



Original Contribution

TRAFFICKING OF HUMAN BEINGS AS A SOCIAL PROBLEM IN THE REPUBLIC OF BULGARIA

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ABSTRACT

Human trafficking as a worldwide social problem is a serious violation of human rights associated with the abuse of human dignity. As a form of organized crime, human trafficking undermines the basic principles of legal order and the democratic standards of society. The transnational nature of this phenomenon requires the combined efforts of all social units and institutions concerned with the problem. The aim of this study is to research the trafficking of women, children and adults from Bulgaria and the place of our country as a trafficking channel. The analyses in the study were derived by applying the theoretical research method which is applied to the expression of the gender problem in Bulgaria.

Key words: gender problem, channel for trafficking, human rights abuse, exploitation, violence

INTRODUCTION

In its nature trafficking of human beings violates the basic human rights – the right to live, the right to choose and the right to free life (1).

„Trafficking of human beings” is the recruitment, transportation, transfer, harboring or receiving people regardless of their will, by means of coercion, kidnapping, illegal imprisonment, fraud, abuse of power, abuse of power, abuse of vulnerability or by giving, receiving or promising benefits to obtain the consent of a person having control over another person, with the purpose of exploitation (2).

Human trafficking does not affect adults only. Much of it comprises children trafficking. Trafficking of women and children is a worldwide problem and profitable international criminal business. Trafficked victims may be sold, lied, deceived or coerced into situations that cannot escape. Many are forced to work in the sex industry as prostitutes or in pornographic business. Others leave the country voluntarily, hoping for better life but end up in situations

where their health and safety are highly endangered in the foreign country they are abused and exploited severely (3).

The idea is supported that the victim is a commodity, slave, and not a man with all rights attaching thereto. The victim perceives the self-notion that the only possible world is the one in which he lives - a world of violence and control. Nobody becomes voluntarily part of human trafficking - victims are tempted by fancy promises or are forced. The trafficker deprives the victim of the most basic human rights - the right to move freely, the right of choice, the right to be the master of your body and mind, freedom to decide his own future (4).

TARGETS

Types of human trafficking:

1. For sexual exploitation

In most countries the term „prostitution” is not defined in legislation unlike „pimping "child pornography" and "crimes of a sexual nature", which are forbidden.

Prostitution is the most common form of human trafficking. The causes for that type exploitation are (5):

Violence – Traffickers harass and beat their victims in order to compel them to do the things they want;

Threats – Traffickers threaten their victims that the harassment imposed on them again will be directed to the family, their relatives and to themselves if they do not meet their demands;

Repayment of debts - Victims feel compelled about the money the traffickers have "invested" in them;

Extortion - Once they have become victims of prostitution/pornography victims are manipulated with threats that the essence of their work will be made known;

Since the beginning of 2011, 541 Bulgarian citizens, 93 of which men have become victims of forced prostitution or labor exploitation. Of the total number of victims the greatest is the number of women - 448, 14 of them minors and 29 pregnant (6).

In 2011 the number of completed pre-trial proceedings – 198, exceeds that of neoplastic cases for human trafficking which are 138, according to data at the Supreme Cassation Prosecutor's Office. Of the completed cases the greatest is the share of proceedings for human trafficking for sexual exploitation. In 2011, 131 people were sentenced, 119 with sentences that have come in effect.

Victims of trafficking are sold by traffickers and forced into prostitution or to work under extremely harsh conditions without payment. The money they earn, they are forced to give to their "rapist" to return the amount they had been bought for. Victims of trafficking are subjected to brutal physical and mental abuse, they are traded as commodity. Their documents are taken away, that makes their stay in the country illegal. They are under constant monitoring and control, are completely isolated from the outside world. The only allowed contacts are with their 'employers' and clients

A situation that illustrates the dynamics of trafficking of women is that in which a girl thinks she goes to work as a maid, for example, and does it voluntarily. At the time of crossing the border and without any information about

what will follow there is no cause it to be identified as a victim. When, however, rather than a chambermaid in a hotel she ends up in a brothel without documents, without income to use, deprived of freedom of movement, it becomes a trafficking victim.

Potential victims of trafficking are women working in the sex industry. Although, they had agreed to offer sexual services for money, they had not agreed to be treated as slaves, to receive insufficient or no remuneration.

Trafficking for forced prostitution remains the most preferred form of traffickers, for the simple reason that it gives them maximum profit.

2. For labour exploitation

Human trafficking for labor exploitation is the illegal use of people for forced labor in conditions close to slavery. Victims are often forced to work for little or no payment. This can happen both abroad and within our own country.

The mode of exploitation comprises:

1. Providing conditions completely different from the previously proposed ones, mostly on the grounds that it would be temporary;
2. Taking away identity documents;
3. Delay of the start of work, mostly on the ground that currently employees are in demand until the people spend their available money. Traffickers lend them money until they start work and so bind them with debts that are constantly growing. Victims are forced to work under the present conditions until they repay the money borrowed;
4. Intimidation, threats, physical violence;
5. Slave living and work conditions, minimum or no pay, sleep deprivation, poor nutrition and hygiene, lack of medical care;
6. Control and isolation from the outside world;
7. Imposing debt expenses traffickers have ostensibly make for the victims, such as travel, food, clothing, personal documents, visas, etc. costs.

3. For organ removal

In our country organs are illegally explanted for money. Our country is among the largest "exporters of organs" in Europe.

The most common trade in Bulgaria is the sale of kidneys. There are numerous cases when kidneys are deviated by fraud or coercion. For example, such cases are reported when the victim of an accident goes to the hospital due to because of an illness or accident and in the hospital his organs are removed without his knowledge or consent.

In some cases, the person may be predisposed to donate blood, and after an anesthetic is applied an operation is performed for taking away a kidney or other organs.

The most common type of organ trafficking are cases of people who agree to sell their organ and sign a formal or informal agreement to do so for a price. After the surgery they were cheated and not paid all of them, or paid only half or part of the originally agreed price.

Web sites that offer organs for payment are rare, but not single cases. In some cases, to get hold of an online store for human organs you have to go through several levels of access – e.g. mandatory letter to the administrator containing a request to be admitted, and a credible explanation of who you are and what you want.

Trade in organs is carried out at "unauthorized places for this" (actually worldwide), which automatically makes it one of the world's largest illegal businesses. In its report delivered in June 2003 before the Parliamentary Assembly of the Council of Europe on organ trafficking in the region, Bulgaria is mentioned not as a receiving country, but a source country for such organs. According to the study organ donors for the wealthy Europeans are mostly poor people from Moldova, Ukraine, Russia, Estonia, Bulgaria, Romania, Georgia and other countries.

The mechanisms for the sale of organs range from cold-blooded murder, through violent explantation of disadvantaged people - prisoners, mental patients, orphans from homes, etc. to fraud by physicians - who instead of "routine operation" actually do another, not so routine . The mafia is so strong that actually exceptions are the countries in the world that have not been affected by it.

Children trafficking

Children trafficking is their recruitment, transportation and concealment for exploitation.

It occurs in various forms - forced prostitution and other sexual acts or child pornography. It also includes forced labor, slavery, illicit international adoption, early marriage, recruitment of child armies and religious sects.

In recent years there has been growth of the organization "Baby traffic". 25 are the cases of children victims of human trafficking in 2008, and 97 children were returned in **Bulgaria** in the coordination mechanism. Seven cases of babies were sold in Greece. No cases of children trafficking for organ donation have been found. The main cases of children victims of trafficking are of Bulgarian origin, and they have been identified in **Austria, Britain, Greece and France**. Older children - between 14 and 18, are trafficked for sexual exploitation, and younger ones - between 9 and 14 - for pickpocketing and begging.

There are seven cases in 2008 for sale of babies as mothers are witnesses of these things because they were misled by promises that they will work in Greece, and after they arrived, it appeared that their unborn babies would be sold. There are isolated cases to France and **Italy**, but Greece is the main destination, as there is a serious demographic problem there, and the system for adoption is very simple: this can be done with only one signature. The Greek citizen can officially become his father, saying only "I am the father of this child" - the court only accepts the statement and does not verify the accuracy of his words.

In recent years the phenomenon "**unaccompanied children**" is gaining momentum – actually, these children do not leave the country unaccompanied, but by a parent or an official or fake document that the other parent agrees the child to be taken out and usually the document states "due to tourist reasons". When caught, however, children are alone, no one is looking for them, they do not say that someone is with them and often the attendant - a relative or parent, or a third person is actually the trafficker and is hiding. Children have been trained by force and fear not to say.

Statistics

- *According to the UN each year between 2 and 4 million people worldwide become victims of human trafficking and the majority of*

abductees is "in favor" of women.

- Statistics show horrible details of the terrifying reality: Every day more than 100 websites containing child pornography are launched in the Internet.

- Over 1,000 Bulgarian women each year pass the borders of different countries across Europe for forced prostitution.

- Over 10,000 Bulgarian women annually pass the borders of different countries throughout Europe for prostitution, according to statistics for 2003;

- 11,2 percent of forcefully prostituting women in Germany are Bulgarian, announced a report in August 2003 of the Federal Criminal Police Office;

- The conclusions that follow are that the Bulgarians rank 3rd among women in prostitution in Germany after the Russians and Moldovans;

- According to the National Office for Combating Crime in Britain every year 200,000 people are smuggled into the European Union, many of them for sexual exploitation.

- According to the U.S. State Department 80% of the victims of international women trafficking and 70% of these women and girls become victims of sexual exploitation.

- It is believed that annually human trafficearns between 7 and 13 billion USD

Risk Groups

The most vulnerable are: Women aged between 18 and 24, minor girls and children without parents, men and women of working age for labor exploitation.

- The greatest number of trafficking victims in Bulgaria are from areas with high unemployment and poverty.

- Countries of destination are mainly: Germany, Belgium, Austria, Italy, Spain, France, Switzerland, Greece, Turkey, Netherlands, Norway, Czech Republic and Poland.

- The victims from other countries most often are: Romania, Moldova, Ukraine, Russia, Armenia, Libya and Central Asia.

Risk Factors

- Social and cultural – illiteracy, unemployment, disintegration of families, racism and ethnic discrimination, influence of mass media and the Internet

- Economic – poverty, underdeveloped economy

- Psychology – psychic diseases, drug addiction, psychic and sexual harassment

- Geo-political – conflicts, wars, refugee flows, international organized crime, inefficient legal frameworks

Initial causes: Poverty; Lack of information; Lack of social experience; Lack of education; Lack of information about migration; Lack of experience in travelling abroad; Lack of information about life abroad – hardships and challenges; Unrealistic expectations; Lack of knowledge about Bulgarian and international legislation; Lack of knowledge about our basic rights and the institutions that can protect them.



Figure 1. Risk areas: Varna, Burgas, Ruse, Vidin, Montana, Pazardzhik, Sliven, Haskovo, Blagoevgrad, Sandanski, Svilengrad

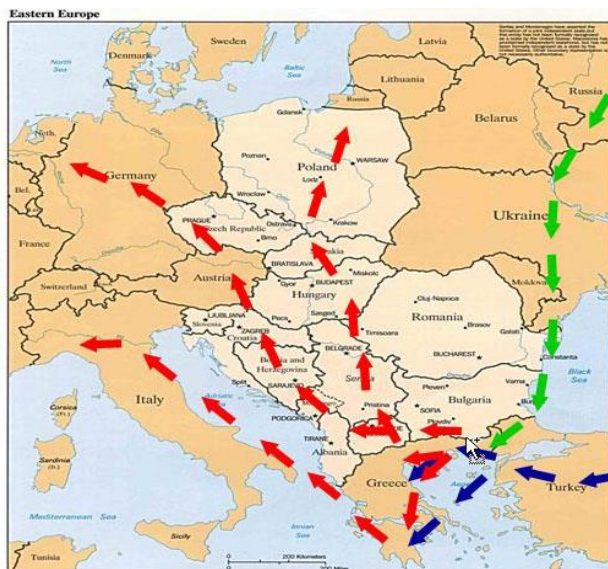


Figure 2. Channels for human trafficking

- ✓ Russia, Ukraine, Moldova, Belarus – Bulgaria – Greece, Turkey, Macedonia
- ✓ Bulgaria - Macedonia – Greece, Albania, Italy, Spain
- ✓ Bulgaria – Macedonia – Serbia, Hungary, the Czech Republic, Poland
- ✓ Bulgaria – Serbia – Austria, Germany, the Netherlands
- ✓ Bulgaria - Serbia – Austria, Germany, Belgium



Figure 3. Why trafficking channels pass through Bulgaria?

- ✓ Country of origin
- ✓ Transit country
- ✓ Country of final destination

Methods of involvement in trafficking

- ✓ Through false job adverts (or education) abroad. Very often non-licensed intermediary companies offer unskilled work abroad as housemaids, waitresses, barmaids, au pairs, models, etc. Wonderful payment and good work conditions are promised
- ✓ Through friend, acquaintance or even relative who promise accomplishment abroad

- ✓ Through false promise for marriage. **the so-called “Lover Boy”**
- ✓ Through kidnapping
- ✓ Through the „second wave” phenomenon when trafficking victims return to the country to recruit other girls

Most often traffickers recruit their victims in cafes, bars, clubs and discos. They are conducive

to conversation, inspire confidence in girls as showing "concern" to them and show good manners. Most often the girls are offered lucrative work, they are deceived about the real purpose of the trip and persuaded them not to inform their family about the departure. Seemingly everything is legal, but problems started as early as during the trip. Most often the employer takes the identity documents of the girls, they live in constant fear and abused mentally and physically.

Bulgarian law on combating human trafficking

Penal Code

In amending the Criminal Code of 2002 a new section on "Human Trafficking" - 159A - 159B is added:

Art. 159a (New - SG. 92 of 2002) (1) Whoever recruits, transports, hides or receives individuals or groups of people to be used for sexual activities, forced labor, removing body organs or to be held in servitude regardless of their consent, shall be punished with imprisonment from one to eight years and a fine of up to eight thousand Levs.

(2) When the act under par. 1 is done:

- *against a person under eighteen years;*
- *by using coercion, or misleading the person;*
- *by kidnapping or unlawful imprisonment;*
- *by using state of addiction;*
- *by abuse of power;*
- *by promising, giving or receiving benefits,*
- *the punishment is imprisonment from two to ten years and a fine up to ten thousand Levs.*

Law on Combating Human Trafficking, adopted on 07.05.2003

The law was adopted on May 07, 2003 (in effect as of 20 May of that year) and covers:

- *Interaction, powers and duties of public authorities involved in combating human trafficking;*
- *The status and tasks of the shelters, centers and commissions under this Act to provide protection and assistance to the victims of human trafficking;*
- *Measures to prevent and combat human trafficking;*
- *Measures to protect and assist victims of human trafficking, especially women and children;*
- *Providing special protection for victims of*

human trafficking who cooperate with the investigation.

Act for legal assistance and financial compensation to victims of trafficking - January 2007

Basic accents:

- *Focus on prevention and protection of victims, especially women and children;*
- *Co-operation between states and non-government organizations in developing the national policy;*
- *Definition of "период на размисъл" and "период на възстановяване";*
- *Special protection for victims that assist the investigation;*

Institutions preventing human traffic

✓ **National Commission for Combating Trafficking in Human Beings**

<http://antitraffic.government.bg/>

✓ **Face to Face Bulgaria**

Non-government organization working for reducing the victims of human trafficking

www.facetoface.bg/

✓ **UNODC**

(UN Office for combatting drug smuggling and organized crime):

- ✓ Human trafficking www.unodc.org/unodc/en/trafficking_human_beings.html (only in English)

- ✓ **UNHCHR (UN High Commissioner for Human Rights):** Information report on modern slavery www.unhchr.ch/html/menu6/2/fs14.htm (English, Spanish, French, Russian)

- ✓ **Amnesty International:** Campaign "No to violation over women" web.amnesty.org/actforwomen/index-eng (English, Spanish, Frenachфренски)

- ✓ **Human Rights Watch:** Campaign against human traffic www.hrw.org/women/trafficking.html (Bulgarian, English, Portuguese, Spanish, French, Russian, German, Bosnian, Serbian)

- ✓ **UNICEF:** Campaign for ending child exploitation www.endchildexploitation.org

- ✓ **US State Department:** Office for monitoring and combating human trafficking <http://www.state.gov/g/tip> (English and Spanish)

- ✓ **Anti-Slavery International Campaign:** "Stop human traffic"

<http://www.stophumantrafficking.org> (only in English)

✓ **Protection Project:**

www.protectionproject.org (only in English)

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