

Strasbourg, 7 March 2011

GRETA(2011)2

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 by the parties

This reply has been made public at the request of the Bulgarian authorities

Preliminary Questions

Question 1: Please specify which State body/agency was responsible for co-ordinating and collecting the replies to this questionnaire. Please specify the name and professional title of the person heading this State body/agency. Please indicate if this person is the “contact person” appointed by your country to liaise with GRETA or a different person.

National Commission for Combating Trafficking in Human Beings (NCCTHB), Council of Ministers
Denitsa Boeva, Chief Expert, NCCTHB and the “contact person” to liaise with GRETA

Question 2: Which State bodies/agencies contributed to responding to this questionnaire? Please indicate the main responsibilities and/or fields of competence of each of these bodies/agencies.

1. National Commission for Combating Trafficking in Human Beings

The National Commission for Combating Trafficking in Human Beings was established by virtue of the Combating Trafficking in Human Beings Act. It determines and administers the implementation of the national policy and strategy in the area of combating trafficking in human beings. The National Commission under the Council of Ministers organises and coordinates the interaction between separate institutions and organisations executing the Combating Trafficking in Human Beings Act. It works to prevent trafficking in human beings and to protect, assist and reintegrate victims of trafficking.

2. Supreme Prosecution of Cassation, Prosecutor General's Office

The Prosecutor General shall oversee the legality and provide methodological guidance to all other prosecutors; shall manage the Prosecution assisted by his deputies at the Supreme Cassation Public Prosecutor's Office and the Supreme Administrative Public Prosecutor's Office; shall issue instructions and shall give directions regarding the activity of the prosecution; shall submit to the Supreme Judicial Council a report on the observance of the law and the activities of the Prosecution and the investigation authorities.

3. Ministry of Justice

The interaction between the Judiciary and the Executive authorities is mediated by the Minister of Justice and the Administration of the Ministry of Justice.

4. State Agency for Child Protection, Council of Ministers

Since its establishment on 01.01.2001, the State Agency for Child Protection has been involved in the problem “trafficking in children” which is one of its main priorities of work. The activities that the State Agency for Child Protection implements in the area of combating trafficking in children are related on one side, to participation in the development of legal changes and programs for prevention, and on the other to specific practical work for providing assistance to the repatriation and reintegration of the children victims of trafficking.

5. Ministry of Education, Youth and Science

The Ministry is implementing the state policy in the area of education, youth and science.

6. Ministry of Health

The Ministry is implementing the state policy in the area of healthcare.

7. State Agency for National Security

The State Agency for National Security is a specialized body for counterintelligence and security and its chief responsibility is to detect, prevent and neutralize the threats to the Bulgarian national security.

8. Ministry of Interior

The activities of the Ministry are focused on protection of the rights and the liberties of the citizens, the national security and the public order.

9. National Investigation Service

The National Investigation Service is managed by the Prosecutor General or its Director who is a Deputy Prosecutor General. There are specialized units within the National Investigation Service that

work on the prosecution of cases of legal complexity, cases of crimes committed abroad, and requests of legal support as well as prosecution of other cases, envisaged by the law.

10. Ministry of Labour and Social Affairs

The Ministry is a body of the Executive power (Council of Ministers) with special competency to manage, coordinate and control the implementation of the state policy in the field of incomes and living standard, social security and social assistance, protection of the unemployed people, professional qualification, labour market, labour migration and free movement of persons, health and safety at work, social investments, social protection, support of children and the family, demographic development, ethnic issues, equal opportunities and anti-discrimination in accordance to the laws of the country and the approved by the Government country management programme.

11. Ministry of Foreign Affairs

The Ministry of Foreign Affairs is an institution in the central state administration that carries out the foreign policy of the Republic of Bulgaria. The activities of the Ministry are based on the Constitution and the laws of the country and are in accordance with the principles and norms of international law and the international treaties to which the Republic of Bulgaria is a party.

The Ministry implements the priorities of the government's foreign policy program.

The main functions of the Ministry are the following:

to plan, prepare, and implement the foreign policy of the Republic of Bulgaria through diplomatic means;

- to ensure the maintenance and development of the political dialogue and cooperation of the country with other states in the economic, financial, cultural, and scientific fields; to develop the diplomatic and consular relations of the Republic of Bulgaria with other nations;
- to ensure representation for the Republic of Bulgaria in international governmental organisations in which she is a member of or participates with a designated status;
- to coordinate the activities related to other ministries and departments abroad;
- to ensure the maintenance of official and working contacts with international diplomatic and consular representations and missions accredited to the Republic of Bulgaria;
- to coordinate and participate in the preparation, formation, and implementation of international treaties;
- to regulate the implementation of the international legal obligations of the Republic of Bulgaria to other states and international organisations;
- to coordinate and ensure the participation of Bulgarian representatives in the work of international diplomatic and other conferences;
- to ensure the protection of the rights and interests of the Bulgarian state and the Bulgarian citizens and legal persons abroad;
- to implement activities aimed at the conservation of the Bulgarian cultural and historical heritage and the monuments and memorials abroad;
- to assist the activities of Bulgarian institutions abroad in the science, education, culture, and information fields;
- to protect the rights and freedoms of persons belonging to the Bulgarian communities and minorities in accordance with the international legal norms in this regard and the interests of the country;
- to carry out coordination in the foreign policy field between departments by cooperating with other state authorities in the realisation of their international activities; by coordinating the visits of state and governmental delegations of the high and highest level in the Republic of Bulgaria and abroad; by participating in the preparation and implementation of such visits; by cooperating with other ministries and agencies on issues related to the international cooperation realised by them;
- to ensure the leadership and control of the overall activities related to the participation of the Republic of Bulgaria in the decision-making process of the European Union (EU) and its activities.

Question 3: Did any non-governmental organisations (NGOs) or other entities of civil society contribute to responding to this questionnaire? If so, please indicate the main activities of each of the NGOs and/or other entities of civil society which contributed.

No.

I. Integration of the core concepts and definitions contained in the Convention in the internal law of the parties

Section I.1. Integration of the Human Rights approach to action against trafficking in human beings

As stipulated in the Convention, trafficking in human beings (hereinafter "THB") "constitutes a violation of human rights and an offence to the dignity and the integrity of the human being" (third paragraph of the Preamble of the Convention). Therefore in the letter and in the spirit of the Convention, THB is a violation of human rights and not just a criminal offence.

Question 4: Please indicate if, in your internal law, THB is considered as a human rights violation (or only a criminal offence, see Section II.3. below).

According to the Constitution of the Republic of Bulgaria, Art. 5, para 4: "International treaties which have been ratified in accordance with the constitutional procedure, promulgated and having come into force with respect to the Republic of Bulgaria, shall be part of the legislation of the State. They shall have primacy over any conflicting provision of the domestic legislation".

In this regard, the Council of Europe Convention on Action against Trafficking in Human Beings which was ratified and approved by the 40th National Assembly on 07.03.2007 and promulgated by State Gazette No. 24.03.2007, and came into force on 18.06.2007, is part of the domestic legislation of the Republic of Bulgaria and all its regulations should be perceived as part of domestic legislation. In this way, the Republic of Bulgaria has adopted the idea that trafficking in human beings "constitutes a violation of human rights and an offence to the dignity and the integrity of the human being".

There are several additional texts that are supporting the positive answer to Question 4. These can be found in the Constitution of the Republic of Bulgaria, Art. 29 (1) "No one shall be subjected to torture or to cruel, inhuman or degrading treatment, or to forcible assimilation"; Art. 30 (1) "Everyone has the right for personal freedom and inviolability"; Art. 32 (1) "The privacy of citizens shall be inviolable. Everyone shall be entitled to protection against any unlawful interference in his private or family affairs and against encroachments on his honour, dignity and reputation."

Additionally, the Child Protection Act provides special protection on behalf of the state to every child at risk (Art. 5) and enforces the right of every child to protection (Art. 10) as well as the right of the child to protection against violence, i.e. against involvement into activities that are unfavorable to his/her physical, psychological, moral and educational development. Every child has the right to protection against methods that are harmful to his/her upbringing, physical, psychological or other forms of violent influence inconsistent with his/her interests; every child has the right to protection against involvement into begging, prostitution, dissemination of pornographic materials and receipt of illegal incomes as well as against sexual abuse (Art. 11 of the Child Protection Act).

Question 5: Please indicate what special legal protection exists under your internal law (including case law, if any) in cases of violations of human rights, which would apply in cases of THB (for example, constitutional protection, positive obligation of the state, priority examination, etc.).

Constitution of the Republic of Bulgaria Art. 6 (1) All persons are born free and equal in dignity and rights. (2) All citizens shall be equal before the law.

The crime "Trafficking in human beings" is included in Section IX of Chapter II of the **Criminal Code** of the Republic of Bulgaria entitled "Crimes against the Person." Trafficking in human beings is a crime of general nature, i.e. according to Art. 191 of the Criminal Procedure Code, the prosecutor orders preliminary investigation in case there is a legal reason, i.e. it is not necessary to receive a signal only by the victim. A legal reason, according to Art. 208 of the Criminal Procedure Code, can be: message for committed crime (not only by the victim of trafficking, but also by a citizen); information for a committed crime, disseminated by the media; personal reporting of the person confessing a committed crime; immediate disclosure of a crime by the law enforcement authorities. These crimes are not prosecuted upon the initiation of legal proceedings by the victim but upon the initiation by the public prosecutor.

The state has the following obligations with regard to the victims of “trafficking in human beings”:

- According to the **Crime Victim Assistance and Financial Compensation Act**, Art. 3, para 3, the crime “trafficking in human beings” is included in the list of the seven most severe crimes against the person for which the state has the obligation to support and compensate the victims. The idea is to improve the condition of the victims of the crimes by providing them with psychological, health, and legal support as well as financial compensation by the state. The Act implements the requirements of the Framework decision 2001/220 of the Council on the situation of victims in criminal cases and Directive 2004/80 of the Council on compensation for victims of crimes.

- According to the **Protection of Individuals at Risk in Relation to Criminal Proceedings Act**, all participants in the criminal proceeding only for specific crimes among which trafficking in human beings can receive special protection by being included in the programme for protection. This envisages personal guard (bodyguard), placement at a safe site, relocation to another place of living, opportunity for studying at another educational facility as well as a change of the name for higher level of safety.

- According to the **Combating Trafficking in Human Beings Act**, Art. 25-31, “Individuals who have become victims of trafficking and have declared their willingness to collaborate for disclosure of the trafficking offenders shall be granted special protection status for the time of the criminal proceedings, including permission to foreign nationals for long-term stay in the country (p.1) and extension of the accommodation period in the shelters (p. 2)”.

- **Protection against Discrimination Act**, Art. 4 (1), “Any direct or indirect discrimination on grounds of gender, race, nationality, ethnicity, human genome, citizenship, origin, religion or belief, education, convictions, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status, or on any other grounds established by law or by an international treaty to which the Republic of Bulgaria is a party, shall be banned.”

- **Child Protection Act**, Art. 15. “All cases of administrative or judicial proceedings affecting the rights and interests of a child should provide for a mandatory hearing of the child, provided he or she has reached the age of 10, unless this proves harmful to his or her interests.” The child can participate in the hearing under the age of 10 with regard to the level of his/her development. The court or the administrative body informs the “Social Protection” Directorate about every case. The Directorate sends a representative or a social report, upon unavailability of a representative. The child has the right to legal support and claims in all proceedings affecting his/her rights or interests.

Children victims of trafficking need highest level of protection and special conditions for hearing in order to prevent their traumatizing. Responding to these requirements, in the beginning of 2009, a special place for hearing of children was established within the building of Sofia Directorate of Interior. The place consists of two rooms – one is especially furnished for children and the other is separated by glass mirrors behind which the child can recognize the suspects. One single hearing is conducted in the presence of a judge and a prosecutor and there is no need of the child to be present at the court. Another special room for hearing of children exist at the Crisis center for children victims of violence and human trafficking in Pazardzhik. NGOs also open such rooms under the activities of projects they have.

According to the Bulgarian legislation, free mandatory legal support is provided to the juveniles and minors who are victims whenever there is no legal representative or when the interests of the victim are inconsistent with the interests of his/her parent (guardian or custodian). According to the **Legal Aid Act**, initial legal aid (consultation and/or preparation of documents for a case) shall be provided to the legal representatives of the children victims of crimes, in case they receive or are eligible to receive monthly social benefits under the Regulation for implementation of the Social Assistance Act.

- **Rules for the shelters for temporary accommodation and the centers for protection and assistance to victims of human trafficking**, Art. 3. (2) The accommodation at the shelters aims to provide to the victims of trafficking shelter, social, medical and daily service and psychological assistance, to create conditions for establishment of contact with the relatives of the victims as well as the specialized authorities and organisations.

Section I.2. Comprehensive approach to THB, co-ordination of all actors and actions to prevent and combat THB and to protect its victims, and international co-operation

Questions in this section aim to obtain information concerning the comprehensive nature of the legal framework and policies on action against THB established by the parties to the Convention covering measures on prevention, protection and prosecution (Article 1) as well as on partnerships (Articles 29, 32 and 35). These partnerships should comprise:

- national co-ordination and co-operation among all national actors involved in action against THB (Article 29-2). Any national action to combat THB must be comprehensive and multi-sectorial, and take on board the required multidisciplinary expertise. This comprehensive national action must be co-ordinated through a specific governmental body or entity. These are the “co-ordinating bodies” referred to in Article 29 of the Convention which are distinct from “National Rapporteurs”. In accordance with the Convention it is compulsory to ensure co-ordination of the national policies and actions (“shall”), whereas the appointment of National Rapporteurs is optional (“shall consider appointing...”).
- international co-operation among all actors from different parties (Chapter VI of the Convention). Article 32 sets out the general principles which are to govern international co-operation. Firstly the parties must co-operate with one another “to the widest extent possible”. This principle requires them to provide extensive co-operation to one another and to minimise impediments to the smooth and rapid flow of information and evidence internationally. Article 32 contains the general part of the obligation to co-operate: co-operation must include the prevention of and combat against THB (first indent), the protection of and assistance to victims (second indent) and to investigations or proceedings concerning criminal offences established in accordance with the Convention (third indent), i.e. the offences established in conformity with Articles 18, 20 and 21.
- co-operation and partnership with civil society (Article 35). The strategic partnership referred to in Article 35 between State authorities and public officials and civil society means the setting-up of co-operative frameworks through which state actors fulfil their obligations under the Convention, by co-ordinating their efforts with civil society. Co-operation with international non-governmental organisations active in the field of prevention and protection of the victims of THB is also needed.

Questions concerning the comprehensive approach to THB (Article 1):

Question 6: Please indicate the titles of the main internal legal provisions and/or regulations containing measures to prevent THB, to protect and assist its victims, and to criminalise THB and prosecute traffickers.

1. Criminal Code (SG No. 92/27.09.2002, SG No. 75/12.09.2006, effective 13.10.2006 and SG No. 27/10.04.2009 – Chapter II “Crimes against the Person”, Section IX “Trafficking of People”, Art. 159a-159d of the CC);
2. Criminal Procedure Code;
3. Combating Trafficking in Human Beings Act (SG No. 46/20.05.2003, amended 15.09.2009);
4. Regulation of the organization and the activity of the National Commission for Combating Trafficking in Human Beings;
5. Rules for the shelters for temporary accommodation and the centers for protection and assistance to victims of human trafficking;
6. Protection of Individuals at Risk in Relation to Criminal Proceedings Act (SG No. 103/2004);
7. Crime Victim Assistance and Financial Compensation Act (SG No. 105/2006);
8. Law on Extradition and European Arrest Warrant (SG No. 46/2005);
9. Legal Aid Act;
10. Child Protection Aid;

11. Coordination mechanism for referral, care and protection of repatriated Bulgarian Unaccompanied Minors.

Question 7: Does your country have a comprehensive national policy and/or a National Action Plan to combat THB? If so, please indicate its title, date of adoption and duration, main fields of action and the body/bodies responsible for its implementation.

According to Art. 7, p. 3 of the Combating Trafficking in Human Beings Act promulgated in 2003, the National Commission for Combating Trafficking in Human Beings develops and administers on an annual basis the implementation of the National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims. The National Programme is approved by the Council of Ministers and encompasses the main activities and the responsible institutions with regards to the prevention of trafficking in human beings, the protection, social assistance and reintegration of the victims of trafficking as well as the necessary measures for criminal prosecution of the persons who commit trafficking.

Title: National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims

Date of adoption: April 14, 2010

Duration: 1 year (January – December 2010)

Main fields of action:

INSTITUTIONAL AND ORGANISATIONAL MEASURES: Building the mechanisms for institutional support and developing the administrative structures provided for by the Combating Trafficking in Human Beings Act at national and local level and ensuring their effective functioning;

PREVENTION: Raising the awareness of the public and the high-risk groups (women, children, and ethnic minorities, unemployed and socially disadvantaged people) on the problem of human trafficking; development of mechanisms for its confinement and creation of public intolerance towards this phenomenon;

TRAINING AND QUALIFICATION OF STAFF: Increasing the capacity of the staff and the structures of the NCCTHB, the state shelters for temporary accommodation of victims of human trafficking, the staff of service providers, magistrates, staff of the Ministry of Interior and the staff of the State Agency for National Security, consulars, social workers, teachers, etc.

PROTECTION, REHABILITATION AND REINTEGRATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS: Overcoming the consequences of human trafficking and reintegration of the victims in the society by providing assistance and support to the victims and protection of their rights;

INTERNATIONAL COOPERATION: Development of international cooperation by sharing of good practices in the field of prevention and counteraction of human trafficking, presentation of Bulgarian legislation and building of bilateral and multilateral partnerships;

LEGISLATIVE MEASURES: Contemporising the legislative measures in order to improve the effective counteraction of trafficking in human beings in Bulgaria in the context of the European policy for combating this crime.

Bodies responsible for implementation:

1. National Commission for Combating Trafficking in Human Beings;
2. Local Commissions for Combating Trafficking in Human Beings;
3. Ministry of Labour and Social Policy;
4. Ministry of Education, Youth and Science;
5. State Agency for Child Protection;
6. Ministry of Health;
7. Ministry of Interior;
8. Central Commission for Combating Juvenile Delinquency;
9. Ministry of Foreign Affairs;
10. State Agency for National Security;
11. National Investigative Service;
12. Supreme Cassation Public Prosecutor's Office;
13. Supreme court of cassation;
14. Ministry of Justice;
15. National Employment Agency;
16. Municipalities.

Question 8: In your country are there persons or entities specialised in the fight against THB and the protection of victims? If so, please describe the type and the periodicity of the training provided for these persons or the staff of these entities? Please specify the financial resources (in euros) allocated to this training.

Persons or entities specialised in the fight against THB and the protection of victims that undergo /periodic/ trainings are:

National Commission for Combating Trafficking in Human Beings and the five Local Commissions for Combating Trafficking in Human Beings

Each new structure and employee of the National and Local Commissions undergo internal training on human trafficking immediately after establishing/ hiring. At least one other training per year is organized. The National Commission provides also trainings for all other actors that are engaged in combating trafficking in human beings. Funds are provided by both the Commission's budget and through funds and programmes.

For **2009** total amount spent by the National Commission on trainings is **9 273,12 euro** on civil servant from different institutions and **1 420,98 euro** on volunteers.

Until July **2010** total amount spent by the National Commission on trainings for civil servant from different institutions is **23 946,44 euro** and **2 677,38 euro** on volunteers. Another **13 726,30 euro** are planned for teachers' trainings till the end of 2010.

Ministry of Interior, General directorate "Combating organized crime", sector "Human trafficking"; Ministry of Interior, General directorate "Combating organized crime", regional unit for combating organized crime; Ministry of Interior, Border police; Academy of Ministry of Interior

There is an obligatory specialized course on human trafficking within the Academy of Ministry of Interior, including a "distance" one. Moreover, combined courses with magistrates are organized.

Crisis centers for children victims of violence and human trafficking

Non-government organizations

Under the budgets of projects and programs, IOs and NGOs organize seminars and trainings for institutions and other organizations. The sum cannot be specified.

Ministry of Foreign Affairs

Within the Diplomatic Institute of MFA, each year within the curriculum the diplomats are trained on "human trafficking" by experts from the National Commission, Ministry of Interior, international and non-government organizations.

Magistrates

Trainings of magistrates on the crime "trafficking in human beings" are held on an annual basis under the specialized modules of the National Institute of Justice. Regular seminars are held at regional level (at least twice a year).

Question 9: Is there, within your governmental structure, a national body responsible for coordinating all national actors and actions against THB (regardless of the denomination and whether it was set up for this specific purpose or whether this responsibility was assigned to an already existing governmental body)? If so, please specify its name, administrative status, annual budget (in euros), human resources, composition and competences. If there is currently no such co-ordinating body, are there any plans to set one up in the near future? If so, please give details.

Yes.

Name: National Commission for Combating Trafficking in Human Beings

Administrative status: State institution, established with the Combating Trafficking in Human Beings Act (2003), under Council of Ministers, with a Chairman – a Deputy Prime Minister.

Budget: The National Commission finances with its budget the Secretariat, the 5 Local Commissions, the 3 information centers and the 2 state shelters for victims of trafficking, prevention campaigns, trainings, etc.

Annual budget (EU) 151 342,40.

Composition: Chairman: Deputy Prime Minister
 Members: 12 Deputy Ministers and Deputy Directors
 Secretariat: Secretary General and 8 experts
 Local Commissions: Chaired by Deputy Mayor and run by a Secretary

Competences (under Combating Trafficking in Human Beings Act, art. 7):

The National Commission shall:

1. Organise and co-ordinate the co-operation between the relevant agencies and organisations for implementation of this Act;
2. Determine and administer the implementation of the national policy and strategy in the area of combating trafficking in human beings;
3. Develop on an annual basis a national programme for prevention and countering of trafficking in human beings and protection of victims of trafficking, which shall be presented to the Council of Ministers for approval;
4. Promote the research, analysis and statistical reporting of human trafficking data;
5. Contribute to the international co-operation for prevention and countering of trafficking in human beings;
6. Carry out information, awareness and educational campaigns aimed at potential victims of trafficking;
7. Develop training programmes for officials working in the area of prevention and countering of trafficking in human beings;
8. Manage and supervise the activities of the Local Commissions and the centres for protection and support of victims of trafficking;
9. Register individuals and non-profit legal entities who provide shelter to victims of trafficking.

Question 10: Is this co-ordinating body also responsible for the co-ordination of the collection of administrative data or population survey data on THB? If not, please specify which body/entity has this responsibility.

Yes.

According to Article 7, point 4 of the Combating Trafficking in Human Beings Act, the National Commission "Promote(s) the research, analysis and statistical reporting of human trafficking data." The National Commission for Combating Trafficking in Human Beings manages a database regarding the victims of trafficking which serves the analyses about the tendencies and the necessary steps for prevention, combating and protection of the victims.

In addition, the Supreme Cassation Prosecutor's Office gathers, summarizes and analyses the monthly information regarding: the number of the criminal procedures on cases of human trafficking, the accusatory acts brought to the court, the number of the accused persons, the number of the convicted and the acquitted persons, the data on the victims of trafficking (number, age, purpose of exploitation). Currently, a unified information system for combating crime has been under development which will be accessed by all rights-protection bodies.

Question 11: Do NGOs have full membership status in your national co-ordinating body? If so, how many? Please describe the criteria for NGO membership.

According to Article 4, para 4 of the Combating Trafficking in Human Beings Act "The meetings of the National Commission may be attended by representatives of nonprofit legal entities and international organisations with country offices that operate in the area of determent of the trafficking in human beings and protection of the victims of trafficking." According to the Regulation of the organization and the activity of the National Commission for Combating Trafficking in Human Beings, the representatives of the NGOs participate in the meetings solely as observers.

PART III

MEETINGS OF THE NATIONAL COMMISSION

Art. 11.

(3) The representatives of nonprofit legal entities and international organisations with country offices that operate in the area of determent of the trafficking in human beings and protection of the victims of trafficking participate in the meetings of the National Commission as observers;

Art. 12. (1) The representatives of nonprofit legal entities submit a written application to participate in the meetings of the National Commission. The following documents are to be attached to the application:

1. Court decision for registration;
2. Statute of the organisation;
3. Certificate of good standing of the applicant;
4. Template questionnaire on the activity and the programme of the organisation, approved by the National Commission;
5. Power of attorney of the person who will represent the organisation at the meetings of the National Commission.

(2) The National Commission informs in written form the applicant for any omissions in the submitted documents and sets a deadline for their clearance.

(3) The Chairperson of the National Commission or the empowered by him/her person makes a statement with regards to the presented documents in 30 days upon their receipt.

(4) The decision under point 3 is a subject to appeal under the regulations of the Supreme Administrative Court Act.

(5) The representatives of nonprofit legal entities who are allowed to attend the meetings of the National Commission present on an annual basis the questionnaire as specified under para 1, p. 4.

(6) The participation of the persons under para 4, p. 4 of the Combating Trafficking in Human Beings Act in the activities of the National Commission is subject to suspension upon:

1. their request;
2. closure of the nonprofit legal entity;
3. decision of the National Commission whenever there is inconsistency between the activity of the entity and the law and good morals or whenever there is a cessation of operation in the area of counteraction of trafficking in human beings and protection of the victims.

(7) The decision under para 6, p. 3 is a subject to appeal under the stipulations of the Supreme Administrative Court Act.

Question 12: Are there any other national or international entities or bodies participating in your national co-ordinating body? If so, please specify.

Yes. Under the Combating Trafficking in Human Beings Act, Art. 4 the National Commission has twelve members:

Chairman: Deputy Prime Minister

Members:

- Deputy Minister of Foreign Affairs;
- Deputy Minister of Labour and Social Affairs;
- Deputy Minister of Interior;
- Deputy Minister of Justice;
- Deputy Minister of Health;
- Deputy Minister of Education, Youth and Science;
- Deputy Chairman of the State Agency "National Security";
- Deputy Chairman of the State Agency for Child Protection;
- Deputy Chairman of the Central Commission for Combating Juvenile Delinquency;
- Deputy Prosecutor General;
- Deputy Chairman of the Supreme Court of Cassation;
- Deputy Director of the National Investigation Service.

An expert group of experts from all institutions-members is also established under the National Commission for closer expert discussions and contact over everyday issues.

The meetings of the National Commission can be attended by representatives of nonprofit legal entities and international organisations with country offices that operate in the area of determent of the trafficking in human beings and protection of the victims of trafficking.

Art. 4. (1) A National Commission for Combating Trafficking in Human Beings, hereinafter referred to as "National Commission", shall be established with the Council of Ministers.

(2) The National Commission shall be chaired by a Deputy Prime Minister, as designated by the Council of Ministers. The Commission shall include a deputy minister of foreign affairs, a deputy minister of labour and social policy, a deputy minister of the interior; a deputy minister of justice, a deputy minister of health, a deputy minister of education, youth and science, a deputy chairperson of

the State Agency for National Security, a vice president of the State Agency for Child Protection, a deputy chairperson of the Central Enforcement Commission for Anti-Social Behaviour of Juveniles and Minors, as designated by the respective ministers, presidents and chairpersons.

(3) The National Commission shall include representatives of the President of the Supreme Court of Cassation, the Prosecutor General and the Director of the National Investigation Service.

(4) The meetings of the National Commission may be attended by representatives of nonprofit legal entities and international organisations with country offices that operate in the area of determent of the trafficking in human beings and protection of the victims of trafficking.

Question 13: Please describe the legal basis for international co-operation between your country and other countries in the fight against THB:

– national legislation;

– international instruments/agreements (bilateral and/or multilateral).

Please indicate the title of the legal instruments.

National legislation:

- Criminal Procedure Code – chapter 36 “Proceedings in connection with international cooperation for criminal cases”;
- Protection of Individuals at Risk in Relation to Criminal Proceedings Act – section “International Cooperation”;
- Crime Victim Assistance and Financial Compensation Act – chapter VI “International cooperation” ;
- Law on Extradition and European Arrest Warrant;
- Ministry of Interior Act, section IIIa “Exchange of information or data among the competent authorities of the EU Member States aiming at the prevention, investigation and disclosure of crime” (transposed Framework decision 2006/960 JHA);
- Combating Trafficking in Human Beings Act;
- National Programme for Prevention and Counteraction of trafficking in human beings and protections of the victims.

International instruments:

- UN Convention Against Transnational Organized Crime and the supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- Council of Europe Convention on Action against Trafficking in Human Beings;
- Recommendation No. R (85) 11 of the Committee of Ministers to Member States on the Position of the Victim in the Framework of Criminal Law and Procedure;
- Recommendation 1545 (2002) of the Parliamentary Assembly of the Council - Campaign against trafficking in women;
- European Council Directive 11/02/2002;
- European Parliament Resolution on the Exploitation of Prostitution and Trafficking;
- European Convention on the Transfer of Proceedings in Criminal Matters;
- Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union and the supplementary Protocol;
- UN Convention on the Rights of the Child and the Protocol on the sale of children, child prostitution and child pornography;
- European Convention on the International Validity of Criminal Judgments;
- European Convention on Extradition and the two protocols to it;
- National central bureau “Interpol” – Sofia;
- Agreement on Co-operation between the Republic of Bulgaria and the European Police Office (EUROPOL);
- Bilateral Agreements in the Area of Police Cooperation between the Republic of Bulgaria and the EU and EFTA States (-the federal Government of the **Republic of Austria**; the Government of the **Kingdom of Belgium**; - the Government of the **Republic of Cyprus** for cooperation in fight against transborder and organised crime, terrorism, illegal migration, trade in human beings and illegal trafficking in narcotic substances; - the Government of the **Czech Republic** for cooperation in fight against organised crime, illegal trafficking in narcotic and psychotropic substances, terrorism and other serious crime; - the Government of the **Republic of France** for cooperation in the area of internal security; - the Government of the **Federal Republic of Germany** for police cooperation in fight against organised and serious crime; Cooperation agreement between the Ministry of Interior of the Republic of Bulgaria and the Ministry of Public Order of the **Hellenic Republic**; Protocol for implementation of the Cooperation agreement between the Ministry of Interior of the Republic of Bulgaria and the

Ministry of Public Order of the **Hellenic Republic**; - the Government of the **Republic of Hungary** for cooperation in fight against terrorism, illegal drug trafficking and organised crime; - the Government of the **Ireland** for cooperation in fight against illegal traffic of narcotic substances and precursors, money laundering, organised crime, trade in human beings, terrorism and other serious form of crime; - the Government of the **Italian Republic** for police cooperation in fight against organised crime; - the Government of the **Republic of Malta** for cooperation in fight against illegal trafficking in narcotic substances and against organised crime; - the Government of the **Republic of Malta** for police cooperation; Memorandum of understanding between the Ministry of Interior of the Kingdom of the Netherlands, the Ministry of Justice of the **Kingdom of Netherlands** and the Ministry of Interior of the Republic of Bulgaria for police cooperation; - the Ministry of Justice and Police of the **Kingdom of Norway** for police cooperation; - the Government of the **Republic of Poland** on cooperation in combating crime; Protocol for cooperation between the Ministry of Interior of the Republic of Bulgaria and the Ministry of internal affairs of the **Portuguese Republic**; - the Government of the **Republic of Romania** for cooperation in the fight against organized crime, illegal traffic of narcotic and psychotropic substances and precursors, terrorism and other serious crime; - the Government of the **Republic of Slovenia** for cooperation in fight against organised crime, illegal trafficking in narcotic and psychotropic substances and precursors, terrorism and other forms of serious crime; - the Government of the **Slovak Republic** for police cooperation; - the Government of the **Kingdom of Spain** for cooperation in fight against crime; Protocol for cooperation between the Ministry of Interior of the Republic of Bulgaria and the Ministry of Interior of the **Kingdom of Spain** in the police area and for coordination of the cooperation in the fight against transborder organized crime; Memorandum of understanding between the Ministry of Interior of the Republic of Bulgaria and the Federal Department of Justice and Police of the **Swiss Confederation** for police cooperation in combating crime; Protocol for cooperation in the area of law enforcement between the Ministry of Interior of the Republic of Bulgaria and the Home Office of the **United Kingdom and North Ireland**.)

Question 14: What steps have been taken by your country to ensure that the requesting party is promptly informed of the final results of action taken in the framework of international cooperation on action against THB, as provided for in Article 34 of the Convention?

Each request submitted to the structures of the Ministry of Interior is registered and followed up by the direct heads of operational structural units.

Regarding international legal assistance within the framework of initiated pre-trial proceedings, the regulations of the Criminal Procedure Code are considered, chapter 36 "Proceedings in relation to international cooperation in criminal matters", art. 453-480.

Question 15: Do the relevant authorities of your country have the possibility to spontaneously provide information, without prior request, to authorities of another country if the disclosure of such information might assist the receiving country in initiating or carrying out investigations or proceedings concerning criminal offences established in accordance with the Convention? If so, please indicate how such information is transmitted and which authorities are involved.

Whenever there is a information/signal for criminal activity related to trafficking in human beings outside the boundaries of Bulgaria, the Ministry of Interior immediately informs its partner services by providing them with the complete data related to the case. The information is provided to the partners based on the following:

1. Direct exchange of information – by fax, internet, among the units;
2. Through Directorate "International operational police cooperation" at the Ministry of Interior where the following channels for exchange of information exist:
 - National central bureau "Interpol";
 - National unit "Europol";
 - S.I.R.E.N.E. (C.I.P.E.H.E.);
 - via EU Member States liaison officers in Bulgaria;
3. Representatives of the Ministry of Interior abroad;
4. the Bulgarian liaison officer at the Southeast European Cooperative Initiative – SECI – Regional center, Bucharest (SECI Center).

Question 16: Do your police forces carry out joint actions, on a bilateral and/or a multilateral legal basis, with the police forces from other parties to fight THB? If so, please describe the action taken and provide an assessment of its impact. If not, please describe any plans for joint action or obstacles to joint action.

Yes. On the basis of bilateral and multilateral agreements, the police structures in Bulgaria upkeep a steady cooperation with the EU Member States police structures. This includes:

- constant exchange of police information;
- implementation of parallel investigations among the respective units supported by the police authorities and the joint investigation teams;
- exchange of experts for the implementation of joint police operations and check-ups.

Section I.3. Definition of “THB” and of “victim” in the internal law of the parties

In accordance with Article 4a of the Convention, trafficking in human beings consists of a combination of three basic components, each to be found in a list given in the definition:

- the action of: “recruitment, transportation, transfer, harbouring or receipt of persons”;
- by means of: “the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”;
- for the purpose of exploitation, which includes “at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

Article 4b of the Convention follows European Court of Human Rights case-law in that it states that the consent of a victim of THB to a form of exploitation listed in Article 4a is irrelevant if any of the means referred to in Article 4a has been used.

Under Article 4c recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation is to be regarded as trafficking in human beings even if it does not involve any of the means listed in Article 4a. It is also immaterial whether or not the child consents to be exploited. Under Article 4d the word “child” means any person under 18 years of age.

Article 4e defines “victim” as “any natural person who is subject to trafficking in human beings as defined in this article”. A victim is anyone subjected to a combination of components (action – means – purpose) specified in Article 4a of the Convention.

Question 17: Are all the elements of the three components (action, means and purpose) contained in Article 4a of the Convention included in the legal definition of THB established by your internal law? Please describe how they have been integrated in your internal law.

1. According to Paragraph (§) 1 of the Additional Provisions of the Combating Trafficking in Human Beings Act, *“Trafficking in human beings” means the recruitment, transportation, transfer, concealment or acceptance of human beings, regardless of their own will, by means of coercion, abduction, deprivation of liberty, fraud, abuse of power, abuse of a state of dependence, or by means of giving, receiving or promising benefits to obtain the consent of a person who has control over another person, when it is carried out for the purpose of exploitation;* 2. *“Exploitation” means the illegal use of human beings for debauchery, removal of physical organs, forced labour, slavery or servitude;* 3. *The recruitment, transportation, transfer, concealment or acceptance of children for the purpose of exploitation shall be considered an act of trafficking in human beings, regardless of whether they have been carried out by the means in § 1 above.*

2. The criminal law provisions of Bulgarian legislation that criminalize “trafficking in human beings” also include the abovementioned three elements: *Criminal Code of the Republic of Bulgaria*:

Article 159a. An individual who recruits, transports, hides or admits individuals or groups of people in view of using them for sexual activities, forceful labour, dispossession of bodily organs or holding them in forceful subjection, regardless of their consent, shall be punished by deprivation of liberty of two to eight years and a fine from BGN three thousand to twelve thousand.

(2) Where the act under par. 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 deprivation of liberty;*
- 4. through abuse of a status of dependency;*
- 5. through the abuse of power;*
- 6. through promising, giving away or receiving benefits, punishment shall be deprivation of liberty from three to ten years and a fine from BGN ten thousand to twenty thousand.*

(3) Where the act under para 1 has been committed in respect to a pregnant woman to the purpose of selling her child, the punishment shall be deprivation of liberty from three to fifteen years and a fine from BGN twenty thousand to fifty thousand.

Article 159b. (1). 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 art. 159a, par. 1, shall be punished by deprivation of liberty from three to twelve years and a fine of up to BGN ten thousand to twenty thousand.

(2) Where the act under par. 1 has been committed in presence of characteristics under Article 159a, par. 2 and 3, the punishment shall be deprivation of liberty from five to twelve years and a fine from BGN twenty thousand to fifty thousand.

3. The approved by the National Assembly amendments of the Criminal Code as of 2 April 2009, Chapter II “Crimes against the Person”, Section IX “Trafficking of People” led to an increase in the sanctions for trafficking – in the scale of the punishment for “deprivation of liberty” and an increase in fines as well as a new connotation of crime was developed in Art. 159c. In Art. 159c (new), the conscious taking of advantage of a person who suffered from human trafficking is criminalised, as well as for acts of debauchery, forceful labour, dispossession of bodily organs or holding in forceful subjection.

By this new article 159c, the article 19 “Criminalisation of the use of services of a victim” of the Council of Europe Convention on Action against Trafficking in Human Beings was introduced in the Bulgarian legislation. Although Art. 19 of the abovementioned Convention does not obligate the national legislations of the Member States to criminalise the conscious use of services of the victims of human trafficking, the motives of the National Commission for Combating Trafficking in Human Beings and the Ministry of Justice to make a proposal for the introduction of such a crime in the Bulgarian Criminal Code are related to the need for an increase in the level of effectiveness for combating and investigation of trafficking by addressing the problem of “demand” and “use” of services of the victims of that crime. *Article 159 c (New – SG No. 27/2009) A person who takes advantage of a person who suffered from human trafficking for acts of debauchery, forceful labour, dispossession of bodily organs or holding him in forceful subjection, regardless of his consent shall be punished by deprivation of liberty from three to ten years and a fine from BGN ten thousand to twenty thousand.*

4. In cases where the abovementioned crimes under Art. 159a-159c of the Criminal Code are executed in conditions of a dangerous recidivism and have been committed at the orders or in implementing a decision of an organized criminal group, heavier punishments have been considered in accordance to the gravity and seriousness of the criminal actions: Art. 159d (New – SG No. 92/2002, previous Article 92c, amended SG No. 27/2009): *Where acts under articles 159a - 159c qualify as dangerous recidivism or have been committed at the orders or in implementing a decision of an organized criminal group, the punishment shall be deprivation of liberty from five to fifteen years and a fine from BGN twenty thousand to one hundred thousand, the courts being also competent to impose confiscation of some or all possessions of the perpetrator.*

Question 18: Please indicate which of the following forms of THB are recognised under your internal law:

- national;
- transnational;
- linked to organised crime;
- not linked to organised crime.

Since 01.10.2002, when the crime “trafficking in human beings” was criminalized by the Bulgarian Criminal Code (CC), all abovementioned forms of trafficking have been encompassed by the national legislation:

- internal (national) trafficking – Article 159a of the CC;
- transnational – Article 159b of the CC;
- Article 159d (New) of the CC – linked to organized crime both for national and transnational crime of human trafficking;
- not linked to organized crime – Article 159a - 159c of the CC.

Question 19: Under your internal law, is a “victim of THB” any natural person who is subject to THB as defined in Article 4e of the Convention? Please provide the definition of a “victim of THB” under your internal law. Please provide (a translation of) the legal text(s) in English or in French.

Yes, every person as to the definition in Article 4e of the Council of Europe Convention on Action against Trafficking in Human Beings is considered a victim of human trafficking according to the internal legislation of the Republic of Bulgaria. The definition of a victim is available in the Combating Trafficking in Human Beings Act – Paragraph 1, point 5 of the Addition Provisions. The act defines the victim of human trafficking in the following way:

Additional provisions:

§ 1. In the meaning of this law:

.....

5. "victim" is every person who has been subject to trafficking in human beings;".

Question 20: Does your internal law recognise as victims of THB:

- women;
- men;
- children?

Bulgarian internal law recognizes as victims of THB all – women, men and children. There are specific measures in protecting and assisting the victims of human trafficking which conform with the gender of the victim as well as the special needs of one of the most vulnerable groups of victims of this kind of crime, the children.

In the criminalization of the trafficking in human beings are taken into consideration heavier punishments, for example, the cases when there has been a crime against a person below 18 years. In addition, it should be mentioned that the Bulgarian criminal legislation specifically criminalizes the trafficking in human beings, especially when the object of crime is the extremely vulnerable group of pregnant women for the sale of their children. Thus, in October 2006, the Parliament approved an amendment in the Criminal Code – Article 159a, para 3 for an extension of the range of criminal persecution through the criminalization of the trafficking in pregnant women for the purpose of selling their babies.

The Combating Trafficking in Human Beings Act clearly defines women and children as the persons most at risk to be involved in human trafficking and this is reflected in Chapter 1, General Provisions:

Art. 1. This Law shall provide for:

.....

4. The measures aimed at protecting and supporting the victims of human trafficking, especially women and children.

Question 21: To what extent does the consent of a person to intended or actual exploitation determine if that person will be recognised as a victim of THB under your internal law? Please specify if your internal law contemplates the consent of the three categories of victims: women, men, children. Please provide examples.

According to the Bulgarian legislation, the consent of the victim “to be subjected to assumptive or actual exploitation” is absolutely irrelevant for defining the latter (the person) as a victim of trafficking in human beings. This means that irrespectively of his/her consent, the person is considered a victim. This has been the adopted approach of the Bulgarian legislation in regards to the definition of “trafficking in human beings” (Paragraph 1, point 1 of the Additional Provisions of the Combating Trafficking in Human Beings Act) as well as to the criminalization of the crime “trafficking in human beings” (Article 159a-159d of the CC). The Bulgarian legislator has been governed by the idea that trafficking in human beings is an extreme violation of human rights, related to various forms of exploitation – sexual, forced labour, removal of organs, slavery or servitude and is thus subject to investigation and prosecution irrespectively of the consent of the victim.

Paragraph (§) 1 of the Additional Provision of the Combating Trafficking in Human Beings Act:

“§ 1. For the purpose of this Act:

1. “Trafficking in human beings” means the recruitment, transportation, transfer, concealment or acceptance of human beings, **regardless of their own will**, by means of coercion, abduction, deprivation of liberty, fraud, abuse of power, abuse of a state of dependence, or by means of giving, receiving or promising benefits to obtain the consent of a person who has control over another person, when it is carried out for the purpose of exploitation;”

Criminal Code of the Republic of Bulgaria

Article 159a (1) (Amended SG No. 27/2009) “An individual who recruits, transports, hides or admits individuals or groups of people in view of using them for sexual activities, forceful labour, dispossession of bodily organs or holding them in forceful subjection, **regardless of their consent**, shall be punished by deprivation of liberty of two to eight years and a fine from BGN three thousand to twelve thousand.”

II. Implementation by the parties of measures aimed to prevent THB, protect and promote the rights of victims of THB and prosecute traffickers

Section II.1. Implementation of measures to prevent THB

Questions in this section aim to obtain information on the implementation by the parties of the preventive measures contained in Chapter II of the Convention (Articles 5 to 9). Implementation of preventive measures concerns all countries: countries of origin, transit and destination. Preventive measures to be implemented can vary depending on the type of country, but all countries should implement measures to prevent THB.

Question 22: Has a national/regional/local campaign or programme to alert the potential victims of THB to the various forms of exploitation been carried out in your country during the last two years? If so, was it based on research for determining effective prevention methods? Was it addressed to a particular group of potential victims? Which bodies, governmental or non-governmental, were in charge of implementing it? Please describe the material used for the campaign/programme and its dissemination. If possible, please provide an assessment of the impact of the campaign/programme. If more than one campaign or programme was carried out please provide the details for each of them. If there are currently plans for launching a new campaign or programme, please provide details.

2008

Title of campaign or programme:

18 October, the European Day against Human Trafficking

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

Children (Students) and teachers.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Partners: Ministry of Education and Science and State Agency for Child Protection.

Description of the material used for the campaign/programme and its dissemination

- **125,000 information cards** with brief information about human trafficking and the National Commission and the message *Trafficking in Human Beings: Time for Action*;
- **52,000 page dividers** with the same appearance and message;
- **5,000 posters**;
- **5,000 pens**;
- **An electronic banner** with the appearance and message of the campaign which was published on the website of the National Commission. The banner was also sent to all partner organisations and institutions which placed it on their websites;
- **Information packages** for the teachers and students.

In relation to the marking of 18 October, the European Day against Human Trafficking, the National Commission in partnership with the SACP developed materials related to the topic of “trafficking in human beings” for students and teachers targeted at two age groups – from the 5th to the 7th grade and from the 8th to the 12th grade. The information materials were disseminated electronically to more than 3,000 schools throughout the country through the Regional Inspectorates of Education with the Ministry of Education and Science.

The *teacher’s information package* included basic information about the problem and its peculiarities, the Combating Trafficking in Human Beings Act, the National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of Victims of Trafficking in 2008 and the National Commission 2007 Report. The NCCTHB team has also developed a manual on how to hold a lesson in “trafficking in human beings” for students from the 7th to the 12th grade.

Experts with the State Agency for Child Protection developed an abridged version of the curriculum for students from the 5th to the 7th grade in view of the children’s’ age characteristics.

The *student’s information package* included information about trafficking in human beings in a language accessible to the children. The materials included the definition of trafficking in human beings, types of trafficking, reasons for its existence, manners and reasons to be involved and which the groups at risk are.

The materials developed were also disseminated through the education portal of the Ministry of Education and Science (<http://start.e-edu.bg/>) and this has provided access to the materials electronically to all schools in Bulgaria.

If possible, please provide an assessment of the impact of the campaign/programme

In relation to the national campaign *Trafficking in Human Beings: Time for Action* dedicated to 18 October, the European Day against Human Trafficking, and the special school lessons in human trafficking held on a national scale, the NCCTHB conducted a survey among 7,837 teachers and 133,189 students from almost 3,000 schools throughout Bulgaria about the effectiveness of the campaign.

Feedback from the teachers

Prevalent in the feedback from the teachers are the responses that there is nothing to be changed and that the lesson is very well developed and structured. 97% of the teachers believe that

the materials prepared are a good tool to inform the students about the problem of “trafficking in human beings.”

The main part of the recommendations focus on the manner of visualisation of the topic – video materials, documentaries, scientific films. Obviously, the teachers think that the young people perceive much better visual materials rather than written text or lectures and this will achieve an even higher involvement of the students. The students' high activity during the lesson held can be seen in the following table:

What was the level of their activity on a scale from 1 to 10?

% of the teachers in the respective grade

	1-5 grade	6 grade	7 grade	8 grade	9 grade	10 grade	11 grade	12 grade	13 grade
Average activity	6.99	7.26	7.23	7.12	7.15	7.19	7.21	7.23	7.75

Some class teachers recommend that experts in the field be involved in the lesson. It can be said that the teachers do not feel prepared enough. The questionnaires show that almost 75% of the teachers presented their first lesson in the topic.

The class teachers of a significant part of the youngest students (up to the 5th grade) believe that the topic is too complicated for their students' age. They recommend that the definitions be simplified, that there be more specific examples and that the lesson be presented in the higher grades. Still, it is important to note that there is a high level of awareness about the problem of “trafficking in human beings” among the younger students: more than 50% have an idea about the problem and only 16% had no idea about it.

What was the level of student awareness of the topic?

% of the teachers in the respective region

	WERE FAMILIAR	NOT HAD AN IDEA ABOUT THE PROBLEM	MOST CHILDREN KNEW ABOUT THE PROBLEM	
BLAGOEVGRAD	3.2	36.8	60.0	100%
VARNA	5.4	43.8	50.8	100%
VRATSA	3.8	35.2	61.0	100%
GABROVO	7.4	41.5	51.1	100%
KARDZHALI	7.2	46.8	46.0	100%
KYUSTENDIL	8.2	32.3	59.5	100%
LOVECH	5.6	44.4	50.0	100%
MONTANA	3.3	36.2	60.5	100%
PAZARDZHIK	5.8	32.9	61.3	100%
PERNIK	2.9	26.4	70.7	100%
PLOVDIV	5.2	34.5	60.3	100%
RAZGRAD	6.0	44.0	50.0	100%
RUSE	0.0	7.7	92.3	100%
SILISTRA	7.8	40.6	51.6	100%
SLIVEN	5.6	37.3	57.1	100%
SMOLYAN	7.4	40.7	51.9	100%
SOFIA CITY	3.0	28.7	68.3	100%
STARA ZAGORA	8.9	42.9	48.2	100%
HASKOVO	4.7	36.7	58.6	100%
SHUMEN	11.2	46.9	41.9	100%

It is suggested that the information about the regulatory framework and the details about the National Commission be simplified, especially for the younger students. With respect to the older students (12th – 13th grade), some class teachers report that the students have enough information and that they hardly need such a lesson.

What was the level of student awareness of the topic?

% of the teachers in the respective grade

	1-5 grade	6 grade	7 grade	8 grade	9 grade	10 grade	11 grade	12 grade	13 grade
Were not familiar	15.9	6.6	4.4	5.1	4.1	3.2	1.6	1.8	0.0
Some children had an idea	53.7	51.0	38.5	37.9	37.3	28.1	24.4	20.3	20.0
Most children knew	30.4	42.4	57.1	57.0	58.6	68.7	74.0	77.9	80.0
	100%	100%	100%	100%	100%	100%	100%	100%	100%

At the same time, the teachers also report that almost 20% of the young people are only partially familiar with the problem. The teachers believe that a more flexible form of the lesson which is targeted at those already mature people is more appropriate.

Title of campaign or programme:

National campaign 16 Days against Violence against Women

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Partners: Embassy of the United States, International Security and Cooperation Institute, Centre for Study of Democracy

Description of the material used for the campaign/programme and its dissemination

- The beginning of the campaign 16 Days against Violence against Women which the National Commission for Combating Trafficking in Human Beings marks for the second year was set with a video conference with the participation of Ambassador Mark Lagan, Director of the Department for Combating Human Trafficking with the State Department and Senior Advisor to the Secretary of State.

- Three round tables in Blagoevgrad, Plovdiv and Sofia;
- The campaign was closed officially with the conducting of a round-table discussion with the special participation of Ms. Eva Biode, Special Envoy and Coordinator of OSCE on the fight against human trafficking.
- Developed booklets on human trafficking.

Title of campaign or programme:

Awareness raising campaign to mark the premiere of the feature film Taken in Bulgaria

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings
Partners: Alexandra Group

Description of the material used for the campaign/programme and its dissemination

The premiere of the French film concerning the topic of human trafficking with the purpose of sexual exploitation, *Taken*, was held on 26 September 2008. The Director Luc Besson shows the story of a father (played by Liam Neeson) who is looking for his daughter abducted during a trip to Europe.

In this regard, in partnership with Alexandra Group, distributor of the film for Bulgaria, the National Commission for Combating Trafficking in Human Beings carried out, developed and printed out 20,000 information brochures which were disseminated with the tickets for the film at the cinemas where the film was shown throughout the country.

Title of campaign or programme:

Cargo: A Safe Holiday

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

Children/ Students.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings
Partners: Embassy of the United States, Ministry of Education, International Organisation for Migration.

Description of the material used for the campaign/programme and its dissemination

The campaign was aimed at the students with a view to increasing their awareness about the problem and the methods of involvement in trafficking, especially during the summer time. The main tool of the campaign was the American documentary *Cargo: Innocence Lost* directed by Michael Cory Davis. Free screenings were organised for students which were accompanied with short discussions on "trafficking in human beings".

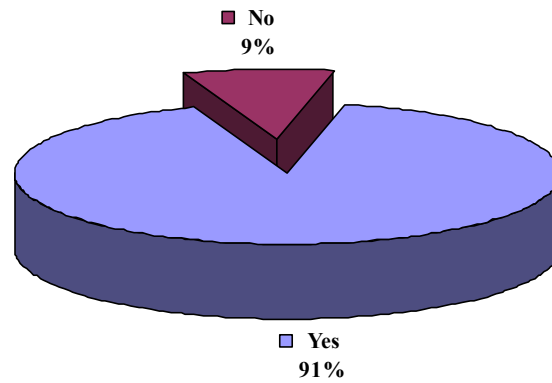
Special brochures focusing on the manners of prevention from involvement in situations of trafficking were also developed. They were handed out to the students attending the screenings in the four cities and disseminated through the International Organisation for Migration and among partners from the country.

A total of 31 schools in the four cities and 1,385 students were encompassed during the campaign.

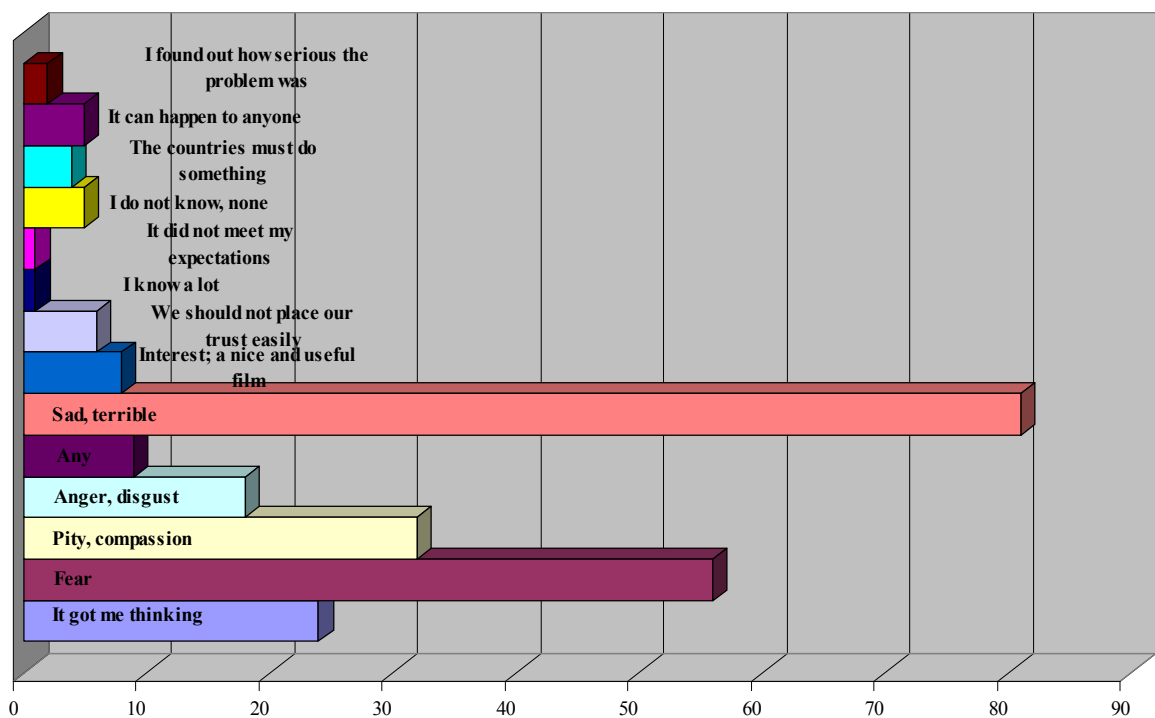
	Total students encompassed	Total schools encompassed
Sofia	750	11
Burgas	95	3
Varna	500	4
Pazardzhik	40	13
TOTAL	1,385	31

Before every screening, an expert with the National Commission familiarised the students with the problem of human trafficking, its scale and reasons, and held discussions about the manners of involvement in trafficking. In addition to brochures, the students were given feedback forms aimed at evaluating the impact of the film on the students and their familiarity with the problem. In brief, the results from the feedback forms can be summarised in the following charts:

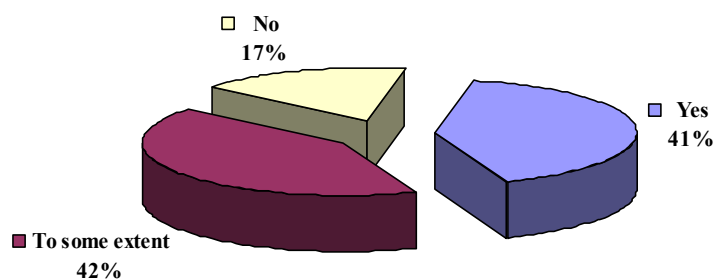
Did you know what trafficking in human beings means before you attended the screening?



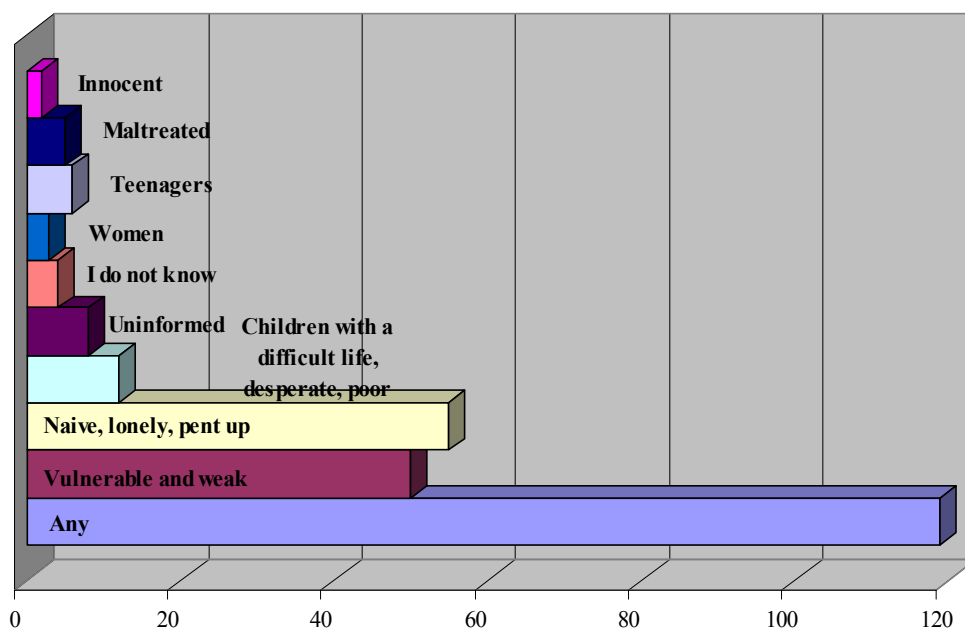
What thoughts and emotions has the story in the film evoked in you?



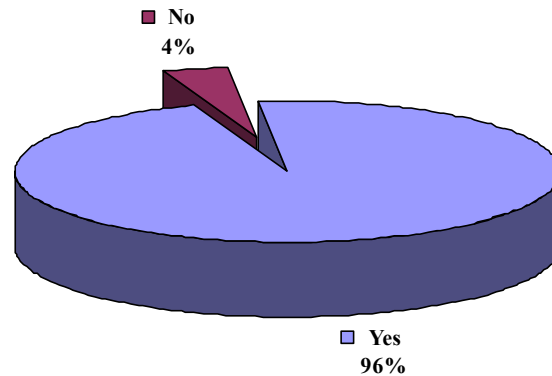
Has the film changed your attitude to the problem of human trafficking?



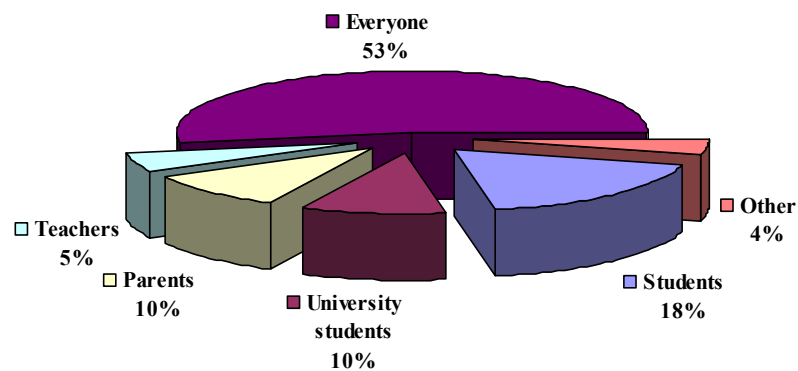
In your opinion, what people could become victims of trafficking in human beings?



Do you think that the film is a good information tool on the topic of human trafficking?



In your opinion, what audience should the film be shown to?



2009

Title of campaign or programme:

Open days at the National Commission for Combating Trafficking in Human Beings.

Was it based on research for determining effective prevention methods?

Yes.

Was it addressed to a particular group of potential victims?

Children/ Students.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Description of the material used for the campaign/programme and its dissemination

From October 2009 in the office of NCCTHB, experts from the Commission have made discussions with students in order to make them acquainted with the problem of human trafficking and the ways to prevent involvement.

More than 350 children from seven schools in Sofia visited the information discussions in 2009. Such events were also organized by the Local Commissions at the Information centres in Varna, Burgas and Pazardzhik

Title of campaign or programme:

National Campaign to Prevent Human Trafficking 2009 „Better informed than exploited”

Was it based on research for determining effective prevention methods?

Yes.

Was it addressed to a particular group of potential victims?

Young people and the General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Partners: governmental institutions (Ministry of education, youth and science; Agency for social support, Employment agency, Ministry of foreign affairs), International and non-governmental organizations (Council of Europe in Sofia, Caritas – Rousse Foundation; Foundation Association Animus; IOM, House for Human Rights and Human Rights Festival “One world”), media (Shareno magazine, e-media reflecting youth and teenage problems, as well as media reflecting “the work abroad”).

Description of the material used for the campaign/programme and its dissemination

The main activities of the campaign included:

1. Conducting a national school contest for drafting preventive card and a short text (essay);
2. Conducting a contest for making Christmas cards from children in crisis centers for children victims of violence and trafficking;
3. Direct prevention work with students and young people at the office of the National Commission;
4. Making and distribution of information print and electronic materials.

The Local Commissions, respective municipalities and NGO, partners in the campaign organized local prevention campaigns in Plovdiv, Sliven, Burgas, Varna, Rousse and Blagoevgrad.

Title of campaign or programme:

Summer Campaign “A summer without risk”, Varna

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

Young people in Varna.

Which bodies, governmental or non-governmental, were in charge of implementing it?

LCCTHB – Varna, with the cooperation of “Prevention” Department, Varna Municipality

Partners: National Commission for Combating Trafficking in Human Beings

Description of the material used for the campaign/programme and its dissemination

The campaign was multi-component and covered directions "Prevention of human trafficking" and prevention of drug addiction, HIV/AIDS antisocial behavior.

- volunteers;
- sports events;
- contests;
- leaflets and balloons.

2010

Title of campaign or programme:

Human Trafficking in Bulgaria and the Netherlands – common efforts for counteraction May-September 2010.

Was it based on research for determining effective prevention methods?

Yes.

Was it addressed to a particular group of potential victims?

General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Description of the material used for the campaign/programme and its dissemination

- Local campaigns at the risk regions of Burgas, Varna, Sliven, Montana, and Pazardzhik;
- Video clip;
- Brochures, leaflets;
- T-shirts;
- Open public events;
- Simulation court cases on human trafficking;
- Contests;
- Volunteers trainings;
- Posters

Title of campaign or programme:

Better informed than exploited, prevention of THB for labour exploitation, July-October 2010

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Description of the material used for the campaign/programme and its dissemination

2010 Planned

Title of campaign or programme:

Targeting demand of sexual services, September-October 2010 and December 2010-January 2011

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

Target group: Users of sexual services; General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Description of the material used for the campaign/programme and its dissemination

- Brochures, leaflets;
- Posters.

Title of campaign or programme:

18 October – European Day for Combating Trafficking in Human Beings

Was it based on research for determining effective prevention methods?

No.

Was it addressed to a particular group of potential victims?

General public.

Which bodies, governmental or non-governmental, were in charge of implementing it?

National Commission for Combating Trafficking in Human Beings

Description of the material used for the campaign/programme and its dissemination

- Press-conference;
- Brochures, leaflets;
- Posters;
- Metro-media channel;
- Public events.

Question 23: Please describe the social and economic empowerment measures for disadvantaged groups vulnerable to THB which have been implemented or are planned.

As of the Combating Trafficking in Human Beings Act, art. 14, in order to implement the objectives in Article 13, the National Commission shall:

1. Initiate and take part in the development and implementation of measures aimed at creating equal social and economic opportunities for the risk groups, including:

- a) Conditions for integration of the individuals from risk regions and risk groups into the labour market;
- b) Micro-crediting programs;
- c) Programmes inciting employers to hire individuals from risk groups.

...

As a member of the National Commission, the Ministry of Labour and Social Policy (MLSP) develops programmes targeting the vulnerable groups:

1. Immigrants: MLSP participates in executing a number of measures targeted at informing the immigrants and the society – in 2009 information centres in Burgas, Varna and two in Sofia were established. There was a focus on the capacity raising for immigrant integration and networking – both within the administration and within the local authorities and NGOs. Number of toolkits, brochures and leaflets were printed out for the purpose of better immigrant integration. They were distributed within the administration that implements the immigrant-integration policy and integration of persons from third countries.

2. Children: The social workers from the units “Child protection” within the Agency for Social Support consult children for their rights and possibilities for support and protection. The Agency for Social Support participates in the trainings of the staff of the Crisis centres for children victims of violence and human trafficking.

3. Unemployed: The Employment Agency executes large number of programmes, projects and measures under the Employment Promotion Act for trainings and employment provision to different target groups on the labour market: young people, persons that shall retire soon, disabled. The Agency also work for promotion of the employment and qualification, entrepreneurship, etc. For those programmes, any unemployed person who is registered at the regional Employment Bureaus and meet the programme’s criteria can apply.

Question 24: What preventive measures to discourage demand leading to THB, as provided for in Article 6 of the Convention, has your country adopted or is considering adopting?

In the National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims for 2010, the National Commission for Combating Trafficking in Human Beings (NCCTHB) provides for a prevention campaign targeting demand of sexual services. It will be executed until the end of the October 2010.

SECTION II “PREVENTION”

...

Activity 1.3. Conducting an awareness campaign for prevention of human trafficking for the purpose of sexual exploitation, aimed at clients of sexual services.

Responsible institution: NCCTHB

Partners: LCCTHB, Ministry of Education, Youth and Science, State Agency for Child Protection, Ministry of Health, Ministry of Interior, Central Commission for Combating Juvenile Delinquency, international and non-governmental organisations

Funding: NCCTHB budget, funds from related projects and programmes

Deadline: October 2010.

One other limited campaign was conducted by an NGO in 2009 with this purpose.

Question 25: Please specify the measures taken by your country to ensure quality, security and integrity of travel and identity documents in order to prevent their unlawful creation and issuance as well as to ensure that they cannot easily forged.

In view to the accession of the Republic of Bulgaria to the EU, a process for harmonization of the Bulgarian identity, travel and other personal documents issued by the Ministry of Interior with the EU requirement was started.

The new Bulgarian identity documents are in accordance to the international requirements, including the recommendations of the International Civil Aviation Organization (ICAO) on machine readable travel documents, the standards of the International Organization for Standardization (ISO) and the EU decisions on the unified passport templates.

Various measures have been undertaken aiming to prevent the issuance of identity documents with the information of one person and the photograph of another: when submitting a request for issuance of identity card for the first time, it is mandatory to present birth certificate for verification of the identity of the person before issuing him/her an identity document, etc.

A real time online computer information system has been developed for the design and control of the new Bulgarian personal documents – the National Automated Information Fund – “National Register of the Bulgarian Personal Documents” which is in accordance to the Bulgarian Personal Documents Act regarding the preservation and the use of personal data information files.

In order to prevent the use of falsified identity document, in accordance to Regulation No. № 2252/2004 of the Council regarding the standards for the security features and the biometric data in the passports and the travel documents issued by the Member States, some of the Bulgarian personal documents contain electronic device with information about the biometric data of the person – photograph and finger prints. The issuance of these documents started on 29.03.2010.

There are four groups of security features used in the issuance of Bulgarian personal documents: security features within the materials, security features during the polygraphic design, transparent kinegram foil, security features in personalization.

Question 26: Please specify the measures taken by your country to detect cases of THB at its borders, *inter alia* by means of border surveillance teams and intelligence measures.

The identification of potential victims of THB at the borders is executed by the officials of Chief Directorate “Border police”, Ministry of Interior at the so called “first line”. The most common methods used by the trained teams are:

- implementation of the method “risk analysis”;
- prevention measures.

At each border, including the EU borders, teams from “Operational-investigation activity” unit work. They counteract to the trafficking in human beings, goods, drugs and the illegal pass over of the state borders by using specific methods depending on the location of the border, i.e. sea border, river border, land bordering the EU, land bordering a third country.

At the certified by the I.C.A.O. airports in Bulgaria (among which Sofia Airport is the busiest one) work “Operational-investigation activity” officers, regional directorate “Border Police – Airports”, who are responsible for the operational activity of all airports in Bulgaria. The prevention measures taken by the officers include check up of the preliminary list of passengers of third countries, and upon request - for flights to and from the EU, for example, for comparison and investigation of persons traveling together.

Question 27: Please describe any measures taken to provide information, through consulates and embassies, about legal entry and stay on the territory of your country in order to ensure informed and legal immigration.

Information on the procedure of entry and residence of foreigners in Bulgaria is provided through the websites of the Ministry of Foreign Affairs and the Representative bodies of the Republic of Bulgaria abroad. In the overseas embassies and offices the information is provided on paper by launching special information boards placed at the entrance to the consular posts.

Question 28: Please describe any measures taken to avoid issuing visas (tourist, working, student visas, etc.) when there are reasonable grounds to believe that a person may be a victim of THB or implicated in THB. In such cases, please describe any specific measures which your law enforcement authorities have instructions to apply.

According to Art. 76a of the Bulgarian Personal Documents Act it is not allowed to leave the country, to issue passports or substituting documents to, and it is necessary to take away the already issued ones to children whenever there is information by a Bulgarian or foreign competent body for their involvement or usage for activities under Art. 11 of the Child Protection Act (*Art. 11, para (3) “Every child has a right to protection against their use for purposes of begging, prostitution, dissemination of pornographic material, receipt of unlawful pecuniary income, as well as protection against sexual abuse.”*). This measure is implemented with a motivated order of the Minister of Interior or the empowered by him/her persons after a proposition by the Chairperson of the State Agency for Child Protection (Art. 78, Paragraph 3 of the Bulgarian Personal Documents Act). The proposition is made in accordance to Art. 10 of Instruction No. 207/15.02.2006 for the implementation of the measures of Art. 76a of the Bulgarian Personal Documents Act under the following motives: involvement of the child in activities as cited under Art. 11, para 3 of the Child Protection Act and Art. 19, para 1 of the UN Convention on the Rights of the Child.

The Minister of Interior, the Chairperson of the State Agency for Child Protection and the Minister of Foreign Affairs issue a joint instruction for the implementation of the measures. This instruction arranges the order and organisation for the implementation of cooperation among the units of the Ministry of Interior, the Ministry of Foreign Affairs and the State Agency for Child Protection for the enforcement of Art. 76a, Paragraph 1 of the Bulgarian Personal Documents Act.

If there is considerable information that a person applying for a visa is a victim of human trafficking or is about to be involved in THB, this information is immediately sent to the respective authorities. In most of these cases the application for a visa is denied.

If information about THB situation is received after a visa has been issued to the person, the information is sent to the border authorities for their decision if to allow entrance of this person in the country. The border authorities have the right to deny the person entrance in the country.

When there is information about persons for their involvement in recruitment, transportation, hiding or accepting people or groups of people for the aims of trafficking, it is submitted to the Ministry of Foreign Affairs, together with the statement of the State Agency for National Security under Art. 41, Paragraph 2 of the State Agency for National Security Act considering the prevention of involvement into trafficking of the potential victims when there is an invitation from the above-mentioned suspected of trafficking persons. The State Agency for National Security acts for the protection of the national security from violations directed against the national interests and the primary rights and liberties of the citizens related to migration processes – art. 4, para 1, p. 14 of the State Agency for National Security Act. The State Agency for National Security works in close cooperation with the Ministry of Justice with regards to the adoption of children - Bulgarian citizens – by persons with residence abroad and with the Agency for Social Assistance and the State Agency for Child Protection on cases of trafficking in children.

Question 29: Do any specific measures exist for preventing national THB, including THB taking place on the territory of parties with special agreements establishing common borders (Schengen Agreement for example)? If so, please specify.

Prevention of trafficking in human beings within the borders of the country is part of the general prevention policy of Bulgaria (part of the national policy for combating human trafficking) and it is main responsibility and is done by the National Commission for Combating Trafficking in Human Beings and its member - ministries and agencies. Prevention activities are implemented also by NGOs in regards of the National Program for combating trafficking of human beings each year. There are no specific measures for prevention of national THB that differ from the ones used for prevention of THB generally. For example, the National Commission does prevention activities at schools to prevent student to become victims of both national and international trafficking, information campaigns for the general public, for specific vulnerable groups like Roma; prevention campaigns for trafficking for sexual or labour exploitation, etc. The national policy and all activities undertaken are conformable with the fact that Bulgaria is country of origin and transit for victims of trafficking and partially destination (specific regions) for foreign victims.

Bulgaria is still not a party to the Schengen Agreement. However, there are mixed border-guard teams with Romania that have produced excellent results in the work along the Bulgarian-Romanian border and the Black-Sea coastline.

Question 30: What funds have been allocated to the above-mentioned preventive measures in the state budget (central and/or regional/local)? Please specify amounts in euros.

Financing of prevention activities is coming mainly from the National Commission state budget. For example, for 2009, the National Commission spent 24 280,51 euro from its budget for prevention activities, and for the period 01 - 08.2010 – 5 371,53 euro from its budget and 25 700,00 euro under a joint MATRA project with the Netherlands. Approximately 5 000,00 euro are planned to be spent from the budget of the National Commission for printing out of Council of Europe comic strip "You are not for sale" in August 2010. Additional funds are spent from the general budgets of the other ministries and institutions in regards of there responsibilities undertaken with the National Program each year.

Question 31: Has an assessment of the impact of the above-mentioned preventive measures taken by your country been carried out? If so, please specify the results of the assessment.

The National Commission does an annual assessment in regards to the Annual Report of the National Programme. Additionally the Commission is using every opportunity and appropriate time to do additional assessment and to receive feedback from the general public or specific groups/experts. For example, in regards to the National Campaign "Trafficking in human beings: Time to Act" on 18 October – the European day on combating human trafficking, a class session on trafficking was undertaken by almost 3,000 schools in Bulgaria. 140,000 feedbacks were received, 7,837 by teachers and 133,189 by students.

The main answer in the feedback of the teachers is that there is nothing to change and the lesson is well developed and structured. 97 % of the teachers think that the materials are a good source of information for the students on the problem "Trafficking in human beings".

The main part of the recommendations is focused on the visualization of the topic – using more videos and documentaries for the lessons on THB. Obviously, the teachers think that the young people acknowledge better the visualized material rather than the text or the lecture.

Part of the teachers recommend that a specialist on THB is invited for the lesson. It could be stated that the teachers do not feel adequately prepared. The questionnaires show that 75% of the teachers held such a lesson for the first time. The teachers of a significant part of the younger students (up to 5th grade) consider the topic too complicated for the students' age (11-12-year-olds). They recommend a simplifying of the definitions, more concrete examples and the presentation of this lesson to students of higher grades. In spite of that, it is important to point out that there is a high level of acquaintance with the problem "trafficking in human beings" among the younger students: more than 50% have an idea about the problem and only 16% have been completely unacquainted.

At the same time, the teachers point out that almost 20% of the young people are only partially informed about the problem. The teachers consider the more "flexible" form of the lesson, directed at more mature people, more appropriate.

In regards to the conclusions of this research, the National Commission for Combating Trafficking in Human Beings developed in 2010 a special manual for teachers regarding the topic of

trafficking in human beings and its teaching at school. The manual includes several modules with information as well as case studies and role plays. In the beginning of 2010/2011 school year, the manual will be disseminated to all 3,000 schools in Bulgaria. 10 trainings on how to use the manual will be implemented in the period September-October 2010.

Each year the National Commission is doing a national wide sociological research (through sociological agency) in order to be informed of the general public opinion on the matter of THB, are people became more informed and less vulnerable, and if there are any change of the mind set on the topic in general. The Commission is using the result to develop the annual strategy for the coming year.

Section II.2. Implementation of measures to protect and promote the rights of victims of trafficking in human beings

Questions in this section aim to obtain information on the implementation by the parties of measures to protect and promote the rights of victims contained in Chapter III of the Convention (Articles 10 to 17). This part of the questionnaire concerns the ways and procedures to identify victims (Article 10), measures to assist victims (Article 12), the recovery and reflection period (Article 13) and residence permits (Article 14). In addition some questions concerning repatriation and return of victims (Article 16) and reintegration of victims into society (Article 16-5) as well as questions about compensation (Article 15) are addressed.

Question 32: At what moment and by whom is the process to identify a potential victim of THB initiated (for example, declaration of the potential victim, statement by a police officer, statement by a NGO etc.)?

The identification of a victim of trafficking can be initiated by all ways mentioned above. The process of identification of potential victims of THB is initiated in the following ways:

- preliminary declaration by an institution or NGO, physical or legal entity;
- submitted complaint by the victim or his/her relatives;
- during a police check-up or investigation.

According to the Bulgarian legislation, the victims can declare themselves victims. At the same time, a given person can be treated formally as potential victim on the basis of existing indicators for identification of victims of THB. This can happen through the NGO, the police or a citizen.

Question 33: Have any common criteria been defined in your internal law for granting the legal status of victim of THB? If so, please specify.

The legislation of the Republic of Bulgaria does not provide a "legal status" to the victims of trafficking. The victims of THB can receive "special protection status" under the regulations of Art. 25-31 of the Combating Trafficking in Human Beings Act, so that in this regard, when the special protection is requested it can be said that there is a special status of the victim. In the cases when such protection has not been requested or granted, it does not follow that there is a specific status of the victim.

Question 34: Which national authority(ies) grant(s) the legal status of victim of THB (for example, police forces, public prosecutor, judge, etc.)? Can such a decision be appealed?

Taking into consideration the clarification made under Question 33, it can be stated that:

Under Art. 25 of the Combating Trafficking in Human Beings Act, victims of trafficking who have declared their willingness to collaborate for disclosure of the trafficking offenders shall be granted special protection status for the time of the criminal proceedings. The measures for protection are:

1. Permission to foreign nationals for long-term stay in the country;
2. Extension of the accommodation period in the shelters.

Art. 27 of the Combating Trafficking in Human Beings Act describes the procedure for receiving the statute for special protection – by request of the victim, in a three-day time the prosecutor should issue his/her written decision. In case the special protection status is denied, it may be appealed before the higher-level prosecutor who must pronounce immediately.

Question 35: Can a person be removed from your country during the process of identification as a victim of THB (for example, if he/she is present illegally)?

Upon issuance of special protection status and the measure "Permission to foreign nationals for long-term stay in the country", the victim cannot be taken out of the country except for the case when he/she wants that. One exception is available, envisaged under Art. 28, para 3 of the Combating Trafficking in Human Beings Act which refers to persons who "do not possess identity documents and refuse to co-operate for their identification". In this case, the permission for long-term stay is not issued.

Question 36: Does your country recognise the status of victim of THB granted by another party when the victim is on your territory?

The status of a victim of trafficking issued by another member state of the Convention is recognized in the Republic of Bulgaria.

Taking into consideration the clarifications in the answers of questions 33 and 34, a conclusion can be made that the victim of trafficking can request, under Art. 25 of the Combating Trafficking in Human Beings Act, special protection status, but the victim cannot receive automatically special protection status solely on the basis of being with the status "a victim" in another country.

Question 37: Please indicate which types of assistance described in Article 12 of the Convention are provided to victims of THB in your country. Please specify who provides the different types of assistance.

1) Under Art. 9-10 of the Combating Trafficking in Human Beings Act and the Rules for the shelters for temporary accommodation and the centers for protection and assistance to victims of human trafficking, upon the request of the victim, he/she can be accommodated in a shelter for a period of 10 days with the possibility of extension of this period to 30 days. After the end of this period, under the regulations of Art. 25 of the Combating Trafficking in Human Beings Act, the period of stay can be further extended until the end of the criminal proceeding. According to Art. 10, the shelters for temporary accommodation:

1. provide normal conditions for stay and personal hygiene;
2. provide to the accommodated persons food and medicines;
3. ensure emergency medical and psychological assistance;
4. support the accommodated persons in establishing contact with their relatives as well as with specialized authorities and organisations.

The shelters for temporary accommodation of the victims of THB are established by the National Commission upon the proposal of the Local commissions for Combating trafficking in human beings or the Municipalities. They can also be established by physical and legal entities upon their inclusion in the Registry of the National Commission under the rules and regulations of Art. 12.

Under the Local commissions for combating trafficking in human beings centers for protection and assistance of the victims of THB are established. They provide information regarding the administrative and judicial procedures that arrange the support and assistance of the victims of THB in an understandable way, provide psychological and medical assistance, support the reintegration of the victim in the family and the social surrounding. The funds for the functioning and activity of these centers are provided by the budget of the National Commission.

2) Under Chapter 2 and 3 of the Crime Victim Assistance and Financial Compensation Act, the crime "trafficking in human beings" is among the seven most severe crimes the victims of which are subject to assistance and financial compensation. Art. 8 (1) The forms of assistance to victims of crime shall be:

1. medical treatment in emergency situations according to the procedures established by the Health Act; 2. psychological counseling and assistance; 3. free legal aid; 4. practical help. ... (3) In addition to the forms of assistance, victims of crime shall be entitled to one-time financial compensation under the terms and procedures established by this Act.

Articles 8 to 14 of the Act define the types of assistance and compensations, and the order of their receipt.

Question 38: Please describe the differences in the assistance and protection measures envisaged for victims of transnational trafficking and those envisaged for victims of national trafficking.

The Bulgarian legislation regarding the support of the victims of trafficking does not distinguish between national and transnational trafficking, i.e. assistance and compensation are received by the victims of national as well as transnational trafficking.

Question 39: Does your state budget allocate specific funding for these assistance and protection measures? Please indicate the amount (in euros), the criteria for receiving such funding and who receives it. Please specify the bodies/agencies/NGOs which actually cover the costs of the different types of assistance?

According to the Combating Trafficking in Human Beings Act, Art. 11 (3) the funds for operation of the centres for protection and assistance to victims of human trafficking are provided by the National Commission budget. Art. 12 (2) stipulates that the funds for operation of the shelters established by the National Commission after proposals by the Local Commissions or the municipalities are also provided from the National Commission budget. The National Commission also provides funds to the NGOs for crisis intervention to victims in cases of human trafficking when victims are accommodated at their shelters.

The budget of the National Commission is not divided for specific activities the National Commission funds – for example, separate allocations for the Secretariat, for the 5 Local commissions, for the 3 centers and 2 shelters for prevention and protection of the victims. In 2010, after the changes in the State Budget Act and the decrease in the public expenditures in July, the budget of the National Commission is 151 342,40 EUR (189 178 EUR before the changes).

According to Art. 25 of the Crime Victim Assistance and Financial Compensation Act, the funds for the implementation of the Act are provided by the budget of the Ministry of Justice. These funds are planned according to the order and period of the procedure for the preparation of the state budget. In the Crime Victim Assistance and Financial Compensation Act, the psychological and legal assistance is provided with the participation of the NGOs. § 1 of the Additional Provisions of the Act provides a legal definition. According to this Act, a “victim support organisation” is a non-profit legal entity registered to operate for the public benefit which provides free of charge assistance to the victims of crimes and under appropriate conditions, complements the actions of the State in this area.

The procedure for receiving financial compensation is specified in Art. 18-26 of the Act (submission of request to the Regional Governor or the National Council for assistance and compensation to victims of crime; entrusting the request to the expert commission which provides an evaluation about the validity and the amount of the compensation; taking a decision by the National Council; informing the victim).

Question 40: Please describe how the recovery and reflection period provided for in Article 13 of the Convention is defined in your internal law. Please indicate the minimum and maximum duration of the recovery and reflection period and how your internal law foresees it being adapted to the particular circumstances of victims.

The reflection period is envisaged in Art. 26 of the Combating Trafficking in Human Beings Act:

Art. 26. (1) Pre-trial proceedings authorities shall promptly inform the individuals who have become victims of human trafficking, upon identification thereof, about the possibility to receive special protection if within one month the victims declare their consent to collaborate with the investigation.

(2) The timescale in Paragraph 1 may be extended up to two months based on a proposal by the State Agency for Child Protection when the victim of trafficking is a child.

It is up to one month for adult victims of trafficking or up to two months for children victims.

Question 41: What are the grounds (personal situation and/or co-operation with the law-enforcement authorities) for issuing residence permits to victims of THB provided for in Article 14 of the Convention? Please indicate the different types of residence permits which can be issued to victims of THB, their minimum and maximum duration, if any, and the grounds for their renewal.

The grounds for issuing residence permits to victims of THB and the periods for residence are envisaged by the Combating Trafficking in Human Beings Act, Art. 25. "Individuals who have become victims of trafficking and have declared their willingness to collaborate for disclosure of the trafficking offenders shall be granted special protection status for the time of the criminal proceedings, including: 1. Permission to foreign nationals for long-term stay in the country;" The requirement of Art. 26 of the Act is that the victim of trafficking declares in a 30-day-period his/her consent to collaborate to the investigation of the crime.

According to Art. 24, para 1, p. 17 of the Law for the Foreigners in the Republic of Bulgaria (No. 153/2008), permission for a long-term residence can be provided to a foreigner when he/she has received a special protection status under Art. 25 of the Combating Trafficking in Human Beings Act. According to Art. 23, para 1 of the Law for the Foreigners in the Republic of Bulgaria, the short-term residence is up to 90 days upon the date of entrance into the country. According to para 3, the long-term residence is a continuing one – up to 1 year or permanent – with no definite period. Thus, the victim of trafficking can receive a special protection status - long term residence up to 1 year on the territory of the Republic of Bulgaria (there is no minimum period). There are no obstacles states in the Combating Trafficking in Human Beings Act for the request of a new residence permit under art. 25 for the period until the end of the legal proceeding, if the latter has not been completed in the period of 1 year (the period of the residence permission).

Question 42: Please describe how your internal law provides for the right of victims of THB to compensation. Please specify if your country has adopted any specific measures to guarantee compensation for victims of THB as provided for in Article 15 of the Convention.

Yes, the Bulgarian legislation provides for the victims of THB the right to compensation. The following legal regulations are applicable in this situation:

1. In regards to Art. 15 "Compensation and legal redress" of the Council of Europe Convention on Action against Trafficking in Human Beings, para 1, "Each Party shall ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings in a language which they can understand":

1.1. *Criminal Procedure Code*, according to Art. 21 (2) "Persons who do not have command of the Bulgarian language can make use of their native or another language. An interpreter shall be appointed in this case." Art. 75 states that the victim has the right to be informed about his/her rights during the pre-trial proceedings; to obtain protection with regard to his/her personal safety and the safety of his/her relatives; to be informed about the progress of the criminal proceedings; to participate in the proceedings according to the provisions of this Code; to file appeals with regards to the acts resulting in the termination or suspension of criminal proceedings; to have a counsel. (2) "The victim's rights arise if he/she has expressly requested to be involved in the pre-trial proceedings and specified a Bulgarian address".

1.2. *Crime Victim Assistance and Financial Compensation Act*, Chapter 2 "Informing Crime Victims of their Rights", Art. 6 (1) specifies the rights of victims which the units of the Ministry of Interior and the organizations supporting the victims are obliged to inform them of. Article 6 (2) states that the victims can be informed by the relevant units in writing or verbally in language that is understandable to the victim. Article 7 (1) states that the National Council for Assistance and Compensation to Victims of Crime publishes and distributes a brochure in Bulgarian, English, German and French languages containing the information required under Art. 6, para 1.

2. In regards to Article 15 "Compensation and legal redress" of the Council of Europe Convention on Action against Trafficking in Human Beings, para 2 "Each Party shall provide, in its internal law, for the right to legal assistance and to free legal aid for victims under the conditions provided by its internal law":

2.1. *The Crime Victim Assistance and Financial Compensation Act*, Chapter 3 "Forms of Assistance and Financial Compensation to Victims of Crime", Art. 8 (1) p. 3 provides for the free of charge legal aid. According to Art. 10, the victims of crime are entitled to legal aid free of charge under the terms and procedures of the Legal Aid Act. It is mediated by lawyers and is financed by the state.

2.2. *Criminal Procedure Code*, Section II “Counsel and special representative”: According to Art. 100 (1) The private prosecutor, the private complainant, the civil claimant and the civil defendant may each authorise their own counsel. (2) Where the private prosecutor, private complainant, civil claimant or civil respondent submits evidence of not having sufficient funds to hire a lawyer and wishes to have a counsel and the interests of justice so require, the court hearing the case at first instance shall appoint counsel for him/her. (3) The provisions of Articles 91, 92 and 93 shall apply also to the counsel, *mutatis mutandis*.

According to Art. 101, (1) Where the interests of the child or young person victim and his/her parent, custodian or guardian are contradictory, the respective body shall appoint for him/her a special representative who is a lawyer. (2) A special representative who is a lawyer shall also be appointed for the victim, where he/she is incapacitated or has limited capacity and his/her interests stand in contradiction to those of his/her custodian or guardian. (3) The special representative shall participate as attorney in the criminal proceedings. (4) The provisions of Articles 91, paragraph 3 and 92 shall also apply to the special representative *mutatis mutandis*.

2.3. *Child Protection Act*, Art. 15 (8) The child has the right to legal aid and appeals at all levels of proceedings that refer to his/her rights or interests.

3. In regards to Article 15 “Compensation and legal redress” of the Council of Europe Convention on Action against Trafficking in Human Beings, para 3 “Each Party shall provide, in its internal law, for the right of victims to compensation from the perpetrators”:

3.1. *Criminal Procedure Code*, Section IV “Civil claimant”, victim of human trafficking can participate as a civil claimant: Art. 84 (1) “The victim or his or her heirs and the legal persons, which have sustained damages from the criminal offence, may file in the course of court proceedings a civil claim for compensation of the damages and be constituted as civil claimants.”

3.2. The *Crime Victim Assistance and Financial Compensation Act*, Art. 3 (3) “Assistance and financial compensation may be provided to persons referred to in Paragraphs 1 and 2, who have suffered damages as a result of any of the following crimes: terrorism; murder; intentional grievous bodily harm; sexual harassment or rape resulting in serious health impairment; trafficking in people; a crime committed by order or under a decision of an organized criminal group; or another serious premeditated crime resulting in death or grievous bodily harm, as consequences of offence defined by statute.” Art. 8 (3) “In addition to the forms of assistance, victims of crime shall be entitled to one-time financial compensation under the terms and procedures established by this Act.”

Question 43: Please describe the procedure established under your internal law for the repatriation and return of victims of THB.

A **Coordination mechanism for referring cases and care of unaccompanied Bulgarian children returning from abroad** has been developed and functions since 2005. It comprises the engagements of the institutions responsible for referring children, victims of trafficking and the individual social work with them for the purpose of their successful integration and return to their family environment. In 2010 the coordination mechanism was updated and thus made more effective.

Bulgaria is part of the ICMPD project – **Transnational Referral Mechanism (TRM)** for Victims of Trafficking. This mechanism is a complex of mechanisms and systems for complete assistance and transnational help. It comprises the whole process from initial identification, return and assistance between the countries of transit, final destination and origin and includes cooperation and distribution of roles and responsibilities between governmental institutions, international governmental institutions and non-governmental organizations.

The official adoption by the National Commission for Combating Trafficking in Human Beings of the **National Referral Mechanism (NRM)** is expected in 2010. The NRM will define the measures and the institutions responsible for the return of victims and will also encompass the abovementioned Coordination mechanism for children and the TRM for victims of trafficking.

Question 44: Does a person, repatriated to your country as a victim of THB, continue having victim status? If so, please specify on which grounds such recognition is made (for example, declaration of the victim). What assistance measures are envisaged for such persons after repatriation?

A person, who has already acquired a victim of trafficking status and is repatriated in Bulgaria as such, continue having victim status. The corresponding party organizations have received the documentation and in most cases there is already developed and financed program for reintegration for the victim, which is to be fully accomplished in Bulgaria.

However, after the repatriation to Bulgaria the victim does not receive a special protection status immediately according to art. 25 form the Combating Trafficking in Human Beings Act and the victim needs to go through the procedure for it.

Question 45: What are the grounds for the victim status to come to an end:

- victim status claimed improperly;
- victim's refusal to co-operate with the authorities;
- return to the country of origin;
- request of the victim;
- other, please specify.

The grounds for termination of the victim status are stated in article 30 of the Combating Trafficking in Human Beings Act. The special protection status of the victim of trafficking is terminated by the Prosecutor prior to the expiration of the term indicated therein, when:

1. The victim has renewed their contacts with the perpetrators of the crime the investigation of which they have declared to support;
2. The authority finds that the consent declared by the victim was fictitious;
3. There is a danger to public order and the national security.

In these cases, the Prosecutor shall issue a writ, which is subject to appeal within three days before a higher level Prosecutor, who shall pronounce promptly on the complaint.

Question 46: Is THB subject to a single criminal offence in your internal law? If so, please provide (a translation of) the legal text(s) in English or French. If not, please specify the combination of criminal offences, covering as minimum all conducts falling within the definition of THB as contained in Article 4 of the Convention, used under your internal law to prosecute for THB.

Yes, human trafficking is a single offence in the Penalty Code of the country since 2002. It is specifically put under "Crimes against the Person" chapter "Human trafficking".

Article 159a

(1) (Amended, SG, No. 27/2009) An individual who recruits, transports, hides or admits individuals or groups of people in view of using them for sexual activities, forceful labour, dispossession of bodily organs or holding them in forceful subjection, regardless of their consent, shall be punished by deprivation of liberty of two to eight years and a fine from BGN three thousand to twelve thousand.

(2) Where the act under par. 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 deprivation of liberty;
4. through abuse of a status of dependency;
5. through the abuse of power;
6. through promising, giving away or receiving benefits,

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

(3) (New, SG No. 75/2006, amended, No. 27/2009) Where the act under para 1 has been committed in respect to a pregnant woman to the purpose of selling her child, the punishment shall be deprivation of liberty from three to fifteen years and a fine from BGN twenty thousand to fifty 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 art. 159a, par. 1, shall be punished by deprivation of liberty from three to twelve years and a fine of up to BGN ten thousand to twenty thousand.

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

Article 159c

(New SG, No. 27/2009) A person who takes advantage of a person who suffered from human trafficking for acts of debauchery, forceful labour, dispossession of bodily organs or holding him in forceful subjection, regardless of his consent shall be punished by deprivation of liberty from three to ten years and a fine from BGN ten thousand to twenty thousand.

Article 159d

(Previous text of Article 159c, amended, SG, No. 27/2009) Where acts under articles 159a - 159c qualify as dangerous recidivism or have been committed at the orders or in implementing a decision of an organized criminal group, the punishment shall be deprivation of liberty from five to fifteen years and a fine from BGN twenty thousand to one hundred thousand, the courts being also competent to impose confiscation of some or all possessions of the perpetrator.

Question 47: Does your internal law establish as a criminal offence the use of services of a victim of THB with the knowledge that the person is a victim of THB as provided for in Article 19 of the Convention?

Yes, with the changes and supplements of the Criminal Code in April 2009, the intentional use of services of a victim of THB is criminalized under Art. 159c.

Article 159c

(New SG, No. 27/2009) A person who takes advantage of a person who suffered from human trafficking for acts of debauchery, forceful labour, dispossession of bodily organs or holding him in forceful subjection, regardless of his consent shall be punished by deprivation of liberty from three to ten years and a fine from BGN ten thousand to twenty thousand.

Question 48: Does your internal law establish as a specific criminal offence retaining, removing, concealing, damaging or destroying a travel or identity document of another person committed intentionally and for the purpose of enabling THB as provided for in Article 20c of the Convention?

Personal documents are property of the person to whom they are issued to. In the Bulgarian Criminal Code there is a provisional punishment for every person who destroys, conceals or damages the document of another person. There is no special punishment for destroying, concealing or damaging of documents to recruit anybody in THB.

In the course of investigation, however, if there is a proof that these are executed to enable THB, there will be an obvious crime of THB and there will be an accomplice link to the crime with the other persons.

Criminal Code of the Republic of Bulgaria

Theft

Article 194. (1) (Amended –SG No. 10/ 1993.) A person who takes away from another movable property without their consent, with the intent to unlawfully appropriate it, shall be punished for theft by deprivation of liberty for up to eight years.

Receiving Objects

Article 215. (Amended – SG No. 28/ 1982., Enforced 01.07.1982.) (1) (Amended – SG No. 10/ 1993, supplemented – SG No. 62/ 199., amended – SG No. 26/2010.) A person who for the purpose of procuring material benefit for himself or for another conceals, acquires or helps for the appropriation of movable properties of another, for which he knows or supposes that they have been obtained by somebody through crime or another act which constitutes public danger, shall be punished by deprivation of liberty for up to five years, but with a punishment not more severe than the one provided for the crime itself.

(2) (Amended – SG No. 95/1975., amended – SG No. 28/1982, Enforced 01.07.1982, amended – SG No. 10/1993., amended – SG No. 62/ 1997., amended – SG No. 26/2010.) The punishment shall be deprivation of liberty for three to ten years and a fine of BGN one thousand up to three thousand, if the receiving is:

1. of large amount;
 2. of articles set under special regime;
 3. carried out as occupation;
 4. repeated or constitutes dangerous recidivism.
-

Crimes related to documents

Article 308. (1) A person who creates a false official document or alters the contents of an official document for the purpose of using it, shall be punished for forgery of a document by deprivation of liberty for up to three years.

Article 319. (Amended – SG No. 103/ 2004, Enforced 01.01.2005) A person who destroys, hides or damages a document of another, or document not belonging exclusively to him, for the purpose of causing harm to someone else, or to procure benefit for himself or for another, shall be punished by deprivation of liberty for up to three years or by corrective labour.

Question 49: Does your internal law ensure that a legal person can be held liable for criminal offences established in accordance with the Convention as provided for in its Article 22? What types of legal persons are subject to corporate liability for such offences?

In the Republic of Bulgaria criminal responsibility cannot be sought by legal entities. A main principle is that the criminal responsibility is personal – i.e. criminal responsibility is carried only by a person. There is no provisional sanction for the legal entity, in case that there is a crime committed under the Convention in “the sake of the legal entity”.

Only administrative responsibility can be sought by legal entities. The regulation that guarantees the seeking of responsibility by legal entities for THB is Article 83a of the Administrative Violations and Sanctions Act. The regulation of Article 83a can be implemented in regards to absolutely all kinds of legal entities which have accumulated wealth or could accumulate such through the crime “trafficking in human beings”.

Article 83a. (New, SG, No. 79/2005)

(1) (Amended, SG No. 27/2009) A legal person, which has enriched itself or would enrich itself from a crime under Articles 108a, 109, 110 (preparations for terrorism), Articles 142-143a, Article 152, Paragraph 3, Item 4, Articles 153, 154a, 155, 155a, 156, 158a, **159-159d (human trafficking-art.159a-d)**, 209-212a, 213a, 214, 215, 225c, 242, 250, 252, 253, 254, 254b, 256, 257, 280, 283, 301-307, 319a-319f, 320-321a and 354a-354c of the Criminal Code, as well as from all crimes, committed under orders of or for implementation of a decision of an organized criminal group, when they have been committed by:

1. an individual, authorized to formulate the will of the legal person;
2. an individual, representing the legal person;
3. an individual, elected to a control or supervisory body of the legal person, or
4. an employee, to whom the legal person has assigned a certain task, when the crime was committed during or in connection with the performance of this task, shall be punishable by a property sanction of up to BGN 1,000,000, but not less than the equivalent of the benefit, where the same is of a property nature; where the benefit is no of a property nature or its amount can not be established, the sanction shall be from BGN 5,000 to 100,000.

(2) The property sanction shall also be imposed on the legal person in the cases, when the persons under paragraph 1, items 1, 2 and 3 have abetted or assisted the commission of the above acts, as well as when the said acts were stopped at the stage of attempt.

(3) *The property sanction shall be imposed regardless of the materialization of the criminal responsibility of the perpetrator of the criminal act under paragraph 1.*

(4) *The benefit or its equivalent shall be confiscated in favour of the state, if not subject to return or restitution, or forfeiture under the procedure of the Criminal Code.*

Question 50: Which sanctions does your internal law provide for criminal offences established in accordance with the Convention? Please specify the criminal, civil and administrative sanctions.

1. Trafficking in human beings crime imposes cumulatively the punishments “deprivation of liberty” and “fine”. Apart from this, according to art. 159d, there can be a confiscation of part or of the whole property of the perpetrator. With regard to the scale of the abovementioned punishments in the various types of trafficking in human beings, please, see the cited above regulations of Article 159a-159d of the CC (Question 46).

2. With regard to the confiscation and the deprivation of property acquired through the crime of “trafficking in human beings”:

Criminal Code of the Republic of Bulgaria:

Art. 44. (1) Confiscation shall be compulsory appropriation without compensation of property in favour of the state, of assets belonging to the convict or of part thereof, of specified pieces of property of the culprit, or of parts of such pieces of property.

... Art. 53. (1) Notwithstanding the penal responsibility, confiscated in favour of the state shall be:

a) objects belonging to the convict, which were intended or have served for the perpetration of intentional crime;

b) objects belonging to the culprit, which were subject of intentional crime - in the cases expressly provided in the Special Part of this Code.

(2) (New, SG No. 28/1982) Confiscated in favour of the state shall also be:

a) articles that have been subject or means of the crime, the possession of which is forbidden, and

b) objects acquired through the crime, if they do not have to be returned or restored. Where the acquired objects are not available or have been disposed of, an equivalent amount shall be adjudged.

3. With regards to legal entities that have accumulated wealth through the crime “trafficking in human beings”, property sanctions are being installed. In relation to the specific amount of the mentioned above property sanctions for legal entities, please, see the cited above regulations under Article 83a of the Administrative Violations and Sanctions Act (Question 49).

4. It can be considered a sanction the act of deprivation of property by the state which property has been acquired through illegal activity, including through the crime “trafficking in human beings”, under the Criminal Assets Forfeiture Act:

Chapter 1: General provisions:

Article 1. (2) *Any assets derived, whether directly or indirectly, from criminal activity, which have not been restored to the aggrieved party or which have not been forfeited to the Exchequer or confiscated under other laws, shall be forfeitable according to the procedure established by this Act.*

Article 2. *The purposes of this Act shall be to prevent and limit the possibilities to derive benefits from criminal activity and to prevent the disposition of criminal assets.*

Chapter 2: Grounds for forfeiture and criminal assets forfeitable to the exchequer.

Section I Grounds for Forfeiture of Criminal Assets to the Exchequer

Article 3. (1) *Proceedings under this Act shall be conducted where it has been established that a specific person has acquired assets of substantial value which can be reasonably assumed to have been derived from criminal activity and criminal prosecution has been undertaken against such a person in connection with a criminal offence under the Penal Code under: ... 4. Articles 159a-159d (trafficking in human beings).*

Question 51: Does your internal law provide for the possibility to take into account previous convictions in another party when determining the penalty in relation to offences established in accordance with the Convention?

The general principle in determining the punishment, according to the Bulgarian Criminal Code, takes into consideration the degree of social danger of the act and the perpetrator. Despite the fact that a previous sentence issued by another country does not provide ground for a heavier punishment of a dangerous recidivism, it can show an increased degree of social danger of the perpetrator and thus lead to increase of the punishment within the framework of the law.

Article 54 (1) The court shall mete out punishments within the limits provided by law for the crime committed, guided by the provisions of the general part of this Code and taking into consideration the following: the degree of social danger of the act and the perpetrator; the motives for crime perpetration, and other attenuating or aggravating circumstances.

(2) The attenuating circumstances shall condition the infliction of a milder punishment, and the aggravating ones of a severer punishment.

Previous sentences issued by other countries to persons for the crime “trafficking in human beings” can be taken into consideration by the Bulgarian court when determining the punishment for the person for a committed a crime on the territory of the Republic of Bulgaria. In addition, according to Art. 5, para 4 of the Constitution of the Republic of Bulgaria: “*International treaties which have been ratified in accordance with the constitutional procedure, promulgated and having come into force with respect to the Republic of Bulgaria, shall be part of the legislation of the State. They shall have primacy over any conflicting provision of the domestic legislation.*”

The Council of Europe Convention on Action against Trafficking in Human Beings is placed among the international agreements that are drawn upon by Article 5, paragraph 4 of the Constitution of the Republic of Bulgaria. Thus, in accordance to Article 25 “Previous convictions” of the Convention, *each Party shall adopt such legislative and other measures providing for the possibility to take into account final sentences passed by another Party in relation to offences established in accordance with this Convention when determining the penalty* and according to Article 5, paragraph 4 of the Constitution of the Republic of Bulgaria, the Bulgarian courts, when determining the punishment for the crime “trafficking in human beings”, can take into consideration previous sentences for this crime issued by other countries to the perpetrator.

Question 52: Please describe how your internal law provides for the possibility of not imposing penalties on victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so, as provided for in Article 26 of the Convention.

The Bulgarian Criminal Code does not include specific regulation that introduces Article 26 of the Convention. To a large degree, the crimes according to the Bulgarian criminal law are premeditated, i.e. the perpetrator has to express his/her will, to aim to and to allow the perpetration of a crime. When a person is somehow compelled to commit a crime, he/she does not bear criminal responsibility.

Question 53: Does your internal law provide for the initiation of legal proceedings by the victim and/or ex officio (for example, by the public prosecutor)?

The crimes that fall within Section IX “Trafficking in human beings” of the Criminal Code, Article 159a-159d, are crimes of general nature. According to the Criminal Procedure Code, this means that the criminal investigation for the abovementioned crimes is initiated by the public prosecutor or the investigative bodies, irrespectively of the will of the victim. Crimes under Article 159a-159d of the Criminal Crime, as crimes of general nature, are investigated irrespectively of the explanations of the victim or the withdrawal of the victim’s complaint.

Criminal Procedure Code:

Obligation to institute criminal proceedings

Article 23. (1) In presence of the conditions herein specified, the competent public body shall be obligated to institute criminal proceedings.

(2) In the cases set forth in this code criminal proceedings shall be considered instituted by virtue of the first action marking the beginning of investigation.

Cases in which pre-trial proceedings shall be carried out

Article 191. Pre-trial proceedings shall be carried out in publicly actionable criminal cases.

Chapter seventeen: Investigation

Section I.

Institution of pre-trial proceedings and conduct of the investigation

Conditions for the institution of pre-trial proceedings

Article 207. (1) Pre-trial proceedings shall be instituted where there is a statutory occasion and sufficient information about the perpetration of a crime.

...

Statutory occasions

Article 208. The following shall be considered statutory occasions for the commencement of investigation:

- 1. a notice sent to the pre-trial bodies for the perpetration of a criminal offence;*
- 2. information about a perpetrated criminal offence, distributed by the mass media;*
- 3. appearance of the perpetrator in person before the pre-trial bodies with a confession about a perpetrated crime;*
- 4. direct discovery by the pre-trial bodies of signs of a perpetrated crime.*

Question 54: Please describe how your internal law allows for NGOs or associations/groups assisting or supporting victims to participate in legal proceedings (for example, as third parties)? Please specify the conditions for this participation as well as their legal status during these proceedings.

The Bulgarian Criminal Procedure Code (Chapter V-X) comprehensively defines the participants in the criminal procedure. According to the Criminal Procedure Code, representatives of NGOs can not be allowed participating in the procedural course, except as witnesses who are evaluating the health and psychological condition of the victim upon his/her release from human trafficking conditions.

Question 55: Please describe the measures taken in your internal law to protect the identity and safety of victims before, during and after investigations and legal proceedings.

The protection of the victims of human trafficking is considered by three legal acts: the Criminal Procedure Code, the Protection of Individuals at Risk in Relation to Criminal Proceedings Act and the special protection under the Combating Trafficking in Human Beings Act. According to the Criminal Procedure Code and the Protection of Individuals at Risk in Relation to Criminal Proceedings Act, the victims of human trafficking who are subject to protection are the ones who are witnesses in the criminal proceedings.

The provisional measures in the Criminal Procedure Code are two – physical defense for a period of up to 30 days and concealment of the identity of the witness.

The provisional measures of the special Protection of Individuals at Risk in Relation to Criminal Proceedings Act include: physical protection (personal and to the members of the family and the property), temporary replacement to a safer place, change of the place of living, job or school or placement at another site for the time of punishment and complete change of identity. The measures stipulated by the special act are applicable until the end of the criminal proceedings.

In regards to Article 28 of the Convention, the Protection of Individuals at Risk in Relation to Criminal Proceedings Act is applicable. This law sets the requirements and the procedure for receiving special protection provided by the state to persons who are at risk in connection to criminal proceeding, including cases of trafficking in human beings and persons directly related to them whenever they cannot be protected with the means provided by the Criminal Procedure Code. The goal of the law is to support the struggle against severe intentional crimes and the organized crime by providing safety to the persons whose testimony, explanations and information are of crucial importance to the criminal proceeding.

According to this law, special protection can be obtained by the victims and their brothers, sisters, spouses or persons who are very close to them. Article 4 explicitly states that among the threatened persons who can obtain special defense are the ones who have suffered from trafficking in human beings and the ones related to them.

BULGARIA

2008 Statistics on Trafficking in Human Beings

Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties - First evaluation round

Adopted by the Group of Experts on Action against Trafficking in Human Beings (GRETA) on 1 February 2010

Section 1: Victims of THB

Article 10 – Identification of the victims

Question T1 - Victims identified during the year

T1. Number of victims identified during the year ("identified" within the meaning of the Convention)

Women

202

Men

48

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

71

Total

283

Question T2 - Types of exploitation which identified victims of THB were subjected to

T2.a. Number of identified victims of THB subjected to sexual exploitation

Women

193

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

30

Total

193

T2.b. Number of identified victims of THB subjected to forced labour or services**Women**

29

Men

18

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

71

Total

80

T2.c. Number of identified victims of THB subjected to slavery or practices similar to slavery**Women**

0

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

0

Total

0

T2.d. Number of identified victims of THB subjected to servitude**Women**

10

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

0

Total

10

T2.e. Number of identified victims of THB subjected to removal of organs**Women**

0

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

0

Total

0

T2.f. Number of identified victims of THB subjected to other types of exploitation
(Not answered)

Type of exploitation (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Question T3 - Persons whom the competent authorities had reasonable grounds to believe were victims of national or transnational trafficking

T3.a. Number of persons whom the competent authorities had reasonable grounds to believe were victims of national trafficking

Women

118

Men

5

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

71

Total

171

T3.b. Number of persons whom the competent authorities had reasonable grounds to believe were victims of transnational trafficking

Women

122

Men

5

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

11

Total

127

Article 12 – Assistance to victims

Question T4 - Victims of THB who received assistance of any type

T4. Number of victims of THB who received assistance of any type

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

71

Total (Not answered)

Question T5 - Victims of THB who refused assistance which was offered to them

T5. Number of victims of THB who refused assistance which was offered to them (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Question T6 - Shelters for victims of THB

T6. Number of shelters for victims of THB in your country

Women

4

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

6

Total

10

Question T7 - Places in shelters for victims of THB

T7. Total number of places in shelters for victims of THB (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Question T8 - Victims of THB accommodated in shelters

T8. Number of victims of THB accommodated in shelters

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

25

Total (Not answered)

Article 13 – Recovery and reflection period

Question T9 - Victims of THB who were granted a recovery and reflection period

T9. Number of victims of THB who were granted a recovery and reflection period (including persons whom the competent authorities had reasonable grounds to believe were victims of THB) (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Article 14 – Residence permit

Question T10 - Victims of THB who were issued a residence permit

T10.a. Number of victims of THB who were issued a residence permit owing to their personal situation (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

T10.b. Number of victims of THB who were issued a residence permit for the purpose of their co-operation with the competent authorities (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Article 15 – Compensation and legal redress

Question T11 - Victims of THB who obtained compensation

T11. Number of victims of THB who obtained compensation *(Not answered)*

Women *(Not answered)*

Men *(Not answered)*

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) *(Not answered)*

Total *(Not answered)*

Question T12 - Compensation awarded to victims of THB

T12. Compensation awarded to victims of THB: *(Not answered)*

Minimum amount awarded to a victim (in Euros) *(Not answered)*

Maximum amount awarded to a victim (in Euros) *(Not answered)*

Article 16 – Repatriation and return of victims

Question T13 - Victims of THB who were repatriated to your country

T13. Number victims of THB who were repatriated to your country

Women *(Not answered)*

Men *(Not answered)*

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

25

Total *(Not answered)*

Question T14 - Victims of THB who were repatriated from your country to another country

T14. Number of victims of THB who were repatriated from your country to another country *(Not answered)*

Women *(Not answered)*

Men *(Not answered)*

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) *(Not answered)*

Total *(Not answered)*

Section 2: Criminal Proceedings and Sanctions

Article 18 – Criminalisation of trafficking in human beings

Question T15 - Criminal proceedings initiated on grounds of THB

T15. Number of criminal proceedings initiated on grounds of THB

219

Question T16 - Convictions for THB

T16. Number of convictions for THB

69

Article 19 – Criminalisation of the use of services of a victim

Question T17 - Convictions for the use of services of a victim of THB

T17. Number of convictions for the use of services of a victim of THB (*Not answered*)

(*Not answered*)

Article 23 – Sanctions and measures

Question T18 - Convictions for THB resulting in penalties involving deprivation of liberty

T18. Number of convictions for THB resulting in penalties involving deprivation of liberty

69

Question T19 - Duration of penalties on grounds of THB involving deprivation of liberty

T19. Duration of penalties on grounds of THB involving deprivation of liberty:

minimum duration

6 months

maximum duration

6 years and 6 months

Question T20 - Judgments resulting in the confiscation of assets

T20. Number of judgments resulting in the confiscation of assets (*Not answered*)

(*Not answered*)

Question T21 - Judgments resulting in the closure of a business or an establishment which was being used to carry out THB

T21. Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB (*Not answered*)

(*Not answered*)

Article 26 – Non-punishment provision

Question T22 - Victims of THB who benefitted from the non-punishment provision

T22. Number of victims of THB who benefitted from the non-punishment provision (*Not answered*)

(*Not answered*)

Section 3: Country of origin of victims of THB

Question T23 - Country of origin of victims of THB

T23.a. Number of victims of THB originating from Council of Europe member states

Albania (*Not answered*)
 Andorra (*Not answered*)
 Armenia (*Not answered*)
 Austria (*Not answered*)
 Azerbaijan (*Not answered*)
 Belgium (*Not answered*)
 Bosnia and Herzegovina (*Not answered*)
 Bulgaria

283

Croatia (*Not answered*)
 Cyprus (*Not answered*)
 Czech Republic (*Not answered*)
 Denmark (*Not answered*)
 Estonia (*Not answered*)
 Finland (*Not answered*)
 France (*Not answered*)
 Georgia (*Not answered*)
 Germany (*Not answered*)
 Greece (*Not answered*)
 Hungary (*Not answered*)
 Iceland (*Not answered*)
 Ireland (*Not answered*)
 Italy (*Not answered*)
 Latvia (*Not answered*)

Liechtenstein	(Not answered)
Lithuania	(Not answered)
Luxembourg	(Not answered)
Malta	(Not answered)
Moldova	(Not answered)
Monaco	(Not answered)
Montenegro	(Not answered)
Netherlands	(Not answered)
Norway	(Not answered)
Poland	(Not answered)
Portugal	(Not answered)
Romania	(Not answered)
Russian Federation	(Not answered)
San Marino	(Not answered)
Serbia	(Not answered)
Slovak Republic	(Not answered)
Slovenia	(Not answered)
Spain	(Not answered)
Sweden	(Not answered)
Switzerland	(Not answered)
“the former Yugoslav Republic of Macedonia”	(Not answered)
Turkey	(Not answered)
Ukraine	(Not answered)
United Kingdom	(Not answered)

T23.b. Number of victims of THB originating from non-member states (for each country of origin please give the name of the country and the number of victims originating from this country) *(Not answered)*

Name of the country of origin	<i>(Not answered)</i>
Number of victims originating from this country	<i>(Not answered)</i>

Comments on statistics for 2008

Please use this area to add any comments concerning your replies to the statistics for 2008

(Not answered)

BULGARIA

2009 Statistics on Trafficking in Human Beings

Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties - First evaluation round ?

?

Adopted by the Group of Experts on Action against Trafficking in Human Beings (GRETA) on 1 February 2010

Section 1: Victims of THB

Article 10 - Identification of the victims

Question T1 - Victims identified during the year

T1. Number of victims identified during the year ("identified" within the meaning of the Convention)

Women

237

Men

22

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

57

Total

316

Question T2 - Types of exploitation which identified victims of THB were subjected to

T2.a. Number of identified victims of THB subjected to sexual exploitation

Women

286

Men

6

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

60

Total

292

T2.b. Number of identified victims of THB subjected to forced labour or services**Women**

7

Men

14

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

30

Total

51

T2.c. Number of identified victims of THB subjected to slavery or practices similar to slavery**Women**

0

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

0

Total

0

T2.d. Number of identified victims of THB subjected to servitude**Women**

3

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

1

Total

3

T2.e. Number of identified victims of THB subjected to removal of organs**Women**

0

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

0

Total

0

T2.f. Number of identified victims of THB subjected to other types of exploitation**Type of exploitation**

pregnant women for the purpose of selling their baby

Women

19

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

0

Total

19

Question T3 - Persons whom the competent authorities had reasonable grounds to believe were victims of national or transnational trafficking**T3.a. Number of persons whom the competent authorities had reasonable grounds to believe were victims of national trafficking****Women**

121

Men

5

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

34

Total

126

T3.b. Number of persons whom the competent authorities had reasonable grounds to believe were victims of transnational trafficking**Women**

173

Men

17

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

21

Total

190

Article 12 - Assistance to victims

Question T4 - Victims of THB who received assistance of any type

T4. Number of victims of THB who received assistance of any type

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

30

Total (Not answered)

Question T5 - Victims of THB who refused assistance which was offered to them

T5. Number of victims of THB who refused assistance which was offered to them (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Question T6 - Shelters for victims of THB

T6. Number of shelters for victims of THB in your country

Women

5

Men

0

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

9

Total

14

Question T7 - Places in shelters for victims of THB

T7. Total number of places in shelters for victims of THB (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Question T8 - Victims of THB accommodated in shelters

T8. Number of victims of THB accommodated in shelters

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

11

Total (Not answered)

Article 13 - Recovery and reflection period

Question T9 - Victims of THB who were granted a recovery and reflection period

T9. Number of victims of THB who were granted a recovery and reflection period (including persons whom the competent authorities had reasonable grounds to believe were victims of THB)) (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Article 14 - Residence permit

Question T10 - Victims of THB who were issued a residence permit

T10.a. Number of victims of THB who were issued a residence permit owing to their personal situation (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

T10.b. Number of victims of THB who were issued a residence permit for the purpose of their co-operation with the competent authorities (Not answered)

Women (Not answered)

Men (Not answered)

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) (Not answered)

Total (Not answered)

Article 15 - Compensation and legal redress

Question T11 - Victims of THB who obtained compensation

T11. Number of victims of THB who obtained compensation *(Not answered)*

Women *(Not answered)*

Men *(Not answered)*

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) *(Not answered)*

Total *(Not answered)*

Question T12 - Compensation awarded to victims of THB

T12. Compensation awarded to victims of THB: *(Not answered)*

Minimum amount awarded to a victim (in Euros) *(Not answered)*

Maximum amount awarded to a victim (in Euros) *(Not answered)*

Article 16 - Repatriation and return of victims

Question T13 - Victims of THB who were repatriated to your country

T13. Number victims of THB who were repatriated to your country

Women *(Not answered)*

Men *(Not answered)*

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention)

16

Total *(Not answered)*

Question T14 - Victims of THB who were repatriated from your country to another country

T14. Number of victims of THB who were repatriated from your country to another country *(Not answered)*

Women *(Not answered)*

Men *(Not answered)*

Children (i.e. persons under 18 years of age, cf Article 4-d of the Convention) *(Not answered)*

Total *(Not answered)*

Section 2: Criminal Proceedings and Sanctions

Article 18 - Criminalisation of trafficking in human beings

Question T15 - Criminal proceedings initiated on grounds of THB

T15. Number of criminal proceedings initiated on grounds of THB

261

Question T16 - Convictions for THB

T16. Number of convictions for THB

110

Article 19 - Criminalisation of the use of services of a victim

Question T17 - Convictions for the use of services of a victim of THB

T17. Number of convictions for the use of services of a victim of THB

4

Article 23 - Sanctions and measures

Question T18 - Convictions for THB resulting in penalties involving deprivation of liberty

T18. Number of convictions for THB resulting in penalties involving deprivation of liberty

110

Question T19 - Duration of penalties on grounds of THB involving deprivation of liberty

T19. Duration of penalties on grounds of THB involving deprivation of liberty:

minimum duration

9 months

maximum duration

7 years and 6 months

Question T20 - Judgments resulting in the confiscation of assets

T20. Number of judgments resulting in the confiscation of assets *(Not answered)*

(Not answered)

Question T21 - Judgments resulting in the closure of a business or an establishment which was being used to carry out THB

T21. Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB *(Not answered)*

(Not answered)

Article 26 - Non-punishment provision

Question T22 - Victims of THB who benefitted from the non-punishment provision

T22. Number of victims of THB who benefitted from the non-punishment provision *(Not answered)*

(Not answered)

Section 3: Country of origin of victims of THB

Question T23 - Country of origin of victims of THB

T23.a. Number of victims of THB originating from Council of Europe member states

Albania *(Not answered)*
 Andorra *(Not answered)*
 Armenia *(Not answered)*
 Austria *(Not answered)*
 Azerbaijan *(Not answered)*
 Belgium *(Not answered)*
 Bosnia and Herzegovina *(Not answered)*
 Bulgaria

316

Croatia *(Not answered)*
 Cyprus *(Not answered)*
 Czech Republic *(Not answered)*
 Denmark *(Not answered)*
 Estonia *(Not answered)*
 Finland *(Not answered)*
 France *(Not answered)*
 Georgia *(Not answered)*
 Germany *(Not answered)*
 Greece *(Not answered)*
 Hungary *(Not answered)*
 Iceland *(Not answered)*
 Ireland *(Not answered)*
 Italy *(Not answered)*
 Latvia *(Not answered)*

Liechtenstein (Not answered)
 Lithuania (Not answered)
 Luxembourg (Not answered)
 Malta (Not answered)
 Moldova

2

Monaco (Not answered)
 Montenegro (Not answered)
 Netherlands (Not answered)
 Norway (Not answered)
 Poland

1

Portugal (Not answered)
 Romania (Not answered)
 Russian Federation (Not answered)
 San Marino (Not answered)
 Serbia (Not answered)
 Slovak Republic (Not answered)
 Slovenia (Not answered)
 Spain (Not answered)
 Sweden (Not answered)
 Switzerland (Not answered)
 "the former Yugoslav Republic of Macedonia" (Not answered)
 Turkey (Not answered)
 Ukraine (Not answered)
 United Kingdom (Not answered)

T23.b. Number of victims of THB originating from non-member states (for each country of origin please give the name of the country and the number of victims originating from this country)

Name of the country of origin (Not answered)
 Number of victims originating from this country (Not answered)

Comments on statistics for 2009

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(Not answered)