

Bulgaria

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Bulgaria are unavailable.⁶⁸⁸ Most working children are employed at home, in family-owned shops, and on family farms, some engaging in heavy or dangerous labor.⁶⁸⁹ Children also work in restaurants, shops, hotels, agriculture, forestry, transportation, communications, construction, periodical sales, and industry, particularly in small-scale textiles.⁶⁹⁰ The majority of paid child labor occurs in the commercial and services sector.⁶⁹¹ Child labor is one of many problems associated with poverty. In 2001, 4.7 percent of the population of Bulgaria were living on less than USD 1 a day.⁶⁹²

Children are involved in prostitution and drug trafficking in Bulgaria, sometimes working with organized crime rings.⁶⁹³ Trafficking in children is a problem, with Bulgaria serving primarily as a transit country, including for girls trafficked for prostitution and sexual exploitation.⁶⁹⁴ Bulgarian women and children are trafficked from Central Asia, Moldova, Romania, Russia, and Ukraine into Western, Southern and Eastern Europe.⁶⁹⁵ To a lesser extent, Bulgaria serves as a country of origin for trafficking victims, and there are cases of internal trafficking.⁶⁹⁶ The majority of trafficked children come from the poorest families, many within the ethnic minority Roma community.⁶⁹⁷ Most young girls who are trafficked are lured by “get rich quick” promises at the ages of 14 and 15 when they cannot afford to continue their schooling beyond the required, basic education.⁶⁹⁸ However, no official statistics on trafficking of children are available.⁶⁹⁹

⁶⁸⁸ This statistic is not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children’s work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the “Data Sources and Definitions” section of this report.

⁶⁸⁹ ILO-IPEC, *Problems of Child Labor in the Conditions of Transition in Bulgaria: Study project*, Sofia, 2000, 32, 36. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Bulgaria*, Washington, DC, February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41674.htm>.

⁶⁹⁰ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d. See also ILO-IPEC, *Problems of Child Labor*, 31, 32.

⁶⁹¹ ILO-IPEC, *Problems of Child Labor*.

⁶⁹² World Bank, *World Development Indicators 2005* [CD-ROM], Washington, DC, 2005.

⁶⁹³ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d.

⁶⁹⁴ *Ibid.*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report*, Washington, DC, June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm>.

⁶⁹⁵ U.S. Department of State, *Trafficking in Persons Report*.

⁶⁹⁶ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report*.

⁶⁹⁷ Hamburg Institute of International Economics, *EU-Enlargement, Migration and Trafficking in Women: The Case of South Eastern Europe*, 247, 2004, 23. Poverty puts many Romani children at risk of begging, prostitution, and other crimes. See U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5.

⁶⁹⁸ European Parliament, *Trafficking in Women*, working paper, Brussels, March 2000, 61.

⁶⁹⁹ Hamburg Institute of International Economics, *EU-Enlargement, Migration and Trafficking in Women*, 23. See also UNICEF and OSCE/ODIHR UNHCHR, *Trafficking in Human Beings in Southeastern Europe*, June 2002, 51; available from <http://www.unhchr.ch/women/trafficking.pdf>.

Under its Constitution and the National Education Act of 1991, education is free and compulsory up to the age of 16.⁷⁰⁰ Bulgaria traditionally places high value on education and literacy, contributing to its relatively competitive educational system.⁷⁰¹ Children typically start school at the age of 6 or 7,⁷⁰² and gender inequality in education is generally not a problem.⁷⁰³ Rural and Roma children tend to have low attendance and high dropout rates.⁷⁰⁴ Roma children also attend segregated schools offering inferior education.⁷⁰⁵

In 2002, the gross primary enrollment rate was 100 percent and the net primary enrollment rate was 90 percent.⁷⁰⁶ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Primary school attendance statistics are not available for Bulgaria.⁷⁰⁷

Child Labor Laws and Enforcement

The Constitution protects employees from discrimination, forced labor, and hazardous working conditions.⁷⁰⁸ The Government of Bulgaria is generally committed to children's welfare, but is seriously constrained by budgetary limitations.⁷⁰⁹

The Labor Code sets the minimum age for employment at 16 years,⁷¹⁰ but children ages 13 to 16 years may engage in light work and perform certain jobs with government approval.⁷¹¹ Children younger than 16 years must undergo a medical examination to receive government approval.⁷¹² Children under 18 are permitted to work only reduced hours and are prohibited from hazardous, overtime, and night work.⁷¹³ Amendments to the Criminal Code in 2004 stipulate 6 months of imprisonment and a fine of 500 Leva (USD 335) for illegally employing children under 18 years, and 1 year imprisonment and a fine of 1000 Leva (USD 670) for illegally employing children under 16 years.⁷¹⁴ The Family Code establishes legal protections for children working in family businesses, including situations when a parent "jeopardizes the

⁷⁰⁰ *Constitution of Bulgaria*, (1991 [amended 2003, 2005]), Article 53; available from <http://www.parliament.bg/?page=const&lng=en>. See also Government of Bulgaria, *National Education Act*, (1991 [amended 1996]), Articles 6 and 7; available from <http://www.bild.net/legislation/docs/8/edu4.html>.

⁷⁰¹ UNDP, *Millennium Development Goals Report for Bulgaria*, 2003, 18; available from <http://www.undp.bg/en/publications.php?content=yes&ID=2&PHPSESSID=d7032e68416fc971a39a5af00>. Bulgaria ranks at the top of the medium human development index. See UNDP, *Human Development Report 2004*, 2004, 129, 140; available from <http://hdr.undp.org/reports/global/2004/>.

⁷⁰² *National Education Act*, Article 7, para. 2.

⁷⁰³ UNDP, *Millennium Development Goals Report*, 19.

⁷⁰⁴ *Ibid.* See also ILO-IPEC, *Problems of Child Labor*, 31, 32.

⁷⁰⁵ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5. See also Inter Ethnic Initiative for Human Rights Save the Children UK, EveryChild, Bulgarian Helsinki Committee, and Centre for Independent Living, *NGO Alternative Report on Bulgaria's Progress Towards EU Accession, 2004*, Sofia, October 2004, 13, 15; available from http://www.bghelsinki.org/special/en/2004_NGOAlternativeReport_EN.doc.

⁷⁰⁶ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005).

⁷⁰⁷ This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used.

⁷⁰⁸ *Constitution of Bulgaria*, Articles 6, 48.

⁷⁰⁹ *Ibid.*

⁷¹⁰ Government of Bulgaria, *Labour Code*, (1986 [as amended 2004]); available from <http://www.mlsp.government.bg/en/docs/labour/index.htm>.

⁷¹¹ *Ibid.*, Articles 301, 302.

⁷¹² *Ibid.*, Article 302.

⁷¹³ No overtime work; night work only between 8 p.m. and 6 a.m.; length of work week not to exceed 40 hours for employees under the age of 18. See *Ibid.*, Articles 113, 137, 140, 147, 304, 305.

⁷¹⁴ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d.

personality, upbringing, health or property of the child.⁷¹⁵ The Child Protection Act prohibits the involvement of children in activities that might harm their development.⁷¹⁶ It 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 UN Convention on the Rights of the Child.⁷¹⁷ An Ordinance for the Elimination of Child Labor that provides annual allowances for children and students was approved in August 2004.⁷¹⁸ Since 1999, the Government of Bulgaria has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.⁷¹⁹ The minimum age for compulsory and voluntary military service is 18.⁷²⁰

There is a trafficking provision in the Bulgarian Criminal Code and witness protection legislation that covers victims of trafficking.⁷²¹ The Bulgarian Law on Combating the Illegal Trafficking in Human Beings covers children and mandates the creation of a national commission to coordinate and construct policy on trafficking.⁷²² The Anti-trafficking Commission held its first meeting in December 2004.⁷²³ The penalty for trafficking a minor is 2 to 10 years of imprisonment and up to 10,000 Leva (USD 6670).⁷²⁴ However, the law contains gaps in regard to the victim's well-being and overall situation. These gaps are impossible to assess given the lack of reliable information on the trafficking of women and children.⁷²⁵ There is also a substantial lack of space in shelters established for temporary housing of victims.⁷²⁶

The Ministry of Labor and Social Policy's (MLSP) Chief Labor Inspectorate enforces all labor laws, including those concerning child labor.⁷²⁷ According to the US Department of State, child labor laws are generally well-enforced in the formal sector.⁷²⁸ However, official corruption hampers enforcement of anti-trafficking efforts.⁷²⁹

⁷¹⁵ Government of Bulgaria, *Family Code*, (1985 [amended 1992]), Articles 74-75; available from <http://bild.net/legislation/docs/4/civil5.html>. See also ILO-IPEC, *Problems of Child Labor*, 31, 32, 60.

⁷¹⁶ Government of Bulgaria, *Child Protection Act*, (as amended 2003), Article 10, 11; available from http://cis-sacp.government.bg/sacp/CIS/content_en/law/item03.htm.

⁷¹⁷ U.S. Embassy-- Sofia, *unclassified telegram no. 1608*, August 19, 2003. For text of the Convention, see *Convention on the Rights of the Child*; available from <http://www.unhchr.ch/html/menu2/6/crc/treaties/crc.htm>.

⁷¹⁸ ILO, http://www.ilo.org/dyn/natlex/natlex_browse.home?p_lang=en (Browse by Country: Bulgaria).

⁷¹⁹ ILO-IPEC official, email communication to USDOL official, November 14, 2005. A copy of the Government of Bulgaria's list of hazardous work prohibited to minors was requested from the government, but no response was received. See U.S. Department of Labor, "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor," *Federal Register* 70, no. 141, 43014 (July 25, 2005); available from <http://frwebgate4.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=98311525998+10+0+0&WAIAction=retrieve>.

⁷²⁰ CIA, *The World Factbook: Bulgaria*, September 20, 2005 [cited October 12, 2005]; available from <http://www.cia.gov/cia/publications/factbook/print/bu.html>.

⁷²¹ U.S. Department of State, *Trafficking in Persons Report*.

⁷²² *Law on Combating Trafficking in Human Beings*, (January 1, 2004), Articles 1(a) and 2(a); available from http://www.legislationline.org/data/Trafficking/DOMESTIC_LEGISLATION/bulgaria/Bulgaria_trafficking_law_english.doc.

⁷²³ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5.

⁷²⁴ *Ibid.*

⁷²⁵ Hamburg Institute of International Economics, *EU-Enlargement, Migration and Trafficking in Women*, 5-6. 23. 86.

⁷²⁶ *Ibid.*, 86, 97.

⁷²⁷ Ministry of Labour and Social Policy, *Basic functions and tasks of the Ministry of Labour and Social Policy of the Republic of Bulgaria*, [cited June 1, 2005]; available from <http://www.mlsp.government.bg/en/functions/index.htm>. See also U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d.

⁷²⁸ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d. From October 2002 to August 2004, there was a 62 percent increase in the number of inspectors (from 271 to 440 inspectors); In 2004, five regional labor inspectorates identified child labor as a priority. U.S. Embassy- Sofia, *unclassified telegram no. 1616*, August 24, 2004. See also U.S. Embassy- Sofia, *unclassified telegram no. 2498*, October 25, 2002.

⁷²⁹ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5.

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

In 2002, Bulgaria adopted a National Action Plan against the Worst Forms of Child Labor that focuses on education and new legislation.⁷³⁰ The government maintains an Action Plan against Commercial Sexual Exploitation of Children,⁷³¹ a National Strategy for Children on the Street,⁷³² and an Anti-Trafficking Task Force within the Ministry of Interior (MOI).⁷³³ On March 22, 2005, the Bulgarian government issued a Memorandum of Understanding with the ILO, establishing a Child Labor Unit within the Ministry of Labor and Social Policy.⁷³⁴ The Child Labor Unit will coordinate child labor issues and develop a national child labor database.⁷³⁵ Bulgaria also implemented a National Anti-Trafficking Strategy in February 2005.⁷³⁶

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	4/23/1980	✓
Ratified Convention 182	7/28/2000	✓
ILO-IPEC Associated Member		✓
National Plan for Children		✓
National Child Labor Action Plan		✓
Sector Action Plan (Commercial Sexual Exploitation and Trafficking)		✓

Bulgaria is a member of the Southeast European Cooperative Initiative (SECI) and has participated in regional anti-trafficking efforts through SECI's Regional Center for Combating Transborder Crime, an organization that promotes cooperation among law enforcement authorities.⁷³⁷ In cooperation with the government, the IOM supports six counter-trafficking projects in Bulgaria, including regional efforts to provide mental health assistance to victims of trafficking.⁷³⁸ In May 2005, the Committee of Ministers of the Council of Europe, of which Bulgaria is a member, adopted a European Convention against Trafficking in Human Beings that focuses on a cooperative framework for the protection and assistance of trafficked persons.⁷³⁹

The government and various NGOs conduct awareness programs and crisis centers for trafficked victims.⁷⁴⁰ With participation from the government, USAID supports a Rule of Law program to advance judicial reform, anti-corruption, and anti-trafficking efforts.⁷⁴¹ IPEC works with the government on a national and regional program that targets the worst forms of child labor.⁷⁴² The World Bank Group funds

⁷³⁰ U.S. Embassy- Sofia, *unclassified telegram no. 2498*.

⁷³¹ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d. See also U.S. Embassy- Sofia, *unclassified telegram no. 1616*.

⁷³² U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5. See also U.S. Embassy- Sofia, *unclassified telegram no. 1616*.

⁷³³ Hamburg Institute of International Economics, *EU-Enlargement, Migration and Trafficking in Women*, 138.

⁷³⁴ U.S. Embassy- Sofia, *unclassified telegram no. 1524*, August 31, 2005.

⁷³⁵ *Ibid.*

⁷³⁶ U.S. Department of State, *Trafficking in Persons Report*, 73.

⁷³⁷ Hamburg Institute of International Economics, *EU-Enlargement, Migration and Trafficking in Women*, 25, 138.

⁷³⁸ IOM, *Online Project Compendium: Bulgaria*, [online] [cited June 1, 2005]; available from

<http://www.iom.int/iomwebsite/Project/ServletSearchProject..> See also IOM, *IOM Counter Trafficking Strategy for the Balkans and Neighboring Countries*, January 2001, 4-6; available from http://www.iom.int/en/PDF_Files/other/Balkan_strategy.pdf.

⁷³⁹ Council of Europe, *Action Against Trafficking in Human Beings*, Council of Europe, [online] n.d. [cited September 30, 2005]; available from http://www.coe.int/T/E/human_rights/trafficking/. Amnesty International, *Enhancing the Protection of the Rights of Trafficked Persons; Amnesty International and Anti-Slavery International's Recommendations to strengthen provisions of the July 2004 draft European Convention against Trafficking in Human Beings*, Amnesty International, London, September 2004.

⁷⁴⁰ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5. U.S. NGOs run a project that uses education to combat child prostitution and trafficking along the Bulgaria-Romania border. BEPS, *Combating Human Trafficking: Bulgaria*, [online] [cited May 26, 2004]; available from http://www.beps.net/child_labor/labor_bulgaria.htm.

⁷⁴¹ The program concludes in 2007. USAID, *Bulgaria: The Development Challenge*, [online] January 17, 2005 [cited June 1, 2005]; available from <http://www.usaid.gov/policy/budget/cbj2005/ee/bg.html>.

⁷⁴² ILO-IPEC, *IPEC Action Against Child Labor: Highlights 2004*, Geneva, October 2004, 21; available from

http://www.ilo.org/public/english/standards/ipec/publ/download/implementation_2004_en.pdf. See also U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 6d.

a Child Welfare Reform Project that targets child abandonment and monitors sub-projects for street children.⁷⁴³

To increase the attendance of ethnic minorities in public schools, the government and NGOs provide subsidies for school expenses (e.g., school lunches, textbooks, tuition fees, and teaching assistants) and implement busing programs.⁷⁴⁴ In June 2004, the Ministry of Education and Science announced a Strategy for the Education and Integration of Children and Pupils from Ethnic Minorities for the 2004 – 2009 period.⁷⁴⁵ In February 2005, Bulgaria along with eight other eastern European countries, the World Bank, and Open Society Institute launched the Decade of Roma Inclusion Program (2005-2015) for improving the economic status and social inclusion of Roma.⁷⁴⁶ Moreover, among its Millennium Development Goals, Bulgaria has pledged to achieve universal primary education and to eliminate gender disparity in all levels of education by 2015.⁷⁴⁷

⁷⁴³ The project concludes in June 2006. World Bank Group, *Bulgaria Projects and Programs: Active Projects*, [online] 2005 [cited June 1, 2005]; available from

<http://www.worldbank.bg/external/default/main?menuPK=305471&pagePK=141143&piPK=141103&theSitePK=305439>.

⁷⁴⁴ U.S. Department of State, *Country Reports- 2004: Bulgaria*, Section 5.

⁷⁴⁵ The program concludes in 2009. Save the Children UK, *NGO Alternative Report*, 13, 14.

⁷⁴⁶ See World Bank Group, *Summary Report: Launch of the Int'l. Decade of Roma Inclusion (2005-2015)*, Sofia, February 2, 2005; available from http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000090341_20050228111322. The program also established a Roma Education Fund, which has raised over 42 million USD.

⁷⁴⁷ UNDP, *Millennium Development Goals Report*, 18. See also World Bank Group, <http://devdata.worldbank.org/external/CPProfile.asp?SelectedCountry=BGR&CCODE=BGR&CNAME=Bulgaria&PTYPE=CP> (World Development Indicators Database: Bulgaria Country Profile).