to trafficking in human beings

Adopted by the Group of Experts on Action against
Trafficking in Human Beings (GRETA) on 30 June 2023

Reply submitted on 22 July 2024

Introduction

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 of the Convention 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 of trafficking, 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 the vulnerability of children to 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 States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.¹

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.² Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.³ The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics

¹ [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

² [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

³ https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf

do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

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.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

The questionnaire was forwarded by the administration of the Bulgarian National Commission for Combating Trafficking in Human Beings (NCCTHB) to the relevant authorities and organisations – members of the NCCTHB or the Permanent working group (PWG) under the NCCTHB, and other institutions and organisations which field of expertise is related to the counteraction of THB according to the focus of the fourth evaluation round of the Convention.

The addressee included:

NCCTHB members: Ministry of the Interior, Prosecutor's Office of the Republic of Bulgaria, Supreme Court of Cassation, Ministry of Foreign Affairs, Ministry of Education and Science, Ministry of Health, Ministry of Justice, Ministry of Labour and Social Policy, National Investigative Service, State Agency for Child Protection.

Other institutions: State Agency for Refugees, State Agency for National Security, National Legal Aid Bureau, National Institute of Justice.

PWG members from: Ministry of Foreign Affairs, Ministry of the Interior, Ministry of Justice, Supreme Court of Cassation, Prosecutor's Office of the Republic of Bulgaria, National Investigative Service, Ministry of Labour and Social Policy, Agency for Social Protection, National Employment Agency, General Labour Inspectorate, Ministry of Education and Science, Ministry of Health, State Agency for Child Protection, National Statistical Institute, State Agency for Refugees, the Central commission against the antisocial behavior of minors and juveniles, IOM – Bulgaria, Center for the Study of Democracy, Bulgarian Gender Research Foundation, Dignita Foundation, A 21 Bulgaria Foundation, Bulgarian Family Planning and Sexual Health Association, SOS – Families at Risk Foundation (member of the PWG and managing the shelters in Sofia and Varna), Demetra Association, UNHCR – Bulgaria.

Other organisations: Foundation for Access to Rights – FAR; Center for Legal Aid "Voice in Bulgaria", Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour Podkrepa.

The NCCTHB received answers/contribution from the following institutions/organisations: Ministry of the Interior, Prosecutor's Office of the Republic of Bulgaria, Supreme Court of Cassation, Ministry of Foreign Affairs, Ministry of Education and Science (reports only one activity organised by other organization), Ministry of Health, Ministry of Justice, Ministry of Labour and Social Policy, National Investigative Service, State Agency for Child Protection, State Agency for Refugees, State Agency for National Security (reports the lack of data on cases of THB related to the national security), National Legal Aid Bureau, National Institute of Justice, National Statistical Institute, Agency for Social Protection, National Employment Agency, General Labour Inspectorate, IOM – Bulgaria, Dignita Foundation, A 21 Bulgaria Foundation, Bulgarian Family Planning and Sexual Health Association (reports that the activities in the field were developed in the framework of a project, led by other organisation), SOS – Families at Risk Foundation, Confederation of Labour Podkrepa.

Part 1 – Addressing vulnerabilities to trafficking in human beings

I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in

the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

Ministry of the Interior

Trafficking in human beings for the purpose of sexual exploitation is the most widespread form of trafficking, affecting mainly women and girls. There are isolated cases of men and boys trafficked for sexual exploitation. The destination countries are mainly economically developed Western European countries such as Germany, Belgium, the Netherlands, France, Italy and Switzerland, especially those where prostitution is legalized.

In the recruitment of victims, the so-called "Death Penalty" method continues to be more relevant than the "soft" methods - "lover boy" and co-habitation between traffickers and women offering sexual services. Violent methods are mainly used at the stage of exploitation and control of victims. Voluntary recruitment of victims, legalisation of prostitution in some EU countries and the increasing use of the internet, new technologies, fast and cheap transport on low-cost airlines' flights are the factors facilitating trafficking in human beings for sexual exploitation.

The trend of increasing the number of men, women and children trafficked for forced labour, mainly in agriculture, construction and services, as well as for forced begging and criminal activities, is maintained. Labour exploitation predominantly affects men, although in certain sectors, such as cleaning services, care provision, work as domestic helpers, it mainly affects women. The higher standard of living in the destination countries, the demand for cheap labour in these countries, the low standard of living of potential victims in the countries of origin and the facilitated access to the internet where job advertisements are published have an impact on trafficking in human beings for labour exploitation.

Trafficking in human beings for begging purposes is directed at Western European countries, with victims forced to beg against their will. The main destination countries are France, Austria and Sweden. Most often, victims become persons from minority groups, with disabilities, homeless, without relatives, disadvantaged or in serious material condition, being lured with promises of quick profit and that they will not have any expenses for travel, lodgings, food, etc.

From previous years, the trend of taking Bulgarian citizens out of the country in order to conclude a formal (fictitious) marriage with third-country nationals remains relevant, thus obtaining a status in the EU Member States – permission to stay on their territory, a simplified regime for employment, etc. The above does not in itself constitute the crime of trafficking in human beings, but rather it can be a prerequisite and a method of involvement in a scheme of exploitation.

Administration of NCCTHB

Comprehensive lists of indicators related to criminal activities against the victims and describing their behaviour and environment are included in the *National mechanism for referral and support of trafficked persons in Bulgaria (NRM)* as Appendix I and II. Although the vulnerabilities that may create conditions for involvement in human trafficking are not explicitly described, they are taken into consideration, especially concerning recruitment, dependence, deception, and the indirect indicators related to different forms of exploitation.

The full text of the NRM is accessible [HERE](#).

An evaluation and update of the NRM is provisioned as activity under the next period of the Swiss-Bulgarian Cooperation Programme /the second Swiss Contribution under the Framework Agreement signed between the Swiss Federal Council and the Government of Bulgaria in September 2022/. Considering the importance of identifying specific vulnerabilities in the national context to develop more effective measures for prevention and protection/reintegration, the administration of NCCTHB will suggest relevant information to be included in the actualisation of the NRM.

In line with the Combating THB Act, the NCCTHB has the obligation to report annually to the Council of Ministers about the implementation of the National Programmes for Prevention and Counteraction of Trafficking in Human Beings and Protection of Victims. The annual National reports include feedback from all the relevant authorities and organisations also outlining the latest crime trends and consequences.

Additionally, as a coordinator of the NRM, the administration of NCCTHB receives signals for informally and/or formally identified victims of human trafficking which serves as a basis for analysis of the tendencies related to victims' profile.

More information and observations about the trends in Bulgaria during the reporting period, included in the annual reports, can be found below. The yearly National reports are accessible in Bulgarian language [HERE](#).

- **In 2019**, there have been no significant changes in the risk profiles for victims of trafficking and traffickers. Sexual exploitation remains the predominant form, primarily involving young women and girls, with isolated cases of men and boys also reported. The individuals affected are often of working age, come from areas with high unemployment, have low social status, possess little or no education, and lack specific professions. They endure poor living conditions and financial constraints. The higher standard of living in Western European countries, the high demand for the services provided by trafficked individuals, and the desire of those involved in criminal activities to make quick profits all contribute to the persistent levels of criminal activity. Foreign nationals granted refugee or migrant status, seeking to join relatives in Western Europe, are considered particularly vulnerable to trafficking and exploitation, even though there is no official data on formally identified victims of human trafficking among third-country nationals.
- **In 2020**, at the macro level, the economic situation and the ongoing COVID-19 health crisis are key factors influencing human trafficking at both national and European levels. The NCCTHB and its local structures have noted an increase in the likelihood of people taking risky employment initiatives and underestimating dubious job offers, as highlighted in the information campaigns.
Another influencing factor is related to education, particularly the shift to distance learning. Children from economically disadvantaged families, remote and isolated regions, and some Roma communities are at high risk of losing access to education. This lack of access increases their vulnerability, potentially leading to involvement in trafficking situations later on.
The uncoordinated restrictive measures implemented due to the state of emergency in various Member States have led to several critical situations for citizens seeking seasonal work. Additionally, there has been an increase in reports of domestic trafficking received by the administration of NCCTHB. Internal trafficking is primarily for sexual exploitation, concentrated in the capital and larger cities.
- **In 2021**, cases of human trafficking for sexual exploitation continue to be more prevalent in the country than other forms of exploitation. Most reported cases of formally or informally identified victims are related to international trafficking in economically developed Western European countries. Traffickers exploit the promise of higher pay in destination countries to convince victims that they can earn a good income and enjoy a better life. Consequently, there has been a recent increase in the number of women who voluntarily agree to be involved in prostitution. However, upon reaching the destination country, victims often face conditions that are far worse than promised, both in terms of work and pay. The victims are mostly young women and girls with low levels of education and limited social experience, often coming from dysfunctional family backgrounds. These individuals, easily trusting and eager for better life opportunities and higher-paying jobs abroad, fail to critically assess potential risks.

The internet and social networks are increasingly used for recruiting and controlling victims.

Trafficking for labour exploitation affects both men and women from economically underdeveloped regions, who have low levels of education and seek better-paid work abroad. Their lack of social or professional experience, combined with insufficient awareness of living and working conditions in destination countries, leads them to underestimate the risk of exploitation. Vulnerable individuals, living in extreme poverty and facing long-term unemployment, often accept sub-minimum wages and poor living conditions that, nonetheless, seem better than those in their home region.

Human trafficking for forced begging also impacts Bulgarian citizens in Western European countries with higher living standards. Criminal groups engaged in this type of trafficking are often clan- and tribe-based. They recruit victims from underdeveloped economic regions across the country, luring them with promises of quick profits and covering expenses for travel, accommodation, and food. The most frequent victims are people from minority ethnic groups, individuals with disabilities, the homeless, the uneducated, those without relatives, the disadvantaged, and those in difficult financial situations.

Data from competent authorities indicate a significant decrease in cases of trafficking of pregnant women for the purpose of selling their newborn children.

- **In 2022**, sexual exploitation remains the most common form of exploitation, followed by labour exploitation or forced labour, forced servitude, forced begging or pickpocketing. According to the signals received at the administration of NCCTHB, victims of human trafficking for sexual exploitation are mostly women and girls. The number of men reporting labour exploitation has increased in recent years. The discrepancy between the high number of alerts and the relatively low number of individuals who have sought and received help and support is noteworthy. All victims of human trafficking share a common characteristic: vulnerability. This vulnerability manifests in various forms such as extreme poverty, physical disabilities, mental illness, domestic violence, indebtedness, drug addiction or dependency, lack of supportive family or social networks, limited education, long-term unemployment, and feelings of hopelessness. Traffickers exploit these vulnerabilities due to the absence of viable alternatives in the victims' lives. They manipulate and deceive potential victims through promises and guarantees, obtaining 'cooperation' and 'consent'. As a result, activities such as begging, providing sexual services, or forced labour may appear as independent choices made by the victims.

The use of legitimate businesses, formal employment relationships, and workplace rules often camouflage criminal activities. This intertwines income from legitimate enterprises with profits gained from exploiting individuals within such criminal organisations.

The reports received by the administration of the NCCTHB indicate that traffickers increasingly engage in various exploitative practices, involving victims in other types of crimes such as drug trafficking or fraudulent schemes that abuse labour or social systems in destination countries. In some cases, criminals combine different forms of exploitation, simultaneously subjecting victims to forced labour, sexual exploitation, servitude, and other forms of exploitation.

Information and communication technologies, including the Internet and social networks, play an expanding role in the recruitment process, advertising of sexual services, and control of trafficked persons.

People fleeing from the war conflict in Ukraine were identified as a high-risk group both related to sexual and labour exploitation. Extraordinary measures were planned and implemented accordingly. The administration of NCCTHB received signals for risky situations related mainly to transportation and accommodation. In a practical conclusion, the most vulnerable among Ukrainian migrants in Bulgaria are people from the Roma minority of Ukrainian origin, people of retirement age who are ready to accept job offers without a formal contract in fear of losing accommodation opportunities, or unaccompanied minors.

- **In 2023**, the trends remain quite the same as the factors of vulnerability – living in extreme poverty, physical disability or mental illness, domestic violence, being in debt, addiction to

drugs or other forms of dependency, lack of a supportive family and social environment, lack of education, long-term unemployment, hopelessness, and impasse. A new trend is that victims of human trafficking are increasingly "sold" by their own family members.

There are no cases of trafficking in human beings for the purpose of organ removal or pregnant women for the purpose of selling their newborn children.

Additionally, in 2021-2022 an evaluation of the expired National strategy for combating THB 2017 – 2021 was conducted. In relation to sustainability, the Monitoring report includes recommendations for general prevention measures targeting children, students, and young people as well as specific measures targeting children and adults at risk including homeless, begging, sex workers, and vulnerable families in deep poverty relying on activities in concrete communities at risk including in areas with concentrations of poverty, migrant communities, residential areas with concentrations of young women, etc. The full text of the report in Bulgarian language is accessible [HERE](#).

In 2022, another research on "*Trafficking in human beings and protection of victims – trends and responses to challenges*" was developed at the request of the Local Commission for Combating THB in Varna with the financial support of the "Prevention" Directorate at Varna Municipality.

The report was developed by a team of SOS-Families at Risk Foundation, an NGO member of the PWG managing the specialised services in Varna and Sofia. It focuses on the period 2017 – 2022 and includes as methodology review and analysis of international and national legislative framework, strategic documents, annual programmes and reports of the NCCTHB, reports and recommendations to Bulgaria prepared by GRETA, the UN Committee on the Elimination of All Forms of Discrimination against Women, the TIP Reports of the US State Department, the report of the last evaluation of the NRM, monitoring report on the assessment of the implementation of the National Anti-Trafficking Strategy 2017-2021, etc.

The report covers the legislative and institutional framework, mechanisms of victim involvement and control, their origin and profile, and the forms of exploitation. The main part focuses on the implementation of the NPM from 2017 to 2022, identifying strengths, effective procedural models, as well as weaknesses and challenges. The protection and support of adult victims is a primary focus of the report, and their perspective is reflected to the greatest extent. Over thirty cases are described, illustrating their involvement, exploitation, identification, and referral, as well as various stages of work with them in specialised services for victims of THB and during their participation in criminal proceedings. The full text of the report in Bulgarian language is accessible [HERE](#).

Periodic reports on unemployment, poverty, social inclusion, statistical regions, and other demographic and social data published by the National Statistical Institute (NSI) are regularly consulted to compare the trends and to plan relevant awareness-raising and prevention measures, taking these indicators into account.

Additionally, experts from the National Statistical Institute were invited by the administration of NCCTHB to join the PWG in 2022.

According to the data on unemployment and poverty compared to the information based on the signals received by the administration of NCCTHB, the regions with a population at heightened risk of involvement in THB are in the Northern and North-Western parts of the country.

Academic research papers during the reporting period:

- "Human trafficking in Bulgaria - measures and policies to counteract the phenomenon" PhD dissertation, Lyubka Kostadinova, Department of Sociology, Faculty of Philosophy, South-western University "Neofit Rilski", in progress – the study focuses on the causes of the crime, the types of exploitative practices, the vulnerable groups, and the perpetrators. Special attention is paid to the place of victims in the criminal justice process and the reintegration process.

- "Public awareness and prevention campaigns on human trafficking", master's thesis, Ernesta Rousseva-Hristova, New Bulgarian University, Department Media and Communications, 2023-2024 – includes general information on populations or categories of individuals who are at heightened risk of being involved and exploited by traffickers for various forms of exploitation and factors of vulnerabilities.

To effectively address the vulnerabilities of groups at risk and to raise general awareness about the issues related to trafficking in human beings different activities are included in the annual National Programmes.

The NCCTHB annually organises three major national prevention campaigns including both communicative and informational and capacity-building and awareness-raising activities in partnership with other institutions, international and non-governmental organisations. Usually, the focus of the campaigns is on the prevention of THB for the purpose of labour exploitation and forced labour (March-May/June), the prevention of THB for the purpose of sexual exploitation (June-August), and a campaign on the occasion of October 18th - the EU Anti-Trafficking Day (late September/October-November), targeting new forms and trends related to the crime. As part of the campaigns or separately, the ten LCCTHBs organise various complementary prevention activities.

- **2020 accents:** the campaign for prevention of THB for the purpose of labour exploitation included dissemination of information materials – video spots, web banners, and posters in partnership with one of the major TV groups – Bulgaria ON AIR, the LCCTHB, the National Employment Agency, the General Labour Inspection, the Ministry of Foreign Affairs and other partners. In addition to the general awareness-raising tools, the administration of NCCTHB, the National Employment Agency, and the local anti-trafficking coordinators traditionally rely on direct prevention and education, i. e. the participation and inclusion of the topic during labour exchange events organised by the Regional Labour Offices targeting long-term unemployed people including members of marginalised communities and Roma mediators.

The campaign focusing on prevention of THB for the purpose of sexual exploitation relied mainly on educational techniques: information sessions and webinars with young people – high-school and university students at the local level. The activities included expanding and further building the capacity of the volunteer network of students and young people associated with the local commissions. The main focus of the anti-trafficking volunteer network is working with students and engaging young people in prevention activities, including peer sessions in schools and initiatives with vulnerable groups.

The campaign on the occasion of October 18 focused mainly on the risks of involvement in sexual exploitation and included general awareness-raising techniques – production and rotation in national media and NCCTHB's communication channels of audio and video spots; online promo tools as web banners in specialised web sites, Google Ads and social networks. The campaign included production of offline materials disseminated through the LCCTHB and partnering networks.

A campaign to prevent the trafficking of pregnant women for the purpose of newborn selling was developed regionally by the Local Commission in Burgas in partnership with Burgas Municipality and Association "Ravnovesie". It included the production of an animated short movie and its dissemination through the communication channels of NCCTHB, LCCTHB Burgas and Burgas Municipality as well as screening during information sessions with students, Roma mediators and other organisations working actively with vulnerable groups.

The complementary prevention activities held by the other local anti-trafficking coordinators relied on information sessions with primary and secondary students including in areas with a prevalence of Roma population at the local level focusing on the risks related to THB in the online environment and promoting safe use of the Internet involving more than 1800 students. LCCTHB Montana held two information and empowering sessions with 40 Roma women. LCCTHB Sliven produced a video post disseminated in Tik Tok reaching 3081 users.

The prevention activities of the National Commission and related informational materials (video spots, informational visualizations, media publications, event coverage, etc.) are regularly published throughout the year on the Commission's official social media profiles on Facebook, Instagram, Twitter, and YouTube. The total number of posts exceeds 170, with an approximate reach of over 100,000 users (according to social media data).

In 2020, more than 50 activities/mini-projects were implemented within the programs to raise awareness at the national and local levels, reaching over 25,000 people.

- **2021 accents:** A national prevention campaign with the slogan "There is no free lunch" was developed focusing on THB for the purpose of labour exploitation and forced labour targeting both Bulgarian citizens looking for better job opportunities abroad and third-country nationals coming for seasonal work or other types of employment in Bulgaria especially focusing on labour migrants from the former Post-Soviet States. The campaign was launched by an expert round-table meeting on "*Challenges in the identification, investigation and prevention of trafficking in human beings for the purpose of labour exploitation*" and included a series of events and initiatives targeting representatives of the risk groups. Online and offline tools were produced and disseminated including translation in English and Russian.

A two-phase general awareness-raising campaign at the EU level was developed with the slogans "Blind Betting – Don't Gamble with Your Future" and "Blind Betting – Don't Play with Their Fate!" focusing on THB for the purpose of sexual exploitation and targeting respectively people at risk to be involved in human trafficking and consumers of sexual services. The campaign is the result of the joint work of the Secretariat of the NCCTHB and the General Directorate for Combating Organised Crime developed in 26 Member States – both countries of origin and destination, under the EMPACT Action Plan. The two parts of the campaign (including the information materials - videos, audio spots, visuals) were distributed in partnership with the 10 LCCTHB, Bulgarian National Television, Bulgarian National Radio, Nova TV, Bulgaria On Air, Eurocom TV, Metropolitan Sofia, Sofia Municipality, "Fantastico" retail chain, Next Level Fitness Club, MamaNinja.bg, Paradise Center, Arena Cinema, Bulgarian Association of Family Planning and Sexual Health, A21 Campaign Foundation, Center for Safe Internet, "Customs" Agency, National Revenue Agency, National Social Security Institute, Executive Agency "General Labour Inspectorate", Ministry of Foreign Affairs, Ministry of Education and Science, Employment Agency, Social Assistance Agency, Ministry of Transport, Ministry of Health, State Enterprise "National Railway Infrastructure Company", etc.

Additionally, on the initiative of LCCTHB – Burgas, with the support of the NCCTHB, an information campaign was developed with a focus on sexual exploitation on the occasion of 30 July – the International Anti-trafficking Day including a video spot created by a famous influencer and "Youth Speaks" Association disseminated in social networks with a total number of 80 thousand users reached in Instagram posts of videos and visuals and a total number of video impressions on YouTube over 120 thousand.

- **2022 accents:** preventive activities were focused mainly on targeted prevention among vulnerable groups – ethnic minorities, young people, and Ukrainians fleeing from the war.

Activities related to the prevention of THB for the purpose of labour exploitation: the administration of NCCTHB partnered with IOM Bulgaria in conducting 8 information sessions for representatives of Roma mediators' networks in the country, aimed at raising the awareness on safe labour migration and protection against risky situations related to THB for labour exploitation and forced labour.

LCCTHBs held an online discussion forum with university students from Blagoevgrad, Burgas, Sliven, and Sofia on "Combating trafficking in human beings for forced labour" and separate information sessions with students, unemployed people, and representatives of ethnic minorities.

Activities related to the prevention of various forms of THB:

- NCCTHB partnered with A21 Campaign – Bulgaria in the launch and development of the "Can You See Me" campaign including the premiere and screenings of two short

movies: „City of Ghosts“ and „The Seaside“ treating the topic for THB for the purpose of labour and sexual exploitation targeting students, minors clients of social services and Roma community representatives.

- Joint action days – screening for prevention of THB organised jointly by the Secretariat of the NCCTHB and the Border Police Directorate - Airports, Ministry of the Interior, and A21 Campaign were held at Sofia Airport.
- Various: partnership in the Learning in Action Partnership's "Eyes on 4" campaign to prevent child sexual exploitation; a series of information sessions at the local level focusing on sexual exploitation, trafficking of pregnant women, online risks and safe Internet targeting students, children deprived of parental care, persons with special needs, women prisoners, representatives of the Roma community, etc.; online Academy for Volunteers from Veliko Tarnovo, Montana, Pazardzhik and Plovdiv; lectures with students from the Medical University in Sofia, Media and communications Dept. at the New Bulgarian University, Faculty of Law at Sofia University, Pedagogy and Social Activities at Sofia University.

Activities related to the prevention of THB among Ukrainians fleeing from the war: information and empowering sessions with Ukrainian women focusing on labour rights and risk of THB for the purpose of labour exploitation and gender-based violence and sexual exploitation; trainings for volunteers supporting the Ukrainian community; printing and dissemination of offline and online information materials.

- **2023 accents:** general awareness-raising and targeted prevention.

Activities related to the prevention of THB for the purpose of labour exploitation: the administration of NCCTHB and A21 Campaign – Bulgaria joined the concert "Rock for Labour" on 1 May - International Labour Day organised by the Confederation of Labour "Podkrepa" and shared information about the risks of being involved in trafficking in human beings for labour exploitation and forced labour. NCCTHB and LCCTHBs in partnership with the Employment Agency held a number of events to raise awareness about trafficking for labour exploitation among vulnerable groups: long-term unemployed, job seekers, and unemployed young people. 14 information sessions were held by IOM Bulgaria in partnership with the administration of NCCTHB and LCCTHBs targeting Roma mediators and focusing on safe labour migration and the risk of involvement in THB for the purpose of labour exploitation.

Activities related to the prevention of various forms of THB:

- follow-up of the "Can You See Me?" campaign including screening of the movies at the House of Cinema on the occasion of October 18 targeting students from schools in areas with a prevalence of Roma population, children deprived of parental care as well as other young users of social services and victims of human trafficking accommodated in the specialised services, followed by 5 information sessions and screenings of the short movies in schools in areas with prevalence of Roma population. General awareness-raising initiatives including offline and online tools were held as well.
- the ten local anti-trafficking coordinators took part 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.
- the Central Commission for Combating Juvenile Delinquency in partnership with the NCCBTH and the LCCTHBs conducted joint initiatives for the prevention of human trafficking targeting juveniles with delinquent acts.
- LCCTHB Sliven conducted an information campaign on the prevention of human trafficking and cybercrime in the context of the use of the Internet for recruitment, exploitation and control of vulnerable persons. The campaign covered 139 students and 51 parents.
- LCCTHB Sliven in cooperation with Initiative Empathy Foundation – Sliven organised a focus group covering 10 persons with special needs.

- The Ministry of Foreign Affairs disseminated around 6000 information materials through the consular services.
- Joint action days – screening for prevention of THB organised jointly by the Secretariat of the NCCTHB and the Border Police Directorate – Airports at Sofia Airport.
- Joint action days within the framework of EMPACT Action Plan in partnership with the General Directorate for Combating Organised Crime and General Directorate Border Police focusing on THB for the purpose of labour exploitation and specifically – seasonal work in agriculture.
- Online Academy for Volunteers in Veliko Tarnovo, Montana and Pazardzhik and lectures with students from schools and universities.

Activities related to the prevention of THB among Ukrainians fleeing from the war: information and empowering sessions with 50 women; information materials and guidelines for early identification for border police and other frontline officers (10 000 booklets and 5 000 posters).

State Agency for Refugees

In 2023, no individuals identified in the Territorial Divisions (TP) of the State Agency for Refugees (SAR) at the Council of Ministers were exposed to the risk of human trafficking. Social experts working on the ground with individuals seeking international protection pay particular attention to unaccompanied children, single mothers, lone women, and men who could potentially be victims of human trafficking. Weekly information sessions are held with newly accommodated individuals, and printed materials are distributed in their languages with instructions and phone numbers to serve as help.

General Labour Inspectorate Executive Agency

Trafficking in human beings for the purpose of labour exploitation is one of the main challenges related to labour law violations and other illegal activities (such as tax evasion, fraud related to social payments, money laundering), which cause severe harm and affect an increasing number of victims, covering various sectors of the economy, including different stages of supply chains, and is driven by the desire to increase profits through underpayment, excessive workload, and/or exploitation of workers. Labour migration and the search for decent work also increase the risks of labour exploitation.

In recent years, Bulgaria has seen an increasing trend in the demand for labour from third countries, especially in the Black Sea resorts. The reasons for this are a shortage of staff in certain sectors but also the search for cheaper labour, which poses a risk that foreign citizens might be subjected to forms of labour exploitation.

Within its control activities, the Labour Inspectorate identifies groups of people at real risk of becoming victims of human trafficking. These include seasonal workers, workers hired through temporary employment agencies, domestic workers, workers hired through intermediary agencies, posted workers, asylum seekers, refugees, and persons with temporary immigration status. Identified sectors with increased risk of labour exploitation are agriculture, construction, fishing, hospitality, and domestic work.

Vulnerable individuals to trafficking mainly originate from marginalized groups living in poverty in economically underdeveloped regions of the country. The role of the Labour Inspectorate in counteracting these processes is crucial. Regulating the labour market through effective control and sanction mechanisms, as well as through preventive measures such as counseling, access to information, promoting international and inter-agency cooperation and coordination.

Animus Association Foundation (Animus)

Animus Association Foundation (Animus) as a participant in the European project ACTIVATE - enhancing the anti-Trafficking Identification, prevention and support mechanisms (AMIF-2019-AG-

CALL) contributed to the development of two training manuals for lawyers and social workers respectively, who work with third-country nationals, victims or at risk of trafficking (Trainer's Manual for Lawyers Working with Victims of Trafficking and Trainer's Manual for Professionals Working in Reception and Identification Centres). They specifically address the topic of vulnerability and cross-sector/crosscutting vulnerabilities. Animus' contribution is the classification of vulnerabilities and the definition of vulnerability indicators. A typology of vulnerabilities - Guide of Typologies - has also been published. All editions are available in Bulgarian and English on the Animus website. Indicators of vulnerability can be found here - <https://nrm.bg/en/aid-for-victims/indicators-of-vulnerability-to-human-trafficking/>

Dignita Foundation

In 2022 Dignita Foundation prepared an analysis of the risks of human trafficking for Ukrainian refugees in Europe. The analysis provides a preliminary assessment of the vulnerability of Ukrainian refugees to human trafficking with a special focus on the situation of those refugees registered in Bulgaria.

The aim is to increase the capacity of national institutions and NGOs supporting refugees from Ukraine to recognise the risk of trafficking, identify potential cases of exploitation, refer suspected victims on how to get support and report to investigative authorities. There is also a need to sensitise the general public to recognise potential signs of exploitation, which will help improve the reporting of cases and overcome obstacles such as language barriers, lack of knowledge and trust in local institutions that Ukrainian refugees face in ensuring their human rights.

The analysis provides general systematic information on the situation of human trafficking in Ukraine before the war, examines the current Ukrainian refugee crisis in Europe and in Bulgaria in particular, focuses on the risks of human trafficking for the refugees and the most vulnerable groups among them, and provides recommendations with the aim to improve human trafficking prevention, identification of victims of trafficking and their protection in Bulgaria.

Key findings of the report:

- While there have been some improvements in host societies in terms of arrival and registration for temporary protection, the end of state-funded programmes and the depletion of financial resources for the first wave of refugees is likely to act as an impetus for risky livelihood strategies, particularly for those who lack recognised qualifications and are responsible for supporting three generations. Organised crime as well as individual criminals are likely to exploit these vulnerabilities and experts warn that Ukrainian women could become targets for trafficking for sexual exploitation along the Black Sea coast. At the same time, volunteers in Bulgaria and other host countries recognize labour exploitation schemes and abuses of labour regulations. Women and girls at risk of poverty in Ukraine, unaccompanied minors, those with nationalities other than Ukrainian, those without access to temporary protection schemes, people with disabilities, and members of marginalised groups such as LGBTI and Roma have cumulative vulnerabilities that place them at higher risk of trafficking and exploitation.
- The reluctance of Ukrainian refugees to report violence and exploitation due to distrust in public institutions or fear of discrimination creates challenges for early recognition of signs of trafficking. This, combined with refugees' lack of local language skills in host societies, increases their vulnerability to trafficking and exploitation and limits their ability to seek help and protection from violence.

The full analysis can be found [HERE](#).

In 2023, Dignita prepared an analysis of at-risk job advertisements, based on which prevention and information materials were prepared targeting refugee women from Ukraine and recommendations were made to state institutions. The report on risky job advertisements by Ukrainian refugees was published on EWSI - https://migrant-integration.ec.europa.eu/library-document/assessment-risky-job-offers-ukrainian-refugees-bulgaria-summer-2023_en. This is the EU's official portal for migrant integration.

Another vulnerable group that falls within the scope of Dignita Foundation's activity is the segregated Roma communities who are one of the most vulnerable groups to human trafficking.

In 2023-2024, Dignita conducted a field study on the vulnerability factors to gender-based violence against women and trafficking for sexual exploitation in the Roma community in Karzanlak and Novi Pazar. The results of the study are summarized in an analysis of needs related to the prevention of gender-based violence and vulnerability factors to trafficking of women for sexual exploitation in extremely marginalized Roma communities in Kazanlak and Novi Pazar, which focuses on early dropout from the education system, early marriage and childbirth, which reinforce girls' dependency on boys' families and increase poverty rates, and the widespread prevalence and use of psychoactive substances among adolescents in the community. The study also highlights available community resources and positive influencers that lead to the empowerment of girls and women in the neighborhood.

During the current year, Dignita will prepare two new analyses on the risks of human trafficking to Ukrainian refugees, two years after the start of the war, under the different migration flows and the current political circumstances. On the basis of the analyses, training for professionals from 6 EU Member States will be prepared. We will also continue with empowerment sessions for refugee women from Ukraine to prepare them to avoid violations and exploitation.

A21 Bulgaria

In 2023, 13.5% of human trafficking-related contacts to the Hotline involved potential victims being groomed by the 'loverboy' method. Hotline call specialists intervened in each case to prevent further exploitation. The recruitment happened online, through various social media platforms.

2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:
 - a. protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);

State Agency for Child Protection

For trafficked children, the protective measures under the Child Protection Act are applied. Thus, measures to help children who are victims of exploitation overcome the trauma are applied. The cases of trafficked children are actively monitored by the Child Protection Units at the Agency for Social Assistance for a period of one year in order to provide the necessary support and prevent re-trafficking, as well as to limit the possibility of other children in the family being involved in the process. At the discretion of the social worker, the monitoring period may be extended depending on the specifics of the case. In accordance with the provisions of Article 20, paragraph 4, item 2 of the Regulations for the implementation of the Child Protection Act, when providing protection to children who are victims of violence or trafficking, the Director of the Social Assistance Directorate of the Social Assistance Agency shall issue an order for placement in a crisis centre and/or the use of other forms of social services and shall issue a mandatory prescription to the parents in order to protect the rights of the children

Bulgaria has a good legislative framework which provides the necessary safeguards against trafficking in human beings, including children. As of June 2024, according to information published on the website of the Agency for Social Assistance, there are 20 Crisis Centres for Children in the country. The service is residential and is provided 24 hours a day. In this social service, children victims of violence, trafficking or other forms of exploitation receive individual support, their daily needs are met, and they receive legal counselling or socio-psychological assistance.

The placement of children in the Crisis Centre social service is for up to six months and is carried out by the court. Pending the court's decision, the Social Assistance Directorate of the Agency for Social Assistance of the child's place of residence carries out temporary administrative placement. The main services provided in crisis centres are the provision of shelter and food, meeting health needs, psychological support, life and social skills training, educational services, preparing the child for reintegration into the family and, if this is not possible, other child protection measures in accordance with the Child Protection Act. After leaving the Crisis Centre and if necessary, children are referred to other social services in the community.

The State Agency for Child Protection has an established practice of receiving an update every three months on each child victim of trafficking placed in a Crisis Centre in order to follow up on the care and development of the case. This practice allows for intensive monitoring and provision of adequate methodological support by SACP experts to social workers working on these cases.

The quality of care provided in the Crisis Centre is subject to regular monitoring and control by the State Agency for Child Protection and local municipal authorities.

In order to ensure procedures for better identification, referral, protection and support of trafficked children and the application of a multidisciplinary case-by-case approach, a Coordination Mechanism for referral and care of unaccompanied and trafficked children returning from abroad has been implemented since 2010. The inter-agency case-specific referral system facilitates the comprehensive, rapid and efficient follow-up of each case following a report from abroad or from within the country of an unaccompanied or trafficked child. The purpose of the mechanism is to ensure effective coordination in the implementation of the specific obligations for the interaction of the actors involved in the return from abroad and the provision of support to unaccompanied minors and trafficked children.

The Child Protection Act enshrines an understanding of the leading role of risk prevention and timely support for the child and family. There is a provision that explicitly states an obligation for any person who becomes aware that a child is in need of protection to immediately notify the Directorate of Social Assistance, the State Agency for Child Protection or the Ministry of the Interior. The same obligation also applies to any person who has knowledge of this in connection with his profession or activity, even if it is bound by professional secrecy. The efforts of all institutions involved are aimed at preventing violence against children, including the risk of early cohabitation, early pregnancy and childbirth.

The child protection system provides assistance, protection and support to children who are victims of violence or trafficking, children beggars and street children and takes action to prevent the child from being involved in adverse activities and to overcome the trauma of the experience. Where violence is identified, protection measures shall be taken for the child in accordance with the Child Protection Act in order to protect the child's life and health and to safeguard the child's rights and interests. The protection measures shall depend on the assessment of the case, the risks identified and the needs of the child. Psychological work and counselling of the child shall be mandatory in the work with children who are victims of violence, trafficking or other forms of abuse in order to improve their psycho-emotional state and overcome the trauma of the experience. Measures for protection in a family environment include the provision of pedagogical, psychological and legal assistance in matters related to the upbringing, education and training of children.

Children victims of violence and trafficking are children at risk who can be placed in foster families as a priority.

In cases where violence against the child, involvement in trafficking or any other form of abuse or exploitation is perpetrated by the parents/family or with their knowledge and consent, or where they encourage and involve the child in activities that adversely affect his/her development or by their actions or omissions place the child at risk, the relevant authorities (Court and Prosecutor's Office) must be notified to take action under their jurisdiction and

seek criminal prosecution. It is also within the competence of the Child Protection Departments' staff to issue mandatory prescriptions to parents or persons entrusted with the parental function with the emphasis on the obligation to provide a safe, secure and protected environment ensuring the proper development of the child.

State Agency for Refugees

In the best interest of the child and for the successful integration of children seeking and receiving international protection, SAR at the Council of Ministers prioritizes their accommodation in social services. In 2023, 43 unaccompanied children were accommodated in social services.

- b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;

Administration of NCCTHB

Information about initiatives related to online safety is included in the answer to question 1.

Animus Association Foundation (Animus)

Under the European project "REBOOT NOW - Prevention of Gender-Based Violence in Schools after Lockdown" (CERV-2021-DAPHNE- PJG 101049567) Animus provided a generally accessible social service - a mobile psychological office - in 4 Sofia schools. The office supplemented the work of school psychologists and provided psychological counselling to children, teachers and parents. 150 people were assisted - 46 children, 88 parents and 16 teachers. In addition, a Well-being Festival was held in each school. Within the framework of the festival, group interactive activities were held, some of which directly affect the prevention of human trafficking among adolescents - "Internet, pop culture, cyberbullying" and "News in children's language (increasing media literacy)". During the school year, various interactive classes were also held in the classroom aimed at building basic life skills for non-violent communication and recognizing abuse in human relations.

Animus offers various methods for promoting mental health and building life skills among preschool and school-aged children - <https://bezstrah.org/>

- c. putting in place a system for monitoring and reporting cases of abuse;

State Agency for Child Protection

The implementation of the State policy on child protection is also carried out through the establishment of the National Helpline for Children, which is a European commitment undertaken by the Republic of Bulgaria in 2009 and the SACP is the only State institution empowered to manage and monitor it. The National Helpline for Children (NHC) has a harmonised telephone number 116 111, regulated on the basis of Article 17a, para. 17(1) of the Child Protection Act. The SACP is the national body responsible for dealing with reports of children at risk, through information, counselling and reporting. It operates around the clock, seven days a week, by maintaining a Call Centre positioned in the SACP.

NHC 116 111 fully complies with the requirements of the Cybersecurity Act in our country. The line's customers can be reassured about the confidentiality of the personal information they share and the lack of manipulation or misuse of their data.

Counselling is available on 116 111 for information and psychological support. The hotline also serves as a tool for reporting suspected risks to a child. If the consultation turns into an alert, the number of the Ministry of the Interior, the Child Protection Departments, the "National 112 System" is directly dialled via a softphone, as the same are predefined in the system.

- d. providing training to child care professionals, legal guardians, education professionals;

Administration of NCCTHB

The NCCTHB administration and the LCCTHBs in partnership with different institutions and organisations, regularly organise various capacity building events for professionals from the educational system – teachers, school counsellors, social workers, Roma educational mediators, other pedagogical specialists and professionals working with young people focusing on the risks of involvement in THB, the identification, protection, prevention, safe use of the Internet, risky behaviour etc.

2019: 7 trainings for 210 professionals.

2020: 13 trainings for 374 professionals.

2021: 10 trainings for 354 professionals.

2022: 4 trainings for 169 professionals.

2023: 2 trainings for 53 professionals.

A21 Bulgaria

To prevent children from becoming victims of human trafficking, there has been consistency in regard to prevention and awareness sessions in schools and kindergartens.

Prevention sessions were organized with the primary goal of educating parents about the dangers and signs of online exploitation. These sessions aimed to provide parents with the essential knowledge and tools needed to protect their children from online predators. By covering topics such as recognizing suspicious online behaviour, understanding the tactics used by traffickers, and knowing how to report concerns, these sessions empowered parents to take proactive steps in safeguarding their children.

In addition to these prevention sessions, extensive professional training programs were conducted for frontline professionals. These professionals, including teachers and social workers, received specialized training designed to enhance their ability to identify and respond to cases of exploitation. The training covered a range of important areas, including the latest trends in online exploitation, best practices for intervention, and the resources available for supporting victims.

These professional training sessions were crucial in equipping frontline workers with the skills and knowledge they need to effectively combat human trafficking and provide comprehensive support to victims. By fostering collaboration among different sectors and enhancing the capabilities of those on the front lines, these initiatives aimed to create a safer environment for vulnerable individuals and contribute to the broader efforts to prevent human trafficking.

- e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

State Agency for Refugees

Regarding the accommodation of unaccompanied children in the registration and reception centers (RRC) under SAR at the Council of Ministers, three "Safe Zones" have been established

– in Sofia and Harmanli. The care for the children in these zones is continuous and provided by social workers, psychologists, lawyers, and other specialists, with round-the-clock security.

Animus Association Foundation (Animus)

Animus is developing a new type of social service licensed by the State Agency for Child Protection and by the Agency for Quality of Social Services – Advocacy and Support Center for Children "Protection Zone" ("Zona ZaKmila") for children who have experienced or are at risk of violence and their families. The centre introduces a specialized approach and services combining good legal, medical, psychological and social practices with child-friendly procedures and environment. The centre is organized based on a multidisciplinary team, which includes all institutions involved in the case of a child (<https://animusassociation.org/zona-zakmila/>).

f. birth registration for all children born in the country.

Administration of NCCTHB

The conditions and procedures for the civil registration of individuals in the Republic of Bulgaria are regulated under the Civil Registration Act. It regulates as well the procedures related to the registration of children and the issuing of birth certificates. The Civil Registration Act is accessible in Bulgarian language [HERE](#).

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

Administration of NCCTHB

The NCCTHB administration is a member of the National Council for Gender Equality to the Council of Ministers. The Ministry of Labour and Social Policy (MLSP) organises and coordinates at the national level the implementation of the state policy of the Republic of Bulgaria in the field of gender equality through the National strategy for promotion of gender equality 2021 – 2030 and the relevant action plans. Different measures are included annually under Priority area 4: Combating violence and protecting and supporting victims.

Animus Association Foundation (Animus)

The services for victims of trafficking in Bulgaria were created with the presumption that the victims are mainly women who are victims of sexual exploitation. There is currently a lack of services tailored to men, to their needs and how they experience the trauma caused by human trafficking. Next month Animus will publish "Empowering Men Affected by Trafficking in Human Beings through Adult Education" in Bulgarian language, which presents the specific needs of male victims or at risk of human trafficking.

Dignita Foundation

In 2024, Dignita prepared an analysis of needs related to gender-based violence prevention and vulnerability factors to trafficking of women for sexual exploitation in extremely marginalized Roma communities in Kazanlak and Novi Pazar (see point 1). Based on the results of the analysis, Dignita engaged prominent specialists on the topics of domestic violence, addictions, human trafficking and conducted awareness sessions for women in the community and health mediators. The analysis, outlining overlapping and mutually reinforcing factors of vulnerability to the most severe forms of violence against women, was presented to representatives of high-level institutions during an event organized in Sofia in June 2024. Dignita will continue its outreach work to empower women and informal leaders from vulnerable and marginalized groups for early identification, referral and support

in cases of gender-based violence against women. We will also continue through advocacy to reach out to institutions at national and local levels to call for addressing the factors that increase the risks of violence against women among the most vulnerable groups.

In the context of the refugee crisis, in the period 2022-2023 Dignita Foundation is working actively with Ukrainian refugee women in Bulgaria on prevention of exploitation and trafficking in human beings, as well as on measures for socio-economic integration through inclusion in the labour market. Dignita has created a pilot model for empowering Ukrainian women, the so-called "Women's Circles", including different modules: personal and career development, labour rights in Bulgaria, connecting with reliable employers, prevention of labour exploitation and human trafficking, presented by specialists in the respective fields during training sessions with women in Sofia and Varna.

In the Women's Circles the representatives of the Ukrainian community in Bulgaria are able to obtain systematized information about their rights in the new country, the local specifics in the job application process, the red flags they should watch out for during this process. The main added value for the Ukrainian refugees was the access to specialized information, presented in an understandable and systematized way, answering many questions and pointing to specific solutions. The opportunity for individual consultations, meetings with experts and employers, contacts with new people from their community, helped to foster a sense of security, support and future direction.

Also, the Women's Circles managed to build the capacities of women, refugees from Ukraine, to recognise the signs of THB for labour and sexual exploitation, as well as other indicators of gender-based violence and to mobilise the Bulgarian system for support of victims and on the mechanisms to seek help in Bulgaria.

In 2024 Dignita will continue to provide consultations and support to Ukrainian refugee women for their social inclusion and labour market integration through the conduction of more Women's Circles in Sofia and Varna.

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:

Administration of NCCTHB

Information relevant to all the areas bellow is included in the answer to question 1.

Ministry of the Interior

With regard to trafficking in human beings, Bulgaria is a country of transit, final destination and, to the greatest extent, country of origin. The main form of trafficking is for the purpose of sexual exploitation while in the same time, other forms also occur - labour exploitation, begging and pickpocketing and trafficking of pregnant women for the purpose of giving birth and selling newborns. Risk profiles of victims of trafficking and traffickers have been prepared. The law enforcement officers are familiar with these profiles as they are included in the annual training plans /including collection of initial information from victims and perpetrators, identification of vulnerable persons in need of international protection, among possible victims of trafficking in human beings, etc./

During the trainings, attention is paid to all forms of trafficking in human beings, especially in cases of trafficking in children (for sexual exploitation, labour exploitation, begging, pickpocket theft, sale of newborns, etc.) and issues concerning measures to guarantee their rights are addressed.

a. research;

Ministry of the Interior

An employee of General Directorate "Combating Organised Crime" (DGCOC) participates in a working group of the Council for Criminological Research of the Ministry of Justice, which is currently preparing a criminological study on the topic "Trends and Prevention of Human

Trafficking". The research includes an analysis of the situation in Bulgaria in terms of the phenomenon "human trafficking" and proposals for legislative amendments in order to more effectively counter human trafficking in the country.

b. information, awareness-raising and education campaigns;

Ministry of the Interior

In order to prevent human trafficking, for years the General Directorate for Combating Organised Crime has participated in information campaigns conducted in the country, aimed at the affected regions and risk groups - children, women, representatives of ethnic minorities, as well as persons seeking work abroad. Within the framework of the prevention, in 2021, in 2021, DGCOC together with the National Commission for Combating Trafficking of Human Beings (NCCTHB) and with the financial support of the European multidisciplinary platform for cooperation against crime threats /EMPACT/ in the priority area "Human Trafficking" organized and carried out a campaign for the prevention of human trafficking for the purpose of sexual exploitation. The campaign is implemented in two stages. The first was aimed at preventing potential victims of human trafficking. Its purpose was to direct the attention of the public and risk groups to the methods of involvement in the criminal networks of human trafficking. The second stage was addressed to users of sexual services. Its purpose was to direct the attention of society, and especially of users of sexual services, to the recognition and assistance of women who have suffered from trafficking. As part of the campaign, two videos, brochures, posters, advertising materials and a social media package were produced and distributed.

The National Employment Agency

The National Employment Agency conducts informational, explanatory and support activities to increase the awareness and prevention of jobseekers through:

- Distributing flyers with information on living and working conditions in the EU and EEA countries, possible abuses, information on avoiding the risks of seasonal work abroad, advice on looking for work abroad, as well as and for the National Human Trafficking Hotline.
- Countering labour exploitation, and when serving the unemployed persons registered in the Labour Offices, they are included in group events to present the working conditions in the respective countries, as well as the legal and legal way of residence and work.
- Periodically holding of Information Days with priority and/or minority groups, with unregistered and inactive persons, Job Fairs, Career Days, Open Door Days, etc., at which information is provided and the topic "Prevention and counteraction of human trafficking and protection of victims" is discussed.
- Consultations on the subject through outsourced workplaces and mobile employment offices. Those looking for employment outside the country receive professional advice from employment intermediaries, psychologists and EURES assistants on employment issues in other countries.
- When conducting informational meetings at the Labour Offices (Job search workshop for persons registered at the Labour Offices; Information days for learners/students and Information days for unregistered job seekers; Job fairs; Job interviews, etc.), employees inform the attendees of the risks from unregulated employment and about the possible dangers that individuals would face when looking for a job, as well as ways to protect against fraud, and how to react in the event of being trafficked for the purpose of labour exploitation of another kind of exploitation. Particular attention is paid to complying with the laws and regulations of the respective country when employed abroad, as well as avoiding suspicious job offers. When informing, counselling and selecting job candidates from risk groups (without or with low education, without qualification, long-term

unemployed persons), who are at greater risk and may end up in a situation of human trafficking, the problem is discussed more thoroughly.

- The activity of Roma labour mediators, case managers and psychologists, whose efforts are aimed at promoting active behaviour in the labour market of inactive and discouraged persons, including educating themselves and/or register in the Labour Offices can be seen as part of the efforts to combat human trafficking.

The National Employment Agency publishes and maintains up-to-date information on the official website about:

- The registered private labour intermediaries licensed for intermediary activity on employment in Bulgaria and/or in other countries and/or for seafarers.
- The registered enterprises that provide temporary work for carrying out activities of providing temporary work.
- Informational material on the topic "Advice when looking for work abroad, with the aim of protection against human trafficking".
- Section with addresses and telephone numbers of the Labour and Social Affairs Offices – representatives of the Ministry of Labour and Social Policy in the Bulgarian Embassies in Berlin, Vienna (also serves Switzerland), Madrid (also serves Portugal), Athens (also serves Cyprus) and London (also serves Dublin), to resolve difficulties encountered by Bulgarian citizens working in the respective country.
- Up-to-date information on access to the labour market and working conditions in Bulgaria in the section "Job opportunities for Ukrainian citizens" and on-site in the Labour Offices. Informational materials have been translated into Ukrainian, Russian and English languages.

c. socio-economic initiatives targeting underlying and structural causes;

The National Employment Agency

The National Employment Agency also participates in the implementation of the Strategic Objective "Overcoming the consequences of human trafficking and reintegration of victims into society by providing assistance, support, assistance and protection" and operational objective 1. "Reintegration of victims into the labour market of trafficking through qualification, employment, etc." in activities to include persons who are victims of human trafficking in employment, including in training and employment programs and measures. The National Employment Agency implements with the State Budget and funds from the European Union programs, measures and projects under Human Resources Development Programme (HRD) for the reintegration of persons, integration of victims of human trafficking into the labour market as well as for the acquisition of new knowledge and skills.

Actions to identify and reach inactive persons in order to activate them for participation in the labour market is a prevention of their falling into poverty and social exclusion, reducing the likelihood that these persons will end up in a situation of human trafficking.

Particularly important is the activity of Roma labour mediators, youth mediators, case managers, and psychologists, whose efforts aim at promoting active behaviour in the labour market of inactive and discouraged persons including educating themselves and/or register at the labour offices.

With funds from the state budget, the National Program "Activation of Inactive Persons" is implemented to provide appropriate employment services to inactive persons, according to the individual profile, to set up the labour market.

The National Employment Agency also implements the project "Starting Work" Component 1 "Activation" under the 2021-2027 HRD Programme, the aim of which is the labour market integration of inactive persons aged 16 to 65 with an emphasis on disadvantaged persons.

State Agency for Refugees

It should be noted that the Agency's social experts regularly conduct information sessions on the topic of "employment opportunities for individuals seeking international protection."

For foreigners undergoing the procedure for granting international protection, the State Agency for Refugees (SAR) at the Council of Ministers issues official notes certifying their right to participate in the labour market. The employment of those seeking protection is carried out in various fields and sectors such as trade, tailoring services, the food industry (bread and pastry production), fast food restaurants, hospitality, construction and industry (general or construction workers), greenhouse vegetable production, plastic product manufacturing, and hairdressing.

d. education, vocational training and job placement programmes.

The National Employment Agency

Countering labour exploitation, as well as supporting the labour market integration of persons at risk including representatives of ethnic minorities includes:

- Motivating for active behaviour in the labour market - increasing the motivation of discouraged persons for more active behaviour in the labour market and acquiring skills for independent job search.
- Provision of professional information, orientation and consulting services.
- Professional support from psychologists and case managers for persons who have been diagnosed with problems of a different nature, preventing them from finding work.
- Preparation of an action plan for each unemployed person registered in a Labour Office including specific steps to achieve employment. In the process of implementing the individual action plan, the labour intermediary actively supports the unemployed person in making contacts with employers. Priority step in the unemployed person's plan is the referral to a vacant job.
- Conclusion of an "Employment integration agreement" with the long-term unemployed persons. The employment integration agreement includes offers from the Labour Office to the long-term unemployed person for the use of specific intermediary services, including referral to appropriate programs and training and incentive measures for employment and referral to services provided by other institutions in order to overcome individual obstacles to integration in the labour market.
- Specialized job fairs are also organized for people from vulnerable groups on the labour market.
- Priority is also included in the following services:
 - "Consultation and mentorship after starting work"
 - "Family Labour Consultant"
 - "Mobile Employment Office"

State Agency for Refugees

Access to education and healthcare is guaranteed by the Law on Asylum and Refugees (LAR) in Articles 26 and 29. During the 2023/2024 school year, 92 children seeking international protection in the Republic of Bulgaria have been enrolled in Bulgarian schools. Our country is an example of a positive trend: involving an increasing percentage of students from this target group and increasingly focused and professional efforts for their literacy and adaptation. This decisive step is the result of legislative changes prepared and adopted by the Ministry of

Education and Science (MES), as well as the consistent implementation of new policies by the regional education authorities.

Dignita Foundation

Over the past two years, Dignita Foundation has intensified and expanded the scope of its work with representatives of segregated Roma communities, especially women and girls, who, due to the specificities of the community and the stereotypes rooted in it, are at particular risk of gender-based violence and trafficking for sexual exploitation. Dignita works in marginalized Roma communities to reach out to at-risk women and girls with the help of health mediators and conducts empowerment sessions with them. Within this scope, Dignita implements empowerment sessions and trainings for representatives of vulnerable groups in the Roma community from different localities, with the aim of recognizing and preventing the crime, as well as how to use protection and support mechanisms for victims to prevent the crime. The areas and themes included in the empowerment sessions were identified as a result of an analysis of needs and vulnerabilities to gender-based violence against women, early dropout from the education system, early marriage and childbirth, and the widespread prevalence and use of psychoactive substances among adolescents in the neighborhood. Dignita Foundation also has experience in specialised work with vulnerable groups to support and mentor them to build basic skills for inclusion in regular forms of employment as well as promoting effective public policies and partnerships to address crime.

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:
- a. deinstitutionalisation, including community and family-based services for children and support for independent living;

Ministry of Labour and Social Policy

First of all, it should be noted that the process of deinstitutionalisation of child care and the monitoring of institutions, residential care services and foster families are not directly relevant to reducing children's vulnerability to trafficking. However, we present information on these two topics.

The reform of the deinstitutionalization of child care continues to be among the priorities of state institutions in the implementation of the National Strategy "Vision for the Deinstitutionalization of Children in the Republic of Bulgaria" adopted in 2010. This is a complex process which is not only related to the removal of children from specialised institutions and their closure. On the one hand, the aim is to improve the quality of life of children removed from specialised institutions and, on the other hand, the process is accompanied by activities that support the social inclusion of children. This is why measures that provide opportunities for them to actively participate in the life of the community (to attend nurseries, kindergartens and schools, to use health, cultural and all other available services) are important. In the context of the principle that the family is the best environment for the upbringing and development of every child, a part of the children from the specialised institutions for children were reintegrated into biological families or were adopted, and another part were placed in foster families or use residential care services. The aim is for children to live in a family environment and for fewer of them to need residential care, and if for some reason or crisis, this form of care is needed, it should be for a short period. Efforts are focused on supporting children and families to prevent risks, with an emphasis on the risk of separation and child abandonment. The targeted and systematic efforts of all actors involved in the deinstitutionalisation process have led to significant results. Since the beginning of the reform,

a total of 133 specialised institutions for children have been closed (97% of the 137 specialised institutions for children operating in 2010). Currently, the last four homes for medical and social care for children - in Varna, Kardzhali, Pleven, and Stara Zagora managed by the Ministry of Health, are also to be closed. The number of children in specialised institutions has also decreased significantly (by more than 97%) - from 7 587 children in 2010 to 158 children at the end of April 2024 (in day-care centres). The most important result of the reform, however, is the prevalence of family care. Currently, many more children in public care are being raised in a family environment (in the homes of relatives or close family members and foster care) compared to children in residential care services. There has also been a threefold increase in the number of social services for children and families, from 241 in 2010 to 745 at the end of April 2024, supporting almost 20 000 children and families.

The Chairperson of the State Agency for Child Protection is a specialized body for guidance, coordination, and control in the field of child protection, whose authority is to exercise control by organizing inspections of compliance with the rights of the child by all state, municipal and private schools, kindergartens and nurseries, centers for support for personal development, medical institutions, directorates "Social Assistance", providers of social services for children and non-profit legal entities working in the field of child protection, and when a violation is detected, issues binding prescriptions for their elimination.

b. monitoring institutions and foster families accommodating persons with disabilities;

Ministry of Labour and Social Policy

With regard to the monitoring of the specialised institutions for adults and residential care services, where persons and children with disabilities are accommodated, it should be noted that the main functions of the Agency for the Quality of Social Services (AQSS; established in 2019-2020) are related to the control and monitoring of the provision of social services. The control is carried out by inspections, which according to their type can be periodic or thematic, extraordinary and follow-up (control), and according to their scope the inspections can be complex and thematic. The AQSS also carries out annual monitoring at national level of the effectiveness of social services. Each social service provider is also obliged to carry out periodic and annual internal control and monitoring of the quality of the social services it provides. The municipalities also control and monitor the quality and efficiency of the social services provided on the territory of the respective municipality, which are financed by the state and municipal budget.

It is important to note that in Bulgaria, only children are placed in foster families. Children who are victims of abuse and trafficking are considered at-risk children, and depending on their needs and the specifics of their case, they may be placed in foster families. This protective measure aims to ensure the children's right to be raised in a family environment, with the guiding principle being the best interests of the child. The Directorate of Social Assistance (DSA) oversees the implementation of the protective measures taken.

c. procedure for the selection and appointment of legal guardians and monitoring of their work;

Administration of NCCTHB

The procedures for selection and appointment of guardians and custodians are regulated under the Family Code (accessible in Bulgarian language [HERE](#)).

The authority for guardianship and custody is the mayor of the municipality in which the person has a permanent address or an official designated by that mayor.

Guardianship is recognised for children (persons who have not reached the age of 14) whose parents are unknown, deceased, fully incapacitated or disqualified, and for persons who are fully incapacitated.

Custody is recognised for minors (aged between 14 and 18) whose parents are unknown, deceased, fully incapacitated or disqualified. Custody is also recognised for persons who are partially incapacitated.

The authority for guardianship and custody appoints a guardianship board, or a custodian and deputy custodian within 30 days from receiving a copy of a judgment disqualifying the parent, or from notification of the parent's death.

Upon the appointment, the authority for guardianship and custody is obliged to give the child a hearing, and before that hearing the court is supposed:

1. to provide the requisite information from which the child could form an opinion;
2. to inform the child about the possible consequences of what the child wishes and of the opinion held by the child, as well as about any decision of the judicial or administrative authority.

The hearing is held before the relatives and close friends of the child or minor who ensure the child's best interests and who have consented to do so in writing. Other suitable persons may also be included in the guardianship board, and the Social Assistance Directorate may be consulted on the matter.

Persons who are incapacitated, who are disqualified parents and who are convicted of deliberate crimes may not be members of a guardianship board, custodians or deputy custodians.

The circumstances regarding the conviction status of the persons are established by the authority for guardianship and custody of its own motion.

Any person who becomes aware of the need to establish guardianship or custody must immediately notify the authority for guardianship and custody.

Where the person to be placed under guardianship or custody is a child, the Social Assistance Directorate must be notified also to carry out an inspection.

The person placed under guardianship or custody lives with the guardian or custodian, unless placed elsewhere under the procedure established by the law. Once the person placed under guardianship reaches the age of 14, the guardianship is terminated and the authority for guardianship and custody appoints a custodian and deputy custodian.

Until their appointment, their obligations are fulfilled by the guardian. Guardians and custodians fulfil their obligations pro bono, that is, without remuneration. The guardian of a child or the custodian of a minor is obliged to take care of, bring up and supervise the child or minor, to manage their assets acting as a prudent administrator and in the best interests of the child, to represent them before third parties, and to consent to legal acts in their best interests.

If the child is placed with a foster family, the guardian or custodian has the right to represent the child before third parties and to consent to legal acts in the best interests of the child.

The guardian is obliged to notify the authority for guardianship and custody within one month of any assets of significant value acquired after the establishment of the guardianship or custody, which is entered in an inventory kept by the authority for guardianship and custody.

The guardian or custodian is obliged to deposit the funds of the person placed under guardianship or custodianship at a bank in their name within seven days of receipt of any such funds. Statutory interest is recoverable from the guardian or custodian for any sums that are not deposited in due time. The performance of any acts disposing of immovable properties, movable property through a transaction executed in a form prescribed by the law and of deposits, as well as of securities belonging to the child, is admitted with the permission of the district court in the area where the child has their present address, if the disposition is not contrary to the child's best interests.

The guardian must accompany the request for permission with the opinion of the guardianship board. Gifts, waivers of rights, lending and securing another person's obligations by a minor child are null and void. The guardian and custodian are obliged to give account to the authority for guardianship and custody annually by the end of February, as well as when requested to do so, and when released.

If this obligation is not fulfilled, the authority for guardianship and custody has the right to impose a fine on the guardian and custodian ranging from BGN 50 to BGN 500. The infringement is established, and the penalty order is issued, appealed and enforced under the procedure of the Administrative Infringements and Sanctions Act.

State Agency for Refugees

In cases where an unaccompanied minor submits an application for international protection, a representative is appointed by the National Legal Aid Bureau (NLAB). The representative is designated by the chairperson of the NLAB or an authorized official, and the unaccompanied child is immediately informed of their appointed representative. The representative's duty is to assist the child in the international protection procedure, including informing the child about the meaning and potential consequences of the personal interview and, if necessary, how to prepare for it. It is also stipulated that the representative cannot be someone whose interests conflict or could potentially conflict with the interests of the unaccompanied child. This ensures greater speed and efficiency in appointing a representative, eliminating the need for additional actions and procedures to engage legal aid, and ensuring the required standard of necessary knowledge and skills for performing this function.

d. access to adequate accommodation, education and work;

Administration of NCCTHB

According to the NRM, informally or formally identified victims of human trafficking have the right to accommodation in specialised services. It also includes persons with disabilities and other vulnerable groups. Very often victims of human trafficking accommodated in the specialised services suffer from different types of mental health issues and intellectual disabilities. If their medical condition impedes successful further reintegration in a long-term perspective they are referred to other types of suitable social services, and the case is tracked by the representatives of the specialised services providers.

The National Employment Agency

The National Employment Agency implements the actions aimed at persons with disabilities in accordance with the requirements of the UN Convention on the Rights of Persons with Disabilities (Article 27), 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. Overall, the national legislative framework is subordinated to a single goal - the improvement of the conditions for implementation in all areas of public life, including employment. Being busy is a major factor for a person to feel included and fulfilled in life. In this aspect, the support of the National Employment Agency is important for every representative of the group of people with disabilities.

In each employment office, there are designated employment mediators who provide specialized mediation for unemployed persons with disabilities. When working with disabled people including victims of human trafficking, an individual approach is applied, and appropriate employment services are provided, tailored to the specific needs, health status, acquired education and qualifications.

A standardized package of services has been created especially for unemployed persons with disabilities, building on the other services offered and providing specialized employment mediation, including:

- support for independent job search;
- motivation for active behaviour in the labour market;
- psychological support - support from a psychologist to deal with the state of unemployment, in the form of individual consultations and participation in group events;
- individual support from a case manager - a package of services provided by social, health and educational institutions is offered, as well as complementary mediation services, which satisfy the needs of the relevant unemployed person to the maximum extent;
- inclusion in adult education;
- inclusion in the Job Search Workshop;
- provision of information on suitable vacancies - during a site visit or by e-mail;
- referral to suitable jobs in the primary labour market;
- inclusion in programs and measures for training and employment, under the National Health Service, as well as in projects under the 2021-2027 PRHR, provided that they meet the set requirements.

Pursuant to the Law on Persons with Disabilities, the National Employment Agency accepts notifications and applications for vacancies from employers who provide suitable employment opportunities for persons with different degrees of disabilities.

- e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.

Administration of NCCTHB

Standard operational procedures related to the identification included in the NRM are also applicable for persons with disabilities including available hotlines and helplines.

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;

State Agency for Refugees

To identify vulnerable individuals and those with special needs, experts from the State Agency for Refugees (SAR) at the Council of Ministers are present during the registration of individuals to identify visible signs of vulnerability. In the second stage, the "conducting of an interview," all other facts and circumstances are identified, and the necessary support measures are taken. To reduce the vulnerability of children to human trafficking, experts use established tools: identification and needs assessment, support plans, and social consultation. The guidelines of the European Union Agency for Asylum (EUAA) for identifying individuals with special needs are also utilized. An individualized approach is applied through additional social interviews and consultations.

In the best interest of the child, as the guiding principle in working with unaccompanied children seeking protection, social experts use the following tools:

- A form for a quick and comprehensive assessment of the child's best interest;
- A risk assessment guide;
- Early psychological support (if requested by the child).

In the Law on Asylum and Refugees (LAR, accessible in Bulgarian language [HERE](#)), the right to legal assistance is guaranteed in Article 29(8). The representation of unaccompanied children is outlined in Article 25: "An unaccompanied minor or juvenile foreigner seeking or having received international protection, who is on the territory of the Republic of Bulgaria, is represented in the proceedings under this law by a lawyer registered in the legal aid register of the National Legal Aid Bureau, appointed by the chairperson of the bureau or by an authorized official."

In cases where a third-country national or stateless person states that they wish to apply for international protection, immediately before their registration, they are given a copy of the guidelines on the procedure for submitting an application for international protection, the procedure that will be followed, and the rights and obligations of those who have applied for protection in the Republic of Bulgaria. The guidelines detail the procedure for reviewing the application, the rights and obligations of the applicants, and provide a list of organizations offering social and legal assistance to those seeking and receiving protection. The guidelines are read to the foreigner in the presence of a translator, and a copy is given in a language understandable to the applicant. Providing these procedural guidelines under the Law on Asylum and Refugees (LAR) is mandatory, regardless of whether the individual is identified as a victim of trafficking at that moment.

In 2021, an Advisory Group was formed to create an online platform for the referral and support of trafficking victims, based on the National Referral Mechanism for Victims of Trafficking (NRM) in the Republic of Bulgaria. The Advisory Group includes representatives from SAR at the Council of Ministers, the Agency for Social Assistance (ASA), the Agency for Quality of Social Services (AQSS), the State Agency for Child Protection (SACP), the Prosecutor's Office, the General Directorate "National Police", the General Directorate "Combating Organized Crime", the General Directorate "Border Police", the Chief Labour Inspectorate, the International Organization for Migration (IOM), and the United Nations High Commissioner for Refugees (UNHCR) in Bulgaria. Experts from the National Commission for Combating Trafficking in Human Beings (NCCTHB) consulted the process. 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 Animus Association Foundation. The aim is to facilitate support work for trafficking victims by following the standard operating procedures of the NRM, adopted by the Council of Ministers in 2016. The platform includes information on all participants in the Mechanism and an interactive map of social services in the country that provide support to trafficking victims.

Administration of NCCTHB

Job vetting is available in addition to the possibility to report a signal in 200 languages including Ukrainian language via the national hotline for THB operated by A21 Bulgaria (part of the Permanent Working Group under the NCCTHB).

IOM Bulgaria's (part of the Permanent Working Group under NCCTHB) mobile protection teams (consisting of legal counsellors, social workers, and psychologists) provide support and direct assistance to refugees and migrants in vulnerable situations including those of Ukrainian origin, together with interpreters, with a focus on vulnerable persons, such as children, (accompanied and unaccompanied), single women, female-headed households, persons at risk or victims of trafficking, persons with disabilities, persons with serious illnesses, persons of diverse sex, sexual orientation, and gender identity, and survivors of GBV. Cash-based interventions and accommodation support according to vulnerability criteria are also available for Ukrainian migrants.

In 2023 and 2024, IOM Bulgaria is conducting a series of informative sessions aimed at individuals affected by the war in Ukraine and currently residing in Bulgaria. The sessions

cover essential topics related to social adaptation, integration, and support available for these individuals including information about the risks of THB and the available system of support. UNHCR Bulgaria (part of the Permanent Working Group under NCCTHB) conducted a Multi-sector Needs Assessment of Ukrainians residing in Bulgaria including their vulnerability to be involved in THB which was disseminated among the relevant institutions and organisations.

b. access to legal assistance and representation;

National Legal Aid Bureau

Thematic training programmes under the Asylum and Refugees Act, organised and conducted on an annual basis jointly with the Bar Associations throughout Bulgaria, the Krastyu Tsochev Attorneys' Training Centre, the State Agency for Refugees, the Bulgarian Helsinki Committee and the UNHCR. These are intended for attorneys listed in the National Legal Aid Registry and are aimed at their specialisation and qualification in the field of protecting the rights of victims of crime and trafficking.

c. access to decent accommodation, health (including psychological) care, work and education.

Administration of NCCTHB

The NRM, rights and the measures provisioned in the standard operational procedures are valid for Bulgarian citizens, other EU citizens, and TCNs.

Animus Association Foundation (Animus)

Animus Services are open to third country nationals. In the last two years, more than 50% of the beneficiaries of the "Mother and Baby Unit" are women from third countries, in an extremely vulnerable position as victims or at risk of human trafficking.

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

Administration of NCCTHB

In partnership with the Ministry of Foreign Affairs, NCCTHB provides information to migrant workers coming for seasonal work or other types of employment in Bulgaria.

Relevant information on prevention measures is included in the answer to question 1.

Ministry of the Interior

The process of interaction and coordination with the non-governmental sector (Bulgarian and foreign organizations) providing services for victims of trafficking has been intensified in our country. Workshops are held with governmental and non-governmental organizations, where the different channels of communication and exchange of information are coordinated, in order to coordinate individual cases more quickly and effectively and to respond in a timely manner to the signals received.

Ministry of Foreign Affairs

The Ministry of Foreign Affairs participates in the implementation of the national policy on combating the human trafficking. The Ministry is part of the institutional framework of the National Referral

Mechanism to support victims of trafficking. Through its consular services, it provides professional and timely assistance to victims of trafficking abroad.

Our diplomatic missions undertake a number of measures to prevent human trafficking and protect the Bulgarian citizens abroad by communication with the Bulgarian citizens, cooperation with the foreign authorities and creating the profile of potential victims of human trafficking who seek help in diplomatic missions.

Citizens are urged to contact the Bulgarian embassies before going to work abroad. They are advised to study the labour legislation of the country they intend to work and to know their rights.

Consular officers monitor potential cases of involvement in human trafficking for the purpose of labour exploitation and pay attention to ways to prevent risky situations and ensure safe labour migration.

Explanatory materials for human trafficking prevention, provided by the Bulgarian authorities, are always available at the premises of the Bulgarian consular offices. The cooperation between the consular offices at the embassies of the EU member states is also used as a source of information.

When a signal about potential victims of human trafficking is received by phone or e-mail, the consular officers conduct interviews with the Bulgarian citizens. If necessary, the potential victims are urged to contact the Bulgarian or local authorities responsible for filing a report. If necessary they are provided accommodation at the respective crisis centers, as is the case in most European countries.

In the majority of cases, the requests for assistance from the competent local authorities to the consular offices are limited to an admission for the issuance of temporary passports for return to Bulgaria.

The embassies are in contact with the local police and social services, to resolve problems, prevent similar cases in the future and improve cooperation between the competent authorities of both countries.

Current and new employees of the Ministry of Foreign Affairs are given the opportunity to attend courses organized by the Diplomatic Institute, which aim to prepare professionals on the topic of combating human trafficking.

The Diplomatic Institute organizes courses on combating and preventing human trafficking. In 2023, at the Trainee Attaché Course that took place from 27 February until 19 May 2023, a total of 14 future diplomats attended lectures on combating and preventing human trafficking. Additionally, in May 2023, during the Consular Diplomacy Course a total of 33 future consular officers were trained to identify and prevent cases of human trafficking.

General Labour Inspectorate Executive Agency

Labour inspectors can recognize the signs of trafficking, interpret them, and link them with the indicators for identifying victims of trafficking. In their inspection activities, the EA GLI prioritizes control regarding the disclosure of unfair practices, persons, and/or employers who put workers in a vulnerable position. Control activities include systematic checks on compliance with labour legislation norms in industries and areas with a high risk of trafficking, such as agriculture, construction, catering, and hospitality.

Specifically, the Labour Inspectorate exercises control over compliance with labour legislation, legislation related to employment promotion, and legislation related to access to the labour market for third-country nationals. Labour inspectors have the authority to visit employment sites without prior notice, ensuring they can obtain information from all workers. Inspectors can check the accommodation of third-country workers, inspect the working and employment conditions of workers, including in cases of non-standard forms of employment (such as temporary employment, part-time work, work through intermediary agencies, posting companies, etc.).

Clear procedures for the recruitment or selection of staff are followed in national legislation, and fees for these services are prohibited and cannot be borne by the workers or job seekers. Transport costs for mobile workers are borne by the employer, and accommodation and food costs are negotiated. Unauthorized or concealed costs are not allowed to be deducted from workers' wages. Mechanisms

are in place to ensure that labour contracts and payslips are clear and transparent, indicating the name of the employer. Labour contracts concluded with foreign employers are presented to the worker before departure from the country with a translation into Bulgarian. It is not allowed to sign one contract at the time of hiring to be replaced by another contract upon the arrival of the migrant worker in the country of work. It is regulated that employers (including foreign or posting employers) must negotiate and provide working conditions and remuneration as established in the country where the work is performed. Temporary workers have the right to terminate their employment relationship and enter into a permanent contract with the user company. In case of systematic violations of labour norms, the legislation provides for joint responsibility, including in supply chains and restrictions on participation in public procurement.

In the framework of its control activities, the Labour Inspectorate ensures compliance with the mentioned regulatory requirements, paying special attention to various risk groups of workers (seasonal workers, workers hired through temporary employment agencies, domestic workers, workers hired through intermediary agencies, posted workers, asylum seekers, refugees, and persons with temporary immigration status) in sectors with an increased risk of labour exploitation (agriculture, construction, fishing, hospitality, and domestic work).

The effective application of labour law standards by labour inspectors in all sectors of the economy is crucial, including regarding migrants, which has a deterrent effect on attempts at abuse and/or exploitation. Along with this, the EA GLI exercises control over the lawful residence and work of third-country nationals to protect their labour rights.

Regarding vulnerable groups such as Ukrainian refugees as a result of the war in Ukraine, legislative changes were introduced in national legislation in accordance with Council Directive 2001/55/EC of 20 July 2001 on minimum standards for providing temporary protection in case of a mass influx of displaced persons and measures to maintain the balance between Member States in their efforts to receive such persons and bear the consequences of this reception. According to these changes, Ukrainian refugees with temporary protection received the right to reside and work on the territory of the Republic of Bulgaria without requiring a permit for access to the labour market under the Law on Labour Migration and Labour Mobility (LMLMM). In this sense, for the period of temporary protection, Ukrainian citizens have rights equal to those of Bulgarian citizens, respectively the Labour Inspectorate (EA GLI) carries out control activities concerning them regarding compliance with the norms protecting their labour rights.

Confederation of Labour Podkrepa

The Podkrepa Labour Confederation takes all measures referred to in Question 7, through its federations representing, inter alia, sectors featuring labour migration for seasonal employment in Bulgaria and in other EU Member States.

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;

Ministry of Labour and Social Policy

The main regulation concerning access to the labour market in Bulgaria for foreign citizens is contained in the Law on Labour Migration and Labour Mobility (LLMLM; accessible in Bulgarian language [HERE](#)). This law outlines the principal procedural provisions for granting access to the labour market, including ensuring that foreign workers are informed about their rights and obligations. According to Article 7, Paragraph 4 of the LLMLM, the Employment Agency provides information on all documents necessary for the registration of employment and for granting access to the labour market, including the rights and obligations of the worker who is a third-country national, as well as information on the documents related to employment for citizens on the territory of the Republic of Bulgaria.

The primary regulation related to the labour rights of workers or employees is contained in

the Labour Code and the related subordinate regulatory acts. Specifically, for foreign citizens posted to the territory of Bulgaria, the regulation is contained in the Ordinance on the Conditions and Procedures for Posting and Sending Workers and Employees within the Provision of Services (the Ordinance). According to Article 11 of the Ordinance, the Executive Agency "General Labour Inspectorate" (GLI EA) is the competent authority for providing information upon request regarding the applicable national law and practice concerning the rights and obligations of enterprises that post or send workers or employees to the territory of the Republic of Bulgaria, as well as the posted or sent workers or employees. This also applies to cases where posted/sent employees are foreign citizens. The GLI EA maintains a unified national website, with versions in Bulgarian and English, containing up-to-date information on the working conditions relevant to workers sent/posted to the territory of Bulgaria, including foreign workers. Additionally, according to Article 15 of the Ordinance, the GLI EA conducts a comprehensive assessment regarding the actual posting or sending of the worker or employee, and if it is determined that the posting or sending is not genuine, all the requirements of Bulgarian legislation apply to the employment relationship if they are more favorable to the worker or employee than those provided in the legislation of the sending state.

International Organisation for Migration, Bulgaria

IOM has developed a comprehensive analysis/assessment of the situation of Roma communities in relation to migration; For the period of four years between 2020 and 2024 IOM organized information campaigns to raise awareness among Roma communities on legal aspects related to the rights of asylum seekers and undocumented migrants in Bulgaria, including human trafficking and smuggling; Organisation of information sessions, discussions, workshops, seminars, and other events to raise awareness of issues related to working in the EU/EEA, risk and protection from exploitation, including risk of trafficking for labour exploitation and smuggling, access to social and health services, etc.

Results in numbers:

- **73** info sessions held with **2148** participants
- **27** information campaigns that reached **680** individuals
- Social media campaign (promotion of animated video "5 misconceptions about living and working abroad"): **234,894** reached individuals and **74,681** video views

A21 Bulgaria

The promotion of the hotline 0800 20 100 emphasized its 24/7 accessibility and the availability of live translation services in over 200 languages. This ensures that individuals from diverse backgrounds can receive help at any time. Additionally, frontline workers have been informed that the Hotline provides job vetting services, enhancing their ability to assist potential victims by verifying the legitimacy of job offers and preventing exploitation.

- b. provision of clear employment contracts;

Ministry of Labour and Social Policy

When concluding employment contracts with foreign citizens, when the statutory requirements for their stay and work on the territory of Bulgaria are met, the applicable rules for concluding, mandatory content, amendment and termination of the employment contract are the Labour Code (LT). In this sense, the specific and mandatory content of the employment contract is regulated in Art. 66 of the CT. In addition, General Labour Inspectorate Executive Agency maintains a national website, which contains up-to-date

information on all labour conditions applicable to workers posted/sent to Bulgaria, and the information is also provided in English.

The National Employment Agency

The employment of foreigners on the territory of the Republic of Bulgaria is regulated by the Law on Foreigners in the Republic of Bulgaria (accessible in Bulgarian language [HERE](#)), the Law on Labour Migration and Labour Mobility and the Regulations for its implementation. Through the Law on labour migration and labour mobility, equal access to the Bulgarian labour market and equal treatment of citizens of another EU member state, of a country-party under the Agreement with the EEA and Switzerland is provided, subject to certain requirements and restrictions on market access of labour for third-country nationals.

Through the application of these laws more specifically when checking employment contracts, the observance of labour rights and the offering of fair working conditions are monitored, guaranteeing a better protection of workers who are citizens of third countries in order to avoiding labour exploitation and fraud.

Through the current Agreement between the Republic of Bulgaria and the Republic of Moldova on the regulation of labour migration and more specifically through labour contracts, better protection against labour exploitation, incorrect transmission of information from external sources and the prevention of fraud is guaranteed. The employment contracts are a model type, and the rights and obligations are in accordance with the legal norms of the Republic of Bulgaria. A Declaration of the Employer's Commitments is attached to the employment contracts, where the employer's obligations to Moldovan citizens are considered and provided to the worker by the Moldovan Employment Service. In this regard, the National Employment Agency has prepared:

- information material aimed at Bulgarian employers - describes the order, method and conditions for applying under the agreement;
- information material for Moldovan citizens, containing information about the country, job opportunities, pay, working hours, vacations, taxation, social security, compensation, including links to responsible institutions.

c. access to decent work and housing, health care, social services and education;

Ministry of Labour and Social Policy

Social services are among the main instruments of social policy for providing support to individuals, including those from vulnerable groups. They are activities to support individuals in the prevention and/or overcoming of social exclusion, realization of rights, and improvement of quality of life. Therefore, the reform in the field of social services is among the most important priorities of social policy and is implemented through the Social Services Act (SSA), which came into force on July 1, 2020. Providing the necessary timely support to victims of trafficking is a focus of the law. In cases of emergency support needs, social services for these individuals are provided immediately, without referral.

The service provider immediately notifies the Social Assistance Directorate (SAD) of the necessary actions taken for referral. When a person who is a victim of trafficking requests the use of a social service from the SAD, they are immediately referred to suitable social services funded by the state budget. If the person is accompanied by a child and is the child's parent or guardian, the service is also provided to the child. The SSA regulates special rules for pregnant women and mothers with children up to 3 years old. When a person requesting the use of a social service from the SAD is a pregnant woman or a mother of a child under three years old, she is immediately referred to a suitable social service funded by the state budget, along with the child. If the mother is accompanied by another child who is over 3 years old, the social service is also provided to that child. In case of immediate danger to the lives of individuals and their children, the SAD or the social service provider notifies the Ministry of

Interior authorities at the location of the service. Additionally, the order of listing on the waiting list when the chosen provider cannot provide the social service due to reaching the maximum number of users does not apply in cases of emergency support for individuals in crisis situations, individuals who have suffered from domestic violence, and victims of trafficking. It should be noted that all social services funded by the state budget to support children and individuals without income are free of charge. The use of state-funded social services for emergency support in crisis situations, support and shelter for victims of domestic violence, and victims of trafficking, among others, is also free until the emergency is resolved.

It should be noted that for the first time, the SSA regulates social services at the municipal level, regional-level social services for users from the entire region, and regional-level social services for users from across the country. The social services for providing shelter to victims of trafficking are regional-level services for users from the entire country, specifically to protect the victims. At the same time, the Regulation for Planning Social Services stipulates that social services such as information and consultation, advocacy and mediation, therapy and rehabilitation, and skills training for victims of trafficking will also be planned at the regional level to meet the needs of individuals from across the country. This means that the social service for providing shelter to victims of trafficking will be provided comprehensively with social services for information and consultation, advocacy and mediation, therapy and rehabilitation, and skills training. Not least, the Regulation for Planning Social Services stipulates that regional-level social services to meet the needs of individuals from across the country (such as services for victims of trafficking) will be planned in the National Map of Social Services (which is to be adopted by the Council of Ministers) for each of the 28 regions in the Republic of Bulgaria.

As mentioned, the primary social service providing support to victims of trafficking is the provision of shelter. This involves temporary accommodation in a safe environment for individuals in crisis situations, victims of domestic violence, and victims of trafficking. Additionally, social services such as information and consultation, therapy and rehabilitation, and other social services can be tailored to the needs of victims of trafficking. For supporting victims of trafficking, the integrated provision of support as outlined in the SSA can also be ensured. However, social services are only part of the comprehensive set of measures for protection and support provided to victims of trafficking. Currently, social services for supporting victims of trafficking are provided in Crisis Centers. According to data from the Social Assistance Agency, as of the end of April 2024, there are 12 Crisis Centers for individuals funded by the state budget, with a capacity for 151 users, of which 60 places are occupied, and 20 Crisis Centers for children, with a capacity for 212 users, of which 127 places are occupied

d. possibility to change employers;

Ministry of Labour and Social Policy

As work permits are tied to specific employers and in view of the provision of Article 7, paragraph 4 of the Law on Labour Migration and Labour Mobility (LLMLM), the Employment Agency provides information on all documents necessary for the registration of employment and for granting access to the labour market, including the rights and obligations of third-country nationals.

e. access to confidential complaints mechanisms;

Administration of NCCTHB

The NRM, the hotline for THB operated by A21 Campaign – Bulgaria and the other mechanisms to report guarantee confidentiality (as a guiding principle in the implementation of the NRM) and possibility to report anonymously.

- f. right to join trade unions and to engage in collective bargaining; – ***No information is provided by the relevant authorities.***
- g. legal avenues for regularising their stay in the country. – ***No information is provided by the relevant authorities.***

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

Ministry of the Interior

As regards the investigation of the crime of trafficking in human beings for labour exploitation, active cooperation with the final destination countries is of particular importance. Unfortunately, in most cases, the investigating authorities in these countries regard labour exploitation as labour law violations where poor living conditions, an unsecured working environment, non-compliance with minimum wage standards, etc. are available.

General Labour Inspectorate Executive Agency

As mentioned in the answer to Question 7, labour inspectors have the authority to visit employment sites without prior notice and obtain information from all workers. Inspectors can check the accommodation of third-country workers, inspect working and employment conditions of workers, including in cases of non-standard forms of employment (such as temporary employment, part-time work, work through intermediary agencies, posting companies, etc.).

However, labour inspectors do not have extended legal powers to investigate human trafficking for labour exploitation, which is a crime under the law. Within its control activities, the Labour Inspectorate takes actions according to its powers and when it finds that there is a more serious violation than qualifying it as such under labour legislation, it promptly notifies the relevant competent authorities to the Ministry of Interior, the Prosecutor's Office, the National Commission for Combating Trafficking in Human Beings (NCCTHB), etc., including forwarding the collected evidence.

The EA GLI participates in joint initiatives in joint investigation teams conducted jointly with law enforcement agencies and carried out along the lines of specialized police operations by the General Directorate for Combating Organized Crime (GDCOC), the General Directorate of Border Police (GDBP), and the General Directorate National Police (GDNP) of the Ministry of Interior, where each service performs actions according to its competencies.

Cooperation with investigative services can be two-way. For example, as in cases of more serious violations, the EA GLI notifies the Ministry of the Interior, the Prosecutor's Office, and others, it is also possible when an investigation for human trafficking for labour exploitation begins, if the relevant competent authority (e.g., GDCOC) finds that coercion is absent and the act is not a crime (within the meaning of the Penal Code), but rather a violation of labour legislation, the inspections are forwarded to the Labour Inspectorate.

The EA GLI participates in various manifestations of joint inter-institutional cooperation with law enforcement agencies, tax authorities, trade unions, and other participants in civil society to collect evidence necessary for the successful counteraction of cases of trafficking for labour exploitation. For example, at the national level, the EA GLI participates in joint initiatives and information campaigns regarding countering human trafficking for labour exploitation with the GDBOP and others, and at the international level as an observer, including in planned "Joint Action Days" under the EMPACT line of EUROPOL. Cooperation in identifying and tracking cases of human trafficking for labour exploitation is of paramount importance. The multidisciplinary integrated approach allows for the exchange of information and data as well as mutual supplementation while respecting different roles and powers.

Often, the EA GLI is engaged in complex cross-border cases where serious violations are found such as attempts at social dumping, fake posting, presenting fake documents, labour exploitation, and other malpractice.

The inspection actively participates in the exchange of information and coordination of actions against manifestations of labour exploitation, especially regarding labour migration processes. Within the framework of bilateral international cooperation agreements, it participates in joint initiatives to counter various forms of labour exploitation. For example, with the support of the European Labour Authority, the inspection actively participates in joint and coordinated checks with other member states, mainly in high-risk sectors such as agriculture, construction, and transport.

As a "liaison office" under Article 4 of Directive 96/71/EC and a "competent authority" under Directive 2014/97/EU, the inspection exchanges information with other EU member states through the Internal Market Information System (IMI). Within this administrative cooperation, the inspection exchanges information and data with the competent services of other member states regarding cross-border service provision, including participating in the procedure for imposing, delivering, and/or collecting sums on imposed administrative penalties from other EU member states.

The inspection is seized in cases of submitted signals from Bulgarian citizens and institutions or when the signals are referred for competence by the Directorate "Consular Relations" to the Ministry of Foreign Affairs or by the Labour and Social Affairs Office (LSAO) to the embassies of the Republic of Bulgaria and others. There is active information exchange and cooperation with the heads of the LSAO concerning identified violations of the conditions and procedures for employment, including mediation and under bilateral employment agreements and regulation of labour migration in identified cases of illegal labour activities and others.

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

The National Employment Agency

A regulatory regime has been introduced - registration of enterprises that provide temporary work and registration of private employment agencies is carried out. The regulatory regime aims to protect jobseekers and those employed through these businesses and employment agencies. In order to facilitate jobseekers' access to information about licensed enterprises providing temporary work and private employment agencies, a single electronic centralized Employment Register has been developed | National Employment Agency (government.bg) When advertising and/or publishing a job ad, every employment and recruitment agency is obliged to announce the number under which it is registered to carry out this activity. It is the responsibility of job seekers to inform themselves and verify their legitimacy.

The created legal framework guarantees a set of rights and obligations of workers and companies in relation to labour legislation, such as:

- The intermediary company is obliged to conclude an intermediary contract with the job seeker, providing him with a copy of it, in which, among other conditions, the rights, obligations and responsibilities of both parties are described in detail. The mediation contract must state that the mediator cannot demand remuneration for the provision of the mediation services specified in the subject of the contract. It is illegal to demand sums to cover administrative or other costs related to mediation. Accommodation and transportation costs may be paid for by the applicants, unless otherwise provided for in the employment contract signed by the employer or according to the legislation of the host country.

The intermediary may advertise and/or publish job advertisements only in cases where he has concluded an intermediary contract with a foreign employer, directing job seekers according to the terms of the contract.

The intermediary is obliged to provide the jobseeker with:

- Before his departure from Bulgaria, an employment contract signed by the employer, translated into Bulgarian, which contains information about the profession in which the person will be employed, the term of employment, working hours, holidays, vacations, remuneration, living conditions, health insurance, benefits in the event of an occupational accident, temporary and permanent incapacity, death, transport costs upon arrival / it should be specified who bears the costs - the employee or the employer/ etc.;
- Extract from the current legislation of the foreign country, which regulates the employment of foreign citizens in it, translated into Bulgarian;
- Information about the employer;
- Information about the culture, lifestyle and customs of the foreign country;
- Information about the place of work.

- With regard to enterprises providing temporary work, rules for work in the European Union, the European Economic Area and Switzerland have been introduced in Bulgaria. Their goal is to better protect the labour rights of Bulgarian workers sent by Bulgarian employers, including enterprises providing temporary work abroad. The legal framework is laid down both in the Labour Code and in the Ordinance on the terms and conditions for secondment and posting of workers and employees within the framework of the provision of services.

It is necessary for the enterprises providing temporary work to indicate in the employment contracts, when the workers are sent abroad, that they carry out the activity of providing workers in accordance with all applicable provisions of the legislation of the foreign country, including in connection with the provision of temporary employment, labour law, social security and tax provisions. Employers are obliged to inform the worker/employee in writing of the working conditions in the host country no later than one working day before the start date set for the workers when they are sent to work abroad in the framework of the provision of services.

The costs of transportation and conditions for housing the worker, when it is provided by the enterprise during the posting, must be indicated in the employment contracts. Travel allowances for the employee to go to the place of work in the other country and for his return after the end of the secondment or posting, as well as travel allowances related to the use of paid annual leave for the employee's return and for his return to the place at work in the other country, are at the expense of the employer.

It is regulated in the legal framework that private employment agencies and temporary work enterprises may not require payment of a fee by workers for arranging a job.

General Labour Inspectorate Executive Agency

The Labour Inspectorate fulfills its obligations to counter manifestations of labour exploitation and/or trafficking within its powers by taking actions to carry out regular checks in two directions:

- Control over the activities of labour intermediaries, recruitment agencies, posting companies, employers, and local entities hiring or accepting third-country nationals for work.
- Control in sectors such as agriculture, construction, household services, and hospitality and catering, which are identified as high-risk regarding manifestations of labour violations and/or labour exploitation.

Checks on the aforementioned companies are carried out due to the fact that vulnerable groups often work in unregulated situations through them. Often these are enterprises ("mailbox companies") without significant activity in Bulgaria, quickly created and quickly closed. Control specifically includes checking the lawful registration and performance of activities by intermediary firms and temporary work agencies, checking the agreed working conditions and remuneration, which should be no less than those established for workers and employees performing the same or similar work in the host country, checks including delayed or unpaid wages, lack of labour contracts, working time violations, poor working conditions, unlawful overtime, and others.

Clear procedures are followed in national legislation for the recruitment or selection of staff, and fees for these services are prohibited and cannot be borne by the workers or job seekers. Transport costs

for mobile workers are borne by the employer, and accommodation and food costs are negotiated. Unauthorized or concealed costs are not allowed to be deducted from workers' wages. Mechanisms are in place to ensure that labour contracts and payslips are clear and transparent, indicating the name of the employer. Labour contracts concluded with foreign employers are presented to the worker before departure from the country with a translation into Bulgarian. It is not allowed to sign one contract at the time of hiring to be replaced by another contract upon the arrival of the migrant worker in the country of work. It is regulated that employers (including foreign or posting employers) must negotiate and provide working conditions and remuneration as established in the country where the work is performed. Temporary workers have the right to terminate their employment relationship and enter into a permanent contract with the user company. In case of systematic violations of labour norms, legislation provides for joint responsibility, including in supply chains and restrictions on participation in public procurement.

It is common practice for businesses to work with different subcontractors and suppliers or to partner with other companies on specific contracts for short-term activities. For this purpose, temporary workers are often hired through recruitment agencies or labour intermediaries. Businesses also use workers, including migrant workers. Bulgaria is a country of origin for workers and services for the Western European market (mainly in sectors such as construction, cleaning, or catering) but also uses third-country nationals in certain sectors (industrial production, agriculture, and tourism sector) where there is a shortage of labour.

Labour shortages are overcome by recruiting staff through intermediary agencies or using workers provided by temporary employment agencies or posted workers, including subcontractors. However, this can reduce the transparency of supply chains and increase the risk of the company being involved in trafficking for labour exploitation. This risk specifically includes the performance of work by workers (migrants from posted workers or personnel hired through temporary employment agencies) under poor working conditions, unregulated working hours, lower pay, and financial insecurity.

Often, seemingly legitimate companies use misleading and fraudulent methods to recruit workers, such as online platforms, by exploiting disguised self-employment, unfair recruitment agencies, fictitious companies registered in other countries, chains of subcontractors, false posting of workers, and others. The abuses through such constructions are mainly with the payment of workers, which is much lower than due in the country where the work is performed.

Mobile workers are often not directly employed by the enterprise for which they work but through a recruitment agency and/or subcontractors. Employment through such agencies or subcontractors creates complex legal situations that create uncertainty about the applicable labour legislation and ignorance by the workers of whom to turn to in case of labour law violations and what legal remedies they have.

The effective application of labour law standards by labour inspectors in all sectors of the economy is crucial, including regarding migrants, which has a deterrent effect on attempts at abuse and/or exploitation.

Upon finding violations, the EA GLI takes the appropriate coercive administrative measures (CAM) and seeks administrative liability from the offenders. In cases where it is established that the violation is more serious than qualifying it as such under labour legislation, i.e., there is evidence of another legal violation, including a crime (human trafficking), the EA GLI promptly notifies the relevant authorized authorities and forwards the collected evidence for competence (including to the Ministry of Interior, the NCCTHB, the Prosecutor's Office, etc.).

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

The National Employment Agency

The Executive Agency General Labour Inspectorate exercises specialized control, carrying out inspections based on reports and complaints about illegal activity of intermediary companies and

enterprises providing temporary work, as well as subcontractors, secondment of workers, self-employment and companies with mailboxes.

General Labour Inspectorate Executive Agency

The EA GLI exercises control over compliance with labour legislation, healthy and safe working conditions, promotion of employment, labour migration, and labour mobility. Within its control functions, the inspection often encounters malpractices and trends in the labour market where there are indicators for identifying trafficking for labour exploitation.

Regarding the definitions of trafficking, the malpractices and trends in the labour market that could be identified as violations related to labour exploitation are in the cases:

- When deceptive recruitment of workers is used, or when the job seeker is required to pay upfront for information/guidance; or when people are sent to work from "fake companies" or "mailbox companies" with fictitious labour contracts and without health or social protection; or when the nature of the work or services is changed (e.g. if a person is promised a job with adequate pay and good working conditions, but in reality, they are not paid the promised wage, forced to work overtime and live under extremely poor conditions, etc.) - there is "Fraud or Deception";
- When after initial voluntary recruitment of personnel, coercive methods are used at a later stage to retain the person in the situation of exploitation, e.g., due to the fact that they do not speak the local language, i.e., the involved person has no real and acceptable alternative but to submit to the abuse ("state of dependence");
- When threats or debt relationships are included (through withholding or delaying wages or not paying them at all) and/or restrictions on movement, etc., as a means of keeping in a situation of forced labour, there are conditions of "Forced Labour or Services";
- When changes in the labour contract are made without the worker's consent, when the same cannot change the working conditions or cannot leave the job ("Forced Submission");
- When debt relationships are included through demands for sums for transportation, accommodation, transport, food, etc., and debt repayment becomes practically impossible, there are "Practices similar to slavery".

Although the above cases carry characteristics of labour exploitation, they are defined as violations of labour legislation in national legislation.

Often, enterprises use unclear constructions and misleading and fraudulent methods to recruit workers, such as online platforms, by exploiting disguised self-employment, unfair recruitment agencies, fictitious companies registered in other countries, chains of subcontractors, false posting of workers and other similar practices. The abuses through such constructions are mainly with the payment of workers, which is much lower than due in the country where the work is performed.

Mobile workers are often not directly employed by the enterprise for which they work but through a recruitment agency and/or subcontractors. Employment through such agencies or subcontractors creates complex legal situations that create uncertainty about the applicable labour legislation and ignorance by the workers of whom to turn to in case of labour law violations and what legal remedies they have.

The effective application of labour law standards by labour inspectors in all sectors of the economy is crucial, including regarding migrants, which has a deterrent effect on attempts at abuse and/or exploitation.

Upon finding violations, the EA GLI takes the appropriate coercive administrative measures (CAM) and seeks administrative liability from the offenders. In cases where it is established that the violation is more serious than qualifying it as such under labour legislation, i.e., there is evidence of another legal violation, including a crime (human trafficking), the EA GLI promptly notifies the relevant authorized authorities and forwards the collected evidence for competence (including to the Ministry of the Interior, the NCCTHB, the Prosecutor's Office, etc.).

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

Ministry of Labour and Social Policy

As mentioned in the responses to question 7, Bulgarian labour legislation has clear and detailed regulations regarding access to the labour market for posted/seconded workers, including third-country nationals. In this sense, the procedures for access and the working conditions that Bulgarian employers must provide are thoroughly regulated, including aspects such as remuneration, working hours, benefits, safe and healthy working conditions, and more. The goal is to ensure equal working conditions as those for local workers or employees in Bulgaria, thus avoiding discrimination and consequently the risk of foreign nationals falling into vulnerable situations, which would facilitate their becoming victims of trafficking.

The National Employment Agency

The employment of foreigners on the territory of the Republic of Bulgaria is regulated by the Law on Foreigners in the Republic of Bulgaria, the Law on Labour Migration and Labour Mobility and the Regulations for its implementation. According to the LLMLM, the access to the labour market of foreigners, citizens of third countries on the territory of the Republic of Bulgaria is allowed temporarily, depending on the type of permit applied for and the terms of employment are different. According to the Law, citizens of third countries perform work on the territory of the Republic of Bulgaria only for a specific local employer and for the place, position and term of work specified in the permit/registration/declaration, consistent with the residence document issued by the authorities of the Ministry of the Interior.

Through the current Agreement between the Republic of Bulgaria and the Republic of Moldova on the regulation of labour migration, our country strives as much as possible to prevent human trafficking aimed at Moldovan citizens through the established legal frameworks. On-the-spot checks are carried out on the arrived migrant workers and they are provided with informative and explanatory materials clarifying their rights during their stay on the territory of the country.

The EURES network cooperates with the Public Employment Services in the EU/EEA countries and Switzerland to provide information, support and advice on recruitment or job placement for the benefit of workers and employers wishing to benefit from the principle of free movement in order to protect from fraud, forced labour, labour exploitation or human trafficking. Before publication, EURES employees check each job ad regarding the terms and conditions offered under labour, social, insurance and financial law (including the legality of the employer).

General Labour Inspectorate Executive Agency

Identifying cases of human trafficking for labour exploitation faces several challenges, such as the unwillingness of victims to report cases due to immigration status, fear of punishment, job loss, psychological dependence due to lack of knowledge of rights, etc. The lack of local language proficiency or working in isolation are among the main risk factors for vulnerability to exploitation, which is why it is particularly important to provide information to these people through accessible means of communication in a language they understand and to disseminate it at workplaces and gathering places.

Increased worker mobility leads to a growing need for guarantees regarding the protection of their labour and human rights. This is the obligation of national authorities, including the Labour Inspectorate. In principle, migrant workers are protected by the existing national legislation, including when they are employed by subcontractors in supply chains.

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

Administration of NCCTHB

Bulgarian Criminal Code (accessible in Bulgarian language [HERE](#)) criminalises the use of services of victims of human trafficking (article 159 c). Yet in practice, article 159 c is applied during the prosecution of offenders who use a victim of trafficking in human beings as a source of income or other material or immaterial benefit. In cases of sexual offences article 159 c is related to the amounts as payment for sexual services provided by the victims of THB to third parties.

Theoretically, there is the possibility for clients to be prosecuted for an offense under Article 159 c; generally, the prosecution is directed not only at the organisers but also against persons who seek the services provided by victims of THB. Yet the legal interpretation of the "use" of sexual services refers mainly to the profit that offenders gain from the services provided by VoTs, rather than profiteering to satisfy the sexual needs as clients do and in practice examples in this regard are lacking.

Several prevention campaigns have been led in Bulgaria through the years (an example is included in the answer to question 1) for the general public acquaintance of the fact that the conscious use of services of victims of human trafficking is a crime (with no difference related to the form of exploitation), yet there is much more to be done regarding a cross border partnership in similar information activities and specifically when tackling other forms of trafficking, apart from sexual exploitation – mainly trafficking for labour exploitation and forced labour, having in mind in many of the cases the victims do not recognise themselves as VoTs or knowingly enter the exploitation practices which of course does not exonerate the traffickers.

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

Ministry of the Interior

Art. 10, para. 1 of the Foreigners in the Republic of Bulgaria Act lists the cases in which the issuance of a visa or the entry into the country of a foreigner is refused. Refusal of entry may be issued only on the basis of a reasoned decision, which states the exact reasons for the refusal. A foreigner who does not meet the requirements for entry into the Republic of Bulgaria is not allowed into the country, and the decision is taken by a body authorized by national legislation. Such authorized bodies are the border control authorities.

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

Administration of NCCTHB

The administration of NCCTHB did not receive any signals for human trafficking or risky situations related to sports.

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

Ministry of the Interior

In recent years, a clear trend has emerged in which traffickers increasingly use social networks and mobile applications such as Facebook, Skype, Viber, and others to recruit and control victims of human trafficking for the purpose of sexual exploitation. Also, the Internet is actively used to offer and advertise sexual services among a wide range of customers - ads are published on certain sites or

purposefully created. Additionally, various social media posts or personal correspondence with perpetrators can be used to coerce victims into submission. The same, as well as previously created pornographic materials, can be used to entice victims into prostitution. The choice of Internet communication /including Viber, WhatsApp/ is often made by perpetrators for security reasons. In human trafficking for the purpose of forced labour, traffickers are increasingly using the Internet and social networks to post job ads. When carrying out checks on cases of human trafficking, in which the Internet and social networks were used, the employees of the specialized sector "Trafficking in Persons" at the GDCOC actively interact with the Directorate "Cybercrime" at the GDCOC in order to collect the necessary digital evidence.

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

Administration of NCCTHB

Information about the relevant prevention and educational measures is included in the answer to question 1.

International Organisation for Migration, Bulgaria

Social media campaign (promotion of animated video "5 misconceptions about living and working abroad"): 234,894 reached individuals and 74,681 video views.

A21 Bulgaria

During our prevention and awareness sessions, we provide practical steps to mitigate the risks associated with technology. We emphasize the importance of understanding AI and its potential dangers. To support this, we share practical guides tailored for teachers, parents, and students, helping them navigate the digital landscape safely. We believe that constant information and education are key to effective prevention.

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

A21 Bulgaria

If a signal has been reported to the Hotline, it is promptly communicated to all required stakeholders. Additionally, any disturbing information related to Facebook is reported due to our organizational agreement to report and remove any sexual or illegal content. This collaboration ensures swift action and helps maintain a safer online environment.

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

Ministry of the Interior

In real time, there is an operational exchange of information about possible victims and their traffickers, with the liaison officers of EU member states in the Republic of Bulgaria and the overseas representatives of the Ministry of Interior in these countries. The information includes signals received from talks with victims of trafficking and persons empathetic to trafficking in human beings, data

coming from the interviewing teams of the BCP, an application from the victim or her relatives, received information from national and international structures.

Through the joint contact centers of the Romanian, Serbian, North Macedonian and Greek borders, real-time information exchange is carried out in cases concerning trafficking in human beings.

SOS – Families at Risk

- Inclusion of the perspective of the victims of human trafficking accommodated in the specialised Shelters for Temporary Accommodation and the Protection and Assistance Centres in the process of drafting the monitoring report for the evaluation of the implementation of the National Strategy to Combat Trafficking in Human Beings 2017-2021 (interviews, discussions with victims of human trafficking for feedback and recommendations). (*Alexey Pamporov, E. Markova, G. Yordanova, Institute of Philosophy and at the Bulgarian Academy of Sciences*)

- Inclusion of the perspective of the victims of human trafficking using and having used the seven specialised services - the Shelters for Temporary Accommodation, the Protection and Assistance Centres, and the Shelter for Subsequent Reintegration in the process of preparation of the monitoring report "Trafficking in human beings and protection of victims - trends and challenges". The report covers the period 2017-2022 and is based entirely on the experience of the victims of human trafficking and the practice of the existing specialized services. Discussions, in-depth interviews, and focus groups have been conducted with the VoTs. (*Anna Nikolova, SOS-Families at Risk Foundation*)

- Inclusion of the perspective of the victims of human trafficking in a scientific study on "Human trafficking in Bulgaria - measures and policies to counteract the phenomenon". Conducted in-depth interviews with victims of human trafficking, in accordance with the EEA Ethical Principles and Procedures, which provide basic guidelines for the collection, analysis and dissemination of research findings and in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016. (*Lyubka Kostadinova - Secretary of the LCCTHB Blagoevgrad and researcher. The scientific work is in the process of development.*)

- Involving victims of human trafficking in the development of casework action plans that are elaborated in the specialised services and social services, and actively seeking their feedback and recommendations on the functioning and quality improvement of protection and support services for victims of human trafficking.

Confederation of Labour Podkrepa

The Podkrepa Labour Confederation, in particular the Agriculture and Forestry National Federation as a member of the European Federation of Trade Unions in the Food, Agriculture, and Tourism Sectors (EFFAT), co-operates with the trade unions in France (FGA-CFDT), Italy (FAI-CISL) and Spain (UGT-FICA) with a primary focus on informing and advising migrant workers in the agricultural and food sectors of these countries concerning their labour rights. In the process of this cooperation we encounter exploited workers with violated labour and human rights, whom we advise and refer to the relevant authorities for help.

II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

Prosecutor's Office of the Republic of Bulgaria

The information activities at the Prosecutor's Office are arranged in a way⁴ prohibiting the collection of data concerning citizens' racial or ethnic origin, political or religious beliefs, including membership of political parties and organisations, or their health status.

The Act Amending and Supplementing the Criminal Code (published in SG No 67/04.08.2023) adds the qualifying attribute "sexual orientation" to the list of motives for committing some kinds of crime: murder, bodily injury, abduction, unlawful deprivation of liberty, coercion, crimes against the equality of citizens, crimes against the freedom of religion.

Administration of NCCTHB

Over the years, the administration of NCCTHB has received signals for individuals with alternative sexual orientation exploited mainly in sex trafficking. Cases were referred via the NRM and victims received specialised assistance and protection. None of them reported on police misconduct.

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

The National Employment Agency

The National Employment Agency believes that success with the prevention, prevention of fraud, forced labour, labour exploitation and the fight against human trafficking depends on the joint efforts of the institutions involved in the problem. In order to improve cooperation in the fight against human trafficking, including when identifying cases of labour exploitation, the National Employment Agency works together with its partners from National Commission to Combat Human Trafficking and Local Commission to Combat Human Trafficking (with whom it regularly conducts training on the topic of "Human Trafficking"), Executive Agency for the General Labour Inspectorate, A21 Bulgaria Campaign Foundation, Animus Association, Ministry of Internal Affairs, Ministry of Interior, social partners, etc.

General Labour Inspectorate Executive Agency

The EA GLI monitors and analyzes the most commonly used methods of deception in recruitment and unfair practices. There is an increase in the trend of using the internet and, in particular, social networks as the only means of contact between job seekers and job providers. In these cases, the employer does not meet the worker at all, or no employment contract is concluded, or such is provided in a language incomprehensible to the job-seeking person, etc. In such situations, the hired persons often do not have enough information to identify the company that hired them, which makes it difficult for the competent authorities to take action. This trend is particularly observed in economically underdeveloped areas of the country, relying on lower levels of awareness of job seekers. The analysis shows that the importance of the internet and information and communication technologies as a way of involving and controlling victims, including in the context of labor exploitation, is increasing in all elements and phases of trafficking – from advertising "services", recruiting victims, organizing transport to controlling and communicating with victims.

Along with the above, the Labor Inspectorate pays attention to the mechanisms by which information and communication technologies can help prevent and/or control compliance with labor legislation, legislation related to employment promotion, and legislation related to access to the labor market for third-country nationals.

⁴ As laid down in the Instruction on the Information Arrangements at the Prosecutor's Office of the Republic of Bulgaria, endorsed by Order No ЛС-1985/30.05.2014, last amended and supplemented by Order No ПД-02-03/01.04.2022 by the Prosecutor General.

The inspection acknowledges the key role of social media and the internet and the potential of new technologies to spread good practices and strives to use these technologies to raise awareness and warn potential victims of the risks and dangers of labor exploitation by conducting various informational activities, including:

- Regular information campaigns to counter undeclared work, etc.
- Periodically publishing press releases to raise awareness among job seekers to prevent labor exploitation of potential victims (especially during periods of active labor demand in high-risk sectors such as agriculture and construction);
- Annually issuing a press release at the beginning of the active season for seeking work abroad by the EA GLI, which informs about the risks of leaving the country for work, etc.

In addition to the above, the integrity and values of the business are also particularly important for protecting potential victims from labor exploitation. Corporate social responsibility (corporate sustainability) of businesses, which includes conducting economic activities responsibly through principles related to human rights, labor relations, anti-corruption, etc., including in supply chains, involves active and effective dialogue with state institutions and civil society.

Administration of NCCTHB

According to the NRM, the identification of foreign trafficked persons can be performed at every stage of the work with them. First, they can be identified by the officers of Border Police and the Prosecution and later, by the institutions related to their residence in the country and directly responsible for them – Migration Directorate or the State Agency for Refugees.

Every foreign citizen residing within the territory of Bulgaria without permission or who entered the country illegally receives an initial status of illegal resident. The person is detained and criminal proceedings are started against him/her. If the person files a request for protection before any state institution, the request is immediately forwarded to the State Agency for Refugees. Then the person receives the status of asylum seeker. In this case, the criminal proceedings are terminated, and the person is referred to the structures of the State Agency for Refugees. No contact is made with the diplomatic representation of the country of origin in order to verify the identity of the person (a specific provision of Art. 63, p. 4 of the Law for Asylums and Refugees).

In all other cases, the person keeps the status of illegal resident. The person can receive compulsory administrative penalties such as deportation, a ban to enter the country, or forced accommodation in a Special Home for Temporary Accommodation of Foreigners (SHTAF) of Migration Directorate of the Ministry of Interior (located in the Busmantzi quarter of Sofia). The diplomatic representative of the country of origin is contacted to verify or confirm the identity of the person.

When a foreign citizen is identified as a trafficked person, he or she is entitled to all the measures specified in the CTHBA and to receive support in accordance with the standard operating procedures in the NRM. In this case, the status of illegal resident is removed and the person receives a status of a temporarily residing foreigner, in accordance with the CTHBA (LFB, Art. 24, p. 17)

Animus Association Foundation (Animus)

The problem of the lack of identification of victims of post-migration trafficking and persons seeking and receiving protection continues. The problem, according to Animus is complex and is mainly related to the fact that, for most migrants, Bulgaria is a transit country.

On the one hand, the authorities do not make a sufficiently focused effort to identify the victims. But on the other hand, victims also refrain from being identified because they do not feel safe enough to report the crime, as possible proceedings which they have no control over may delay their plans to move to other European countries. Another significant factor due to which victims do not report their traumatic experiences is the fear of deportation. All migrant victims of trafficking are identified informally by NGOs that provide services to vulnerable persons, mostly support to women victims of violence. However, although the National Mechanism for Referral and Assistance to Victims of

Trafficking pays special attention to third-country nationals and every year the National Program to Combat Trafficking in Human Beings foresees activities aimed at (potential) victims of trafficking among migrants, as well as training the relevant professionals, there is no progress in this regard. Animus insists on identifying vulnerabilities among third-party individuals that may lead to trafficking, not just whether individuals have been trafficked.

Confederation of Labour Podkrepa

Within their cooperation, every year the Podkrepa Labour Confederation and the Agriculture and Forestry National Federation produce information leaflets on fundamental labour and HSW rights, which are disseminated in Bulgaria and France. The EFFAT European Federation has developed a social media application in several languages to also inform seasonal workers in the agricultural sector. Cooperation between trade unions ensures a contact point in the relevant offices where trafficked and exploited workers can call and receive help. We already have experience with France and are in constant contact with Bulgarians working there.

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

Administration of NCCTHB

The following hotlines and helplines are available in Bulgaria:

| Hotline/helpline | Organisation | Comments |
|--|--|---|
| +359 800 20 100 | Foundation Campaign A21: National hotline against trafficking in human beings | Active 24/7; A21 is a member of the Permanent working group to the NCCTHB |
| +359 800 1 8676; +359 2 981 7686 | "Animus Association" Foundation: hotline for support of victims of violence and trafficking | Active 24/7; Animus is a member of the Permanent working group to the NCCTHB |
| +359 700 17 670 | Executive Agency "General Labor Inspectorate": helpline regarding labour exploitation and labour rights violations | Active during the working hours: Monday – Friday; 9 AM – 17 PM (CET) |
| +359 2 807 80 50 | National Commission for Combating Trafficking in Human Beings - helpline | Active during the working hours: Monday – Friday; 9 AM – 17:30 PM (CET) Receiving signals for presumed VoTs and suspicious situations. |
| 116 111 | State Agency for Child Protection: National telephone line for children | Active 24/7 SACP is a member of the PWG to NCCTHB and part of the institutional framework of the NRM. |
| 112 | Emergency number | Active 24/7 |
| 00359 2 980 20 49 00359 2 981 33 18 | Bulgarian Helsinki Committee: legal aid for refugees and migrants | Active during the working hours: Monday – Friday; 9 AM – 17 PM (CET) |

| | | |
|-----------------|---|---|
| +359 800 88 001 | The call center of the Ministry of Labor and Social Policy provides free consultations in Bulgarian, Russian and English to Ukrainian citizens on access to the labor market in Bulgaria and opportunities for social support for children and families | Active during the working hours: Monday – Friday; 9 AM – 17:30 PM (CET) |
|-----------------|---|---|

The hotlines are promoted via different online and offline promo tools and communication channels.

Ministry of the Interior

The Ministry of Interior coordinates and actively interacts with other governmental and non-governmental organizations with a view to providing support to victims of trafficking and attracting them as witnesses in criminal proceedings in the country and/or abroad against traffickers. Information is provided to potential victims of trafficking in human beings of their rights regarding the period of reflection, legal protection and compensation, in accordance with the Bulgarian legislation in force.

Over the years, numerous preventive campaigns and events have been held together with non-governmental organizations. The relevant experts annually give lectures in schools with the aim of raising the awareness about the risks of recruiting into human trafficking networks. In addition information is provided by which competent authorities to seek assistance in case they have become victims of this type of criminal activity.

Animus Association Foundation (Animus)

In order to encourage victims of trafficking to report the crimes of which they have fallen victim, they receive legal counselling and legal aid, as well as psychological support during the criminal proceedings, in the services of Animus. Despite this opportunity, very few victims agree to testify. The reasons are related to mistrust in the institutions, often insufficient evidence can be collected during the investigation to start the proceedings or it is terminated. As a result, victims are left unprotected. In practice, the victim must have a very good lawyer, competent in the field of human trafficking, so that his/her rights are protected regardless of the outcome of the proceedings.

SOS – Families at Risk

Specialised trainings for frontline workers that focus on approaches to build the victim's trust in the helping institution/organisation and overcome fears and doubts.

Posting of information and video materials with the National Anti-Trafficking Helpline displayed in key locations such as airports, police stations, social services, etc.

Comment and findings from the practice: The mistrust and suspicion of the victims towards the state institutions and the overall protection system of the victims of human trafficking is deepening. They mainly see them as a threat (the police are perceived as repressive authorities, the Child Protection Departments take children away, the courts and the prosecutor's offices are corrupt, etc. - these are unfortunately the attitudes of the victims). Hence, very active and consistent work needs to be done to build attitudes of trust, only then can reporting from the victims of human trafficking be expected.

Confederation of Labour Podkrepa

The Podkrepa Labour Confederation and its Agriculture and Forestry National Federation, through their cooperation with FGA-CFDT (France), have contact points in several regions in France, as well

as in the Paris headquarters, where Bulgarians who are victims of exploitation can seek help. Similar contact points are about to be set up together with trade unions with which we are working and cooperating in Italy and Spain.

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

Ministry of the Interior

The identification and referral to help possible victims of human trafficking at the Border Crossing Points along the Bulgarian borders falls within the competencies of the Border Police.

In the same time, most of the third country nationals (TCN) illegally entering the territory of Bulgaria are crossing the green border. After they are initially detained, coercive administrative measures (CAM) are imposed under the Foreigners in the Republic of Bulgaria Act. After all circumstances regarding the causes and places of illegal crossing of the state border are identified and after a decision by the Bulgarian court, they are placed compulsorily in the Special Homes for Temporary Accommodation of Foreigners to the Migration Directorate (MD), in order to ensure the fulfillment of the CAM imposed on them under the Foreigners in the Republic of Bulgaria Act. When foreigners submit applications requesting the granting of international protection in the Republic of Bulgaria, they are submitted to the Registration and Reception Centres of the State Agency for Refugees under the Council of Ministers, where their applications are considered until the decisions handed to them to refuse to grant them humanitarian or refugee status in the country. The above-mentioned institutions have specialized staff who is responsible for the referral of the TCN (accommodation, medical examinations, etc.). Part of the competencies of these officers is related to the identification of potential victims of human trafficking.

Animus Association Foundation (Animus)

Unfortunately, most asylum seekers do not wait for their asylum applications to be processed and rely on traffickers and smugglers to continue to their desired destination in Europe. This puts them at great risk. Animus recently had a similar case where a woman from Iran, who had been offered a job, and disappeared. She called from Germany saying she was in a difficult situation and was being abused. She left secretly from everyone who knew her, confiding in a friend who promised to take her to Germany and who now insists that she marry him and is using violence.

23. What measures are taken in your country to identify victims of THB in immigration detection centres and prisons?

Ministry of the Interior

Special Homes for Temporary Accommodation of Foreigners are in place in Sofia and Lyubimets, where TCNs with imposed CAM under the Foreigners in the Republic of Bulgaria Act are accommodated. The specialized staff responsible for the referral of these persons applies a complex of measures including personal search, medical examination, and follow-up interview with a psychologist. Interviewers, as well as screeners and debriefers provided by the European Border and Coast Guard Agency "Frontex", who speak the relevant languages, conduct daily interviews with the forcibly resettled foreigners. Thus, potential victims of human trafficking can be identified during interviews, medical examinations, and work with psychologists.

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

- a. persons with disabilities;
- b. LGBTI+ persons;
- c. victims with children;
- d. victims with severe mental and physical trauma;
- e. homeless persons;
- f. other.

Administration of NCCTHB

The National mechanism for referral and support of victims of human trafficking (NRM) regulates the steps and procedures to be followed in order to ensure immediate and adequate assistance and support. According to the NRM, assistance and support to all victims of human trafficking is unconditional. Formally or informally identified victims could benefit from the specialised residential or consultative services under the Combating THB Act as well as from the crisis ones for victims of gender-based violence and THB under the Social Assistance Act.

At present under the NCCTHB are functioning seven services, specialised specifically for adult victims of trafficking in human beings where victims can be accommodated with their children, including 3 shelters for temporary accommodation, 1 shelter for subsequent reintegration, and 3 consultative services – centers for protection and support, in the regions of Sofia, Varna, and Burgas.

All particularly vulnerable groups described above can benefit from the specialised services.

Since 2020, in Sofia is functioning also a Crisis Centre with a priority accommodation of children victims of human trafficking as a state delegated service.

Ministry of Labour and Social Policy

Relevant information about social services is presented in the response to question 7. Additionally, it should be noted that the right to social services is granted to all individuals in need of support, not just those from vulnerable groups. Social services are based on social work, an individual approach, and individual needs assessment. Social services are provided only according to the wishes and personal choices of the individuals. Their provision does not permit violations of the rights, freedoms, dignity, and personal integrity of individuals, nor does it allow direct or indirect discrimination based on any grounds established by law or international treaties to which the Republic of Bulgaria is a party.

Persons with disabilities can use social services for day care; information and consultation; advocacy and mediation; therapy and rehabilitation; skills training and support for acquiring work skills, which are currently organized mainly in Day Centers for persons with disabilities and Centers for Social Rehabilitation and Integration. Besides Crisis Centers, support for parents together with their children can also be provided through the services offered by the "Mother and Baby" Units. Homeless individuals can use services for information and consultation; advocacy and mediation; and shelter provision, provided in Temporary Accommodation Centers and Shelters.

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

Administration of NCCTHB

According to the Combating THB Act, the NCCTHB (via its administration) is the coordinator of the NRM. The Council of Ministers adopted the NRM, by a decision of 20 June 2016. The document is binding and is an updated version of the NRM developed as guidelines in 2010.

The NRM regulates the steps and standard procedures to be followed and outlines an algorithm of timely and comprehensive interagency communication and coordination. Special procedures are also provisioned for children and third-country nationals.

To enhance the implementation of the NRM, a multi-agency and multi-disciplinary team coordinated by the NCCTHB has been established to respond to complex cases of human trafficking.

In order to provide support to the victims of trafficking especially if they decide to testify against the traffickers, the Ministry of the Interior interact closely with the NCCTHB and NGOs. Law enforcement representatives inform potential victims of human trafficking about their rights including the reflection period, legal aid, assistance, protection, and compensation according to current Bulgarian legislation. Regarding cases of minors, VoTs, the "Coordination Mechanism for referral, care and protection of unaccompanied minors and children victims of trafficking returning from abroad" is also successfully functioning and coordinated by the State Agency for Child Protection (SACP). The Mechanism gives the framework of the inter-institutional cooperation on cases of children VoTs in order to facilitate and speed up the work on internal and cross-border cases of THB.

Cases of children VoTs are actively monitored by the Child Protection Departments (CPD) to the Directorates for Social Protection (28 Regional Directorates in all provinces/districts) for a period of one year in order to provide the necessary support and prevention of re-trafficking as well as to prevent other children from the family to be involved in THB. The observation period may be extended depending on the specifics of the given case.

Within the child protection departments, multidisciplinary teams are created for each specific case. The team develops an action plan to protect the child or to prevent violence. 24 hours after receiving a signal for a child at risk/victim of violence or exploitation, a social worker evaluates the report. The social worker notifies the team members directly by phone and in writing by e-mail is scheduling a meeting of the team.

In addition, a Coordination mechanism for interaction between institutions and organizations in cases of unaccompanied children or foreign children separated from their families, located on the territory of the Republic of Bulgaria, including children seeking and/or granted international or temporary protection is functioning in order to ensure effective coordination and coherence in the implementation of the specific duties of all entities involved in the care and work with unaccompanied foreign minors identified on the territory of the country with a view to ensuring that the rights of children are fully respected.

During the reporting period, a Bilateral mechanism for referral and coordination of cases of human trafficking for forced labour and labour exploitation between Germany and Bulgaria (BRM), developed within the framework of a Bilateral Working Programme, guiding the steps related to the identification, referral and support of VoTs for the purpose of labour exploitation, was finalised and disseminated among the relevant institutions and organisations in Bulgaria and Germany.

During the reporting period a Short practical guidelines for THB and early identification of presumed victims of human trafficking among third-country nationals with focus on Ukrainians fleeing from the war and practical information posters have being developed by the administration of NCCTHB and UNHCR Bulgaria and printed out by UNHCR, targeting frontline officers including registrars for temporary protection and other professionals (10 000 booklets and 4500 posters).

The services for victims of human trafficking under the NCCTHB provide specialised social and psychological support during the reflection period, the long-term assistance period, and the reintegration period with the possibility to accommodate survivors together with their children.

The long-term and reintegration support for the clients includes a variety of activities related to their empowerment, education, vocational trainings, qualification, increase of their social skills, practical social life and communication skills, supporting parental capacity, inclusion in educational programmes, integration in the labour market, advocacy and legal aid, and overall support in the reintegration process including the referral to another relevant services if needed. Survivors receive also support regarding their children including enrolment in schools and support in the educational process, enrolment in kindergarten or nursery schools.

Residential services operate 24/7.

The shelter for subsequent reintegration is the place where survivors can re-start their independent life yet they can still rely on assistance and support using the consultative services if they do not feel confident or economically stable enough.

Victims of trafficking can also benefit from social services under the Social Assistance Act for victims of gender-based violence, human trafficking and other needs as state delegated activities.

- 11 Crisis Centres for adults
- 20 Crisis Centres for children (including the Crisis Centre with a priority accommodation of children victims of human trafficking)
- 14 Temporary Accommodation Centres
- 5 Shelters for persons

In accordance with the Social Assistance Act referral to social services includes providing of information to the persons about the existing social services that they have the right to use, the conditions and terms for their use according to the needs of the child and the prepared action plan.

When the abuse is committed by a parent, by a person entrusted with the care of the child or by a person to whom the child is entrusted, the child victim may be granted protection by placement outside of the family in a social service for children affected by violence or victims of trafficking.

Although the child may be placed outside of the biological family, work with the biological parents can continue towards reintegration if this is not contrary to the best interests of the child.

Social services for residential care favour the provision of care in an environment close to family, while simultaneously providing social and psychological support which creates a real opportunity for social inclusion and effective implementation in the social and cultural life of children and adults. The crisis centres operating on the territory of the country aim to provide protection to people who have suffered from various forms of violence in the family or extra-family environment or victims of trafficking.

The care that is available for children/trafficked persons is provided in social services according to the individual needs of the users. According Art. 15 of the Social Services Act the quality standards include: information and counseling (as a specialised service); advocacy and mediation; therapy and rehabilitation (therapy standards only); skills training (as a specialised service); provision of shelter (for adults/children).

The quality of care provided in social and specialised services is regulated under quality standards for all social services and the minimum standards for services for victims of human trafficking.

Locations of the crisis and specialised services are not public in order to ensure a 24/7 secure environment and to prevent recurrence of violence or re-trafficking.

Adult victims of human trafficking have the right to decide whether they wish to benefit from residential services' assistance or to live independently and to benefit from the consultative ones.

According to the informal observations, regarding the coordination of the NRM, the experience shows that usually women who have suffered from sexual exploitation tend to prefer to benefit from residential services. Male victims of human trafficking for the purpose of labour exploitation usually prefer to live independently and to benefit from consultative services.

Victims of trafficking are not obliged to cooperate during the criminal proceedings in order to receive support. According to the NRM, persons who have become victims of trafficking have the right to be assisted from the moment they are informally identified, regardless of their willingness to cooperate during the process of investigation and prosecution.

According to the NRM and the Combating THB Act, victims of trafficking have also the right of special protection for the duration of the criminal proceedings which facilitates the granting of permit for long-term residence on the territory of the Republic of Bulgaria for third-country nationals in compliance with the Foreigners in the Republic of Bulgaria Act as well as the continuation of the long-term accommodation period in the specialised services until the end of the court phase of the case.

Whether a pre-trial proceeding is not opened or the survivor prefer not to participate in the criminal proceeding, their long-term accommodation is granted by a decision of the manager of the specialised services.

After exercising their right for recovery and reflection period, almost all of the survivors, especially if they decide to benefit from residential services, decided to cooperate with investigative authorities. The experience of the professionals working in the protection system shows that when formally or potentially identified victims of human trafficking have access to this particular right the process is extremely helpful in motivating them to participate in criminal proceedings and to testify against the perpetrators of the crime.

Victims receive various type of support during the process of investigation, prosecution and the court phase of the case including legal aid and clarification of the financial compensation opportunities, including their right to act as a civil claimant or a private prosecutor in criminal proceedings; psychological support during the preparation before, during and after the testimony process, including clarification of the stages of criminal proceedings and the role of the participants in the process; assistance and chaperoning during the testimony process including if trial takes place in the country of destination. Preparation prior to the participation in a court hearing is detailed and interactive with regard to the roles and participants in the proceedings, includes role playing, simulations of a court trial, familiarisation with the courtroom environment through images and videos etc.

Specialised day centre for victims of human trafficking is functioning in Sofia managed by A21 Bulgaria and supplementing the consultative services to the specialised shelters in terms of long-term integration support. The day centre is designed to be a safe location for continued case management contact, learning, counselling, and skills training focused on safe reintegration back into society and equipping individuals to live independently. The quality of care of the day centre is provided according to internal policies and procedures for holistic assistance approach complying with the international standards in the field.

SOS – Families at risk Foundation

The reintegration process is supported within the framework of Standard Operational Procedure 3 of the NRM. Victims of human trafficking are encouraged to continue their education (enrolment in school, assistance in school preparation) and to improve their qualifications (vocational training and qualification courses).

Active cooperation with child protection authorities towards re-integration of victims' children and support in the childcare process (programmes to support victims' parenting capacities, social assistance to victims who raise their children alone, enrolment of children in school/kindergarten/nursery).

Single cases of appropriate and protected employment of victims of human trafficking (work in social enterprises and social services that are sensitized and trained on trafficking-related topics, profile of victims, consequences of trauma experienced and approaches to communication, principles of confidentiality.)

Redirection of victims of human trafficking with disabilities to an appropriate receiving social service for persons with mental illness and/or mental or other disabilities after the shelters.

Comment: These measures mainly concern victims of human trafficking covered by specialised services. For victims who opt not to benefit from specialised services the process is difficult and reintegration measures are often not applicable.

International Organisation for Migration, Bulgaria

IOM supports (re)integration of THB survivors based on funding availability. Support consists of counselling, medical care, cash and in-kind assistance, monitoring of cases and follow-up as well as other consultations and services, according to VoT`s specific needs and concerns.

A21 Bulgaria

Supporting victims of human trafficking (THB) is carried out in accordance with the National Referral Mechanism (NRM). The specified shelters for victims of THB play a crucial role in this process, providing care from the initial emergency intake to ongoing support. Ensuring the financial stability and long-term sustainability of these shelters is extremely important to maintain their effectiveness. Additionally, victims attend the Freedom Center, managed by A21, where survivors participate in various life skills programs. These programs are designed to help them restore their dignity and equip them for a successful reintegration into society. The Freedom Center is a component of a holistic approach to long-term reintegration, which includes assistance with finding jobs and rebuilding their lives.

Dignita Foundation

Dignita supports the social reintegration of victims by providing legal assistance and economic empowerment initiatives. Our main focus is improving access to justice and redress for victims of trafficking through counselling and representation of victims in the criminal justice process. Another area of our work is assisting victims of trafficking, or those at high risk of trafficking, to integrate socially and economically and lead independent lives. In this area, we will continue to provide mentoring to build capacity and develop basic skills to engage in regular forms of employment so that victims of trafficking can achieve independence from both government assistance provided in shelters and from traffickers.

An example of this type of support is the representation of a victim of trafficking, subjected to severe forms of violence, whose pre-trial proceedings for the crime of "human trafficking" were terminated, appealed by Dignita and resumed. Our intervention addressed the needs of the victim, as without the legal aid she received, she would not have had access to justice.

Dignita will continue to advocate for the implementation of policies to protect, assist and empower victims of trafficking. Examples of our work in this regard are our advocacy activities and opinions expressed (including in writing) regarding the need for sustainable funding for government shelters for victims of trafficking.

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Ministry of the Interior

According to Art. 24n of the Foreigners in the Republic of Bulgaria Act, in the cases under Art. 24, para. 1, item 17, a long-term residence permit can be obtained by foreigners who have received special protection status under Art. 25 of the Combating Human Trafficking Act, namely that persons who are victims of human trafficking and have expressed their agreement to cooperate in disclosing the perpetrators of trafficking are granted special protection status for the duration of the criminal proceedings, which includes the granting of a permit for long-term residence on the territory of the Republic of Bulgaria for TCN - according to the provisions of the Foreigners in the Republic of Bulgaria Act. The long-term residence permit is issued on the basis of the act under Art. 27 of the Combating Human Trafficking Act, according to which the prosecutor issues a decree on the request of the person, a victim of human trafficking, for the granting of special protection status within three days of its receipt.

Administration of NCCTHB

According to the NRM, third-country nationals identified as victims of human trafficking are entitled to all the rights and measures according to the Combating THB Act and they can receive the status of temporarily residing foreigners.

If, for a certain reason, a pre-trial proceeding is not opened after the reflection and recovery period which grants formally identified VoTs the status of special protection, a procedure is in place to apply for a residence permit or an extension of an existing one on humanitarian grounds (*as described in the interim report on the measures in accordance with the Recommendation on the implementation of the Convention on Action against Trafficking in Human Beings related to a case of informally identified victim of Philippine nationality*).

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

Ministry of the Interior

A "Coordination mechanism for referral and care of unaccompanied children and children victims of trafficking returning from abroad" is functioning in Bulgaria as a system for interagency cooperation and facilitation of the handling of cases reported from country and abroad.

Various state institutions – the Ministry of the Interior, State Agency for Child Protection, Social Assistance Agency, National Commission for Combating Trafficking in Human Beings, NGOs, etc. are involved in the identification, transportation, rehabilitation and reintegration of the child. Multidisciplinary teams are set up within child protection departments on a case-by-case basis.

Crisis centers for child victims of violence and trafficking in human beings are working to support children who are victims of trafficking, which are financed with funds from the state budget. The main services provided in crisis centers are providing shelter and food, meeting health needs, providing psychological support, mastering vital and social skills, educational services, preparing the child for reintegration into the family, and if this is not possible, other protection measures are taken against children under the Child Protection Act.

As an opportunity for crisis accommodation of minors, the Homes for temporary accommodation of minors are in place, providing that the stay can be up to 15 days. Stays of more than 24 hours are allowed by a prosecutor.

The socio-psychological work and support of this group of children begins as early as they arrive in the country – at the respective BCP. Child victims of trafficking are welcomed by a CDBP official and a representative of the Social Assistance Directorate, who attends the initial conversations with the child and monitors compliance with his rights and legitimate interests.

The necessary organization has been established with regard to the border checks of the BCP, upon leaving the Republic of Bulgaria of minors - Bulgarian citizens. With particular care, border checks are carried out on minor Bulgarian citizens who travel with one parent, accompanied by a third party or unaccompanied, in order to reject the likelihood of the child leaving the country against the will of the parent/parents. In case of doubt on the part of the staff of the BCP, additional checks shall be carried out on the identity of the person and/or accompanying persons and with regard to the purpose of travel.

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

Administration of NCCTHB

Media requests for interviews with victims of human trafficking are usually coordinated by the administration of NCCTHB and the managers of the specialised shelters which ensures that all the conditions related to the protection of private life and identity are respected.

The administration of NCCTHB and the LCCTHBs organise regular trainings for media representatives in order to raise their sensitivity in the process of media coverage of the topic and to build their competencies on the appropriate way of interviewing a victim of human trafficking.

During the last similar training in 2023 organised jointly by the administration of NCCTHB and LCCTHB Blagoevgrad, the "Media and Trafficking in Human Beings Guidelines" of ICMPD were translated into Bulgarian language, presented by their representative, and disseminated among the network of Bulgarian media covering the topic.

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

Administration of NCCTHB

There are no reported cases of diplomatic households employing domestic staff in conditions that could be forced labour or human trafficking.

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

Ministry of the Interior

There are no such cases identified by the Ministry of Interior.

State Agency for National Security

The State Agency for National Security do not have data on victims of human trafficking identified among the individuals related to terrorist/armed groups

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

National Investigative Service

There is no regulation in our national legal framework establishing possibilities for the detection and removal of content on the Internet related to potential or actual trafficking in human beings. The same applies to rules of conduct for providers of electronic services and access to the Internet. Therefore, the hypothesis mentioned in the last part of the question - on the approach to identifying alleged victims of trafficking in human beings - cannot be discussed.

Administration of NCCTHB

The Council for Electronic Media supervises the activities of media service providers for compliance with the Broadcasting Act (available in Bulgarian language [HERE](#)). The Council is responsible for the issue, amendment, revocation, transfer, and termination of broadcasting licences. It also sanctions media service providers for breaches of the Broadcasting Act, issues binding instructions to media service providers, refers to the competent authorities for infringements of the regulations in the provision of media services, registers radio and television programmes, amends and cancels registration and issues registration certificates, monitors the activities of media service providers in the cases provided for by law.

In 2022, the administration of NCCTHB received information about an inappropriate song and musical video spot containing visuals and messages encouraging and promoting human trafficking available on YouTube. The administration of NCCTHB initiated a signal to be sent to the Council for Electronic Media, supported by the members of the PWG. As a result, the content was removed from the platform in which it was distributed.

III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

Prosecutor's Office of the Republic of Bulgaria

The Criminal Code and the Act on Combating Trafficking in Human Beings do not refer to the terms 'vulnerability' or 'abuse of a position of vulnerability' in respect of the crime of trafficking in human beings. However, the Criminal Code (Article 159a(2) in items (1) to (7)) provides for seven aggravating elements of the crime of trafficking in human beings: trafficking of minors; use of coercion or deception; use of abduction and unlawful deprivation of liberty; taking advantage of a position of dependence; abuse of power; the act of promising, giving or receiving benefits committed by an official in the course of or in connection with the performance of his/her duties.

The aggravating elements of the crime referred to in items (1) to (6) of Article 159a(2) of the Criminal Code (trafficking of minors; use of coercion or deception; use of abduction and unlawful deprivation of liberty; taking advantage of a position of dependence; abuse of power; the act of promising, giving or receiving benefits) and in Article 159a(3) of the CC (trafficking a pregnant woman for the purpose of selling the baby) replicate the provisions of the Palermo Protocol.

Among the elements of the crime referred to in Article 159a (2) of the CC, the use of coercion or deception and the use of abduction and unlawful deprivation of liberty are also handled as separate crimes in Section IV, 'Abduction and unlawful deprivation of liberty', Section V, 'Coercion', and Section VIII 'Sexual Crimes' of Chapter II of the Special Part of the CC. Like the crimes of trafficking in human beings, these have the same generic object of protection. What is peculiar about the crime elements included in the 'Trafficking in Human Beings' section is that the immediate object to be protected from them coincides with the immediate object to be protected from other crimes against the person. The provisions of the first proposition in item (2) of Article 159a(2), in conjunction with Article 159a(1) and Article 143 of the CC, ensure the protection of the social relations which enable the coherence of the individual's mental processes voluntarily shaping his/her will and his/her perception of his/her own needs. The provisions of the second proposition in item (3) of Article 159a(2), in conjunction with Article 159a(1) and Article 142a of the CC, protect the social relations which objectively ensure that every person can move freely. The more severe criminal punishment for the elements of trafficking in human beings referred to above safeguards, in addition to those relations, the respect for sexual morals, as well as a wide range of personal as well as individual economic rights and freedoms inherent in the status of citizens, also taking into account the vulnerability of the victim – e.g. young age (minors aged below 18), a position of dependence; abuse of power, pregnancy.

Ministry of Justice

The Ministry of Justice can only provide part of the response to the question, as "vulnerability" is determined by law enforcement authorities - the court and the prosecution. We offer the following part of the response:

Yes, the abuse of position of vulnerability is part of the human trafficking offence under the Bulgarian Criminal Code. It's provided for as numerous qualifying circumstances under Section IX, Chapter 2, as follows:

"Article 159a

(1) (Amended, SG No. 27/2009, SG No. 84/2013) An individual who recruits, transports, hides or admits individuals or groups of people in view of using them for sexual activities, forced labour or begging, dispossession of a body organ, tissue, cell or body fluid or holding them in forceful subjection, regardless of their consent, shall be punished by imprisonment of two to eight years and a fine from BGN three thousand to twelve thousand.

(2) Where the act under Paragraph 1 has been committed:

1. with regard to an individual who has not turned eighteen years of age;

2. through the use of coercion or by misleading the individual;

3. through kidnapping or illegal imprisonment;

4. through abuse of a status of dependency;

5. through the abuse of power;

6. through promising, giving away or receiving benefits;

7. (new, SG No. 84/2013) by an official during or in connection with the fulfilment of his/her official duties,

(amended, SG No. 27/2009) punishment shall be imprisonment from three to ten years and a fine from BGN ten thousand to twenty thousand.

.....

Article 159b

(1) (Amended, SG No. 27/2009) An individual who recruits, transports, hides or admits individuals or groups of people and guides them over the border of the country with the objectives under Article 159a, Paragraph 1, shall be punished by imprisonment from three to twelve years and a fine of up to BGN 10,000 to 20,000.

(2) (Supplemented, SG No. 75/2006, amended, SG No. 27/2009) Where the act under Paragraph 1 has been committed in presence of characteristics under Article 159a, Paragraph 2 and 3, the punishment shall be imprisonment from five to twelve years and a fine from BGN twenty thousand to fifty thousand.

Article 159c (New, SG No. 27/2009, amended, SG No. 84/2013)

A person who takes advantage of a person who suffered from human trafficking for acts of debauchery, forced labour or begging, dispossession of a body organ, tissue, cell or body fluid or holding him in forceful subjection, regardless of his consent shall be punished by imprisonment from three to ten years and a fine from BGN ten thousand to twenty thousand."

The underlined above parts of the provisions regulating THB offences are part of the concept of "vulnerability". This concept includes 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" and the punishments imposed for those cases of vulnerability are graver.

The above is the section responding to the question regarding the legislative framework. Since there are no explicit definitions in the law for the hypotheses mentioned above concerning vulnerability, the answer to the question should be supplemented with information provided by the court and/or the Prosecutor's Office according to their judicial practice and the presentation of judicial practice, as requested by the emphasized points of the provisions criminalizing human trafficking.

Supreme Court of Cassation

It can be inferred from international instruments relevant to combating trafficking in human beings that victims in a vulnerable situation are, for example: women, children, LGBTI persons, persons with disabilities and persons of racial groups.

There is no definition of "vulnerable situation" in the Bulgarian Criminal Code, nor is there an enforceable offence and no definition of "abuse of a vulnerable situation". Although there is no such formulation, in the development of the legislative framework of trafficking in human beings as a criminal offence, certain characteristics of the victim are envisaged as grounds for incurring criminal liability under more serious offences. An example of this are the provisions of Article 159a(2)(1) of the Criminal Code and Article 159a(2)(1) of the Criminal Code. 3 of the Criminal Code:

Art. 159a. (New - SG 92/02) (1) (amend. - SG 27/09), (amended, SG No. 84/2013) Whoever recruits, transports, harbours or receives individuals or groups of persons for the purpose of using them for acts of debauchery, forced labour or begging, for depriving them of a bodily organ, tissue, cell or bodily fluid, or for keeping them in involuntary servitude regardless of their consent, shall be punished by imprisonment for a term of two to eight years and a fine of three thousand to twelve thousand levs.

(2) (amend. - SG 27/09) Where the act referred to in par. 1 is committed:

1. against a person under eighteen years of age;

.....

the penalty shall be imprisonment from three to ten years and a fine from ten thousand to twenty thousand levs.

(3) (New, SG No. 75 of 2006, in force from 13.10.2006, amend. - Where the act under par. 1 is committed against a pregnant woman for the purpose of selling the child, the penalty shall be imprisonment from three to fifteen years and a fine from twenty thousand to fifty thousand levs.

Thus, the legislator has in practice accepted that when the victim of the crime is a child or 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. This is to protect the health and life of children until they reach the age of majority, including the normal process of maturation; it is also to protect motherhood in its entirety - the course of pregnancy, the birth of a live child and the care of its upbringing.

Where the victim has the particular characteristics discussed, a more serious offence is applicable. In addition, where the victim's characteristics are not an objective element of the offence and if it is concluded from the facts of the case that the victim's vulnerable position has been abused, that circumstance may be taken into account as an aggravating factor in the offender's liability.

Procedurally, the rules established for persons with "special protection needs" are applicable to vulnerable victims. Pursuant to Article 7a(2) of the Act on Assistance and Financial Compensation for Victims of Crime, it is necessarily presumed that there are specific protection needs when a person is a victim of human trafficking. According to the legal definition under par. 1(4) of the Criminal Procedure Code, "specific protection needs" within the meaning of this Code exist when it is necessary to apply additional means of protection against secondary and repeated victimisation, intimidation and retaliation, emotional or psychological suffering, including the preservation of the victim's dignity during interrogation.

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

Prosecutor's Office of the Republic of Bulgaria

Please refer to the answer to question 32. It should furthermore be noted that, when determining the type and degree of punishment, the court is required to take into account all aggravating and

mitigating circumstances other than those defined as elements of the specific crime. Therefore, circumstances such as the very young age of a trafficked person, the pregnancy of a trafficked woman, or the victim's poor health (e.g. mental) leading to his or her vulnerability should also be considered as aggravating factors in determining the individual sentence. It should, however, be proven that the offender knew or ought to have known of those circumstances.

Supreme Court of Cassation

The vulnerability of the person under the age of 18 and of the pregnant woman, as mentioned above, has been considered as an aggravating factor for the offender's liability, insofar as the penalties provided for - from three to ten years of imprisonment and a fine of ten thousand to twenty thousand leva for the offence under Article 159a, paragraph 2, item 1 of the Criminal Code and from three to fifteen years of imprisonment and a fine of twenty thousand to fifty thousand leva for the offence under Article 159a, paragraph 2, item 1 of the Criminal Code. 159a, para. 1 of the Criminal Code - from two to eight years of imprisonment and a fine from three thousand to twelve thousand leva. Other qualities of the victim, which are not elevated by the legislator in the qualified elements of the crime of trafficking in human beings and which characterize the victim as "vulnerable", could be taken into account by the court when individualizing the punishment as aggravating circumstances.

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of "abuse of a position of vulnerability" is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?

Prosecutor's Office of the Republic of Bulgaria

It is not sufficient to objectively demonstrate the victim's vulnerability. It is 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.

Ministry of the Interior

Chief Directorate „Border Police“ (CDBP) has taken measures to intensify preventive activity with persons from at-risk social groups, as a priority of which are set in terms of illegal and anti-social behaviour by and against minors.

In some cases, the involvement and exploitation of the children is done with the knowledge, consent, action/inaction of the family and loved ones, therefore the return of the child to the family or his accommodation with relatives and relatives is not in his interest. In this case, the child is necessarily accommodated outside the family and other alternative forms of social services are sought – foster families, resident type services, etc.

Parents who are evidenced to involve the child in activities adversely affecting their development or with their actions or omissions put the child at risk shall be held liable. The Prosecutor's Office and the Court of Justice shall be informed of any action under jurisdiction.

National Investigative Services

It is pertinent to make the clarification that one part of the forms of vulnerability exploited by perpetrators of human trafficking are invariably prevalent, while another, which can be conventionally termed "incidental", varies. At present, an example of the latter group is the illegal movement of

migrants through the territory of the country, which, in isolated but not isolated cases, includes unaccompanied minors or minors. These are children whose identity, origin, family status, age, etc., are very difficult to establish. Therefore, and in the context of their illegal residence in the country, they should be qualified as extremely endangered and vulnerable.

With regard to the traditionally vulnerable persons on the territory of the country who are Bulgarian citizens, several forms should be mentioned without claiming to be exhaustive:

- economic dependence between the victim and the perpetrator. This dependence presupposes unconditional obedience and the impossibility of forming one's own will, still less of independent behaviour through which the preconditions for trafficking could be eliminated;

- the existence of other forms of dependence, such as those of the type 'user of narcotic drugs and/or their analogues - supplier', in addition to the one outlined above or independently,

'de facto spouse', family or community ties, some of which imply that the trafficked person's behaviour conforms to established stereotypes and also limit his or her capacity for independent behaviour;

- in addition to the above-mentioned examples of unaccompanied children temporarily residing on the territory of the country, it is imperative to focus on Bulgarian citizen children who do not live with their biological families for various reasons. The impossibility of effective parental supervision, which in some cases is accompanied by isolation from society, is the most worrying phenomenon that should be addressed as a matter of urgency.

In the provisions of Article 159a, paragraph 2, items 1 and 4 and Article 159, paragraph 2, in conjunction with Article 159a, paragraph 2 of the Criminal Code, there are qualifying circumstances, the proof of which implies the imposition of a heavier penalty in cases in which victims of trafficking are persons under the age of eighteen years or the state of dependence in which they find themselves is used. According to Bulgarian criminal law doctrine and case-law, in respect of any criminal act, the perpetrator should be held liable when all the elements of the specific offence are present. It is therefore necessary in each individual case to prove beyond doubt the existence of intent and the qualifying elements of the act. If the perpetrator was or could have been aware of their existence, he will be held liable under the provisions cited above.

35. Is the concept of "abuse of a position of vulnerability" addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

Prosecutor's Office of the Republic of Bulgaria

Appendix No 3 provides information on the training events on issues of trafficking in human beings in the period between 1 January 2019 and 1 June 2024 (by year) attended by prosecutors and investigators.

National Institute of Justice

Alongside the training activities, the National Institute of Justice provides access to self-learning resources (manuals and handbooks) in which the topic is integrated as follows:

- ✓ Issues related to international legal cooperation in criminal cases involving human trafficking, as well as the legal protection of refugees and migrants, are systematically explored in the two self-learning resources, developed by the Institute in 2019 under the project "Innovative products and services in the training provided by the NIJ", funded under the Good Governance Operational Programme, respectively "Judicial cooperation in criminal matters in the EU" and "Administrative courts and EU law", all of which are

available in the virtual reading room of the NIJ E-Learning Portal. The different forms of cross-border crime are examined in the context of the principle of mutual recognition of criminal judgments in the EU and the principle "ne bis in idem". The handbook on Administrative Law focuses on the recent case law of the CJEU in the field of immigration and asylum law, including the application of the relevant directives.

- ✓ In the manual "Substantive criminal law. A guide for judges, prosecutors and investigators", developed in the framework of the predefined Project#6 "Modern learning environment for judges, prosecutors, investigating magistrates and other legal professionals", Justice Programme of the NFM 2014-2021, includes a chapter on trafficking in human beings. Special attention is also given to vulnerable groups in terms of the qualifying elements of certain offences.
- ✓ In "Guide for criminal court panel. Procedures before the first instance", elaborated under the predefined Project#6 "Modern learning environment for judges, prosecutors, investigating magistrates and other legal professionals", Justice Programme of the NFM 2014-2021, the topic "Trafficking in human beings" is also covered.
- ✓ In the self-learning resource, "Guide of criminal court panel. General guidelines", the former Bulgarian ECtHR Judge Jonko Grozev (2015-2024) examines trafficking in human beings through the lens of ECtHR case law on the application of the Convention for the protection of human rights and fundamental freedoms. The publication also focuses on the judge's work with vulnerable groups, in strict compliance with the rules of professional ethics and deontology, as well as on communication skills with specific participants in the court procedure.
- ✓ The National Institute of Justice has developed a Case management guide on domestic and gender-based violence, for magistrates, in the framework of Activity 1 of the project "Preventing and combatting violence against women and domestic violence", implemented with the support of the Justice Programme of the Norwegian Financial Mechanism (NFM) 2014-2021. The Guide integrates the European standards in this field and provides guidelines for the efficient handling of cases with a view to achieving coherence and consistency of case law. Prepared by a team of national and international experts with in-depth knowledge and experience in the field, the Guide presents the problems and challenges identified in the investigation and decision-making on domestic violence cases and proposes possible solutions in the context of relevant current legislation and case law. The Guide is available for use in electronic format and in a print run of 500 copies.

The above-mentioned self-learning resources are currently used as training material in the organized forms of mandatory and continuous trainings, as well as in the form of self-learning tools available to Bulgarian magistrates 24/7 in the E-Learning Portal of the NIJ (<https://e-learning.nij.bg>).

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

Prosecutor's Office of the Republic of Bulgaria

The following procedures have been put in place at the Prosecutor's Office to respond to information of human trafficking brought to the Office's attention:

- ✓ Where the complaint is lodged by the victim, immediate action is to be taken;

- ✓ Human trafficking files are to be handled with priority, and where an inquiry under Article 145(2) of the Judiciary Act is necessary, such inquiry is to be completed speedily;
- ✓ A proactive approach is applied in the investigation of cases of trafficking in human beings where the questioning of the victim(s) is not the sole or primary source of evidence; where the victim refuses to testify (or subsequently modifies his/her testimony), efforts are made to identify other witnesses of the act and to collect written/material/electronic evidence of its commission;
- ✓ Swift and proactive work on cases of trafficking in human beings is enabled: as regards the assessment of the need to carry out an inquiry, as regards the questioning of the victim and whether this needs to be carried out before a judge in order to secure the recognition of the victim's testimony in the prospective trial, and as regards the collection of some of the necessary data by making use of the possibilities of remote access to it;
- ✓ Where the victim of trafficking in human beings is a minor and unable to defend his/her rights and legitimate interests (i.e. he/she does not have a legal representative), a requirement has been introduced to examine the possibility of applying Article 51 of the Code of Criminal Procedure (CCP) through the Prosecutor's Office bringing a civil action on behalf of the minor when referring the case to the court by submitting the indictment.
- ✓ In cases where the victims are children, encounters between them and the perpetrator are prevented, repeat interviews are avoided, interviews are conducted by specially trained investigators and prosecutors, in strict compliance with Article 140 of the CC. In order to avoid encounters of the victim with the defendant and his/her counsel during the minor's testimony, where possible the questioning takes place in the so-called 'blue rooms', and sound/video recording of the testimony is considered.

In order to inform victims more clearly and precisely about their rights, the victim questioned as a witness is informed of all rights and options, as follows:

- ✓ the rights under the CCP as a victim and the possibility of applying procedural protection measures;
- ✓ the rights under the Legal Aid Act;
- ✓ the possibility of special protection under the Act on Combating Trafficking in Human Beings for the duration of the criminal proceedings;
- ✓ the possibility to receive assistance and financial compensation under the Act on Assistance and Financial Compensation to Victims of Crime.

Each public prosecutor's office makes public in an appropriate manner (at a place accessible to the public and on the institution's website) information intended for victims of trafficking as well as the details of the competent authorities where they can seek protection for themselves and their loved ones. Such information is also published on the official website of the Prosecutor's Office and is publicly available to all citizens through the following link: https://prb.bg/bg/pub_info/opovestiyavane-na-dokumenti/vtreshni

Arrangements have been made for prosecutors' specialisation in human trafficking cases. Such specialisation is also arranged for in the prosecutor's offices operating at the different judicial instances (district and appeal) as well as in the Supreme Public Prosecutor's Office. The administrative supervisors of prosecutor's offices are required to arrange for capacity building of prosecutors specialised in trafficking in human beings. We should further note the establishment of a National Network of Prosecutors appointed to work on human trafficking cases, within which they can exchange opinions related to the investigation and prosecution of human trafficking and discuss specific topics. Last but not least, a sub-directory entitled "Trafficking in human beings" has been added to the PORB's official information website, where THB-related content is published, such as methodological acts, training materials and other useful information.

When a human trafficking crime is to be investigated, depending on the particulars of the individual case, assigning the investigation to the National Investigation Service is considered. Where the team of the relevant district prosecutor's office includes a junior investigator(s), he/she (or at least one of

them) is, if possible, included in the group of investigators specialised in THB cases. The administrative supervisors are instructed to ensure that all specialised prosecutors are trained in investigating and prosecuting trafficking in human beings, and if they have already undergone basic training, that it can be upgraded to cover specific aspects of the investigation and prosecution process. Specific subjects mandatory for the training of specialised investigators are explicitly identified, and include the financial aspects of trafficking in human beings.

By a letter of March 2023, the Deputy Prosecutor General asked the Director of the National Institute of Justice to increase the number of training events related to investigating trafficking in human beings, where possible.

SOS – Families at risk Foundation

-Training and support of victims involved in criminal proceedings as part of the programmes and activities of the Temporary Accommodation Shelters and the Protection and Assistance Centres for victims of human trafficking;

-Presence of a psychologist during questioning before a judge;

-Accompanying and providing psychological support to victims prior to their participation in procedural-investigative actions and afterward;

-Legal counselling;

-Advising the victims of human trafficking on the right to special protection status and assistance in drafting the victim's application to the competent prosecutor's office. The stay of the victims in the protected environment of the Temporary Accommodation Shelters until the end of the entire criminal process;

-In the case of persons with disabilities, further explanation of procedures and rights in a language they understand by professionals working in the Temporary Accommodation Shelters and Protection and Assistance Centres.

Comment: The above refers to vulnerable victims of human trafficking who are covered by specialised services. In general, support responding to specific needs is often difficult to access (unless the person is placed in a Refuge or using services in a Centre). There is a growing trend for 'rights written only on a piece of paper'. Legal aid is difficult to access and comes with too many strings attached. Few lawyers are trained and sensitised.

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

Supreme Court of Cassation

Article 159c of the Criminal Code criminalizes the actual use of victims of trafficking for profit. It is possible that the exploitation is carried out personally by the perpetrator or that he knowingly creates the conditions for such exploitation by others.

Art. 159c. (New, SG No. 27/2009, amended, SG No. 84/2013) Whoever uses a victim of trafficking in human beings for acts of debauchery, forced labour or begging, for the deprivation of a bodily organ, tissue, cell or bodily fluid, or for being held in forced subjection regardless of his consent, shall be punished by imprisonment for a term of three to ten years and a fine of ten thousand to twenty thousand levs.

Administration of NCCTHB

Information related to the criminalisation of the use of services of a victim of THB is included in the answer to question 12.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

Ministry of the Interior

If it is necessary to use programs and technological tools, within the framework of the sector-led investigations of cases related to crimes related to human trafficking, active interaction is carried out with the Directorate "Cybercrime" at the GDCOC.

With the aim of successfully countering this type of criminal activity and increasing professional qualifications, employees of the "Human Trafficking" unit at GDCOC annually participate in specialized training. A part of the trainings are conducted within the framework of implemented projects, and others are laid down in curricula. In some of the trainings, in addition to police officers, magistrates and representatives of the non-governmental sector participate. At the international level, employees also participate as trainees or lecturers mainly in trainings organized by various European agencies.

National Institute of Justice

Training in human trafficking issues has occupied an important place in the training activities of the National Institute of Justice (NIJ) in recent years. The trainings organized by the Institute, aimed at strengthening the capacity of Bulgarian magistrates in the field of preventing and combating trafficking in human beings and protecting victims of trafficking, and are focused on the application of relevant domestic, European and international standards in the field under discussion. In line with the Institute's systematic and comprehensive approach to training, based on the development of a set of professional skills and competences, the specialised trainings offered in this area are tailored to the specific needs of judges, prosecutors and investigating magistrates in view of their procedural role, competencies and professional experience. The topic of trafficking in human beings is integrated into the trainings organised in the field of international cooperation on criminal matters, related to refugees and migrants, trafficking in human beings, domestic violence and the application of the Charter of Fundamental Rights to victims of trafficking in human beings. Joint trainings are organised for law enforcement and law enforcement officials on a number of topics of mutual interest with the aim of improving their interaction and aligning practice in the field.

I. Within the framework of the mandatory initial training:

Issues relevant to the prosecution of trafficking in human beings, including the protection of the rights of victims of trafficking in criminal proceedings, are covered in the following modules of the curriculum for mandatory initial training of the candidates for junior magistrates:

- "Crimes against the person - crimes against sexual integrity. Trafficking in human beings" (5 hours), included in the curriculum for the candidates for junior judges;
- "Trafficking in human beings" (6 hours) - included in the curriculum for the candidates for junior prosecutors;
- "Investigation of trafficking in human beings(Art. 159 a-159 b of the Criminal Code). "The Palermo Convention." Offence under Article 159b of the Criminal Code. Offence under Article 159c of the Criminal Code. Procedure for granting special protection status to a victim of trafficking. Questioning of witnesses (victims of trafficking). Parallel financial investigation. Defence versions. Procedural strategies. Extra-procedural strategies" (8 hours) - in the curriculum of candidates for junior investigating magistrates.

In the period 2020 - 2024 a totality of 106 candidates for junior judges, 111 candidates for junior prosecutors and 82 candidates for junior investigating magistrates have been trained on these topics.

II. Within the framework of continuous training:

In the period 01.01.2020 - 14.06.2024 the NIJ organized 19⁵ trainings in the field of prevention and prosecution of various forms of trafficking in human beings and protection of victims' rights, international legal cooperation in criminal matters, relevant to trafficking in human beings, as well as the application of the Charter of Fundamental Rights to victims of these crimes that involved 660 trainees, of which: 10 lawyers, 36 representatives of other legal professions, 33 candidates for junior prosecutors, 25 candidates for junior investigating magistrates, 20 candidates for junior judges, 219 prosecutors, 13 prosecutorial assistants, 62 investigating magistrates, two /2/ employees from the National Security State Agency, 41 Ministry of Interior officials, four /4/ Ministry of Justice officials, 15 judicial assistants, 32 judicial employees, 61 judges, four /4/ registry judges and 83 foreign participants. These trainings are aimed at strengthening the capacity of national magistrates to effectively investigate and prosecute the various crimes related to trafficking in human beings (including those committed for the purpose of sexual and labour exploitation), in compliance with the requirements of Article 6 ECHR for a reasonable length of proceedings, as well as for the imposition of effective, proportionate and dissuasive sanctions on perpetrators, in the presence of the statutory prerequisites for this. The trainings also integrate issues relating to the protection of victims of trafficking (including those belonging to vulnerable groups) that contribute to enhancing the competence of magistrates in this area.

Within the framework of the NIJ projects, implemented with the support of the Justice Programme of the NFM 2014-2021, a number of training activities have also been carried out aimed at sensitizing magistrates regarding the rights and specific protection needs of victims of domestic violence and gender-based discrimination and violence, as well as of children involved in court proceedings, in order to ensure more effective protection of the above-mentioned vulnerable groups who are also at increased risk of being involved in various forms of violence. During the reporting period, under the project "Preventing and combating violence against women and domestic violence", a series of trainings were organized, aimed at increasing the professional competence of magistrates to implement an approach focused on the rights of victims of these types of violence and preventing their secondary victimization. In order to improve institutional cooperation and interaction in cases of domestic violence and violence against women, a large part of the trainings under the project have been organized for mixed groups of law enforcement experts, law enforcement agencies and administration with competence in the area in question.

As an independent component of the Human Rights Forum, under the project "Modern Learning Environment for judges, prosecutors, investigating magistrates and other legal professionals", a thematic community "Justice for Children" was established in 2022, to support the planning and implementation of the NIJ training activities on issues related to the provision of justice in accordance with the rights and interests of the child. This community is built on a multi-professional principle and includes magistrates, officials of institutions with competence in the field of child rights protection, representatives of NGOs and other specialists with in-depth knowledge and experience who, by working together, contribute to the implementation of a coherent and coordinated approach in identifying and addressing training needs in this area.

During the period under review, the NIJ, together with the Council of Europe (CoE), organised an e-learning course on "Labour rights as fundamental rights" under the "HELP in the EU II" project of the CoE's European Human Rights Lawyers Training Programme (HELP Programme). The training is developed on the basis of HELP materials, adapted for the national legislation and case law, and

^{5 5} Following the pilot HELP course on "Violence against women and domestic violence", the materials translated and adapted into Bulgarian were published on the NIJ E-Learning Portal, where they are freely available to registered users. As of 14.06.2024, 207 registered users have been enrolled for the course..

includes a stand-alone module on trafficking in human beings for the purpose of labour exploitation, which provides a systematic overview of the legal instruments for preventing and combating this form of trafficking in human beings at domestic and European level (including the CoE Convention on Action against Trafficking in Human Beings), the conclusions of the Group of Experts on Action against Trafficking in Human Beings and the relevant case law of the ECtHR, the European Committee of Social Rights and the International Labour Organization. Currently, the Bulgarian translation of the module, which is extremely detailed, is freely available for use on the HELP training platform, as a stand-alone course or as a component of the training.

In parallel with the training activities, within the framework of the established partnerships with the European Judicial Training Network (EJTN) and the Academy of European Law (ERA), the National Institute of Justice has coordinated the participation of 73 participants, of which 27 prosecutors, 9 investigators, 1 judicial assistant, 1 judicial employee, 34 judges, 1 registry judge, in 40 trainings on trafficking in human beings. The participation of Bulgarian magistrates in international trainings on issues related to trafficking in human beings provides them with an opportunity to exchange experience and good practices with their colleagues from other EU Member States, as well as to strengthen mutual trust between them and to implement EU law in this field more effectively.

National Investigative Service

In practice, we do not have a technology-based toolkit specific to this type of crime for the detection and investigation of human trafficking. In individual cases, specialised software is used to track communications or financial transactions that could be an indicator that the same were generated in the course of human trafficking. It should be noted that in most cases these are operational means of gathering evidence. Also applicable are the use of special intelligence means and the request for information on all the facts and circumstances established in the provisions of Article 159a(1) and (4) of the CCP.

Article 159a of the Criminal Procedure Code of the Republic of Bulgaria:

- 1. tracing and identifying the source of the connection;*
 - 2. identifying the direction of the connection;*
 - 3. identifying the date, time and duration of the connection;*
 - 4. identifying the type of connection;*
 - 5. identification of the user's terminal device or what purports to be the user's terminal device;*
 - 6. identification of the cells used.*
- (2) The data referred to in par. (1) shall be collected when necessary for the investigation of serious intentional crimes.*
- (3) The request of the supervising prosecutor under par. (1) shall be motivated and must contain:*
- 1. information on the offence for the investigation of which the use of traffic data is required;*
 - 2. a description of the circumstances on which the request is based;*
 - 3. details of the persons for whom traffic data are requested;*
 - 4. a reasonable period of time to be covered by the request;*
 - 5. the investigating authority to which the data are to be provided.*
- (4) In the order under par. 1, the court shall specify:*
- 1. the data to be reflected in the report;*
 - 2. (amend. - SG 20/20/2021) a reasonable period of time to cover the reference;*
 - 3. the investigating authority to which the data are to be provided.*
- (5) The period of time for which the data referred to in par. (1) may not be longer than 6 months.*
- (6) Where the report contains data which are not related to the circumstances of the case and do not contribute to their clarification, upon a reasoned written proposal of the supervising prosecutor, the judge who issued the authorization shall order its destruction. The destruction shall be carried out in accordance with the procedure laid down by the Public Prosecutor. Within 7 days of receipt of the*

order, the undertakings referred to in par. 1 and the supervising public prosecutor shall provide the judge who issued it with the records of the destruction of the data.

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

Part II – Country-specific follow-up questions

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's previous reports:

- ensure effective access to legal assistance and free legal aid for victims of THB, including by providing adequate funding for the purpose;

National Legal Aid Bureau

The NLAB has for many years been pursuing a range of measures to ensure access to justice for victims of trafficking in human beings and to strengthen the National Coordination Mechanism for Preventing and Combating Trafficking in Human Beings. These include:

1. The National Legal Aid phone line: 070018250, with working hours from 9 a.m. to 5 p.m., answered by attorneys from the Sofia Bar Association and accessible to any victim of crime, including victims of trafficking, where such victims can obtain legal advice and assistance.
2. Regional counselling centres set up and operating at the Bar Councils in twenty regions of Bulgaria for the convenience of the relevant regions' citizens, where they can consult attorneys for free (a list of those centres is posted in the Regional Counselling Centres section on the NLAB's website).
3. Bulgaria's national law ensures access to free legal aid for a certain group of victims of trafficking: children under the Child Protection Act, persons belonging to a 'vulnerable group' under §1(17) of the Additional Provisions to the Asylum and Refugees Act – minors, unaccompanied minors, persons with disabilities, elderly persons, pregnant women, single parents of minors, victims of trafficking in human beings, persons with severe health problems, persons with mental disorders and persons who have endured torture, rape or other severe forms of mental, physical or sexual violence. Access to legal aid has been made easier for all other categories of victims of trafficking with the latest amendments to the Legal Aid Act (published in SG No 102 of 2022), which enable the NLAB to assess whether it has sufficient resources to appoint a lawyer where the legal aid is provided on account of a decision by the NLAB President.
4. The recommendation from the Third Evaluation Round to provide unconditional access to legal aid, not subject to proving a lack of financial resources to pay for an attorney, is a matter of legislative amendments and requires consideration by all institutions involved.
5. Concerning the time it takes to authorise legal aid and appoint an attorney for persons reasonably assumed to be victims of trafficking: in practice, this takes three working days, as legal aid is managed electronically.
6. As regards the "adequate funding for legal aid": the legal aid for victims of trafficking in human beings is funded by the NLAB's budget, and currently a working group of the Ministry of Justice is drafting amendments to the Ordinance on the Payment for Legal Aid to increase the amount of attorney's fees.

7. Concerning the funding of interpreting/translation services for victims of trafficking: the legal aid budget covers only attorney's fees and necessary travel within Bulgaria. The cost of interpreting/translation is not covered by the legal aid budget and is currently paid for by the Judiciary's budget.

A21 Bulgaria

A survivor under our care has received free legal assistance for her divorce from her husband, who is a third-country national. Not aware of other cases.

- guarantee effective access to compensation for victims of THB, including by facilitating access to state compensation and using the confiscated assets of perpetrators of human trafficking; - ***please refer to the Report on the measures taken in accordance with the Recommendation on the implementation of the Convention on Action against Trafficking in Human Beings, adopted at the 28th meeting of the Committee of the Parties of the CATHB***
- improve the identification of victims of THB amongst asylum seekers and migrants; - ***please refer to the Report on the measures taken in accordance with the Recommendation on the implementation of the Convention on Action against Trafficking in Human Beings, adopted at the 28th meeting of the Committee of the Parties of the CATHB and the answers to questions 1, 4, 5, 6, 22, 23 of the questionnaire.***
- guarantee access to health care to all victims of THB;

Ministry of Health

Current regulations in the healthcare system ensure that patients receive care regardless of age, gender, origin, language, national, racial, or political affiliation, education, beliefs, cultural level, sexual orientation, personal, social, or material situation, disability, and type or cause of the disease.

Additionally, victims of trafficking are entitled to health system services under the same terms and rights as other citizens, as stipulated by the legal framework governing compulsory health insurance. This insurance guarantees free access for insured individuals to a range of health services funded by the National Health Insurance Fund.

According to the Health Act, all Bulgarian citizens are entitled to certain medical services outside the scope of compulsory health insurance. These include medical assistance in emergency situations, intensive treatment for uninsured persons, preventive examinations and tests, obstetric support for all uninsured women regardless of delivery method, inpatient psychiatric care, comprehensive outpatient surveillance for uninsured individuals with mental illnesses and skin-venereal diseases, and access to health activities included in national, regional, and municipal health programs as specified in Articles 82 and 83 of the Act.

Moreover, the Ministry of Health prioritizes protecting the country against the import and spread of particularly dangerous diseases, including emerging communicable diseases. The ministry conducts health risk analyses and implements necessary measures to prevent outbreaks. This includes monitoring communicable diseases in refugee accommodation centers under SAREF, conducting a full range of microbiological and parasitic tests, including malaria screening for all newly admitted migrants, to prevent the import and spread of non-registered communicable diseases. Weekly state health inspections of sanitary and hygiene conditions are carried out in refugee accommodation centers. When non-compliances are identified, remedial measures are prescribed, and follow-up inspections are conducted.

Preventive and anti-epidemic measures are implemented in accordance with current legislation to reduce the risk of infectious diseases and potential epidemics, including access to health activities in national programs.

As evidenced by the above, mechanisms have been established to guarantee access to healthcare for victims of human trafficking.

A21 Bulgaria

Regarding healthcare, this continues to be a long-term issue where victims are unable to access health assistance due to the lack of health coverage.

- enshrine in law the recovery and reflection period and ensure that it is systematically offered to all presumed foreign victims of human trafficking.

Ministry of the Interior

Regarding this recommendation in Art. 26 of the Law on Combating Human Trafficking is a regulated a text that reads as follows: "After identifying the persons who are victims of human trafficking, the pre-trial proceedings authorities are obliged to immediately inform them about the possibility of receiving special protection, if in within a period of one month declare their agreement to cooperate in the detection of the crime". In para. 2 it is regulated that, on the proposal of the State Agency for Child Protection, the term under para. 1 may be extended up to two months when the victim of trafficking is a child.

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

Ministry of the Interior: See the answer to question 1.

- emerging trends of trafficking in human beings;

Ministry of the Interior

Since GRETA's third assessment report, no significant change has been observed in the ongoing trends in human trafficking. The most widespread form of human trafficking in Bulgaria continues to be trafficking for the purpose of sexual exploitation, followed by human trafficking for the purpose of forced labour and begging. The lover boy method continues to be the mainstay of recruiting victims of human trafficking for sexual exploitation, which has almost completely replaced the use of violence and coercion.

A 21 Bulgaria

Increasing recruitment online of minors for sexual purposes.

- the legislation and regulations relevant to action against THB;

Ministry of the Interior

Representatives of GDCOC participate in a working group at the Ministry of Health for the transposition of the Council of Europe Convention on Combating Trafficking in Human Organs. In this regard, the working group is currently drafting legislative amendments to the Penal Code of the Republic of Bulgaria to criminalize the trafficking of human organs.

In 2023, a legislative amendments was made to the Bulgarian Personal Documents Act, and item 10 was added to Article 76, extending the cases when it may not be permitted to leave the country. The new item 10 states: vulnerable adults for reasons of their own protection, for whom information has been received in the General Directorate "Combating Organized Crime", the General Directorate "National Police", the General Directorate "Border Police" or the regional Directorates of the Ministry of the Interior about the existence of a specific and a clear risk of being deported or leaving the country and becoming victims of human trafficking". At the same time, a new Article 76b was drawn up, which reads:

- (1) The measure under Art. 76, item 10 is applied for the purpose of protection of the person for a period of up to 6 months.
- (2) In case of proven health reasons or other cases that cannot be postponed, the measure is not applied.
- (3) The measure is imposed by order of the Chief Secretary of the Ministry of the Interior based on a motivated proposal from a structure of the Ministry of the Interior under Art. 76, item 10 after an individual assessment of the principles of proportionality and proportionality and opinion of the National Commission for Combating Human Trafficking.
- (4) The order to apply the coercive administrative measure can be appealed within 14 days in accordance with the Administrative Procedure Code.
- (5) The court hears the appeal within three days of receipt and renders a decision within seven days of the initiation of the case. The decision of the court of first instance may be appealed to the Supreme Administrative Court, which renders a decision within 14 days from the receipt of the appeal.
- (6) The prohibition on leaving the country can be canceled even before the expiration of the term, on the proposal of a structure of the Ministry of Internal Affairs under Art. 76, item 10 or at the request of the person, in case the risk of illegal removal or leaving the country has disappeared. The refusal to revoke the prohibition can be appealed in accordance with para. 4 and 5.

Supreme Court of Cassation

The SCC, as the third and final instance in criminal cases, is concerned with cases of a general nature involving trafficking in persons, as well as cases of organized crime related to trafficking in persons, in proceedings under Chapter Twenty-Three "Cassation Proceedings: and Chapter Thirty-Three "Reopening of Criminal Cases" of the CCP. The legal framework on trafficking in persons, Chapter Two "Crimes against the person", Section IX "Trafficking in persons" of the Criminal Code of the Republic of Bulgaria, has not undergone any amendments in the period 2019-2023.

Criminal Code/Section IX.

Trafficking in human beings (New, SG 92/02)

Art. 159a. (New, SG 92/02) (1) (amend. - SG 27/09), (amended, SG No. 84/2013) Whoever recruits, transports, harbours or receives individuals or groups of persons for the purpose of using them for acts of debauchery, forced labour or begging, for depriving them of a bodily organ, tissue, cell or bodily fluid, or for keeping them in involuntary servitude regardless of their consent, shall be punished by imprisonment for a term of two to eight years and a fine of three thousand to twelve thousand leva.

(2) (amend. - SG 27/09) Where the act referred to in par. 1 is committed:

- 1. against a person under eighteen years of age;*
- 2. by using coercion or by misleading the person;*
- 3. by kidnapping or unlawful deprivation of liberty;*

4. *by exploiting a state of dependence;*
5. *by abuse of power;*
6. *by promising, giving or receiving benefits;*
7. *(new - SG 84/2013) by an official in the course of or in connection with the performance of his duties,*

the penalty shall be imprisonment from three to ten years and a fine from ten thousand to twenty thousand leva.

(3) (New, SG No. 75 of 2006, in force from 13.10.2006, amend. - Where the act under par. 1 is committed against a pregnant woman for the purpose of selling the child, the penalty shall be imprisonment from three to fifteen years and a fine from twenty thousand to fifty thousand leva.

Art. 159b. (New, SG 92/02) (1) (amend., SG 27/09) Whoever recruits, transports, harbours or receives individuals or groups of persons and takes them across the border of the country for the purpose referred to in Art. 1 shall be punished by imprisonment from three to twelve years and a fine from ten thousand to twenty thousand leva.

(2) (Suppl. - SG, issue no. 75 of 2006, in force from 13.10.2006, amend. - If the act under par. 1 is committed under the conditions of Article 159a, paragraphs 2 and 3, the penalty shall be imprisonment from five to twelve years and a fine from twenty thousand to fifty thousand leva.

Art. 159c. (New, SG No. 27/2009, amended, SG No. 84/2013) Whoever uses a victim of trafficking in human beings for acts of debauchery, forced labour or begging, for the deprivation of a bodily organ, tissue, cell or bodily fluid, or to be held in involuntary servitude regardless of his consent, shall be punished by imprisonment for a term of three to ten years and a fine of ten thousand to twenty thousand leva.

Art. 159d. (New - SG, issue no. 92 of 2002, former Art. 159c, amend. - (SG 27/09) Where the act referred to in Articles 159a-159c constitutes a dangerous recidivism or has been committed on the orders or in execution of a decision of an organised criminal group, the penalty shall be imprisonment for a term of five to fifteen years and a fine of twenty thousand to one hundred thousand leva, and the court may also order confiscation of part or all of the property of the offender.

- the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

Administration of NCCTHB

The national anti-trafficking and victims' protection policy is regulated in the Combatting Trafficking in Human Beings Act, adopted in 2003, last amended and supplemented in 2019. Trafficking in human beings is regulated as a crime against the personality in the Criminal Code: articles 16a, 159a, 159b, 159c, 182b (consent sale of a child or newborn). The Criminal Code comprises also similar or related criminal activities including forceful sexual intercourse, involvement or abduction in acts of debauchery or prostitution (article 152, 153, 156); employing consciously, illegally residing foreigners - VoTs or smuggling (articles 227 and 280). Based on Article 4 of the Combatting THB Act was established the national anti-trafficking coordination body in 2004, under the Council of Ministers of the Republic of Bulgaria: the National Commission for Combatting Trafficking in Human Beings (NCCTHB), chaired by a Deputy Prime Minister. Commission's members consist of Deputy Ministers/Chairpersons from all the relevant institutions on national level: Ministry of Interior, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Health, State Agency for Child Protection, Supreme Court of Cassation, Prosecutor's

Office and National Investigative Service. In 2007 a Permanent Working Group to the NCCTHB was established, comprising the main experts working and building their capacities on THB from the side of the institutions-members, relevant international and non-governmental organisations. The list of representatives changes over time and at present comprises over 60 experts.

Gradually, Local Commissions for Combatting Trafficking in Human Beings (LCCTHB) are being set up within ten municipalities in the country, working under the methodological guidance of the Secretariat of the National Anti-Trafficking Commission. Their structure resembles NCCTHB's one on a local level: chaired by a Deputy Mayor and consisting of the relevant regional authorities.

Annually, the NCCTHB via its administration develops a National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims, adopted by the Council of Ministers. The Programme consists of seven chapters: 1) Institutional and organisational measures; 2) Prevention; 3) Trainings and capacity building; 4) Protection, recovery and re-integration of the victims of human trafficking; 5) Research, analysis and statistical reporting on data on human trafficking; 6) International cooperation; and 7) Legislative amendments. The Programme includes activities proposed from all the institutions represented in NCCTHB as well as from NGOs and international organisations, mainly ones represented in the PWG to the NCCTHB. Every activity listed in the Programme has a clear description, objective, timeframe, expected results, responsible party and financial dimension. NCCTHB's Secretariat is responsible for the implementation of the majority of the activities included in the Programme. The responsibilities of the Secretariat include organising and conducting information and education campaigns and activities for risk groups; managing and supervising the work of the local antitrafficking commissions, the shelters and support and protection centres for victims of trafficking; and taking part in international cooperation for prevention and counteraction of trafficking in human beings. The NCCTHB's Secretariat organises, in the framework of the above-mentioned campaigns or as separate activities, national and international events such as conferences, forums, round tables and capacity building seminars on topics related to human trafficking. Prevention activities are mainly addressing potential victims of human trafficking and different targeted risk groups. Prevention, information and raising awareness activities are implemented in close cooperation between the administration of NCCTHB, the institutions members of the Commission and the Permanent Working Group in crucial partnership with the non-governmental and international organisations working in the field. Different measures and activities are carried out with funding which includes in-kind contribution of partnering governmental bodies, NGOs and IOs and the respective funding allocated either through state or municipal budget, the budget of partnering organisations or through different programmes and projects.

The National Commission for Combating Trafficking in Human Beings acts as a National Rapporteur or Equivalent Mechanism for Bulgaria within the network of NREMs under the EU Anti-Trafficking Coordinator. The Commission is also member of the Network of National Anti-trafficking Coordinators from South-Eastern Europe (SEE). The NCCTHB acts as well as a contact point for Bulgaria of the Transnational Referral Mechanism, developed by the International Centre for Migration Policy Development (ICMPD) in Vienna and regarding the reporting to the relevant UN structures, the Council of Europe and the OSCE.

The representatives of the non-governmental sector and international organisations in Bulgaria were among the first to start talking about the problems related to human trafficking and to propose solutions for prevention, capacity building and most of all the support of victims, back in the late 90s. Initially, these NGOs worked on the topics of gender-based violence, mainly domestic violence and sexual assault. These NGOs had been initially working on the topics of gender-based violence, mainly referring to domestic violence and sexual assault and adding combating of trafficking of women and children as a priority on a later

stage as well (and then combating of THB in general, including in the recent years having programmes focusing on identification and support of vulnerable groups like asylum seekers, refugees and minority groups).

NGOs and international organisations have the possibility to take part in the sessions of the NCCTHB as observers (currently such an observer is the Bulgarian Women's Fund). In 2007, a Permanent Working Group (PWG) was established to the NCCTHB including the main experts working and building their capacity in the field of human trafficking by institutions, non-governmental and international organisations.

Representatives of the non-governmental sector and international organisations also play a crucial role in the overall implementation of the annual action plans (the annual National programmes for combating THB and protection of victims), especially in the chapters related to prevention, capacity building, collection, and analysis of data and support of victims. Thus, they are related to the implementation, monitoring and evaluation of the National Referral Mechanism.

The administration of NCCTHB and partnering organisations have developed different forms of public-private partnership over the years related to prevention, awareness-raising, and in-kind contribution in favour of the specialised services for VoTs including in terms of employment opportunities in the process of reintegration.

A21 Bulgaria

Overall, there is a very close collaboration between the NGO sector, the National Commission, and the relevant bodies, which has been instrumental in providing essential support and resources to those in need. However, there are still areas that require improvement, particularly in the application of the National Referral Mechanism (NRM). By enhancing the effectiveness and efficiency of the NRM, we can ensure that all parties involved are more coordinated and responsive. This would lead to better identification, protection, and support for victims, ensuring they receive comprehensive assistance tailored to their needs. Enhanced collaboration and communication among all stakeholders are crucial to achieving these improvements and making a significant impact on the lives of those affected.

- the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);

Administration of NCCTHB

According to the Council for Development under the Council of Ministers, in response to the increasing number and fragmentation of strategic documents, steps should be taken to consolidate the national strategic framework and reduce the number of strategic documents in Bulgaria's National Recovery and Sustainability Plan by 40%. In this regard, in 2023 the NCCTHB received feedback from the Secretariat of the Council for Development – the Directorate for Strategic Planning that steps to write a new strategic document should not be taken since there is no statutory commitment and measures related to the relevant policies are already included in other strategic documents.

Additionally, in 2023 the NCCTHB changed the format of the annual National Programmes in order to develop a clearer and at the same time comprehensive framework of the yearly planning. The development of the new format of the programmes was consulted by the Directorate for Strategic Planning.

The National Programme for 2024 (available in Bulgarian language [HERE](#)) is adopted by a decision of the Council of Ministers and include different measures related to institutional and

organisational measures including activities in connection to the interinstitutional coordination; prevention including activities related to general awareness-raising and targeted prevention among vulnerable groups; capacity building targeting different professional working in the field and focusing on the enhancing of the identification and the implementation of the NRM on the one hand and the improvement of the process of investigation; protection of victims including activities related to the implementation of the NRM and complementing the activities mandated by law; statistical data including activities in connection to the data collection and analysis; international cooperation including activities for improvement of the exchange of practices; and legal amendments including an activity related to the actualisation of the legal framework.

The administration of NCCTHB is the coordination body for the implementation of the activities included by various stakeholders – institution members of the NCCTHB and PWG, international and non-governmental organisations. The programme has clear strategic and operational objectives, indicators, responsible institutions/organisations and financial dimension.

Annually, the NCCTHB administration prepares a report on the implementation of the National Programme, incorporating contributions from all relevant institutions and organisations. This report is adopted by the NCCTHB, and shortly afterward, the Chairperson of the Commission presents it to the Council of Ministers.

In 2024 the state budget of the NCCTHB was increased by almost 190 % including 644 400 BGN for maintenance costs and 237 400 BGN for remuneration, and a total of 950 800 BGN. The maintenance costs are related to the funding of the specialised services and activities included in the annual programme. Additionally, each responsible institution/organisation suggesting relevant measures in the yearly planning included a financial indicator related to the corresponding activities.

- recent case-law concerning THB for different forms of exploitation.

Prosecutor's Office of the Republic of Bulgaria

Following the recommendations in the third evaluation report by GRETA, as well as Recommendation CP/Rec (2021)01, adopted on 4 June 2021 at the 28th meeting of the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings, as relevant to the activities of the Prosecutor's Office of the Republic of Bulgaria, a number of actions have been taken, many of them through the new working arrangements for human trafficking files and pre-trial proceedings established for that purpose by the Prosecutor General through his ***Instruction on the working arrangements at the Prosecutor's Office of the Republic of Bulgaria for files and pre-trial proceedings initiated for trafficking in human beings (the Instruction)***⁶. The Instruction is available on the official website of the PORB: https://prb.bg/bg/pub_info/opovestyavane-na-dokumenti/vtreshni

The purpose of the Instruction is to:

- ✓ establish a uniform mechanism for handling and supervising cases of trafficking in human beings;
- ✓ ensure effective protection of victims of trafficking in human beings;
- ✓ overcome the difficulties in prosecutorial practice;
- ✓ enhance the capacity to deal with human trafficking cases,
- ✓ improve intra-institutional, inter-institutional and international cooperation in such cases.

⁶ Endorsed by Prosecutor General Order No ПД-02-22 of 18.10.2022.

In order to provide an overview of this particularly topical crime, and to analyse the good practices and weaknesses in investigating trafficking in human beings, a ***Methodology for investigating the crime of trafficking in human beings*** has been developed and is updated in case of legislative developments (it is now in line with the legislation in force in 2023). While the Methodology is intended for practical use, some of its sections have been elaborated theoretically, with the aim of achieving a precise legal qualification and avoiding recurrent mistakes in the prosecution of traffickers.

1. As regards the group of recommendations for further efforts to ensure effective access to compensation for victims of trafficking in human beings, in particular by:

- *Ensuring that the gathering of evidence of the harm suffered by the victim, including the perpetrator's financial gain from the exploitation of the victim or the loss suffered by the victim, is part of the criminal investigation with a view to supporting claims for compensation in court.*

In order to implement the recommendation, the Instruction (paragraph 14.1) introduced a requirement to identify the assets of the perpetrator and any related parties, including the proceeds of the crime, where such proceeds are found.

- *Ensuring that the Prosecutor's Office implements Article 51 of the CCP in practice by claiming compensation on behalf of child victims in the course of criminal proceedings.*

In order to implement the recommendation, where the victim of trafficking in human beings is a minor and unable to defend his/her rights and legitimate interests (i.e. he/she does not have a legal representative), the Instruction (paragraph 18) has introduced the requirement to examine the possibility of applying Article 51 of the CCP through the Prosecutor's Office bringing a civil action on behalf of the minor when referring the case to the court by submitting the indictment.

- *Making full use of asset freezing and confiscation legislation, as well as international cooperation, to provide compensation to victims of trafficking in human beings and to ensure that recoverable property seized in criminal proceedings is returned to the victim as soon as possible.*

In order to implement the recommendation, the Instruction (paragraph 14.1) requires that precautionary measures be taken to secure both the fine and confiscation and the forfeiture of property to the State. It also requires (paragraph 19) that, in any case of a benefit within the meaning of Article 53(2)(b) of the CC obtained from the crime for which an indictment has been filed, an application for the forfeiture of such benefit to the state, its return or recovery (if there are grounds therefor), or for its cash equivalent to be awarded where it is missing or has been expropriated, should be made within the judicial proceedings. The procedure for requesting the return/restitution of the benefit obtained from the crime to the entitled person or its forfeiture to the State is expressly indicated, in cases where the agreement reached in the case is proposed to the court to approve (paragraphs 17.2 and 17.3).

In addition to these requirements, the Instruction also lays down rules on the actions to be taken when establishing the enrichment of a legal entity from trafficking in human beings. According to paragraphs 20 and 21 of the Instruction, the proposal to the court under Article 83b(1) of the Administrative Offences and Penalties Act (AOPA) is to be accompanied by an application for precautionary measures in accordance with Article 83c of the AOPA and, at the trial stage of the proceedings, also a request for the forfeiture to the State of the direct or indirect benefit obtained from the crime, or for the return or restitution of that benefit to the entitled person, or, if the benefit is missing, for the award of its cash equivalent in BGN. The actions to be taken in that regard where the benefit is subject to forfeiture to the State under the Criminal Code are expressly indicated.

- *Including the issue of compensation in training programmes for lawyers, prosecutors and judges and encouraging them to use all the possibilities under the applicable laws to press claims for compensation from victims of trafficking in human beings.*

This recommendation should be addressed to the National Institute of Justice.

2. As regards the group of recommendations to take further measures to strengthen the criminal response to trafficking in human beings, including by:

- *Ensuring that human trafficking crimes are investigated proactively and quickly, using special investigative techniques to collect material, documentary, financial and digital evidence and do not have to rely exclusively on statements of victims or witnesses.*

In order to implement the recommendation, the Instruction:

- ✓ has introduced arrangements for cases of reported trafficking in human beings (paragraph 9), which include immediate action in cases where the complaint is lodged by the victim (paragraphs 10.1 and 10.2);

- ✓ stipulates that the work on trafficking files shall, where possible, be carried out as a matter of priority, and where an inquiry under Article 145(2) of the Judiciary Act is necessary, such inquiry is to be completed speedily (paragraph 11.1);

- ✓ has introduced the requirement to apply a proactive approach in the investigation of cases of trafficking in human beings (paragraph 13.1), whereby the questioning of the victim(s) is not the sole or primary source of evidence; where the victim refuses to testify (or subsequently modifies his/her testimony), efforts shall be made to identify other witnesses of the act and to collect written/material/electronic evidence of its commission.

- ✓ also prescribes specific actions to enable the swift and proactive handling of cases of trafficking in human beings: as regards the assessment of the need to carry out an inquiry (paragraph 11.2), as regards the questioning of the victim and whether this needs to be carried out before a judge in order to secure the recognition of the victim's testimony in the prospective trial (paragraph 12.1), and as regards the collection of some of the necessary data by making use of the possibilities of remote access to it (paragraph 11.3);

- ✓ has introduced requirements for cases where international cooperation is required, indicating in this regard that the international operational cooperation channels available to the investigating authorities should be actively used in the preparation process (paragraph 25.1(d)), and, in the event of delays in the execution of the request for legal aid, that assistance should be sought from the executing competent authority, as well as from Eurojust, where the delay is for more than 6 months (paragraph 25.2);

- ✓ provides for appropriate control measures by introducing the requirement for the administrative supervisors of district prosecutor's offices to make arrangements for the proper implementation of the Instruction, monitoring the timely handling of files and cases in this category, and to organise six-monthly coordination meetings with the heads of the relevant local offices of the Ministry of the Interior to review the time limits and the implementation of the instructions on files and pre-trial proceedings on such matters (paragraph 29);

- ✓ has introduced requirements to include the work of regional prosecutors' offices on this category of cases and files in the audit plans of the higher public prosecutor's offices (paragraph 30).

- *Requirement to consider the appointment of specialised financial investigators for each case of trafficking in human beings.*

To implement the recommendation, the Instruction introduced a requirement (paragraph 3.1) to specialise investigators in investigating cases of trafficking in human beings and to assess, considering the particulars of each individual case, whether the investigation should be entrusted to the National Investigation Service (paragraph 4). Where the team of the relevant district prosecutor's office includes a junior investigator(s), it is now required (paragraph 3.2) to, if possible, include him/her (or at least one of them) in the group of investigators specialised in THB cases. The administrative supervisors are instructed to ensure that all specialised prosecutors are trained in investigating and prosecuting trafficking in human beings, and if they have already undergone basic training, that it can be upgraded to cover specific aspects of the investigation and prosecution process (paragraph 28.1). Specific subjects mandatory for the training of specialised investigators are explicitly identified, and include the financial aspects of trafficking in human beings (paragraph 28.2). By a letter of 27 March 2023, the Deputy Prosecutor General asked the Director of the National

Institute of Justice to increase, where possible, the number of training events related to investigating trafficking in human beings, including the specialised subjects referred to in paragraph 28.2.

- *Increasing the sensitivity of prosecutors and judges to the rights of victims of trafficking in human beings and promoting the development of prosecutors' and judges' THB specialisation.*

In order to implement the recommendation, the Instruction established similar arrangements for the THB specialisation of prosecutors (paragraphs 2.1 and 2.2). Such specialisation is also arranged for in the prosecutor's offices operating at the different judicial instances (district and appeal) as well as in the Supreme Public Prosecutor's Office of Cassation (paragraphs 5 and 6). Similarly, the administrative supervisors of prosecutor's offices are required to arrange for capacity building of prosecutors specialised in trafficking in human beings. We should further note the establishment of a National Network of Prosecutors appointed to work on human trafficking cases, within which they can exchange opinions related to the investigation and prosecution of human trafficking and discuss specific topics. Last but not least, a sub-directory entitled "Trafficking in human beings" has been added to the PORB's official information website, where THB-related content is published, such as methodological acts, training materials and other useful information (paragraph 8.4).

- *Stepping up efforts to investigate, prosecute and convict traffickers for labour exploitation.*

In addition to the measures taken to implement the Recommendation as explained above, the PORB's intranet site now features a link to the Council of Europe's online training platform HELP, which includes a training module on trafficking in human beings for labour exploitation.

- *Ensuring that the prosecution of trafficking in human beings leads to effective, proportionate and deterrent punishment for those convicted. If an alternative charge is preferred in cases of trafficking in human beings, this should be recorded and monitored by the Prosecutor's Office. The guilt negotiation procedure may be used only exceptionally in cases of trafficking in human beings, subject to appropriate safeguards, where the sentence reduction is clearly greater than the advantages offered by the guilt agreement (these advantages to be set out in the judgment approving the agreement) and in no way prejudices the rights of victims, including their access to compensation;*

In order to comply with the recommendation, the Instruction (paragraph 17.1) requires that, in the event of a proposal to conclude an agreement and negotiate the extent of the possible punishment, the degree of social risk posed by the crime and the offender should be thoroughly assessed according to the specific circumstances of the case, irrespective of the legal possibility of applying Article 55 of the CC (penalty reduction). As stated above, specific requirements have been introduced for seeking the confiscation of the benefits obtained by defendants or the return/restitution thereof to the entitled person (paragraphs 17.2 and 17.3).

3. Concerning the recommendation that the Bulgarian authorities take measures to implement the rest of the suggested actions listed in Annex 1 of the third GRETA evaluation report.

To the extent that many of the recommendations in Annex 1 of the third GRETA evaluation report are also included in Recommendation CP/Rec (2021)01, the rest of the recommendations relevant to the work of the PORB concern:

- ***The right to information*** – to inform victims more clearly and precisely about their rights as such.

With regard to that recommendation, it should be noted that the Instruction (paragraph 12.4) outlines the scope of all the rights and possibilities of which a victim examined as a witness should be informed, namely:

- ✓ the rights under the CCP as a victim and the possibility of applying procedural protection measures;

- ✓ the rights under the Legal Aid Act;

- ✓ the possibility of special protection under the Act on Combating Trafficking in Human Beings for the duration of criminal proceedings;

- ✓ the possibility to receive assistance and financial compensation under the Act on Assistance and Financial Compensation to Victims of Crime.

In addition, the Instruction (paragraph 29(d)) instructs the public prosecutor's offices to arrange for the appropriate publicity (at a place accessible to the public and on the institution's website) information intended for victims of trafficking as well as the details of the competent authorities where they can seek protection for themselves and their loved ones. Such information is also published on the official website of the Prosecutor's Office and is publicly available to all citizens through the following link: https://prb.bg/bg/pub_info/opovestyavane-na-dokumenti/vtreshni

- **Provisions relating to impunity** – concerning the production of a handbook for police officers and prosecutors on the application of Article 16a of the CC, and in conjunction with Article 329(1) of the CC.

It should be noted that, at the request of the Prosecutor General, the provision of Article 329(1) of the CC was declared unconstitutional by the Constitutional Court by Decision No 13 of 27.9.2022 in Constitutional Case No 8/2022. No statistical records on the application of Article 16a of the CC are kept.

- **International cooperation** – it is recommended to encourage efforts in this area, especially in relation to financial investigations and the enforcement of compensation orders. It is also noted that the benefits of using Eurojust should be included in the training events for police officers, prosecutors and judges.

We believe that the second part of this recommendation is again to be addressed to the National Institute of Justice.

- **Child-sensitive procedures for access to justice and remedies**

In addition to the measures already mentioned, the Instruction has also introduced other requirements that would apply in cases of trafficking in human beings where the victims are children (systematic prevention of encounters between the child victim and the offender and avoidance of repeat interviews; the conduction of interviews by investigators and prosecutors trained to do so). These requirements include:

- ✓ strict compliance with Article 140 of the CC when questioning a witness who is a minor (paragraph 12.2, sentence. 2);
- ✓ taking measures to prevent prior encounters between the victim and the defendant and his or her defence counsel (if they are to be present at the victim's interview) and, if possible, using the so-called blue rooms for the victim's questioning and witness statement (paragraph 12.3);
- ✓ all protection measures referred to in Section IV of the Instruction, including those referred to in paragraph 23.3, to prevent visual contact with the offender, to conduct interviews in premises specially adapted for such use, to consider sound and video recording of the questioning when the victim is a minor in order to avoid subsequent encounters with the offender.

The recommendation to have interviews conducted by investigators or prosecutors specially trained for that purpose is achieved through the specialisation and relevant training already in place.

- **Improvement by the Bulgarian authorities of the system for collecting data on victims of trafficking in human beings in order to avoid double reporting.**

With regard to this recommendation we would like to note that, by Order No RD-02-03/1.4.2022 of the Prosecutor General, as of 1.1.2022, the victims of trafficking in human beings are accounted for based on the newly opened pre-trial proceedings and not on the previously used method of pre-trial proceedings monitored.

Part III - Statistics on THB

42. Please provide the following statistics, per year starting with 2019, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Prosecutor's Office of the Republic of Bulgaria

The provision of statistical information on the activities of the Prosecutor's Office to state authorities, organisations and the public, in the cases provided for by law, is carried out in accordance with the Instruction on the Information Arrangements at the PORB (IIA). The IIA regulates the arrangements applying to the collection, processing and use of information on the activities of the Prosecutor's Office, as well as the statistical indicators for reporting on the activities of the Prosecutor's Office by types of monitoring and fields.

The official statistical reporting does not include collection and aggregation of data on alleged victims, prosecutions and convictions. No distinction is made by racial or ethnic origin or health status (this applies to both defendants / persons brought to justice and victims).

In connection with the above, we provide statistics on the number of pre-trial criminal proceedings initiated for trafficking in human beings (broken down by purpose of trafficking), the number of persons under the prosecutorial acts submitted to the court, and the number of persons convicted and punished by a final judicial decision and the penalties imposed on them, by type (Appendix No 1).

Statistical data on the victims of trafficking in human beings are also provided. These are reported based on the newly opened pre-trial proceedings, with a breakdown by gender and age (Appendix No 2).

The statistical information is provided by year for the years 2019 to 2023 in the relevant appendices.

Ministry of the Interior

| Data/year | 2019 | 2020 | 2021 | 2022 | 2023 |
|---|-------------|-------------|-------------|-------------|-------------|
| Total number of identified victims of THB | 76 | 93 | 76 | 84 | 47 |
| ▪ Of Bulgarian origin | 76 | 91 | 76 | 84 | 47 |
| ▪ <i>Adults</i> | <i>59</i> | <i>70</i> | <i>57</i> | <i>58</i> | <i>30</i> |
| ▪ <i>Minors</i> | <i>17</i> | <i>21</i> | <i>19</i> | <i>26</i> | <i>17</i> |
| ▪ Of foreign origin | 0 | 2 | 0 | 0 | 0 |
| ▪ <i>Adults</i> | <i>0</i> | <i>2</i> | <i>0</i> | <i>0</i> | <i>0</i> |
| ▪ <i>Minors</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>0</i> |
| Form of exploitation | | | | | |
| Sexual exploitation | 37 | 37 | 32 | 33 | 21 |
| Labour exploitation | 11 | 31 | 14 | 17 | 5 |
| Selling of a newborn | 5 | 0 | 0 | 0 | 0 |
| Organ removal | 0 | 0 | 0 | 0 | 0 |
| Other forms of forced submission (pick-pocketing and bagging) | 10 | 21 | 24 | 29 | 17 |
| Other forms (marriage of convenience and/or forced marriage) | 13 | 4 | 6 | 5 | 4 |
| Statistics about traffickers (in Bulgaria and abroad) | | | | | |

| | | | | | |
|-----------------|----|----|----|----|----|
| <i>Suspects</i> | 57 | 48 | 36 | 36 | 29 |
|-----------------|----|----|----|----|----|

Administration of NCCTHB

Information about informally or formally identified victims of human trafficking according to the signals received at the administration of the NCCTHB is available below.

It is important to note that, despite the fact that the administration of NCCTHB is the coordinator of the NRM, not all signals and especially persons in need of information or support are referred to the National Commission. In some cases, even when referred, individuals refuse to receive assistance, which is their fundamental right.

| Victims of human trafficking | 2019 | 2020 | 2021 | 2022 | 2023 |
|---|-----------|-----------|------------|-----------|-----------|
| Total number of victims | 85 | 60 | 132 | 93 | 63 |
| Women | 48 | 39 | 86 | 65 | 50 |
| Minors 14-18 YO | 3 | 3 | 3 | 9 | 0 |
| Minors under 14 | 6 | 1 | 3 | 3 | 0 |
| Men | 37 | 21 | 46 | 28 | 13 |
| Minors 14-18 YO | 3 | 0 | 5 | 0 | 0 |
| Minors under 14 | 4 | 0 | 3 | 3 | 0 |
| Signals for internal trafficking | 11 | 8 | 27 | 35 | 25 |
| Signals for external trafficking | 48 | 32 | 43 | 45 | 35 |
| Sexual exploitation | 29 | 27 | 47 | 33 | 31 |
| Women | 29 | 26 | 45 | 33 | 31 |
| Minors 14-18 YO | 2 | 3 | 4 | 3 | 0 |
| Minors under 14 | 2 | 0 | 0 | 0 | 0 |
| Man | 0 | 1 | 2 | 0 | 0 |
| Minors 14-18 YO | 0 | 0 | 1 | 0 | 0 |
| Minors under 14 | 0 | 0 | 0 | 0 | 0 |
| Labour exploitation | 39 | 26 | 61 | 18 | 18 |
| Women | 11 | 8 | 23 | 6 | 10 |
| Minors 14-18 YO | 3 | 0 | 0 | 0 | 0 |
| Minors under 14 | 0 | 0 | 2 | 0 | 0 |
| Men | 28 | 18 | 38 | 12 | 8 |
| Minors 14-18 YO | 3 | 0 | 3 | 0 | 0 |
| Minors under 14 | 2 | 0 | 3 | 0 | 0 |
| Forced begging | 7 | 7 | 5 | 3 | 3 |
| Women | 0 | 5 | 4 | 2 | 2 |
| Minors 14-18 YO | 0 | 1 | 0 | 0 | 0 |
| Minors under 14 | 0 | 1 | 0 | 0 | 0 |
| Men | 7 | 2 | 1 | 1 | 1 |
| Minors 14-18 YO | 0 | 0 | 0 | 0 | 0 |
| Minors under 14 | 0 | 0 | 0 | 0 | 0 |
| Children victims of trafficking | 16 | 4 | 14 | 15 | 0 |
| Minors 14-18 YO | 6 | 3 | 8 | 6 | 0 |
| Minors under 14 | 10 | 1 | 6 | 9 | 0 |
| Pregnant women for the purpose of babies selling | 1 | 0 | 1 | 0 | 0 |
| Minors 14-18 YO | 0 | 0 | 0 | 0 | 0 |
| Minors under 14 | 0 | 0 | 0 | 0 | 0 |
| Forced detention in subjection | 0 | 0 | 1 | 2 | 1 |

| | | | | | |
|--|-----------|-----------|----------|-----------|----------|
| Women | 0 | 0 | 1 | 2 | 1 |
| Men | 0 | 0 | 0 | 0 | 0 |
| Removal of organs, tissues and cells | 0 | 0 | 0 | 0 | 0 |
| Women | 0 | 0 | 0 | 0 | 0 |
| Men | 0 | 0 | 0 | 0 | 0 |
| Risk of trafficking | 7 | 0 | 6 | 9 | 4 |
| Women | 5 | 0 | 5 | 8 | 3 |
| Minors 14-18 YO | 2 | 0 | 4 | 6 | 2 |
| Minors under 14 | 0 | 0 | 1 | 2 | 1 |
| Men | 2 | 0 | 1 | 1 | 1 |
| Minors 14-18 YO | 1 | 0 | - | 0 | 0 |
| Minors under 14 | 1 | 0 | - | 1 | 1 |
| Other crimes (smuggling, domestic violence, forced marriage, labour rights violations, children at risk and others) | 13 | 13 | 6 | 12 | 4 |

State Agency for Child Protection

Child Trafficking for the period 2019 - 2023

For 2019 - 17 cases for 17 children - 16 girls -1 boy - 17 measures under Article 76a of the Law on Bulgarian Personal Documents (LBDP)

For 2020 - 31 cases for 31 children - 27 girls and 4 boys - 31 measures under Article 76a of the LBDP

For 2021 - 27 cases for 27 children - 20 girls and 7 boys - 22 measures under Article 76a of the LBDP

For 2022 - 26 cases for 27 children - 18 girls and 9 boys - 10 measures under Article 76a of the LBDP

For 2023 - 38 cases for 46 children - 27 girls and 19 boys - 26 measures under Article 76a of the LBDP

Note: The imposition of a non-refoulement measure on children for up to two years or until they reach the age of majority serves as a safeguarding measure to prevent children from being removed again for sexual and labour exploitation, being used for begging or neglected, or being involved in adverse activities.

- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation). – **No data is provided by the relevant authorities.**
- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

Administration of NCCTHB

Individuals received assistance and support in the specialised residential and consultative services

| Adult victims of human trafficking received assistance and support | 2019 | 2020 | 2021 | 2022 | 2023 |
|---|-------------|-------------|-------------|-------------|-------------|
| Total number of victims (including residential and consultative services and children of VoTs) | 25 | 25 | 42 | 51 | 45 |
| Women | 20 | - | 28 | 23 | 29 |
| Children of VoTs | 4 | 3 | 14 | 15 | 13 |

| | | | | | |
|-----------------------------|-----------|-----------|-----------|-----------|-----------|
| Other family members | 0 | 0 | 0 | 1 | 1 |
| Men | 5 | - | 1 | 3 | 2 |
| Residential services | - | 21 | 29 | 27 | 27 |
| Consultative services | - | 4 | 13 | 9 | 5 |
| Form of exploitation | | | | | |
| Sexual exploitation | 19 | 18 | 28 | 27 | 25 |
| Women | 19 | - | 28 | 27 | 25 |
| Men | 0 | - | 0 | 0 | 0 |
| Labour exploitation | 2 | 2 | 1 | 5 | 3 |
| Women | 0 | - | 0 | 2 | 1 |
| Men | 2 | - | 1 | 3 | 2 |
| Forced begging | 4 | 1 | 0 | 1 | 0 |
| Women | 1 | - | 0 | 1 | 0 |
| Men | 3 | - | 0 | 0 | 0 |

- Number of child victims of THB who were appointed legal guardians. – ***No data is provided by the relevant authorities.***
- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).

Administration of NCCTHB

All victims of human trafficking referred to specialised residential and consultative services were granted a recovery and reflection period. Please see disaggregated data on VoTs who have received assistance and support above.

- Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation). – ***No data is provided by the relevant authorities.***
- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation). – ***No data is provided by the relevant authorities.***
- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded). – ***No data is provided by the relevant authorities.***
- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received. – ***No data is provided by the relevant authorities.***
- Number of victims of THB who received free legal aid.

Administration of NCCTHB

All victims of human trafficking referred to specialised residential and consultative services have received legal aid under the Combating THB Act and with the support of services providers.

- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).

Ministry of Foreign Affairs

One male aged 40, victim of labour exploitation in Denmark who returned to Bulgaria in 2023.
One male aged 21, victim of labour exploitation in Denmark who returned to Bulgaria in 2023.
One female aged 20, victim of labour exploitation in Denmark who returned to Bulgaria in 2023.

One female aged 43, victim of labour exploitation in Denmark who returned to Bulgaria in 2023.

One male aged 35, victim of labour exploitation in the Netherlands who returned to Bulgaria in 2024.

One female aged 30, victim of labour exploitation in the Netherlands who returned to Bulgaria in 2024.

One female aged 22, victim of labour exploitation in the Netherlands who returned to Bulgaria in 2024.

One male aged 36, victim of labour exploitation in the Netherlands who returned to Bulgaria in 2024.

International Organisation for Migration, Bulgaria

IOM has assisted 91 VoTs with voluntary return to Bulgaria between 2019 and 2023

Returned VoTs 2019 - country of destination

| | | | |
|-----------------|---|---------|----|
| Sweden | 4 | Sexual | 7 |
| The Netherlands | 3 | begging | 4 |
| Switzerland | 3 | labour | 9 |
| France | 2 | medical | 1 |
| Germany | 2 | | |
| Belgium | 2 | men | 10 |
| Italy | 1 | women | 11 |
| Spain | 1 | total | 21 |
| Czech republic | 1 | | |
| Hungary | 1 | | |
| England | 1 | | |

Returned VoTs 2020 - country of destination

| | | | |
|--------|---|--------|---|
| Sweden | 8 | Sexual | 5 |
|--------|---|--------|---|

| | | | |
|-----------------|---|------------|----|
| The Netherlands | 1 | begging | 3 |
| Switzerland | 1 | labour | 6 |
| Norway | 1 | medical | 1 |
| Germany | 2 | vulnerable | 1 |
| Belgium | 2 | | |
| Poland | 1 | men | 7 |
| | | women | 9 |
| | | total | 16 |

Returned VoTs 2021 - country of destination

| | | | |
|----------------------|----|------------|----|
| Sweden | 34 | Sexual | 6 |
| Bosnia & Herzegovina | 1 | begging | 1 |
| Switzerland | 2 | labour | 33 |
| Norway | 1 | vulnerable | 1 |
| Germany | 1 | | |
| Poland | 2 | men | 24 |
| | | women | 17 |
| | | total | 41 |

Returned VoTs 2022 - country of destination

| | | | |
|-----------------|---|------------|---|
| Sweden | 5 | Sexual | 1 |
| Kosovo | 1 | begging | 0 |
| Switzerland | 1 | labour | 7 |
| The Netherlands | 2 | vulnerable | 1 |
| | | men | 4 |
| | | women | 5 |
| | | total | 9 |

Returned VoTs 2023 - country of destination

| | | | |
|-----------------|---|------------|---|
| Poland | 1 | Sexual | 1 |
| Czech Republic | 1 | begging | 0 |
| Switzerland | 1 | labour | 2 |
| The Netherlands | 1 | vulnerable | 1 |

| | |
|-------|---|
| men | 3 |
| women | 1 |
| total | 4 |

- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned). – **Information is available in the relevant appendices.**
- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned). – **Information is available in the relevant appendices.**
- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation). – **Information is available in the relevant appendices.**
- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended. – **Information is available in the relevant appendices.**
- Number of judgments in THB cases resulting in the confiscation of assets. – **Information is available in the relevant appendices.**
- Number of convictions of legal entities for THB.

Supreme Court of Cassation

First, it should be noted that the Supreme Court of Cassation does not maintain statistics focused on victims of trafficking.

Secondly, it does not maintain statistics on perpetrators either.

The SCC has an electronic registry of human trafficking cases heard by the present instance, established by Order No. 933 of 23.09.2021 of the President of the SCC. Statistics on cases under Chapter Twenty-Three of the CCP "Cassation Proceedings" and under Chapter Thirty-Three of the CCP "Reopening of Criminal Cases" - with the subject of trafficking in human beings or organized crime related to trafficking in human beings for the period 2021-2023 are included in the registry: <https://www.vks.bg/registar-trafik-hora.html>.

Information related to cases and such for the period 2019 - 2020 is provided as an appendix to the questionnaire.

APPENDICES:

Appendix 1 – Statistical data on criminal proceedings for trafficking in human beings from the official statistics of the Prosecutor's Office of the Republic of Bulgaria by certain indicators, 2019 – 2023

Appendix 2 – Statistical data on victims of trafficking in human beings based on newly opened pre-trial proceedings, 2019 – 2023

Appendix 3 – Information on the training of prosecutors and investigators on the topic of combating trafficking in human beings – 1.1.2019-1.6.2024, by year

Appendix 4 – Statistical data provided by the National Statistical Institute

Appendix 5 – Human trafficking cases provided by the Supreme Court of Cassation Statistical data 2019 – 2020 – Supreme Court of Cassation

Appendix 6 – Statistical data 2022 – Supreme Court of Cassation

Appendix 7 – Statistical data 2023 – Supreme Court of Cassation