**Annex 4**

**Trafficking in Human Beings**

**Data transmitted by the Supreme Prosecutor’s Office of Cassation /SPOC/[[1]](#footnote-1):**

The data have been deduced on the basis of the official statistics of the PORB /Prosecutor's Office of the Republic of Bulgaria/ in indexes according to the PORB’s reporting regulations in force[[2]](#footnote-2).

**Summarized data in key indexes[[3]](#footnote-3)** under Chapter Second of the CC, Crimes against Personality, Section IX, Trafficking in Human Beings, Article 159а ÷ Article 159d of CC, including under Chapter Fourth, Section I, Crimes against Marriage and Family, Article 182b CC[[4]](#footnote-4):

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Period | Observed Pre-trial Proceedings  |  Initiated Pre-trial Proceedings | Public prosecutors’ deeds filed in court  | Persons on public prosecutors’ deeds filed in court  | Sentenced persons  | Sentenced and sanctioned persons by virtue of a court deed entered into force | Discharged persons  | Discharged persons by virtue of a court deed entered into force  |
| 2013 | 369 | 111 | 88 | 129 | 106 | 100 | 3 | 2 |
| 2012 | 382 | 141 | 86 | 113 | 98 | 107 | 2 | 1 |
| 2011 | 327 | 138 | 83 | 115 | 131 | 119 | 3 | 3 |

During the reference year of 2013, the number of the observed pre-trial proceedings for crime relating to trafficking in human beings decreased with с 3,4 % in comparison to the previous 2012. A trend of decrease with 21,3 % in comparison to 2012 and with 19,6 % in comparison to 2011 is observed regarding the new pre-trial proceedings during the last three years.

*The information below contains data of which the Analytical Department at the Supreme Cassation Prosecution Office (SCPO) in relation to some of the additional questions put forward by GRETA in the second round of evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings – GRETA (2014)13.*

Number of identified victims of trafficking in 2014 and the first half of 2015 broken down by gender, age, form of exploitation and nationality.

Data is presented about victims of trafficking in the pre-trial proceedings supervised by the Prosecution Office. The data is broken down by gender, age and type of exploitation. No data is collected about the victims’ nationality.

**For 2014[[5]](#footnote-5)**

491 victims in total, including:

- female – 462, of whom 23 girls aged 16 to 18 and 6 girls aged 14 to 16 years old;

- male – 29, of whom 12 boys aged 14 to 16 years old.

According to the type of exploitation:

* **For the purpose of sexual activities** - 409 victims in total, of whom:

- female – 398, including 22 girls aged 16 to 18 and 6 girls aged 14 to 16;

- male – 11, including 10 boys aged 14 to 16;

* **For the purpose of forced labour** - 16 victims in total, of whom:

- female – 3, including one minor girl;

- male –13, including two boys aged 14 to 16;

* **For the purpose of removal of body organs** – two victims in total, one male and one female;
* **For the purpose of holding someone in forceful subjection** - 11 victims, 7 female and 5 male;
* **Pregnant women trafficked for the purpose of selling their newborn babies** – 17 victims.

**First half of 2015**

A total of 309 victims in the cases completed by the end of the first half of 2015, including:

- female – 286, of whom 20 girls aged 16 to 18 and one girl aged 14 to 16 years old;

- male – 23, of whom three boys aged 14 to 16.

According to the type of exploitation:

* **For the purpose of sexual activities** - 238 victims in total, of whom:

- female – 235, including 17 minors;

- male – 3, including one boy aged 14 to 16 years old;

* **For the purpose of forced labour** - 23 victims in total, of whom:

- female – 4, including three minors;

- male – 19, including two boys aged 14 to 16;

* **For the purpose of removal of body organs** – two victims in total, one man and one woman;
* **For the purpose of holding someone in forceful subjection** – three female victims;
* **Pregnant women trafficked for the purpose of selling their newborn babies** – 17 victims.

**Statistics about criminal proceedings and convicted/sanctioned persons**

- Number of investigations (pre-trial proceedings) in THB cases – the number of newly initiated pre-trial proceedings over the respective period is indicated.

- Number of criminal proceedings in THB cases – the number of prosecutorial acts submitted in court and the number of accused persons are indicated.

- Number of convictions for THB with imposed imprisonment, indicating the length of the sentence and whether it is effective or suspended.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Period** | **Newly initiated pre-trial proceedings** | **Prosecutorial acts submitted in court** | **Accused persons under prosecutorial acts submitted in court** | **Convicted persons** | **Convicted and sanctioned persons with final sentences**  |
| **Total** | **With final sentence** | Imposed punishments per person |
| **Total sentences** | Life imprisonment | **Total imprisonment** | **Effective imprisonment** | **Suspended imprisonment** | Probation | Fine | Other |
| **Total** | Of which without parole | **Total effective imprisonment** | Up to 3 years | Up to 5 years | From 5 to 10 years | From 10 to 20 years | Above 20 years |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| **2014** | 87 | 59 | 89 |  | **56** | 93 |  |  | 53 | 19 |  |  |  |  |  | 34 | 1 | 31 | 4 |
| **First half of 2015** | 43 | 13 | 19 |  | **18** | 24 |  |  | 18 | 5 |  |  |  |  |  | 13 | 0 | 6 | 0 |

Since 2014 no statistics has been collected in the Prosecution Office about the number of sentences that have led to forfeiture of assets. For further data for previous years, please refer to the ***Investigation and prosecution*** section below.

In 2014 signals about child victims of trafficking and exploitation were sent to the SACP by the Bulgarian embassies abroad and by foreign social or police services. SACP experts’ active dialogue with the embassies in London, Berlin, Stockholm and Athens and the contacts with the social services in England, Sweden and the Netherlands have helped improve the cooperation with foreign experts and agree on the modalities for sending signals to the Agency with a view to better efficiency.

In 2014, experts in the SACP worked on 36 cases involving 34 Bulgarian and two Romanian child victims of trafficking and exploitation:

• Sexual exploitation – 10 girls. The cases have been registered in the UK (2), Greece (3), Germany (2), the Netherlands (1), Spain (1) and Bulgaria (1)

• Forced begging – 11 mostly boys. The cases have been registered in Sweden (6), Austria (3) and Germany (2)

• Pickpocketing – 7 girls. The cases have been registered in France (1), Italy (2), Austria (2) and Slovenia (2)

• Sale of children – 1 case in Greece;

• Prevented cases of taking children out of the country for the purpose of exploitation or sale – 7, of whom two Romanian girls.

Compared to **2013**, when the total number of signals was 60, a trend of less signals concerning trafficked children for the purpose of labour or sexual exploitation is observed and more signals about other child cases, mostly related to monitoring protection measures taken in relation to Bulgarian children abroad. One of the reasons for the reduction of signals about trafficked children is that most EU Member States do not report these cases to the Bulgarian consular and diplomatic missions abroad. Exchange of information between the EU Member States is hindered by the lack of common procedures for children from Eastern Europe. Protection of child migrants in the EU is often impeded by the difficulty in determining their identity and subsequently their vulnerability and hence rules out long-term sustainable solutions for the children. Child EU nationals cannot make recourse to the EU law procedural guarantees, which are accorded to third country nationals.

**In 2012**, the experts from SACP worked on the cases of 48 girls and 18 boys, victims of trafficking for labour or sexual exploitation. The cases of Bulgarian children are from the following countries: Greece – 14, Germany – 12, Spain – 8, Finland – 5, Austria – 4, Bulgaria – 3, Czech Republic – 3, Poland – 2, Italy– 2, United Kingdom– 2, the Netherlands – 2, France – 1, Denmark – 1, Hungary – 1, Slovenia – 1. An increase of the cases in Greece, Germany, Spain and the Scandinavian countries, Sweden and Finland, is observed, and also a decrease of the cases from Austria in comparison with 2011. The children are predominantly from the ethnic minorities.

**In 2011**, SACP worked on 47 cases according the mechanism from which 36 girls and 11 boys were victims of trafficking in human beings for labour or sexual exploitation. The children were involved in: pickpocketing – 22, unaccompanied – 10, begging – 6, neglected – 4; sexual exploitation – 3; trafficking in babies – 2.

**In the first half of 2015** experts in the SACP worked on 10 cases concerning 17 Bulgarian child victims of trafficking for the purpose of labour exploitation and coordinated the return of 12 Bulgarian children from other EU Member States (2 from the UK, 9 from Sweden, and 1 from Austria).

1. The data are provided for the preparation of the annual Report on the activity of NCCTHB for 2013 [↑](#footnote-ref-1)
2. Guidelines И - 301/2007 of the Prosecutor General on the information activity of PORB, amended and supplemented with И - 283/2008 [↑](#footnote-ref-2)
3. Reporting in the Prosecutor’s Office is set forth in Guidelines № И - 301/2007 of the Prosecutor General on the information activity of PORB, amended and supplemented with И - 283/2008. The key indexes are: new pre-trial proceedings, public prosecutors’ deeds filed in court, persons on public prosecutors’ deeds filed in court, sentenced and discharged persons, sentenced and discharged persons by virtue of a court deed, which has entered into force. [↑](#footnote-ref-3)
4. A new text in CC promulgated in State Gazette, issue 75 of 2006 and criminalizing the trafficking in pregnant women with the purpose of selling new-born children. [↑](#footnote-ref-4)
5. Please beware that the “total number” is an accumulated number and includes cases from previous years that are still undergoing; if you need to refer to the ones opened for the relevant year you need to look at the newly initiated pre-trial proceedings. [↑](#footnote-ref-5)