



Together for the Defence of Human Dignity

Margarita Popova

Vice President of the Republic of Bulgaria

Distinguished President of the Pontifical Academy of Social Sciences,
Distinguished Chancellor of the Academy,
Distinguished Colleagues,
Brothers and Sisters,

We have been called together to the *caput mundi* for a remarkable event: to support with bright thoughts the worldwide dialogue led by the Church on the protection of God's creation in its entirety and on the complex relationships between God – Man – Nature as the foundation of universal progress. In the course of two days, we will devote ourselves, with love and mutual respect, to the big questions about the meaning of life and the grandeur of human dignity.

There exists no prescription for the true meaning of life. It certainly is, however, creation, freedom, and reinforcing human justice, which is God's justice. The meaning of life is man's spiritual feat, moral improvement and sublimity on the way to human progress in mastering nature so that the grace can be universal and the joy with life's triumph over death can be complete.

This is how the psalmist has introduced the theological rationalization of the creation and our place in it in Psalm 8 of the Old Testament:

"What is man, that thou art mindful of him?

And the son of man, that thou visitest him?

For thou hast made him a little lower than the angels,

And hast crowned him with glory and honor.

Thou madest him to have dominion over the works of thy hands;

Thou hast put all things under his feet."

For us, the only beings capable of self-awareness, God has set an exceptional purpose: to safeguard the earthly world, to keep improving it through conscious work, elated by virtue and dignity, and with care for our neighbour in their pains and joys. We, humans, are minuscule particles in the universe. We are, however, an integral part of it and united with it: as matter, as spirit, and as advancement. By our "dominion over the works of God's hands", we bear the responsibility for ushering the world into a new phase.

I do hope that during these two days in the month of June we will be able to demonstrate that our thoughts and deeds can help improve the world at least a little bit just like when we **administer justice in defence of human dignity**. As good Christians, let us try our best to openly and sincerely share both the joys and torments of today. Let us raise a voice in prayer against the gravest humiliations that debase human dignity, harm the honour, and deprive human beings of their creative freedom in the name of peace and goodness, truth and harmony.

We live in a world of unprecedented progress and heaps of untold wealth. We have endowed man with countless rights. Some people even enjoy an almost infinite freedom and mobility. While millions keep living in rightlessness and in no man's land. Countries and societies are tightly interrelated, yet sometimes that brings about pressure and vulnerability. Regretfully, we believe less and less that united we stand stronger and we trust less and less the institutions we have established for ourselves. Rivalries and animosities across the world give rise to injustice and grave inequalities. Millions are deprived of essential goods and lead lives deprived of dignity. They are uprooted from their native land and forced into mass migration despite the apparent dangers it entails. Ethnic, religious, and social conflicts abound. Despite the global food surplus, not only does famine jeopardise the survival of entire nations but it is also an affront to the grandeur and sacredness of the human person. Children keep dying of starvation. "Therefore, if concern for the need to feed ourselves is a material issue, then the concern for feeding our neighbour is a spiritual issue (James 2:14-18). – *The Mission of the Orthodox Church in Today's World*). We have witnessed degradation of statehood, radicalization, and extremism in frightening proportions. Deep social fractures have separated, by an unbridgeable chasm, a small portion of

society that claims to be the holder of power. Groups and networks of lobbies hold privileged positions in society and stand as centres of political power, influence and control. Deep social inequalities, avarice, alienation, chaos, and violence act as powerful catalysts of social discontent and crises. The feeling of insecurity is growing dramatically. New outbursts of intolerance and hostility are triggered and added to existing ones. Politically motivated violence is on the rise. At their glamorous forums the elites make no mention of corruption, hypocrisy, political falsity and demagoguery that have grown to the point of making the world dangerously divided and bent. It is with heavy hearts that we follow news reports about new outbursts of human suffering, disease or poverty. Organised crime, aided by brutal corruption, successfully attacks entire economic sectors and destroys social systems. Because of the weakening relations between people and the loss of strength of statehood organized crime groups find it easier to impose their values and order. They see and treat human beings as objects. The Internet and powerful communication technologies are used to recruit victims of human trafficking. One world rises against another. Trafficking in human beings is a business, and we, lawyers, shyly theorise and ask ourselves whether slavery exists today and how we could possibly counteract it.

In the first Bulgarian Constitution of 1879 adopted after our liberation from the Ottoman rule the Bulgarian law-makers elaborated a remarkable provision: "Nobody in the Principality of Bulgaria shall be entitled to buy or sell human beings. Any slave, of whatever gender, religion or nationality, shall become a free man upon setting foot on Bulgarian territory". On the basis of that provision of Article 61 of the old Bulgarian Constitution, in 1881, a local court found the transaction between two Romanians null and void as it related to "the exchange of land for Roma farm slaves". Likewise, the Principality of Bulgaria's first Criminal Law Act of 1896 provided for a punishment of five to ten years in solitary confinement for anyone who "deprived another person of freedom and sold them as a slave inside or outside of the country" (Article 291).

What happened to humankind from the 19th to the 21st century? Have we known the truth now that we have acquired freedoms? For truth and freedom always go hand in hand and exist together and intertwined.

In its 2030 Agenda for Sustainable Development, the UN sets the **global partnership for sustainable development** as a main goal. The Agenda is premised on **human dignity**. For all people of sound mind who keep their hearts open for the ethos of humanism, sustainable development can have only one historic and cultural direction, it bears one single meaning – to live together in a peaceful and prosperous world where acrimony, insult, humiliation, and violence do not prevail.

To fight modern slavery and protect its victims, the global community of criminal law scholars and practitioners has elaborated a series of instruments, such as conventions, directives, protocols, national laws and mechanisms for support and financial compensation of victims of crime, as well as catalogues of child rights, regulations and guidelines to help trafficking victims. Various committees and agencies have been put in place. Trafficking in human beings is prohibited under the European Union Charter of Fundamental Rights, as well as Article 83 of the Treaty on the Functioning of the European Union.

Researchers point to a number of deficiencies of the international instruments adopted throughout the 20th century, such as "inaccurate and biased definition of trafficking", ignoring the specifics of exploitation and its connection to criminal markets, or the effectiveness of victim protection instruments.[1] The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children was adopted in 2000 and came into force in 2003. Council framework decision 2002/629/JHA of 19 July 2002 (repealed) and Council framework decision 2004/68/JHA of 22 December 2003 established the first ever standards in the European Union for combatting trafficking in human beings. The Council of Europe Convention on Action against Trafficking in Human Beings came into force in 2007. The gradual harmonisation of criminal legislation of the Council of Europe Member States before 2011 paved the way for a comprehensive legal instrument on human trafficking - Directive 2011/36/EU of the European Parliament and the Council of 5 April 2011.

However, all legislative efforts and numerous structural reforms pale in comparison to the chilling statistics: according to the first report of the European Commission of 19 May 2016 on the progress made in the fight against trafficking in human beings, in 2013-2014 alone, 15,846 women, men, girls and boys were registered as victims of trafficking in the EU, while the number of convictions was 3,129. The data show that less than half of the victims reported their case to the police and sought protection. At least 15% of the victims were children. They suffer sexual abuse and labour exploitation, including begging, pickpocketing, and prostitution. Trading in bodily organs cannot be ruled out in the cases of child trafficking. Infants are sometimes sold even before they are born. 76% of victims are female, the prevailing majority being young women.

Human trafficking deprives human beings of their free will and reduces them to objects of ownership rights. **Trafficking in human beings is part of the big issue of universal progress and the peaceful survival of humankind. It is irreconcilable with the values of a democratic society.** There is no other value but the human being: human life, health, inviolability, freedom, and dignity justify the most potent of repressions – the criminal repression. Stripping human beings of their social characteristic features is tantamount to transforming

them into commodities. Which is tantamount to slavery.[2] No other crime appears capable of **generating victims to such an extent**. Victims' position of dependence crushes any resistance to evil and kills any thirst for life. Worst of all, human trafficking oftentimes **shapes victims' attitudes** to slavery as a normal way of life. Thus, a value system parallel to the rule of law develops. Lives deprived of choice are lived. Trafficking in human beings is one of the most monstrous forms of organized crime supported by high level political corruption.

Not all legal systems treat slavery as a serious encroachment upon human dignity. I subscribe to the view of those criminal law scholars and practitioners who find sufficient grounds for the **criminalisation of slavery** as a general offence related to the special offence of human trafficking, notwithstanding the practical need for society. I am fully aware of the numerous arguments and reasons against such an understanding. Despite all arguments for and against that approach, I believe it would nonetheless provide **additional safeguards for the warning and deterrence** of usurpers of the right to freedom and human dignity. Moreover, it would also facilitate international legal cooperation. I am convinced that **aiding and abetting, attempting and preparing to** force someone into slavery and human trafficking should also be **criminalised**. In addition, let us once again remind ourselves that strategies and specific child protection policies, particularly as regards unaccompanied minors along migration routes, are of paramount importance today. **Joint actions** are required by the **governments, the church and the civil society**. Effective **juvenile justice** policies coupled with reliable **child protection measures** are also needed. Such policies in their entirety are the genuine touchstone for the humanity of our societies.

The judicial community is put to the test before its professional conscience, before humankind, and God. So are the political elites through their legislatures. Let us stand together today against slavery that forces human beings into submission, rightlessness, and subjects them to inhuman treatment, exploitation, to the power of other human beings and rips off victims of any possibility to change that situation on their will alone.

Distinguished Colleagues,

Brothers and Sisters,

My thoughts slip back to the questions, "What is man? What is the meaning of life? Where do we humans stand today? How do we rule on earth since God "did not subject the coming world ... to angels" but subjected all things under our feet (Hebrews 2:5)?

„Here is the man“ (John 19:5). A martyr with a crown of thorns.

The life of a Christian, according to the New Testament, is a life full of love for God and for our neighbour. A life where "good is good only if achieved through good means". A life geared towards the upcoming human greatness by the resurrection of Jesus Christ that is a symbol of life overcoming death.

How can we achieve such a life?

By means of **joint humane undertakings and governance according to the rules** striving to master nature for the sake of man and for the sake of nature itself.

By means of a **new political leadership** that should be the starting point for the future reform of today's world invariably premised on **morality**: the sacred territory of selflessness, openness, responsibility and honesty to other human beings. A territory of "a full life... which includes a longing for fraternity" so that there will be "no longer slaves, but brothers and sisters".

[1] Pushkarova, Iva. *Trafficking in Human Beings*, SIBI Publishing House, Sofia, 2012, p. 12.

[2] On this issue see B. Vechev, *Slavery and Bulgaria's Penal Law*, Siela Publishers, Sofia, 2016