

Bulgaria

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bulgaria is an associated member of ILO-IPEC.⁵⁰⁸ In 2002, the Government of Bulgaria adopted a National Action Plan Against the Worst Forms of Child Labor, which aims to eliminate the worst forms of child labor by focusing on such issues as education and new legislation.⁵⁰⁹ In 2001, the government produced the Strategy and Action Plan on Protecting the Rights of Children in Bulgaria that focuses on promoting the welfare of children.⁵¹⁰ The government's Committee for Young People and Children was revitalized in the mid-1990s, and coordinates the action of government ministries to protect the rights of children.⁵¹¹ The Ministry of Labor and Social Policy has collaborated with NGOs to develop projects promoting education for vulnerable groups.⁵¹² In addition, the Ministry of Education, Science and Technologies has initiated programs to boost regular attendance rates, prevent dropouts among children, and build awareness of labor rights for children.⁵¹³ Under an ILO-IPEC preparatory project, a sample survey on child labor in Bulgaria was completed in 2001.⁵¹⁴

International financial institutions and organizations are providing support to the Government of Bulgaria in regard to children's issues. The World Bank funded a four-year education modernization project in the country in 2000 and a three-year child welfare reform project in

⁵⁰⁸ ILO-IPEC, *All about IPEC: Programme Countries*, [online] August 13, 2001 [cited September 14, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

⁵⁰⁹ U.S. Embassy- Sofia, *unclassified telegram no. 2498*, October 2002.

⁵¹⁰ The action plan was developed in 2000 and updated in the 2001 governmental program plan. See Government of Bulgaria, *Strategy and Action Plan on Protecting the Rights of Children in Bulgaria 2000-2003*, April 2001, 1.

⁵¹¹ UN Committee on the Rights of the Child, *Initial Reports of States Parties due in 1992: Bulgaria*, CRC/C/8/Add.29, prepared by Government of Bulgaria, pursuant to Article 44 of the Convention on the Rights of the Child, 1995.

⁵¹² Deputy Prime Minister and Minister of Labor and Social Policy, Mrs. Lidia Shuleva, Statement at the United Nations Special Session on Children, May 10, 2002, [cited September 19, 2002]; available from <http://www.un.org/ga/children/bulgariaE.htm>. Government and NGO initiatives to subsidize schooling expenses have achieved some successes. An ethnic reintegration effort involving children of Roma ethnicity began in some of the country's schools in 2000 and was subsequently expanded. See U.S. Department of State, *Country Reports on Human Rights Practices-2001: Bulgaria*, Washington, D.C., March 4, 2002, 1367-72, Section 5 [cited September 19, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8238.pf.htm>.

⁵¹³ Some of the Ministry of Education's programs are being implemented in cooperation with UNESCO or NGOs. See UN Committee on the Rights of the Child, *Summary Record of the 347th Meeting: Consideration of Reports of States Parties: Bulgaria*, CRC/C/SR.347, United Nations, Geneva, March 4, 1997, 7. See also U.S. Embassy- Sofia, *unclassified telegram no. 4519*, June 2000.

⁵¹⁴ ILO-IPEC, *At a Glance: IPEC's technical Cooperation Activities in Europe and Central Asia*, (included in an email communication dated March 6, 2002) 1, 3.

2001.⁵¹⁵ UNICEF and ECPAT International sponsored a seminar on commercial sexual exploitation of children in Bulgaria in 2001.⁵¹⁶ The International Organization on Migration (IOM) is engaged in a regional effort on the trafficking of women and children in the Balkans, including Bulgaria, to raise awareness, return and reintegrate the victims of trafficking, and build government capacity. IOM is also working with the Ministry of Education, Science and Technology to implement a public awareness campaign in the country's schools on the trafficking of women and children.⁵¹⁷

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 14 percent of children between ages 5 to 17 years in Bulgaria were working.⁵¹⁸ Children engaging in paid work outside of the home work in the commercial and service sectors, forestry, transport and communications, industry, construction, and agriculture.⁵¹⁹ Children also engage in unpaid work for family businesses or farms, and in their households.⁵²⁰ Children engage in heavy physical labor and are exposed to health hazards on tobacco farms.⁵²¹ The prostitution of children often occurs through organized crime rings.⁵²² According to the Ministry of the Interior, in 2001 there were a total of 340 reported under-age prostitutes, up by 23 percent relative to 2000.⁵²³ The police estimate that 10 percent of prostitutes are minors.⁵²⁴ Some

⁵¹⁵ World Bank, *Education Modernization Project*, [online] [cited September 19, 2002]; available from <http://www4.worldbank.org/sprojects/Project.asp?pid=P055158>. See also World Bank, *Child Welfare Reform Project*, [online] [cited September 19, 2002]; available from <http://www4.worldbank.org/sprojects/Project.asp?pid=P064536>.

⁵¹⁶ ECPAT International, *ECPAT International Newsletters: Report on Multi-disciplinary Seminars in Central and Eastern Europe*, [online] December 1, 2001 [cited September 19, 2002]; available from http://www.ecpat.net/eng/Ecpat_inter/IRC/articles.asp?articleID+284&NewsID=30.

⁵¹⁷ International Organization for Migration, *IOM Counter Trafficking Strategy for the Balkans and Neighboring Countries*, January 2001, 2, 4-6 [cited December 13, 2002]; available from http://www.iom.int/en/PDF_Files/other/Balkan_strategy.pdf. See also U.S. Department of State, *Trafficking in Persons Report- 2002: Bulgaria*, Washington, D.C., June 2002, 33.

⁵¹⁸ Six percent of children (83,000) work for payment, 32 percent (418,000) work on the household farm, and 47 percent (611,000) work in the household. Of the children performing paid labor, 94.1 percent do not have a contract. See ILO-IPEC, *Problems of Child Labor in the Conditions of Transition in Bulgaria: Study project*, Sofia, 2000, 13, 31-32.

⁵¹⁹ *Ibid.*, 32. Examples of employment include work in textile factories and restaurants. See U.S. Department of State, *Country Reports- 2001: Bulgaria*, 1372-75, Section 6d. Child labor also exists in the informal sector, and is believed to be increasing in this and the agricultural sector due to the breakup of collective farms and the ensuing economic transition. Young children, particularly among the minority Roma population, work as panhandlers. See U.S. Department of State, *Country Reports- 2001: Bulgaria*, 1367-75, Sections 5 and 6d.

⁵²⁰ ILO-IPEC, *Problems of Child Labor*, 32-36.

⁵²¹ Many children working on tobacco farms are ethnic Turkish. See U.S. Department of State, *Country Reports- 2001: Bulgaria*, 1372-75, Section 6d.

⁵²² ILO-IPEC, *Problems of Child Labor*, 55.

⁵²³ U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁵²⁴ European Parliament, *Trafficking in Women*, working paper, Brussels, March 2000, 60.

girls working in the commercial sex industry are 12 and 13 years old.⁵²⁵ Trafficking in young girls for sexual exploitation is also a problem in Bulgaria. Girls as young as 14 years of age have been kidnapped and smuggled out of the country to destinations across Europe.⁵²⁶

Education is compulsory up to the age of 16 under the National Education Act of 1991, with children typically starting school at the age of 6 or 7.⁵²⁷ In 1998, the gross primary enrollment rate was 101.0 percent, and the net primary enrollment rate was 93.4 percent.⁵²⁸ Roma children have particularly low attendance and high dropout rates.⁵²⁹ National primary school attendance rates are unavailable for Bulgaria. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.⁵³⁰

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years. An exception to the Labor Code provides that children under 16 can work in government-approved jobs with the consent of a parent, however, children may not work in hazardous conditions until the age of 18 years.⁵³¹ Children under 18 are required to work reduced hours and are prohibited from overtime and night work.⁵³² The Family Code establishes legal protections for children working in family businesses.⁵³³ In 2000, the Child Protection Act was enacted, which prohibits the employment of children in begging and prostitution, among other potentially harmful acts.⁵³⁴ The Constitution prohibits forced labor,⁵³⁵ and the Penal Code forbids procuring women for prostitution, abducting a

⁵²⁵ ILO-IPEC, *Problems of Child Labor*, 55.

⁵²⁶ Bulgaria is a source, transit, and destination country for human trafficking. No official statistics on trafficking of children are available. Bulgarian women and those in transit through the country are trafficked to Albania, Austria, Bosnia, Cyprus, the Czech Republic, Denmark, France, Kosovo, Germany, Italy, Greece, Macedonia, Poland, the Netherlands, South Africa, Spain, and Turkey. In addition, victims have been trafficked into Bulgaria from Georgia, Ukraine, Moldova, Romania, Russia, Lithuania, and Latvia. See U.S. Department of State, *Trafficking in Persons Report- Bulgaria*, 33. See also U.S. Department of State, *Country Reports- 2001: Bulgaria*, 1372-75, Section 6f.

⁵²⁷ Government of Bulgaria, *National Education Act*, (State Gazette, No. 86/18.10.1991), [cited September 20, 2002], Articles 6, 7; available from <http://www.bild.net/legislation/>.

⁵²⁸ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

⁵²⁹ The Roma are an ethnic minority in Bulgaria. ILO-IPEC, *Problems of Child Labor*, 64. See also U.S. Embassy-Sofia, *unclassified telegram no. 4519*.

⁵³⁰ For a more detailed description on the relationship between education statistics and work, see the preface to this report.

⁵³¹ Children under age 16 may also be employed within the "sphere of culture," including film, theater, or entertainment. Comprehensive Bulgarian legislation pertaining to child labor can be found in the Labor Code, Chapter 15, Section I, "Special Protection of Children," Articles 301-305. See ILO-IPEC, *Problems of Child Labor*, 59-60. See also UN Committee on the Rights of the Child, *Initial Reports of States Parties: Bulgaria*.

⁵³² *Bulgaria Labor Code*, Articles 137, 40 and 47 [cited September 20, 2002]; available from <http://www.bild.net/index.htm>.

⁵³³ ILO-IPEC, *Problems of Child Labor*, 60.

⁵³⁴ *Ibid.*, 59. See also Statement by Mrs. Lidia Shuleva at the United Nations Special Session on Children.

⁵³⁵ *Constitution of Bulgaria, 1991*, Article 48 (4) [cited September 20, 2002]; available from http://www.uni-wuerzburg.de/law/bu00000_.html.

woman for the purposes of sexual exploitation, and depriving any individual of his or her liberty.⁵³⁶ As of 2002, the Penal Code also prohibits child prostitution and trafficking in children,⁵³⁷ but there are no specific laws governing or prohibiting child pornography.⁵³⁸

The Ministry of Labor and Social Policy is responsible for enforcing child labor laws, and they are generally well enforced in the formal sector.⁵³⁹ There are reports, however, that low funding and other economic priorities hamper enforcement.⁵⁴⁰

The Government of Bulgaria ratified ILO Convention 138 on April 23, 1980 and ILO Convention 182 on July 28, 2000.⁵⁴¹

⁵³⁶ Article 142a prohibits trafficking by criminalizing the illegal deprivation of liberty of a person and, in cases involving minors, establishes a penalty of jail for three to 10 years. Articles 155 and 156 prohibit the abduction or persuasion of a female for prostitution, and Article 188 sets specific penalties of up to six years imprisonment for those who compel a minor to engage in prostitution. See Government of Bulgaria, *Penal Code*, [cited September 20, 2002]; available from <http://www.protectionproject.org>.

⁵³⁷ U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁵³⁸ ECPAT International, *Europe I: Mission Report, August 29th-September 29th*, October 2002.

⁵³⁹ U.S. Department of State, *Country Reports- 2001: Bulgaria*, 1372-75, Section 6d.

⁵⁴⁰ U.S. Embassy- Sofia, *unclassified telegram no. 5059*, October 2001.

⁵⁴¹ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited September 20, 2002]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.