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Invisible Victims: An Analysis of Human Trafficking Vulnerability and Prevention in Bulgarian Romani Communities

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INVISIBLE VICTIMS: AN ANALYSIS OF HUMAN TRAFFICKING
VULNERABILITY AND PREVENTION IN BULGARIAN ROMANI
COMMUNITIES

A Thesis

Presented to

the Faculty of the Josef Korbel School of International Studies

University of Denver

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

by

Eric Helms

June 2013

Advisor: Edward Thomas Rowe

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ABSTRACT

Human trafficking is an international problem that plagues every country in the world. Although no reliable concrete data exist on the extent of human trafficking internationally, it is estimated that thousands of women are trafficked into the European Union every year. According to research conducted by the European Roma Rights Centre in 2010, a disproportionately high percentage of these victims are of Roma ethnicity. Research from service providers, law enforcement and international organizations estimates that Roma comprise between 50 to 80 percent of human trafficking victims in Bulgaria with similar levels across Central and Eastern Europe. High levels of ethnic and gender discrimination, poverty and social exclusion compounded with low levels of employment and educational achievement make the Roma particularly vulnerable to this egregious human rights violation.

This thesis aims to examine the underlying causes of the overrepresentation of Roma among victims of trafficking, the previous and current human trafficking prevention efforts by governmental and non-governmental organizations, and their efficacy in reaching Romani populations. Finally, the author provides suggestions for the improvement of human trafficking prevention and awareness efforts in order to best address the problem and reach the most vulnerable Romani communities and individuals.

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CHAPTER ONE: INTRODUCTION

Statement of Problem

Human trafficking is an egregious human rights violation that affects every country in the world. It is estimated that 880,000 people are victims of human trafficking in European Union Member States today with a majority of victims being trafficked for the purpose of sexual exploitation.¹ The accession of Bulgaria and Romania into the European Union in 2007 and the resultant reduction of barriers to travel and residence within the European Union have led to an increased flow of human trafficking victims from the east. In fact, recent research indicates that more victims of human trafficking from Bulgaria have been detected within the European Union than any other country.²

Research by the European Roma Rights Centre documented that among victims of human trafficking from Bulgaria, between 50 to 80 percent come from the Roma ethnic minority.³ With a population of between 10 to 12 million, the Roma are Europe's largest and most marginalized ethnic minority group. High levels of ethnic

¹ Council of Europe, *Second General Report on GRETA's Activities: Covering the Period from 1 August 2011 to 31 July 2012* (Strasbourg: Council of Europe, 2012), 4; United Nations Office on Drugs and Crime, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment* (Vienna: UNODC, 2010), 44.

² European Union, *Trafficking in Human Beings* (Luxembourg: Publications office for the European Union, 2013), 13.

³ European Roma Rights Centre, *Breaking the Silence: Trafficking in Romani Communities* (Budapest: European Roma Rights Centre, 2011), 11.

discrimination, poverty and social exclusion compounded with low levels of employment and educational achievement place the Roma in a particularly vulnerable position to human trafficking.

Methodological Approach

Combatting human trafficking requires a holistic, multidimensional approach by governmental and non-governmental actors, law enforcement, civil society, communities and individuals. General awareness raising activities, specialized prevention work, education and training, demand-side reduction and the prosecution of perpetrators are all essential when addressing the issue. This research does not attempt to address all of these factors but seeks to thoroughly examine the issue of prevention and its direct relation to vulnerable Romani communities in Bulgaria. The framework is thus a practical approach rather than a theoretical approach. It aims to answer three fundamental questions:

1. What are the underlying factors creating an overrepresentation of Roma as victims of human trafficking in Central and Eastern Europe?
2. What is currently being done to address these factors?
3. What can be done to improve human trafficking prevention in Romani communities in order to reduce vulnerability and prevent future exploitation?"

One of the primary objectives of this study is to provide realistic, concrete recommendations for human trafficking prevention in Romani communities. As a human rights researcher, it is one's duty to examine not only the issues that either create or exacerbate a problem but to provide a framework and map for improving the situation.

Accordingly, this research places a strong emphasis on providing tangible and realistic recommendations for improving human trafficking prevention work in Romani communities. It is the researcher's intention that the results of the study be supplemented with concentrated, high-quality research addressing the other aspects of human trafficking prevention in order to best combat this egregious human rights violation.

Thesis Outline

The thesis is structured to provide the reader with a complete picture of the context in which human trafficking occurs and the social, political and cultural factors that contribute to the phenomenon. Chapter Two introduces the research methodology and framework including site selection, the informed consent process, and the limitations of the research.

Chapter Three provides a brief history of the Roma, examines the impact of democratization in Europe on Romani communities following the fall of Communism in the late 20th century, and discusses the current social and political situation in Central and Eastern Europe.

Chapter Four introduces the topic of human trafficking and is divided into three sections. The first section discusses human trafficking in a European context to provide the reader with a general view of the issue. The following section examines the Bulgarian anti-trafficking framework and the relevant international and national standards pertaining to human trafficking in the country. Finally, the third section discusses the intersection of human trafficking and Roma in Bulgaria including the representation of Roma among victims of trafficking and the perceptions of anti-trafficking actors.

Chapter Five explores the concept of vulnerability and examines the factors that increase the vulnerability of Roma to human trafficking. This chapter shows the relationship between the social exclusion of Roma and their subsequent increased risk of falling into exploitative situations.

Chapter Six provides a more detailed analysis of human trafficking prevention. The first section examines the concept of prevention and the variety of prevention activities implemented by governmental and non-governmental anti-trafficking actors. The second section outlines previous and current prevention work in Bulgaria including preventive measures aimed specifically at Romani communities.

Chapter Seven discusses the results of field and desk research, and examines them within the context of the previous presented material. It provides a critical analysis of the current prevention work being implemented in Bulgaria and examines the gap between the stated goals of anti-trafficking actors and the actual programs being implemented.

Finally, Chapter Eight provides recommendations on how to improve human trafficking prevention work to better reach vulnerable Romani communities. The recommendations examine a wide scope of work including direct and indirect human trafficking prevention work to reduce the social exclusion and marginalization of Romani communities and individuals.

Limitations

Although the researcher's previous experience and familiarity with some of the participants may introduce some bias in the research's results, all efforts were made to avoid inaccurate or misleading information through the corroboration of information with

outside sources. Similarly, due to the geographical focus of aspects of the research some organizations and localities are underrepresented.

The voices of victims and survivors are also underrepresented in this thesis. The difficulties in accessing survivors and the risks of re-traumatization were weighed considerably when planning the research and it was decided to focus on vulnerable Romani individuals and their perceptions of human trafficking and prevention work. However, it is important to note that the input of survivors of human trafficking from Romani communities would provide a valuable viewpoint for future research.

Although the study largely focuses on prevention work in Bulgaria, it is the researcher's hope that the findings and recommendations can be used in similarly marginalized Romani communities throughout Europe. However, significant differences exist in every Romani community and the information included in this study neither claims to be nor is representative of Romani communities everywhere.

CHAPTER TWO: METHODOLOGY

Research Design

The research and methodology were developed with the input of professors from the University of Denver and adapted throughout the researcher's time working with the European Roma Rights Centre (ERRC) on the 2011 report *Breaking the Silence: Trafficking in Romani Communities*. As the report developed and took shape, this research was designed with the intention of further examining the results of the ERRC report through an in-depth and critical analysis of human trafficking prevention work in Bulgaria.

Breaking the Silence: Trafficking in Romani Communities aimed to examine the extent of human trafficking of Romani individuals, identify vulnerability factors that placed Romani individuals at an increased risk to trafficking, and outline the current prevention, protection and prosecution efforts in the researched countries.⁴ The study was conducted in five Central and Eastern European countries: Bulgaria, Czech Republic, Hungary, Romania and Slovakia. The results of the research found that Romani victims were significantly overrepresented among victims of human trafficking in all five of the examined countries. The opinions of anti-trafficking experts, service providers and law enforcement on current prevention work highlighted a significant misalignment between

⁴ European Roma Rights Centre, *Breaking the Silence: Trafficking in Romani Communities*, 10.

the target groups of governmental and non-governmental prevention activities and the communities perceived to be at the highest risk of human trafficking. Additionally, the research confirmed that there is a substantial dearth of sound data and effective policy to prevent human trafficking in European Romani communities despite the prevalent perceptions of Roma vulnerability.⁵

Research Methods

A combination of desk and field research was identified as the most effective methods for examining the topic and achieving the previously identified objectives and goals. The desk research involved critically examining an array of published materials including: reports by governmental and non-governmental organizations in the fields of human trafficking, human rights and Roma rights; international and national policy on human trafficking prevention, prosecution, and protection of victims; international and national policy designed to improve Roma integration and social inclusion; international, national and regional media; and academic research.

Field research was conducted by the researcher in Bulgaria between September and December 2010 and later between December 2011 and November 2012. The researcher used qualitative research methods including semi-structured interviews, participant observation and the use of key informants. In order to best understand the nature of the issue, the researcher interviewed representatives from the National Commission to Combat Trafficking in Human Beings, Local Commissions to Combat Trafficking in Human Beings, international and national anti-trafficking non-

⁵ Ibid.

governmental organizations, regional Roma rights non-governmental organizations, social service providers, human trafficking experts, Roma rights experts, informal community leaders and Roma community members. In total, formal and informal interviews were conducted with 29 representatives from these organizations and communities. A full list of the interviewed organizations can be found in the Appendix.

Semi-structured interviews with key informants, community leaders and Roma community members were chosen due to the researcher's previous experience with the individuals and the communities in which they live and work. Three expert key informants were interviewed throughout the research process in order to provide consistent feedback on the findings of the research. All three key informants lived and worked in localities that were identified by the National Commission to Combat Trafficking in Human Beings as high-risk regions for human trafficking.

The researcher utilized participant observation and informal focus groups in order to gauge the perceptions of various Roma communities towards human trafficking, social services, discrimination and human trafficking prevention work. These research methods were conducted in Bratsigovo and Pazardzhik, and through human trafficking awareness and educational outreach sessions with Romani high school students as a part of the "Together Forward" Youth Leadership Camps implemented by the Areté Youth Foundation.

Informed Consent Process

In order to ensure the safety and privacy of the study's participants and minimize the risk of misrepresentation and bias, the methodology was designed to meet the ethical

guidelines outlined by the University of Denver's Institutional Review Board for the Protection of Human Subjects. In accordance with ethical guidelines, all participants were asked to acknowledge their informed consent before participating in any aspect of the research. Participants were informed that their participation in the research was completely voluntary and that they could refuse to answer any questions that made them uncomfortable or discontinue the interview at any time.

Multiple informed consent forms were designed in order to meet the specific needs of all participants. The forms explained the nature of the research, confidentiality and security issues, and provided contact information for the researcher, thesis advisors, and members of the Institutional Review Board. The forms were available in both English and Bulgarian. For participants who were unable or unwilling to give their written consent, a verbal consent was created in both languages. Additionally, respondents were asked for their consent to be audio taped during their participation. Those respondents who agreed were shown how to operate the digital audio recorder and were given the option to turn the recorder on and off at will.

All forms pertaining to the research were reviewed and approved by the University of Denver's Institutional Review Board for the Protection of Human Subjects. Additionally, researchers from the European Roma Rights Centre reviewed and provided feedback on all forms in order to ensure that the highest of ethical standards were met.

CHAPTER THREE: THE ROMA OF EUROPE

The democratization of many Central and Southeastern European countries in 1989 signified a marked decline in the wellbeing of the Roma, more so than any other social group in the region.⁶ Under socialist regimes, Roma were recruited into mainstream employment while being assimilated primarily into industrial and agricultural positions.⁷ Although the positions were unskilled and low paying, the security associated with full employment resulted in a relative stability in housing and healthcare.

However, the transition to a free-market system upon democratization led to the breakup of many state industries and the closure of unprofitable factories and collective farms.⁸ In the newly established free-market system, employment positions were more frequently associated with high qualifications, which a majority of Roma did not possess, resulting in high levels of unemployment among Romani populations. As unemployment rose, Romani populations experienced a decrease in their access to quality education, healthcare and housing, exacerbating negative perceptions from the majority population

⁶ Dena Ringold, Mitchell A. Orenstein, and Erika Wilkens, *Roma in an Expanding Europe: Breaking the Poverty Cycle* (Washington D.C.: The World Bank, 2005), 3.

⁷ Gabriela Mirescu, *Social Inclusion and Cultural Identity of Roma Communities in South-Eastern Europe* (Bern: Swisspeace, 2011), 6.

⁸ Ringold, Orenstein, and Wilkens, *Roma in an Expanding Europe*, 3.

and leading to open racism and discrimination.⁹ Regarding the decline in living standards and socio-economic status of Europe's Romani populations, the World Bank stated, "Widespread poverty of Roma in the Central and South-eastern European region was almost entirely due to the loss of their former jobs in the Communist economy."¹⁰

The Current Situation

With an estimated European population of between 10 to 12 million people, the Roma are the continent's largest ethnic minority group.¹¹ Although Roma have the same rights and duties as majority populations in the European Union and its neighboring countries, "they in fact form a group that is disadvantaged in several respects and is particularly vulnerable to social exclusion, poverty and discrimination."¹² As a result, it has been said that "by measures ranging from literacy to infant mortality to basic nutrition, most of the region's Roma endure living conditions closer to those of sub-

⁹ United Nations Development Programme, *Roma Education in Comparative Perspective: Findings from the UNDP/World Bank/EC Regional Roma Survey* (Bratislava: United Nations Development Programme, 2012), 9.

¹⁰ Will Guy, Andre Liebich, and Elena Marushaikova, *Improving the Tools for Social Inclusion and Non-Discrimination of Roma in the EU* (Luxembourg: Publications Office of the European Union, 2010), 10.

¹¹ European Commission, *The Situation of Roma in an Enlarged European Union* (Luxembourg: Office for Official Publications of the European Communities, 2004), 9.

¹² Council of the European Union, "Council Conclusions on Inclusion of the Roma: 2914th GAC Meeting," Dec. 8, 2008, <http://europa.eu/rapid/pressReleasesAction.do?reference=PR ES/08/359&format=HTML&aged=0&lg=fi&guiLanguage=en>.

Saharan Africa than to Europe’’¹³ Suffice it to say, the situation facing Romani populations in Europe is hardly an optimistic one. Research published by the European Parliament in 2008 summarized the situation by stating:

Racial and ethnic discrimination and stereotyping hinder the access of Roma to the labour market, with the consequence of much higher rates of unemployment and significantly lower levels of income. This also has negative consequences upon access to housing and social services. They have lower levels of education and professional skills, affecting Roma women in particular. Additionally they suffer poorer health than the rest of the population.¹⁴

The reality is that Europe’s Romani populations are living in a cycle of marginalization and social exclusion exacerbated by structural forms of discrimination and racism. Levels of education, employment, health and standard of living are drastically lower than that of their European counterparts and are continually declining despite the growing importance of “the Roma situation” in the international community. The consequences of discrimination, marginalization and social exclusion of Roma will be further examined in Chapter Five when discussing Romani vulnerability to human trafficking.

¹³ Ronald McNamara, “The Human Rights Situation of the Roma: Europe’s Largest Ethnic Minority,” June 16, 2006, http://csce.gov/index.cfm?FuseAction=ContentRecords.ViewWitness&ContentRecord_id=745&ContentType=D&ContentRecordType=D&ParentType=B&CFID=19230508&CF_TOKEN=31508356.

¹⁴ Institute per la Ricerca Sociale, *The Social Situation of the Roma and their Improved Access to the Labour Market in the EU* (Brussels: European Parliament, 2008), 22.

CHAPTER FOUR: HUMAN TRAFFICKING

Human trafficking is a multifaceted and complex human rights violation that affects every country in the world. It is estimated that nearly 21 million people are victims of sexual exploitation and forced labor around the world today with a majority of victims being females.¹⁵

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Children and Women defines human trafficking as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the 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. Exploitation shall include, 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 organs¹⁶

The definition has been uniformly adopted into relevant European Union legislative documents including Directive 2011/36/EU of the European Parliament and of the Council on preventing and combatting trafficking in human beings and protecting its victims, Council Framework Decision 2004/68/JHA on combatting the sexual

¹⁵ International Labour Organization, *ILO Global Estimate of Forced Labour: Results and Methodology* (Geneva: ILO, 2012), 13-14.

¹⁶ UN General Assembly, “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime,” November 15, 2000, <http://www.unhcr.org/refworld/docid/4720706c0.html>.

exploitation of children and child pornography and Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings.¹⁷

Policy Framework

European Context

The end of the Cold War in Europe triggered an unprecedented flow of human trafficking from Eastern Europe into Central and Western Europe. Over 95 different nationalities of human trafficking victims have been detected in the region, more than any other known destination in the world.¹⁸ A majority of these victims come from the Balkan states and the former Soviet Union, most notably Bulgaria, Moldova, Romania, Ukraine and Russia.¹⁹ The accession of Bulgaria and Romania into the European Union in 2007 and the resultant reduction of barriers to travel and residence within the European Union further increased the flow of human trafficking victims from the east. Research by the International Labour Organization published in the summer of 2012 estimates that 880,000 people are victims of human trafficking in European Union Member States with a majority of victims being trafficked for the purpose of sexual exploitation.²⁰

¹⁷ Veronika Bilger and et al., *Study on the Assessment of the Extent of Different Types of Trafficking in Human Beings in EU Countries* (Vienna: International Centre for Migration Policy Development, 2010), 7.

¹⁸ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 44.

¹⁹ Ibid.

²⁰ Council of Europe, *Second General Report on GRETA's Activities*, 4; United Nations Office on Drugs and Crime, *The Globalization of Crime*, 44.

With the increasing importance of anti-human trafficking efforts in Europe in recent years, a variety of anti-trafficking legislation has been developed to help stem this growing human rights violation. However, the increased anti-trafficking efforts within the region have been accompanied by a proliferation of scapegoating by European Union Member States in order to justify human rights violations and derogations from national and international human rights obligations. Ultra-nationalist parties and European Union Member State governments have increasingly used human trafficking as rhetoric to support anti-migration and anti-immigrant policy throughout Europe.²¹ In 2008, Italian Prime Minister Silvio Berlusconi issued a “Nomad Emergency Decree” in three Italian prefects which allowed the State to derogate from the “rules of law in force” to adopt specific measures aimed at Roma, Sinti and other undocumented third country nationals living in “nomad camps.”²² Two years later, French President Nicolas Sarkozy commenced a nation-wide plan to demolish over 300 Romani camps and begin mass expulsions of Bulgarian and Romanian Roma who were illegally residing within the country. The President’s office justified the demolitions by stating that the camps were “sources of illegal trafficking, profoundly shocking living standards, exploitation of children for begging, prostitution and crime”.²³

²¹ Prime examples of ultra-nationalist parties are the Jobbik party in Hungary and the Ataka party in Bulgaria.

²² Open Society Foundations, “*Roma in Italy: Briefing to the European Commission*,” (Briefing to the European Commission, October 18, 2010).

²³ Saltmarsh, Matthew, “Sarkozy Toughens on Illegal Roma,” *New York Times*, July 29, 2010, accessed February 20, 2011, http://www.nytimes.com/2010/07/30/world/europe/30france.html?_r=1&scp=1&sq=rom

With human trafficking on the rise, the increasing misuse of the phenomenon to support discriminatory conduct and the growing risk to thousands of men, women and children throughout Europe, the need for effective anti-trafficking measures has never been greater.

Bulgarian Anti-Trafficking Framework

International Legal Standards

Bulgaria is party to a wide range of international and regional treaties concerning human trafficking. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereafter referred to as the Palermo Protocol) and the Council of Europe's Convention on Action against Trafficking in Human Beings (CoE Convention) represent the two most important international legal instruments for preventing human trafficking, prosecuting offenders and protecting victims to which Bulgaria is a party.

The Palermo Protocol, ratified by Bulgaria in 2001, is an international multilateral treaty that aims to:

Prevent and combat trafficking in human beings, paying particular attention to women and children; to protect and assist victims of such trafficking, with full respect for their human rights; and to promote cooperation among State Parties in order to meet those objectives.²⁴

More specifically, the Palermo Protocol requires international cooperation from State Parties for the repatriation of victims (Article 8), prevention of trafficking in

a%20trafficking%20camps&st=cse.

²⁴ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, <http://www.unhcr.org/refworld/docid/4720706c0.html>.

persons (Article 9), information exchange and training (Article 10), border measures (Article 11), and the legitimacy and validity of documents (Article 12).²⁵

On a regional level, the Council of Europe Convention on Action against Trafficking in Human Beings remains the most significant European treaty regarding human trafficking. Adopted by the Committee of Ministers of the Council of Europe in May 2005, the CoE Convention entered into force in February 2008. It is a legally binding instrument that aims to improve upon the anti-trafficking instruments already in place to increase cooperation and encourage Members States to go beyond the minimum standards outlined by previously established international instruments. As of March 2013, 39 Council of Europe Member States have ratified the CoE Convention – including Bulgaria on April 17, 2007 – with four Members States signing but not ratifying the convention (Estonia, Greece, Hungary and Turkey).²⁶ In comparison to the Palermo Protocol, the CoE Convention binds ratifying Members States to a higher level of obligation in combatting human trafficking, particularly in regards to victim protection, assistance and redress.²⁷ The stated purposes of the convention are:

To prevent and combat trafficking in human beings, while guaranteeing gender equality; to protect the human rights of victims of trafficking, design a

²⁵ Ibid.

²⁶ Council of Europe, “Council of Europe Convention on Action against Trafficking in Human Beings CETS No.: 197,” Council of Europe, May 16, 2005, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=1&DF=&CL=ENG>.

²⁷ International Centre for Migration Policy Development, *The Way Forward in Establishing Effective Transnational Referral Mechanisms: A Report Based on Experience in Cases of Human Trafficking in South-Eastern Europe* (Vienna: International Centre for Migration Policy Development, 2012), 39.

comprehensive framework for the protecting and assistance of victims and witnesses, while guaranteeing gender equality, as well as to ensure effective investigation and prosecution; to promote international cooperation on action against trafficking in human beings.²⁸

A 2011 report concerning the implementation of the CoE Convention states:

To be effective, and given the nature of the phenomenon, a strategy for combating trafficking in human beings must adopt a co-ordinated and multidisciplinary approach, incorporating preventing, protection of victim' rights and prosecution of traffickers. The Convention contains various provisions in each of these three areas, places obligations on states to take appropriate measures, in partnership with civil society and in co-operation with others states.²⁹

In addition to the Palermo Protocol and the CoE Convention, Bulgaria's accession into the European Union in January 2007 bound it to a number of directives in the field of human trafficking. The European Union has promulgated multiple decisions in combatting human trafficking to which its Member States are bound, in particular Directive 2011/81/EC of the European Parliament and of the Council of 5 April 2011 on preventing and combatting trafficking in human beings and protecting its victims. The Directive requires Member States to establish and implement monitoring mechanisms for anti-trafficking policy at a national level, encourages the development of common indicators for the identification of victims, and urges for increased cooperation among Member States through the sharing of information and best practices.³⁰ Furthermore, the

²⁸ Council of Europe, "Council of Europe Convention on Action against Trafficking in Human Beings CETS No.: 197," Council of Europe, May 16, 2005, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=1&DF=&CL=ENG>.

²⁹ Council of Europe, *Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bulgaria* (Strasbourg: Council of Europe, 2011), 5.

³⁰ International Centre for Migration Policy Development, *The Way Forward*, 45.

European Union adopted Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration and who co-operate with the competent authorities.

In addition to the aforementioned anti-human trafficking instruments, Bulgaria has ratified the following human rights treaties related to human trafficking: the Convention on the Elimination of All Forms of Discrimination Against women (CEDAW), the Convention on the Rights of the Child (CRC), the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the Option Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC). As a party to these international human rights treaties, Bulgaria is required to meet the obligations and duties outlined within the documents in order to protect the human rights of individuals and groups.

Combatting Trafficking in Human Beings Act

The Combatting Trafficking in Human Beings Act (Anti-Trafficking Law), adopted by the Council of Ministers in 2003, is the primary law pertaining to combatting human trafficking in Bulgaria. The law outlines the legal obligations of state authorities involved in combatting human trafficking, as well as the relations between them; the status and objectives of the shelters, centers and anti-trafficking commissions established under the law; preventive measures; measures aimed at protecting and supporting victims

of human trafficking; and the special protection of victims who agree to cooperate in investigations.³¹ Furthermore, Article 1 states the Act's intention to ensure:

Co-operation and co-ordination between the bodies of state and the municipalities, as well as between them and the non-governmental organizations (NGOs), with a view to preventing and defying trafficking in human beings and developing the national policy in that area.³²

Regarding human trafficking prevention measures, Chapter Four of the Anti-Trafficking Law outlines the tasks of the National Commission for Combatting Trafficking in Human Beings (NCCTHB or National Commission) in three main areas. Article 14 tasks the National Commission with initiating and taking part in the development and implementation of measures aimed at creating equal social and economic opportunities for risk groups; ensuring public awareness of human trafficking, victim protection, and penal and administrative measures; and the development and implementation of education programs in schools and for at-risk groups.³³

National Commission for Combatting Trafficking in Human Beings

The primary anti-trafficking body in Bulgaria is the National Commission for Combatting Trafficking in Human Beings. Established in 2004 in accordance to Article 7(3) of the Anti-Trafficking Law, the NCCTHB is responsible for the development and implementation of anti-trafficking national policy and strategy. The Commission develops and oversees the National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of Victims (National Programme) which

³¹ Republic of Bulgaria Council of Ministers, "Combating Trafficking in Human Beings Act," May 20, 2003, <http://www.unhcr.org/refworld/docid/4c2deaf22.html>.

³² Ibid.

³³ Ibid.

outlines the primary goals, tasks and objectives of the NCCTHB on an annual basis.

Among the Commission's specific functions, it is responsible for:

1. Organizing and coordinating cooperation between relevant agencies, non-governmental organizations and international organizations;
2. Determining and administering national policy in the area of combatting human trafficking;
3. Promoting research and statistical analysis of human trafficking data;
4. Developing and implementing awareness and educational campaigns aimed at potential human trafficking victims;
5. Developing training programs for officials and service providers in the field of human trafficking and;
6. Managing and supervising the activities of the local commissions for combatting trafficking in human beings and the centers for victim support and protection.³⁴

Article 5 of the Anti-Trafficking Law stipulates that the NCCTHB is responsible for establishing, managing and supervising Local Commissions for Combatting Trafficking in Human Beings (Local Commissions). The Local Commissions are headed by a deputy mayor and are composed of three to seven representatives from relevant local bodies including local government, law enforcement, non-governmental organizations, teachers, psychologists and lawyers.³⁵ Each Local Commission is responsible for:

1. Organizing and coordinating cooperation between relevant agencies, non-governmental organizations and international organizations;
2. Implementing the national policy and strategy for combatting trafficking in human beings on a regional level;
3. Implementing the National Programme for prevention and countering of trafficking in human being and protections;

³⁴ Ibid.

³⁵ Ibid.

4. Assisting in research, analysis and statistical reporting on human trafficking data;
5. Contributing to international cooperation for prevention;
6. Developing and implementing awareness and educational campaigns at a regional level and;
7. Implementing training programs for regional-level officials working in the field of human trafficking prevention.³⁶

There are currently seven Local Commissions functioning in Bulgaria in the towns of Burgas, Montana, Pazardzhik, Plovdiv, Ruse, Sliven and Varna. Their locations were chosen due to the high prevalence of human trafficking within their respective regions and the perceived risk of trafficking in the region.³⁷ The work of the Local Commissions is supervised and funded by the NCCTHB with additional funding from their respective municipalities.

Relevant Anti-Trafficking Organizations

In addition to the NCCTHB and the Local Commissions, many international and regional non-governmental organizations work within the Bulgarian anti-trafficking field in the areas of research, prevention and the protection of victims. The follow section will provide an overview of the organizations working in the field of human trafficking prevention on both a regional and national level.

³⁶ Ibid.

³⁷ Interview with Antoneta Vasileva (Executive Secretary, National Commission for Combatting Trafficking in Human Beings), interview by Eric Helms, November 15, 2010.

International Organization for Migration

The International Organization for Migration (IOM) in Bulgaria is the primary partner of the Bulgarian government and the National Commission to Combat Trafficking in Human Beings in developing effective response mechanisms to combatting human trafficking within the nation.³⁸ The organization has partnered with the NCCTHB in the development and implementation of a multitude of projects related to the National Programme for Combatting Trafficking in Human Beings and Protection of Victims. The primary projects of IOM in the field of human trafficking are:

1. Reintegration and Protection Assistance of Victims and Witnesses of Human Trafficking in Bulgaria;
2. Creation of a Network of Information Centres for Immigrants in Bulgaria;
3. Assisted Voluntary Return and Reintegration Programs for Third Country Nationals; and
4. Improving the Quality of Unaccompanied Minor Asylum Seekers' (UAMAS) Guardianship in Central Europe Countries.³⁹

Regarding human trafficking prevention, IOM works primarily in schools and other children's institutions and relies on lectures, presentations of documentary films, discussions and theatrical productions. The organization's prevention work is generally

³⁸ "Bulgaria – International Organization for Migration", accessed January 23, 2013, <http://www.iom.int/cms/en/sites/iom/home/where-we-work/europa/european-economic-area/bulgaria.html>.

³⁹ Ibid.

implemented through partnering organizations or through the provision of financial support to organizations working in the field of trafficking prevention.⁴⁰

Face to Face

Face to Face is a non-governmental organization founded in 2002 that focuses on education and prevention of human trafficking. The organization's primary target groups are students and children who have the potential to become victims of human trafficking. Awareness raising activities include film screenings of their award-winning trafficking film *Svetlana's Journey*, the distribution of workbooks for students in middle schools and high schools on a national level, and through the training of students with the intention of peer-to-peer training based on the "pay-it-forward" model.⁴¹

Animus Association

Animus Association is a Sofia-based non-governmental organization that was founded in 2004 with the goal of fostering healthy communication between people and gender equality in the Bulgarian community.⁴² The organization's primary activities are:

1. The establishment and operation of specialized centers for the professional help of survivors of violence including domestic violence and human trafficking;
2. The development and conduction of educational and training programs;
3. Experience exchange with similar organizations on an international level; and

⁴⁰ Interview with Radislav Stamenkov (Representative, International Organization for Migration – Sofia), interview by Eric Helms, November 4, 2010.

⁴¹ Interview with Magdalena Valtchanova (President, Face to Face Bulgaria), interview by Eric Helms, November 25, 2013.

⁴² "Mission, History and Goals | Animus Associations", accessed January 13, 2013, http://www.animusassociation.org/?page_id=37.

4. Organizing conferences and workshops on the problems of women, family and mental health.⁴³

In addition to operating shelters for victims of domestic and sexual violence, and human trafficking, Animus Association has been actively involved in the anti-human trafficking field on a variety of levels since the organization's inception. From 2008 to 2010, the organization worked with the NCCTHB in the development of the Bulgarian National Referral Mechanism to provide protection and support for the integration and social inclusion of trafficking victims. Additionally, they are responsible for maintaining and operating a national hotline for victims of violence.⁴⁴ The organization also works on human trafficking prevention in a variety of areas including the development and distribution of brochures and leaflets about human trafficking, and general awareness raising activities through workshops, seminars and public events such as film festivals.⁴⁵

Overall Situation in Bulgaria

Bulgaria is primarily a country of origin for human trafficking and to a lesser extent, a destination and transit country. In addition to internal trafficking, primarily to larger towns and tourist destinations on the Black Sea, women and children are trafficked internationally to the Netherlands, Belgium, France, Austria, Italy, Germany, the Czech Republic, Finland, Greece, Spain, Norway, Poland, Switzerland, Turkey, Cyprus,

⁴³ Ibid.

⁴⁴ "Projects | Animus Associations", accessed January 13, 2013, http://www.animusassociation.org/?page_id=80&lang=en.

⁴⁵ Interview with representative from Animus Association, interview by Eric Helms, November 11, 2010.

Macedonia, South Africa and the United States.⁴⁶ Four types of human trafficking have been identified in Bulgaria: sexual exploitation, forced labor, exploitation for begging and petty theft, and the sale of babies.⁴⁷

A recent study by the European Commission found that more victims of human trafficking from Bulgaria have been detected within the European Union than any other country.⁴⁸ Additionally, the report found that Bulgaria has a higher rate of identified and presumed victims per capita than all but two other European Union countries, approximately 5.7 victims per 100,000 inhabitants.⁴⁹ In this regard, little has changed in recent years. In 2009, the United Nations Office on Drugs and Crime reported that “in terms of the severity of the flow and the wide range of destinations of the trafficking, [Bulgaria and Romania] are more prominent than any other European origin countries.”⁵⁰ Animus Association estimates that over 10,000 Bulgarian women become victims of human trafficking each year.⁵¹

⁴⁶ United States Department of State, *2012 Trafficking in Persons Report - Bulgaria*, June 19, 2012, <http://www.refworld.org/docid/4fe30cc223.html>.

⁴⁷ European Roma Rights Centre, *Breaking the Silence*, 33.

⁴⁸ European Union, *Trafficking in Human Beings*, 13.

⁴⁹ *Ibid.*, 31.

⁵⁰ United Nations Office on Drugs and Crime, *Trafficking in Persons: Analysis on Europe* (Vienna: United Nations Office on Drugs and Crime, 2009), 11.

⁵¹ Georgi Petrunov, *Sex Trafficking and Money Laundering: The Case of Bulgaria* (Sofia: RiskMonitor, 2010), 41.

In previous years, the most frequently used method for recruiting victims by Balkan-based criminal groups was the promise of employment.⁵² However, recent years have seen a shift in methods to recruitment through personal contacts including relatives, friends and acquaintances.⁵³

Representation of Roma Among Victims of Human Trafficking

There is a significant dearth of concrete official data about human trafficking of Roma in Europe. The research that exists has been general in nature and focused primarily on Roma as a vulnerable group without attempting to assess the representation of Roma among victims of trafficking. This lack of information can be attributed to both the difficulties associated with collecting data on human trafficking as well as the reluctance of governments and relevant anti-trafficking organizations to collect disaggregated data by ethnicity.

Anti-trafficking organizations and governmental agencies have not attempted to accurately determine the scale human trafficking of Roma but have often cited their increased vulnerability to human trafficking. The Group of Experts on Action against Trafficking in Human Beings noted that the Romani community represents a high-risk group for human trafficking⁵⁴ Additionally, reports by the European Union Agency for Fundamental Rights and the Organization for Security and Co-operation in Europe stated

⁵² United Nations Office on Drugs and Crime, *The Globalization of Crime*, 40-41.

⁵³ Interview with representative from Animus Association, interview by Eric Helms, November 11, 2010.

⁵⁴ Group of Experts on Action against Human Trafficking, *Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bulgaria* (Strasbourg: GRETA, 2011), 31.

that Roma are particularly vulnerable to human trafficking due to social exclusion and a lack of official documentation that make them “invisible” to state institutions and authorities.⁵⁵

Although a lack of concrete data exists in regards to human trafficking of Roma, research by international organizations suggests that Roma are significantly affected by human trafficking and are highly overrepresented among victims of trafficking in many Central and Eastern European countries. A 2011 report by the European Roma Rights Centre indicates that Roma compose between 50 to 80 percent of human trafficking victims in Bulgaria.⁵⁶ It was found that Roma were trafficked for the purposes of sexual exploitation, forced labor, exploitation for begging and petty theft and the sale of babies.⁵⁷

Respondents from the Local Commission to Combat Human Trafficking in Pazardzhik and representatives from the Sofia-based anti-trafficking organization Animus Association confirmed the study’s results stating that Roma constitute over 50 percent of

⁵⁵ European Union Agency for Fundamental Rights, *Child Trafficking in the European Union: Challenges, Perspectives and Good Practices* (Luxembourg: Office for Official Publications of the European Communities, 2009), 125; Organization for Security and Co-Operation in Europe, *Building Capacity of Roma Communities to Prevent Trafficking in Human Beings: A Round Table Report* (Warsaw: OSCE Office for Democratic Institutions and Human Rights, 2007), 7.

⁵⁶ European Roma Rights Centre, *Breaking the Silence*, 33.

⁵⁷ *Ibid.*, 153.

victims in Bulgaria.⁵⁸ Representatives from the Local Commission in Burgas estimated the percentage as greater than 80 percent.⁵⁹

⁵⁸ Interview with Tanya Gyunova, (Secretary, Local Commission to Combat Trafficking in Human Beings – Pazardzhik), interview by Eric Helms, October 21, 2010.

⁵⁹ Interview with Rosita Yaneva (Secretary, Local Commission to Combat Trafficking in Human Beings – Burgas), interview by Eric Helms, October 8, 2010.

CHAPTER FIVE: VULNERABILITY

An Overview

The issue of vulnerability is a wide-ranging concept in the field of human trafficking to which there is no broadly accepted definition. Vulnerability itself is often glossed over in favor of the risk factors that are most prevalently found among victims of human trafficking (i.e. poverty and unemployment). However, in order to create an effective response to human trafficking it is necessary to examine not only the factors that increase an individual's risk of trafficking but the idea of vulnerability itself. Preventive work that addresses individual factors without examining their larger context and relation to one another fails to address the true problems at hand and as a result, greatly undermines trafficking prevention as a whole. Unique characteristics of the target group must be carefully assessed while developing preventive measures in order to ensure the most effective program possible.

It is important to examine why some individuals fall into trafficking situations while others living in similar social, cultural or economic conditions do not. With the understanding that vulnerability is not a static condition but one that changes for individuals and groups, the United Nations Office of Drugs and Crime defines vulnerability as “a condition resulting from how individuals negatively experience the complex interaction of social, cultural, economic, political and environmental factors that

create the context for their communities”.⁶⁰ Under this definition, vulnerability factors relate not only to the factors as they pertain to a risk group but also to individuals and their position within their communities. Preventive work must take into account the external conditions of an individual as well as their response to these conditions. For example, poverty in and of itself cannot be considered a static risk factor as not every individual living in poverty falls into a trafficking situation. Rather it is how an individual responds to poverty that must be examined in order to minimize the risk of human trafficking for others living in similar situations.

Roma Vulnerability to Trafficking

Although cultural sensitivities including forced marriages and child begging must be taken into account, the vulnerability factors that increase the risk of human trafficking within Romani communities are not in and of themselves exceptional. High levels of poverty, unemployment, gender inequality and social exclusion are widely considered the primary vulnerability factors for human trafficking worldwide.⁶¹ However, the large concentration of these factors within Romani communities, exacerbated by high levels of discrimination, indicate the extreme vulnerability of many Romani individuals to human trafficking throughout Central and Eastern Europe. This vulnerability is further increased by the failure of national and European social systems to improve access for Romani populations to public services including education, employment services, healthcare and social assistance services. The social exclusion of ethnic minority groups, including the

⁶⁰ United Nations Office of Drugs and Crime, *An Introduction to Human Trafficking: Vulnerability, Impact and Action* (Vienna: UN Publications, 2008), 69.

⁶¹ *Ibid.*, 3.

Roma, who are marginalized due to a variety of complex factors, prevents them from receiving the same rights and protections as members of the ethnic majority. As a result, their income generating opportunities and options to respond to inequalities are limited.

The inextricability of vulnerability factors is of particularly high importance in Bulgarian Romani communities. Vulnerability is systemic and entrenched in a wide range of social, economic and educational issues including education, employment, healthcare, and housing. Fluctuations in one sphere have a profound effect on all other aspects of life, particularly within marginalized and socially excluded populations. Individuals who face inordinately high barriers to accessing high-quality education are more likely to drop out of school at an early age resulting in fewer future employment opportunities in both the formal and informal employment sector. Scarcity of opportunities for employment and income generation locally will force many individuals to search for employment elsewhere, often times migrating under risky circumstances in order to ensure their wellbeing.

A Further Examination of Vulnerability Factors

The most commonly identified risk factors during the research were: poverty, low educational achievement, lack of social or economic opportunities, racial discrimination, the desire to migrate, and low knowledge of human trafficking.⁶² As previously mentioned, these factors are not exceptional for Roma but when examined with the larger

⁶² United Nations Office on Drugs and Crime, *Toolkit to Combat Trafficking in Persons: Global Programme Against Trafficking in Human Beings*, (New York: UNODC, 2008), 423-424.

issues of social exclusion and marginalization, they create a highly vulnerable situation for many Romani individuals in relation to human trafficking.

Poverty

Poverty is a complex social problem that refers to:

Numerous negative conditions, including a lack of food and productive resources; hunger and malnutrition; ill health; limited or no access to education and other basic services; increasing mortality and morbidity from illness; homelessness and inadequate housing; unsafe environments; social discrimination and exclusion; and lack of participation in the decision-making process.⁶³

The measures of poverty are diverse and interrelated. Individuals or families experiencing any of the aforementioned problems will see other areas of their lives negatively affected as well, trapping them in a vicious cycle of poverty with few means of escape. It is estimated that 49 percent of Roma in Bulgaria live under the poverty line, surviving on less than \$4.30 (PPP) per day.⁶⁴ Studies by the World Bank have found that “nearly 9 out of 10 Bulgarian Roma experienced per capita incomes that were equal to the incomes experienced by the poorest four-tenths of the Bulgarian population, with 67% of Roma being among the poorest 20% of all people in Bulgaria.”⁶⁵ Nearly 50 percent of Romani households in Bulgaria do not have canalization and 32.4 percent lack access to running water.⁶⁶

⁶³ United Nations Office of Drugs and Crime, *An Introduction to Human Trafficking*, 68.

⁶⁴ \$4.30 is the poverty line accepted by the World Bank and UNDP for international comparisons in developed economies; United Nations Development Programme, *At Risk: Roma and the Displaced in Southeast Europe* (Bratislava: UNDP, 2006), 67.

⁶⁵ World Bank, *Roma Inclusion: An Economic Opportunity for Bulgaria, Czech Republic, Romania and Serbia* (Washington D.C.: World Bank, 2010), 7.

⁶⁶ European Roma Rights Centre, *Breaking the Silence*, 43-44.

Education

Low educational achievement and inordinately high barriers to accessing quality education were consistently noted among the primary vulnerability factors of human trafficking for Roma in Bulgaria. High dropout rates, poor education quality in unofficially segregated schools, the placement of Romani youth into schools for children with mental disabilities, and functional illiteracy are characteristic within many Romani communities.⁶⁷ These factors, as well as their negative effects on related issues including employment, quality of life, healthcare and decision-making, greatly increase an individual's vulnerability to human trafficking.

Educational achievement levels of Roma in Bulgaria are disproportionately low and significantly lower than those of the ethnic majority. A 2012 study by the United Nations Development Programme found that 86 percent of Bulgarian Roma aged 14 to 20 completed primary education in 2011, 56 percent of Roma aged 17 to 23 completed lower secondary education and a mere 18 percent of Roma aged 20 to 26 had completed upper secondary school.⁶⁸ As of 2008, only .2 percent of the Bulgarian Romani population had completed tertiary education.

Barriers to accessing pre-school and kindergarten education are among the largest contributing factors to the low educational achievement levels found among Bulgarian

⁶⁷ Roma Education Fund, *Advancing Education of Roma in Bulgaria: Country Assessment and the Roma Education Fund's Strategic Decisions* (Budapest: Roma Education Fund, 2007), 10-33.

⁶⁸ United Nations Development Programme, *Roma Education in Comparative Perspective: Findings from the UNDP/World Bank/EC Regional Roma Survey* (Bratislava: UNDP, 2012), 21-22.

Roma. Recent World Bank studies have found that attending pre-school and kindergarten has a positive effect on Romani children's self perceived cognitive skills and self-confidence while lowering the probability of attending special schools, receiving social assistance and dropping out of school before the completion of secondary school.⁶⁹ Despite the positive correlation between pre-school and kindergarten attendance and educational success, only 45 percent of Romani children in Bulgaria attend such schools compared to 81 percent of children from the ethnic majority.⁷⁰

The low levels of pre-school and kindergarten attendance can be partially attributed to the costs associated with pre-school education and the insufficient knowledge of the language of school instruction for many Romani children. Although public education in primary and secondary schools in Bulgaria is free, there are direct and indirect costs when enrolling children in pre-school including enrollment fees, school materials, books, clothing and food.⁷¹ Additionally, due to the spatial segregation of Romani neighborhoods and the lack of interaction between Roma and non-Roma, particularly at a young age, a significant portion of Romani children do not sufficiently speak or read the Bulgarian language. In fact, two-thirds of Roma children under seven years of age live in households who speak Romani at home as a first language.⁷²

⁶⁹ Joost de Laat et al., *Toward an Equal Start: Closing the Early Learning Gap for Roma Children in Eastern Europe* (Washington DC: World Bank, 2012), 33-36.

⁷⁰ United Nations Development Programme, *Roma Education in Comparative Perspective*, 33.

⁷¹ Roma Education Fund, *Advancing Education of Roma in Bulgaria*, 10.

⁷² *Ibid*, 61.

Furthermore, the illiteracy rate among Romani adults is estimated to be approximately 20 percent.⁷³

Finally, systemic segregation remains one of the most problematic hindrances to educational achievement for Roma in Bulgaria. Although official segregation of schools does not currently exist, the isolation of Romani communities has created an educational system in which Romani children often attend schools that are predominantly segregated. According to one estimate, 78 percent of Roma in Bulgaria live in either Romani neighborhoods or neighborhoods with a predominantly Romani population.⁷⁴ As a result, Romani children must either attend primary and secondary schools within the Romani neighborhood or commute to the schools in the center of town. Community leaders and key informants frequently mentioned that the educational quality in predominantly Roma schools is inferior to that of the one in schools attended by the majority population. The schools that are predominantly attended by Roma students are understaffed and rely on outdated school materials, and inexperienced teachers and administrators.⁷⁵ Romani students who desire to attend schools located outside of Romani neighborhoods are forced to commute long distances with the threat of harassment or violence in order to attend higher quality schools.

⁷³ United Nations Development Programme, *Faces of Poverty, Faces of Hope: Vulnerability Profiles for Decade of Roma Inclusion Countries*, (Bratislava: United Nations Development Programme, 2004), 11.

⁷⁴ Open Society Institute, *Equal Access to Quality Education for Roma: Volume 1*, (Budapest: Open Society Institute, 2006), 91.

⁷⁵ Interview with Minko Minkov (Expert on Work with Ethnic and Minority Issues – Pazardzhik Municipality), interview by Eric Helms, November 29, 2010.

Lack of Social and Economic Opportunities

A direct consequence of the barriers to accessing quality education and the resulting low educational achievement levels is unemployment. The lack of disaggregated data by ethnicity in regards to employment, and high levels of Roma involvement in informal employment make it difficult to precisely estimate employment levels. The Council of Europe estimates that 70 to 80 percent of Bulgarian Roma are unemployed while some Romani NGOs estimate numbers as high as 90 percent.⁷⁶ The inclusion of informal employment provides only a slight improvement with unemployment rates estimated at 67 percent.⁷⁷

However, involvement in informal employment does not necessarily ensure a higher quality of living for those involved.⁷⁸ Exclusion from formal labor markets is characterized by lower incomes, poor job quality, inadequate social protection and decreased stability in response to economic downturns.⁷⁹ Social assistance, including health insurance and unemployment benefits, are reliant on an individual's participation in the formal employment sector. Additionally, employers hiring Roma without formal

⁷⁶ Council of Europe, *Human Rights of Roma and Travellers in Europe* (Strasbourg: Council of Europe Publications, 2012), 157-158; Interview with Minko Minkov (Expert on Work with Ethnic and Minority Issues – Pazardzhik Municipality), interview by Eric Helms, November 29, 2010.

⁷⁷ World Bank, *Roma Inclusion*, 7.

⁷⁸ Informal employment is understood as employment for which income is not reported for tax and social security purposes and for which no formal employment contract is recognized.

⁷⁹ United Nations Development Programme, *At Risk*, 44.

contracts avoid following state regulations on employment conditions and minimum wage requirements. As a result, Bulgarian Romani men earn on average one-third less than men from the majority population.⁸⁰

Discrimination

The connection between discrimination and human trafficking vulnerability is strong and pervades nearly all areas of life including education, employment, healthcare and housing. The marginalization, social exclusion and discrimination experienced by Roma are mutually reinforcing and exacerbate the already large challenges they face in their daily lives. Negative perceptions and discrimination by the majority population limit educational and economic opportunities for Roma, which in turn increase their vulnerability to trafficking.

Research by the European Union Agency for Fundamental Rights in 2009 found that Roma are the most discriminated of seven minority groups in the European Union in their access to employment, housing, healthcare, education and bank services.⁸¹ Furthermore, studies have found that Bulgaria has one of the highest levels of discrimination towards Roma in Europe.⁸² Bulgarian respondents in a variety of studies were largely negative in their perceptions of Roma while describing them as a

⁸⁰ World Bank, *Roma Inclusion*, 8.

⁸¹ European Union Agency for Fundamental Rights, *European Union Minorities and Discrimination Survey: Main Report* (Luxembourg: Office for Official Publications of the European Communities, 2009), 15.

⁸² Daniela Tarnovschi, *Roma from Romania, Bulgaria, Italy and Spain between Social Inclusion and Migration: A Comparative Study* (Bucharest: Soros Foundation Romania, 2012), 22-26.

homogeneous group who are responsible for their own problems and disadvantaged position due to their lack of initiative and unwillingness to work or seek work.⁸³ The misconception that Roma would rather take advantage of social assistance than work is prevalent despite evidence to the contrary. Although high levels of poverty exist in many Romani communities in Bulgaria, only 16 percent of working age Romani individuals receive guaranteed minimum income support.⁸⁴ This figure remains well within the reasonable range of expectation for a country in which an estimated nine percent of the total population is Roma.

The persistence of these negative stereotypes can in part be attributed to the mindset of members of the majority population. Despite evidence of high levels of discrimination and racism, Bulgarian respondents to surveys on self-perception stated that their excessive tolerance of the Roma has had a detrimental impact on society and the Roma themselves.⁸⁵ The lack of self awareness in regards to discriminatory behavior creates further difficulties for improving the general situation of Roma in Bulgaria as members of the majority will be resistant to positive behavioral change if they are unaware of faults in their attitudes and perceptions.

⁸³ Open Society Institute – Roma Initiatives, *Current Attitudes Towards Roma in Central Europe: A Report of Research with Non-Roma and Roma Respondents* (Budapest, Open Society Institute, 2005), 10-11.

⁸⁴ World Bank, *Roma Inclusion*, 7.

⁸⁵ Open Society Institute – Roma Initiatives, *Current Attitudes Towards Roma in Central Europe*, 10-11.

Desire to Migrate

The detrimental effects of social exclusion, discrimination and marginality have increased the attractiveness of migration for many Roma in search of better opportunities. Since the country's accession into the European Union in 2007, Bulgarians face decreased barriers for residing and working in other EU Member States and many individuals, both Roma and non-Roma, have taken advantage of this in search of better employment opportunities.

While migration itself cannot be considered a vulnerability factor, the risks associated with migration and an individual's ability to protect himself must be considered. The inordinately large proportion of Bulgarian Roma wishing to migrate can be attributed to both the difficult situation they find themselves in while living in Bulgaria as well as the perception that work is more readily available and higher paying abroad. However, the persistence of widespread anti-Roma discrimination and the inability of states to systematically improve the socio-economic situation of Romani populations in Bulgaria creates a situation in which vulnerable Romani individuals are willing to take excessive risks in order to improve their situation. Individuals who find themselves in desperate situations are more likely to ignore warning signs and risks when looking to migrate in order secure financial stability and improve their quality of life.

A 2008 survey by the Bulgaria Council of Ministers found that over 60 percent of Bulgarian Roma intended to migrate within one year.⁸⁶ The desire to migrate is rooted in the idea that emigration is a good solution to their material problems. Whereas 38 percent

⁸⁶ Daniela Tarnovschi, *Roma from Romania, Bulgaria, Italy and Spain*, 22.

of Bulgarians under the age of 35 believe that emigration will solve their problems, the proportion increased to 48 percent among young uneducated Bulgarians with 33 percent of them coming from the Romani community.⁸⁷

Lack of Awareness and Self-Protection Mechanisms

The final area of vulnerability that must be examined directly correlates to an individual's desire to migrate in search of better opportunities and the ability to protect oneself from trafficking throughout the process. It can be reasonably assumed that if an individual is unaware of human trafficking and uninformed of the possibility that it could occur to them, they will be less equipped to protect themselves from falling into an exploitative situation.

Research by the International Organization for Migration on human trafficking and forced labor found that irregular and undocumented workers are significantly more vulnerable to exploitation due to a lack of awareness of their rights. In fact, many irregular workers believe that they have no rights and as a result, are unable to claim these rights and are disinclined to complain of unfair or exploitive working conditions.⁸⁸

Although awareness of human trafficking in Romani communities is increasing, preventive anti-trafficking initiatives are largely underdeveloped resulting in a lack of

⁸⁷ Republic of Bulgaria Council of Ministers, *“Public Opinion and Public Attitudes Towards Trafficking in Human Beings”* (Sofia: Council of Ministers, 2008), 3.

⁸⁸ Sonia Pereira and Joao Vasconcelos, *Human Trafficking and Forced Labour: Case Studies and Responses from Portugal* (Geneva: International Organization for Migration, 2008), 86.

awareness among the most vulnerable individuals.⁸⁹ Studies by the Bulgarian Council of Ministers found that 25 percent of Bulgarians are unclear as to what human trafficking means. This statistic is substantially higher for many risk groups including 45 percent of young Bulgarians with low educational achievement.⁹⁰

The low levels of awareness among the most vulnerable Romani individuals can be attributed to a lack of prevention activities implemented in Romani communities, inadequate partnerships between anti-trafficking organizations and Romani NGOs working in the field, and a lack of knowledge of tools to combat human trafficking by Romani community leaders.

⁸⁹ Office of Democratic Institutions and Human Rights, *Awareness Raising for Roma Activists on the Issue of Trafficking in Human Beings in South-Eastern Europe* (Warsaw: Office of Democratic Institutions and Human Rights, 2006), 8.

⁹⁰ Republic of Bulgaria Council of Ministers, *“Public Opinion and Public Attitudes Towards Trafficking in Human Beings”*, 1.

CHAPTER SIX: PREVENTION

Preventive Framework

Human trafficking prevention requires a multi-dimensional, international approach that addresses the array of factors contributing to individual and group vulnerability. Vulnerability is largely the result of political, social, cultural or economic factors that fail to ensure equal access and protection to all members of society. A comprehensive prevention program must focus on increasing an individual's capacity to protect them from falling into an exploitive situation as well as address the external factors that create or contribute to the individual's vulnerable position. The United States Agency for International Development (USAID) defines prevention as "any intervention aimed at reducing or eliminating the likelihood of human trafficking and re-trafficking."⁹¹ Within this scope, USAID divides trafficking prevention activities into four main categories:

1. Changing the overall context or environment in which human trafficking occurs. This includes all social, cultural, economic or political factors that increase an individual's vulnerability to human trafficking;
2. Addressing one or multiple factors that may contribute to an increased risk or vulnerability to human trafficking. This may include lack of awareness, inability to access social assistance, economic issues, low educational achievement or illiteracy;

⁹¹ United States Agency for International Development, *Best Practices in Trafficking Prevention in Europe and Eurasia: Final Report* (Washington D.C.: USAID, 2009), VI.

3. Activities aimed at identifying and prosecuting traffickers to establish a legal form of deterrence; and
4. Capacity building and training for officials and other relevant actors to identify potential cases of human trafficking and enable an appropriate intervention prior to their occurrence. This may include activities aimed at border control agents, law enforcement, at-risk youth homes and social workers.⁹²

Furthermore, it is beneficial to examine prevention programs in a more specific context as many preventive activities fall into multiple categories. Prevention activities can include educational awareness training, employment and income generation, individual and group empowerment, crisis prevention and violence mitigation, safe migration programs, demand-side reduction, protection as prevention, and deterrence through criminalization.⁹³

The Organization for Security and Co-operation in Europe (OSCE) has adopted a slightly different human trafficking prevention framework by breaking down prevention-related activities into three broad areas. The first area of prevention pertains to awareness and education for the general public and individuals who have an increased vulnerability to trafficking. The second area of prevention involves the development of social and economic programs to provide positive alternatives to individuals who may be at risk of trafficking. The third and final area of prevention is improved research and data collection in order to understand the scope and nature of trafficking in their localities.⁹⁴ Although the first two approaches to prevention are similar to those recommended by the

⁹² Ibid.

⁹³ Ibid.

⁹⁴ United Nations Office of Drugs and Crime, *An Introduction to Human Trafficking*, 62.

USAID, the focus on improved research and data collection addresses a dire need for reliable concrete data in human trafficking, particularly in regards to Romani communities.

The complexity, breadth and continually changing nature of human trafficking has resulted in a dearth of empirical work examining the factors that contribute to human trafficking and the effectiveness of prevention programs addressing these factors. Inaccurate or insufficient data result in ineffective programs that waste valuable financial and human resources and fail to reduce an individual or community's vulnerability to human trafficking. The lack of research on human trafficking and Romani communities to date has seen a prevalence of these problems throughout Central and Eastern Europe. Absences of ethnically disaggregated data by national governments and non-governmental organizations as well as the perceived inaccessibility of Roma communities have resulted in shallow and superficial research that provides little more than broad generalizations. Reports by the European Roma Rights Centre, International Organization for Migration and Office of Democratic Institutions and Human Rights have begun to more closely examine Romani vulnerability and representation of Roma among victims of human trafficking in Europe but large gaps remain.

Awareness and Education as Prevention

Creating awareness of human trafficking is paramount in beginning to help reduce the vulnerability of Romani individuals to all forms of exploitation and is an essential foundation upon which all other preventive activities are built. Awareness is based on the idea that by learning about the issue, individuals are better equipped to anticipate and

recognize exploitative situations and are therefore better prepared to protect themselves from becoming a victim. Without an established minimum level of understanding, individuals have little means of protecting themselves.

Basic awareness raising activities involve introducing and educating the general public about the existence of human trafficking. These activities are best suited for areas in which the populations are unfamiliar with the concept of human trafficking. The use of trafficking awareness events (e.g., concerts, art exhibitions and theater); television and radio public service announcements; the dissemination of brochures, posters and fliers; and the placement billboards or informational materials on public transportation are all examples of commonly used awareness raising activities. It is assumed that the general public is under-informed about the risks of human trafficking when migrating abroad and that if properly informed, they will either choose to not migrate or take proper precautions to avoid falling into a trafficking situation. To date, this has been the technique that is most commonly used in Europe to prevent trafficking.⁹⁵ Studies have found that general public awareness efforts in Eastern Europe have resulted in high levels of awareness among potential migrants in some vulnerable areas.⁹⁶

⁹⁵ Mark Dottridge, *Measuring Response to Trafficking in Human Beings in the European Union: An Assessment Manual* (Brussels: European Commission, 2007), 32.

⁹⁶ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 52.

However, awareness and understanding of human trafficking among the Romani populations in Bulgaria is limited.⁹⁷ Key respondents throughout the research stated the lack of understanding of human trafficking among Romani individuals, particularly those perceived as being at a higher risk.⁹⁸ Confusion between sexual exploitation and prostitution was frequently seen during conversations with higher risk individuals and during participant observation with Romani high school students. Even among Romani individuals who had comparatively high levels of awareness of human trafficking, understanding of ways to avoid and escape from exploitative situations was rare.⁹⁹

Due to these low levels of awareness, human trafficking prevention in Bulgaria has primarily focused on general awareness building. Since 2008, the NCCTHB has made raising public awareness of human trafficking issues its main prevention-related goal in the National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims.¹⁰⁰ The National Programme is developed and implemented on an annual basis upon the approval of the Council of Ministers. It outlines the goals, main activities and responsibilities of related institutions, including the

⁹⁷ Organization for Security and Co-Operation in Europe, *Awareness Raising for Roma Activists on the Issue of Trafficking in Human Beings in South-Eastern Europe* (Warsaw: OSCE, 2006), 8.

⁹⁸ Interview with Minko Minkov (Expert, Work with Ethnic and Minority Issues – Pazardzhik Municipality), interview by Eric Helms, November 29, 2010.

⁹⁹ Interview with Plamen Tsankov (Director, Future Foundation), interviewed by Eric Helms, October 20, 2010 and informal discussions with Romani teenagers in Pazardzhik, Bratsigovo and Ravda, Bulgaria.

¹⁰⁰ Republic of Bulgaria Council of Ministers, *National Program for Prevention and Counteraction of Trafficking in Human Beings and Protection of the Victims*, available at: <http://antitrafic.government.bg/en/national-programs/national-program-2012>

NCCTHB, in the spheres of human trafficking prevention, protection of victims, prosecution of traffickers, social assistance and reintegration of victims.¹⁰¹

Since its inception, the NCCTHB has organized a variety of general awareness raising campaigns throughout the country. The NCCTHB frequently implements national and regional campaigns in connection to the annual European Anti-Trafficking Day on October 18. These campaigns, implemented in coordination with the Local Commissions, involve a coordinated effort of the publication of informational video clips, public advertisements in the Sofia airport terminal and main metro stations, public service radio announcements, and public awareness events.¹⁰² In 2007, the NCCTHB organized two prevention campaigns entitled “Trafficking in Human Beings: A Time for Action” and “Trafficking in Human Beings Exists” in cooperation with the Ministry of the Interior, the Ministry of Education, Youth and Science, the International Organization for Migration and the anti-trafficking NGOs Face to Face and Nadya Center. The participating organizations planned regional events and trainings sessions, distributed 10,000 brochures and posters, and broadcast an informational clip on one of the national television channels, Nova TV.¹⁰³ In 2008, the NCCTHB developed and disseminated

¹⁰¹ Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Actions against Trafficking in Human Beings by Bulgaria*, 12.

¹⁰² Interview with Antoneta Vasileva (Executive Secretary, National Commission for Combatting Trafficking in Human Beings), interview by Eric Helms, November 15, 2010.

¹⁰³ Republic of Bulgaria Council of Ministers, “Report on the Activity of the National Commission for Combatting Trafficking in Human Beings for 2007,”

electronically a teacher's information packet to over 3,000 high schools throughout the country and held screenings of the film *Cargo: Innocence Lost* in 31 schools in Burgas, Pazardzhik, Sofia and Varna.¹⁰⁴ In 2009, the NCCTHB implemented a national awareness campaign entitled "Better Informed than Exploited". The goal of the campaign was to raise awareness about human trafficking for labor exploitation among young people. In order to achieve this goal the NCCTHB conducted a nationwide essay competition among students, worked directly with students on trafficking prevention in the national office and distributed electronic and printed materials pertaining to human trafficking.¹⁰⁵ The NCCTHB expanded their nationwide awareness program in 2010, 2011 and 2012, implementing a variety of campaigns targeting an increased variety of forms of human trafficking. The "Better Informed than Exploited" campaign was implemented once again and included public awareness advertisements in the Sofia airport terminal, on public benches and in the capital's main metro stations. Additional campaigns included "Where Do You Travel To?" which targeted labor exploitation, "A Summer Without Risk" and "You Are Not for Sale" which focused on prevention among

http://antitraffic.government.bg/images/documents/nacionalni_dokladi/EN_Version/2007/1248249289.pdf, 7-8.

¹⁰⁴ Republic of Bulgaria Council of Ministers, "Report on the Activity of the National Commission for Combatting Trafficking in Human Beings for 2008," http://antitraffic.government.bg/images/documents/nacionalni_dokladi/EN_Version/2008/1248249356.pdf, 12-21.

¹⁰⁵ Republic of Bulgaria Council of Ministers, "Report on the Activity of the National Commission for Combatting Trafficking in Human Beings for 2009," <http://antitraffic.government.bg/bg/nacionalno-dokladi/nacionalen-doklad-2010>, 21.

young people from vulnerable groups, and “Pay It Forward” which distributed 10,000 workbooks and interactive discs to schools across the country.¹⁰⁶

In addition to general awareness programs, anti-trafficking actors must supplement these activities with other preventive measures, particularly when a high level of trafficking awareness has been reached within a certain community or region. An increasing number of studies have found that vulnerable individuals will migrate regardless of their knowledge of human trafficking and the risks associated with migration.¹⁰⁷ As the director of one Romani NGO stated:

The larger part of young girls who we’re conversing with and even at the moment, with other young people we are in contact with say ‘Where I’m sitting I’m not a victim. I’m not thriving but I’m avoiding dying of hunger. If trafficking gives me some kind of opportunity, it’s better there.’ Those are their words because there isn’t an alternative. They don’t have a counteraction to the misery, to the poverty, to the inactivity. In the Roma neighborhood they fall into a situation without an exit.¹⁰⁸

As a result, safe migration projects are becoming increasingly prevalent in human trafficking prevention work. The goal is to provide potential migrants with the knowledge and tools to protect themselves when searching for work or migrating abroad while promoting safe and legal migration. Examples of safe migration projects in Bulgaria have been implemented on a limited basis. Face to Face’s educational workbook, which was created in cooperation with the NCCTHB and IOM, contains a section on safe migration

¹⁰⁶ Republic of Bulgaria Council of Ministers, “Report on the Activity of the National Commission for Combatting Trafficking in Human Beings for 2011,” <http://antitrafic.government.bg/bg/nacionalno-dokladi/nacionalen-doklad-2011>.

¹⁰⁷ United States Agency for International Development, *Best Practices in Trafficking Prevention in Europe and Eurasia: Final Report*, 14.

¹⁰⁸ Interview with Plamen Tsankov (Director, Future Foundation), interviewed by Eric Helms, October 20, 2010.

while the Commission has implemented multiple awareness campaigns promoting safe migration for seasonal work. However, none of these activities have been implemented in Romani communities despite the high levels of migration from Bulgaria to the rest of Europe.

Targeted Measures as Prevention

General awareness raising of human trafficking remains a foundation to human trafficking prevention work in Bulgaria and Europe as a whole. However, once these activities reach and sustain a high level of awareness across a country, they should be reevaluated and modified to more effectively target vulnerable groups. The European Commission recommends designing prevention programs to meet the needs of specific high risks groups to complement general awareness raising efforts.¹⁰⁹

Roma-Specific Preventive Measures

The awareness of Roma vulnerability and instances of human trafficking in Romani communities in recent years has led to a stated shift in priorities on a national level with an increased focus on addressing the underlying causes of trafficking and their relation to vulnerable Romani communities. In 2010, the NCCTHB announced the implementation of a pilot research project in the town of Varna entitled “Prevention of Trafficking, Pertaining to Ethnic Groups, with a Focus on the Roma Minority in Bulgaria”. The specific objectives of the project were to reduce the number of potential Romani victims in the region of Varna, to implement specific measures to prevent early pregnancy among Romani women, to improve knowledge of vulnerable groups of family

¹⁰⁹ Mark Dottridge, *Measuring Response to Trafficking in Human beings in the European Union: An Assessment Manual*, 32.

planning and sexual health, and to increase the level of public awareness on practices related to human trafficking in the Romani community.¹¹⁰ The project was financed by the Embassy of France in Bulgaria, the Permanent Representative of France to the United Nations Office, and the Embassy of France in Romania for a period of two years.¹¹¹ Project partners include the Bulgarian Family Planning and Sexual Health Association National Network of Mediators, the Municipality of Varna and Association “Participation”. This project represents the first project on a national level that partners with a Roma-focused non-governmental organization.¹¹²

The stated project goals are:

1. Raising awareness among the target groups for the mechanisms of involvement in human trafficking, types of exploitation and protection of victims;
2. Changing individual and group attitudes, protection problems and the formation of individual coping mechanisms;
3. Increasing the knowledge and experience of institutions and non-governmental organizations working in risk recognition and adequate intervention; and
4. Reducing the stigmatization accompanying the problem of human trafficking from the Roma community.¹¹³

¹¹⁰ Kotseva, Elena, “The Sale of Babies – a Result of Poverty and Unemployment,” *iNews*, June 19, 2012, accessed November 30, 2012, http://www.inews.bg/България/Продажбата-на-бебета-вследствие-на-бедност-и-безработица_1.a_c.327_i.194140.html.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ “Association Participation – Projects” (Сдружение Съчастие – Проекти in Bulgarian), accessed March 14, 2013, <http://www.sauchastie.org/prevencia-na-riskovoto-povedenie/proekti>.

In order to meet the stated goals, the project involves a multifaceted approach to human trafficking prevention throughout outreach work on sexual health education and drug abuse. The primary activities of the project are:

1. Fieldwork including community monitoring, risk and vulnerability evaluation, distribution of information, psychological support, crisis intervention and case management;
2. Structured work with families and groups including training sessions, training on social skills, and strengthening parental capacity;
3. Work with community representatives including students and informal community leaders; and
4. Work with representatives from institutions working with the community including medical teams, social workers, teachers, law enforcement, members of the Local Commission and the local administration.¹¹⁴

At this stage, it is too early to determine how effective the pilot project has been in reaching the Romani communities in Varna. The Bulgarian government has not released the results of the initial research but has instead focused on the promotion of the project. Despite the lack of discernable results to date, the program has been noted as a good example of local preventive action within the Roma community.¹¹⁵ In addition to the promotion of the project, the 2012 National Programme lists the preventive outcome of “Developing and printing a guidebook for working with vulnerable groups from the

¹¹⁴ Ibid.

¹¹⁵ Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bulgaria*, 21.

ethnic Roma community”.¹¹⁶ However, as of this time the guidebook has not been published or publicized by the NCCTHB.

In December 2012, the Council of Europe, in partnership with the NCCTHB, organized the international expert conference “Making Prevention Work: Addressing the Root Causes of Human Trafficking in Europe”. The conference gathered over 130 participants from 37 countries including high-ranking governmental officials, national anti-trafficking representatives, law enforcement, social workers, representatives from international organizations and academics. The conference was structured to discuss and share best practices on four main themes:

1. Prevention among minorities at risk, with a special focus on the Roma communities;
2. Measures to discourage demand, including the use of private-public partnerships;
3. The role of research and data collection in the prevention of trafficking in human beings; and
4. Alternative and interactive awareness-raising methods.¹¹⁷

Except for these two main activities, there have been relatively few examples of prevention programs directed at Bulgarian Romani communities. In 2010, the NCCTHB held a film screening of *Svetlana’s Journey*, a trafficking film produced by the non-governmental organization Face to Face, and distributed trafficking brochures in Romani

¹¹⁶ Republic of Bulgaria Council of Ministers, “2012 National Programme for Combatting Trafficking in Human Beings and Protection of Victims, available at: <http://antitraffic.government.bg/bg/nacionalni-programi/nacionalna-programa-2012>.

¹¹⁷ “International Expert Conference,” National Commission to Combat Trafficking in Human Beings, accessed February 27, 2013, <http://antitraffic.government.bg/en/home/1416-international-expert-conference-sofia-hilton-hotel>.

neighborhoods in Burgas, Montana and Pazardzhik.¹¹⁸ Additionally, the National Commission organized four meetings with Romani representatives from the town of Montana and visited the *Nadezhda* neighborhood in Sliven to distribute brochures. In 2011, the NCCTHB implemented informational campaigns in Romani communities in Burgas and Pazardzhik in which they distributed brochures, promotional materials, t-shirts, hats and visors. In *Nadezhda*, the NCCTHB held a film screening that was attended by 60 members of the local community and later met with Romani representatives from the town of Kotel.

¹¹⁸ Republic of Bulgaria Council of Ministers, “Report on the Activity of the National Commission for Combatting Trafficking in Human Beings for 2010,” <http://antitraffic.government.bg/bg/nacionalno-dokladi/nacionalen-doklad-2010>, 21.

CHAPTER SEVEN: FINDINGS AND ANALYSIS

Combatting human trafficking is a difficult task requiring significant amounts of financial and human resources, and coordinated efforts by governmental and non-governmental organizations. Organizations and individuals working in the anti-trafficking field are tasked with utilizing scarce resources under challenging circumstances. Although the best intentions of those working in the field should not be disparaged, it is necessary to examine and provide constructive criticism on anti-trafficking efforts in order to best coordinate human trafficking prevention work. Field and desk research identified a number of challenges and limitations to effective prevention work targeting Romani communities.

Limitations to Current Prevention Work by the NCCTHB

Despite a coordinated effort by the National Commission to Combat Trafficking in Human Beings and the Local Commissions, the current prevention work of the institutions faces a number of challenges and limitations.

First and foremost, the capacity of the Commissions on a national and local level is insufficient to meet their stated obligations under the annual National Programme in terms of coordination and prevention work. Research by the Group of Experts on Action against Trafficking in Human Beings found that:

Although NCCTHB and NGOs are partners in a number of projects, the capacity of the NCCTHB to co-ordinate and guide the efforts of the different stakeholders is insufficient. For example, every year NGOs are invited by the NCCTHB to

provide information on their activities against THB; however, this information is not subject to feedback and the activities are not evaluated by the NCCTHB.¹¹⁹

Due to budgetary restrictions, the NCCTHB currently employs only nine employees to plan and ordinate anti-trafficking activities and programs on a national level.¹²⁰ The Local Commissions are equally understaffed, as most localities employ no more than three employees who are responsible for the activities in the entire region. The representatives who serve as an advisory board for the Local Commissions are involved on a voluntary basis and meet infrequently, often times only a few times a year in order to prepare programs and plans for the activities of the Local Commission in the community. The turnover among these members is substantial and there is no consistent or comprehensive approach to these preparatory activities.¹²¹

An additional limitation to the effectiveness of prevention work by the NCCTHB is the budget and a reliance on external financing for many activities, including prevention, research and victim assistance.¹²² Considering the intended scope and range of the activities of the NCCTHB and Local Commissions, the state-allocated budget is

¹¹⁹ Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Bulgaria*, 24.

¹²⁰ Interview with Antoneta Vasileva (Executive Secretary, National Commission for Combatting Trafficking in Human Beings), interview by Eric Helms, November 15, 2010.

¹²¹ Slavka Kukova, “Trafficking of Roma in Eastern and Central Europe: Analysing the Effectiveness of National Laws and Policies in Prevention, Prosecution and Victim Support” (Unpublished research, European Roma Rights Centre, Budapest, 2010), 1.

¹²² Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Bulgaria*, 7.

inadequate to cover the vast majority of prevention and protection programs. In 2009, the budget for the NCCTHB, including the Local Commissions, and its anti-trafficking work totaled 420,000 BGN (approximately 215,000 Euros).¹²³ However, this number was significantly reduced the following two years to 296,000 BGN (151,340 Euros), approximately one-third of which was allocated for staff salaries and only 50 percent (70,967 Euros) for financing the institutions activities including prevention work, training and the costs associated with the day-to-day operations of three information centers and two states shelters for victims.¹²⁴ The budget was subsequently increased to 370,000 BGN (189,000 Euros) for 2012 but remains deficient to cover the full range of work envisioned in the annual National Programme.¹²⁵

As a result of the operational limitations stemming from the state-allocated budget, the NCCTHB is forced to seek alternative sources of funding from external sources including the European Union, European Commission, the International Organization for Migration, the United States Agency for International Development and foreign governments. Although the NCCTHB has had considerable success in external funding raising on a project-by-project basis, the objectives and goals of these projects are dependent on the priorities and strategic goals of the funding institutions. As stated by

¹²³ Interview with Antoneta Vasileva (Executive Secretary, National Commission for Combatting Trafficking in Human Beings), interview by Eric Helms, November 15, 2010.

¹²⁴ Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Bulgaria*, 13.

¹²⁵ *Ibid*, 121.

one representative from the NCCTHB, “We are doing our best. It’s good that I come from the NGO sector so I know how survive in a situation without money.”¹²⁶ Romani community leaders and Romani members of the local government also stated their frustrations with the limitations of the NCCTHB and Local Commissions due to financial constraints:

In general, the Local Commission, perhaps this is just my viewpoint, but my judgment is that what they do is not enough. Maybe this is because they don’t have the resources and they don’t have enough support from the State to do it. It’s truly unfortunate. The regional commission needs to have more support from the State or at least have financing to do what they need to do to work more.¹²⁷

Problems Associated with Project Location and Medium

Supplementing the general awareness raising activities of the NCCTHB and the Local Commissions, the National Programmes consistently state the need to target vulnerable communities including ethnic minorities. However, very few preventive activities and projects have been implemented in localities or mediums that will reach a majority of Roma, let alone the most vulnerable individuals. Activities aimed at the prevention of human trafficking usually take place in central localities in larger towns, distant from the most vulnerable groups. Research by the Group of Experts on Action

¹²⁶ Interview with Antoneta Vasileva (Executive Secretary, National Commission for Combatting Trafficking in Human Beings), interview by Eric Helms, November 15, 2010.

¹²⁷ Interview with Romani Expert, South-central region, interview by Eric Helms, November 2010.

Against Trafficking in Human Beings noted a shortage of preventive measures taking place in Romani neighborhoods.¹²⁸

Prevention and awareness campaigns by anti-trafficking actors were frequently implemented in localities that were rarely visited by Romani individuals including city centers, theaters, the airport, and subway and bus stations. Indeed, the activities associated with the European Anti-Trafficking Day, the largest general awareness campaign implemented by the NCCTHB, took place exclusively in locations composed almost entirely of ethnic Bulgarians with no activities being implemented in Romani communities. Interviews with representatives from Romani NGOs confirmed the lack of targeted prevention measures in Romani communities. When discussing the importance of implementing activities within the Roma community and the trafficking prevention work implemented by other organizations in the city center, a representative from one Romani NGO stated:

If we weren't able to gather here in the *mahala* (Romani neighborhood), they wouldn't come. If it were in the center, for example. Other organizations don't realize that. They organized many activities at the youth center but if you leave here and ask twenty [Romani] kids, "Where is the youth center?" First, they will ask you, "What is a youth center?" and then they will ask, "Where is it?" They know two or three buildings in Burgas. For example, the train station. Nothing that they do reaches the Romani children.¹²⁹

A second concern with the localities of prevention work on a national and regional level remains the prevalence of educational awareness activities in schools.

¹²⁸ Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Bulgaria*, 21.

¹²⁹ Interview with a representative from a Romani NGO, Southeast region, interview by Eric Helms, November 2010.

While the importance of awareness and prevention work among youth should not be understated, a thorough examination of activities must be conducted in order to determine the best use of limited resources in reaching the most vulnerable populations. A significant portion of educational awareness work on the part of the NCCTHB, Local Commissions, Face to Face and the International Organization for Migration is implemented in middle schools and high schools throughout the country.¹³⁰ Unpublished field research by the European Roma Rights Centre found that many of the prevention activities implemented by Bulgarian governmental bodies including the NCCTHB took place in schools that were attended primarily by ethnic Bulgarian children.¹³¹ As indicated earlier in the section addressing vulnerability, Roma often face significant barriers in accessing high-quality education, leading to high dropout rates and low levels of educational achievement. As a result, human trafficking prevention activities taking place within the formal education system fail to address the increased vulnerability of Romani individuals, particularly those who have either never attended school or who dropped out at an early age.

In addition to the lack of prevention activities being implemented in Romani communities, anti-trafficking prevention work utilized mediums that isolate large portions of the most vulnerable Romani populations. A significant aspect of prevention campaigns implemented by the NCCTHB, Local Commissions, Face to Face and the

¹³⁰ Group of Experts on Action against Trafficking in Human Beings, *Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bulgaria*, 29.

¹³¹ Slavka Kukova, “Trafficking of Roma in Eastern and Central Europe, 1.

International Organization for Migration involved the creation and distribution of printed materials including brochures, pamphlets, fact sheets, t-shirts and bracelets.¹³² The use of printed materials must take into account the needs and literacy levels of the intended target group and those who have the greatest need of prevention work. According to research conducted by the United Nations Development Programme, approximately 20 percent of Bulgaria's Romani population is illiterate.¹³³ As these individuals often account for the most vulnerable people within the Romani community, human trafficking prevention activities must be adapted to ensure that everyone is able to benefit from their message.

Lack of Roma Participation in Anti-Trafficking Measures

The Anti-Trafficking Law allows for the participation of representatives from non-governmental and international organizations with country offices that operate in the field of human trafficking.¹³⁴ However, no representatives from Romani non-governmental organizations have participated in the regular meetings of the NCCTHB.¹³⁵ Regarding the Council of Europe conference, "Making Prevention Work: Addressing the Root Causes of Human Trafficking in Europe", organized in Sofia in late 2012, one

¹³² Republic of Bulgaria Council of Ministers, "National Programme for Combatting Trafficking in Human Beings and Protection of Victims," available at: <http://antittraffic.government.bg/bg/nacionalni-programi/nacionalna-programa-2012>; Interview with representative from the International Organization for Migration, interview by Eric Helms, November 2010.

¹³³ United Nations Development Programme, *Faces of Poverty, Faces of Hope*, 11.

¹³⁴ Republic of Bulgaria Council of Ministers, "Combating Trafficking in Human Beings Act," May 20, 2003, <http://www.unhcr.org/refworld/docid/4c2deaf2.html>.

¹³⁵ Slavka Kukova, "Trafficking of Roma in Eastern and Central Europe, 23.

Romani NGO representative commented, “I was there with a few other outreach workers. There were many people there who said ‘for five years we’ve been talking about the Roma and for the first time we’ve see Roma.’”¹³⁶

Limited examples of partnerships exist between Bulgarian anti-trafficking organizations and Romani NGOs working on the ground. The current partnership between the NCCTHB, the Local Commission and Association “Participation” in Varna provides the best example of such a partnership to date. Small-scale instances of project and program coordination were found between the Local Commission in Burgas and Regional Roma Union Foundation, and the International Organization for Migration in Sofia and a small community library in the Romani neighborhood of *Fakulteta*. However, these instances remain infrequent, small in scale and unsustainable. IOM’s prevention work in *Fakulteta* consisted of a single sporting event in the center of the Roma neighborhood. Upon the completion of the event, t-shirts, brochures and other promotional material were distributed to the attendees. However, the partnering representative from the Romani community, a well-known Bulgarian Romani author who runs a small library in the first floor of her house, expressed confusion as to the exact nature of the event.¹³⁷ The difficulties in partnering with IOM were mirrored by other organizations working in the field:

I will directly tell you that the connection between IOM and our organization: there isn’t one. I don’t know why that is. However, we have tried and they haven’t

¹³⁶ Interview with Ilian Rizov (Director, Association “Participation”), interview by Eric Helms, March 25, 2013.

¹³⁷ Interview with Sali Ibrahim (Representative from the Fakulteta Romani community), interview by Eric Helms, November 2010.

shown interest. For that reason we work only with the local commission and with other NGOs that work with victims of violence and include trafficking.¹³⁸

Even in the case of the Regional Roma Union Foundation, the scale of outreach remains small as a majority of the organization's work consists of small group work with young girls between the ages of nine and sixteen. The organization's work is primarily rooted in encouraging the educational achievement of young Romani girls and it is through this avenue that they create general awareness of human trafficking.¹³⁹

Representatives from both the Local Commission and Regional Roma Union Foundation expressed their satisfaction of the partnership and it remains a good example of anti-trafficking actors working in the field with Romani NGOs, albeit on a small level.

Two years after the implementation of the pilot project in Varna, the partnership between the Local Commission and Association "Participation" still faces many problems. Limitations in funding and human resources have restricted the breadth of the organization's work on human trafficking prevention despite its role as the primary implementer of the pilot project. The organization currently employs only five outreach workers to cover over 20,000 individuals living in the city's four Romani neighborhoods. The five outreach workers are required to cover the full scale of the organization's outreach work, a small part of which involves prevention work in relation human

¹³⁸ Interview with a representative from a Romani NGO, Southeast region, interview by Eric Helms, October 2010.

¹³⁹ Interview with Desislava Teneva (Project Manager, Regional Roma Union Foundation), interview by Eric Helms, October 10, 2010.

trafficking.¹⁴⁰ Furthermore, the priorities of the organization remain heavily focused on outreach for other issues including HIV/AIDS awareness and prevention, drug abuse prevention and the prevention of tuberculosis.¹⁴¹ Although human trafficking prevention is rooted in the organization's other outreach activities, the lack of exclusivity on prevention remains problematic for the NCCTHB's intention to evaluate best practices and subsequently expand the program to other localities.

The problems resulting from a lack of cooperation between anti-trafficking actors and Romani NGOs are detrimental to trafficking efforts as a whole and waste already scarce resources earmarked for prevention activities. Anti-trafficking efforts that do not include Roma civil society or experts in their design, implementation and long-term coordination contribute to the unsustainability of trafficking prevention efforts and at best, provide only short-term solutions to a complicated, continually-evolving problem.

Lack of Expertise and Misunderstanding of Roma Community

An argument to further outline the need for Roma experts and non-governmental organizations to be involved in all aspects of human trafficking prevention planning, organization and implementation is the lack of understanding and expertise of Roma by anti-trafficking actors. Representatives from the NCCTHB stated that the lack of Roma-specific prevention work by the National Commission and Local Commissions was in a

¹⁴⁰ Interview with Ilian Rizov (Director, Association "Participation"), interview by Eric Helms, March 25, 2013.

¹⁴¹ Ibid.

large part due to a lack of expertise on the “Roma issue”.¹⁴² A representative from the anti-trafficking organization, Face to Face, also expressed the challenges of working with Romani communities stating, “They are generally the most vulnerable group because they lack parental control. They don’t pay enough attention. They are a very difficult group for our work.”¹⁴³

In addition to a lack of expertise in human trafficking prevention in Romani communities, representatives from the International Organization for Migration displayed strong levels of misunderstanding of Romani communities, at times relying on negative stereotypes and broad generalizations. One representative from IOM Sofia stated that human trafficking is a part of Romani culture and that this culture would be nearly impossible to change.¹⁴⁴ Yet another representative who was previously employed by the organization placed blame for trafficking in Bulgarian Romani communities on the “traditional” values of Roma:

Traditions and the observance of traditions are very strong. So much so that they throw away the values of the European-centric community and they live in their own paradigm because for them it is an easier way and a traditional way. The values of the parents are passed on to their children from the minute they’re born.

¹⁴² Interview with Antoneta Vasileva (Executive Secretary, National Commission for Combatting Trafficking in Human Beings), interview by Eric Helms, November 15, 2010.

¹⁴³ Interview with Magdalena Valtchanova (President, Face to Face Bulgaria), interview by Eric Helms, November 25, 2013.

¹⁴⁴ Interview with representative from the International Organization for Migration – Sofia, interview by Eric Helms, November 4, 2010.

But they are completely relative. Our values aren't necessarily the values that they traditionally follow.¹⁴⁵

Until an effort is made to increase the knowledge and cultural understanding of Roma by anti-trafficking actors, human trafficking prevention will remain ineffectual when targeting Romani communities.

Lack of Trust in Public Institutions, Social Services and Law Enforcement

Research by the Office of Democratic Institutions and Human Rights summarizes a key difficulty in human trafficking prevention work, stating:

One of the greatest challenges in addressing trafficking in human beings in Roma communities is the mutual distrust that characterizes relations between Roma and non-Roma organizations working on anti-trafficking issues. This distrust is also found between Roma and law-enforcement authorities, making it difficult to identify and assist those who become victims of trafficking.¹⁴⁶

The lack of trust in public institutions, law enforcement and outside organizations was frequently mentioned in interviews with both Roma and non-Roma respondents. In regards to human trafficking prevention, and work in Romani communities in general, the importance of trust cannot be understated. Respondents from Romani NGOs all expressed the necessity of involving trusted community members in all forms of prevention and awareness work in Romani communities:

It would be mandatory to have somebody from the community who has their trust and who they know. They're not going to believe people they don't know. The Roma community has this specificity where it is difficult to send an unknown person to them. There needs to be these people. There needs to be [anti-human

¹⁴⁵ Interview with former employee of the International Organization for Migration – Plovdiv, interview by Eric Helms, November 2010.

¹⁴⁶ Office of Democratic Institutions and Human Rights, *Awareness Raising for Roma Activists*, 11.

trafficking organizations]. This is good but there absolutely must be people from the community.¹⁴⁷

Difficulties Accessing Social Services and Social Assistance

The failure of national social systems to provide adequate social services to vulnerable Romani communities significantly increases their vulnerability to human trafficking. Inordinately high barriers to accessing public services such as education, healthcare, employment and other social services, compounded by an unwillingness of local governments and social workers to work directly with and within Romani communities has created an extremely difficult situation for socially excluded and marginalized Romani individuals. As one representative from the Local Commission to Combat Trafficking in Human Beings in Burgas stated:

In all of Bulgaria, there are 46,000 individuals utilizing social assistance. The reality is that people are in need but are unable to access it because of the conditions and laws that exist. They have to travel to the border of [the municipality]. In reality, very few people are able to access it. I'm speaking for the Roma.¹⁴⁸

However, the importance of social services in human trafficking work remains vital. Research by the European Roma Rights Centre indicates, "The provision of effective social work to combat trafficking in Romani communities is essential given the high levels of poverty and unemployment in these communities."¹⁴⁹

¹⁴⁷ Interview with representative from a Roma NGO – South-central region, interview by Eric Helms, November 2010.

¹⁴⁸ Interview with Rosita Yaneva (Secretary, Local Commission to Combat Trafficking in Human Beings – Burgas), interview by Eric Helms, October 8, 2010.

¹⁴⁹ European Roma Rights Centre, *Breaking the Silence*, 158.

Respondents from Romani NGOs in a number of localities mentioned the difficulties in accessing social services including lack of understanding of local mechanisms, inadequate information on the provision of social services, a reluctance of social workers to work with Romani communities and outright discrimination and racism on the part of service providers. In one locality in southeastern Bulgaria there are only three social workers responsible for working in the Romani neighborhood of 8,000 people. However, it was reported that the social workers rarely leave the office located on the outskirts of the Romani community and remain behind the barred windows of the property to distribute documents only when they are requested.¹⁵⁰ A representative from a large Romani community in central southern Bulgarian expressed equal frustration at the provision of social services in the neighborhood populated by 35,000 Romani individuals. Upon the closure of the local office for social services in 2008, social workers rarely visit the Romani neighborhood resulting in an increased burden on the three Romani non-governmental organizations working in the community. Although the focus of all three organizations lies outside the field of social work, local residents use the organizations as a resource for matters pertaining to employment, registration, social assistance and education.¹⁵¹

¹⁵⁰ Interview with representative from a Roma NGO - southeast region, interview by Eric Helms, October 2010.

¹⁵¹ Interview with representative from a Roma NGO – south-central region, interview by Eric Helms, November 2010.

CHAPTER EIGHT: RECOMMENDATIONS AND CONCLUSION

As the research indicates, significant barriers remain in effectively addressing the issue of human trafficking in Romani communities in Bulgaria. Limited financial and human resources, poor location and medium selection, low levels of cooperation between Roma and non-Roma non-governmental organizations, lack of understanding of Romani communities, mistrust of public institutions, and difficulties in accessing social services create an environment in which human trafficking prevention efforts are inefficient and wasteful of scarce resources. The follow section discusses concrete, attainable steps that must be undertaken by governmental and non-governmental anti-trafficking actors, and Romani non-governmental organizations to seriously address the issue of human trafficking in Bulgarian Romani communities.

In addition to the following recommendations directly pertaining to human trafficking, a comprehensive and systematic effort must be made by the European Union, European Commission, national governments, civil society and Romani communities to address the underlying issues that increase Roma vulnerability to human trafficking. Low levels of educational achievement, employment and social inclusion, combined with ethnic discrimination and inordinately high barriers in accessing social services must be addressed to supplement direct trafficking prevention work if any long-term, sustainable results are to be seen. Without a change of the social, cultural, economic and political

factors that increase an individual or community's vulnerability to human trafficking, prevention efforts will fall short of their intended goals.

Active Participation of Romani Representatives and Non-Governmental Organizations in Prevention Work

Roma non-governmental organizations play an invaluable role in identifying and responding to specific problems within Romani communities. They are often the primary resource for community members for addressing issues relating to education, healthcare, employment and social services due to their established trust with members of the community. Of the many findings of this study, the most salient is the need for sustainable, long-term partnerships concentrated on human trafficking prevention between anti-trafficking actors and Romani non-governmental organizations working on the ground.

Romani organizations, mediators and community leaders working in the field have the distinct advantage of having established a level of trust with local populations through their continued work in the community on a wide range of issues. The resultant level of trust from community members towards these institutions and individuals should be utilized in all human trafficking awareness and prevention efforts targeting Romani communities. Anti-trafficking organizations must seek to establish long-term partnerships with these organizations in order to improve prevention work on the ground and increase their ability to reach the most vulnerable Romani individuals.

Anti-trafficking efforts in Bulgarian Romani communities have failed to take into account a variety of specificities in working with vulnerable Romani populations

including the need for sustainable community involvement. Although effective human trafficking prevention requires a long-term sustainable approach in any setting, this issue is of particular importance when working in Romani communities. Respondents consistently emphasized the importance of building trust and relationships with community members before the design and implementation of prevention work. Effective prevention work can only be accomplished once a level of trust is built between the community and the organizations or individuals seeking to work within it. However, establishing these relationships and connections does not come quickly. Respondents stated the need for anti-trafficking actors to be actively involved within the community for at least one year before a sufficient level of trust could be established in order to build the foundations for prevention work.¹⁵² The NCCTHB and Local Commissions should establish and actively maintain relationships with vulnerable Romani communities through intermediaries such as community leaders, educational and health mediators, and established Romani non-governmental organizations working in the field.

However, it is not enough to simply commit to partnering with Romani NGOs who are active in the field. The involved anti-trafficking actors must ensure that these community liaisons are provided sufficient resources and training to implement human trafficking prevention initiatives. As shown in the case of the partnership between the Local Commission and Association “Participation” in Varna, the non-provision of sufficient resources greatly hinders the effectiveness of prevention work on a local level and as a result, undermines the partnership’s efforts.

¹⁵² Interview with representative from a Roma NGO – South-central region, interview by Eric Helms, November 2010.

Develop Local, Regional and National Networks of Romani NGOs and Representatives

The Office of Democratic Institutions and Human Rights (ODIHR) indicates an urgent need to develop a series of networks of Romani NGOs and representatives capable of addressing human trafficking within their communities:¹⁵³

To empower Roma activists to address THB issues, capacity-building training programmes and workshops that highlight the nature of THB are needed. This should be done in an inclusive manner through coordinating activities with anti-trafficking organizations as well as with organizations working more generally towards the implementation of human rights. Roma representatives and NGOs should be included in research efforts on trafficking in human beings and in related data collection.¹⁵⁴

As noted by both Roma and non-Roma respondents, many Romani NGOs have the desire to work on human trafficking prevention within their communities but lack the resources and knowledge to do so. Creating local, regional and national networks of activists and organizations with varying levels of expertise and experience in the field would encourage the sharing of best practices, facilitate meaningful discussion on issues related to trafficking and provide training to those interested in becoming more involved in combatting human trafficking. As indicated by the ODIHR:

“Efforts to build trust among Roma and non-Roma organizations should begin from the recognition that solutions require input from both Roma and non-Roma if they are to have a long-term impact.”¹⁵⁵ The creation and coordination of this network is the

¹⁵³ Office of Democratic Institutions and Human Rights, *Awareness Raising for Roma Activists*, 1.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

responsibility of the NCCTHB and the Local Commissions. The Anti-Trafficking Law states that both the National Commission and Local Commissions “shall organise and coordinate the co-operation between the relevant agencies and organisations for the implementation of this Act.”¹⁵⁶

Design and Implement Roma-Specific Policies and Activities Regarding the Prevention of Human Trafficking

Roma-specific preventive and protective measures must be adopted by all involved anti-trafficking actors in order to decrease Roma vulnerability to human trafficking and increase general awareness of the phenomenon among segregated and socially excluded communities. This approach must take into account Romani attitudes towards institutions and outside organizations, cultural, religious and linguistic differences, educational achievement levels and the difficulties in accessing social services faced by many individuals in Romani communities. Within this scope, the preparation and implementation of human trafficking awareness and prevention materials should be in a form that can be understood by the most vulnerable Romani individuals. This includes the preparation of Roma-specific audio and video materials to take into account illiterate individuals, and implementing anti-trafficking events and programs in localities that are accessible to all members of the Romani community.

Bulgaria should be commended on the inclusion of ethnic minority groups as a vulnerable group in the NCCTHB’s annual National Programme for Combatting Trafficking in Human Beings and Protection of Victims. However, the priorities and

¹⁵⁶ Republic of Bulgaria Council of Ministers, *Combating Trafficking in Human Beings Act*.

actions of the Commission do not reflect the stated intentions to focus on ethnic minority groups. In order to address this issue, the NCCTHB, Local Commissions and relevant anti-trafficking actors should develop and implement campaigns and programs specifically targeting vulnerable Romani communities based on solid research and with the partnership of Romani NGOs, activists and community leaders.

Utilize Romani Cultural Mediators in Community-Based Outreach and Prevention Work

As previously noted, partnerships between anti-trafficking actors and Romani NGOs and community leaders can serve as an invaluable tool in human trafficking prevention work. In addition to these partnerships, Romani cultural mediators should be utilized in order to facilitate communication between vulnerable individuals and service providers, law enforcement, municipal authorities and non-governmental organizations. Cultural mediators serve as a valuable resource not only for interpretation – in the case of individuals who speak only Romani – but also for their knowledge of the customs, values and habits of local Romani communities. The benefits of using Romani mediators in the fields of healthcare and education have been widely documented and could serve as an initial model for their use in the human trafficking prevention field.¹⁵⁷

Respondents from Romani NGOs highlighted the importance of outreach work in the community in reaching vulnerable Romani individuals and often suggested this as the

¹⁵⁷ Interview with Esref Rustem (Health mediator, Peshtera Municipality), interview by Eric Helms, November 29, 2010.

most effective model for human trafficking prevention.¹⁵⁸ As such, the Local Commissions should appoint and train Romani cultural mediators to serve as liaisons between the Roma community and Local Commissions for all activities pertaining to the design and implementation of anti-trafficking activities within the community. Additionally, Romani health and educational mediators should be trained on human trafficking issues including general awareness, identification of victims, safe migration techniques and the protection of victims. Through the training of Romani mediators currently work in the field, the NCCTHB and the Local Commissions can greatly expand the breadth of their work and increase their presence in Romani communities.

Develop and Implement Roma-Specific Safe Migration Prevention Activities

Given the overwhelming desire and intention of many Bulgarian Roma to migrate, the NCCTHB, Local Commissions and relevant anti-trafficking actors should replace a portion of general awareness raising activities with targeted safe migration prevention programs. These campaigns should provide potential migrants with information regarding the risks of human trafficking, the possibilities for legal migration and most importantly, practical information on how to minimize their risk of falling victim to human trafficking when migrating.

¹⁵⁸ Interview with Ilian Rizov (Director, Association “Participation”), interview by Eric Helms, March 25, 2013; Interview with Minko Minkov (Expert, Work with Ethnic and Minority Issues – Pazardzhik Municipality), interview by Eric Helms, November 29, 2010.

Collect Disaggregated Data by Ethnicity

European Union law on data protection does not prohibit the collection of ethnic data provided that certain measures are taken in order to protect it from misuse. The European Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data stipulates that:

Ethnic data can be gathered in accordance with the law and with the consent of the data subject, processed fairly and lawfully, and collected for specified and explicitly legitimate purposes; it must be adequate, relevant, non-excessive and accurate, and kept in a form that permits the identification of the subject no longer than is necessary.¹⁵⁹

However, a majority of governments and relevant agencies either misinterpret the directive or are hesitant to collect such data for fear of prosecution. As a result, data disaggregated by ethnicity with regards to human trafficking is not gathered by the NCCTHB, Local Commissions or anti-trafficking organizations in Bulgaria.¹⁶⁰ In response to reports that Roma are overrepresented among victims of trafficking in Bulgaria, the Minister of the Interior commented:

It is too negative and ungrounded because this testament is not based on statistical data but on statements of NGOs that are not verified. The lack of statistical information on the basis of ethnic origin is a fact and if it existed that would be ground for organizations to criticize the state for ethnic discrimination.¹⁶¹

¹⁵⁹ European Parliament and the Council, “The European Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data,” October 24, 1995, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:en:HTML>.

¹⁶⁰ European Roma Rights Centre, *Breaking the Silence*, 31.

¹⁶¹ Group of Experts on Action against Trafficking in Human beings, *Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Bulgaria*, 63.

The importance to reliable and accurate data when combatting human trafficking is undeniable. Prevention and protection programs must be based upon sound data and research in order to accurately understand the nature and extent of the problem, the characteristics which make certain individuals more vulnerable than others and how to best address these factors through anti-trafficking activities. Prevention work founded upon incomplete or inaccurate data decreases the effectiveness of anti-trafficking efforts as a whole. The Bulgarian government, the NCCTHB and relevant anti-trafficking actors should begin to collect disaggregated data on ethnicity within the regulations of European Council Directive 95/46/EC while respecting the privacy and dignity of victims, and without increasing the public stigmatization associated with human trafficking and the Roma.

Increase Roma Participation in the Labor Market

Research indicates an overwhelming desire from Roma to actively participate in the formal labor market. In fact, it is the desire for formal employment that comprises one of the largest push factors for Roma migration.¹⁶² Yet Roma access to the formal labor market remains severely limited due to a combination of inadequate skill levels compounded by systematic structural discrimination and social exclusion resulting in the annual loss of millions of Euro through economic activity and fiscal benefits. Equal labor market opportunities would increase overall economic productivity and provide significant fiscal benefits through a reduction in government payments for social

¹⁶² European Union Agency of Fundamental Rights, *The Situation of Roma EU Citizens Moving to and Settling in Other EU Member States* (Luxembourg: Publications Office of the European Union, 2009), 83.

assistance and an increase in revenue from income taxes. The World Bank estimates that the inclusion of Roma into the formal labor market in Bulgaria would result in annual economic benefits of at least EUR 526 million with fiscal benefits reaching at least EUR 128 million.¹⁶³

Substantial shifts in the attitudes of the majority population regarding the misconceptions of Romani work ethic and reliance of social assistance must occur in order for the benefits of Roma inclusion to be seen. The Commissioner for Human Rights of the Council of Europe has noted, “Without changes in attitudes within the majority population, all programmes aimed at improving the situation of the Roma people are bound to fail”.¹⁶⁴ National, regional and local governmental actors should stress the benefits of the formal inclusion of Roma in the labor market through the creation of job placement programs, job training programs and the promotion of equal employment opportunities for Romani individuals.

Enforce the Free Movement Directive for European Union Member States

European Union Member State governments either failing to apply or incorrectly applying the Free Movement Directive are responsible for the *de facto* withdrawal of the rights and entitlements of those seeking to utilize the right to work and reside within the European Union. Under the accurate application of the Free Movement Directive, European Union citizens have the right to travel to and reside in other Member States for a period of three months without being subject to any conditions or formalities other than

¹⁶³ World Bank, *Roma Inclusion*, 17-19.

¹⁶⁴ Commissioner for Human Rights, “Positions on the Human Rights of Roma” (position paper, Commissioner of Human Rights, Strasbourg, May 30, 2010.)

the possession of a valid identity card or passport, and providing they do not become an unreasonable burden on the social assistance system of the host Member State.¹⁶⁵

Research by the European Union Agency of Fundamental Rights indicates that Romani EU citizens are unable to register their residence due to the incorrect application of the Free Movement Directive by national authorities and the complexity of the required procedure.¹⁶⁶ As a result, Roma face an inordinate amount of barriers in accessing civil, political, economic and social rights including the right to vote, accessing national health services, education, social assistance and public housing.¹⁶⁷ Furthermore, the difficulties associated with reduced formal avenues to migration and employment force potential Romani migrants to utilize informal migration routes and employment resulting in an increased risk of human trafficking and exploitation. The European Commission should enforce the obligations of European Union Member States regarding the implementation of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of Member States.

¹⁶⁵ European Parliament and the Council, “Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside with the territory of Member States,” April 29, 2004, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>, 80-81.

¹⁶⁶ European Union Agency of Fundamental Rights, *The Situation of Roma EU Citizens*, 7.

¹⁶⁷ *Ibid.*

Increase Governmental Accountability through the Use of Infringement

Proceedings against Violating Member States

As the executive body of the European Union, the European Commission is responsible for monitoring the observance and proper application of EU law, and administering and implementing EU legislation. If Member States are not in accordance with the law, the European Commission has the ability to launch infringement proceedings against the violating Member State and, if necessary, refer the matter to the European Court of Justice.¹⁶⁸

Historically, the European Commission's track record in the field of Roma rights has been inconsistent at best. Despite a plethora of programs, projects and grants aimed at reducing Romani marginalization and discrimination, and promoting equal access to education, employment, healthcare and housing; the Commission has consistently failed to tackle large-scale human rights violations against the Roma. The most notable examples of this in recent years are the Commission's failure to adequately address the human rights violations occurring in Italy after the government's "Nomad Emergency Decree" in 2008 and the mass expulsions of Roma from France in the summer of 2010.

Accountability in Members States on their treatment of the Roma must start with the European Union and European Commission. The failure of the European Commission to adequately address human rights violations in Italy and France has sent a message to the European community that it is acceptable to utilize anti-Roma rhetoric in the political sphere and to violate the rights of Roma as political leverage. Furthermore, despite the

¹⁶⁸Klaus-Dieter Borchardt, *The ABC of European Union Law* (Luxembourg: Publications Office of the European Union, 2010), 64.

variety of projects and programs aimed at improving Romani social inclusion in Europe, little progress has been seen on the ground. The central European institutions must lead by example and hold Member States accountable for their human rights obligations. This process should be addressed in two primary ways:

1. The European Commission must work with European governments to develop and implement policies that provide Roma full and equal access to public services including quality education, employment, healthcare, housing, and social support.
2. If the European governments do not actively work towards improving Romani access to public services or if they commit human rights violations such as those occurring in Italy in France in recent years, the European Commission must undertake infringement proceedings against violating Member States to encourage action and compliance with their human rights obligations. If Member States fail to take the necessary steps to remedy the human rights violations, the European Commission must refer matters to the European Court of Justice.

Conclusion

For years the European Union, European Commission and individual European governments have made promises ensuring the protection of rights that the Roma are guaranteed under the European Convention on Human Rights. Yet over half a decade later, the Roma still find themselves trapped in a perpetual cycle of social exclusion, marginalization and poverty. The truth is that the commitment to improving the social

inclusion of Roma and addressing their overrepresentation as victims of human trafficking is one that must be demonstrated through actions rather than words.

Decades of discrimination, marginalization and social exclusion have placed Romani communities in an extremely vulnerable position to human trafficking. Low educational achievement levels, limited employment opportunities, high levels of poverty and inordinately high barriers to accessing social services in Bulgaria have forced many Roma to migrate in order to secure the livelihood of themselves and their families, often times coming at an extreme risk.

Anti-trafficking representatives from both governmental and non-governmental agencies agree that Roma are being trafficked at rates far greater than that of the majority population. However, this overrepresentation has been largely ignored in governmental policy, anti-trafficking legislation, and the design and implementation of anti-trafficking programs and activities. As the Office of Democratic Institutions and Human Rights states, “The invisibility of trafficking among Roma... among social institutions is not a mere shortcoming, but an indicator of wider social attitudes towards Roma and the problems they face.”¹⁶⁹

If the international community wants to prove its commitment to addressing the issue of human trafficking of Roma, it must immediately make strides in addressing this grave human rights violation. In order to do so, governmental and non-governmental anti-trafficking actors must work together with Romani organizations and activists to provide sustainable, Roma-specific awareness and prevention activities that address the

¹⁶⁹ Office of Democratic Institutions and Human Rights, *Awareness Raising for Roma Activists*, 8.

underlying issues contributing to their vulnerability. It is only through a coordinated and concentrated effort by all involved anti-trafficking actors, Roma civil society and the central European institutions, that the social exclusion and vulnerability of European Romani populations can be reduced and progress can be made in combatting this egregious human rights violation.

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**APPENDIX A: LIST OF PARTICIPATING ORGANIZATIONS AND
INDIVIDUALS**

1. Animus Association – Sofia, Bulgaria
2. Areté Youth Foundation – Sofia, Bulgaria
3. Association Participation – Varna, Bulgaria
4. Badeshte Foundation – Pazardzhik, Bulgaria
5. Badeshte Foundation – Rakitovo, Bulgaria
6. Bulgarian Helsinki Committee – Sofia, Bulgaria
7. Center for Community Support – Provadia, Bulgaria
8. Expert on Roma Issues – Plovdiv, Bulgaria
9. Face to Face – Sofia, Bulgaria
10. Health Mediator – Peshtera, Bulgaria
11. Health Mediator – Shumen, Bulgaria
12. International Organization for Migration – Sofia, Bulgaria
13. Local Commission to Combat Trafficking in Human Beings – Pazardzhik, Bulgaria
14. Local Commission to Combat Trafficking in Human Beings – Varna, Bulgaria
15. Member of Municipal Council – Peshtera, Bulgaria
16. Napredak Foundation – Pazardzhik, Bulgaria
17. National Commission to Combat Trafficking in Human Beings – Sofia, Bulgaria
18. Pazardzhik Municipality - Work with Ethnic and Minority Issues
19. Regional Roma Union Foundation – Burgas, Bulgaria
20. Zaedno Napred Foundation – Pazardzhik, Bulgaria