

Bulgaria: Regulation of labour market intermediaries and the role of social partners in preventing trafficking in human beings for labour exploitation

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1. National definitions

Please provide, where they exist, definitions of the following key terms:

- Labour market intermediary (LMI)

Law on Employment Promotion: Right of intermediary services in employment are employers and those seeking employment (Art. 27. (1)). Intermediary employment services are organised and provided by (art.27. (2)) National Employment Agency; by persons who are entitled to perform intermediary services for employment under Bulgarian law, the law of another country - member of the European Union or another country - party to the Agreement on the European Economic Area or the Swiss Confederation. Mediation services include: 1. Information and/or consultation to job seekers and employers; 2. Psychological support to job seekers; 3. Referral to appropriate programs and measures for employment and training; 4. Aimed at training adults; 5. Referral and support for employment, including other location in the country or in other countries.

- Temporary Work Agency (TWA)

The TWA issues are covered mainly by the Employment Promotion Act, (26, 27, 27a, 28 and 29) for intermediation, chapter 8a - for enterprises that provide temporary work, and the Labour Code (8a). TWA should be registered by the National Employment Agency, and maintain insurance or bank guarantee in the amount of 200 000 lev (102 040 EUR). The aim for this requirement is to ensure salaries and social security contributions of employees to be hired by them to provide temporary work. Information on registered agencies that provide temporary work is updated monthly by the Employment Agency. There is no special distinction between TWA and LMI, though both are intermediaries on the labour market.

- Employment Placement Agency (EPA)

There are no EPA regulations at the Bulgarian Legislation. The distinction is between state LMI and Private Agencies – LMI, or Agencies for temporary work.

- Other forms of LMI

There are websites, offering free employment positions, as well as training and consultations to employers and employees. For example, such labour market intermediary is www.jobtiger.bg - a career website and agency for recruitment, member of the Business Group JobTiger. The company was established in November 2000 by the Bulgarian-American Enterprise Fund, based in Sofia, Bulgaria. Such services (information campaign, prevention of trafficking in general, or consultation and LM Intermediation) are provided by another website for work, qualification and HR services - www.karieri.bg

- Trafficking for labour exploitation

One interesting [analyses](#) of definitions in the Bulgarian legislation about labour exploitation and trafficking is made by Vl. Stoyanova. The author claims that *“Forced labour as a purpose of human trafficking can be defined based on the ILO definition and on ECtHR’s judgments. However, there are indicators that at a national level, force labour is defined differently. For example “the forced labour as an element of the crime of human trafficking in the Bulgarian Criminal Code does not have the same meaning as the definition of forced labour in the ILO Convention.”* The forced labour is defined in the context of human trafficking as *“any work or service demanded from a person which he or she has not accepted voluntarily and has been motivated to do through the means of force, threat or any other illegal means [Stoyanova’s translation]”*. Comparatively, in the study on human trafficking in Bulgaria, published by the Bulgarian Judges Association, Iva Pushkarova claims that *“forced labour is any denial or delay of remuneration and that forced labour is extant in case of any violation of labour law standards. ... There is no consent to do a job when there is no knowledge of the elements of the working conditions (including place, time, duration, regime and remuneration). Pursuant to her submission, when incorrect information as to the working conditions is provided, one cannot infer consent.”*

- Forced labour

- According to the Law for combat of trafficking *“Exploitation is illegal use of human beings for debauchery, removal of organs, tissues, cells or body fluid from the victim, for forced labour, begging or holding the person in servitude, slavery or practices similar to slavery”*.
- Forced labour, according to Bulgarian legislation¹ prohibited (Art. 48, para. 4 of the Constitution of the Republic of Bulgaria) constitute constitutionally violation on labour rights of citizens, which is not determined by national legislation.

¹ In order to clarify the definition of applicable international instruments to which Bulgaria is a party, please refer to the acts: ILO Article 2, Convention 29 and Convention 105 of the ILO are applied.

2. Statistics

Please provide data for the last three available years for the following:

	TRAFFICKING CASES FOR THE PURPOSES OF LABOUR EXPLOITATION AND DOMESTIC SERVITUDE	OTHER FORMS OF LABOUR EXPLOITATION NOT SPECIFICALLY IDENTIFIED AS TRAFFICKING
2013	44 victims in total: 11 female, 33 male	no data available
2012	66 victims in total, no information by gender	no data available
2011	91 victims in total: no information by gender	no data available
2010	34 victims in total: 23 male, 11 female	no data available

Source: [Report of the activities of the National Commission for Combating Traffic in Human Beings for 2013](#)

At the National Commission for Combat of Trafficking of Human Beings, 105 signals has been received in 2013, from which – 24 (about 28 persons) were about trafficking with labour exploitation.

Note: Data has been provided by the Supreme Cassation Prosecution, included at the annual report of the [National Commission for Combating of Trafficking of the Human Beings](#). The numbers provided concern victims in court cases closed in 2013 for offenses under Chapter Two of the Criminal Code: Offences Against the Person Section IX Trafficking (art. ÷ 159 and Art. 159g CC) incl. and Chapter IV, Section I - Crimes against marriage and the family (art. 182b) CC: pre-trial proceedings related to human trafficking, according to the relevant texts of the Criminal Code, movement and results thereof, incl. at the trial stage.

3. Legislation

Please provide details of the following legal provisions:

3.1 Registration or licensing systems for LMIs.

According to Mrs. Elka Mileva, state expert in „Labour policy and labour mobility” at the Ministry of Labour and Social Policy, the new aspects of the policy on the labour market related to private companies - intermediaries are regulated by the recent amendments to the Employment Promotion Law (art. 26-29) and the Ordinance on the conditions and procedures for conducting mediation in employment.

The registration of LMI is as follows (Ordinance on the conditions and procedures for conducting mediation in employment, art 5): “Brokerage recruitment is carried out:

- The persons operating under the Bulgarian legislation (Art. 3 pt. 1) after registration at the Employment Agency and the issuance of a certificate of registration by the Minister of Labour and Social Affairs or by an authorized officer;
- The persons operating under legislation of EU country or member of European Economic Area (Art. 3 pt. 2) after prior notification to the Minister of Labour and Social Affairs or his authorized officer.

In order to increase the effectiveness of control activities, new regulations for the registration and cancellation of registration of intermediaries will be provided. The intermediaries [are obliged](#) to keep an electronic register of applicants and persons employed. This register is maintained in the electronic database of the Employment Agency. Thus the Employment Agency has daily information on the activities of business firms - LMI.

The specialised control over the activities of intermediaries is done by Executive Agency "General Labour Inspectorate", Direction "International Labour Migration". Every year the Inspectorate is developing its action plan, which includes priorities and activities of the control work.

In terms of prevention of human trafficking annually Executive Employment Agency and the General Labour Inspectorate to the Minister of Labour and Social Policy participate in activities included in the national program for prevention and combat human trafficking and protection of victims. This program is developed and coordinated by the National Commission for Combating Trafficking in Human.

The Ministry of Labour and Social Policy through its Department of Social and Labour Affairs at the Embassy of the Republic of Bulgaria in EU Member States provides useful information and consultation relating to the recruitment and activity of labour market intermediaries in the territory of the respected state. Periodically job fairs and meetings with employers for employment are organized.

3.2 Special provisions for cross border recruitment or posting.

Law of Employment Promotions includes such possibility – the persons having legal right to operate as LMI (Art.27, para. 2., (2), (4), Art. 28. (1)) perform brokering of employment in the Republic of Bulgaria, and in other countries and for sailors based on registration with the Employment Agency. Any mediation contract with a foreign employer, including the ship-owner shall be registered in the Employment Agency.

3.3 Are there any special legislation or rules, regulations or procedures specifically aimed at preventing trafficking in human beings activities which apply to LMIs?

Law for combating the trafficking of Human Beings (art.13-31) describes the general tasks on prevention, but not specifically to LMI's or traffic for labour exploitation, but for the human traffic in general.

3.4 Are there any other forms of relevant regulation (including non-binding, voluntary or self-regulation) within the LMI sector?

Attracting employers and Human resources experts in combating trafficking is another good practice. "Manpower Bulgaria" (<https://candidate.manpower.com>) as one of the main partners of the National Commission for Combating Trafficking in Human Beings (NCCTHB) follows the Athens principles, and takes participation in prevention activities.

Note: There is an Association of the Registered information intermediaries for work abroad, but it was not possible to make a contact - the NGO has no website, all other contact information seems to be out of date. Some [media](#) publications indicate for its existence, but the NGO seems active years ago.

3.5 What specific legal measures exist for combatting trafficking, forced labour, or labour exploitation? How are cases detected and measures enforced?

In 2002, Bulgaria adopted a new Chapter IX "Human Trafficking" in the Penal Code criminalize the offense of "trafficking in persons". In 2003 the Act was passed to combat human trafficking, which created the institutional framework for the development, implementation and monitoring of national policy and strategy to combat human trafficking. Bulgaria developed different measures in combating trafficking in human beings: creation of a National Commission for Combating Trafficking in Human Beings, Council of Ministers and Local Commissions for Combating Trafficking in Human Beings at high risk municipalities (with high unemployment rate, Roma populated, close to the border, etc.) develop an annual national program to prevent and combat trafficking and protection of victims, establishing a specialized sector "human Trafficking" at the General Directorate "Combating Organized Crime" to the Interior Ministry and others.

One more legislative regulations, strictly related to trafficking, is [the Law for combat to traffic of Human Beings](#), describing interaction, the powers and tasks of state bodies involved in combating trafficking in human beings; The status and objectives of the shelters, centers and commissions under this Act to provide protection and assistance to victims of human trafficking; measures to prevent and combat trafficking in persons; measures to protect and assist victims of trafficking in persons, especially women and children; under special protection of victims of trafficking who cooperate with

the investigation. This Act is to ensure cooperation and coordination between state and local authorities, and between them and non-governmental organizations to prevent and combat human trafficking and the formation of national policy in this area.

Explanation of definitions (What is Trafficking of Human Beings) according to the national and international legislation, main kind of trafficking and a review of related legislation, main kind and reasons for trafficking (socio-cultural, economic, psychological, geo-political) is [published](#) by the National Commission for Combating Trafficking in Human Beings (NCCTHB). The main reasons for trafficking have been defined by NCCTHB as follows:

- Socio-cultural - low literacy breakdown of the system of moral values, racism and ethnic discrimination, media influence, incl. Internet;
- Economic - poverty, underdeveloped economy, unemployment;
- Psychological - a sense of helplessness and insecurity, previous experience with domestic and / or sexual abuse, unrealistic life planning, unsatisfactory personal and social relationships, drug abuse, violence at school or general social violence (isolation, ignoring) and others.
- Geo-political - labour mobility, refugee flows, international organized crime, and geographical position.

4. Social partner actions

Please give details of any actions undertaken by social partners to combat trafficking for labour exploitation in LMIs:

4.1 Collective Agreements

No such practices identified.

4.2 Codes of practice or practices specifically aimed at preventing trafficking for labour exploitation.

Framework agreements between the Bulgarian social partners and European ones in supporting the workers mobility, defence of labour right and prevention of labour exploitation. Such agreements are in order to prevent exploitation and to provide support in dealing with complex cross-border processes. Mobile workers need to be consulted and supported in asserting their rights. According to trade unionists, such close cooperation between Bulgarian and other countries is crucial in terms of union membership of mobile workers. For instance, a framework agreement between CITUB and Union of trade unions in Germany (DGB) has been signed, and cooperation was [established](#); Confederation of Labour “Podkrepa” has [signed](#) such partnership agreements with trade unions from Great Britain (together with CITUB), Italy, France and Cyprus.

Confederation of Labour “Podkrepa” participated in [project](#) "BeGIN" - „Bulgarian – German information network for mobility and social security rights“ at the beginning of 2013. The main aim of the project was to increase the public awareness and especially for Bulgarian migrant workers in Germany about the transfer of social security rights. The main partners are CL “Podkrepa”, ARBEIT UND LEBEN HAMBURG, part of German Trade Union Federation, municipalities and Volkshochschulen.

[Project “United Social Security European Systems”](#) - CL "Podkrepa" informs Bulgarian citizens who intend to fulfill their employment of the labour market in the UK, Italy or Belgium, for the opportunity to receive additional information about the documents that are useful to prepare and to learn more about labour, social security and health insurance in all three countries, and to understand what are the main institutions where they can receive assistance and protection of their rights there.

CL “Podkrepa” prepares [analyses](#) of the mobility of the working force and increasing the level of adaptation in different countries, providing useful information for workers, willing to search for labour abroad, for example about Germany within [Fair mobility Network project](#) - the free movement of people, legislation, current economic situation, trade unions, works. CITUB also organizes [consultations](#) for Bulgarians, going to work in Germany.

CITUB Leaflet [“The knowledge is security”](#) consist the minimum necessary information for the Bulgarians in order to start work in Germany.

CITUB [supports](#) the Bulgarian workers in Cyprus as well as contribute for development of the cooperation between Bulgarian and Cyprus trade unions toward the protection of labour rights of the Bulgarian citizens working in Cyprus. CITUB prepared [analyses](#) of the working conditions of the Bulgarian employees in Cyprus.

Union of the Bulgarian Teachers and Ministry of Education created [web platform](#) with useful information especially for the young people, consisting also information about the work abroad.

4.3 Other social partner activities

Another activity is the support campaign for liquidating the forced labour of ILO, organized by [CITUB](#), and by CL [“Podkrepa”](#).

The interviewed stakeholders emphasized that all efforts are focused on comprehensive, nationwide campaign by which to increase the knowledge of people about the risks of labor exploitation. Efforts to change the legislation already are in place. Employment Agency is publishing an updated list of intermediaries in the labor market, but experts say it is important the people - potential victims, to understand the need they should search such information. The main focus on combating trafficking used to be related to sexual exploitation, but since 2010 the institutions started to make efforts on labour exploitation issues.

5. NGOs

Please identify any NGOs having a specific role in combatting trafficking for labour exploitation, or supporting workers affected:

The NGOs, operating in Bulgaria, working toward the combat of traffic for labour exploitation, are as follows:

- [Bulgarian Helsinki Committee](#), Independent non-governmental organisation for the protection of human rights - main field of activity is human rights protection; working on cases of trafficking for sexual and labour exploitation.
- [Foundation for access to rights – FAR](#) – main field: Establishment of effective mechanisms to guarantee access to rights in practice and effective protection against arbitrary deprivation of rights. Working in trafficking prevention with [information campaign](#) for people who intent to work abroad.
- [Bulgarian Gender Research Foundation](#) - gender issues, work in prevention of traffic – for example with the [project](#) for better access to legislative protection for traffic victims in Bulgaria and Greece.
- [Alliance against domestic violence](#) and all participated NGOs: [Bulgarian Gender Research Foundation](#), [BFW – Bulgarian Fund for Women](#); [Women’s company „Ekaterina Karavelova” – Silistra](#); [Association “Naya”, Targovishte](#); [Foundation „Skills of Positive Personality in the Society“](#); [Centre “Open door”, Pleven](#); [SOS families at risk foundation](#), Varna; [Association “Demetra”, Burgas](#); [Association "Centre Dynamic" – Russe](#).
- Association [“Neglected Children”](#) – main activities - working on child crime, children with deviant behaviour and child sexual exploitation, working against trafficking of children.
- [Animus Foundation](#), main activities as center for rehabilitation, counseling, psychotherapy and psychoanalysis, working with victims of traffic, member of ([La Strada International](#))
 - The National Hotline for Victims of Violence – operated by Foundation “Animus Association”: Telephone: 0800 186 76
 - National Hotline for Children – operated by the State Agency for Child Protection and Foundation “Animus Association”: Telephone: 116 111
- [Caritas Russe](#) (in Bulgarian). Main activities are toward support programs of vulnerable groups, victims of trafficking as well. Caritas manages [Migration office](#), supporting refugees, migrants of victims of trafficking.
- [Diva Foundation](#) - working on support toward women and children, victims of violence (traffic, incl.)
- [The Bulgarian Branch of the Global NGO A21](#), specialised at combating all forms of trafficking of HB, informing, attracting volunteers, part of a global NGO network against trafficking.

6. Good practices

Please give examples of good practice in the combat of trafficking for labour exploitation in LMI:

[According to the National Commission for combating trafficking in human beings](#), the following activities could be defined as good practices:

- [National Referral mechanism for guidance and support victims of trafficking](#) – identification and guidance, protection and support, social integration. The National Referral Mechanism is a cooperative framework through which state agencies fulfill their obligations in relation to the care of victims by coordinating their efforts in a strategic partnership with the civil society. The main objectives of the National Referral Mechanism is to ensure that the human rights of victims of trafficking are defended and to provide effective care and referral of victims to appropriate services.
- Transnational [MECHANISM FOR ANTI-TRAFFICKING IN ROMANIA AND BULGARIA](#), funded by the European Commission, DG Justice, Freedom and Security and is co-funded by Caritas France. Start date 31.12.2008 and lasts 26 months. The project aim is to create a safe environment for young people in Danubian border regions, implementing joint preventive actions against the risk of human trafficking, in accordance with the current new conditions after the accession of Bulgaria and Romania in the EU. The project implemented training activities in Ruse and Bucharest for different target groups - youth, representatives of various institutions, NGOs, local authorities and media. Dissemination of knowledge through campaign in the area around Giurgevo and Ruse - identified as high risk areas. Expanding the information on www.anti-trafficking.info.
- An important example of prevention work is the campaigns on prevention of labour exploitation in relation to picking blueberries in the Kingdom of Sweden (2013 and 2014), together with the Ministry of Interior, Ministry of Foreign Affairs, Ministry of Labour and Social policy, the national network of mediators and other relevant institutions and organizations. For example, NCCTHB together with National Employment Agency initiated massive information campaign via [media](#) about the possibilities to work abroad (in Sweden as well).
- Preparation of a handbook „Prevention of the trafficking of representatives of Roma ethnic Group“, as a part of the project "Prevention of trafficking of people from ethnic groups, with focus on Roma minority in Bulgaria", done by the Commission in Varna in partnership with the Bulgarian Association of Family Planning and Sexual Health, Association “National Network of Health Mediators”, Varna Municipality and Association “Partnership”, and financed by the Embassy of France in Bulgaria, Permanent Representation of France to the United Nations Office and other international organizations in Vienna and the Embassy of France in Romania. The handbook is used as a base in the field, which is carried out within the project.

- The National Commission for Combating Trafficking in Human beings works in popularisation of so-called Athens Ethical Principles for prevention of human trafficking (Athens Ethical Principles, adopted in Athens, 23 January 2006) created for business community and private sector in order to raise awareness of the Bulgarian Business, and to be motivated to follow the principles.
- The General Secretary of the National Commission for Combat Trafficking in Human Beings pointed as a good practice the creation of the [European business platform for combating human trafficking to the European coordinator](#) (separate projects funded by the EU creation of this platform) as part of the EU strategy to combat human trafficking and similar to the platform of NGOs / civil sector. In these projects and the platform as a whole the companies are encouraged to actively participate in the labour market.
- Outside of the main campaigns in 2013, for the campaign of 2012 the National Commission for Combating Trafficking in Human Beings and Postbank organized several exhibitions of posters created by students from the Department of "Fine Arts" at the New Bulgarian University on "human Trafficking". The exhibition, titled STEP 2 FREEDOM, which was exposed for the first time in 2013 in Sofia, then visited Plovdiv, Pazardzhik and Blagoevgrad. The exhibitions were organized by National CCTHB Local CCTHB together with the municipalities and attracted wide public interest toward the problem.

Some other good practices are:

- BULGARIAN PROJECT AGAINST TRAFFICKING IN WOMEN AND GIRLS (November 1, 2003 - February 28, 2004); Funded by the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH - The [project](#) contributes to the development of specialized programs for women and girls, and victims of trafficking.
- [PROJECT](#) FOR PREVENTION OF YOUTH TRAFFICKING (July 1, 2006 - 30 June 2007) Funded by Geneva Global: The main objective of the project is the development of a modern comprehensive anti traffic campaign focused on prevention of human trafficking among young people. Campaign welcomes new trends directed and focused on the needs of young people and the reasons why they prefer going abroad. The project contributed to an increased susceptibility to forms of trafficking in adolescents and young, as well as the general public; developing skills of young people to recognize the risks and develop protective behaviour; The results of the projects are prevention consultations through the hotline; Since July 2006, the provision of therapeutic and social counselling for victims of trafficking continued; a special information section at the website was created, new informational materials were tested and created to inform the youth about the possible risks of trafficking.
- "Safe return of victims of trafficking and victims of domestic violence which do not possess permit residence or with uncertain residence" (On 11.26.2012 - 6/30/2014 AD), financed by the program ISEC of the European Union with executing Federation of shelters organization for victims of violence in the Netherlands Foundation" Association Animus is a project partner. The [aim of the project](#) is to develop and apply a methodology for safe return and reintegration of victims of human trafficking and domestic violence. Clients who wish to return to their country of origin will be assisted to move; clients who have already returned will be supported in their reintegration efforts in the home country. Another part of the project is desk research on the factors that hinder

safe return and reintegration, the most common countries of origin of clients, and possible partners in Netherlands and abroad.

- "Supporting the rights of victims of trafficking in Bulgaria, Slovakia and Romania receive legal aid - approach based on human rights" (January 2013 - December 2015), funded by the ISEC Programme of the European Union by executing organization Netherland Helsinki Committee Foundation
- "Ngo & Co: Cooperation between NGOs and the business sector in fighting traffic people" (May 2013 - April 2015), financed by the Programme "Prevention of and Fight against crime in European Union" with implementing organization International Network against Trafficking in Human Beings "La Strada". Foundation Animus is a Partner. The project aims to "address the issue of (employers' and consumers') demand and supply for products and services that involve the use of forced and trafficked labour. In order to achieve this aim, the project objective is to strengthen the cooperation between grassroots organisations and the business sector in effectively preventing and addressing human trafficking."
- NCCTHB and the "Centre Nadia" are partners of the Greek NGO "The Smile of the Child" and participated in the project "Children who are victims of traffic - our responsibility" (VICTOR-Victims In Child Trafficking: Our Responsibility). The project is funded by the European Commission Programme "Prevention of and Fight against Crime". The project partners are international organizations and 15 other government agencies and non-governmental organizations from 7 countries in the region - Slovenia, Romania, Bulgaria, Greece, Serbia, Moldova and Ukraine. Aim of the project is to create a partnership between a wide range of actors, both public and private, and in particular the improvement of cooperation between non-governmental organizations working in the field, aimed at strengthening the capacity of the establishment of joint actions related to priorities enshrined in the EU Strategy for the elimination of trafficking for the period 2012 - 2016 r.
- [Project "BeGIN"](#) - „Bulgarian – German information network for mobility and social security rights“ at the beginning of 2013. The main aim is to increase the public awareness and especially for Bulgarian migrant workers in Germany about the transfer of social security rights. The main partners are CL “Podkrepa”, ARBEIT UND LEBEN HAMBURG, part of German Trade Union Federation, municipalities and Volkshochschulen.

7. Research

Please identify any significant studies published since 2010 relating to trafficking for labour exploitation (other than official statistics elsewhere mentioned). These may be academic studies or those produced by NGOs or regulatory bodies. Any citing case studies of good practice are of particular interest:

- [Collection of Analyses and Research Findings](#) about trafficking victims: Fair trial for trafficking victims, 2009r. , Association of judges in Bulgaria, ISBN: 978-954-92585-1-6,
- Centre for the Study go Democracy, [Trafficking of women in Bulgaria](#): victims, ways of implementation and trends, July 2009

- A [study](#) of post-traumatic experience of victims of trafficking in the Czech Republic, Hungary, Italy and Portugal (2010) consisting some data about Bulgarians, made on the request of Department for equal opportunities to the Government of Italy and the International Centre for development of Migration Policies. The survey is done through the project ‘Development of transnational mechanism for referring the victims of traffic between countries of origin and countries- destinations.
- Sociological research "Human trafficking, immigration, sexual exploitation" (2009), on the request of the National Commission for Combat of traffic of Human beings. The study was conducted by Mediana agency at the national level and in the regions of Varna and Sliven, and was attended by over 1,500 people aged between 15 and 35 years. See the full study material [here](#).

Some older surveys:

- Bulgarian Helzinki Committee is publishing various examples about trafficking, recovering problems that the particular victim had, and how the situation ended. For example: [“Trapped in unclear advertisements”](#)
- Sociological [Survey](#) “Hour of the class“ about the effectiveness of the methodology to make education at schools about the traffic of human beings and the level of information of the pupils. The survey has been conducted in 3 000 schools in Bulgaria in 2009r.
- Sociological [Survey](#) “Traffic of Human Beings – connotations, meaning, attitudes, expectations toward institutions“, April 2008
- Sociological Survey “Public opinion and public attitudes toward the traffic of human beings“, 2008, - quantitative research of 1502 persons, aged 18 +, the full material could be seen [here](#).

8. Views of social partners

Please give details of the views of the social partners on trafficking for labour exploitation:

The main activity of Confederation of Labour “Podkrepa” in prevention of trafficking with labour exploitation, according to experts from the trade union, is related to research of workers mobility. The research is directed to destinations as Germany, Cyprus, Belgium, Italy, Spain, etc. The main project idea is to create communication between trade unions in different countries in order to support foreign workers. When someone has problems, related to the labour legislation, of working conditions, or is a victim of traffic – to be possible to receive support from the local representative of a trade union. The most effective communication was created with trade unions in Germany – signing bilateral agreement. Through the project BeGIN (referred as a good practice), the Bulgarian workers in Germany are informed and trained about their labour and social security rights.

When asked what can be done to prevent this type of trafficking, trade unionists find that the media need to be used as a means of information campaigns. The problem is to target those employees who work in the informal economy, because victims are reluctant to report if receiving money "under the table". There are cases where even the employer intentionally allows the worker to "steal" in order subsequently to "hold" this information. The other important case is recruiting for gray and black economy of vulnerable groups such as children from their homes for social institutions without parental supervision.

9. Public discussion

Has there been any recent political or media discussion of trafficking in general, and specifically relating to LMIs? Please give details :

The active public discussion is related to cases of trafficking, problems with the work of licenced LMI. For example, in April 2014 such problems were reported in [media](#) information about investigation of LMI accused in trafficking for labour exploitation in Germany. The company helping workers to start working in Germany was found guilty for serious abuses. Victims have reported that they were forced to work in inhumane conditions and the payment was less than promised. Investigators found that the LMI is registered at the Employment Agency, but has no contracts with specific employers in Germany. The clients filled in questionnaires with lots of personal information. Then they were sent to Poland, where to sign contracts in Polish, without any translation of the clauses.

The main efforts of all the stakeholders are directed toward the prevention of trafficking in general, as well as the regulations and information campaigns about using LMI in order to prevent people to become victims in labour exploitation. For example:

- How to find a work – information, provided by National Employment Agency.
- Joint efforts to create a common informational [platform](#) between the Employment Agency and private LMI.
- [National Campaign for prevention of traffic with labour exploitation](#),
- [The informational campaign of A21](#)
- [Media campaign](#) of the local commission for Combat of Trafficking of Human Beings at the municipality of Blagoevgrad - the main efforts in 2014 are toward the combat of trafficking with labour exploitation
- Media publications and videos

10. Comments from national correspondents

Do you have any further comments of relevance to the theme of this study?

Our major observation is that the combating of trafficking with labour exploitation received special attention in the last 15 years (legislative changes, more informational work, creation of special state institutions, collaboration with NGOs, social partners, national and international projects). The data available is only for registered victims, and the institutional efforts are directed to the data adequacy and the innovative ways for collecting more information from various sources.

References

[17 companies have been registered as TWA](#), 17.02.2015

Stoyanova, Vl., The Crisis of a Definition: Human Trafficking in Bulgarian Law. Amsterdam Law Forum, [S.l.], v. 5, n. 1, p. 64-79, (2013) ISSN 1876-8156. Available at: <http://amsterdamlawforum.org/article/view/307/475> >

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Stoynov, Al. Criminal Law: special part. Crimes against Human Rights, S., Ciella, 1997 (in Bulgarian).

[Rules for implementation of the law on the promotion of employment](#)

[Differentiation of human trafficking of related criminal activities, Iva Pushkarova APB Bulletin, December 2009](#)

The collection “[Fair trial for victims of trafficking](#)” includes analysis developed in the implementation of a project of the Union of Judges in Bulgaria from March 2009 to April 2010 with the financial support of Iceland, Liechtenstein and Norway through the Financial Mechanism of the European economic Area (“Norwegian structural Fund”). The research team includes Dr. Iva Pushkarova (Head), Dr. George Petrunov Georgi Kirilov, Dr. Nadia Stoykova and among consultants of the study is Assoc. Prof. Vladimir Velinov

[Report of the activities of the National Commission Anti-Human Trafficking for 2013](#)

Borislav Gerasimov, La Strada International: Traffic of Human Beings: labour exploitation, 29.08.2013

140 victims of traffic with labour exploitation, 19.06.2014

[The juridical TV magazine TEMIDA, Labour Exploitation](#)