

BULGARIA

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

The Government of Bulgaria is an associated member of ILO-IPEC.⁶³⁴ 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.⁶³⁵ The government has also produced a Strategy and Action Plan on Protecting the Rights of Children in Bulgaria that focuses on promoting the welfare of children.⁶³⁶ In March 2003, the Ministry of Labor and Social Policy's Chief Labor Inspectorate and the State Agency for Child Protection signed an agreement to cooperate to provide greater protections for working children.⁶³⁷ The Ministry of Education is working with the teachers' union to educate children about their human and labor rights.⁶³⁸ Under an ILO-IPEC preparatory project, a sample survey on child labor in Bulgaria was completed in 2001.⁶³⁹

The government has also established task forces to address the issue of trafficking in persons.⁶⁴⁰ IOM supports a regional effort on the trafficking of women and children in the Balkans, including Bulgaria, that includes initiatives to build government capacity.⁶⁴¹ In December 2002, the government signed a joint declaration with other Southeastern European nations to better assist victims of trafficking.⁶⁴²

The Ministry of Labor and Social Policy has collaborated with NGOs to develop projects promoting education for vulnerable groups.⁶⁴³ An ethnic reintegration effort involving children of Roma ethnicity, a minority group in Bulgaria, began in some of the country's schools in 2000. In order to increase Roma attendance, the government

⁶³⁴ ILO-IPEC, *All about IPEC: Programme Countries*, [online] 2001 [cited June 23, 2003]; available from http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm.

⁶³⁵ U.S. Embassy- Sofia, *unclassified telegram no. 2498*, October 25, 2002.

⁶³⁶ 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. Under legislation passed in 2003, the State Agency for Child Protection will be responsible for drafting a "National Program for Child Protection." See U.S. Embassy— Sofia, *unclassified telegram no. 1608*, August 19, 2003.

⁶³⁷ A cooperative action plan is currently under development. See U.S. Embassy— Sofia, *unclassified telegram no. 1608*.

⁶³⁸ See U.S. Embassy- Sofia, *unclassified telegram no. 4519*, June 2000.

⁶³⁹ 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.

⁶⁴⁰ In 2002, the government's Interagency Task Force on Trafficking participated in training activities on prevention offered by foreign governments and NGOs. See U.S. Department of State, *Trafficking in Persons Report- 2003: Bulgaria*, Washington, D.C., June 2003, 38; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/>. See also UNICEF, UN Office of the High Commissioner for Human Rights, and OSCE/Office for the Democratic Institutions and Human Rights, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, Belgrade, 2002; available from <http://www.unicef.org/sexual-exploitation/trafficking-see.pdf> [hard copy on file]. The Government of Bulgaria is a member of the Southeast European Cooperative Initiative, and has participated in regional anti-trafficking efforts through the initiative's Regional Center for Combating Transborder Crime. See SECI Regional Center for Combating Transborder Crime, *SECI States*, [online] December 12, 2003 [cited January 6, 2004]; available from <http://www.secicenter.org/html/index.htm>. See also SECI Regional Center for Combating Transborder Crime, *Operation Mirage: Evaluation Report*, Bucharest, January 21, 2003; available from <http://www.secicenter.org/html/index.htm>.

⁶⁴¹ IOM, *IOM Counter Trafficking Strategy for the Balkans and Neighboring Countries*, January 2001, 2, 4-6 available from http://www.iom.int/en/PDF_Files/other/Balkan_strategy.pdf.

⁶⁴² Alban Bala, *Southeastern Europe: Governments Shift Their Focus In Fighting Human Trafficking*, Radio Free Europe: Radio Liberty, [online] December 13, 2002 [cited July 2, 2003]; available from <http://www.rferl.org/nca/features/2002/12/13122002200939.asp>.

⁶⁴³ 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; available from <http://www.un.org/ga/children/bulgariaE.htm>.

and NGOs provide subsidies for schooling expenses such as school lunches, books, and tuition fees.⁶⁴⁴ With support from USAID,⁶⁴⁵ additional integration efforts, such as busing programs, began in 2002.⁶⁴⁶ For the period 2003–2004, USAID is continuing to fund activities for Roma children designed to reduce school-dropout rates.⁶⁴⁷ The EU has also provided funding for projects to encourage school attendance by Roma children that include income support for Roma families, cultural sensitivity training for teachers, and development of Roma-friendly curriculum.⁶⁴⁸ With EU support, the government has also provided funding for additional teaching assistants, usually from minority ethnic groups, to be placed in classrooms with Roma and Turkish students.⁶⁴⁹ The World Bank has funded a 3-year education modernization project in the country that began in 2001 and a 3-year child welfare reform project in 2001.⁶⁵⁰

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 14 percent of children ages 5 to 17 years in Bulgaria were working.⁶⁵¹ Children engaging in paid work outside of the home work in the commercial and service sectors, agriculture, forestry, transportation, communications, industry, and construction.⁶⁵² Such work tends to occur in the informal sector.⁶⁵³ Children also engage in unpaid work for family businesses or farms, and in their households.⁶⁵⁴ Children are involved in the distribution of drugs and in prostitution, sometimes working with organized crime rings.⁶⁵⁵ According to the Ministry of the Interior, in 2002 there were a total of 501 reported underage prostitutes.⁶⁵⁶ In

⁶⁴⁴ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Bulgaria*, Washington, D.C., March 31, 2003, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18358pf.htm>. In April 2003, the Minister of Education issued a decree prohibiting Roma children who are not mentally handicapped from being registered in special schools that serve such children. Some parents reportedly choose to send healthy children to such schools because the schools cover the child's living expenses. See Republic of Bulgaria Council of Ministers Representative, interview with USDOL official, August 21, 2003.

⁶⁴⁵ USAID, *Data Sheet: Bulgaria*, Washington, DC, no date.

⁶⁴⁶ U.S. Department of State, *Country Reports- 2002: Bulgaria*.

⁶⁴⁷ USAID, *Data Sheet*.

⁶⁴⁸ Republic of Bulgaria Council of Ministers Representative, personal communication with USDOL official, October 7, 2003.

⁶⁴⁹ Ibid. See also U.S. Embassy— Sofia, *unclassified telegram no. 1608*.

⁶⁵⁰ World Bank, *Education Modernization Project*, [online] [cited June 21, 2003]; available from http://www.worldbank.bg/operations/EM_en.pdf. See also World Bank, *Child Welfare Reform Project*, [online] [cited June 21, 2003]; available from http://www.worldbank.bg/operations/CWR_en.pdf.

⁶⁵¹ 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.

⁶⁵² Ibid., 32. Children work in restaurants, shops, hotels, and small-scale textile factories. They also sell newspapers and other items. See U.S. Department of State, *Country Reports- 2002: Bulgaria*, Section 6d. See also ILO-IPEC, *Problems of Child Labor*, 31.

⁶⁵³ ILO-IPEC, *Problems of Child Labor*, 32. It is believed that underage employment in the informal and agricultural sectors is increasing due to the break-up of collective farms and the growth of the private sector. See U.S. Department of State, *Country Reports- 2002: Bulgaria*, Section 6d.

⁶⁵⁴ Farm work may expose children to toxic chemicals and increased risk of injury. ILO-IPEC, *Problems of Child Labor*, 32, 34, 36, 47. Children of the ethnic Turkish minority face health hazards from work on family tobacco farms. See U.S. Embassy— Sofia, *unclassified telegram no. 1608*. See also U.S. Embassy— Sofia, *unclassified telegram no. 2498*.

⁶⁵⁵ U.S. Department of State, *Country Reports- 2002: Bulgaria*, Section 6d. See also ILO-IPEC, *Problems of Child Labor*, 55.

⁶⁵⁶ See U.S. Embassy— Sofia, *unclassified telegram no. 1608*. According to the Ministry, in 2001 there were a total of 340 reported under-age prostitutes. See U.S. Embassy— Sofia, *unclassified telegram no. 2498*.

2000, the police estimated that 10 percent of prostitutes were minors.⁶⁵⁷ Bulgaria is a source, transit, and destination country for trafficking in girls for sexual exploitation.⁶⁵⁸

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 7.⁶⁵⁹ In 2000, the gross primary enrollment rate was 103.2 percent, and the net primary enrollment rate was 94.3 percent.⁶⁶⁰ Roma children tend to have low attendance and high dropout rates.⁶⁶¹ 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.⁶⁶²

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years. Exceptions to the Labor Code provide that children ages 13 to 15 may engage in light work and perform certain jobs approved by the government.⁶⁶³ Children under 18 are required to work reduced hours and are prohibited from hazardous, overtime, and night work.⁶⁶⁴ The Family Code establishes legal protections for children working in family businesses.⁶⁶⁵ In 2000, the Child Protection Act was enacted, which prohibits the involvement of children in activities that might harm their development, such as begging and prostitution.⁶⁶⁶ The Constitution prohibits forced labor,⁶⁶⁷ and the Penal Code prohibits procuring women and children for prostitution, abducting a woman or child for the purposes of sexual

⁶⁵⁷ European Parliament, *Trafficking in Women*, working paper, Brussels, March 2000, 60.

⁶⁵⁸ No official statistics on trafficking of children are available. Bulgarian victims are trafficked to countries across Western, Southern and Eastern Europe, as well as to South Africa, while victims have been trafficked into Bulgaria from Ukraine, Moldova, Romania, Russia, and the Caucasus countries. Ethnic Roma are disproportionately represented among Bulgarian victims. See U.S. Department of State, *Trafficking in Persons Report-Bulgaria*, 38. See also UNICEF, UN Office of the High Commissioner for Human Rights, and OSCE/Office for the Democratic Institutions and Human Rights, *Trafficking in Human Beings*, 51-52.

⁶⁵⁹ Government of Bulgaria, *National Education Act*, (State Gazette, No. 86/18.10.1991), [cited June 23, 2003], Articles 6 and 7; available from <http://www.bild.net/legislation/>.

⁶⁶⁰ Enrollment rates for boys are similar to enrollment rates for girls. World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

⁶⁶¹ ILO-IPEC, *Problems of Child Labor*, 64. See also U.S. Department of State, *Country Reports- 2002: Bulgaria*, Section 5. According to the World Bank, however, Roma school attendance improved from 55 percent in 1995 to 71 percent in 2001. See U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁶⁶² For a more detailed discussion of the relationship between education statistics and work, see the preface to this report.

⁶⁶³ Children under 18 must have government approval to work. *Labour Code Act, as amended*, (2001), Article 301-03; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>.

⁶⁶⁴ *Ibid.*, 137, 40, 47, 303-05.

⁶⁶⁵ ILO-IPEC, *Problems of Child Labor*, 60.

⁶⁶⁶ *Ibid.*, 59. See also Statement by Mrs. Lidia Shuleva at the United Nations Special Session on Children. The Act was amended in 2003 to strengthen protections for adopted children or children deprived of the care of their families, pursuant to Article 20 of the Convention on the Rights of the Child. See U.S. Embassy— Sofia, *unclassified telegram no. 1608*. For the text of the convention, see *Convention on the Rights of the Child*; available from <http://www.unhcr.ch/html/menu2/6/crc/treaties/crc.htm>.

⁶⁶⁷ *Constitution of Bulgaria, 1991*, Article 48 (4); available from http://www.uni-wuerzburg.de/law/bu00000_.html.

exploitation, and depriving any individual of his or her liberty.⁶⁶⁸ In May 2003, the government adopted a trafficking in persons law that includes measures for the protection of child victims of trafficking.⁶⁶⁹

The Chief Labor Inspectorate is responsible for enforcing all labor laws, including those covering child labor. As of August 2003, the inspectorate had 400 inspectors, an increase from 271 inspectors in 2002.⁶⁷⁰ Child labor laws are generally well enforced in the formal sector.⁶⁷¹ In 2002, the inspectorate conducted checks on 30,298 enterprises and found 598 violations of child labor laws.⁶⁷² Weaknesses in the judicial system hamper enforcement of trafficking laws.⁶⁷³

The Government of Bulgaria ratified ILO Convention 138 on April 23, 1980 and ILO Convention 182 on July 28, 2000.⁶⁷⁴

⁶⁶⁸ Article 142a prohibits trafficking by criminalizing the illegal deprivation of liberty of a person and, in cases involving minors, establishes a penalty of imprisonment for three to 10 years. Articles 155 and 156 prohibit the abduction or persuasion of a female for prostitution, and set a penalty of up to 12 years imprisonment when the crime involves a minor. Article 188 sets penalties of up to six years imprisonment for those who compel a minor to engage in prostitution. See Government of Bulgaria, *Penal Code*; available from <http://209.190.246.239/protectionproject/statutesPDF/Bulgariaf.pdf>.

⁶⁶⁹ U.S. Embassy— Sofia, *unclassified telegram no. 1608*.

⁶⁷⁰ See *Ibid.* See also U.S. Embassy— Sofia, *unclassified telegram no. 2498*.

⁶⁷¹ U.S. Department of State, *Country Reports- 2002: Bulgaria*, Section 6d.

⁶⁷² U.S. Embassy— Sofia, *unclassified telegram no. 1608*. The number of violations is down from 2001. See U.S. Embassy— Sofia, *unclassified telegram no. 2498*.

⁶⁷³ U.S. Department of State, *Trafficking in Persons Report- Bulgaria*, 38.

⁶⁷⁴ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited June 23, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.