

La Strada -Bulgaria



Animus Association Foundation



The Role of Civil Society in Data Collection in Bulgaria

„ Data protection and right to privacy for marginalized groups: a new challenge in anti-trafficking policies “

25th - 27th September 2013, Berlin

- Animus Association Foundation was set up in **1994** as an NGO working to support survivors of violence
- In **1998** Animus joined La Strada Program



Efforts against trafficking in human beings

- Center for Rehabilitation, Counselling and Psychotherapy – provides direct support to survivors of trafficking; the centre has existed since 1996; currently it is the only available place in Sofia where victims of trafficking can be accommodated;
- Work in the Community includes lobbying, prevention and networking activities;
- Training Center - the organization transfers its experience and model of work to other organizations and institutions.

Animus Association Foundation
Board of Trustees
Executive Directors
Manager Team
Team of psychotherapists and social workers
Program Team, Administration, Accounting Department

Center for Rehabilitation, Counselling and Psychotherapy

Department for Adults

Department for Children

Programs for survivors of domestic violence or trafficking in people

Programs for children, adolescents and their parents

Training Center

Post-graduate qualification, in partnership with Sofia University

Center for Professional Education

Research Unit

Prevention, Lobbying and Networking

“La Strada Bulgaria”

Crisis Center for Survivors of Violence
Sofia Municipality

National Helpline for Children 116 111,
State Agency for Child Protection

Helpline for Survivors of Violence
02/ 981 76 86
Domestic Violence State Fund

Social Services Center for Children and Families
Sofia Municipality

Community Support Center

„Mother & Baby“ Unit

Data collection

The systematic data collection on trafficking in people started in 1998, when Animus Association joined La Strada International and began to accommodate trafficked persons in the Crisis Centre for Women Victims of Trafficking in Sofia.

Further developments:

- NGOs in the country have gradually developed services for victims of trafficking;
- In 2003 the **Law on Combating Trafficking in Human Beings** entered into force. It envisaged the creation of a **National Anti-trafficking Commission**; one of the Commission's obligations is to "promote the research, analysis and statistical reporting of human trafficking data"
- **Crisis centres for child victims of violence, survivors of trafficking** and unaccompanied minors were opened in compliance with the Social Assistance Act;
- In 2005 the State Agency for Child Protection adopted a **Coordination Mechanism for Referral of Unaccompanied Children and Child Victims of Trafficking Returning from Abroad**;
- In 2010 the National Anti-trafficking Commission adopted a **National Mechanism for Referral and Support of Trafficked Persons in Bulgaria (NRM)**.
- In 2010 and 2011 **two state shelters** for trafficked persons were opened.

Currently trafficked persons can benefit from:

- **14 crisis centers for children victims of violence or trafficking:** capacity of **145** places; stay for up to 6 months; opened in accordance with the **Social Assistance Act**, with resources from the state budget given to municipalities; **through the mechanism of state-delegated activities, most of them are managed by NGOs;**
- **8 crisis centers for adult victims of violence or trafficking:** **66** places; stay for up to 6 months; opened in accordance with the **Social Assistance Act** through the mechanism of state-delegated activities, with resources from the state budget given to municipalities; **all of them are managed by NGOs;**
- **2 shelters for trafficked persons:** **8 (+4)** places; opened in accordance with the **Law on Combating Trafficking in Human Beings**; financed from the budget of the National Commission **through a public procurement mechanism and operated by NGOs**; the stay is long-term, over a year, or until the completion of the criminal proceedings

Some of the centers work both with children and adults.

In 2012:

66 children victims of trafficking received support at the crisis centres for children;

55 women victims of sexual exploitation received assistance from the crisis centres for adults

(**25** or 45% of them where accommodated in the Crisis Center of Animus);

24 victims were placed at the shelters of the National commission

The position of NGOs as data collection actors

- All social services for protection and reintegration of trafficked persons are operated by NGOs.
- Services include Crisis Centers, Shelters. Help-lines, Counselling Centers.
- Most of the services, currently run by NGOs, are funded by the state or by the municipal budgets and are co-financed by projects and donations.
- NGOs running social services are registered at the Ministry of Justice and by the State Agency for Social Support.
- Their work have to comply with the standards defined by the State Agency for Social Support.
- There are strict standards and rules on how to register clients, and how to organize their files.

The position of NGOs as data collection actors

- The **State Agency for Social Support** (through their local directorates) has the right to monitor the work of the NGOs by performing regular check-ups. They examine the number of clients and whether their files are organized according to the standards. The personal files of the clients include personal information, case assessment, action plan and information on the development of the case.
- The **National Anti-trafficking Commission** requires detailed data about trafficked persons receiving support from NGOs. NGOs are asked to fill in a detailed questionnaire (developed by ICMPD) about each client. It includes personal information, information on recruitment, transportation, exploitation, identification and support.

The position of NGOs as data collection actors

- NGOs providing services are also registered as *'administrators of personal data'* at the National Commission for Personal Data Protection.
- Official statistics of the National Anti-trafficking Commission shows that the majority of data comes from the Law Enforcement Institutions – Police and Supreme Cassation Prosecution Office
- Total – 579 victims for 2012
 - Law enforcement – 434 – 75%
 - **NGOs – 79 persons - 14%**
 - State Agency for Child Protection – 66 minors – 11%

(Figures might me not absolutely exact)

The position of NGOs as data collection actors

- Why data collected by NGOs is valuable, significant and influential?
 - Qualitative rather than quantitative;
 - Based on the personal contact with the trafficked person which is built on trust and understanding;
 - Based on a mid-term to long-term communication with the trafficked person;
 - Collected to serve the interest of the trafficked person and not the interest of the institution;
 - Sensitive to specific aspects and new trends in trafficking.
- Some shortcomings
 - Data is collected mainly on trafficking of women for sexual exploitation;
 - Data is collected alongside with the data of other type of victims. No special forms are used by majority of NGOs.

Challenges

- NGOs are convinced that personal data of trafficked persons should be kept confidential. At the same time, they are pressed by authorities, to provide such information as part of the official evaluation/assessment procedures of their work.
- NGOs work from a human-rights and victim-centered approaches, which means confidentiality, unconditional support, safety and security, informed consent of the trafficked person and work for the best interest of trafficked person. How to follow these principles in data collection when NGOs are more and more financially dependant on the state?

Some ways to cope with the problem in daily practices

- Some NGOs refuse to provide personal data of the trafficked persons they worked with. All other type of information concerning the situation of trafficking and the reintegration process is available.
- Some NGOs agree in advance with the monitoring and evaluation bodies that they will show only part of the personal files of their clients.
- Accumulated statistical data is provided for analyses of trends and in the media (LSI Client registration).
- NGOs advocate in many ways the right of the victim of privacy and confidentiality.

Some achievements on policy level

- Bulgarian National Mechanism for Referral and Support of Trafficked Persons was initiated by civil society. Confidentiality and data protection are leading principles and a “red thread” in all procedures.
- Identification of trafficked persons is non-centralized and performed by various institutions. There is no ‘register’ of trafficked persons.
- Experience of NGOs in collecting statistical data is used to demonstrate that there is no need to provide personal data on trafficked persons in order to follow the cases between institutions and to avoid case duplication. Precise figures are less informative than tendencies.

Some achievements on policy level

- NGO experts are invited to draft a methodology for data collection so that the National Anti-trafficking Commission will be able to monitor the trends and processes in trafficking.
- The following principles are debated on in relation to data collection:
 - The right of privacy and confidentiality;
 - Protection of the best interest of the victim;
 - Informed consent of the usage of personal data;
 - The right of the victim to have access to his/her personal data;
 - Rules of data storage and referral.

Some achievements on policy level

- The proposal excludes registration of personal data in the data base because:
 - The purpose of the data collection is not to register trafficked persons or to follow the case work, but to monitor the trafficking situation.
 - Precise figures (no duplications) are the less important criteria for monitoring trends and dynamics in trafficking.
 - Collecting of personal data (ID, name and date of birth of the victims ... etc.) means fulfilling all requirements of the Bulgarian and the European data protection legislation. This will limit significantly the scope of the data base only to the victims that gave their consent for the use of their personal data. The operation of and the access to the data base will be very limited and it will not fulfill it's purpose.
 - Many institutions will refuse to provide detailed data (incl personal) because of the amount of additional work

Thank you!

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