



EXECUTIVE SUMMARY OF THE ALTERNATIVE REPORT

FOLLOWING THE INITIAL REPORT SUBMITTED BY BULGARIA ON THE IMPLEMENTATION OF THE OPTIONAL PROTOCOL TO THE UN CONVENTION ON THE RIGHTS OF THE CHILD, CONCERNING THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

Considering the limited information available on CSEC, the Government of Bulgaria should conduct a specific and comprehensive research on commercial sexual exploitation of children in the country, to assess the situation of children in relation to prostitution, pornography, sale and trafficking, including as well other manifestations of CSEC (such as child sex tourism) and their evolution, in order to provide for a concrete ground to plan interventions based on an in-depth understanding of the issue

The National Action Plan against the Commercial Sexual Exploitation of Children (2003 - 2005) was adopted by the State Agency for Child Protection (SACP). In light of the progress in implementing this National Plan of Action, a new National Plan of Action specific to CSEC should be adopted, based on an evaluation of the previous one and a detailed assessment of the situation of children vulnerable or victims of CSEC in the country. Resources should also be allocated for complete implementation of the Plan and the new challenges and developments affecting CSEC, especially in relation to the European Union accession and the development of new Information and Communication Technologies, should be properly assessed and included in this new Plan.

The data provided by the Government concerns only children identified by the Police, who often represent a limited part of the actual victims. So far, there is no specialized system for registration of cases of CSEC victims in Bulgaria. Actually, the data available is limited to statistical information based on existing provisions of the *Penal Code* which do not reflect all forms of CSEC. Besides, the police only collects information about children who have been passed on to the child pedagogical services and homes for temporary stay of children.

A national and unified system should therefore be established for collecting disaggregated data on children victims of sexual exploitation, detailing the sex, region, age, nationality and/or ethnicity, the whole in order to gain a deep understanding of the situation in the country, its evolution, to guide intervention and identify gaps and challenges.

Bulgarian law lacks a specific definition of child prostitution in Bulgaria. The existence of provisions against forced prostitution is not sufficient, and fails to address child prostitution as a distinct issue. Furthermore the use of force should never be an essential element of child-prostitution related offences. Bulgarian law should be amended to reflect the provisions of the *Optional Protocol* and specifically define child prostitution and criminalise all acts of obtaining, offering, procuring or providing a child for prostitution.

Bulgarian legislation offers inadequate protection against child pornography and requires further reform and strengthening to meet international standards. Bulgarian law should therefore be



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amended to include a clear definition of child pornography consistent with that of the *Optional Protocol* and criminalise all acts of producing, distributing, disseminating, importing, exporting, offering, selling and possessing child pornography.

The protection of child victims of sexual exploitation has recently been improved. However, a lot of these new measures focus essentially on the trafficking of children, and special attention should be granted to victims of sexual exploitation, in particular child prostitution but also child pornography.

The Report notes there are no specialized child courts or specialized child judicial bodies dealing with cases involving children. Standard “child friendly” procedures for all cases involving children who are sexually exploited and victims of trafficking should therefore be developed and implemented. Specialized training for law enforcement officers (including police, judges and prosecutors) should also be conducted on a regular basis to strengthen the implementation of child protection procedures and ensure the best interest of child victims is a primary consideration throughout all stages of the criminal process

In terms of prevention, the National Commission for Combating Trafficking in Human Beings should extend structural and human resources for effective realization of the responsibilities under the international and national engagements of the Bulgarian government, concerning trafficking in children for sexual purposes. There is an urgent need to speed up the implementation process in multi-stakeholder and international cooperation and coordination for counteracting and preventing child trafficking for sexual purposes. A unified information system with relevant indicators should be established for collecting data about children victims. The process of establishment of Local Commissions for Combating Trafficking in Human Beings should be accelerated in order to facilitate the coordination of activities on child trafficking for sexual purposes at local level.

Overall prevention activities should be developed and tailored to address especially vulnerable children not only to trafficking, but to all forms of sexual exploitation. In this regard, information, education and prevention programmes to prevent child prostitution seem to be limited and should be conducted throughout the country in various settings, addressing different target groups. Vulnerable minorities and especially Roma populations should receive particular attention in the prevention and protection programmes. Many prevention activities have started to be implemented recently and should be carefully followed-up, monitored and evaluated to assess their impact and ensure best protection of children. Sustainability and coordination of the prevention and protection programmes would be best ensured through the adoption of a new National Plan of Action specifically addressing commercial sexual exploitation of children.

The Government should develop a national global programme to fight child pornography and prevent the risks of violence against children through the Internet and the new information and communication technologies.

The Government should develop specialized support services for children victims of sexual exploitation and ensure institutionalized training and regular support to all staff working on the care of children. Protocols and guidelines should be established to reinforce the application of procedures for the protection and assistance to victims. In particular, information sharing and coordination between specialized services, such as crisis units and social institutions, should be



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strengthened and continuous efforts should be put in operationalizing collaborative procedures that would be well-developed and understood by all social institutions to maintain regular partnerships and timely sharing of information and resources. Human and financial resources should be provided for delivering high quality care services to children and national policies should ensure that the needs of children victims of sexual exploitation are adequately fulfilled through the existing support services and the development of specialized alternative care strategies

Most coordination at regional and international level has focused on trafficking in human beings, with trafficking in children for sexual purposes being addressed within this broader approach. The Report recommends that resources be made available to improve international cooperation through the establishment of joint projects and information exchange systems between local NGOs and foreign organisations. The coordination efforts undertaken under the IOM supported 'Coordination Mechanism' should also be monitored and assessed to serve as baseline for strengthening and improving collaboration at regional, national and local levels especially in relation with physical and psychological recovery, social reintegration and repatriation of children victims of sexual exploitation.

Various activities involving the tourism sector have been developed to protect children from sexual exploitation in tourism, within the framework of the Code of Conduct. The Report recommends further implementation measures, such as the introduction of a training module for tourism students on sexual exploitation of children in the curriculum of tourism schools to ensure education and information of the future professionals. Operators from the tourism industry (tour operators, travel agencies and employees of respective ministries) should also be properly informed about the 'Code of Conduct for the Prevention of Trafficking in Children and Sexual Exploitation of Children in Tourism' and specifically trained on its implementation. The Permanent Monitoring Committee should follow-up and monitor closely the measures in place to ensure proper implementation of the Code of Conduct and further involvement of other partners from the tourism industry. The Committee should also share information on its work and conclusions with governmental institutions and relevant partners