



COUNCIL OF MINISTERS  
NATIONAL COMMISSION FOR  
COMBATING TRAFFICKING  
IN HUMAN BEINGS



# NATIONAL MECHANISM

## FOR REFERRAL AND SUPPORT OF TRAFFICKED PERSONS IN BULGARIA

### IDENTIFICATION AND REFERRAL

*Identification  
Risk assessment  
Defining the immediate needs  
Referral*

### } PROTECTION AND SUPPORT

*Crisis intervention  
Reflection period*

### } SOCIAL INCLUSION (RE-INTEGRATION)

*Long-term psychological  
support and empowerment  
Safe return  
Participation in criminal  
proceedings  
Provision of financial  
compensation*

# NATIONAL MECHANISM

FOR REFERRAL AND SUPPORT  
OF TRAFFICKED PERSONS IN BULGARIA

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The work of the group is supported by representatives of various organizations competent on different aspects of the work with trafficked persons.

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Kingdom of the Netherlands

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# LIST OF ABBREVIATIONS

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ASA	Agency for Social Assistance
CDBP	Chief Directorate Border Police
CDCOC	Chief Directorate Combating Organized Crime
CPA	Child Protection Act
CPC	Criminal Procedure Code
CPD	Child Protection Department
CTHBA	Combating Trafficking in Human Beings Act
CVAFCA	Crime Victim Assistance and Financial Compensation Act
EU	European Union
HTAJM	Home for Temporary Accommodation of Juveniles and Minors
IOM	International Organization for Migration
LAR	Law for Asylum and Refugees
LBID	Law for Bulgarian Identification Documents
LFB	Law for the Foreigners in the Republic of Bulgaria
MD	Migration Directorate
MFA	Ministry of Foreign Affairs
MoI	Ministry of Interior
NGO	Non-government organization
NRM	National Mechanism for Referral and Support of Trafficked Persons
RICPA	Regulations for Implementation of the Child Protection Act
RISAA	Regulations for Implementation of the Social Assistance Act
SAA	Social Assistance Act
SACP	State Agency for Child Protection
SAD	Social Assistance Directorate
SAR	State Agency for Refugees
SHTAF	Special Home for Temporary Accommodation of Foreigners
SOP	Standard Operating Procedures
SPD	Social Protection Department
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

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# NATIONAL MECHANISM FOR REFERRAL AND SUPPORT OF TRAFFICKED PERSONS IN BULGARIA

Trafficking in human beings is a severe violation of human rights which requires special attention and specific actions to support the victims. One of the defining characteristics of this phenomenon is that the plight of the victim does not end with the termination of the trafficking situation. After they return to their country of origin, trafficking survivors are faced with a number of difficulties which seriously limit their chances for survival and further development. Trafficked persons have a broad range of short and long-term needs which must be met in order to lead fulfilling lives.

**A National Referral Mechanism (NRM)** is a cooperative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, coordinating their efforts in a strategic partnership with civil society. The basic aims of an NRM are to ensure that the human rights of trafficked persons are respected and to provide an effective way to refer trafficked persons to comprehensive services. In addition, NRMs can work to help improve national policy and procedures on a broad range of victim-related issues, such as residence and repatriation regulations, victim compensation, and witness protection. NRMs can establish national plans of action and can set benchmarks to assess goal attainment. (OSCE/ODIHR, 2004).

**The National Mechanism for Referral and Support of Trafficked Persons in Bulgaria** is developed within the framework of a project funded by MATRA Program of the Dutch Ministry of Foreign Affairs and implemented by “Animus Association” Foundation, in partnership with the National Commission for Combating Trafficking in Human Beings, in the period 2008-2010. It is in accordance with the national legislation concerning the situation of trafficked persons and their needs. The National Mechanism provides guidelines for implementation of the measures for protection

and support to trafficked persons included in the Combating Trafficking in Human Beings Act; guidelines call for such components as the provision of unconditional support, a reflection period, provision of a special protection status for the duration of the criminal proceedings, the assurance of anonymity and data protection, etc.

The Bulgarian National Mechanism is based on the principles for development of national referral mechanisms recommended by OSCE/ODIHR, namely:

1. **Protecting the rights of trafficked persons** is the first priority of all anti-trafficking measures.
2. The measures work on the basis of a **broad definition** of trafficking in order to create the necessary conditions for support to victims of different forms of human trafficking.
3. Support and protection services should be **available** to all trafficked persons.
4. The mechanisms for support and protection include a wide range of **specialized services** addressing the specific needs of each victim.
5. The **successful prosecution** is achieved through the implementation of a support mechanism based on the protection of the human rights of the victims.
6. Combating trafficking in human beings requires a **multidisciplinary and cross-sector approach**, involving all relevant actors from government and civil society.
7. The establishment of structures for combating human trafficking should build upon existing national capacity in order to foster **ownership and sustainability**.
8. **The roles and responsibilities** of all actors involved in the mechanism are clearly defined and described. **Transparency** of procedures is ensured.
9. NRM provides for an effective **regional and international cooperation** to combat trafficking and assist its victims.
10. The implementation of NRM as part of an overall **democratization process** ensures its accountability and legitimacy.

In Bulgaria, the National Referral Mechanism is created by a working group of experts which includes representatives of: the National Commission for Combating Trafficking in Human Beings, Animus Association Foundation/La Strada Bulgaria, Chief Directorate Combating Organized Crime, Chief Directorate Border Police and Migration Directorate of the Ministry of Interior, Ministry of Health, Ministry of Foreign Affairs, Ministry of Education, Youth and Science, Ministry of Justice, Ministry of Labour and Social Policy, Agency for Social Assistance, State Agency for Child Protection, Employment Agency, State Agency for Refugees, Supreme Cassation Public Prosecutor's Office, International Organization for Migration (IOM), United Nations High Commissioner for Refugees (UNHCR), The International Center for Migration Policy Development (ICMPD), Bulgarian Gender Research Foundation, Bulgarian Helsinki Committee, SOS Families at Risk Foundation – Varna, Health and Social Development Foundation, Center Nadja Foundation, Open Door Center – Pleven, National Association of Municipalities.

The working group consulted with **Ms. Baerbel Uhl**, an international expert in the field of combating trafficking and the development of national referral mechanisms for trafficked persons. Currently, Ms. Uhl is a chair of the Experts Group on Trafficking in Human Beings of the European Commission.

The national mechanism for referral and support of trafficked persons in Bulgaria is structured in two parts:

**Part A:** “Institutional framework” presenting all the participants in NRM and their roles and functions.

**Part B:** “Leading principles of work” presenting the rules and principles for work with victims of trafficking, adopted by the participants in NRM.

**Part C:** “Standard operating procedures” describing the steps and measures in support to trafficked persons.

It also contains two appendices: “Criteria for identification of trafficked persons” and “Criteria and standards for provision of social services for trafficked persons”.

Special attention is paid to the cases of child victims of trafficking and non-EU citizens identified as victims of trafficking in Bulgaria.

The National mechanism for referral and support of trafficked persons is an open document. It is dynamic and should change in accordance with any changes in national legislation, new developments in the forms and methods of exploitation, new risk groups and regions, the evolving needs of the victims, and other shifting tendencies in the phenomenon which is trafficking in persons.

# part A

## INSTITUTIONAL FRAMEWORK

Participants in the national mechanism for referral and support of trafficked persons

- |       |  |       |  |       |  |
|-------|--|-------|--|-------|--|
| p. 13 | <i>National Commission for Combating Trafficking in Human Beings</i> | p. 15 | <i>State Agency for National Security</i>                          | p. 17 | <i>United Nations High Commissioner for Refugees</i> |
| 13    | <i>Ministry of Interior</i>  | 15    | <i>State Agency for Child Protection</i>                           | 17    | <i>International Organization for Migration</i>      |
| 14    | <i>Ministry of Foreign Affairs</i>                                   | 15    | <i>State Agency for Refugees</i>                                   | 17    | <i>NGO service providers</i>                         |
| 14    | <i>Ministry of Labour and Social Policy</i>                          | 16    | <i>Supreme Cassation Public Prosecutor's Office</i>                |       |  |
| 14    | <i>Ministry of Health</i>  | 16    | <i>Local Commissions for Combating Trafficking in Human Beings</i> |       |  |
| 15    | <i>Ministry of Education, Youth and Science</i>                      |       |  |       |  |

## National Commission for Combating Trafficking in Human Beings

In its role as a national coordinating body, the National Commission follows and monitors the implementation of the measures included in the NRM.

The National Commission coordinates the work of all institutions and organizations providing care and support to trafficked persons.

The National Commission maintains a national database and receives information about all cases of trafficking in persons.

**Address** | 1797 Sofia, 52A G.M. Dimitrov blvd, floor 1, room 107  
**Tel.** | +359 2 807 80 50  
**Fax** | +359 2 807 80 59  
**E-mail** | office@antitraffic.government.bg  
**Web** | www.antitraffic.government.bg

## Ministry of Interior

The units of the Ministry of Interior identify, prevent, counteract, uncover, and investigate cases of trafficking in persons, according to the competencies of the different directorates as described in the Ministry of Interior Act and the Regulations for its implementation.

**Chief Directorate Combating Organized Crime, sector Trafficking in Persons**  
**Address** | 1784 Sofia, 133 Tzarigradsko Shose Blvd.  
**Tel.** | +359 2 988 52 88  
**Fax** | +359 2 988 59 02  
**E-mail** | 170@mvr.bg  
**Web** | www.mvr.bg

**Chief Directorate Border Police**  
**Address** | 1202 Sofia, 46 Knyaginya Maria Luiza Blvd.  
**Tel.** | +359 2 987 52 51, +359 2 23 999  
**Fax** | +359 2 988 58 67, +359 2 22 366  
**E-mail** | nsgp@mvr.bg  
**Web** | www.mvr.bg

**Migration Directorate**  
The Migration Directorate is responsible for the identification of trafficked persons among foreign citizens residing on the territory of Bulgaria and for the collection of information and reporting of cases of trafficking to the prosecution.

**Address** | 1202 Sofia, 48 Knyaginya Maria Luiza Blvd.  
**Tel.** | +359 2 982 57 97  
**E-mail** | migration@mvr.bg  
**Web** | www.mvr.bg

## Ministry of Foreign Affairs

The Ministry of Foreign Affairs is responsible for the identification of trafficked persons. Through its diplomatic and consular representations abroad, MFA supports the return of Bulgarian trafficked persons back to the country. Together with the structures of the Ministry of Interior, MFA helps for a rapid issuing of identification documents for Bulgarian citizens who have been trafficked abroad.

**Address** | 1113 Sofia, 2 Aleksandar Jendov St.  
**Tel.** | +359 2 948 20 02  
**Fax** | +359 2 971 36 20  
**Web** | [www.mfa.government.bg](http://www.mfa.government.bg)

## Ministry of Labour and Social Policy

### Agency for Social Assistance

The agency is responsible for the identification of trafficked persons and for the provision of social services in the process of their re-integration, in accordance with the Social Assistance Act and the Child Protection Act.

**Address** | 1051 Sofia, 2 Triaditza St.  
**Tel.** | +359 2 811 96 83  
**Fax** | +359 2 935 05 41  
**E-mail** | [mzd@asp.government.bg](mailto:mzd@asp.government.bg)  
**Web** | [www.asp.government.bg](http://www.asp.government.bg)

### Employment Agency

This agency is responsible for the provision of employment opportunities for trafficked persons in the process of re-integration and for their involvement in training and qualification programs.

**Address** | 1000 Sofia, 3 Dondukov Blvd.  
**Tel.** | +359 2 980 8719  
**Fax** | +359 2 986 78 +359 2  
**E-mail** | [az@az.government.bg](mailto:az@az.government.bg)  
**Web** | [www.az.government.bg](http://www.az.government.bg)

## Ministry of Health

The Ministry of Health provides urgent medical help and medical care to trafficked persons through the Centers for Urgent Medical Help and the Units for Urgent Medical Help, according to the Health Insurance Legislation, the Health Care Act and Art. 25 of the CTHBA.

**Address** | 1000 Sofia, 5 Sv. Nedelya Sq.  
**Tel.** | +359 2 981 01 11  
**Web** | [www.mh.government.bg](http://www.mh.government.bg)

## Ministry of Education, Youth and Science

This ministry is responsible for ensuring the access of trafficked persons to education programs in the process of their long-term re-integration.

**Address** | 1000 Sofia, 2 Knyaz Dondukov Blvd.  
**Tel.** | +359 2 921 77 99  
**Fax** | +359 2 988 24 85  
**Web** | [www.minedu.government.bg](http://www.minedu.government.bg)

## State Agency for National Security

The State Agency for National Security performs tasks of surveillance, detection, counteraction and prevention of trafficking in human beings, along with investigating other crimes threatening national security. It acts in accordance with the principles, operative search activities, and methods provided by the State Agency for National Security Act.

**Address** | 1505 Sofia, 90 Tcherkovna St.  
**Tel.** | +359 2 814 70 55  
**E-mail** | [dans@dans.bg](mailto:dans@dans.bg)  
**Web** | [www.dans.bg](http://www.dans.bg)

## State Agency for Child Protection

In its capacity of a specialized leading, coordinating and controlling body of the Council of Ministers, the Chairperson of the SACP, in cooperation with the Minister of Interior, coordinates the implementation of the Coordination Mechanism for Referral, Care and Protection of Repatriated Bulgarian Unaccompanied Minors and Children Victims of trafficking. Returning from Abroad The Coordination Mechanism facilitates the comprehensive, rapid and effective follow-up of each case after a report from abroad or from within the country. The mechanism includes a system of national and local bodies which perform the repatriation, reception, identification, placement out of the family, rehabilitation and reintegration of the child as well as the follow-up of the case.

**Address** | 1051 Sofia, 2 Triaditza St.  
**Tel.** | +359 2 933 90 50  
**Fax** | +359 2 980 24 15  
**E-mail** | [sacp@sacp.government.bg](mailto:sacp@sacp.government.bg)  
**Web** | [www.sacp.government.bg](http://www.sacp.government.bg)

## State Agency for Refugees

This agency is responsible for the identification of trafficked persons among non-EU citizens who are seeking asylum in Bulgaria and ensures their access to specialised help.

**Address** | 1618 Sofia, kv. Ovcha Kupel, 21A Montevideo St.  
**Tel.** | +359 2 818 12 04  
**Fax** | +359 2 955 94 76  
**E-mail** | [saref@spnet.net](mailto:saref@spnet.net)  
**Web** | [www.aref.government.bg](http://www.aref.government.bg)



## Supreme Cassation Public Prosecutor's Office

The office is responsible for the pre-trial investigation of cases of trafficking in human beings and their filing in court.

**Address** | 1040 Sofia, 2 Vitosha Blvd.  
**Tel.** | +359 2 921 92 35  
**Fax** | +359 2 921 94 52  
**E-mail** | via\_d@yahoo.com  
**Web** | www.vks.bg

## Local Commissions for Combating Trafficking in Human Beings

Local commissions coordinate the work of all institutions and organizations in support to trafficked persons at the local level.

**Varna**  
**Address** | 9000 Varna, kv. Chaika 170 (behind Block 32)  
**Tel.** | +359 52 30 35 76  
**Fax** | +359 52 61 59 45  
**E-mail** | varna@antitrafficking.government.bg

**Sliven**  
**Address** | 8800 Sliven, 1 Tzar Osvoboditel St.  
**Tel.** | +359 44 61 11 02  
**Fax** | +359 44 66 23 55  
**E-mail** | sliven@antitrafficking.government.bg

**Pazardjik**  
**Address** | 4400 Pazardjik, 2 Bulgaria Blvd.  
**Tel.** | +359 34 40 22 41  
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**E-mail** | pazardjik@antitrafficking.government.bg

**Burgas**  
**Address** | 8000 Burgas, Youth Cultural Center, 47 Gladstone St., Floor 2  
**Tel.** | +359 56 90 72 71  
**Fax** | +359 56 84 13 02  
**E-mail** | burgas@antitrafficking.government.bg

**Montana**  
**Address** | 3400 Montana, 1 Izvor St.  
**Tel.** | +359 96 30 54 71  
**Fax** | +359 96 30 54 71  
**E-mail** | montana@antitrafficking.government.bg

## United Nations High Commissioner for Refugees

In Bulgaria, UNHCR is mandated to observe the implementation of state obligations for provision of international protection to the people who need it.

**Address** | 1000 Sofia, 19 Denkoglu St.  
**Tel.** | +359 2 980 24 53, +359 2 980 24 54  
**Fax** | +359 2 980 16 39  
**E-mail** | BULSO@unhcr.org  
**Web** | www.un-bg.bg; www.unhcr.bg

## International Organization for Migration

The IOM is responsible for the identification of trafficked persons, provision of their safe return, and their access to specialised psychological and social services.

**Address** | 1301 Sofia, 145B Knyaz Boris I St.  
**Tel.** | +359 2 939 47 74  
**Fax** | +359 2 939 47 88  
**Hotline** | **+359 2 939 47 77 Hotline** (during office hours)  
**E-mail** | iomsosofia@iom.int  
**Web** | www.iom.bg

## NGO service providers

These non-governmental organizations are responsible for the identification of trafficked persons and the provision of the specialised emergency and long-term psychological, social, health, and legal services to trafficked persons included in the NRM.

**Animus Association Foundation, Sofia**  
**Address** | 1000 Sofia, 85 Ekzarh Yossif St.  
**Tel./Fax** | +359 2 983 52 05, +359 2 983 53 05, +359 2 983 54 05  
**Hotline** | **+359 2 981 76 86 – National hotline for victims of violence** (works 24 hours)  
**E-mail** | animus@animusassociation.org  
**Web** | www.animusassociation.org

**Bulgarian Gender Research Foundation**  
**Visiting address** | 1142 Sofia, 5 Evlogi Georgiev Blvd.  
**Postal address** | 1000 Sofia, P.O. Box 938  
**Tel./Fax** | +359 2 963 53 57  
**E-mail** | office@bgrf.org  
**Web** | www.bgrf.org

**Plovdiv**  
**Address** | 38 4th January St., entr. B, floor 2, apt. 3  
**Tel.** | +359 878 567 658  
**E-mail** | bgrfplovdiv@yahoo.com

**Haskovo**

**Address** 5 Konstantin Simitchiev St.  
**Tel.** +359 38/624 685  
**Fax** +359 878 567 659  
**E-mail** bgrfhaskovo@mail.bg

**Dimitrovgrad**

**Address** 1 Kliment Ohridski St, floor 1, room 1  
**Tel.** +359 879 387 620  
**Fax** +359 38 624 68  
**E-mail** bgrfhaskovo@mail.bg

**Open Door Center, Pleven**

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**Tel.** +359 64 84 67 13  
**Fax** +359 64 84 67 13  
**E-mail** opendoor\_center@hotmail.com  
**Web** www.opendoor.hit.bg

**SOS Families at Risk Foundation, Varna**

**Address** 9002 Varna, 32 Slavyanska St.  
**Tel.** +359 52 60 96 77  
**Fax** +359 52 61 38 30  
**E-mail** sos@ssi.bg  
**Web** http://sos-varna.org

**Samaritans Association, Stara Zagora**

**Address** 6000 Stara Zagora, 57 Patriarh Evtimii St.  
**Tel.** +359 42 621 083  
**Fax** +359 42 621 083  
**E-mail** office@samaritans.bg  
**Web** www.samaritans.bg

**Nadja Center Foundation, Sofia**

**Address** 1000 Sofia, 12A G. Benkovski St, entr. A  
**Tel.** +359 2 981 93 00  
**Fax** +359 2 980 41 74  
**E-mail** nadja@cablebeg.net  
**Web** www.centernadja.hit.bg

**Bulgarian Helsinki Committee**

**Address** 1504 Sofia, 7 Varbitsa St.  
**Tel./Fax** +359 2 943 4876, +359 2 944 0670, +359 2 943 4405  
**E-mail** bhcbghelsinki.org

**Refugees and migrants legal protection program**

**Address** 1000 Sofia, 1 Uzundjovska St.  
**Tel./Fax** +359 2 981 3318, +359 2 980 0057  
**E-mail** refunit@bghelsinki.org

**Health without Borders Association/ Center for Sexual Health**

**Address** 1431 Sofia, 2 Zdrave St.  
**Tel./Fax** +359 2 952 33 09, +359 2 952 +359 2 88  
**Web** www.ssf-bg.org/

**Health and Social Development Foundation**

**Address** 1606 Sofia, 17 Makedonia Blvd.  
**Tel.** +359 2 851 81 08, +359 2 952 12 96  
**Fax** +359 2 953 34 55  
**E-mail** mail@hesed.bg  
**Web** www.hesed.bg

**Healthcare and prevention of people at risk Association**

**Address** Russe  
**Tel./Fax** +359 885 632 740  
**E-mail** lionboy\_bg@yahoo.com

# part B

## LEADING PRINCIPLES OF WORK

All participants in the National mechanism for referral and support of trafficked persons have agreed to adhere to the following general principles of work.

### UNCONDITIONAL SUPPORT TO TRAFFICKED PERSONS

All trafficked persons have the right to receive support within the framework of NRM immediately after they are informally identified as such. Trafficked persons can receive access to accommodation centers, medical, legal, social, and psychological support, and any other measures included in the CTHBA and NRM, regardless of their consent to cooperate with the law-enforcement bodies.

### SAFETY AND SECURITY

Trafficking in persons is a crime involving international criminal networks, which implies the presence of potential risk both for the victims and for the service providers who care for them. All support measures planned in the NRM are implemented after careful risk assessment. The safety and security of the victims and employees is a priority of all participants in the NRM and needs to be considered very carefully.

### CONFIDENTIALITY AND DATA PROTECTION

All support measures are implemented under strict confidentiality rules which define the ways of storing and transferring information related to cases of trafficking. The organizations providing support to trafficked persons must inform victims about the aims of collecting their private information and the ways in which this information will be used, as well as their right to access their personal information at any time. The personal information of trafficked persons is provided only with their consent and only to the institutions mandated to work on the case. The information provided should be the minimum necessary for the implementation of safety and support measures. It must not include data that can expose the trafficked person to further danger or discrimination (e.g. information about sexually transmitted diseases and other conditions, family history, information about previous experiences with violence) or which do not concern the concrete work of the case.

### NON-DISCRIMINATORY ATTITUDE

During the implementation of the measures planned in NRM, trafficked persons must be treated fairly regardless of their racial or ethnic origin, sex, sexual orientation, age, religious beliefs and practices, political affiliations, social and cultural background, and without prejudice related to the fact that they were exploited, humiliated, forced to engage in illegal activities, or work in the sex industry.

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## PROTECTION OF THE INTERESTS OF THE TRAFFICKED PERSON

During the implementation of the standard operating procedures of the NRM, the trafficked person's best interests must always take precedence over that of the specialist or institution providing care. All support measures are implemented in a way that does not damage or hurt the well-being of the trafficked person. These measures can be restricted or postponed if there is evidence that their implementation will lead to risk for the safety or health of the victim or of secondary traumatization.

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## PARTICIPATION OF THE TRAFFICKED PERSONS IN ALL DECISIONS RELATED TO THEM

All adult trafficked persons have the right to decide for themselves what is in their best interest. The support measures included in the NRM stem from the understanding that trafficked persons best know their own urgent needs and life circumstances. These measures envisage support for decision making and agreeing on an action plan, while taking into full account the trafficked person's autonomy.

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## INFORMED CONSENT

All measures in the NRM are implemented with the trafficked persons' consent, after he/she has been informed about their rights, the possible actions in their support, and possible consequences for them and their family. The information is provided in accessible and understandable ways.

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## PROVISION OF OBJECTIVE INFORMATION

The information provided to trafficked persons about their rights and possibilities for support must be objective and accurate. The caregiver should not create false expectations or make promises exceeding the mandate of the supporting institutions.

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## INDIVIDUAL APPROACH

Each trafficked person should be treated individually, in accordance with his/her interests, needs, and circumstances. An individual action plan is prepared for each trafficked person, combining support measures corresponding to his/her specific needs, health and emotional condition, life experience, and resources for coping.

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## EMOTIONAL SUPPORT

The emotional condition of trafficked persons has direct influence on their behavior and their ability to make decisions and plan ahead. Trafficked persons receive emotional support throughout all their interactions with service providers. It includes an attitude of understanding, acceptance, respect for the person and his/her dignity, acknowledgment of his/her experiences, establishment of a sense of safety, support for their strengths, respect for their freedom of choice, encouragement for their autonomy, etc.

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## NON-VICTIMIZING ATTITUDE

Trafficked persons have no liability for the experiences they have been through while in a trafficking situation. They did not "provoke" in any way the criminal activities to which they were subjected. According to Art. 26 from the Council of Europe Convention on Action against Trafficking in Human Beings, penalties should not be imposed on victims for their involvement in unlawful activities that they have been compelled to do during the trafficking process.

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## RESPECT FOR SUFFERING

The attitude towards victims of trafficking is based on understanding of the effects of the violence on their life and personality. Reactions to violence and psychological trauma are different for every person and may involve feelings of intense fear, anger, helplessness, depression, loss of trust in people, mood swings, etc. The specialists caring for the victims should treat these reactions with tolerance and understanding.

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## SPECIAL ATTENTION TO THE INTERESTS AND WELL-BEING OF CHILDREN

In the case of children, the interests of children are considered a higher priority than the interests of the specialists and institutions taking care of them. Children should receive adequate information and an opportunity to express their wishes, attitudes, and concerns at every stage of the support process in a way that corresponds to their age and understanding of the situation.

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# part C

## STANDARD OPERATING PROCEDURES

### I. IDENTIFICATION AND REFERRAL

#### I. IDENTIFICATION AND REFERRAL

- p. 25 **Measure 1.1.** Identification
- 30 **Measure 1.2.** Risk assessment
- 34 **Measure 1.3.** Defining the immediate needs.
- 39 **Measure 1.4.** Referral

## MEASURE 1.1. IDENTIFICATION

### A. DESCRIPTION OF THE ACTIVITY

The identification of trafficked persons is the first step in the implementation of the NRM. Its aim is to guarantee their access to the available services for psychosocial support and re-integration.

#### STEP 1. IDENTIFICATION OF TRAFFICKED PERSONS

**Informal:** Identification is performed by officers and employees of different institutions and organizations which have the first contact with the victim. It allows for immediate access of the trafficked person to the support programs and services included in the NRM.

**Formal:** Identification is performed by the pre-trial proceedings bodies and aims at starting the investigation.

Identification is necessary during the first contact with the person (for example, during police raids, field work, when the person calls a Helpline, etc.), as well as when the person is referred to another organization.

Identification is performed on the basis of:

- › Initial informal conversation with the trafficked person.
- › Observations of the person's behavior and appearance.
- › Information provided by the referring person.
- › Observation and analysis of the circumstances in which the person was found.
- › Self-identification of the trafficked person.
- › Others.

! *It should be noted that in most cases trafficked persons do not identify themselves as such. Some of them experience strong feelings of shame and guilt because they have been in prostitution and prefer to hide this fact. Others were convinced by their traffickers that they were involved in illegal activities and will be punished by the law-enforcement authorities.*

There are **indicators for identification of trafficked persons** which are used for the identification process and are an inseparable part of the NRM (in Appendix). These indicators are divided into two groups: 1) *criminal activities against the victim* and 2) *effects of trafficking on the behavior and psychological condition of the victim*.

## STEP 2. CONTACT WITH THE REGIONAL/LOCAL AUTHORITIES IN THE COUNTRY FOR VERIFYING THE TRAFFICKED PERSON'S IDENTITY (IF IT IS NOT ALREADY KNOWN)

Verification of the trafficked person's identity is done by the law-enforcement authorities, if necessary.

- › Law-enforcement authorities can perform verification of people's identity on their own initiative – when investigating crimes or during checks of the authenticity of identity/residence documents or at the request of another state body.
- › Identity verification is performed through requesting that the person provide a valid identity document, through testimonies of other people whose identity is already verified and who know the person, or through other means of collecting reliable data.

If the identifying organization has no such mandate (for example, an NGO), it contacts the respective authorities as soon as possible. The data from information databanks for Bulgarian identity documents are provided to legal entities based on existing legislation or through court order.

## STEP 3. INFORMING THE TRAFFICKED PERSON ABOUT HIS/HER RIGHT TO A REFLECTION PERIOD

The trafficked person should be informed about the possibilities to use a reflection period as soon as possible after the identification (See also *Measure 2.2.*). This can be done by:

- › The specialists who identified him/her
- › The pre-trial investigation authorities
- › Consultants and employees of accommodation centers and other service providers to which the trafficked person was referred after the identification.

The trafficked person can be informed about the reflection period, as well as about any other rights and possibilities that he/she has, during the **interview for risk assessment and for defining the immediate needs**.

Regarding the reflection period, the trafficked person should be informed about:

- › Its purpose
- › The reasons for using it
- › Beginning date and duration
- › Rights and obligations during the reflection period

The reflection period ends when:

- › Its duration is over
- › The trafficked person decides to cooperate with the law-enforcement authorities

## B. SPECIAL CASES

- › Child victims of trafficking<sup>1</sup>

When a child victim of trafficking is identified, the SACP and the Ministry of Interior are obligatorily informed within a period of 24 hours. The Coordination Mechanism for Referral, Care and Protection of Repatriated Bulgarian Unaccompanied Minors and Children Victims of trafficking Returning from Abroad is to be executed.

- › Non-EU citizens who are victims of trafficking<sup>2</sup>

The identification of foreign trafficked persons can be performed at every stage of the work with them. First they can be identified by the officers of Border Police and the Prosecution and later, by the institutions related to their residence in the country and directly responsible for them – Migration Directorate or the State Agency for Refugees.

Every foreign citizen residing within the territory of Bulgaria without permission or who entered the country illegally receives an initial status of **illegal resident**. The person is detained and criminal proceedings are started against him/her.

If the person files a request for protection before any state institution, the request is immediately forwarded to the State Agency for Refugees. Then the person receives the status of asylum seeker. In this case, the criminal proceedings are terminated, and the person is referred to the structures of the State Agency for Refugees. **No contact** is made with the diplomatic representation of the country of origin in order to verify the identity of the person (a specific provision of Art. 63, p. 4 of the Law for Asylums and Refugees).

In all other cases, the person keeps the status of **illegal resident**. The person can receive compulsory administrative penalties such as deportation, a ban to enter the country, or forced accommodation in a Special Home for Temporary Accommodation of Foreigners (SHTAF) of Migration Directorate of the Ministry of Interior (located in the Busmantzi quarter of Sofia). The diplomatic representative of the country of origin is contacted to verify or confirm the identity of the person.

<sup>1</sup> Here and in all other SOPs of the NRM we also include children who are not Bulgarian citizens.

<sup>2</sup> EU citizens who are victims of trafficking in Bulgaria have the same rights as Bulgarian citizens.

! *The procedure to confirm the identity of illegal migrants is sometimes very complex and continues for a long time because of the unwillingness of the persons to cooperate. Very often, the criminal proceedings need to be terminated because of unverified identity.*

**When a foreign citizen is identified as a trafficked person, he or she is entitled to all the measures specified in the CTHBA and to receive support in accordance with the standard operating procedures in this mechanism. In this case, the status of illegal resident is removed and the person receives a status of a temporarily residing foreigner, in accordance with the CTHBA (LFB, Art. 24, p. 17)**

! *It is also possible for foreign citizens who have entered and are residing legally in the country to become victims of trafficking. In these cases, after they have been identified, they can directly take advantage of CTHBA and the present mechanism.*

In the cases when the trafficked person is a foreign national without fluency in the Bulgarian language, it is necessary to ensure **interpretation**. It must be done by interpreters who have been acquainted in advance with the crime of trafficking in persons, instructed to maintain a tolerant attitude towards the victim, and know the procedures of confidentiality.

! *The provision of an interpreter on location is especially difficult when the language to be translated is not very common. In such cases it is also possible to conduct the interpretation through video conference; a telephone connection is possible if there is no technical opportunity to ensure video conference.*

## C. DOCUMENTATION

Every identified case of trafficking is registered according to the requirements and procedures of the institution which performed the identification and in accordance with the legislation for protecting personal data. Information about the identified trafficked persons is provided regularly to the NCCTHB for the purposes of statistical analyses.

## D. COOPERATION

A main partner in the identification process is the person or organization (if there was such) which provided the initial information about the victim.

**Ministry of Interior (Moi)** The officers of **CDCOC**, **CDBP**, and **MD** identify trafficked persons as part of their work. The identification is performed for people who are proved or presumed to be trafficked persons, people who have identified themselves as such, or people who have been referred as such by other institutions or organizations.

**Agency for Social Assistance/  
Social Assistance Directorates/  
Social Protection Departments**

Trafficked persons can be identified by the employees of SPD in the process of active information finding about people from other vulnerable groups, such as the socially underprivileged and users of other social services.

**Ministry of Foreign Affairs  
(MFA)**

Trafficked persons can be identified by police attaches or by consulate officials when they turn to the consulate. This information can also come from local authorities or a non-governmental organization.

**State Agency for  
Child Protection (SACP)**

The State Agency for Child Protection can identify child victims of trafficking in human beings after reports from the synchronized national child telephone line (116-111) for informing, counseling, and supporting children. Reports also arrive through e-mail and the report form from the specialized website of the SACP ([www.stopech.sacp.government.bg](http://www.stopech.sacp.government.bg)). Additionally, Bulgarian and foreign NGOs can make reports to the SACP, along with individuals.

**State Agency for  
Refugees (SAR)**

The officers of SAR in the transit, registration, and integration centers can identify trafficked persons in the process of registration, accommodation, medical examinations and provision of protection in accordance with the Law on Asylum and Refugees.

**National Hotline for  
victims of violence:  
+359 2 981 76 86**

The identification of trafficked persons can be done when a call is received from trafficked persons themselves or from their relatives, or from specialists and citizens who come across this problem. The Hotline works 24 hours a day. The calls are free from within the country. Each call is registered in a separate call registration form.

**International  
Organization for  
Migration (IOM)**

IOM receives calls about cases of trafficking from Bulgarian and/or foreign institutions, including the Ministry of Interior, State Agency for Child Protection, Bulgarian embassies and consulates abroad, international organizations, and Bulgarian and foreign non-governmental organizations. These calls are received in the IOM mission in Bulgaria as well as in all other offices of the organization throughout the world.

The mission in Bulgaria also maintains a **hotline** that receives information about trafficked persons, in addition to providing information for potential victims. IOM collects and stores all the information it receives about cases on trafficking and the calls received at the hotline, in accordance with its international standards and requirements.

**United Nations  
High Commissioner  
for Refugees (UNHCR)**

The identification is done upon a signal received from other competent national or foreign bodies, non-governmental organizations, or family and relatives of a presumed trafficked person.

## MEASURE 1.2. RISK ASSESSMENT

### A. DESCRIPTION OF THE ACTIVITY

Risk assessment is an on-going process that starts with the identification of the trafficked person and continues through the stages of investigation, criminal prosecution, and re-integration.

**At the moment of identification of the trafficked person, a risk assessment is made with regard to the immediate dangers for the health and life of the victim** – including such elements as emergency medical needs, danger of re-trafficking, and present and past experiences with violence.

The risk assessment during the identification includes the **trafficked person's personal concerns and the objective assessment of the interviewer**.

Risk assessment is made during the **initial interview** with the trafficked person, in a safe place when he/she is able and willing to speak.

If the trafficked person is unable to speak due to high stress or other reasons, and necessary emergency actions have to be taken to protect his/her safety, the person who is in contact with him/her can base the risk assessment only on the objective observations of the victim's condition.

The interview is conducted at the first convenient moment and should determine:

1. Whether the trafficked person has **any emergency health needs**:
  - › Pains or other somatic discomforts
  - › Wounds
  - › Acute stress reaction – outbursts of anger, aggression, constant crying, shock, numbness, etc.
  - › Acute symptoms of a chronic disease
  - › Physical disability
  - › Life-threatening conditions
  - › Other specific medical needs
2. Whether there is **threat of violence or re-trafficking**
  - › If the trafficked person has been threatened with retaliation
  - › If the trafficked person's family and relatives have been threatened
  - › If the trafficked person is being followed
  - › If the trafficked person has noticed any suspicious people around
  - › If there are places where the trafficked person does not want to be due to fear for his/her safety
  - › Others

Risk assessment includes the following steps:

#### STEP 1. INVOLVING THE TRAFFICKED PERSON IN THE PROCESS OF RISK ASSESSMENT

Trafficked persons must be motivated to share their concerns and fears, what they would like to arrange for their safety, and what resources they have for coping.

! *Very often, due to the high level of stress, victims may underestimate the risks they are exposed to. In other cases, due to the threats and violence they were subjected to, they prefer to conceal what they know about the traffickers because they know they will be punished if they speak out. In yet other cases, victims can demonstrate risky behavior and thus pose a danger to themselves.*

#### STEP 2. DEVELOPMENT OF AN INDIVIDUAL SAFETY PLAN

The **individual safety plan** is negotiated together with the trafficked person. The planned safety measures must be clear, understandable, and realistic for the trafficked person. He/she must agree with them and be prepared to implement them.

#### STEP 3. REVISION OF THE RISK ASSESSMENT AND THE SAFETY PLAN AT EVERY CONTACT WITH THE TRAFFICKED PERSON AND AFTER ANY DEVELOPMENTS IN THE CASE

The risk assessment and safety plan should be revised after every contact with the trafficked person with institutions and organizations involved in identification and re-integration within the NRM.

#### **Risk assessment should not be considered confidential information.**

The referring organization must provide complete information about the risk to the receiving organization. If the service is provided for a long period of time (for example, accommodation in a shelter), it is necessary to revise the risk assessment and the safety plan at regular intervals.

Risk assessment is especially important when the trafficked person is going to return to his/her country of origin. In this case, the referring organization should contact institutions and organizations in the country of origin, which can provide information about the social, economic, and cultural factors that can pose any risk to the process of re-integration.

### B. SPECIAL CASES

- › Child victims of trafficking
- After SACP receives a report of child trafficking, every case must be reported to the respective Social Assistance Directorate, according to the current residence of the



child, in written form. SAA must also receive a copy of the report. SACP must provide all the available information on the case so that the child's family and social environment can be studied, and a risk assessment can be prepared with respect to accommodating the child after his/her return to the country

The director of every Child Protection Department at the Social Assistance Directorate assigns a social worker to the case. The social worker must lead the multidisciplinary team and study the family and social environment of the child, make an assessment of the risk of re-trafficking, and prepare an action plan. The action plan is coordinated with the team of the Crisis Unit.

If there is sufficient information suggesting that the child has been involved in the activities of Article 11 of the *Child Protection Act*, the chairperson of the SACP prepares a proposal or statement to the Minister of Interior so that administrative measures under Article 76 of the Bulgarian Personal Data Protection Act can be implemented.

For every case of a child victim of trafficking, SACP initiates an emergency investigation into the child's environment through a written request to the SAD in the area where the child's permanent address is, and into the reasons for the child's leaving the country and becoming involved in trafficking. The risk assessment is conducted by the social workers from CPD in the area of the child's current residence address. It includes an assessment of the condition, family, and social environment of the child. The risk assessment and safety measures are included in **a social report and action plan** on the case.

If the child is accommodated in a crisis center or a Home for Temporary Accommodation of Juveniles and Minors (HTAJM), the condition of the child is also assessed by the social workers there. The risk assessment and safety plan are included in **a care plan** of the case.

The other partners are also informed – CDCOC and Child Criminality Sector of Chief Directorate Criminal Police – in order to prepare an opinion about the risk of the child being re-trafficked. If such a risk is found, the chair of SACP proposes to the Minister of Interior to enforce administrative measures for prohibition to leave the country (Art. 76a of the Law for Bulgarian Identity Documents).

- › Non-EU citizens who are victims of trafficking.

- › Asylum seekers

When a foreign national seeks protection, he/she is accommodated in a transit, registration-admission center, or another shelter of the State Agency for Refugees. The risk assessment is performed by the interviewer - the case worker of the person, who investigates the facts and circumstances of the request for receiving special protection, in accordance with the Law for Asylum and Refugees.

- › Illegally residing

The risk assessment is performed by the officers of Chief Directorate Border Police or Migration Directorate who identified the trafficked person.

If translation/interpretation is necessary, it is arranged by the institution or organization which conducts the interview.

## C. DOCUMENTATION

The document, which reflects the risk assessment, is the safety plan. It is part of the safety and support plan on the case and should contain information about:

- › Risk aspects in the trafficked person's current situation
- › Concerns and considerations of the trafficked person
- › Available resources for coping
- › Measures taken to increase the trafficked person's safety
- › Interaction with the investigating bodies, Ministry of Interior, investigation, etc. (if there are others)
- › Safety measures discussed with the trafficked person

## D. COOPERATION

Partners in the process of risk assessment can be:

- › The person or organization, if applicable, which referred and provided the initial information about the trafficked person.
- › Institutions and organizations in the trafficked person's home country/town (especially when his/her return is planned).
- › Investigating bodies, Ministry of Interior, prosecution

**Ministry of Interior (Mol)** During the initial contact or after the identification of trafficked persons, the officers of **CDCOC**, **CDBP**, and **MD** make a risk assessment with the purpose of establishing the danger of re-trafficking or possible violent retaliation against the victims or their family and relatives.

**Ministry of Foreign Affairs (MFA)** The employees in consulates make a risk assessment for each concrete case in cooperation with the competent authorities in the country of destination and the respective Bulgarian competent authorities.

State Agency for Refugees (SAR)

The employees of SAR in the transit centers, the registration-admission centers, and integration centers make a risk assessment during the registration, accommodation, medical examinations, and the proceedings for provision of legal status in accordance with the Law for Asylum and Refugees.

National Hotline for Victims of Violence: +359 2 981 76 86

The calls at the Hotline are anonymous. Risk assessment is made during the telephone conversation by asking as detailed and specific questions as possible, including where the victim is at the moment, where he/she is calling from, whether he/she is threatened at the moment, how much time he/she has, whether someone is listening to the conversation, etc. In cases of trafficking and if there is high risk for the victim, the consultant does not observe anonymity and tries to collect as much information as possible, which is later transferred to the respective institutions. The information collected is entered in the call registration form.

National Helpline for Children: 116 111

The helpline consultants make a risk assessment for the child making the call, according to the definition of a child at risk in the Child Protection Act. In urgent or dangerous cases, including trafficking cases, the consultants contact the National Center 112, as well as the respective Child Protection Department, based on the current location of the child. The Child Protection Departments report the case, in compliance with the Coordination Mechanism for Children Survivors or at Risk of Violence. In the cases of urgent intervention, the Coordination Mechanism for Referral, Care, and Protection of Repatriated Bulgarian Unaccompanied Minors and Children Victims of Trafficking Returning from Abroad must also be followed.

Crisis Centers and Centers for Temporary Accommodation (NGO)

Risk assessment is performed during the initial conversation with the victim. This can be done outside the center, when the social worker meets the victim upon his/her return or has been called to the units of Mol which identified the victim. In all other cases, the risk assessment is performed at the territory of the center, after the accommodation of the victim and when he/she is ready to talk. The information provided is entered in the support and safety plan.

International Organization for Migration (IOM)

When IOM receives information about a trafficked person, it initiates a standardised risk assessment procedure. This procedure includes cooperation with all people and institutions connected with each concrete case.

# MEASURE 1.3. DEFINING THE IMMEDIATE NEEDS

## A. DESCRIPTION OF THE ACTIVITY

The risk assessment and the defining of immediate needs are performed simultaneously during the identification of the trafficked person.

The immediate needs of trafficked persons are defined in two ways:

> Objective observation of the condition, appearance, and behavior of the victim. In situations of emergency, when the trafficked person is under severe stress, has medical problems, and is in no condition to speak, his/her needs can be defined only on the basis of the observed symptoms. This is necessary when urgent actions need to be taken and the consent of the trafficked person cannot be obtained. In all other cases, the observation should complement the information conveyed by the trafficked person.

> Interview. The interview is conducted when the trafficked person is in a condition to speak, to share information, and to understand what is being said to him/her. The trafficked person's main physiological needs (of food, water and sleep) must be satisfied and any necessary medical care must be ensured. The trafficked person must be in a safe place.

### STEP 1. INTERVIEWING THE TRAFFICKED PERSON AND EXPLAINING HIS/HER RIGHTS AND RESPONSIBILITIES AND THE POSSIBILITIES TO PROVIDE SUPPORT

Trafficked persons must be informed about the purpose of the interview in advance and must participate willingly in it.

The interview should be informative for both parties. During the interview, trafficked persons should understand where they are, what their rights and possibilities are, and what the next steps will be. The interviewer should learn what their immediate needs are and whether they are currently at risk.

The interview is conducted only between the trafficked person and the interviewer. Any information provided by the trafficked person which is not related to the criminal investigation is confidential and cannot be divulged to third parties without his/her consent.

The interview concerns the condition and needs of the trafficked person and should not cover topics related to the police work on the case. During the interview for defining the trafficked person's immediate needs, the interviewer should ask questions about his/her condition and not about the reasons that led to it. This interview is not about the situation of trafficking.

The interviewer should:

- › Present information about the institution/organization where the trafficked person is and his/her role.
- › Assess the situation and the trafficked person's emergency needs the way he/she presents them.
- › Present information about the possibilities to provide support. Clarify the trafficked person's rights and responsibilities.
- › Give the trafficked person the opportunity to ask questions about anything he/she wants to know and to express his/her concerns and wishes.
- › Together with the trafficked person, agree on a support and safety plan (what the next steps should be).

During the conversation, the interviewer should listen actively, with understanding and respect. He/she should demonstrate understanding toward the emotional condition of the trafficked person and try to prevent any additional stress in the process of interviewing. The questions should be asked in a supportive and non-victimizing way. Any information should be provided in a clear way and in words that the trafficked person can understand.

! *If the victim is in crisis or severe stress, he/she may not be able to understand things that may appear to be simple and clear to the interviewer. It may be necessary to repeat the information several times, even if the victim claims that he/she understands it.*

## STEPS 2. ASSESSMENT OF THE EMERGENCY NEEDS

The assessment of emergency needs is done by including topics in the interview related to:

- › Trafficked person's safety (see also Risk assessment)
- › His/her health condition
- › Whether he/she has any diseases due to which he/she should be placed under compulsory isolation and hospital treatment<sup>3</sup>
- › His/her emotional condition
- › His/her immediate and emergency needs – of shelter, food, water, medicines, toilet, sleep, etc.

<sup>3</sup> According to the Public Health Act, compulsory isolation and hospital treatment are necessary for people who have or can transmit cholera, plague, variola, yellow fever, viral hemorrhagic fever, diphtheria, typhoid fever, poliomyelitis, brucellosis, anthrax, malaria, severe acute respiratory syndrome, and tuberculosis.

- › His/her plans for the near future
- › The presence or absence of family relations
- › Available resources for coping
- › Other emergency matters according to the individual needs/situation of the trafficked person.

## STEP 3. DEVELOPMENT OF A SAFETY AND SUPPORT PLAN

The interview for defining the immediate needs should end with an agreement with the trafficked person on a **safety and support plan** in order to meet these needs.

In emergency cases, the plan is negotiated orally with the trafficked person.

In all other cases, the plan should be prepared in writing and signed by the trafficked person who in this way shows his/her agreement with and voluntary participation in the implementation of the planned steps. The plan should be **updated** when the trafficked person is referred to another organization.

! *Very often, after victims are identified, they want to return as soon as possible to their family. In these cases there is usually no risk for the victims to return home. However, there are cases when the assessment shows that there is risk of re-trafficking or violence. Nevertheless, if the victims are adults, they have the right to refuse support. In those cases, the action plan should provide the victims with opportunities to contact relevant services and organizations in case they change their mind in the future.*

## B. SPECIAL CASES

- › Child victims of trafficking

For each case of a child victim of trafficking, the Social Assistance Directorate responsible for the child, based on the child's residence, prepares a report to assess the child's needs and designs an action plan, in coordination with the Crisis Unit team. The assessment report must be signed by all members of the team. The action plan may include support measures for the family of the trafficked child, with respect to minimizing the risk of secondary placement out of the family or the risk of re-trafficking.

- › Non-EU citizens who are victims of trafficking.
  - Asylum seekers

When a foreign national seeks protection, he/she is accommodated in a transit, registration-admission center, or another shelter of the State Agency for Refugees. The needs assessment is performed by the interviewer - the case worker of the person, who investigates the facts and circumstances of the request for receiving special protection in accordance with the Law for Asylum and Refugees.

- Illegally residing

The needs assessment is performed by the officers of Chief Directorate Border Police or Migration Directorate who identified the trafficked person.

If translation/interpretation is necessary, it is arranged by the institution or organization which conducts the interview.

## C. DOCUMENTATION

The **safety and support plan** is the main document in the implementation of this measure. It also serves as an informal agreement between the trafficked person and the service provider. The safety and support plan does not follow a specific form but should include:

- › Description of the identified immediate needs
- › Description of the planned steps
- › Institutions and organizations which are contacted or to which the trafficked person is referred
- › Safety plan (see also *Measure 1.2. Risk assessment*)
- › Time frame of the plan
- › Name and signature of the trafficked person
- › Name and signature of the interviewer and name of the institution/organization which he/she represents
- › Date and location

## D. COOPERATION

Partners in the needs assessment process can be:

- › The person or organization (if there were such) which referred and provided the initial information about the trafficked person
- › Service providers to which the trafficked person was referred and which are parts of the action plan.

**Ministry of Interior (Moi)** After the identification of trafficked persons, together with the risk assessment, the officers of **CDCOC**, **CDBP**, and **MD** perform a needs assessment with the aim of providing emergency medical, psychological and legal aid, as well as to determine whether it is necessary to accommodate the trafficked person in a crisis center or a shelter.

**Agency for Social Assistance/  
Social Assistance Directorates/  
Social Protection Departments**

After identifying a trafficked person, social workers make a needs assessment based on the programs of SPD and provide information and consultation about the possibilities of receiving social assistance or other type of social services.

**Ministry of Foreign Affairs  
(MFA)**

The employees in consulates make a needs assessment for each concrete case in cooperation with the competent bodies in the country of destination and the respective Bulgarian competent bodies.

**State Agency for Refugees  
(SAR)**

The employees of SAR in the transit centers, the registration-admission centers, and integration centers make a needs assessment in the process of registration, accommodation, medical examinations and during the proceedings for provision of legal status in accordance with the Law for Asylum and Refugees.

**National Hotline for  
Victims of Violence:  
+359 2 981 76 86**

The needs assessment is made during the telephone conversation unless the trafficked person is in a high-risk situation and urgent measures need to be taken, like reporting to the police. The needs that the trafficked person states are entered in the *call registration form*.

**Crisis Centers and  
Centers for Temporary  
Accommodation (NGO)**

The needs assessment is made together with the risk assessment during the initial conversation with the victim. This can be done outside the center/shelter, when the social worker first meets the trafficked person upon his/her return, or has been called by the unit of MoI that identified the victim. In other cases the needs assessment is made in the center/shelter where the trafficked person is accommodated and when he/she is able to speak. The received information is entered in the *safety and support plan*.

**International Organization  
for Migration (IOM)**

IOM makes a needs assessment of every case of trafficked persons together with all other institutions and organizations involved with the case. Afterwards, IOM develops an initial re-integration plan that serves as a basis for the start of the protection and re-integration process of the victim in Bulgaria. All measures related to each concrete case are documented by IOM in paper and electronic version and are preserved according to the international standards and requirements of IOM.

# MEASURE 1.4. REFERRAL

## A. DESCRIPTION OF THE ACTIVITY

After a person has been identified as a victim of trafficking and his/her immediate needs have been defined, the person should be referred to the respective programs and services included in the National Referral Mechanism if they are not available at the institution that identified the trafficked person.

Referral does not necessarily mean moving a person from one place to another, but it is a central part of the support to the victims. The referral of trafficked persons is a complex process because of their wide-ranging needs and the various risks they may have as a result of the crime of trafficking. It is expected that during the work with a trafficked person, he/she is referred to more than one service provider.

**Safe referral** guarantees that the care and services which will be provided by other institutions and organizations will not endanger the health and safety of the trafficked person.

*The following steps should be taken in order to ensure safe referral:*

### STEP 1. INFORMED CONSENT ABOUT THE REFERRAL TO ANOTHER ORGANIZATION

The trafficked person should be informed about the possibilities to receive support in accordance with the needs he/she stated (See *Measure 1.3. Defining the immediate needs*). The trafficked person should be able to choose (in as much as the availability of services allows it) to which organization he/she should be referred. The places of referral are agreed upon in the **safety and support plan**. The trafficked person should give his/her consent before contact is made with another organization.

Adult victims of trafficking can refuse referral or disclosure of any information related to their trafficking experience to other people.

### STEP 2. CONTACTING THE ORGANIZATION TO WHICH THE TRAFFICKED PERSON IS REFERRED

The organization to which the victim is referred must be properly notified about the victim's arrival. The way the victim will be met – where, at what time, and by whom – should also be arranged in advance.

During the referral, the two organizations should also discuss whether the accepting organization has the necessary resources to work on the case. For example, if it is a shelter – whether there are available places; if it is a counselling center – whether there are appropriate programs and well-trained specialists to work on the case.

The information provided to the receiving organization should be limited to only what is necessary for the adequate provision of the planned services. The trafficked person should agree on what and how much information is shared with the other organization. Exceptions are made only regarding information related to risks for the life and well-being of the trafficked person, his/her family, employees of the service provider, or other people or organizations involved in the care process. This information **must be** shared with the receiving organization.

! *Very often the trafficked person feels difficulties telling his/her story repeatedly because it only reinforces the experienced trauma. It is possible for the referring organization to retell the trafficked person's story orally or in writing to the receiving organization, with the informed consent of the victim.*

If possible, the trafficked person should first have personal contact (by telephone) with a representative of the organization to which he/she is referred.

### STEP 3. ACCOMPANYING THE TRAFFICKED PERSON TO THE ORGANIZATION TO WHICH HE/SHE IS REFERRED

The procedure of accompanying the trafficked person to the receiving organization is closely related to **the risk assessment**.

Depending on the risk level, the trafficked person can go to the receiving organization in several ways:

- › **Alone** – only in cases when there is no serious risk.
- › **Accompanied by a social worker or another employee** of the referring institution or organization. Usually this is necessary when the victim is emotionally unstable or has medical difficulties.
- › **Accompanied by officers from MoI** – in cases when there have been serious threats to the victim, his/her family, or the employees of the service provider.

! *When the trafficked person moves from one place to another, there is risk not only for him/her, but also for the accompanying professionals. This risk must always be seriously considered when referral is planned.*

### STEP 4. FEEDBACK FROM THE RECEIVING ORGANIZATION

The referral process ends with feedback from the receiving organization, including how the victim was accommodated/admitted and what the next steps of the work with him/her are.

### STEP 5: WHEN REFERRAL IS NOT POSSIBLE

Referral cannot be made in the following situations:

- › There is too high a risk for the trafficked person to be moved.
- › The trafficked person does not want to be referred and prefers to end the contact.

In such cases, the initial conversation with the trafficked person should be as long as possible, considering the circumstances. This may be the only chance the trafficked person has to speak with a specialist and realize his/her situation. It is possible that later the victim will decide to take advantage of the services included in the National Referral Mechanism.

The trafficked person should be provided with as much information as possible about:

- > The crime of trafficking in human beings
- > His/her rights as a victim of trafficking
- > His/her right to keep the situation of trafficking secret from other people
- > The possibilities to receive support
- > The places where he/she can turn for support in his/her home country/town
- > The existing legislation he/she can make use of
- > Others

**!** *The professionals who provide information to the trafficked person who is ending the contact should do this with great care. Brochures with names and contact information of other organizations may not always be very appropriate. If any printed material is handed to the trafficked person, it should be of small size, so that the trafficked person can hide it somewhere. It is best to advise the trafficked person to memorise a Hotline number.*

## B. SPECIAL CASES

- > Child victims of trafficking

The Social Assistance Directorate takes appropriate child protection measures, in accordance with the child's needs and interests. The SAD should comply with the provisions of the *Child Protection Act* and the regulations for its implementation (e.g. placement in a Crisis Center).

A social worker from the Social Assistance Directorate must accompany the child and place him/her in the Crisis Unit, based on an order issued by the Director of the Social Assistance Directorate. Within a period of one month from the issuing of the order for administrative temporary placement, the Social Assistance Directorate files a claim to the Regional Court for placement of the child by court order.

After the provision of the service, the Crisis Center prepares a report for the period of stay of the child. The report must be sent both to the Social Assistance Directorate, under the current address of residence of the child, and the SACP.

- > Non-EU citizens who are victims of trafficking.

Foreign nationals **seeking protection or illegally residing** who have been identified as victims of trafficking are immediately referred to the competent institutions and service providers involved in the care for victims, taking into consideration the vulnerability of persons who seek international protection.

## C. DOCUMENTATION

The action plan contains information about the places where the trafficked person is referred. If it has been drawn in writing, a copy of it is provided to the receiving organization, with the trafficked person's consent. All medical documents (examination results, history of diseases, etc.) should also be provided to the receiving organization.

## D. COOPERATION

Partners in the referral process are service providers to which the trafficked person can be referred and which participate in the action plan.

**Ministry of Interior (Mol)** The officers of CDCOC, CDBP, and DM refer Bulgarian or foreign trafficked persons to other organizations and institutions that provide services outside the mandate of Mol.

**Agency for Social Assistance/  
Social Assistance Directorates/  
Social Protection Departments** Social workers refer trafficked persons to state delegated social services – accommodation in a crisis center or center for temporary accommodation. The social worker issues the referral and informs the director of the respective center about it. At the time of the accommodation, the trafficked person must provide a number of medical documents certifying his/her health condition.

**Ministry of Foreign Affairs  
(MFA)** Consular officers can organize, if necessary, the referral of trafficked persons in cooperation with the relevant bodies in the country of destination, the Bulgarian relevant bodies and NGOs.

**State Agency for Refugees  
(SAR)** The employees of SAR in the transit centers, the registration-admission centers, and integration centers refer foreigners identified as trafficked persons to the competent institutions and service providers involved in victim support.

**National Hotline for  
Victims of Violence:  
+359 2 981 76 86** The Hotline has a large database of organizations providing different services (psychological, social, medical, legal, etc.) in Bulgaria and abroad. Depending on the identified needs, the trafficked person or his/her family are referred to an appropriate organization and informed about exactly what type of service they can receive there and how to

establish contact. The Hotline works 24 hours a day. It also makes referrals to the Crisis center of Animus Association at any time of day or night. All the referrals are entered in the call registration form.

Crisis Centers and Centers for Temporary Accommodation (NGO)<sup>4</sup>

The shelters and crisis centers possess databases of organizations providing different types of services and support. The referral is made with the consent of the trafficked person and in accordance with his/her needs. The referral is made on the basis of the above-mentioned procedures. This information is entered in the safety and support plan.

NGOs providing specialised services for prevention of HIV and sexually transmitted infections among sex workers. Field social workers

These non-government organizations provide a complete package of low-threshold services for prevention of HIV and sexually transmitted infections as well as services for referral to other health and social institutions and services in accordance with the specific needs of the clients.

International Organization for Migration (IOM)

If necessary, IOM refers trafficked persons to services provided by other partner organizations. All measures related to a concrete case are documented by IOM in paper and electronic version and are preserved according to the international standards and requirements of IOM.

United Nations High Commissioner for Refugees (UNHCR)

When UNHCR receives information about a trafficked person, it immediately informs the relevant state bodies or non-governmental organizations and refers the person to service providers.

<sup>4</sup> Teams providing field services for sex workers within the framework of The National Program for Prevention and control of HIV/AIDS and sexually transmitted infections and Program "Prevention and Control of HIV/AIDS" of the Ministry of Health financed by The Global Fund to Fight AIDS, Tuberculosis and Malaria. These teams work in a network and have been trained in general rules, principles and methods of work.

# part C

## STANDARD OPERATING PROCEDURES

### II. PROTECTION AND SUPPORT

#### II. PROTECTION AND SUPPORT

p. 46 **Measure 2.1.** Crisis intervention  
54 **Measure 2.2.** Reflection period

# MEASURE 2.1. CRISIS INTERVENTION

## A. DESCRIPTION OF THE ACTIVITY

Crisis intervention includes all the actions following the identification of the trafficked person that were described in the SOPs of “Identification and Referral”.

Crisis intervention also continues through the first days after the referral of the trafficked person to specialised service providers included in the NRM. It involves emergency short-term psychological and social support aiming to meet the victim’s most urgent needs<sup>5</sup>.

The aims of crisis intervention are:

- › **Protection:** trafficked persons are accommodated in a safe and secure location.
- › **Prevention:** the quick intervention prevents the development of more severe psychological and social problems for the victims.
- › **Support:** the psychological work reduces the pain and stress from the trafficking experience and broadens the possibilities for coping.

*Crisis intervention includes the following steps<sup>6</sup>:*

### STEP 1. EMERGENCY ACCOMMODATION IN A CRISIS CENTER

The trafficked person is accommodated in a temporary center in the following circumstances:

- › The return to his/her usual environment may pose certain risks.
- › He/she is in a bad emotional condition and needs time to recover.
- › He/she (or his/her children, if they are together) need specialised care, which can be provided either in the center or in another organization nearby (e.g. in the same town).
- › He/she is using a reflection period.
- › He/she is waiting for his/her identity documents to be issued/reissued.
- › He/she is testifying to the police or prosecution or is awaiting investigation procedures.
- › He/she has no personal resources – no place to stay, no home, no family or close relatives.
- › Others.

The trafficked person’s stay in the center is voluntary. During the admission to the center, the trafficked person should be acquainted with the **internal regulations** and sign a **declaration** that he/she will observe them.

After the admission, when the trafficked person is able to speak, an interview should be conducted to update the risk assessment and the needs assessment with attention paid

<sup>5</sup> Crisis intervention is performed according to criteria and standards which are part of this NRM.

<sup>6</sup> The specific steps are determined separately for each individual case.

to the actual programs and services available in this center and the community. The interview is conducted by:

- › A consultant designated as the case manager
- › The consultant on duty at this moment, who will later transmit this information to the designated case manager.

The accommodation centers included in the National Referral Mechanism should be able to provide everything that is necessary for the person’s stay:

- › An individual bed (including beds for the children of the victim, if they are accompanying him/her)
- › Food
- › Bathroom and toilet
- › Bathroom accessories
- › Other objects of immediate necessity
- › Others

The center staff contacts all necessary services and organizations that can help in meeting the trafficked person’s emergency needs.

Unless the center is a closed center/shelter, when the trafficked person arrives and based on the risk assessment, a **safety mode** is defined. Depending on the risk level, it can be:

- › **Open** – the trafficked person can leave the center and come back on his/her own, respecting the internal regulations of the center. His/her contacts with outside people are not limited.
- › **Semi-open** – the trafficked person is not allowed to visit certain places or meet with certain people. He/she cannot go out unaccompanied.
- › **Closed** – the trafficked person cannot leave the premises of the center.

The safety mode is negotiated with the trafficked person upon his/her arrival in the center, and he/she should agree to observe it.

! *The closed mode can lead to escalation of the tension and re-traumatization of the trafficked person, especially if he/she had been in captivity for a long time. This can cause impulsive and risky behavior stemming from the victim’s desire to go out at any cost. The safety mode should be based on consideration not only of the risks but also of the emotional condition of the victim.*

### STEP 2. PROVISION OF EMERGENCY PSYCHOLOGICAL HELP

In a safe and supporting environment the trafficked person receives help in order to overcome shock, tension, and strong emotions. He/she has the chance to explore the different options for coping and to make a plan of the practical steps that need to be taken in order to regain his/her emotional balance.



Every trafficked person who is accommodated in a center has the opportunity to have an individual conversation with a consultant. This depends on the request:

- › **In case of emergency accommodation** the work with the trafficked person is started by the consultant on duty at the moment
- › **In case of planned accommodation** the consultant is designated during a team discussion.

If the center cannot provide a consultant, the person is referred to another organization which provides psychological counselling and crisis intervention.

Psychological consultations are voluntary and are included in the individual action plan. The consultant agrees together with the trafficked person on the **number, frequency, and time** of the sessions for emergency psychological support.

! *In some cases the trafficked person may refuse to take advantage of the psychological consultations. As the person stays longer in the center, his/her trust towards the staff there generally increases and he/she may change his/her mind. Thus, the trafficked person can receive psychological counselling whenever he/she feels ready.*

### STEP 3. PROVISION OF EMERGENCY SOCIAL, MEDICAL, AND HUMANITARIAN HELP

Victims of trafficking need intensive social support for meeting their most urgent needs, as described in the action plan.

The priority is on **the medical needs of the victim**. The center contacts the relevant healthcare institutions and specialists.

- › If necessary, the trafficked person is admitted in a hospital using the First Help services
- › If hospitalization or other services are needed which are not covered by the emergency medical aid and the victim has lost his/her health-insurance rights, it is necessary to have them restored in advance.

This can happen through:

- › Paying the amount owed to the health-insurance fund
- › The Social Assistance Act (see *Step 7 of Measure 3.1.*)

Another priority is the **issuing of identity documents** of the trafficked person. Very often, trafficked persons do not have identity documents because the traffickers took them. New identity documents are issued in accordance with the Law for the Bulgarian Identification Documents (LBID).

The trafficked person submits **a form** to the local representation of the Ministry of Interior in the area where his/her permanent residence address is. The form should be signed personally in the presence of an official.

According to LBID, someone else may submit the form for the issuing of new identity documents when:

- › There is no change in the name, personal citizen's number (or personal number of a foreigner), sex, civil status, or appearance of the person, and
- › His/her biometrical data has been taken up to two years prior to submitting the form
- › There is specific provision for this in another law.

Identity documents are received personally or, in some cases, if the form was submitted personally, an authorised person can receive the identity document upon presentation of a certified power of attorney.

! *Very often it is unwise for a trafficked person to return to his/her home town for new identity documents because of high risk. If there is indeed a high risk of re-trafficking, the victim should be accompanied or should seek help from Identity Documents Directorate of Mol.*

The case manager at the center contacts all necessary specialists and institutions and refers the trafficked person in accordance with the procedures in Measure 1.4 Referral.

When the case requires the involvement of more specialists from different fields, **a multi-disciplinary team** is formed. It includes everyone involved in the work on the case. The case manager from the center/shelter coordinates the work of the team – organizes meetings, plans further actions, establishes connection between the trafficked person and the specialists, transfers the necessary information among the different team members.

## B. SPECIAL CASES

- › Child victims of trafficking

Until the child's situation is clarified and the CPD prepares a social report, the child is accommodated temporarily in a Crisis Center. Crisis intervention in cases of child victims of trafficking should be done by the specialists in the center where the child is accommodated.

- › Non-EU citizens who are victims of trafficking.

If a foreign national, who is a victim of trafficking, is not placed in a center for victims of trafficking, the crisis intervention is done by the institution responsible for him/her. These are the State Agency for Refugees for **asylum seekers** and Migration Directorate of Mol for **illegally residing foreigners**.

- Asylum seekers

The foreign national is placed in the State Agency for Refugees after an assessment of his/her health condition, family and material status. He/she is subjected to medical examinations and is quarantined until the results of the examinations are ready.

If the foreign national has enough means to cover his/her basic living expenses, he/she can be allowed to live in a place of his/her own choosing.

Foreigners seeking protection for the time of the proceedings for provision of special protection, as per the Law for Asylum and Refugees (LAR), have the right to receive the same social benefits as Bulgarian citizens, such as health insurance, accessible medical help and free medical care under the same procedures and conditions as Bulgarian citizens. They can be referred to all institutions and organizations that are accessible for Bulgarian citizens.

Foreign nationals, seeking protection, are issued special identity documents in accordance with LAR.

The State Agency for Refugees has developed “**Standard operating procedures for prevention and counteraction of sexual and gender violence**”, including trafficking in persons. The foreign victim is provided with safe environment and the necessary care within 48 hours. The confidentiality principles are kept. His/her immediate needs are defined, and a proper referral is made to other service providers. The foreign victim is free to decide not to report the incident. Even so, he/she is supported in every possible way.

If an employee of SAR receives information about a victim of violence, they immediately inform the director of Social Work Directorate of SAR or another official at SAR, UNHCR, or an NGO working with refugees.

The following documents must be filled:

- › Form for informing about an incident (to be filled by the director of Social work Directorate of SAR within 24 hours)
- › Consent form, filled by the victim.
- › SAR is the leading organization and receives all necessary forms and maintains a database.

- Illegally residing

Foreign nationals are placed in a Special Home for Temporary Accommodation of Foreigners (SHTAF) when it is impossible to implement the measures provided for in Art. 41 (accompanying to the border) and Art. 42 (expulsion) due to:

- › Lack of documents for international travel or other documents necessary to remove them from the country;
- › Lack of finances to buy a travel ticket;
- › Need to ensure transportation to the country of origin or another safe country;

- › Incomplete proceedings for provision of special support as per LAR
- › The health condition of the person does not allow for transportation

SHTAF provides the foreign national with a bed, appropriate clothing, free food and medical aid, conditions for maintaining personal hygiene, conditions for spending time in the open, possibilities to meet lawyers, relatives, family and officials of the respective diplomatic and/or consular representation.

The person is accompanied to SHTAF by a police officer and at the time of his/her accommodation a special transfer protocol is signed which is added to the person's file. SHTAF keeps a register of all accommodated foreign nationals.

Illegally residing foreign nationals have limited rights. They can be referred to non-government or international organizations for meeting some of their immediate needs (IOM, Caritas, ACET, Red Cross, Bulgarian Helsinki Committee).

The crisis intervention of **illegally residing foreign nationals who have not been accommodated at SHTAF** is done directly by the competent institutions and service providers involved in victim support as per CTHBA.

## C. DOCUMENTATION

Trafficked persons are registered in accordance with the rules of the center where they are accommodated. For every case there is a **personal file** which includes:

- › Personal data (registration and accommodation form)
- › A declaration signed by the victim that he/she will observe the internal regulations of the center
- › Description of the psychological condition of the person
- › Documents related to the work on the case by other organizations – referrals, medical examinations documents, etc.
- › Other documents in accordance with the rules of the center/shelter (description of the case, form for social work done on the case, documents about the victim's children, etc.)
- › Notes on the termination of the case

Additional documents may include:

- › Register of admitted persons
- › Minutes from team meetings.

## D. COOPERATION

Partners in the crisis intervention of trafficked persons can be service providers to which the victim can be referred or are part of the action plan.

- Ministry of Interior (Moi)** Illegal migrants accommodated at SHTAF receive crisis intervention by the officers of Migration Directorate during the time needed to place them in a center for victims of trafficking.
- 
- Ministry of Foreign Affairs (MFA)** MFA cooperates in all activities where contact is required with the diplomatic or consular representation of the country of origin of a trafficked person, whether it is in Bulgaria or in third country. If the trafficked person needs crisis intervention, consular officers refer them to the respective institutions and organizations in the country of destination.
- 
- State Agency for Refugees (SAR)** Crisis intervention is offered to foreigners identified as victims of trafficking in Bulgaria when they are accommodated in a transit, registration-admission center or another shelter of SAR by the employees of this respective division.
- 
- Healthcare System** Victims of trafficking can use the services of the healthcare system with the same rights and procedures as other citizens.
- The Regional Healthcare Centers can ensure logistic support for access of trafficked persons to medical care.
- 
- National Hotline for Victims of Violence: +359 2 981 76 86** The Hotline consultants can provide emergency emotional support to victims of trafficking and their family and relatives. In a situation of crisis, they can help them think about an action plan for escape from the situation of trafficking and provide them with contact information of organizations and institutions (hotlines in the region/country of destination, addresses of Bulgarian embassies and consulates, contacts with service providers, police, etc.) The Hotline works 24 hours a day. It can also ensure immediate referral to the Crisis unit of Animus Association. The crisis intervention is entered in the call registration form.

### Crisis Centers and Centers for Temporary Accommodation (NGO)

Crisis centers and shelters can organise immediate accommodation of victims of trafficking at any time of day or night. Crisis intervention is done in accordance with the steps and procedures described above. The information about the measures taken is entered in the safety and support plan.

### International Organization for Migration (IOM)

IOM coordinates and supports the return of a trafficked person as well as the whole process of protection and re-integration that follows the return. If necessary, IOM informs all institutions and organizations that may be involved in the case. The crisis intervention is made already before the victim's return to the country by IOM specialists in the country of destination or by partner organizations.

### Health Without Borders Association / Center for Sexual Health

The center offers free medical examinations and treatment of sexually transmitted infections and anonymous testing and counselling for HIV/AIDS.

## MEASURE 2.2. REFLECTION PERIOD

### A. DESCRIPTION OF THE ACTIVITY

A reflection period should be granted to every presumed trafficked person regardless of whether he/she cooperates with the law-enforcement authorities or whether there are criminal proceedings against the perpetrators. According to Art. 26 of the Combating Trafficking in Human Beings Act, the reflection period is 30 days.

The reflection period has two main functions:

- › The trafficked person can receive immediate support and accommodation in a shelter/center in order to recover from his/her experiences
- › As a result of this recovery, the trafficked person can make an informed decision whether to cooperate with the investigation against the traffickers.

*Some trafficked person who are foreign nationals and are illegally residing in the country may be treated as illegal migrants and accommodated by force in a “Home for temporary accommodation of foreigners” of Migration Directorate of Mol. As soon as they are identified as victims of trafficking, they are entitled to a reflection period as specified in CTHBA and must be accommodated in a shelter or crisis center from the NRM where they can receive specialised support.*

The reflection period starts automatically at the time of identification of the trafficked person in Bulgaria. The trafficked person is informed by the identifying organization about the beginning and duration of the reflection period.

The following services should be available to the trafficked person during the reflection period:

- › The trafficked person should be in a safe place and, if necessary, accommodated in a shelter or center
- › Crisis intervention, if his/her condition requires it
- › Psychological counselling and social support aimed at the emotional and social problems connected with the decision whether or not to cooperate with the law-enforcement authorities
- › Legal counselling about the understanding and planning of legal actions on the case.

The reflection period ends when:

- › Its duration is over
- › The trafficked person decides to cooperate with the law-enforcement authorities.

During the reflection period the trafficked person receives support which includes:

**STEP 1. LEGAL COUNSELLING AND INFORMING THE VICTIM ABOUT THE POSSIBILITIES TO START CRIMINAL PROCEEDINGS AGAINST THE TRAFFICKERS AND HIS/HER ROLE IN THE INVESTIGATION**

In the first days of the reflection period, the trafficked person should be informed about the possibilities to cooperate in the discovery of the traffickers and in possible criminal proceedings against them. The trafficked person should be consulted in accordance with the specifics of his/her concrete situation. He/she should be able to make an informed decision in his/her own interest.

The information is provided by:

- › Legal advisor
- › The counsellor and case manager of the victim<sup>7</sup>
- › The pre-trial investigation authorities.

The consultations are arranged in advance. The frequency and duration are determined by the consultant depending on the individual needs of the victim.

The victim should be informed about:

- › The advantages of cooperating with the law-enforcement authorities:
  - Continuation of his/her stay in the shelter/center
  - Financial compensation from the state
  - Acquisition of a longer term residence permit (in case of foreign nationals)
- › The right, conditions and procedures for receiving free legal support
- › The authorities to which he/she can report the crime (police or prosecution)
- › The rights of victims in criminal proceedings
- › The right, conditions and procedures for receiving financial compensation from the state

The victim should be fully aware of:

- › His/her role in the pre-trial investigation and the criminal proceedings
- › Involvement and responsibilities as a witness or another type of participant in the investigation
- › What is expected of him/her in this process
- › What are the risks if he/she cooperates
- › What type of support he/she can receive

During the reflection period, the victim is not obliged to cooperate with the investigation or to testify.

If the victim decides to cooperate, he/she should be supported in the communication with the respective institutions and the preparation of the necessary documents.

<sup>7</sup> The counsellor/case manager can provide only basic legal information to the victim and should refer him/her to specialists who can provide professional legal consultation about all matters related to the specific case.

## STEP 2. PROTECTION MEASURES IN ACCORDANCE WITH ART. 25 OF CTHBA.

Article 25 of CTHBA provides for the **special protection status for the duration of the criminal proceedings** for trafficked persons who have decided to cooperate with the law-enforcement authorities for the prosecution of the traffickers.

The special protection status includes:

- › Granting of long-term residence permit to foreign nationals
- › Continuation of the stay at accommodation centers.

The special protection status is determined by a prosecutor at the request of the trafficked person.

The special protection status can be terminated by the prosecutor before the expiration date if:

- › The person has renewed his/her contacts with the perpetrators of the crime, for which he/she declared his/her cooperation
- › The prosecutor determines that the declared consent for cooperation is superficial
- › There is danger to public order or national security.

## STEP 3. PSYCHOLOGICAL COUNSELLING

During the reflection period, after the trafficked person overcomes the crisis, he/she can start receiving psychological consultations. These should be voluntary. The consultations are individual and should be included in the action plan for the trafficked person.

The psychological consultations can happen at the territory of the center where the trafficked person is accommodated or in another organization specialised in providing psychological counselling.

The consultations are provided by mental health professionals.

*It is usually difficult for victims of trafficking to establish relationships of trust. They become confused when they communicate with a lot of specialists and find it hard to distinguish the different functions of everyone. It is a good idea if the case manager, whom the victim recognizes as a trusted person, provides the psychological consultations. Furthermore, it is exactly during these confidential conversations that the victim is more inclined to share information about him/herself and his/her needs.*

The consultant and the victim agree together on the **number, frequency, and timing** of the counselling sessions.

The psychological counselling during the reflection period is directed at the emotional aspects of the choices that the victim makes – whether to cooperate with the law-enforcement authorities, whether to participate in a court trial, how to plan his/her future, etc.

*The victim's decision whether or not to cooperate for the identification and prosecution of the traffickers can change very quickly. The desire for revenge at any cost is replaced by feelings of despair and helplessness. Anger quickly turns into depression and vice versa. The psychological consultations help the victim to understand his/her overwhelming emotions and adhere to his/her choices and decisions.*

## STEP 4. ORGANIZING THE SAFE RETURN OF THE TRAFFICKED PERSON TO THE COUNTRY OF ORIGIN OR TO HIS/HER HOMETOWN

In case the trafficked person does not wish to use the reflection period, or after the period has ended and no further measures have been taken, the safe return of the trafficked person should be organized. This activity is described in Measure 3.2. Return.

## B. SPECIAL CASES

- › Child victims of trafficking

The reflection period concerns only adults. Children victims of trafficking are provided with protection measures in accordance with the Child Protection Act.

- › Non-EU citizens who are victims of trafficking.

All foreign nationals identified as victims of trafficking are entitled to a one-month reflection period.

- Asylum seekers

The use of reflection period and the accompanying measures for victims of trafficking in the State Agency for Refugees are provided and planned together with Accommodation and Procedures Directorate. Each case is treated individually, with respect to the interests and safety of the trafficked person.

- Illegally residing

If the trafficked person is staying illegally in the country and has been accommodated in the Home for temporary accommodation of foreigners of Migration Directorate of MoI, he/she can be immediately transferred for accommodation, for the duration of the reflection period, to one of the shelters for trafficked persons which are part of the NRM. According to CTHBA, the victim is entitled to a temporary residence permit for the duration of the reflection period. The victim is also entitled to receive psychological, social and legal aid as specified in the NRM for the duration of the reflection period.

If the trafficked person decides to cooperate in the investigation, he/she can receive a special protection status in accordance with Art. 25 of CTHBA and a long-term residence permit for the duration of the criminal proceedings. (Art. 41, pa. 1, p. 17 of the Law for Foreigners in Bulgaria)

## C. DOCUMENTATION

All notes regarding the reflection period and all actions taken are entered in the **personal file** of each trafficked person.

## D. COOPERATION

Partners in the care for trafficked persons during the reflection period can be service providers to which the victim can be referred and are part of the action plan.

**Healthcare System** During the reflection period, victims of trafficking can use the services of the healthcare system with the same rights and procedures as other citizens.

The Regional Healthcare Centers ensure logistic support for access of trafficked persons to medical care.

**State Agency for Refugees (SAR)** If a trafficked person who is a foreign national seeks protection and is accommodated in a transit, registration-admission center, or another shelter of SAR, the respective division of SAR provides care for him/her. He/she is referred to service providers from this NRM in order to receive psychological and legal counselling related to the reflection period.

**National Hotline for Victims of Violence: +359 2 981 76 86** The Hotline consultants inform the trafficked person about his/her right to use a one-month reflection period. They refer the person to relevant service providers, legal advisors, and lawyers. The Hotline provides specialised legal consultations once a week. Victims of trafficking and their family can receive detailed information about the rights and possibilities provided by Bulgarian legislation. All actions and referrals are entered in the call registration form.

### Crisis Centers and Centers for Temporary Accommodation (NGO)

Crisis centers and shelters provide accommodation and organise the psychological and social support of trafficked persons according to the procedures described above. All measures taken are entered in the *safety and support plan*.

### NGOs providing legal services

NGOs can provide trafficked persons with free legal services related to the reflection period within the framework of their programs funded by state or other funds.

### International Organization for Migration (IOM)

Each concrete case is examined separately and reflection period is applied with view to the trafficked person's condition. The case manager informs the victim about the possibilities for protection and re-integration in the country of origin.

### United Nations High Commissioner for Refugees (UNHCR)

Foreign nationals, who are victims of trafficking and have sought or received protection, are referred to service providers in the NRM in order to use psychological and legal help related to the reflection period.

# part C

## STANDARD OPERATING PROCEDURES

### III. SOCIAL INCLUSION (RE-INTEGRATION)

#### III. SOCIAL INCLUSION (RE-INTEGRATION)

- p. 61 *Measure 3.1. Long-term psychological support and empowerment*
- 74 *Measure 3.2. Safe return*
- 80 *Measure 3.3. Participation in criminal proceedings*
- 85 *Measure 3.4. Provision of financial compensation*

## MEASURE 3.1. LONG-TERM PSYCHOLOGICAL SUPPORT AND EMPOWERMENT<sup>8</sup>

### A. DESCRIPTION OF THE ACTIVITY

Long-term psychosocial support is provided after the trafficked person has overcome the crisis and after the one-month reflection period has ended. The trafficked person should be in a relatively stable emotional condition, have basic conditions of life ensured, and there must be no danger to his/her life or health. According to the Regulations for implementation of the Social Assistance Act, **short-term services** are the services provided for a period of up to three months, while **long-term services** are those that are provided for a period of more than three months. In the case that the trafficked person cooperates with the law-enforcement authorities for the uncovering and prosecution of the crime, his/her stay in the accommodation center can be prolonged. (Article 29 of CTHBA).

The factors that impede the social inclusion and re-integration of trafficked persons can be generally divided in two main areas:

- › **Emotional:** related to the consequences of the psychological trauma
- › **Social:** related to the lack of tolerance from the trafficked person's environment and the refusal of others to accept him/her and offer support.

The approaches to long-term rehabilitation of trafficked persons include interventions directed at both areas.

Some of the characteristics of experienced psychological trauma are feelings of helplessness and disrupted relationships with other people. The main aims of the process of rehabilitation are:

- › Restoration of the feeling of control and autonomy
- › Empowerment
- › Re-establishment of relationships with other people

#### STEP 1. PARTICIPATION OF THE TRAFFICKED PERSON IN THE PROCESS OF MAKING DECISIONS AND PLANNING HIS/HER (RE)INTEGRATION.

An important part of the rehabilitation process is the restoration of the feeling of autonomy and control over the person's own life. For this reason, he/she should participate in the decisions and planning of all steps of the rehabilitation process. After overcoming the initial crisis, the trafficked person can decide for him/herself whether or not to seek long-term help.

<sup>8</sup> All services related to re-integration of trafficked persons are performed according to criteria and standards which are part of this NRM.

During the reflection period, the trafficked person receives **information** from the consultant about the available opportunities to receive support from a psychotherapist or social support for solving different practical problems.

At the end of the initial one-month work, the consultant and the trafficked person decide together whether he/she will need more long-term support, what its purposes will be, and who will implement it. These decisions are entered in the action plan.

Long-term psychotherapeutic and social work are provided only if the trafficked person wants them. In order for the support to be efficient, it needs to reflect the choice and request of the trafficked person. The consultant supports him/her in making this choice, in accessing the respective specialists and services, and in making a **referral** (See *Measure 1.4*).

If the trafficked person terminates his/her contact with the center, the consultant tries to agree with him/her about possibilities for a **follow-up contact** (an appointment, telephone call, letter, etc.) after a certain period of time.

**The aims of the follow-up contact are:**

- › Emotional support
- › Follow-up on the condition of the trafficked person
- › Follow-up of the rehabilitation process
- › Risk assessment after the termination of the contact
- › Assessment of newly developed needs
- › Provision of additional information about protection and support
- › Referral to services.

The trafficked person should be able to turn again to the consultant or the organization which provided the support at any moment after the termination of the initial contact.

**!** *Most trafficked persons prefer to return to their home places as soon as possible. Others believe that they can cope on their own and that they do not need additional help. Sometimes they turn to a psychotherapist years after the trafficking situation.*

After the end of the reflection period and the termination of the contact, the trafficked person should receive sufficient information (e.g. brochures with information about available services) so that he/she can seek help at any time he/she feels necessary.

**STEP 2. UPDATING THE RISK ASSESSMENT WITH RESPECT TO THE TRAFFICKED PERSON'S RE-INTEGRATION**

In the following stages of work with the trafficked person, after he/she has been provided with safe accommodation and there is no danger for his/her life and health, an additional risk assessment is made in its **broad** sense. This includes risk of:

- › Social isolation, marginalization and stigmatization
- › Falling victim to new situations of violence and abuse
- › Unemployment
- › Poverty
- › Lack of possibilities to continue his/her education due to illiteracy or lack of existing programs
- › Lack of a supportive environment and resources for coping
- › Social, religious, and cultural factors that may impede re-integration
- › Others

At this stage, the risk assessment is made in cooperation with the different institutions and organizations involved in the process of re-integration of the trafficked person.

**STEP 3: PSYCHOTHERAPEUTIC WORK FOR OVERCOMING THE SYMPTOMS OF POST-TRAUMATIC STRESS DISORDER**

The recovery from psychological trauma requires a lot of time and perseverance. The aim of long-term psychological counselling and psychotherapy is to support the trafficked person to adapt as much as possible to his/her environment. The consultations should aim to restore the person's emotional resilience, to strengthen his/her internal resources, and to restore his/her sense of trust, coping abilities, and capacity to establish intimate relationships.

The recovery from psychological trauma has **three stages**.

**Stage I:** Restoration of the feelings of safety and security.

**Stage II:** Remembering and grieving (mourning) the experienced violence.

**Stage III:** Returning to normal life.

The psychotherapeutic work includes:

- › Assessment and definition of the trafficked person's psychological situation
- › Naming of the psychological problems and informing the trafficked person about his/her condition
- › Work with the symptoms of post-traumatic stress disorder
- › Restoration of control over his/her emotions
- › Recognition of the traumatic event(s)
- › Support in the process of grieving for the traumatic losses
- › Partnering in decision-making and planning
- › Emotional support in the implementation of an action plan
- › Others.

The trafficked person works with an individual therapist/consultant or participates in a therapeutic group.



The consultant and the trafficked person agree about the number and frequency of the sessions and about the duration of the therapeutic process. The therapeutic process can last from a few months to several years.

#### STEP 4. COUNSELLING OF THE TRAFFICKED PERSON'S FAMILY/RELATIVES AND PARTNER

The aim of these consultations is to enable the trafficked person to return to a supportive and tolerant environment and to avoid further victimization. The consultations help mobilise his/her natural support systems – family, friends, partner.

The involvement of the trafficked person's friends and family in the process of re-integration should happen only with **his/her explicit consent** and after a thorough **risk assessment**, which should determine:

- › Whether the his/her family/friends were directly or indirectly involved in the trafficking process
- › Whether there is any other type of violence against him/her
- › Whether he/she has witnessed violence in the family in the past
- › What the family's attitude towards the trafficked person is: are they inclined to blame him/her, is there risk of social exclusion; is there risk of abuse; can he/she be rejected on religious grounds
- › Whether the people from the person's immediate surrounding have enough social and emotional competence to support him/her
- › Whether they have minimum financial means for survival
- › Others.

The consultations of the family of the trafficked person can have different formats:

- › As family sessions together with him/her
- › As family sessions without him/her
- › As individual consultations of the separate family members.

Depending on the purpose, the consultations can be provided by the trafficked person's consultant or by another specialist. In either case, the trafficked person should give his/her consent about how much and what information about his/her experiences in trafficking should be shared with the family.

During the consultations, the trafficked person's family:

- › Receives emotional support to deal with feelings like shame, guilt or helplessness
- › Receives information about the nature of the crime of trafficking in persons and the humiliations that the person was subjected to
- › Receives information about the effects of psychological trauma in order to better understand the trafficked person and show tolerance and a non-victimizing attitude
- › Prepares for what possible consequences this experience may have on the trafficked person's behavior

- › Receives guidelines how to behave towards the trafficked person
- › Becomes involved in the action plan.



*Sometimes the work on a case of trafficking starts with consultation for the family. This happens when they suspect that someone from their family may have been trafficked – for example, the person disappeared; called from abroad but was behaving strangely; they learned from another person that their family member is a victim of trafficking. In this case, in addition to the consultations, the family is referred to the structures of Mol.*

*In other cases, family members seek help because they cannot cope with the behavior and emotional outbursts of a trafficked person who has returned home. Then they are supported to motivate him/her to seek help.*

#### STEP 5. DEVELOPMENT OF SOCIAL SKILLS

Due to the survived traumatic experiences, trafficked persons often develop **symptoms** which are manifested in their **behavior** and put them again in situations of risk. These include:

- › Problems with initiative and planning
- › Passivity and helplessness
- › Extremes in relationships
- › Repeating victimization
- › Entering in abusive relations with other people
- › Others.

The aim of the development (reacquisition) of social skills is to make the trafficked person **more resilient to further victimization**. This is achieved through:

- › Increasing awareness of his/her human rights and stimulating skills to protect them
- › Improving the self-confidence and overcoming the attitude of a victim
- › Development of skills to manage and control his/her own life
- › Development of realistic life plans and persistence in trying to achieve them.

It is directed at:

- › Development of skills to communicate without violence and abuse
- › Acquisition of basic knowledge about society's functioning, institutions, and laws
- › Improving trust towards societal institutions
- › Development of skills for better self-representation
- › Development of skills for keeping information relating to their experience in trafficking confidential
- › Others.

The development of skills for a more successful functioning in the social environment is achieved through:

- › The process of long-term psychological counselling
- › The process of counselling for participation in the job market
- › Specialised community programs, if such are available.

The process of development of social skills starts with an **assessment** and definition of the social impediments and deficits of the trafficked person as well as his/her competence and capacity for coping. The work includes development of:

- › Problem-solving skills
- › Critical thinking skills
- › Communication skills
- › Skills for establishment of positive relationships and attitudes
- › Emotions and stress management skills
- › Planning and decision making skills
- › Self-reaffirmation skills
- › Skills and habits for individual life (self-care, healthy lifestyle, personal and sexual hygiene, etc.)
- › Skills for managing own household (managing finances, etc.)
- › Others.

#### STEP 6. DEVELOPMENT OF SKILLS FOR PARTICIPATION IN THE LABOUR MARKET

Trafficked persons form a separate group with specific characteristics and needs in relation to the labour market. The process of developing skills for participation in the labour market is called **empowerment** because it stimulates the development of self-confidence and respects the autonomous position of the person.

**The aim of empowerment is to stimulate the activity, initiative, and adequate assessment of one's own strengths in order to seek professional realization.**

The consultations focus on:

- › Development of skills for job seeking
- › Orientation in the situation on the labour market
- › Development of a realistic strategy for finding a job, based on the qualities and abilities of the person.

! *Very often trafficked persons return to Bulgaria with high expectations to find a well-paid job. As a compensatory mechanism after the survived violence, they develop unrealistic ideas about their own skills and knowledge and take their chances with inappropriate professions which do not correspond to their education and abilities. They experience great disappointment and dissatisfaction with the low payment (compared to payment in the sex industry, for example) they can receive for unqualified labour. The empowerment consultations are to a large degree related to developing a realistic assessment of their own qualities and their relevance within the labour market.*

The empowerment consultations can be individual or group. They start with a **risk assessment** of the risk of re-trafficking or other forms of abuse and follow step-by-step the whole process of seeking and finding a job. The trafficked person has the opportunity to speak and discuss all practical aspects and difficulties he/she is faced with. An important aspect of this counselling is the adaptation of his/her ideas and preconceptions to the real circumstances so that he/she can not only find a job but also keep it.

During the counselling sessions, the trafficked person should develop sensitivity towards high-risk situations in the process of seeking a job, skills for objective assessment of real-life scenarios.

The consultations include work on the following topics:

- › Selection of job ads from newspapers and internet
- › Telephone interview
- › Preparation of documents for applying for a job (CV, motivation letter, etc.)
- › Skills for self-presentation during a job interview and protection of one's interests and rights
- › Negotiations with an employer
- › Enrolling in programs and courses for additional qualifications in accordance with the requirements of the labour market
- › Selection and access to qualification programs and courses
- › Basic knowledge about labour rights.

The empowerment consultations are provided at the same time as the psychological consultations but by a **different specialist**. The trafficked person is **referred** to empowerment programs which are then entered in the **safety and support plan**.

The empowerment consultations take place once a week in order for the trafficked person to be able to try and take the steps agreed with the consultant to seek a job. If necessary, additional sessions are scheduled.

The process of developing skills for participation in the labour market also includes **referral** to the state Employment desks, programs for additional qualification, programs for continuing education, etc. (See *Measure 1.4. Referral*).

! *Due to the effects of survived violence (e.g. impulsive behavior, extreme emotions, inability for maintaining stable relationships), trafficked persons often have great difficulties keeping a job. They get involved in situations of conflicts, isolation, and abuse. The support for stable and long-term employment is one of the most difficult tasks in the process of empowerment.*

The empowerment process does not have to end when the person starts a new job. The empowerment consultations can be used for a prolonged period of time until he/she settles in his/her new workplace.

## STEP 7. SOCIAL COUNSELLING AND ADVOCACY

The restoration of the feeling of autonomy and safety includes the establishment of long-term conditions of safety, financial and social stability, etc.

Social counselling and advocacy provide **support to the trafficked person in his/her communication with different institutions and the state administration**. They are directed at:

- › Restoration of the social insurance rights and status of the person
- › Managing various practical needs.

Social counselling and advocacy include interventions directed mainly at the trafficked person's social environment:

- › Mediation in the communication with institutions, organizations and other service providers
- › Work with people from other institutions and organizations for a tolerant and non-victimizing attitude and protection of the trafficked person's confidentiality
- › Development, maintenance and expansion of a network of partner organizations and institutions providing services.

An important part of the social work is the work **in a multidisciplinary team** with specialists from other organizations and institutions (see *Measure 2.1. Crisis intervention*).

Social counselling and advocacy also includes **referral** to relevant programs and services corresponding to the trafficked person's needs (see *Measure 1.4. Referral*).

! *Due to their difficult social situation, most trafficked persons cannot take advantage of counselling and psychotherapeutic programs. On the other hand, due to the emotional tension from the psychological trauma, they cannot cope with a number of practical situations.*

The social consultations are closely connected with the counselling and psychotherapeutic services.

The social consultations are provided by **social workers** in accordance with the needs of the trafficked person and they do not need to have specific timing or frequency. If visits to other specialists and organizations are necessary, the social worker accompanies the trafficked person.

Social workers are part of the multidisciplinary team working on the case. The individual consultant helps the trafficked person to establish contact with them.

<sup>9</sup> Medical services which are provided without the compulsory health Insurance are services for children under 16 and delivery of babies.

<sup>10</sup> The people, subject to obligatory health insurance under Article 33 of the Health Insurance Act, whose health insurance was discontinued, are eligible to restored health insurance rights for the trafficking period.

## STEP 8. RENEWAL OF THE TRAFFICKED PERSON'S HEALTH AND SOCIAL INSURANCE STATUS

If the trafficked person was outside the country for a long time (more than 6 months) or his/her health insurance was not paid for some reason, he/she can **renew his/her health-insurance status** after the return to the country<sup>9 10</sup>:

- › After paying the amounts owed to the National Health Insurance Fund
- › If the trafficked person meets the conditions for receiving state social benefits set out in the Social Assistance Act, the health insurance taxes are covered by the state budget. To do this the trafficked person needs to apply in his/her local Social Assistance Directorate.

## B. SPECIAL CASES

- › Child victims of trafficking

Long-term support to children and their families is implemented in accordance with the action plan developed by the Child Protection Department.

If the child was accommodated at a Crisis center (for a period from one to six months) the support is provided and coordinated by the social workers in the Center who are responsible for the child.

- › Non-EU citizens who are victims of trafficking.
  - Asylum seekers

Foreigners seeking protection for the time of the proceedings for provision of special protection set out in the Law for Asylum and Refugees (LAR), have the right to receive the same social benefits as Bulgarian citizens, health insurance, accessible medical help and free medical care under the same procedures and conditions as Bulgarian citizens. They can be referred to all institutions and organizations that are accessible for Bulgarian citizens.

These foreign citizens can access the labour market if the proceedings are not finished up to one year from the application for status. The permit is received by the Employment Agency of the Ministry of Labour and Social Policy.

- Foreigners who received their protection status

After receiving the decision for granting special protection (asylum, refugee status, humanitarian status or temporary protection) the foreign citizen has the right to work and undertake professional education; proper accommodation or financial means to find one, if necessary<sup>11</sup>; social benefits; medical help.

<sup>11</sup> A foreign national who has been granted refugee or humanitarian status can receive financial support for renting a place for up to six months after the decision for provision of this status.

A trafficked person, who has received special protection status, is also entitled to take advantage of the activities included in the **National Program for Integration of Refugees in Bulgaria**. These include a package of integration measures for newly admitted refugees: social support, financial support for renting a place, health insurance, courses in Bulgarian language, social and cultural orientation and professional qualification. The program lasts for one year and is implemented by SAR in cooperation with other state institutions, local authorities and non-government organizations. All foreigners are informed about the possibilities to enrol in the programs up to 14 days after they have been notified about the granting of humanitarian or refugee status. The program is accessible for all adults who have received humanitarian or refugee status and who want to enrol voluntarily in it. After taking a social interview, the person is presented with an individual re-integration plan.

All foreign nationals who have been granted special protection status receive identity documents in accordance with the Law for Asylum and Refugees.

## C. DOCUMENTATION

All long-term measures, services and referrals are entered in the **safety and support plan** which is part of the **personal file** of the trafficked person.

## D. COOPERATION

Partners in the long-term care for trafficked persons can be service providers to which the person is referred and are part of the action plan.

Agency for Social Assistance/  
Social Assistance Directorates/  
Social Protection Departments

Trafficked persons are entitled to financial support (monthly allowance) as stipulated in the Regulations for implementation of the Social Assistance Act (RISAA). They have to meet the criteria included in the Act and the Regulations.

Trafficked persons who want to use social services need to follow the following procedure:

1. The person submits an application form from his/her current address to:
  - › The director of Social Assistance Directorate – when concerning state delegated social services
  - › The mayor of the local municipality – for municipal social services

- › The management body – when the service provider is a natural person registered under the Trade Law.

2. Based on the application and the enclosed documents, a *social needs assessment* of the person's need of social services is made which is entered in a *social report-proposal*.

3. The social workers refer trafficked persons to state delegated social services – accommodation in a crisis center or center for temporary accommodation. The director of the Social Assistance Directorate or the mayor of the municipality issues the referral and informs the director of the respective center about it. At the time of the accommodation the trafficked person has to provide a number of medical documents certifying his/her health condition

Employment Agency/  
Employment desks

The officers at the employment desks work individually with each person who registers there. They conduct an interview in order to identify the person's specific problem. Then they prepare an individual plan for finding a job. According to the plan, the person is provided with employment services: information about available vacancies and programs and measures for encouraging employment; mediation in providing information and starting work; psychological support; professional orientation; enrolment in qualification courses, employment programs and other measures; education scholarship; financial means for transport and accommodation for the duration of the education.

The registration of trafficked persons with the Employment desks is a precondition for receiving monthly allowance in accordance with the Regulations for implementation of the Social Assistance Act. The registration must be done within three months after the person's return to the country, the termination of his/her stay in a center for temporary accommodation or after the end of the criminal proceedings (See Art. 10, pa. 5 of RISAA).

Ministry of Education,  
Youth and Science

Ensures trafficked persons' access to programs for adult education, including evening and individual home courses.

State Agency for Refugees  
(SAR)

Foreign trafficked persons, who are applying for or have received protection in accordance with LAR, can make use of the integration programs of SAR.

### Healthcare system

Trafficked persons can use the services of the healthcare system with the same rights and procedures as other citizens.

The Regional Healthcare Centers can ensure logistic support for access of trafficked persons to medical care.

### Crisis Centers and Centers for Temporary Accommodation (NGO)

Crisis centers and shelters offer long-term counselling and psychotherapeutic programs for social inclusion and job seeking.

The involvement of trafficked persons in programs for long-term psychological and social support and re-integration should happen at the request of the victims themselves. They can be referred by other professionals working on short-term counselling or crisis programs, based on the assessment of the needs of long-term social support or psychotherapy as a method to overcome the effects of the experienced psychological trauma and adapt to the social environment. After the end of the first stage – the crisis intervention – each client is informed about the possibilities to receive psychological and social support.

This service is provided by psychologists, psychotherapists and social workers.

In order to use a certain program, trafficked persons need to register for it in accordance with the rules of the center. In the course of the provided service, the documentation on the case includes preparation of a case formulation, containing: initial request, case assessment, description of the progress of the work, conclusion of the case.

The information about all cases of clients is confidential. It is kept as a personal file for each separate person. The consultant can breach the confidentiality principle if he/she has information that there is high risk for the person.

### Health Without Borders Association/ Center for Sexual Health

The center offers free medical examinations and treatment of sexually transmitted infections and anonymous testing and counselling for HIV/AIDS.

### NGOs providing specialised services to sex workers/ Field social workers

These organizations provide free, anonymous and confidential services related to sexual health, such as mobile medical team in which the clients can be tested for HIV,

hepatitis B and C, syphilis or receive consultation from a gynecologist and dermatologist/sexologist.

### International Organization for Migration (IOM)

IOM prepares a re-integration plan/program for every concrete case of a trafficked person, based on the initial one. IOM can provide:

- › General information and consultation
- › Legal consultations
- › Safe transportation to the trafficked person's destination
- › Medical care
- › Medical transportation
- › Psychological support
- › Financial and social support for the issuing of identity documents, etc.
- › Accommodation in a shelter or private apartments in the country, guaranteeing the person's safety
- › Support in finding a job
- › Qualification courses
- › Support in the preparation of business plan and a possibility to finance it
- › Pocket money
- › Monitoring of the re-integration process

### United Nations High Commissioner for Refugees (UNHCR)

Trafficked persons are referred to the relevant service providers.

## MEASURE 3.2. SAFE RETURN

The return to the region/country of destination is organized only after all necessary measures have been taken to guarantee the trafficked person's safety and the possibilities to continue the process of re-integration.

**Safe return** means a guarantee that the trafficked person will not become involved again in a situation of trafficking or another form of violence and that he/she will receive the necessary support to meet his/her medical, social, and psychological needs.

The return to the region/country of origin is done when:

- › The trafficked person wants to return to his/her region/country of origin
- › The reflection period is over and no measures in accordance with Art. 25 of CTHBA have been taken
- › The special protection status provided according to CTHBA for the duration of the criminal proceedings has been terminated
- › The temporary residence permit (for foreign citizens) has expired
- › The period of stay in an accommodation center is over.

The return must be voluntary and based on an informed decision. The trafficked person should receive from his/her consultant sufficient information about the rights and possibilities to remain in the region/country of destination or to return to the region/country of origin. The trafficked person takes an active part in the organization of his/her return.

### STEP 1. UPDATING THE RISK ASSESSMENT WITH RESPECT TO A SAFE RETURN

The return of the trafficked person to the region/country of origin should be organized only after a new detailed assessment of the risk regarding the factors which can impede his/her social inclusion (See *Measure 1.2. Risk assessment*).

When preparing the trafficked person's return, the professionals use a **broad** understanding of risk. The assessment includes the following areas:

- › Whether there is risk for the person to become involved in trafficking again or to be subjected to other types of violence (including in the family)
- › Whether the family was involved in the process of trafficking
- › Whether the person's family has been threatened
- › Whether the traffickers know the person's location and that he/she is returning
- › Whether there is risk for the trafficked person to be stigmatised or subjected to social isolation in his/her country/region of origin
- › Whether the trafficked person has any supporting environment
- › What are his/her possibilities for coping
- › Whether there is risk of long-term unemployment and poverty which can push him/

- her again in a situation of violence or trafficking
- › Whether there are social, cultural or religious factors that can endanger the trafficked person's return (for example, the victim's religion may put him/her in danger of stigma or ostracism)
- › Whether there are community-based support services, programs and organizations
- › Whether the trafficked person can rely on help and support from the state institutions in the region/country of origin
- › What the state policy regarding trafficking is
- › Whether there is risk of criminal prosecution in the country of origin because the person was trafficked or involved in criminal activities during the period of trafficking or was an illegal migrant
- › Others

The risk assessment regarding the trafficked person's return to the country/region of origin is based on information received from various sources:

- › The person's considerations and concerns
- › State structures and judicial bodies in the country/region of origin
- › Non-governmental organizations in the country/region of origin.

The relevant government and non-government institutions and organizations in the country/region of origin can be contacted about different issues related to the trafficked person's return.

The risk assessment ends with an updated **safety plan** reached with the trafficked person's consent, which contains the safety measures that the person has to undertake in the country/region of origin and information about organizations where he/she can turn for help.

The consultant and the trafficked person agree on a **follow-up contact** (this can be a telephone call, a letter, etc.) after a certain period of time (see *Measure 3.1. Long-term psychological support and empowerment*).

The trafficked person should be able, at any given moment, to turn again for help to the consultant or organization which took care of him/her.

### STEP 2. ENSURING THE NECESSARY DOCUMENTS AND INFORMATION FOR THE TRAFFICKED PERSON'S TRAVEL

In order to be able to return, the trafficked person must have the necessary documents allowing him/her to travel to the country/region of origin.

The necessary travel documents include:

- › Identity documents
- › Visa (or transit visa), if necessary

- › Tickets (according to the chosen means of transportation)
- › Safety and support plan
- › Documents related to his/her health condition (if necessary)
- › Certificates that he/she used certain services (if necessary).

! *Very often, the trafficked person's identity documents were taken by the traffickers. If he/she is a foreign national, the respective consulate or embassy can issue temporary documents for travel.*

! *In most cases, the trafficked person (or his/her family) cannot afford to cover the travel expenses. Instead, they can be covered through repatriation programs of non-governmental or international organizations, as well as by specialised state or international repatriation funds.*

All documents related to the trafficked person's return must take into account the risk assessment and be formulated in a way that does not violate the **confidentiality principles**. For example, they must not state that the person was a victim of trafficking or an illegal migrant if this can lead to criminal prosecution in the country of origin. All documents which the trafficked person will need for his/her travel must contain as little information about the trafficking situation as possible. If necessary, more detailed information can be provided upon request, if it is required by the authorities in the country/region of destination.

### STEP 3. CONTACTING A SERVICE PROVIDER FOR EXCHANGE OF INFORMATION AND COORDINATION OF THE RETURN

The safe return of the trafficked person is coordinated in advance between the countries of destination and origin (See *Measure 1.4 Referral*).

The contact with a service provider in the region/country of destination and the provision of information can be made only with the explicit consent of the trafficked person.

The return process is organized and managed by the consultant (case manager) from the organization which is currently caring for the trafficked person. For the purposes of safe return, the consultant:

- › Identifies a reliable receiving organization (service provider) in the country/region of origin
- › Makes an initial contact with the receiving organization, informs it about the trafficked person who is about to return and examines the possibilities for him/her to receive support
- › Makes sure that the receiving organization can take on the case
- › Provides personal information about the trafficked person (name, date and place of birth)

- › Provides the necessary information about the trafficked person's condition and needs
- › Provides information about the risk
- › If possible, establishes initial contact (e.g. by telephone) between the trafficked person and the receiving organization
- › Provides exact information about the person's return – date and time, place, way to recognise the person who will meet him/her
- › If necessary and with the person's consent, informs the police in the country/region of origin

The consultant provides the trafficked person with detailed information about the receiving organization:

- › Name of the organization and telephone and address for contact
- › Contact person
- › Programs and services provided by the organization
- › How to establish contact with it.

The consultant needs to make sure that the trafficked person has this information in a reliable and accessible way

### STEP 4. MEETING OF THE TRAFFICKED PERSON BY THE SERVICE PROVIDER

The service provider which will receive the trafficked person and will provide care and support organizes his/her return with view to his/her safety.

The receiving organization must be ready to meet the trafficked person at any time of day or night at an airport, train or bus station. The organization's staff should be informed in advance about the hour and location of the trafficked person's arrival. The meeting should be arranged keeping the risk assessment in mind. The staff of service provider must keep all arrangements made with the trafficked person as to where to meet and how to recognise each other.

! *With view to safety, it is better if the employee of the receiving organization carries a sign with the name of the organization and not the trafficked person's name. It is also possible to arrange another sign to recognise each other.*

! *Very often the trafficked person's family, and sometimes the traffickers, were informed about his/her arrival and are expecting him/her at the airport. The moment when he/she arrives is considered especially risky. It is recommended that the receiving organization has made arrangements with the border authorities at the airport so that the border officers can meet the trafficked person immediately after he/she passes the border passport control. Sometimes it is necessary to take him/her from another exit and not the regular passenger's exit.*

## STEP 5. REPATRIATION OF A FOREIGN VICTIM OF TRAFFICKING TO THE COUNTRY OF ORIGIN

A foreign national, who is a victim of trafficking, can be repatriated only after a reliable risk assessment has been made, which shows that there are no factors threatening his/her life of health in the country of origin.

Safe repatriation follows the mechanism described in the steps above.

Forced removal from Bulgaria – **expulsion** – is organized when:

- › The residence permit has expired
- › The criminal proceedings against the traffickers have ended
- › The trafficked person has valid identity documents
- › There is direct flight to the country of origin.

## B. SPECIAL CASES

- › Child victims of trafficking

After the end of the accommodation at a Crisis center (one to six months), the child is returned to his/her family environment or placed in an institution, if the family does not have the necessary capacity to care for him/her or was involved in the process of trafficking. The decision is based on the assessment of the Child Protection Department about the capacity of the parents to provide care, the child's condition and other evidence related to the child's safety. CPD follows up on the case at least one year after the child's return in the family.

After the end of the accommodation period at a Crisis center, the child can be placed in another institution. This is decided by the court.

- › Non-EU citizens who are victims of trafficking.

- Foreigners who received protection status.

According to LAR, a foreign national who entered the Republic of Bulgaria to request protection or who has already been granted protection, cannot be returned to a country in which his/her life or health are threatened on the grounds of race, religion, nationality or political affiliations or he/she is exposed to threat of torture or other forms of abusive, inhuman or humiliating treatment or punishment (Art. 33, pa 1 of the Geneva Convention relating to the status of refugees and Art. 4, pa. 3 of LAR).

Voluntary return is also supported by the structures of non-government organizations such as IOM or Caritas.

## C. DOCUMENTATION

The **referral** to another organization, the updated **risk assessment** and the updated **safety and support plan** are added to the **personal file** of the trafficked person. It should also contain copies of the referral documents. **The closure of the case** after the person's return is also added to the personal file.

## D. COOPERATION

Partners in the process of safe return can be service providers in the country/region of origin.

**Ministry of Interior (Mol)** The safe return of trafficked persons to the region of origin is done by the national and regional structures of Mol.

The different units of Mol support the safe return of foreign citizens in cooperation with other international police units.

**Ministry of Foreign Affairs (MFA)** Consular officers coordinate and organise the safe return of the trafficked person in the country of origin or inform about the care and support he/she is receiving in the country of destination. MFA also provides support in the issuing of new travel documents to trafficked persons.

**Foreign consular offices** The safe return of foreign trafficked persons to their country of origin is organized in cooperation among MFA and its missions abroad and the diplomatic representation of the trafficked person's country.

**Agency for Social Assistance/ Social Assistance Directorates/ Social Protection Departments** When a Bulgarian victim of trafficking returns to his/her region of origin, the referrer should establish contact with the local Social Assistance Directorate in order to provide support and social services.

**Crisis centers and Centers for temporary accommodation (NGO)** When a trafficked person returns to his/her country/region of origin, he/she should be informed about all available institutions and organizations that can be relevant to his/her needs. If necessary, and with the person's explicit consent, the case manager can make an official request for support on the case to one of the organizations in the country/region of origin.

**International Organization for Migration (IOM)** If possible and necessary, IOM finances, organizes and coordinates the trafficked person's return as well as the whole process of protection and re-integration after the return.



## MEASURE 3.3. PARTICIPATION IN CRIMINAL PROCEEDINGS

### A. DESCRIPTION OF THE ACTIVITY

Trafficked persons have the right to decide for themselves whether they want to cooperate with the police and prosecution for the unravelling of the crimes committed against them. If the trafficked person decides to cooperate, he/she becomes a participant in the criminal proceedings.

Trafficked persons should participate in the criminal proceedings only after the following conditions have been ensured:

- › **The safety** of the trafficked person and his/her family is guaranteed
- › **Avoid re-traumatization** during the investigation and the criminal proceedings through the use of sparing methods of testifying and interrogation in a different room from the traffickers<sup>12</sup>.
- › **Protection of the rights of the trafficked person** (provision of translation, not letting any media or outside people in the court room, etc.)

#### STEP 1. INFORMED CONSENT OF THE TRAFFICKED PERSON ABOUT HIS/HER PARTICIPATION IN THE CRIMINAL PROCEEDINGS

The trafficked person has to make an informed and voluntary decision whether or not to participate in the criminal proceedings after the end of the reflection period. During this time, the trafficked person overcomes the situation of crisis and receives sufficient information about the nature of the criminal proceedings and the role he/she will have in them. The trafficked person should also be prepared for the emotional consequences of his/her participation in the trial.

After the trafficked person has been identified, he/she should be properly informed about the possibilities to receive special protection if he/she agrees to cooperate for uncovering the crime within one month. This information should be provided when the trafficked person is stable enough to understand it.

The information is provided by:

- › A legal advisor
- › The individual consultant of the trafficked person<sup>13</sup>
- › The investigation

<sup>12</sup> The regulations which can be used to avoid further traumatization of the trafficked person can be Art. 263, pa. 2 of Criminal Procedure Code (CPC) (closed trial) and Art. 123, pa 1 of CPC (witness protection due to real danger for the life and health (incl. mental) of the victim as a result of witnessing), Art 139, pa. 7 (interrogation through use of video-conference or telephone connection) and Art. 141 of CPC (interrogation of a witness with a secret identity)

The provision of this information is a compulsory part of legal counselling during the reflection period (See *Measure 2.2. / Step 2*).

After the trafficked person has given his/her consent, the investigation bodies have to inform him/her about his/her rights during the criminal proceedings, namely:

- › The right to protection of his/her safety and family
- › The right to participate in the process with a secret identity
- › The right to receive information about the progress of the trial
- › The right to participate in the trial according to the CPC (in the role of witness, civilian plaintiff or private prosecutor)
- › The right to appeal a decision that would lead to termination of the criminal proceedings.

The trafficked person is entitled to these rights if he/she explicitly wishes to take part in the investigation and provides **a contact address in the country**.

#### STEP 2. PROVISION OF LEGAL REPRESENTATION

If the trafficked person decides to take part in the criminal proceedings, he/she has the right to choose a legal representative who will represent him/her during the investigation and the criminal proceedings. This legal representative can be ensured in the cases when the person is a private prosecutor or civil plaintiff. Then the trafficked person does not pay for the services of the legal representative and makes use of the possibilities for **free legal aid** if he/she satisfies the conditions for receiving legal aid determined in the Legal Aid Law.

Another opportunity for receiving free legal aid is through non-government organizations which have programs and projects for providing legal support<sup>14</sup> through lawyers who work for these organizations.

The legal representatives appointed by the Bureau for Legal Aid or an NGO are **lawyers who are members of one of the bar associations in the country**. The lawyers take the following steps:

- › Filing a report for a committed crime
- › Advising the trafficked person to request protection (personal physical guard or keeping the person's identity secret), as provided by Art. 123 of the Penal Code.
- › Appealing of the decisions that lead to stopping or termination of the criminal proceedings
- › Filing a request for participation in the criminal proceedings as a private prosecutor or civil plaintiff
- › Procedural representation in court
- › Receiving the decision of the court and providing support in collecting the amount adjudged as damages
- › Others.

<sup>13</sup> The consultant can provide only basic information and should refer the trafficked person to specialists who can consult him/her professionally about all legal matters related to the case.

<sup>14</sup> For example, Bulgarian Lawyers for Human Rights, Bulgarian Helsinki Committee, Bulgarian Gender Research Foundation.

### STEP 3. GATHERING OF EVIDENCE BY THE INVESTIGATION WITH THE HELP OF THE TRAFFICKED PERSON

In the work with the trafficked person, the consultant does not collect information which can be used the investigation and the criminal proceedings.

If the trafficked person decides to testify, an investigator conducts the interrogation. The investigator should be prepared in advance about the trafficked person's condition and treat him/her with tolerance and understanding. It is extremely important not to victimize the trafficked person additionally with numerous interrogations in the course of the investigation. It is recommended to conduct as few interrogations as possible.

If there is risk for the trafficked person to leave the shelter where he/she is accommodated or if his/her health or emotional condition does not allow it, the meeting with the investigator should take place in the shelter/center. The conversation with the investigator is strictly confidential and there must be no additional people present, even the person's consultant.

The consultant should be available during this meeting and can be called if the victim's emotional condition worsens. In such cases it is necessary to take a break until the victim calms down and can continue the meeting with the investigator.

### STEP 4. SUPPORT OF THE VICTIM WHO IS A WITNESS/PARTICIPANT IN THE CRIMINAL TRIAL BEFORE, DURING, AND AFTER THE TRIAL

The trafficked person receives support before, during and after the criminal trial by an individual consultant (psychologist, social worker).

The victim's legal representative works together with the individual consultant in order to avoid further traumatization of the victim.

In his/her work with the trafficked person who participates in the investigation and the criminal proceedings, the consultant:

- › Provides emotional support
- › Prepares him/her for the emotional consequences of his/her participation in the different stages of the investigation and the criminal proceedings
- › Helps him/her to better understand and plan the actions taken with the legal advisor
- › Escorts him/her to the court room, if necessary (Art. 264, pa. 1 of CRC: after approval of the judge)
- › Helps him/her cope with the psychological reactions as a result of testifying or appearing in the court room
- › Others.

The consultant works together with the other specialists involved in the legal case by:

- › Sharing information related to the assessment of the risk for the trafficked person and his/her family
- › Prepares the legal advisor, investigators and detectives about the trafficked person's emotional condition and provides recommendations on how to communicate with him/her
- › In case appointed by competent bodies, provides expert opinion about the trafficked person's ability to participate in the investigation and trial based on the assessment of his/her psychological condition
- › In case appointed by competent bodies, provides expert opinion about the risks of further traumatization and other negative consequences on the trafficked person's psychological condition as a result of his/her participation in the criminal proceedings.

## B. SPECIAL CASES

- › Child victims of trafficking

In cases of children victims of trafficking, the relevant provisions of the Child Protection Act and from the Criminal Procedure Code are applied.

- › Non-EU citizens who are victims of trafficking.

- Foreign nationals who are seeking protection or who have received protection  
Foreign nationals who received their residence permit in Bulgaria are entitled to the same rights in criminal proceedings as Bulgarian citizens. They are also entitled to an interpreter.

- Illegally residing  
Illegally residing foreign nationals are entitled to the same rights in criminal proceedings as Bulgarian citizens. They are entitled to a lawyer who will represent them in court. They can also go to the court room themselves if they have any type of identity document, including passport. However in these cases there is always the risk that they will be checked by the police and fined for not having a residence permit and detained in a Home for temporary accommodation of foreigners.

## C. COOPERATION

Service providers cooperate with the investigation and the criminal proceedings authorities.

- |   |   |
|---|---|
| <b>Ministry of Interior (Moi)</b>                     | The competent units of the Moi collect information on the cases of trafficking, which they then provide to the investigating authorities according to the Penal Code procedures.            |
| <b>International Organization for Migration (IOM)</b> | IOM can provide safe transportation and accommodation to the trafficked person if he/she has to testify during a trial. If necessary, IOM can also provide legal support and consultations. |
| <b>NGOs providing legal services</b>                  | NGOs can provide free legal services (consultations and procedural representation) to victims of trafficking from their programs and services financed by state or other funds.             |
| <b>National Bureau for Legal Aid</b>                  | The Bureau cooperates with the investigation and the court, which can explain to the trafficked person that he/she is entitled to free legal aid and refer him/her to the Bureau.           |

## MEASURE 3.4. PROVISION OF FINANCIAL COMPENSATION

### A. DESCRIPTION OF THE ACTIVITY

Trafficked persons are entitled to a one-time financial compensation from the state under the **Crime Victim Assistance and Financial Compensation Act (CVAFCA)**. Compensation is a form of justice which can have rehabilitation and prevention effect because it allows the trafficked person to start a new life and decreases the danger of falling prey to trafficking again.

There is a **National Council for Assistance and Compensation to Crime Victims** established as part of the Ministry of Justice, which coordinates the activities under CVAFCA.

The financial compensation is provided after entry into force of:

- › guilty verdict
- › prosecutorial or court instrument by which criminal proceedings are discontinued or dismissed on the grounds of failure to identify the perpetrator of the crime

**Financial compensation shall consist in the State awarding a cash amount of between 250 and 5,000 Bulgarian levs.**

The application forms for financial compensation are reviewed by the **National Council for Assistance and Compensation to Crime Victims**. The Council determines the exact amount of compensation.

#### **STEP 1. INFORMING THE TRAFFICKED PERSON ABOUT THE LEGAL POSSIBILITIES TO RECEIVE COMPENSATION IN ACCORDANCE WITH CVAFCA**

The trafficked person should be informed about the possibilities to receive compensation for pecuniary damages when he/she is in a stable emotional condition to understand and comprehend this information. The information should be provided in a clear and understandable language.

The information is provided by:

- › Legal advisor
- › The trafficked person's individual consultant and case manager<sup>15</sup>
- › The investigation authorities.

<sup>15</sup> The consultant/case manager can provide only basic legal information and refer the victim to specialists who can provide professional consultations on all legal matters related to the specific case.

The provision of this information is an obligatory part of the legal counselling during the **reflection period** (see *Measure 2.2. / Step 2*).

## STEP 2. SUPPORT IN THE COMMUNICATION WITH THE RELEVANT INSTITUTIONS AND DURING THE APPLICATION PROCEDURE

The administrative procedures of CVAFCA can be difficult and confusing for trafficked persons. They can receive practical support by:

- › A consultant (case manager)
- › A legal advisor
- › A legal representative<sup>16</sup>.

In order to receive financial compensation, the trafficked person must submit an application form **in person to the governor of the region where the victim's current address is located** or to the **National Council for Assistance and Compensation to Crime Victims**. A sample application can be obtained from the service provider or the district governor. The application must be submitted within **two months** after the guilty verdict or prosecutorial instrument enter into force. The application must be accompanied by copies of documents verifying the pecuniary damages<sup>17</sup>.

In cases of Bulgarian citizens trafficked to another EU country, the application for financial compensation can be submitted to the competent authorities of the other state through the National Council for Assistance and Compensation to Crime Victims. The National Council sends the application to the respective authorities of the other member state together with a transmission form.

## B. SPECIAL CASES

- › Child victims of trafficking

The same provisions of CVAFCA are applied in cases of children victims of trafficking. If financial compensation is granted, it is given to a parent, foster parent/caregiver or the closest relative of the child.

<sup>16</sup> The Legal Aid Act does not foresee paying the lawyer for the representation in this procedure but only for procedural representation and preparation of the necessary documents for filing the case.

<sup>17</sup> According to CVAFCA, pecuniary damages consist of expenses for treatment, lost income, legal fees and litigation costs, lost support to dependents, funeral expenses, etc.

- › Non-EU citizens who are victims of trafficking.

Under the terms and procedures of this Act, assistance and financial compensation may also be provided to foreign nationals in cases envisaged by international agreements to which the Republic of Bulgaria is a party

## C. DOCUMENTATION

After the trafficked person has been informed about his/her rights according to CVAFCA, a protocol is prepared and registered with the respective institution.

A sample of the application form for financial compensation is provided to the trafficked person by the National Council, the regional governors, the units of Mol or the organizations providing support to victims of crime.

# APPENDIX

## APPENDIX 1 INDICATORS FOR IDENTIFICATION OF TRAFFICKED PERSONS

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## APPENDIX 1

# INDICATORS FOR IDENTIFICATION OF TRAFFICKED PERSONS

### *I. INDICATORS RELATED TO CRIMINAL ACTIVITIES AGAINST THE VICTIM*

- 1. PERSONAL FREEDOM**
  - 1.1. The person's identity documents have been taken away
  - 1.2. The person's freedom of movement is limited
  - 1.3. The person is kept in isolation and under constant control.
  - 1.4. The person is always accompanied when going outside.
  - 1.5. The person's contacts with other people and/or members of his/her family are limited.
  - 1.6. The person cannot leave the work place.
  - 1.7. The person has to be in permanent telephone contact with the trafficker.
  - 1.8. The person's telephone conversations are monitored and controlled.
- 2. PAYMENT**
  - 2.1. The person receives little or no payment.
  - 2.2. The person cannot use or does not have access to his/her earnings.
  - 2.3. The person receives lower payment than the minimum for this sector in the receiving country.
  - 2.4. The person pays debts to the trafficker. (1)
  - 2.5. The person's debt constantly increases. (2)
  - 2.6. The person is forced to earn a minimum amount per day or week.
- 3. WORK CONDITIONS**
  - 3.1. The working conditions of the person do not follow the established rules in the labour legislation (3)
  - 3.2. The person cannot negotiate his/her working conditions.
  - 3.3. The preliminary working arrangements are not kept.
  - 3.4. The person is forced to do certain activities.
  - 3.5. The person does not have access to medical help.
- 4. LIVING CONDITIONS**
  - 4.1. The person is forced to work and live in the same place.
  - 4.2. The person lives in very bad conditions, with lots of people in a very small space.
  - 4.3. The person pays very high amounts for very bad living conditions.
  - 4.4. The person does not have access to information (radio, TV, newspapers)
  - 4.5. The person does not have his/her personal belongings.
  - 4.6. The person is being hidden.

- 5. VIOLENCE**
- 5.1. The person is subjected to physical, sexual, and/or emotional abuse
  - 5.2. The person witnesses violence against other people with the purpose of maintaining fear “instruction”.
  - 5.3. The person is threatened with violence against him/her or family members.
  - 5.4. The person is deprived of food and water
  - 5.5. The person has visible marks of violence
  - 5.6. The person is “disciplined” through punishments
  - 5.7. The person is drugged in order to develop an addiction and increase compliance
- 
- 6. DEPENDENCE**
- 6.1. The person does not speak the local language
  - 6.2. The person does not know his/her home or work address.
  - 6.3. The person is dependent on the trafficker for his/her survival(4)
  - 6.4. The person is dependent on the trafficker for drug use
- 
- 7. BLACKMAIL**
- 7.1. The person is blackmailed by having his/her documents taken away
  - 7.2. The person is blackmailed with his/her illegal status in the destination country
  - 7.3. The person’s relatives are threatened or blackmailed
  - 7.4. The person is blackmailed through threats of distribution of personal information about him/her and his/her family
  - 7.5. The person is blackmailed with threats for informing the authorities about criminal activities in which the person participates
  - 7.6. The person is blackmailed through threats of spreading the fact that he/she is a sex worker
- 
- 8. RECRUITMENT**
- 8.1. The person is recruited by an intermediary agency for work abroad, a model agency, a tourism agency, dating agency, training or other agency
  - 8.2. The person is recruited by a friend, partner, relative, family member or other acquaintance
  - 8.4. The person is recruited through false marriage
  - 8.5. The person has been abducted or kidnapped
- 
- 9. DECEPTION**
- 9.1. The person was deceived with promises for large income
  - 9.2. The person was deceived about the nature and/or conditions of work
  - 9.3. The person was deceived with promises for marriage
  - 9.4. The person was deceived with promises for a romantic relationship
- 
- 10. TRANSFER AND RESELLING**
- 10.1. The person is transferred from one country to another or from one settlement to another
  - 10.2. The person is moved from one town to another
  - 10.3. The person is sold/resold or exchanged from one trafficker/pimp to another

- 10.4. The person is “rented”
- 10.5. The person has false identification or travel documents
- 10.6. The person does not have his/her identification or travel documents because they are in someone else’s possession

**11. SEXUAL EXPLOITATION**

- 11.1. The person is moved to different clubs/brothels/prostitution places
- 11.2. The person has tattoos, branding, or other marks showing “belonging” to a certain trafficker.
- 11.3. The person lives or travels with other women who sometimes do not speak his/her language
- 11.4. The person has clothes typical of work in sex industry
- 11.5. The person knows only words related to provision of sexual services in the local language or the language of the group of clients
- 11.6. The person is not allowed to refuse service to a client
- 11.7. The person is not allowed to refuse certain sexual activities
- 11.8. The person is forced to have unprotected sex
- 11.9. The person is in the brothel/night club 24 hours a day
- 11.10. The person is not allowed to stop prostituting if he/she wants
- 11.11. The person is subjected to forced gynecological exams and pregnancy tests
- 11.12. The person is forced to take contraceptives or terminate a pregnancy

**11A. INDIRECT INDICATORS**

- 11.13. There’s evidence that groups of women are living together under the control of other people
- 11.14. There are advertisements in brothels suggesting sexual services of women of certain nationalities
- 11.15. There is information that prostituting women provide services to clients of a certain nationality
- 11.16. Clients report that the prostituting woman seems nervous or anxious and says she is forced to prostitute

**12. LABOUR EXPLOITATION**

- 12.1. The person is subjected to forced gynecological exams and pregnancy tests
- 12.2. The person lives in agricultural or industrial buildings
- 12.3. The person is not dressed adequately for the job he/she is doing

**12A. INDIRECT INDICATORS**

- 12.4. The person has not received any training for the job he/she is doing
- 12.5. Notices have been posted in languages other than the local language
- 12.6. The employer or manager is unable to show the documents required for employing workers from other countries.
- 12.7. The employer or manager is unable to show records of wages paid to workers
- 12.8. There are no health and safety notices.
- 12.9. Equipment is designed or has been modified so that it can be operated by children

### 13. BEGGING AND PICK-POCKETING

- 13.1. The person begs in public places or in the public transport
- 13.2. The person is part of a group for begging, petty theft, or other type of criminal activity
- 13.3. The person has physical impairments that appear to be the result of mutilation
- 13.4. The person participates in activities of organized criminal groups
- 13.5. The person is punished if he/she does not steal enough
- 13.6. The person moves daily in large groups and over considerable distances
- 13.7. The person lives together with other people who are not part of his/her family who are known to the police in relation to criminal activities
- 13.8. The person travels with members of a criminal group to the country of destination
- 13.9. The person has been forbidden to leave the country in accordance with the Law for Bulgarian identification documents

### 13A. INDIRECT INDICATORS

- 13.10. The cases of crimes related to begging or pick-pocketing increase
- 13.11. The group of presumed victims has moved across many countries over a certain period of time
- 13.12. The person is known in relation to begging
- 13.13. The presumed victims have been involved in begging, pick-pocketing or other types of criminal activity in the country or abroad

### 14. DOMESTIC SERVITUDE

- 14.1. The person lives with the family like an aide (domestic help, babysitter, caretaker, etc.)
- 14.2. The person does not eat with the rest of the family.
- 14.3. The person does not have any personal space.
- 14.5. The person is reported missing by his/her employer even though he/she is still living in the employer's house
- 14.6. The person rarely or never leaves the house
- 14.7. The person cannot leave the house without his/her employer
- 14.8. The person does not receive enough food
- 14.9. The person is subjected to insults, abuse, threats or violence

### 15. TRAFFICKING OF CHILDREN (UP TO 18 YEARS OF AGE)

- 15.1. The child carries and/or sells drugs
- 15.2. The child is part of a group of children of the same nationality (ethnicity)
- 15.3. The child is part of a group with the same adult (guardian)
- 15.4. The child is unaccompanied and was "found" by an adult of the same nationality.
- 15.5. The child is part of a group with other children who travel with the public transport for no obvious reason.
- 15.6. The child lives with adults who are not his/her relatives
- 15.7. The child is neglected.(5)

- 15.8. The child tried to escape from the officer who is detaining him/her
- 15.9. The child is scared and uncommunicative
- 15.10. The child does not know the local language
- 15.11. The child persistently begs from people on the street
- 15.12. The child has been detained by the police before and is registered for thefts
- 15.13. The child does not go to school and cannot read or write
- 15.14. The child is trained to speak in the same way in certain situations
- 15.15. The child cannot use the money he/she earns
- 15.16. The child is under permanent control/monitoring of an adult from a distance

### 15A. INDIRECT INDICATORS

- 15.17. The adults that live with the child have his/her identity documents and a declaration of consent from the child's parents
- 15.18. The adults that live with the child have large sums of money without being able to prove their origin

### 16. TRAFFICKING OF PREGNANT WOMEN

- 16.1. The woman is a few months pregnant
- 16.2. The woman is a few months pregnant but tries to cover her condition
- 16.3. The woman travels with a man who claims to be the baby's father
- 16.4. The woman is a few months pregnant and travels with people who are not her relatives
- 16.6. The woman is a few months pregnant and travels but does not have the necessary finances or documents to give birth abroad for medical reasons

(1) E.g. for travel, clothes, accommodation, security, etc.

(2) For fines, monetary punishments, etc.

(3) E.g., without a contract, without any paid leave or sick leave or other social possibilities, in dangerous labour conditions, etc.

(4) For food, shelter, clothes, money, etc.

(5) Dirty, hungry and badly clothed.

## II. INDICATORS DESCRIBING THE VICTIM

### 17. BEHAVIOR AND APPEARANCE

- 17.1. The person is afraid to speak
- 17.2. The person's behavior suggests that he/she has been instructed how to behave and what to say
- 17.3. The person is trying to escape.
- 17.4. The person stays away from the other women in the club/brothel
- 17.5. The person believes he/she is observed or followed
- 17.6. The person does not know his/her rights
- 17.7. The person allows other people to speak on his/her behalf
- 17.8. The person shows fear or anxiety
- 17.9. The person exhibits anger or nervousness
- 17.10. The person reports problems with sleep and nightmares
- 17.11. The person has problems with memory
- 17.12. The person exhibits signs of depression
- 17.13. The person is confused about time and space
- 17.14. The person reports that he/she is going crazy
- 17.15. The person uses drugs and alcohol
- 17.16. The person shows mistrust towards authorities
- 17.17. The person is afraid to reveal their immigration status
- 17.18. The person protects the trafficker or other third parties
- 17.19. The person shows deviant behavior
- 17.20. The person has sudden mood swings
- 17.21. The person provides contradictory or incomplete information
- 17.22. The person has psychosomatic complaints.(6)
- 17.23. The person has physical complaints as a result of sexual abuse.(7)
- 17.24. The person reports previous or current pregnancy
- 17.25. There are signs of violence on the person's body
- 17.26. The person looks exhausted
- 17.27. The person has negligent appearance
- 17.28. The person has physical and/or psychological difficulties

### 18. ENVIRONMENT

- 18.1. People from the person's environment (parents, relatives, friends, neighbors) suspect that the person may be a victim of trafficking
- 18.2. The person shows little or no attachment to the home and has started to isolate him/herself
- 18.3. The person tends to run away from home (or the institution in which he/she lives)
- 18.4. The person lives in a place that is possibly used for exploitation of people
- 18.5. The person comes from a place (country, town) which is known to be a place for recruitment for victims of trafficking
- 18.6. The person is followed or controlled in other ways
- 18.7. The person has lots of new acquaintances and new things (clothes, cell phone)

- 18.8. The person is often absent from school or has left school
- 18.9. The person has contacts with pimps, traffickers and other people connected with trafficking in persons
- 18.10. The place where the person works or lives is characterized with special security measures—presence of bodyguards, cameras, hiding places, etc.
- 18.11. The person travels frequently from and to countries of destination/origin

(6) Physical complaints coming from strong psychological tension - headache, vomiting, stomach ache, rashes, etc.

(7) For example, an STD, pains or blood in the bladder, abdomen, anus, vagina and/or upper part of legs, eating disorder, pregnancy



# STANDARDS AND CRITERIA FOR PROVISION OF SOCIAL SERVICES TO VICTIMS OF TRAFFICKING

## I. HOTLINE

### 1. DESCRIPTION OF THE SERVICE

The Hotline for victims of violence, including trafficking, provides emotional support, information and referral to other services and professionals. It also ensures anonymity of the victims of trafficking and their family and relatives.

It is meant for:

- *Persons in a situation of trafficking in the country or abroad*
- *Persons who have escaped from a situation of trafficking*
- *Persons at risk of getting involved in trafficking*
- *Family, friends and relatives of victims of trafficking*
- *Representatives of organizations or institutions which have identified a victim of trafficking*
- *General public.*

**The Hotline can perform the following services related to trafficking:**

#### **IDENTIFICATION**

The Hotline identifies victims of trafficking by using the “Indicators for identification of victims of trafficking” which are part of the NRM. After the identification, a procedure for help and support is planned and initiated.

#### **RISK ASSESSMENT AND SAFETY PLAN**

After a person is identified as a victim of trafficking, an assessment is made of the risk for his/her life and health and his/her immediate needs. Based on this assessment, the Hotline consultant and the victim agree on a safety and support plan. If the person is in high risk, the confidentiality principle is broken and his/her personal information and location are reported to the competent authorities in the country or abroad. This is done with the person's consent, if he/she is an adult.

#### **EMOTIONAL SUPPORT**

The Hotline provides emotional support and crisis intervention with the purpose of managing the overwhelming emotions and planning next steps.

#### **INFORMATION AND REFERRAL**

Depending on the caller's needs and the risk assessment, the Hotline provides information about programs and services where he/she can turn for help.

#### **PREVENTION OF TRAFFICKING**

The Hotline provides information related to prevention of trafficking, including information about safe ways of legal migration abroad, the risks of trafficking and relevant services and organizations providing support to trafficked persons in the country of origin and destination.

### 2. PRINCIPLES OF WORK

- *Information and counselling*
- *Emotional support*
- *Confidentiality*
- *Anonymity*
- *Information about the referral*
- *Partnering in the development of a safety and support plan*
- *Partnering in the decision making process*

### 3. ORGANIZATION OF THE WORK

The Hotline belongs to or is directly connected to a service provider for victims of violence, including trafficking.

The Hotline is situated in a room which guarantees the confidentiality of the telephone conversation. If possible, the Hotline is located in a separate room. No external persons or noises (TV, radio, noise from opening or closing of doors, conversations between people, etc.) are allowed during the calls.

To protect the safety of the team, the location of the Hotline cannot be announced publicly.

The consultants must keep their anonymity during the calls. They are not allowed to disclose their identity in order to continue the conversation at a later stage.

The Hotline can have different working hours:

- *24 hours a day without any breaks;*
- *During regular office hours;*
- *In certain days and hours.*

The selected working schedule is announced and kept strictly. In case the Hotline does not work round the clock, there is an answering machine which informs callers about the working hours and provides information about other opportunities for emergency help (a telephone of the police, 24-hour services, etc.)

The average duration of a telephone call is agreed upon by the Hotline team. It should not exceed 30 minutes. Exceptions can be made in situations of high risk – then the call can last as long as is necessary.

The Hotline possesses an informational database of institutions, services and programs to which callers can be referred. This database is organized in a way that is understandable and accessible for the consultants. It is updated regularly.

The Hotline has clear procedures for work in the following situations:

- *In case there is high risk for the health and life of the caller (risk of suicide or in a situation of trafficking when the victim has escaped and there is risk to be found or has very little time, etc.)*
- *In case a child calls.*
- *In case a person with psychiatric disorders calls.*
- *In cases of abusive calls.*

These procedures are included in the training of the consultants.

There is a procedure for work with 112 Emergency telephone for emergency calls.

The working language of the Hotline is the official language of the country.

The Hotline uses a separate telephone line which is not used for administrative or other purposes.

The Hotline service can be implemented from a landline or a mobile phone (which is also located in the same room). The calls can be free of charge or at the cost of a normal regular call for the caller. The Hotline cannot charge additional costs for the caller.

The popularization of the Hotline happens through media, internet, brochures, leaflets, stickers in the public transport and other appropriate locations. All materials clearly announce the working hours of the Hotline and the types of support that the caller can receive.

The organization of the work of the Hotline is described in Regulations for work of the Hotline with which all consultants must be acquainted.

#### **RECOMMENDATIONS**

In certain days and hours there can be consultations in another language, depending on the needs of the users of the service.

In certain days and hours, specialised consultations can be provided (e.g. legal, medical, etc.) by a specialist in a certain field.

In addition to the Hotline, consultations can be provided via e-mail, Skype, internet forums, Facebook or other new technologies and these are organized accordingly.

The Hotline has specialised computer software for processing the information received through the calls.

#### **4. STAFF AND MANAGEMENT**

- *The Hotline staff works in a team and respects the principles of team work:*
  - Shared responsibility
  - Distribution of roles and tasks
  - Regular team meetings
  - Open and accessible communication
  - Timely feedback
- *The Hotline team consists of consultants who underwent specialised training. They must be over 21 years of age. There are no specific requirements for their education. Their number depends on the working hours of the Hotline. The consultants can be paid or volunteers.*
- *The work of the Hotline is managed by a coordinator.*
- *There are procedures and criteria for hiring Hotline staff.*
- *The work of the Hotline consultants is organized in a schedule. The shifts are distributed evenly to avoid work overload and burnout of the consultants.*
- *The training of the Hotline consultants includes the following areas:*
  - **Basic knowledge about the phenomenon of trafficking in persons** and its victims; skills for identification of victims of trafficking
  - **Skills for telephone counselling** – skills for providing emotional support during a telephone call, assessment of the risk and needs of the caller; skills for partnering in decision making and defining action plans; skills for referral; skills for work with a database
  - **Skills for provision of information about the rights of the victims** in accordance with CTHBA and other relevant legislation
  - **Skills for work in a situation of crisis and high risk for the caller** – crisis intervention for victims of trafficking and their family and relatives; partnering for organization of an escape plan and intervention in case the person escaped from the situation of trafficking; support in organizing the person's return to the country; emergency referral to relevant support and protection services in the person's home town; collecting data about the identity and location of the person; establishing contact with the relevant authorities (MoI, MFA, Emergency Room, SACP, etc.)
  - **Skills for prevention of trafficking** – skills for exploring the motivation for travel or migration; skills for identifying risk behavior; skills for counselling on matters related to migration and the risk of trafficking

- **Skills for counselling of family members and relatives of victims of trafficking** – skills for providing emotional support and referral
- **Skills for counselling of other specialists**
- **Knowledge of the possibilities for support provided by Bulgarian legislation.** Knowledge of NRM, CTHBA, The Law against Domestic Violence, CPA, The Coordination mechanism for referral, care and protection of repatriated Bulgarian unaccompanied minors and children victims of trafficking returning from abroad.
- At least twice a month, group supervision is organized for the Hotline team. The supervision is obligatory. During the supervisions, the consultants present concrete cases that they found difficult and receive guidance and support. Another aim of the supervisions is to control the quality of work. The supervisions can be organized with an external consultant.
- At least once a month an administrative team meeting with the Hotline team is organized.

### RECOMMENDATIONS

- The introductory training of the consultants should be conducted in several stages:
  - An intensive interactive training seminar
  - Observation of the work of the more experienced consultants
  - Work on the Hotline under the direct supervision of a more experienced consultant or the program coordinator
  - Participation in seminars and workshops for the Hotline team on different topics related to telephone counselling of victims of violence, including trafficking
- Follow-up trainings can be organized every six months to deal with issues that arise in everyday work.
- Set a limit to the number of hours/shifts for work on the Hotline. Normally each consultant should have no less than 20 hours a month
- The Hotline coordinator should be available to provide emotional support and guidance to the consultants after each call, if they need it.
- There should be an established system for timely support of the consultants.

### 5. STORAGE AND PROTECTION OF INFORMATION

- The service provider is registered with the Personal Data Protection Act.
- All calls are anonymous except the ones involving high risk for the health or life of the victim and/or his/her family.
- Every call is registered in a special form (electronic or on paper). The form cannot include personal data of the caller. The form contains the following information:
  - Registration number of the call
  - Name of the consultant who took the call
  - Date, time and duration of the call
  - Who is calling – the victim, a relative, friend, a stranger, a specialist from an institution, journalist, etc.
  - Sex and age of the caller

- Where the call comes from – the country, abroad, type of settlement
- Type of request – what the call is about
- Type of call – crisis, current situation of violence, past situation of violence, seeking of information, consultation, etc.
- Nature of the call – support, partnering for decision making, provision of information, prevention, etc.
- Referral – where the person is referred.
- The call registration forms must be kept in such a way that only Hotline staff can access them.

### RECOMMENDATIONS

The information from the calls should be kept in a way that allows for easy statistical processing for the purpose of analysis of the calls and reporting of the work of the Hotline.

### 6. STATE DOCUMENTS

Chapter eight: “National Hotline for Children” from RISAA.

### 7. EVALUATION OF THE SERVICE

Recommended indicators for the work of the Hotline include:

- Number and type of calls related to trafficking
- Number of referrals of callers
- Number and type of crisis interventions
- Number and type of contacts with other professionals
- Duration of the calls
- Types of calls according to place
- Feedback from the callers
- Feedback from other professionals
- Feedback from individual and group supervisions of the team.

### 8. RESPONSIBILITIES

- The management of the service provider is responsible for the quality of the service.
- The consultants are responsible for the good implementation of the direct work
- The Hotline coordinator is responsible for the organization of the work, the training of the consultants, the control of the quality of work and regular updates of the informational database.
- The supervisors are responsible for maintaining the quality of work and regularly provide feedback to the managers about the strengths and weaknesses in the implementation of the work and the areas that need improvement.

### 1. DESCRIPTION OF THE SERVICE

Crisis intervention is a set of emergency measures that provide immediate relief for the symptoms and improvement in the environment with the purpose of achieving faster emotional balance of the victim.

In relation to trafficking, crisis intervention can be used by:

- *Persons in a situation of trafficking in the country or abroad*
- *Persons who have escaped or been removed from a situation of trafficking*
- *Family members and relatives of victims of trafficking.*

Crisis intervention includes the following forms of work:

- **Case assessment**  
*Assessment of the crisis situation; assessment of the risk and the immediate needs of the victim; assessment of the resources for coping with the crisis.*
- **Planning and developing a safety and support plan**  
*Development of a plan for emergency measures together with the victim, taking into account the case assessment.*
- **Emotional support**  
*Emergency psychological support to overcome the shock, anxiety and overwhelming emotions brought on by the crisis.*
- **Social support**  
*Emergency practical help for meeting the person's most urgent needs of food, shelter, medical help, first necessity items, etc, which guarantee his/her physical wellbeing and safety. Provision of transportation, humanitarian aid, temporary accommodation and support to the victim's family and relatives.*
- **Information**  
*Provision of information about the right to use reflection period and other possibilities for support in accordance with CTHBA and NRM.*
- **Referral and advocacy**  
*Access to the relevant institutions for support, medical, humanitarian or social help. Contacts and referral to services, programs and institutions for meeting the victim's emergency needs.*

### 2. PRINCIPLES OF WORK

- *Provision of immediate support*
- *Unconditional support to victims of trafficking*
- *Safety and security*
- *Confidentiality*

- *Participation of the victim in all decisions related to him/her*
- *Individual approach*
- *Non-victimizing attitude*
- *Provision of objective information about the possibilities for support*
- *Protection of the interests of the victim*
- *Special attention to the interests and wellbeing of children (in cases of children)*

### 3. ORGANIZATION OF THE WORK

- *The crisis intervention program is implemented in a specialised crisis or counselling center*
- *The work is organized in such a way that the service can be provided immediately after receiving the referral or the request of the victim.*
- *The crisis intervention program is provided 24 hours a day every day. The program has at least one specialist who is available at any time of day or night.*
- *The access to the crisis intervention program is free and the people who need it can access it directly at any time. The access to the program is also possible through referral from other services and organizations.*
- *The procedures for access and the contact information of the program are popularized among the general public.*
- *Crisis intervention is done in a place which guarantees the confidentiality and the safety of the participants in it. If this is a Center, it should take place in a specially equipped room. The crisis intervention session cannot be disturbed because of a phone call, knock on the door, another person coming in the room, etc.*
- *The room for crisis intervention is equipped with comfortable chairs/armchairs placed at a distance of at least 1.5 metres from each other.*
- *The average crisis intervention lasts from 4 to 10 sessions, each with duration of 50 to 90 minutes. Depending on the victim's condition, the sessions can be held every few days, every day or several times a day and their number may be increased.*
- *No external people are permitted during the crisis intervention sessions. In exceptional cases, and with the victim's consent, family members or other specialists may be present during the session, if the case requires it. In cases of children, it is allowed to involve representatives in accordance with Art. 6 of CPA.*
- *The crisis intervention can last between one and five weeks and focuses on the current problems related to overcoming the crisis.*
- *Every case has a case manager.*
- *New cases are presented at weekly team meetings where the team discusses the case assessment, defines new directions of the work and distributes tasks.*

The program possesses an information database of institutions, services and programs to which the victims can be referred. This database should be organized in a way that is easy and understandable for the consultants and is updated regularly.

There are clear procedures for work in the following situations:

- *In case there is high risk for the life or health of the person who needs crisis intervention (suicide risk, in a situation of trafficking when the victim escaped and may be in danger or has very little time, etc.)*
- *In cases of children.*
- *In cases of people with psychiatric problems.*
- *In cases of alcohol or substance addicts.*

These procedures are included in the consultants' training.

The crisis intervention is provided in the official language of the country.

The organization of the work is included in regulations for work of the program for crisis intervention and all consultants are acquainted with.

#### **RECOMMENDATIONS**

The organization of work can include field counselling – e.g. upon the return of the victim at the airport or bus/train station, during hospitalization, on the telephone, etc.

The consultations can be provided in a foreign language, including with the help of an interpreter.

#### **4. STAFF AND MANAGEMENT**

The staff of the crisis intervention program works in a team and respects the principles of team work:

- *Shared responsibility*
- *Distribution of roles and tasks*
- *Regular team meetings*
- *Open and accessible communication*
- *Timely feedback.*

The team providing crisis intervention consists of consultants who underwent specialised training. They must be over 21 years of age. They must have humanitarian education with a minimum of bachelor's degree, in the field of clinical social work, social work, social pedagogy, psychology, law, medicine, etc.

The work of the crisis intervention team is managed by a coordinator.

There are criteria and procedures for hiring new staff.

The work of the consultants is organized in a schedule. The shifts are distributed evenly to avoid work overload and burnout of the consultants.

There is a limit of the number of hours/shifts of crisis intervention that each staff member can take. This limit is defined by the team itself.

The number of consultants is determined by the regulation of hours/shifts set forth in the Labour Code.

The training of the consultants includes the following areas:

- **Basic knowledge about the phenomenon trafficking in persons and its victims; skills for identification of trafficked persons**
- **Counselling skills – skills for provision of emotional support, assessment of the risk and the needs of the victim; skills for partnering in making decisions and developing an action plan; skills for referral; skills for work with databases**
- **Skills for work with people in stress or survivors of psychological trauma – skills for support, tolerance and understanding, keeping the personal boundaries and space, understanding the behavior and emotional outbursts of victims of violence**
- **Skills for work in a situation of crisis and high risk for the victim – crisis intervention for victims of trafficking and their family and relatives; partnering in the development of an emergency action plan and active support in its implementation; emergency referral to relevant services for support and protection; contacts with relevant authorities in cases of high risk (Mol, MFA, ER, SACP, etc.)**
- **Skills for provision of information about the victim's rights in accordance with CTHBA and other relevant laws**
- **Skills for case assessment and formulation**
- **Skills for case management**
- **Skills for work in a multidisciplinary team**
- **Knowledge about the possibilities for support that Bulgarian legislation provides. Knowledge of NRM, CTHBA, The Protection against Domestic Violence Act, Child Protection Act, Coordination mechanism for referral, care and protection of repatriated Bulgarian unaccompanied minors and children victims of trafficking returning from abroad, Crime Victim Assistance and Financial Compensation Act, LAR, LFB, SAA, etc.**

All consultants use individual supervisions or take part in group supervisions provided by external experts.

#### **RECOMMENDATIONS**

- *The introductory training for the new consultants is organized in several stages:*
  - *Intensive interactive training seminar*
  - *Observation of the work of more experienced consultants*
  - *Work on a case under the direct supervision of a more experienced consultant or the program coordinator*
  - *Work under supervision*
  - *Participation in seminars and workshops for the team providing crisis intervention on different topics related to counselling of victims of trafficking and their family members and relatives.*

- Every six months there are additional trainings on topics related to the consultants' everyday work.
- The team providing crisis intervention holds regular administrative team meetings.

## 5. STORAGE AND PROTECTION OF INFORMATION

- The service provider is registered with the Personal Data Protection Act.
- Each client of the crisis intervention program has a personal file consisting of the following information:
  - Personal data
  - Agreement for receiving a social service
  - Description of the psychological condition of the person
  - Individual safety and support plan
  - Documents related to the work on the case by other organizations – referrals, medical certificates, correspondence, etc.
  - Notes on the closure of the case.
- The case manager is responsible for maintaining the documentation on the case;
- The personal files of the clients are kept in such a way that they are accessible only to the employees of the program.
- Information about a client of the program is provided only upon official request from another institution which has the right to receive such information and with the written consent of the client.
- The service provider keeps a register of all the supported people.

### RECOMMENDATIONS

Additional documentation may include:

- Minutes from team meetings;
- Minutes from supervision.

## 6. STATE DOCUMENTS

- Regulation for the asylums for temporary accommodation and the centers for protection and help for the victims of illegal traffic of people (Prom. SG. 19/9 Mar 2004)
- Methodology of social services for people with mental disorders (N<sup>o</sup> 9109-2 from 11.05.2004)
- Personal Data Protection Act

## 7. EVALUATION OF THE SERVICE

Recommended indicators for the work of the team providing crisis intervention include:

- Number of clients who received crisis intervention
- Number and types of crisis interventions and hours of crisis intervention

- Number of referrals of clients
- Number of contacts with other professionals
- Number of multidisciplinary meetings for work on cases
- Feedback from clients
- Feedback from other professionals
- Feedback from individual and group supervisions of the team

## 8. RESPONSIBILITIES

- The management of the service provider is responsible for the quality of the service
- The consultants are responsible for the good implementation of the direct work
- The program coordinator is responsible for the organization of the work, the training of the consultants, supervision of the work and updating of the informational database
- The supervisors are responsible for maintaining the quality of work and regularly provide feedback to the managers about the strengths and weaknesses and the areas that need improvement.

### III. ACCOMMODATION OF VICTIMS OF TRAFFICKING<sup>18</sup>

#### 1. DESCRIPTION OF THE SERVICE

Accommodation aims to provide victims of trafficking with shelter, social, medical, psychological support and living conditions, to create conditions for establishing contacts with their family and relatives and with specialised institutions and services<sup>19</sup>.

A **Crisis center** can accommodate victims in emergency situation for duration of up to one month.

In a **Center for temporary accommodation, Safe house, “Mother and baby” Unit or a Shelter<sup>20</sup>**, victims can receive long-term accommodation for up to three months or longer than three months.

A specialised center can accommodate:

- Victims of trafficking in persons (for the purposes of sexual exploitation, labour exploitation, child labour and exploitation and other types of trafficking);
- Women victims of trafficking;
- Men victims of trafficking;
- Adults (above 18 years of age) with children;

<sup>18</sup> These standards concern the accommodation of adults.

<sup>19</sup> In accordance with Regulations for the shelters for temporary accommodation and the centers for protection and support to victims of trafficking, Art. 3, pa. 2

<sup>20</sup> For brevity, all types of accommodation services will be called Center, unless they have to be explicitly differentiated.

- Bulgarian and/or foreign citizens;
- Foreign citizens who are victims of trafficking and would like to be repatriated/returned to their country of origin;
- Foreign citizens who are victims of trafficking and would like to apply for permanent residence in the country.

The accommodation center provides the following services:

- **Safe temporary living conditions**  
Meeting and accommodation of the victim of trafficking (and his/her children), provision of food and other necessary items for the duration of his/her stay.
- **Psychological and social support**  
Crisis intervention; psychological support and counselling; social support and advocacy; contacts with organizations and institutions; support for voluntary safe return; counselling of the victim's relatives and family members; support in seeking and finding a job, etc.
- **Medical aid**  
Possibilities for contacts with medical specialists, if necessary.

## 2. PRINCIPLES OF WORK

- Voluntary inclusion of the trafficked person in the programs of the Center
- Unconditional support for the victims of trafficking
- Safety and security
- Informed consent
- Confidentiality
- Individual approach
- Non-victimizing attitude
- Protection of the interests of the victim
- Encouraging the victim's autonomy
- Provision of immediate support in a situation of crisis
- Participation of the victim in all decisions related to him/her

## 3. ORGANIZATION OF THE WORK

### 3.1. LOCATION, BUILDING AND EQUIPMENT OF THE CENTER FOR ACCOMMODATION

- The service provider is registered with the Social Assistance Agency as a Crisis center or Center for temporary accommodation, Safe house, "Mother and baby" Unit or Shelter in accordance with the Regulations for Implementation of the Social Assistance Act or is registered with NCCTHB.
- The accommodation center can be located in:
  - Its own building;
  - An apartment in a housing block;
  - A community center (hospital, Center for social support, etc.);
  - A church, etc.

- The Center should be located at certain distance from regions known for prostitution and criminal activities.
- The Center has electricity, water, telephone line and internet.
- The Center is located in a place which has easy access to medical facilities, post office, bank, police department, grocery store, etc.
- The Center provides a cosy, comfortable and clean environment for the people accommodated in it.
- The Center is accessible for people with disabilities.
- The Center has the following rooms:
  - **Bedrooms** – their number depends on the possibilities provided by the space of the Center; each accommodated person has their own bed and enough personal space; the bedrooms are equipped with wardrobes and drawers for the personal belongings of the accommodated people; centers for long-term accommodation also have separate room for people with diseases which may require them to live separately from the others;
  - **Kitchen** – furnished with everything necessary to prepare, eat and preserve food;
  - **Living room or space for common activities** – with a TV set, soft furniture, etc. necessary for spending one's free time;
  - **Bathroom and toilet** – their number is determined by the available space of the Center; the staff of the Center has its own toilet;
  - **Counselling room** – for conducting individual counselling sessions with the people who are accommodated without being disturbed and without violating the principles of confidentiality;
  - **Room for the staff of the Center** – which serves as an office and has computer, telephone, fax; it contains the database of accommodated people; the room has a bed for the person on night shift; the accommodated people do not have access to this room unless accompanied by a member of the Center staff;
  - **Storage rooms**
- The Center has conditions for accommodation of children – mothers with children can be accommodated in a separate room; there is a children's bed, pram, feeding chair, toys and anything necessary for small children or babies (clothes, diapers, feeding bottles, food, etc.); all the rooms are child-proofed.

### 3.2. INTERNAL REGULATION

- The rooms and order in the Center guarantee the ease, comfort and personal space of everyone accommodated; there is enough natural light; the rooms are well heated; there is no loud noise or dirt coming from the outside.
- The visits of external people are organized in a way that do not infringe upon the confidentiality and comfort of the accommodated people. There is a special procedure for visits.
- The Center is clean and well-maintained and the accommodated people take active part in this.
- The internal regulations of the Center are in accordance with the needs, possibilities for coping and emotional condition, sex and age of the people accommodated in it.
- Everyone accommodated in the Center agrees to respect the internal regulations and **sign a declaration for it** upon their arrival.

### 3.3. SAFETY AND SECURITY

- For safety reasons, the address of the Center is not announced publicly.
- The Center has direct connection with the departments of the Ministry of Interior – it is guarded by Mol or has a procedure with the regional structures of Mol for quick reaction in case of risk or danger; the Center has a “panic button” and video surveillance.
- There’s an action plan developed for emergency cases (death, infectious diseases, fire, natural disasters, unauthorized entry from strangers, etc.) with which all employees are acquainted.
- The Center does not collect or keep information about traffickers.
- The declaration for observing the internal regulations includes an agreement of the accommodated people not to distribute the address of the Center. There is a procedure to terminate the person’s stay if he/she has divulged the address of the Center.
- Visits of external people (specialists, experts, supervisors, representatives of institutions and organizations, representatives of donor organizations, etc.) are allowed only upon consent of the staff of the Center.
- For security reasons, the people accommodated in the Center meet with their friends and relatives outside the Center.
- No alcohol, drugs, weapons or other dangerous objects can be brought into the Center.
- The full name or other personal data of a person accommodated in the Center cannot be divulged to other accommodated people.
- The people accommodated in the center can make telephone calls only with the permission of an employee or the case manager and only in the official language of the country.
- There is a procedure for the use of mobile phones (e.g. to be kept by the Center staff or to be used only in the presence of an employee of the Center, etc.)
- Based on the risk assessment, rules for going out of the Center are applied for everyone who is accommodated. They can be free to go out, semi-free (go out only when accompanied by someone or with certain restrictions regarding time or places) or not go out at all.
- The people accommodated in the Center do not meet with journalists.
- The Center has a first-aid kit.
- The safety measures are all reflected in the internal regulations for work of the Center and all employees are acquainted with them.

#### RECOMMENDATIONS

The Center has its own security guard.

### 3.4. ACCOMMODATION AND PSYCHOSOCIAL SUPPORT TO VICTIMS OF TRAFFICKING

- In a Crisis Center people can be accommodated at any time of day or night. In a Center for temporary accommodation, Safe house, “Mother and baby” Unit or Shelter the accommodation happens only after a preliminary request, upon presentation of all necessary documents and within regular office hours.
- The services of the Center are designed for a specific group or category of victims of trafficking – men, women, children, adults, victims of a certain form of exploitation.

- There are procedures for rejecting accommodation requests to people who can pose danger or risk to the other accommodated people (e.g. with infectious diseases, drug or alcohol addicts, people in psychiatric crises, etc.)
- When a person is admitted in the center, he/she is provided with a bed and clean sheets and, if necessary, items of first necessity.
- There are procedures for emergency accommodation of victims of trafficking and for distribution of the work on the cases.
- When there is information that a victim of trafficking is expected, the team organizes his/her meeting and accommodation in advance.
- If possible, a preliminary personal contact is made with the victim who is about to be accommodated (via telephone, e-mail or Skype).
- Upon admission, the victim signs a **Declaration for observing the internal regulations of the Center**. It outlines the rights and obligations of all accommodated persons.
- Upon admission to the Center and when the victim is able and ready to speak, a social worker conducts **an assessment interview**. It includes assessment of the current situation, assessment of the risk and the needs of the victim (and children, if they accompany him/her), assessment of the resources for coping. The assessment interview can last for more than one session. Based on the information received in the assessment interview and from other sources, **a case assessment** is made.
- The case assessment ends with an agreement on **a safety and support plan**. The planned measures are written down and the victim signs that he/she will participate in them voluntarily.
- During the assessment interview, the victim is informed about his/her rights and obligations and about the right to use **reflection period** and all other measures provided for in CTHBA.
- After the assessment interview, the measures included in the safety and support plan start:
  - **Medical support, if necessary**
  - **Psychological counselling and psychotherapy** in accordance with the person’s emotional condition (see IV Psychological support)
  - **Social support** in accordance with the individual needs of the person (See V Social support) – all possible available community-based forms of support according to SAA and RISAA.
  - **Legal counselling**
  - **Support in finding a job** (See VI Empowerment)
  - **Others**
- If the Center does not provide programs for psychological and social support, it has an established network of organizations and specialists who provide such services to which the accommodated people can be referred.

The Center has an informational database of institutions, programs and services to which accommodated people can be referred. This database is updated regularly.

- Every case has a case manager.
- New cases are presented at weekly team meetings where the case manager is appointed, the directions of work are defined and tasks are distributed.



- All services for victims of trafficking are free of charge.
- The programs are offered for the duration of the accommodation period and, if possible and necessary, after the person leaves.
- The services are provided in the official language of the country. If necessary, an interpreter can be hired.
- During the period of accommodation, all accommodated people are provided with food. It respects their health, age, ethnic and religious needs.
- Everyone accommodated has free access to his/her personal belongings.
- There is a procedure for storing the accommodated person's money and valuables.
- There is a procedure for possession and taking of medicines.
- The Center offers leisure activities for the accommodated people – library, TV, internet, etc.
- The accommodated person's situation of temporary dependence cannot be used as a means to convert him/her to certain religious or political beliefs.
- The staff and everyone accommodated in the Center show tolerance towards the religion and religious practices of every accommodated person.

There are clear procedures for work in the following situations:

- In case there is high risk for the life or health of the person who needs accommodation (suicide risk, in a situation of trafficking when the victim escaped and may be in danger or has very little time, etc.)
- In cases of children.
- In cases of people with psychiatric problems.
- In cases of alcohol or substance addicts.

These procedures are included in the social workers' training.

- The Center organizes safe return and referral of the people who are accommodated in it.
- The Center has a procedure for conclusion and follow-up of the cases.
- There is a procedure to file a complaint against the Center, in accordance with the Regulations for criteria and standards for social services.
- The organization of the work is described in the internal regulations of the accommodation center and all employees are acquainted with them.;

#### RECOMMENDATIONS

- The Center can provide artistic activities for the free time of the people accommodated with the help of specialists – drawing, modelling, applied arts, etc.
- The Center can offer care for the children of accommodated women, while they are involved in the implementation of the measures in the safety and support plan. Specialised activities are offered to children.
- The internal regulations of the Center allow the people accommodated in it to prepare their own food.
- The Center can be involved in a social enterprise.
- There is a Code of Conduct for work with children.

#### 4. STAFF AND MANAGEMENT

The staff of the Center for accommodation works in a team and respects the principles of teamwork:

- Shared responsibility
- Distribution of roles and tasks
- Regular team meetings
- Open and accessible communication
- Timely feedback

The staff of the Center for accommodation is determined by the services it offers. All employees must be above 21 years of age and must undergo specialised training.

For all specialised forms of support, such as psychological counselling, psychotherapy, medical, legal support, artistic activities, etc. the Center hires or subcontracts professionals from these fields.

The work of the Center is managed by a director.

There is a procedure for staff employment and determining the level of competence of the staff.

All newly appointed social workers sign a declaration that they were acquainted with the internal regulations and will observe them.

All newly appointed social workers, volunteers or interns sign a declaration that they will keep complete confidentiality regarding the information related to the cases they work with.

The work of the social workers is organized in schedules. The shifts are distributed evenly to avoid work overload and burnout.

There is a limit of the number of hours/shifts in accordance with the Labour Code.

The number of social workers is determined by the limit of hours/shifts and the capacity of the Center.

- The training of social workers includes the following areas:
  - **Basic knowledge about the phenomenon trafficking in persons and its victims;** skills for identification of trafficked persons
  - **Skills for communicating with people in stress or survivors of psychological trauma** – skills for support, tolerance and understanding, keeping the personal boundaries and space, understanding the behavior and emotional outbursts of victims of violence
  - **Skills for work in a situation of crisis and high risk for the person who is accommodated** – risk assessment, provision of first medical aid, emotional support, contacts with relevant authorities in cases of high risk (MoI, ER, SACP, etc.)

- **Knowledge about the possibilities for support that Bulgarian legislation provides.** Knowledge of NRM, CTHBA, The Protection against Domestic Violence Act, Child Protection Act, Coordination mechanism for referral, care and protection of repatriated Bulgarian unaccompanied minors and children victims of trafficking returning from abroad, Crime Victim Assistance and Financial Compensation Act, LAR, LFB, SAA, RISAA, etc.

All social workers receive emotional support and guidance in their work from the coordinator of the Center.

The social workers can use individual or group supervision.

### RECOMMENDATIONS

- The introductory training for the new social workers is organized in several stages:
  - Intensive interactive training seminar
  - Observation of the work of more experienced social workers or appointment of a mentor from the team for a certain period of time
  - Participation in seminars and workshops for the team of social workers on different topics related to counselling of victims of trafficking and their family and relatives.
- Every six months there are additional trainings on topics related to the consultants' everyday work.
- The team of the Center holds regular administrative team meetings.
- The work of the Center can be supported by volunteers and interns.

### 5. STORAGE AND PROTECTION OF INFORMATION

- The Center for accommodation is registered with the Personal Data Protection Act.
- Each person accommodated in the Center has a personal file consisting of the following information:
  - Personal data
  - Description of the person's psychological condition
  - Individual safety and support plan
  - Documents related to the work on the case by other organizations – referrals, medical certificates, correspondence, etc.
  - Notes on the closure of the case.
  - Declaration signed by the person that he/she will observe the internal regulations of the Center.
- The case manager is responsible for maintaining the documentation on the case;
- The personal files of the clients are kept in such a way that they are accessible only to the employees of the program.

- Information about a client of the program is provided only upon official request from another institution which has the right to receive such information and with the written consent of the client.
- The Center keeps a register of all the accommodated people.

### RECOMMENDATIONS

Additional documents may include:

- Minutes from team meetings
- Minutes from supervision.

### 6. STATE DOCUMENTS

- Regulation for the asylums for temporary accommodation and the centers for protection and help for the victims of illegal traffic of people (Prom. SG. 19/9 Mar 2004)
- Chapter three "Social Services" of RISAA.
- Methodology of social services for people with mental disorders (Nº 9109-2 from 11.05.2004)
- Personal Data Protection Act

### 7. EVALUATION OF THE SERVICE

Recommended indicators for the work of the Center for accommodation include:

- Number of accommodated persons
- Duration of the stay
- Services provided by the Center
- Number of referrals of clients
- Number and type of contacts with other professionals
- Number of multidisciplinary meetings on cases
- Feedback from the clients
- Feedback from other professionals
- Feedback from individual and group supervision of the team

### 8. RESPONSIBILITIES

- The management of the service provider is responsible for the quality of the service.
- The social workers are responsible for the quality of work.
- The coordinator of the program is responsible for the organization and quality of work, the training of the social workers, the supervision of the work and updating of the informational database.

### 1. DESCRIPTION OF THE SERVICE

The professional psychological support aims at coping with the consequences of the trauma of survived violence and the symptoms of the post-traumatic stress disorder. It is an important element of the process of re-integration and social adaptation of victims of trafficking.

In relation to trafficking in persons, psychological support can be used by:

- *Adults or children who were victims of trafficking*
- *Family members and relatives of victims of trafficking.*

The psychological support includes the following forms of work:

- **Case assessment**  
*An assessment of the emotional needs and psychological problems of the client and his/her capacity for coping.*
- **Agreement for counselling/psychotherapeutic work**  
*Agreement with the client about the areas of counselling/psychotherapeutic work, time and frequency of the sessions and duration of the provided support.*
- **Psychological counselling**  
*Short-term work for exploration of concrete problems in the process of re-integration (problems in communication, adaptation, coping with certain life tasks, etc.); exploration of the client's attitude toward the problem and improvement of his/her understanding of it; identification of appropriate strategies for coping and support in the process of their implementation.*
- **Supporting therapy**  
*Long-term work for achieving awareness of and better control over the acting out of strong feelings and symptoms caused by the experienced violence.*
- **Psychotherapy**  
*Long-term work for exploring the consequences of the psychological trauma on the emotional life and relationships of the client; improving the understanding and control of the manifestations of different symptoms; improving the capacity to recognise one's own feelings and experiences related to the trauma; overcoming personality conflicts; improving self-confidence and autonomy; recognizing and avoiding future situations of abuse.*

### 2. PRINCIPLES OF WORK

- *Informed consent*
- *Voluntary participation of the victim*
- *Emotional support*
- *Safety and security*

- *Confidentiality*
- *Individual approach*
- *Non-victimizing attitude*
- *Mutual trust*
- *Honesty*
- *Respect for the person's dignity*
- *Agreements with the client*
- *Respect for the personal boundaries*

### 3. ORGANIZATION OF THE WORK

#### 3.1. SESSIONS FOR PSYCHOLOGICAL SUPPORT

- *The psychological support program is implemented in a specialised Center.*
- *Psychological support is provided only upon the request of the person in need. His/her choice is very important for the efficiency of the work.*
- *The access to the program for psychological support is free and anyone can turn to it alone or through referral from the case manager.*
- *The procedures for access and the contact information of the program are announced and popularized publicly.*
- *To access the program, the client needs to call and make a preliminary appointment for date and time of the meeting.*
- *Psychological support is provided in a place where the safety and confidentiality of the clients are guaranteed. If provided in a Center, it should be done in a specially equipped room. The psychological sessions cannot be interrupted by telephone calls, knock on the door or another person coming in, etc.*
- *The room is equipped with comfortable chairs/armchairs placed at a distance of at least 1.5 metres from each other.*
- *The type of psychological support is determined after the initial assessment of the case which lasts between two and four sessions.*
- *After the initial assessment the therapist and the client agree on the frequency of the sessions and the duration of work. Depending on the individual needs of the client and his/her development, it is possible to renegotiate the time frame in the process of work.*
- *The psychological support sessions last 50 minutes. They are held one, two or three times a week according to schedule in predetermined days and hours.*
- *The duration of work is determined by the type of psychological support:*
  - *Psychological counselling is short-term and can last from a few meetings for several months.*
  - *Supporting therapy can be short or long-term depending on the needs of the client.*
  - *Psychotherapy is always long-term and can last for a few years.*
- *No external persons can be present during the psychological support sessions.*
- *New cases are presented at weekly team meetings where the case assessment is discussed and new directions of work are determined.*

There are clear procedures for work in the following situations:

- *In cases of high risk for the health and life of the person using psychological support (suicidal risk or risk of self-harm, etc.).*
- *In cases of children.*
- *In cases of people with psychiatric problems.*
- *In cases of people with addictions.*

These procedures are included in the consultants' training.

Psychological support is provided in the official language of the country.

### **RECOMMENDATIONS**

- *The program offers work in support groups.*
- *The consultations can be in another language.*
- *Victims of trafficking do not pay (or pay very small amount) for the psychological support that they receive.*

### **3.2. CONTENTS OF THE SPECIALISED PSYCHOLOGICAL SUPPORT TO VICTIMS OF VIOLENCE.**

The consultants treat the trauma not as an isolated occurrence but as an experience which organizes and forms the identity and leads to a change in self-perception and relationships with others and determines a person's life choices. The effects of trauma are visible in all aspects of the victim's life.

The consultants accept and respect the strategies for coping which the person built as a result of the experienced violence.

The main goal of psychological support is the recovery from psychological trauma.

The consultants respect and support the person's right to choose and control the recovery process.

The consultants create atmosphere which corresponds to the victim's needs of safety, respect and acceptance.

The consultants support the victim's strong sides and encourage his/her abilities to adapt and cope with the symptoms of trauma.

The aim of psychological support is to lessen, as much as possible, the risk of re-traumatization.

The consultants try to understand every victim in the context of his/her life experience and surroundings.

### **3.3. CONFIDENTIALITY**

Psychological support is provided with strict rules for confidentiality.

Psychotherapists are obliged to keep any information they receive in the sessions secret.

Information which can lead to identification of the client must be kept separately and is not mentioned when discussing the case with colleagues or a supervisor.

Any information which can lead to identification of the client can be shared with other people only with the consent of the client or a legal representative.

Exceptions can be made only in circumstances which threaten the life and health of the client or other people. In such cases the information can be relayed only to people who can take adequate measures.

Personal information about the client is provided upon official request from law enforcement authorities. In these cases the information must be only about the facts related to the problem at hand.

Information about the client for the purposes of referral to other specialists can be provided only with the client's consent.

Information for the purposes of publications, scientific researches, participation in conferences and case presentations, etc. is provided only with the client's consent.

The organization of work is described in regulations for the work of the psychological support program and all consultants are acquainted with it.

### **4. STAFF AND MANAGEMENT**

The staff of the psychological support program works in a team and respects the principles of team work:

- *Shared responsibility;*
- *Distribution of roles and tasks;*
- *Team meetings;*
- *Open and accessible communication;*
- *Timely feedback.*

Psychological support is provided by specialists who have the necessary qualifications and professional background.

Psychological counselling and supporting therapy are provided by clinical psychologists and clinical social workers with a Master's degree in clinical psychology, who have undergone specialised training for work with victims of violence. They also need to be registered in the register of the Psychological society.

Psychotherapy is provided by psychotherapists whose professional qualifications cover the standards set out in the Law for Psychotherapy for provision of therapeutic services or have received internationally acknowledged education and are entitled to practice psychotherapy. They need to be registered in the National Register of Psychotherapists in Bulgaria.

For cases of children, the therapists need to be specifically qualified and trained for work with children.

All specialists providing psychological support receive regular individual supervision by an external expert.

The ongoing work on case is presented and discussed at regular team meetings.

Everyone who provides psychological support to victims of trafficking and their family has to undergo training on **Basic knowledge about trafficking in persons and its victims.**

## 5. STORAGE AND PROTECTION OF INFORMATION

Information about the provided psychological support is kept in each victim's personal file in accordance with the Ethical code of the Bulgarian Association for Psychotherapy and the requirements of the Personal Data Protection Act.

The information about the provided psychological support includes:

- *Case assessment and case formulation;*
- *Interim conclusions about the progress of therapy;*
- *Conclusions;*
- *Correspondence and contacts with other services and people about the case;*
- *Notes on the case.*

The personal files of the clients are kept in a way that is accessible only to the staff of the program.

Anyone receiving psychological support can access the information kept in his/her personal file.

## 6. STATE DOCUMENTS

- *Personal Data Protection Act*
- *Draft Law for Psychotherapy*
- *Ethical code of psychologists in Bulgaria*

## 7. EVALUATION OF THE SERVICE

Recommended indicators about the work of the program for psychological support include:

- *Number of clients*
- *Number of sessions*
- *Feedback from the clients*
- *Feedback from other professionals*
- *Feedback from individual and group supervisions of the team*
- *Ongoing evaluation of the specialist about the progress of the counselling and therapy measured against the set goals*
- *External evaluation about the progress of the clients.*

## 8. RESPONSIBILITIES

- The management of the service provider is responsible for the quality of the service
- The consultants are responsible for the provision of good psychological support
- The manager of the program is responsible for the organization of the work and training of the consultants as well as for supervision of the implementation of the program
- The consultants are responsible for maintaining the quality of work and the supervisors for the provision of regular feedback on the strengths and weaknesses and through identifying areas which need improvement.

## V. SOCIAL SUPPORT

### 1. DESCRIPTION OF THE SERVICE

Social support helps victims of trafficking and their family and relatives to cope with practical problems which arise in the process of re-integration.

In relation to trafficking in persons, social support can be used by:

- *Adults and children victims of trafficking*
- *Family members and relatives of victims of trafficking*

Social support includes the following forms of work:

- **Case assessment**  
*Assessment of the needs of the client of social support and his/her resources for coping. Agreement on a plan for social support.*
- **Social counselling**  
*Informing the client about the possibilities to meet his/her needs. Provision of information about the legislation, services and programs providing support, the steps that*

*need to be taken, the documents that need to be provided, etc., information about the victim's rights as per CTHBA and other relevant legislation.*

- **Social advocacy**  
*Accompanying the client and facilitating his/her communication with institutions; protection of the rights and interests of the person and support in overcoming bureaucratic or other difficulties.*
- **Referral**  
*Referral to services and organizations providing support.*
- **Humanitarian aid**  
*Provision of material help (in the form of money, items or products) for meeting the client's most urgent needs.*
- **Case management**  
*Assessment and planning of the work on the case; preparation of the necessary documentation and correspondence for referral and cooperation; organization of multidisciplinary meetings.*

## 2. PRINCIPLES OF WORK

- Emotional support
- Confidentiality
- Informed consent
- Partnering in preparation of a safety and support plan
- Information for referral
- Partnering in decision making
- Empowerment
- Follow-up

## 3. ORGANIZATION OF THE WORK

- Social support is provided by social workers who work in a team.
- Each case has a case manager (a social worker, clinical social worker or a consultant providing crisis intervention). The case manager is responsible for the overall organization of the work on the case and the cooperation with other specialists and institutions.
- New cases are presented at weekly team meetings where the case manager is appointed, tasks are distributed and directions of work are discussed.
- Social support can be provided as:
  - Emergency social support accompanying crisis intervention, aimed at meeting the victim's most urgent needs; the service is provided at any time of day or night.
  - Social support accompanying the process of re-integration and aimed at meeting the long-term needs; provided within regular office hours
- The work of the social workers is organized in a schedule. The shifts are distributed evenly to avoid work overload and burnout of the social workers.

- There is a procedure for equal distribution of the work among the team members in order to avoid burnout.
- The program has an updated informational database of institutions, services and programs where the clients can be referred. It must be updated regularly.
- There are clear procedures for work in the following situations:
  - In cases of high risk for the health and life of the person using social support (suicidal risk or risk of self-harm, etc.).
  - In cases of children.
  - In cases of people with psychiatric problems.
  - In cases of people with addictions.These procedures are included in the social workers' training.
- The work of the social workers is reported and distributed during organizational-administrative meetings held at least once a week.
- When the victim is a foreign citizen, the program ensures translation into a language that the person can understand.
- The social workers have close cooperation with the other experts involved in the support of the victim – psychologist, lawyer, doctor, representatives of the social services, etc.
- The social work on cases of trafficking continues until completion of the client's request.
- A main principle of work is the organization of multidisciplinary meetings related to the work on cases. Notes are kept during all meetings and the clients are informed about them and the results from them. The multidisciplinary meetings should be held, if possible, in the presence of the victim.
- There is a procedure for provision of humanitarian aid. The victim signs a declaration for the received material support.
- There is a procedure for referral of victims to other services and organizations which includes:
  - Informed consent of the person that he/she can be referred to another organization;
  - Establishing initial contact with the receiving organization;
  - Preparing the documentation related to the referral which contains only as much information as is necessary for work on the case; provision of the information of the person with his/her explicit consent.
  - If necessary, accompanying the person to the receiving organization;
  - Feedback from the receiving organization and follow-up on the case.
- The information about the person is provided to the receiving organization in a written form. In cases of emergency, oral referral is also possible.
- The organization of the work is described in internal regulations of the social support program and all employees of the program are acquainted with it.

## 4. STAFF AND MANAGEMENT

- The staff of the program for social support works in a team and respects the principles of teamwork:

- Shared responsibility;
- Distribution of roles and tasks;
- Team meetings;
- Open and accessible communication;
- Timely feedback;
- The team of the social program consists of clinical social workers and social workers who have undergone specialised training.
- Clinical social workers can be people with humanitarian education, a minimum of bachelor's degree, with major in clinical social work, social work, social pedagogy or psychology.
- The work of the social workers is managed by a coordinator.
- There is a procedure and criteria for staff recruitment.
- The training of the clinical social workers includes the following areas:
  - **Basic knowledge about the phenomenon trafficking in persons** and its victims; skills for identification of trafficked persons
  - **Skills for communicating with people in stress or survivors of psychological trauma** – skills for support, tolerance and understanding, keeping the personal boundaries and space, understanding the behavior and emotional outbursts of victims of violence
  - **Needs assessment and development of a safety and action plan**
  - **Referral** – skills for referral and good knowledge of the institutions providing different forms of help and support; knowledge of the legal framework.
  - **Knowledge about the possibilities for support that Bulgarian legislation provides.** Knowledge of NRM, CTHBA, The Protection against Domestic Violence Act, Child Protection Act, Coordination mechanism for referral, care and protection of repatriated Bulgarian unaccompanied minors and children victims of trafficking returning from abroad, Crime Victim Assistance and Financial Compensation Act, LAR, LFB, SAA, RISAA, etc.
- The social workers can use individual or group supervision.

## RECOMMENDATIONS

- The introductory training for the new social workers is organized in several stages:
  - Intensive interactive training seminar
  - Observation of the work of more experienced social workers or appointment of a mentor from the team for a certain period of time
  - Participation in seminars and workshops for the team of social workers on different topics related to counselling of victims of trafficking and their family and relatives.
- Every six months there are additional trainings on topics related to the consultants' everyday work.
- The team of the Center holds regular administrative team meetings.
- The work of the Center can be supported by volunteers and interns.

## 5. STORAGE AND PROTECTION OF INFORMATION

- The information about the provided social support is kept in the victim's personal file.
- The information is organized and filled by the case manager.
- The information about the social support includes:
  - Description and assessment of the current situation
  - History of the problem
  - The client's needs as stated by him/herself
  - The client's needs as assessed by the case manager
  - Strategy and plan for work on the case
  - Contract for receiving a social service
  - Services, specialists and institutions who have been contacted for the case
  - Copies of any relevant documents
  - Notes on the work on the case
  - Minutes from work meetings on the case

## 6. STATE DOCUMENTS

- Regulation for the asylums for temporary accommodation and the centers for protection and help for the victims of illegal traffic of people (Prom. SG. 19/9 Mar 2004)
- SAA
- RISAA
- CPA
- RICPA

## 7. EVALUATION OF THE SERVICE

- A detailed needs assessments and developed action plan;
- Qualitative evaluation of the achieved goals – description of the results
- Number of multidisciplinary meetings and teams working on the case
- Number of hours of social work
- Number and type of referrals to relevant services and institutions and their results
- Feedback from the clients
- Information from the follow-up on the case
- Feedback from other professionals
- Feedback from individual and group supervisions

## 8. RESPONSIBILITIES

- The management of the service provider is responsible for the quality of the service.
- The case manager is responsible for the assessment, planning and good implementation of the direct work.

- The coordinator of the program is responsible for the organization and distribution of the work among the team members and for its follow-up
- The supervisors are responsible for maintaining the quality of work through provision of feedback about the strengths and weaknesses in the implementation of the work and the areas which need improvement.

## VI. DEVELOPMENT OF SOCIAL AND LABOUR SKILLS – EMPOWERMENT

### 1. DESCRIPTION OF THE SERVICE

The aim of empowerment is to improve the skills for living in a social environment and develop skills for realization on the labour market. It is an important part of the long-term re-integration of victims of trafficking because it stimulates the activity, initiative and adequate assessment of their own strengths for seeking better realization in life and at work.

In relation to trafficking in persons, the empowerment program can be used by:

- People who were victims of trafficking;
- People at risk of becoming victims of trafficking;

Empowerment involves the following forms of work:

- **Needs assessment**  
Assessment of the needs of training for finding a job, provision of basic training, continuation of education and referral to qualification courses.
- **Individual consultations**  
Individual support in the process of seeking a job and social re-integration aimed at creation of skills for communicating without violence and abuse; development of basic knowledge about the constitution and functioning of society, its institutions and laws; skills for good self-presentation; skills for protecting one's personal secret about the experiences in trafficking; skills for job seeking; orientation in the situation on the labour market; development of a realistic strategy for finding a job in accordance with one's own qualities and capabilities.
- **Referral**  
Referral to the State Employment Desks, qualification programs, programs for continuing education, etc.

### 2. PRINCIPLES OF WORK

- Emotional support
- Confidentiality
- Informed consent

- Provision of information
- Development of autonomous behavior

### 3. ORGANIZATION OF THE WORK

- The program has:
  - A room for counselling,
  - Computer with an internet connection and work space where it can be used;
  - Subscription or other access to newspapers with job advertisements;
- The empowerment program combines consultations and the individual work of the client on goals and steps for their achievement on which he/she agreed with the consultant.
- The work with each client continues until the original request is achieved (usually this means until permanent employment).
- The duration of the empowerment sessions is up to sixty minutes.
- The average duration of the work on empowerment is around 12 to 15 sessions or until achieving the agreed practical result.
- The hours devoted to individual work of the client are agreed in advance in accordance with the schedule of the room of the program and the available consultants.
- The consultants of the empowerment program monitor the labour market and create a database of existing labour mediators and information about job vacancies. The frequency and responsibilities for the monitoring are determined by the program coordinator.
- The consultants have specialised up-to-date information and literature about labour rights and the possibilities for their protection.
- The program has contacts with labour mediators, professional-information centers, etc. with the aim of providing better referral of clients. If necessary, the clients are accompanied to the respective organizations.

### RECOMMENDATIONS

- The consultations can run parallel with the psychological support sessions but with another specialist
- The program can offer work in groups.

### 4. STAFF AND MANAGEMENT

- The staff of the empowerment program works in a team and respects the principles of team work:
  - Shared responsibility
  - Distribution of roles and tasks
  - Regular team meetings
  - Open and accessible communication
  - Timely feedback



- *The team of the empowerment program consists of consultants who have undergone specialised training. Their number is determined by the working hours of the program.*
- *The work of the program is managed by a coordinator.*
- *The training of the consultants includes the following areas:*
  - *Stages of the process of job seeking*
  - *Preparation for applying for a job*
  - *Negotiating a job*
  - *Labour rights and obligations*
  - *Professional orientation*
  - *Knowledge of labour legislation*
- *The team of the program has regular meetings for presentation of the work on the cases and distribution of tasks.*

#### **RECOMMENDATIONS**

- *The introductory training for the staff of the program is implemented in several stages:*
  - *Intensive interactive training seminar*
  - *Observation of the work of more experienced consultants or having another team member as a mentor for a certain period of time*
  - *Participation in seminars and workshops for the team of the program on different topics related to the counselling of victims of trafficking and their relatives.*
- *Additional trainings for the team on problems related to everyday work are organized every six months.*
- *There are regular administrative team meetings.*
- *Volunteers and interns can be attracted for the activities on empowerment.*

#### **5. STORAGE AND PROTECTION OF INFORMATION**

Every new client of the program is registered in a special form (electronic or on paper). The form contains the following information:

- *Name and age of the client*
- *Name of the consultant*
- *Start date of the consultations*
- *Degree and type of education*
- *Available skills*
- *Past trainings*
- *Areas in which the person wants to work*
- *Goals of the work*
- *Information and referral*
- *Achieved results*

The form is added to the client's personal file.

#### **6. STATE DOCUMENTS**

- *Labour Code*
- *Regulations for the functioning of the National Employment Agency.*

#### **7. EVALUATION OF THE SERVICE**

- *Number of provided consultations*
- *Number of hours of independent work of the clients and results from it*
- *Feedback from the clients*
- *Number of clients who started work*
- *Number of clients who achieved long-term employment*
- *Feedback from other professionals*
- *Feedback from individual and group supervision of the team.*

#### **8. RESPONSIBILITIES**

- *The management of the service provider is responsible for the quality of the service.*
- *The consultants are responsible for the quality of the implementation of the program.*
- *The coordinator is responsible for the organization of the work and training of the consultants as well as for supervising the work and for updating the informational database.*

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**NATIONAL  
MECHANISM**  
FOR REFERRAL AND SUPPORT  
OF TRAFFICKED PERSONS  
IN BULGARIA

## IDENTIFICATION AND REFERRAL

Identification  
Risk assessment  
Defining the immediate needs  
Referral

## PROTECTION AND SUPPORT

Crisis intervention  
Reflection period

## SOCIAL INCLUSION (RE-INTEGRATION)

Long-term psychological support and empowerment  
Safe return  
Participation in criminal proceedings  
Provision of financial compensation

*Ministry of Interior (MoI):  
CDCOC, CDBP, and MD*

*Agency for Social Assistance/  
Social Assistance Directorates/  
Social Protection Departments*

*Ministry of Foreign Affairs (MFA)*

*State Agency for Refugees  
(SAR)*

*National Hotline for victims of  
violence: +359 2 981 76 86*

*Crisis Centres and Centres for  
Temporary Accommodation  
(NGO and others)*

*NGO service providers*

*International Organisation for  
Migration (IOM)*

*United Nations High Commis-  
sioner for Refugees (UNHCR)*

### **Crisis Centres and Centres for Temporary Accommodation (NGO)**

*International Organisation for  
Migration (IOM)*

*NGO service providers*

*Healthcare system*

### **Crisis Centres and Centres for Temporary Accommodation (NGO)**

*Agency for Social Assistance/  
Social Assistance Directorates/  
Social Protection Departments*

*Regional structures of Ministry  
of Interior*

*International Organisation for  
Migration (IOM)*

*Ministry of Foreign Affairs (MFA)*

*Foreign consular offices*

*United Nations High Commis-  
sioner for Refugees (UNHCR)*

*NGO service providers*

*Healthcare system*

*Ministry of Education, Youth and  
Science (MEYS)*

*Employment Agency / Employ-  
ment desks*

*State Agency for Refugees (SAR)*

*National Bureau for Legal Aid*

# NATIONAL MECHANISM FOR REFERRAL AND SUPPORT OF TRAFFICKED PERSONS IN BULGARIA