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**SPECIFICATIONS FOR  
NATIONAL REPORT PART 2  
CONTRIBUTING TO THE  
EMN ANNUAL REPORT ON MIGRATION AND ASYLUM 2021 IN THE  
REPUBLIC OF BULGARIA**

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# ANNUAL REPORT 2021 ON MIGRATION AND ASYLUM IN BULGARIA NATIONAL REPORT (PART 2)

## • EXECUTIVE SUMMARY

This report provides an overview of the most significant developments in the field of migration and asylum in the Republic of Bulgaria in 2021. The document provides up-to-date statistics, a summary overview of legislative and policy developments, a list of activities and research in the field of integration of third-country nationals (TCNs).

The dynamic political context in the Republic of Bulgaria in 2021 was characterised by the organisation of three consecutive general elections, the last of which is a "2-in-1" presidential election and a special parliamentary election. Migration issues were part of the party and political discourse in Bulgaria following the political events in Afghanistan in August 2021. The pandemic caused by COVID-19 continued to be a major item on the national agenda in Bulgaria as the country went through the fourth and fifth waves of the virus.

In 2021, Bulgaria maintained and launched a range of actions to improve national legislation and align it with the EU law. A number of legislative amendments have been drafted to refine national provisions in the areas of labour migration, international protection, Bulgarian citizenship and visa regimes.

At the policy level, the new Migration Strategy of the Republic of Bulgaria for the period 2021-2025 entered into force – a key strategic document addressing the assurance of successful management of migration issues, that is of national importance and European regional importance.

During the year, the new Asylum, Migration and Integration Fund (AMIF) Programme of the Republic of Bulgaria for the period 2021–2027 started to be implemented. The new Programme maintains all the activities undertaken under AMIF 2014–2020 and introduces flexibility mechanisms for the implementation of funded multi-year projects in view of changing circumstances and the need to provide for adaptation possibilities.

## LEGAL MIGRATION

Regarding legal migration, in 2021, compared to the previous year, there is a decrease in the number of applications submitted by employers and the number of decisions granted by the Employment Agency (EA) to foreigners for access to the Bulgarian labour market.

The competent Bulgarian and Albanian authorities have adopted a draft Agreement on the regulation of labour migration as a basis for negotiations. In addition, the draft Agreement on the regulation of labour migration between the Government of the Republic of Bulgaria and the Government of Turkmenistan has been approved as a basis for negotiations.

In 2021, legislative amendments were enacted by promulgation in the Official State Gazette, introducing procedures for more effective harmonisation of national legislation in the field of legal migration with the European law, some of which are aimed at clarifying national legislation on a wide range of topics concerning labour migration.

## INTERNATIONAL PROTECTION

In 2021, national policy on international protection and asylum continued to be implemented in line with international law in the field of international protection and with a view to fulfilling Bulgaria's

responsibilities and commitments as an EU Member State. There has been an increased migration flow to the country and an increase in applications for protection.

As a result of amendments to the Law on Asylum and Refugees, a draft amendment and supplement to the Regulation on the responsibility and coordination of state authorities implementing the Dublin and Eurodac Regulations was implemented in the first half of 2021. After going through a public discussion, the draft amendment is to be examined by the Council of Ministers.

In 2021-2022, the country participates in the international solidarity and responsibility sharing mechanism of the European Resettlement Programme.

During the year, a set of capacity building training on international protection was conducted.

## UNACCOMPANIED CHILDREN AND OTHER VULNERABLE GROUPS

During the year, there was a significant increase compared to 2020 in the number of unaccompanied foreign children who applied for international protection in Bulgaria. Most of the unaccompanied children who sought protection were accommodated in the two separate Safe Zones for unaccompanied children in the Registration and Reception Centres (RRC) – Sofia, in the "Voenna rampa" and "Ovcha kupel" Departments.

At the end of June 2021, the reception of persons under the Dublin III Regulation was reopened after a positive response was sent in connection with the favourable change of the epidemic situation in the country.

The category of unaccompanied foreign children has been given special attention in the new Migration Strategy of the Republic of Bulgaria for the period 2021-2025, which entered into force in March 2021, in the section National policies in the field of "Free movement, legal migration and integration".

## INTEGRATION

In the field of integration, during the reporting period many thematic events were held within the process of social adaptation and cultural orientation of applicants for international protection, both separately by the State Agency for Refugees with the Council of Ministers (SAR), and jointly with representatives of the NGO sector in the field of migration under projects for the integration of third-country nationals.

Policies for the inclusion of international asylum seekers in the labour market continued, as well as the provision of support for the education process of migrant children in compulsory and pre-school age.

A number of forums and conferences on migration topics were held during the year. Several online platforms have been launched, providing reliable information on refugees in Bulgaria and materials on refugee and humanitarian issues. Various studies in the field of integration by the NGO sector have also been published.

## CITIZENSHIP AND STATELESS PERSONS

There was a decrease in the number of persons acquiring Bulgarian citizenship in 2021 compared to 2020.

During the year, a Law amending and supplementing the Law on the Bulgarian citizenship was adopted and promulgated in the State Gazette, which refines the grounds for obtaining Bulgarian

citizenship in exchange for investment and creates a more efficient procedure for determining the Bulgarian origin of applicants for Bulgarian citizenship through naturalization.

## BORDERS, VISAS AND SCHENGEN

During the reporting year, the institutions responsible for security and border management of the Republic of Bulgaria and the EU continued to successfully implement numerous activities. Further measures were taken to improve the efficiency of border control by modernising national information systems to achieve operational synchronisation with European information systems. In order to maintain the capacity for cross-border cooperation, a programme between Bulgaria and Turkey was adopted. Of significant importance are the amendments introduced in the Law on Foreigners in the Republic of Bulgaria which affect the visa regime. They contribute to the compatibility of national legislation with the amendments to the Visa Code and the implementation of the Schengen requirements of the European Parliament and the Council.

## ILLEGAL MIGRATION AND SMUGGLING

During the past year, effective work to counter irregular migration continued. There has been a significant increase in the number of migrants found to be in the country illegally and therefore detained by the authorities.

With regard to smuggling, in 2021 the Directorate General of Border Police actively engaged in countering smuggling practices throughout the year.

## HUMAN TRAFFICKING

In the area of combating human trafficking, 2021 was extremely productive. Compared to the previous year 2020, there was an increase in the number of investigations conducted against groups involved in human trafficking. In 2021, an inter-agency team including experts from all competent authorities and organisations was established to enhance an inclusive approach under which experts from different fields jointly coordinated efforts to solve complex trafficking cases. An evaluation process of the National Strategy to Combat Trafficking in Human Beings has been initiated, as foreseen under the National Programme.

Numerous activities and projects aimed at prevention have been implemented in order to raise public awareness on trafficking in human beings. During the reporting period, various trainings and initiatives have been carried out to develop the national capacity to counter and avert trafficking in human beings as well as to enhance the capacity of officials working in the fight against trafficking in human beings.

## RETURN AND READMISSION

During the year 2021 continued the activities on forced and voluntary return of third-country nationals illegally residing on the territory of Bulgaria.

In March, the Draft Law on Amendment and Supplement to the Law on Foreigners in the Republic of Bulgaria was promulgated in the State Gazette, one of the objectives of the proposed amendment being the establishment of an effective tool for the expulsion of a foreigner to a third safe country. An effective remedy has been established for the expulsion of a foreigner to a safe third country, providing for the possibility to enter in the orders imposing coercive administrative measures "return" and "expulsion" the name of the country in which the measure will be implemented.

## 1 INTRODUCTION

This report provides an overview of the most important policy actions and debates as well as legislative changes and concrete measures in the field of migration, asylum and integration in Bulgaria for the period 1 January – 31 December 2021.

The report has been prepared by the National Contact Point of the European Migration Network (EMN) in accordance with Article 9(1) of Council Decision 2008/381/EC establishing the EMN and in accordance with the guidelines of the European Migration Network regarding its structure.

As in previous years, the debate and discussions seeking to find a balanced approach to migration management that takes into account both security aspects but also the necessity to ensure respect for human rights within the asylum system and to successfully counter irregular migration were pertinent in 2021. The report provides a brief overview of the overall structure of the institutional and legal enforcement system in the Republic of Bulgaria in the field of migration, integration and asylum and offers an explanation of the main changes that have occurred in it in 2021. The document contains updated and impartial, reliable information and has been prepared in response to the demand for further analysis by the European institutions.

### 1.1 METHODOLOGY

The information has been gathered from publicly available documents. Information on the legal aspects of the report is drawn from free sources and subscriptions to legal information systems, as well as to the websites of the National Assembly and the institutions and organisations whose opinions are cited.

The report is based on data from a wide range of sources, which aim to provide up-to-date information and ensure an impartial assessment. The information used includes publicly available government documents, strategies, action plans, annual reports, published studies, etc. The views and publications of non-governmental or international organisations have also been integrated.

### 1.2 TERMS AND DEFINITIONS

The terminology used in this report is based on the Glossary of the European Migration Network. The separate terms that refer in particular to the Bulgarian legislation framework are usually supplemented by explanations in the text or in a footnote.

## 2 OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS

### 2.1 DYNAMIC POLITICAL CONTEXT IN 2021

The political context in Bulgaria in 2021 is characterised by three consecutive parliamentary elections, the last of which is a "2-in-1" election /presidential and extraordinary parliamentary/, as well as four parliaments, two caretaker cabinets and a regular government at the end of the year. After the regular parliamentary elections in April, the political parties that entered the 45th National Assembly failed to form a government, which led to the appointment of a caretaker cabinet by President Rumen Radev in May 2021. The parliament formed by the early parliamentary elections in July 2021 also failed to adopt a new government, resulting in a second caretaker government appointed by Bulgaria's President. Parliamentary and presidential elections were held in Bulgaria on 14 November 2021. A regular coalition government was formed with the mandate-bearer "We Continue the Change" – a newly created political project of two of the caretaker ministers in the first caretaker government, Kiril Petkov and Assen Vassilev, and partners "Democratic Bulgaria", "Bulgarian Socialist Party" and "There is such a nation". Bulgaria's new prime minister is Kiril



Petkov of "We Continue the Change", minister of economy during the first caretaker cabinet in 2021. Rumen Radev, Bulgaria's head of state since 2017, won a second presidential term.

Migration issues were part of the party and political discourse in Bulgaria in 2021, both during the election campaigns for the parliamentary and presidential elections, as well as at parliamentary sessions and hearings in Parliament of the Minister of the Interior of the caretaker government. The emphasis on the seriousness of the problem of illegal migration in Bulgaria and the danger of serious migrant pressure due to the situation in Afghanistan was evident in policy positions and election materials throughout the year. With regard to the main direction in the area of migration by the ordinary government formed in November 2021, the document in which it is spelled out is the annual programme for the participation of the Republic of Bulgaria in the decision-making process of the European Union in 2022. The focus of the programme is on the protection of the physical security of the external European borders. The state's priority in this area is also determined by the need to reduce the burdens on first-entry countries and obtain the necessary solidarity. Solidarity is understood as collective action by EU countries against migratory waves. In this sense, the securitisation approach, through which migration issues are managed in the country, remains the leading one, although the programme stresses that Bulgaria is against instrumentalising the migration issue.

The political events in Afghanistan since August 2021 and the regime change in the country have forced many Afghans to seek asylum in other countries, and the migration wave from Afghanistan to Europe has also had an effect on the migration situation in Bulgaria. The positions of the Bulgarian political parties in the 46th National Assembly on the possible new wave of migrants to Europe after the events in Afghanistan came down to the shared opinion that Bulgaria is able to receive directly a specific number of refugees. By decision, the caretaker cabinet held to support and give asylum to up to 70 Afghan citizens who worked in the Bulgarian embassy in Kabul, along with Bulgarian contingents and other Bulgarian representatives on the ground.

The pandemic caused by Covid-19 continued to be a major issue on the government agenda in Bulgaria in 2021, as the country went through its fourth and fifth waves of the virus, and a green coronavirus certificate requirement was introduced for all indoor activities at the end of October. In May 2021, persons seeking international protection from SAR territorial units were included in the fifth phase of the National Vaccination Plan against COVID-19, which targets vulnerable groups due to high epidemiological risk related to their living conditions and lifestyles. Good practices in addressing the negative consequences of COVID-19 were implemented by the State Agency for Refugees under the Council of Ministers (SAR). These consisted of conducting information talks on COVID-19 and an awareness campaign on vaccines and vaccination targeting refugees and asylum-seekers, as well as technical support and conducting distance learning in SAR territorial units in the context of a pandemic. International organisations and NGOs in the field of migration in Bulgaria were also among the main sources of good practices to overcome the effects of the pandemic on migrants and refugees.

## ○ 2.2 INSTITUTIONAL FRAMEWORK AND STRUCTURE OF THE LEGAL SYSTEM IN THE FIELD OF MIGRATION AND ASYLUM

In 2021, the work of the National Council on Migration, Borders, Asylum and Integration (NCMBAI), which is an important collective advisory body for the formulation and coordination of the implementation of public policies in the field of migration, borders, asylum and integration in the Republic of Bulgaria, continued. The importance of this Council stems from its broad structural composition at a high political level, with representatives of all relevant state institutions, as well as from its specific and clearly defined functions. This body has six main functions, among which are the development, updating and proposing to the Council of Ministers (CoMin) of strategic documents in the field of migration, borders, asylum and integration, proposing to the CoMin of



annual plans for the implementation of the strategic documents, as well as reports on their implementation, measures to increase the effectiveness of migration, borders, asylum and integration management. The National Council on Migration, Borders, Asylum and Integration (NCMBAI) is also responsible for providing guidance on the implementation of policies in the field of migration, borders, asylum and integration at national, regional and European level, for coordinating the activities of state bodies, local self-government and local administration bodies, NGOs and international organisations on the territory of the country in the definition and implementation of policies in the field of migration, borders, asylum and integration and in the implementation of the migration, borders, asylum and integration policies.

The following three Strategic Working Groups are active within the NCMBAI:

- Strategic Working Group on Integrated Border Management, within the framework of which the National Strategy for Integrated Border Management was adopted in 2020 and its implementation plan were prepared.
- The Strategic Working Group on Migration Policies, which developed a draft new migration strategy of the Republic of Bulgaria for the period 2021-2025.
- Strategic Working Group "Coordination of the preparation of the Republic of Bulgaria for the implementation of the interoperability of information systems".

An extraordinary meeting of the National Council on Migration, Borders, Asylum and Integration (NCMBAI) was held on 25 November 2021 to consider the possibilities for the Republic of Bulgaria to participate in the pledging exercise announced by the European Commission, including the number of persons to be accepted for resettlement in the period 2021-2022, with the support of the Asylum, Migration and Integration Fund 2021-2027. The National Council on Migration, Borders, Asylum and Integration has reached a decision to propose to the Council of Ministers that the Republic of Bulgaria participates in the pledging exercise launched by the European Commission and to identify 50 (fifty) third-country nationals or stateless persons coming from a third country to which they have been displaced to be accepted for resettlement in the period 2021-2022, with the support of the Asylum, Migration and Integration Fund 2021-2027.

**In 2021, a new Migration Strategy of the Republic of Bulgaria for the period 2021 – 2025, adopted by Decision No 256 of the Council of Ministers on 25 March 2021, entered into force.**

The Strategy is a key document of national importance and of European regional significance because it deals with ensuring the successful management of migration issues by a Member State at the EU external borders. The new strategy states the need for a "comprehensive approach" to migration policy, combining both border control and return mechanisms, as well as an effective policy for granting asylum to asylum seekers and ensuring legal migration. This request is an attempt by the Bulgarian institutions to adopt the principle of balance in EU countries between solidarity and responsibility, as set out in the proposal for a New Pact on Migration and Asylum in 2020.

The newly adopted strategy consolidates the considerable experience gained over the past years, in which the Bulgarian state has gone from the need to adapt quickly to a situation of unprecedented migration crisis to establishing workable mechanisms. Overall progress in migration management has been noted as a result of improved accommodation and reception conditions in line with international standards, increased capacity of officials in the public services in the migration sector and improved quality of the procedure for examining applications for international protection. The new strategy focuses on bilateral agreements and "strategic partnerships" between Bulgaria and individual countries, in addition to labour migration and tackling irregular migration. In this respect, the country has set itself the objective of pursuing a more active dialogue with Pakistan and Afghanistan based on EU cooperation agreements. The perspective of migration and mobility in the

context of the UK's withdrawal from the EU is specifically addressed. In terms of cooperation with NGOs and international organisations, they are explicitly mentioned in the new strategy for the first time as part of a coordination network with clearly allocated competences and functions.

It should be noted that the new strategy reflects an aspiration for a comprehensive formulation of the legal framework in the multidimensional governance of migration. 11 additional legal sources are mentioned, including some key laws, such as the Law on Labour Migration and Labour Mobility, as well as regulations, rules and agreements such as the Regulation on the Procedure for the Provision of Intermediary Services by the Employment Agency to Foreign Employers for the Employment of Bulgarian Citizens; Agreements on the Readmission of Illegal Third-Country Nationals at Bilateral and EU Level; Bilateral Agreements on the Regulation of Labour Migration. The role of some state institutions whose activities are directly related to migrants in the country is also clearly identified. Chapter III 'Institutional and legal framework' mentions for the first time the National Information and Documentation Centre, a government agency that recognises diplomas and qualifications. It is extremely important for refugees and migrants in order to ensure continuous educational and professional development in the labour market. Among the institutions mentioned are the Regional Directorates of Education in the 28 districts of the country and the separate Directorate for Inclusive Education. The inclusion of the latter two institutions reflects the successful legal changes to ensure conditions for the timely inclusion of refugees and migrants in the educational institutions of the Republic of Bulgaria.

As in previous migration strategies, the top priority in migration management remains countering irregular migration. The strategy focuses on the availability and modernisation of surveillance and border security systems, as well as on improved capacity in the country to receive asylum seekers. Particular attention is paid to the return policy. The new strategy paper highlights the response mechanisms established in recent years to receive refugees and migrants. The action plans for such situations foresee an accelerated procedure for registration, accommodation and adjudication on applications for international protection, as well as further efforts towards the implementation of successful inclusive education policies. The Strategy pays special attention to the category of unaccompanied minors in the National Policies section on Free Movement, Legal Migration and Integration.

The Strategy also advocates important changes that have taken place in Bulgarian legislation, namely the amendments to the Law on Foreigners in the Republic of Bulgaria that allow unaccompanied minors who do not wish to apply for international protection or with a final refusal of such an application to obtain a residence permit on the territory of the country until the age of 18.

### ○ 2.3 GENERAL LEGAL FRAMEWORK

The laws that establish the legal framework for the implementation of asylum and migration policy in Bulgaria are the Law on Asylum and Refugees, the Law on Foreigners in the Republic of Bulgaria, the Law on the Bulgarian citizenship, the Law on Bulgarian Identity Documents, the Law on Combating Trafficking in Human Beings, the Law on Employment Promotion, the Law on Labour Migration and Labour Mobility, the Law on the Entry, Residence and Exit of Citizens of the European Union and Members of their Families from the Republic of Bulgaria, the Criminal Code (regarding penalties for illegal migration and trafficking in human beings), the Law on Recognition of Professional Qualifications, regulations, organisational regulations of competent institutions, as well as laws on health, education and other areas that have specific provisions for migrants.

In 2021, a set of actions have been undertaken to improve national legislation and align it with the EU law. The most significant changes are as follows:

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- **Law amending and supplementing the Law on Foreigners in the Republic of Bulgaria** (promulgated in State Gazette No. 21 of 12 March 2021), which introduces a unified procedure for granting residence and work permits to third-country nationals; clarifies the conditions and procedures for entry and residence in the Republic of Bulgaria of students – third-country nationals who hold a valid residence permit issued by another Member State; creates an effective remedy for the expulsion of an foreigner to a third safe country;
- **Law amending and supplementing the Law on the Bulgarian citizenship** (promulgated in State Gazette No. 21 of 12 March 2021), which defines the grounds for obtaining Bulgarian citizenship in exchange for investment and expands the range of grounds for refusing to grant stateless status;
- **Law amending and supplementing the Law on Foreigners in the Republic of Bulgaria** (promulgated in State Gazette No. 21 of 12 March 2021), which stipulates in the Law on Foreigners in the Republic of Bulgaria new and amended provisions aimed at harmonisation with EU law concerning the Visa Code and implementation of Schengen requirements. The amendments open up the possibility of issuing multiple short-stay visas to facilitate bona fide travellers by granting flexible validity periods according to the specificities of the individual cases. The changes provide for the possibility of obtaining a long-stay permit through a Startup Visa, mainly aimed at entrepreneurs. This policy, expressed in 2021 in a law, is entirely aimed at encouraging inward investment and the competitiveness of the national economy.

#### ○ 2.4 PROGRAMME OF THE REPUBLIC OF BULGARIA UNDER THE ASYLUM, MIGRATION AND INTEGRATION FUND 2021 - 2027

The diversity of activities implemented under the Asylum, Migration and Integration Fund (AMIF) is of key importance for the Bulgarian State. There are many examples of developments in the field of asylum, migration and integration in recent years that testify to the success and necessity of the implementation of the programme in Bulgaria. Through the funding of AMIF, two safe accommodation zones for unaccompanied minors have been established, the accommodation conditions and the procedure for international protection have been continuously improved; persons who have applied for international protection receive the support they need in many forms; the number of persons working in SAR who carry out activities funded by AMIF is ¼ of all SAR staff. The latter is indicative of the scale of the programme.

The Bulgaria's 2021 – 2027 AMIF National Programme will be providing the following support under the three objectives of the Fund:

- Efficient migration management aimed at removing unsafe and illegal routes to the EU, replacing them with legal ones.
- Implementing, strengthening and developing the Common asylum policy. This includes ensuring that programme investments are geared towards building a sustainable system of international protection, return, integration of TCNs in education, labour market and health.
- A Common immigration policy, in line with the applicable EU law and the international obligations of the EU and its Member States.

Due to its proven effectiveness and success, Bulgaria's 2021 – 2027 AMIF National Programme maintains all activities implemented under the AMIF 2014-2020. The new Programme introduces flexibility mechanisms for the implementation of funded multiannual projects in view of changing circumstances and the need to foresee adaptation possibilities.

In 2021, work continued on a project to develop the administrative capacity of state institutions in the field of asylum and return. It is funded by the Norwegian Financial Mechanism (NFM) 2014-2021.

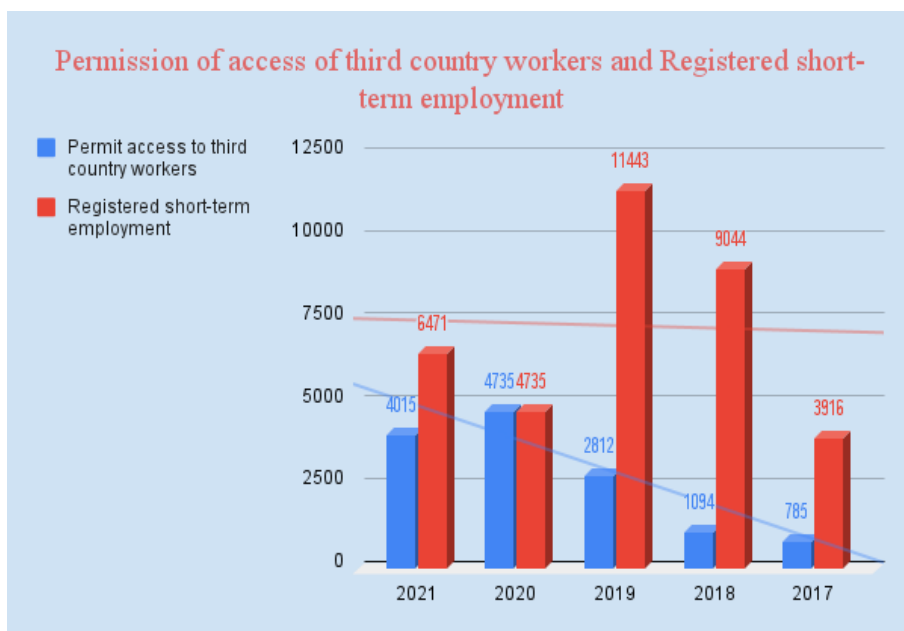
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### 3 LEGAL MIGRATION TO THE EU MEMBER STATES, NORWAY, GEORGIA AND MOLDOVA

#### 3.1 WORK-RELATED MIGRATION - STATISTICS AND TRENDS

As in the previous year 2020, the policy of balanced admission of third-country nationals (TCNs) for employment purposes continued in 2021. This policy is aimed at increasing employment and is implemented taking into account the needs of the Bulgarian labour market and the provisions of the Law on Labour Migration and Labour Mobility.

In 2021, **4 015 workers – nationals of 62 third countries – were allowed access to the Bulgarian labour market<sup>1</sup>**. The number of applications submitted by employers and decisions granted by the Employment Agency (EA) to foreigners for access to the Bulgarian labour market in 2021 are 4 015, which is 725 fewer than in 2020, when they were 4 735. The reasons for this include the completion of major infrastructure projects on the territory of the Republic of Bulgaria, the COVID-



19 pandemic, as well as the amendments and additions to the Law on Foreigners in the Republic of Bulgaria and the Law on Labour Migration and Labour Mobility, which entered into force on 01.06.2021.

The largest number of these decisions, 1 833, were decisions relating to the issue of a "Single Residence and Work Permit".

There were 819 decisions on seasonal employment of up to 9 months for foreigners in connection with the issuance of a "Seasonal Worker Permit".

819 work permits were issued to posted persons.

In 2021, 381 third-country nationals received a decision/positive opinion from the Employment Agency for the exercise of highly qualified employment in connection with the issuance of an EU

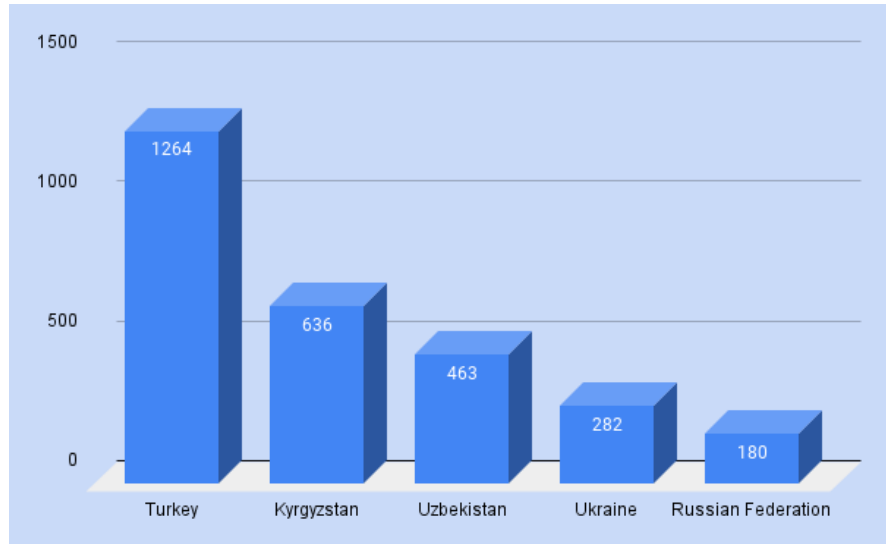
<sup>1</sup> Report on the Employment Agency's 2021 Action Plan <https://www.az.government.bg/pages/otchet-za-deinostta-na-az/>

Blue Card. Citizens of the Russian Federation (78), Ukraine (53), Turkey (40), India (39) and Cuba (37) predominate. Occupations are: IT specialists, engineers, managers, etc.

Decisions related to the transfer of persons under the Intra-Corporate Transfer (ICT) were 158.

In 2021, 59 decisions were taken to refuse third-country nationals access to the labour market. This compares with 40 in the same period in 2020. There is an increasing trend in this area, which is mainly related to the growth in the number of applications for employment of foreign nationals who do not meet the requirements of the legislation on employment of foreign nationals.

The largest number of decisions/positive opinions for access to the labour market were granted to citizens of the Republic of Turkey (1 264) – mainly seconded specialists, engineering and technical staff, mid-technical staff, seasonal workers. The second place is occupied by citizens of the Kyrgyz Republic (636) – mainly seasonal



workers, workers in manufacturing industry; Republic of Uzbekistan (463) – seasonal workers, construction workers, workers in manufacturing industry; followed by Ukraine (282) – mainly seasonal workers, engineering and technical staff, construction workers; Russian Federation (180) – medium technical staff, engineering and technical staff and other countries.

In 2021, short-term employment of 6 471 foreigners from third countries was registered, of which 5 268 were seasonal workers for up to 90 days, 902 were persons on secondment for up to 3 months and 301 were persons of Bulgarian origin. Compared to 2020, there has been a doubling of the number of registered short-term seconded persons for up to 3 months in connection with the execution of service contracts mainly in the construction sector. The foreigners are citizens of the Republic of Turkey – 577, Ukraine – 245, the Kyrgyz Republic – 33, the Republic of Belarus – 13, the Republic of Serbia – 10, and others.

In terms of seasonal employment of up to 90 days, an increase in the number of registration statements filed by employers is reported during the year compared to the same period in 2020. The reasons are related to the recovery during the summer months of the activities in the hospitality and catering sector that were suspended due to the COVID-19 pandemic. Seasonal employment of up to 90 days of 5 268 foreign nationals of 30 third countries in the hospitality, catering and agriculture sectors has been registered on 1 221 employers' declarations filed. Of these, most were citizens of Ukraine – 3 890, citizens of the Republic of Moldova – 439, Kyrgyzstan – 240, Republic of North Macedonia – 171, Republic of Turkey – 143, Russia – 123, Uzbekistan – 67, etc.

In 2021, 5 decisions were rendered in relation to the issuance of permits for freelance activity by foreigners. For the same period in 2020, their number was 3 permits. The foreigners are citizens of Russia – 4 and of the Republic of Serbia – 1. There is a tendency to increase the number of submitted applications.



### ○ 3.2 NEW INTERGOVERNMENTAL AGREEMENTS CONCLUDED TO REGULATE LABOUR MIGRATION

In relation to the concluded **Agreement between the Republic of Bulgaria and the Republic of Armenia** (signed on 12 February 2018 and promulgated in State Gazette No. 90 of 30.10.2018) and in order to launch activities under the Agreement in 2021, an upcoming pilot implementation of the activities on the implementation of the Agreement has been organised, as the Employment Agency prepared and sent a request with accompanying sample offers from Bulgarian employers to the Armenian side.

As of 08.03.2021 the acceptance of offers from Bulgarian employers for the recruitment of Moldovan citizens within the framework of the **Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Moldova** has been resumed. Until 31.12.2021, 52 offers for 252 vacancies have been announced. 48 persons have applied during the year. Documents for the extension of the employment contracts of 11 Moldovan labour migrants have been prepared and 15 Moldovan citizens have had their employment relationships terminated. The reception of 20 Moldovan workers who were approved and concluded employment contracts was organised.

Regarding the **Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Georgia** on the regulation of labour migration (promulgated in the State Gazette, No. 93, dated 26.11.2019) in 2021, the Employment Agency has prepared and provided the Georgian side with draft forms to be applied under the Agreement by both sides. On 30.11.2021, a draft agreement was signed with the Employment Agency. The procedures for the implementation of the Agreement have been signed by the Deputy Minister of Labour and Social Policy of the Republic of Bulgaria and the Deputy Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

As a result of the interest expressed by the **Republic of Albania and Turkmenistan**, the Council of Ministers, by Protocol No. 8 of 27 February 2020, approved the draft Agreement on the regulation of labour migration between the Government of the Republic of Bulgaria and the Government of the Republic of Albania as a basis for negotiations and the draft Agreement on the regulation of labour migration between the Government of the Republic of Bulgaria and the Government of Turkmenistan as a basis for negotiations. The Minister of Labour and Social Policy is authorised to conduct the negotiations and sign the Agreements on behalf of the Government.

### ○ 3.3 LEGISLATIVE CHANGES

In 2021, legislative amendments were promulgated in the State Gazette, introducing procedures to harmonise national legislation on legal migration more effectively with the EU law.

The main amendments are to the Law on Foreigners in the Republic of Bulgaria (LFRB), which defines the conditions and procedures under which foreigners may enter, reside and leave the Republic of Bulgaria.

The **draft Law on Amendments and Additions to the Law on Foreigners in the Republic of Bulgaria**, which aims to refine national legislation on a wide range of topics such as legal and labour migration, was adopted by the 44th National Assembly at the end of February 2021 and promulgated in State Gazette No. 21 of 12 March 2021.

A key reason for the adoption of the draft law is the need to fine-tune the Law on Foreigners in the Republic of Bulgaria in relation to Directive 2011/98/EU of the European Parliament and of the

Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State. The purpose of the Directive is to establish a single application procedure, leading to a combined act comprising a residence permit and a work permit in a single administrative act, in relation to a request made by the European Commission under the Information Phase of EU Pilot (2018) 9380 on the correct transposition of the Directive.

Directive 2011/98/EU is a framework directive and a model for the establishment of rules and procedures for residence, subsequently enshrined in more recent European Union legal instruments in the field of legal migration, which is why other provisions of the LFRB have been refined, transposing Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and residence of third-country nationals for the purpose of employment as seasonal workers, and Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

The purpose of the amendments to the Law on Foreigners in the Republic of Bulgaria (LFRB) is to remedy the problem identified by the European Commission in the implementation of Directive 2011/98/EU by refining Article 24и of the LFRB. Other objectives of the draft law amending and supplementing the Law on Foreigners in the Republic of Bulgaria are the refinement of the procedures for issuing residence permits to foreigners applying for seasonal work on the territory of the Republic of Bulgaria – Article 24к of the LFRB highly qualified employment – Article 33к of the LFRB; as well as the refinement of the procedure for issuing residence permits to a person transferred during an intra-corporate transfer; the reduction of the administrative burden for these categories of foreigners in terms of obtaining the relevant residence permit in the Republic of Bulgaria; the improvement and facilitation of travel conditions for bona fide and regular travellers linked to the introduction of the new amendments to the Visa Code – Article 9ж and Article 14 of the LFRB, while increasing the tools available to respond to the challenges of irregular migration.

The legislative changes also concern the Prolonged Residence and Work Permit type "Single Residence and Work Permit" and provide for:

- Extension of the validity period of the permit to 3 years or to the duration of the contract where the duration of the employment contract is less than 3 years;
- Abolition of the requirement for the foreigner to be located outside the territory of the Republic of Bulgaria when applying for a "Single Residence and Work Permit";
- Introduction of a centralised method of applying to the Migration Directorate, which distributes the documents received among the different institutions internally (Employment Agency; Ministry of Foreign Affairs, etc.);
- Introduction of a time limit of no more than 2 months to complete the procedure, which may be extended by 2 months in cases of factual and legal complexity.

In addition, the Bulgarian authorities have also focused their efforts on the rapid transposition and implementation of the European Blue Card Directive. It applies to non-EU nationals who can carry out highly skilled work in Bulgaria with an EU Blue Card. In 2021, the following changes took place:

- A centralised method of application to the Migration Directorate has been introduced, which internally distributes the documents received between the different institutions (Employment Agency; Ministry of Foreign Affairs, etc.);



- The application for an EU Blue Card can be submitted not only by the employer or his/her authorised person, but also by the foreigner in person if he/she already has a prolonged residence permit;
- In cases where the application is submitted by an employer or a person authorised by him/her, the foreigner shall, within 7 days after entering the country with a visa obtained, personally present himself/herself at the Migration Directorate in order to provide a copy of the page of his/her passport with the visa and medical insurance valid for the entire period of the foreigner's stay in the territory of the Republic of Bulgaria;
- It is envisaged that the communication between the institutions and also the communication with the applicant will be carried out electronically;
- A time limit of no longer than 3 months is introduced for the completion of the procedure;
- The notification for termination of an employment contract with the foreigner shall already be made before the Migration Directorate.

Furthermore, in 2021, the Intra-Corporate Transfer mechanism has been improved:

- A centralised method of application to the Migration Directorate has been introduced, which internally distributes the documents received between the different institutions (Employment Agency; Ministry of Foreign Affairs, etc.);
- In cases where the application is submitted by an employer or a person authorised by the employer, the foreigner must, within 7 days of entering the country with a visa, appear in person at the Migration Directorate to present a copy of the page of his/her passport with the visa and medical insurance covering the entire period of the foreigner's stay in the country;
- A time limit for completion of the procedure, not exceeding 3 months, has been introduced.

Of significant importance for the development of the Bulgarian law and economy is Art. 24π of the LFRB adopted by State Gazette No. 21 in 2021. It defines the term "Start-up Visa" as a certificate for a high-tech and/or innovative project issued by the Ministry of Innovation and Growth, which grants permission for long-term residence to foreigners. It is a mandatory condition that the holders, after the issuance of the visa, have become partners or shareholders in a Bulgarian commercial company, and own not less than 50 per cent of the capital of the company whose object of activity is the one requested when issuing the certificate.

In 2021 amendments and new paragraphs in Article 24ϕ of the LFRB facilitate the access and stay of foreigners who hold a visa under Article 15, para. 1 and are researchers with a contract for the development of a research project with a research organisation in Bulgaria.

Again, in order to attract foreign investment, an amendment is made to Article 25, para. 6, points 6, 7 and 16 of the LFRB, defining the conditions for granting a residence permit to foreigners who have invested in the country.

The new legal framework enshrined in Art. 7. of the LFRB regulates in detail the application procedure for a foreigner wishing to make an investment and thus acquire a permanent residence permit, as well as the role of the Bulgarian Investment Agency in the process.

In order to reduce the number of abuses in the employment relationship between an employer and a foreigner in 2021, Article 48a of the LFRB establishes measures introducing a sanction for an employer who wrongfully hires or terminates the employment of a foreigner.

The legal framework for the stay of TCNs for the purpose of intra-corporate transfer is supplemented in 2021 in Articles 33π, 33ϕ, 33τ of the LFRB.

### ○ 3.4 LABOUR MIGRATION RESEARCH

In July 2021 The Institute for Social and Trade Union Studies at the Confederation of Independent Trade Unions in Bulgaria presented the results of a **study aimed at exploring and identifying the most common problems of access to the labour market for third-country nationals and the attitudes of Bulgarian employers**. The target groups are asylum seekers and beneficiaries of refugee or humanitarian status, third-country national economic migrants, employers, stakeholders. The study was implemented within the international project "UnionMigrantNet and Cities Together for Integration", co-funded by DG Migration and Home Affairs under the AMIF-2018-AG-INTE programme. It shows that the main obstacles to the integration of third-country nationals into the Bulgarian labour market are the language barrier, and separate cases of unfair working conditions and discrimination. The study also makes recommendations on labour market access for TCNs.

Within the EU Horizon 2020 Research and Innovation Framework Programme **MATILDE project "Migration impact assessment to enhance integration and local development in European rural and mountain regions" (2020-2023)**, the team of the Centre for European Refugee, Migration and Ethnic Studies (CERMES) investigated the interaction between migration, local development and territorial cohesion in Haskovo region with a focus on the town of Harmanli. A key finding of the study is the development of innovative businesses managed by foreigners, which increase the attractiveness of the region among Bulgarian citizens.

The main groups and categories of migration identified by the research team in the region by 2021 are as follows:

- Amenity migration: Mostly British citizens. Key pull factors for British migration are low property prices in the countryside, the tranquillity and good climate and the clean environment.
- Entrepreneurial migration: An example in this respect is a Turkish national who is running a successful and sustainable business.
- Family migration: Russian migrants – mainly women from Russia – are traditional to the Bulgarian migration profile.
- Refugees are the fourth important category of TCNs. In Harmanli, the number of asylum seekers varies depending on the period, and the refugee accommodation centre on the territory of Harmanli is the largest in the country.
- Returnees to Harmanli and villages (Return migration) are those mobile Bulgarians who, after spending years abroad or in another large city, return to the area.

In November 2021, a **national Economic Impact Report (Migration Impact Assessment for Improving Integration and Local Development in European Rural and Mountain Regions)** by the Centre for European Refugee, Migration and Ethnic Studies (CERMES) was published on the European Commission's Integration website, which aims to provide an assessment of the economic impact of the arrival and settlement of third-country nationals (TCNs) in the Haskovo region and Harmanli and of the resulting transformations of the local everyday life. The focus is on social inclusion or polarisation, civic participation and access to services. The report is based on extensive fieldwork, including a large number of interviews and focus groups. The study identified four different types of migration: family migration, amenity migration, entrepreneurial migration and refugee migration. It is notable, however, that one type of migration is missing: labour migration. This refers to foreigners who have come to the region in search of higher wages or more job opportunities. The reasons for this are related to the socio-economic profile of Haskovo region as the least developed region in Southern Bulgaria.

### ○ 3.5 STUDENTS AND RESEARCHERS

In March 2021 was promulgated in the State Gazette No. 21 the **Law amending and supplementing the Law on Foreigners in the Republic of Bulgaria**, adopted by the 44th National Assembly on 26 February 2021. Amendments to Article 246 and Article 24B were adopted. They are related to the refinement of the regulations governing the conditions and procedures under which third-country national students and researchers who hold a valid residence permit issued by another Member State, exercise their right to mobility in Bulgaria for the purpose of conducting part of their studies at a higher education institution or working on a research project. The changes introduced are aimed at achieving full compliance with Directive (EU) 2016/801 and creating more favourable conditions for the entry and residence of third-country students holding a valid residence permit issued by another Member State, as well as specifying the conditions for the exercise of different types of mobility of students and researchers.

Amendments and additions have been made to Article 246 relating to obtaining a residence permit for researchers and their family members. The main amendments cover as follows:

- A prolonged residence permit may also be granted to the family members of a researcher referred to in par. 1 on the basis of Art. 24, par. 1, item 13 for the duration of the residence permit of the scientific worker, if they meet the conditions under Art. 24, para. 2;
- A foreigner who is admitted as a research worker in another Member State of the European Union may carry out part of his/her research in the Republic of Bulgaria for a period of up to 180 days within each period of 360 days on the basis of a contract concluded with a research organisation in the first Member State;
- Permission under par. 1 may also be obtained by a foreigner who holds a valid residence permit issued by the first Member State and who intends to conduct part of his/her scientific research in a scientific research organisation on the territory of the Republic of Bulgaria for a period longer than 180 days but not longer than two years. The Republic of Bulgaria shall notify the first Member State of its decision;
- The family members of a researcher referred to in par. 12 who hold a valid residence permit issued by the first Member State – for the period until the expiry of the researcher's residence permit on the territory of the Republic of Bulgaria;
- A foreigner who has obtained a prolonged residence permit under par. 1 or 12, who within 7 working days after the completion of a research project has applied to the Employment Agency for registration as a jobseeker under the Law on Employment Promotion.

Amendments and additions have been made to Article 24B concerning the residence permit for third-country national students holding a valid residence permit issued by another Member State. The main amendments cover as follows:

- Permit for prolonged stay up to one year for foreigners who hold a visa under Art. 1 and are enrolled as full-time students in a higher education institution in the Republic of Bulgaria.
- A prolonged residence permit for up to one year may be granted to foreigners who hold a visa under Art. 15, par. 1 and have been admitted as full-time students at a higher education institution in the Republic of Bulgaria.
- With regard to foreigners of Bulgarian origin who are admitted as full-time students in a higher education institution in the Republic of Bulgaria and present a document of Bulgarian origin, it is specified that they may obtain a permit under para. 1, without holding a visa under Art. 15, par. 1.
- A permit for prolonged residence for the duration of the studies, but for no more than two years, may be granted to foreign students who will conduct part of their studies on the territory of the Republic of Bulgaria, hold a valid residence permit issued by another

Member State of the European Union and are covered by a Union programme or a multilateral programme providing for studies in more than one Member State, or by an agreement between two or more higher education institutions.

- A foreigner who holds a visa under Art. 15, par. 1 and is not covered by a programme or an agreement referred to in paragraph 4, may be granted a permit under paragraph 4. 1 for the purpose of carrying out part of his/her studies in a higher education institution on the territory of the Republic of Bulgaria after submitting an application pursuant to paragraph 2.
- A permit for prolonged stay of up to one year may be granted to foreigners who hold a visa as referred to in Article 15, paragraph 1 and are students admitted for studies at the secondary level within the framework of a student exchange programme.
- Foreigners who are trainees under Article 38a of the Law on Labour Migration and Labour Mobility and who hold a visa under Article 15(1)(a) of the Law on Labour Migration and Labour Mobility shall be granted the right to apply for a student exchange programme. They may be granted a prolonged residence permit for the duration of the traineeship, but for no more than one year. After completing his/her studies as a full-time student at a higher education institution in the Republic of Bulgaria, a foreigner who has been granted a long-term residence permit in the country may be granted a prolonged residence permit for a period of up to 9 months after submitting an application in accordance with the Regulations for the Implementation of the Law at least 30 days before the expiry of the permitted period of residence. He/she shall attach the documents referred to in paragraph 2, items 1-3 and a document from the higher education institution certifying the completion of his/her studies.

## 4 INTERNATIONAL PROTECTION IN THE EU MEMBER STATES, NORWAY, GEORGIA AND MOLDOVA

### 4.1 GENERAL CONTEXT

The main strategic objective of the State Agency for Refugees with the Council of Ministers (SAR) for 2021 was the implementation of the national policy in accordance with international law in the field of international protection and in view of Bulgaria's responsibilities and commitments as an EU Member State. The annual objectives for 2021 were as follows:

1. Maintaining the quality of the international protection procedures carried out by the State Agency for Refugees with the Council of Ministers;
2. Sustainable and qualitative social adaptation and cultural orientation, social support and health care for asylum seeker;
3. Ensuring quality care for the life and health of persons accommodated in the SAR's Territorial Units, in accordance with the COVID-19 pandemic situation in the country and the world and the provision of shelter and food in accordance with the standards set in the field of asylum and international protection;
4. Financial provision of the structures and activities of the SAR under the Council of Ministers with funds from the budget as well as EU funds and programmes and control of their spending;
5. Quality and effective preparation and active participation in the EU working formats for the Common European Asylum System;
6. Safeguarding the health and lives of SAR staff and the COVID-19 pandemic situation and improving working conditions at workplaces;
7. Increasing the efficiency and quality of the Agency's activities in the implementation of the actions within the Action Plan of the SAR for the period 2020-2022.

All objectives have been achieved and their implementation is described in detail in the SAR 2021 report.

Conditions in all SAR centres as of 2021 marked an improvement achieved gradually over the years. They currently meet the set EU standards. Persons applying for international protection receive support in a number of areas – legal support, interpretation, support in communication with Bulgarian authorities, qualified medical assistance, psychological support, security, cultural and social adaptation.

### INCREASE IN APPLICATIONS FOR PROTECTION IN BULGARIA IN 2021

In 2021, the Bulgarian policy on international protection and asylum was conducted in the context of an increased migration flow into the country. The total number of asylum seekers in the first 6 months was 2 277, which is five times more compared to the same period in 2020, when 390 applications were submitted. The second half of the year recorded an even larger increase in applications for international protection. In fact, 80% of all applications were submitted between July and December. **For the whole year 2021, 10 999 persons applied for protection in Bulgaria. An increase of 212% in the number of applications compared to 2020 – 3,525 was observed<sup>2</sup>.**

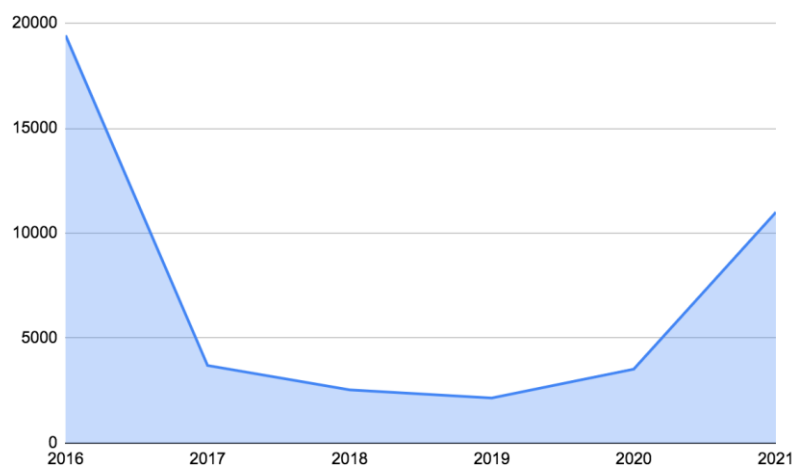
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<sup>2</sup> <https://www.aref.government.bg/sites/default/files/uploads/docs2022-03/Годишен доклад на ДАБ при МС за 2021.pdf>

In a broader time perspective compared to the last four years – 2017, 2018, 2019 and 2020, in 2021 there is a clear increase in the number of asylum seekers in Bulgaria.

Children represent 29% of all applicants for protection in 2021<sup>3</sup>. 6.74% of all applicants are children aged 0 to 13, with the largest number from Syria – 485<sup>4</sup>. The total number of unaccompanied minors, according to the SAR report for 2021, is 3 172, most of them being Afghans – a total of 2 603 applications were registered in 2021. Again, this is a significant increase from the previous year, which reported 799 unaccompanied minors.

**In terms of top countries of origin, there is no difference with the previous year 2020 , with the largest group of arrivals from Afghanistan – 6 026 persons.** The second highest number of applications was from Syrian nationals – 3 758. The following countries of origin by number of



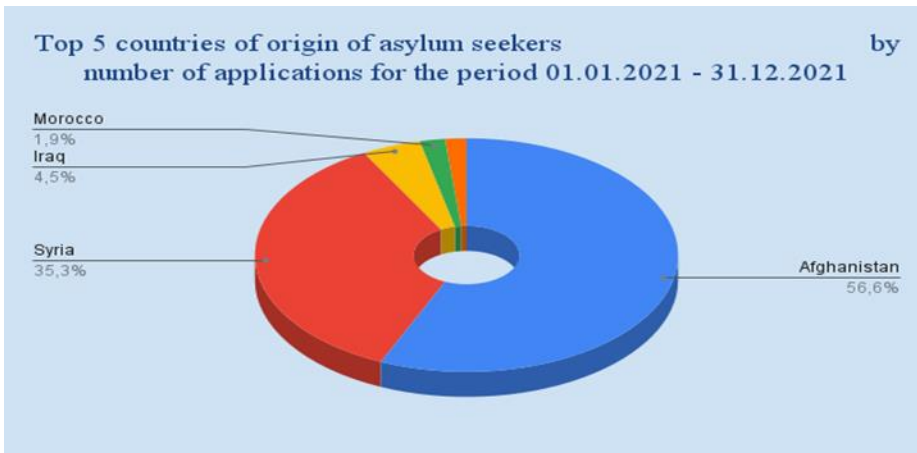
asylum seekers are Iraq (479 applications), Morocco (206 applications) and Pakistan (173 applications). The graph shows the percentage distribution of applicants for international protection in Bulgaria for the period 01.01.2021 – 31.12.2021 in relation to their country of origin.

**Traditionally, the number of Afghans has been the highest in recent years. In 2021, more than 50% of those applying for protection were Afghan – 6,225 individuals.** More than 1/3 were Syrian – 3 882. Iraqis seeking protection in Bulgaria accounted for 495. It should be noted as a new trend the increased number of applications submitted by Moroccan nationals, which has already started in 2020. In 2019, for example, Iran is one of the leading countries of origin of asylum seekers. In 2020 and 2021, Iran has been displaced by Morocco. Between 2015 and 2019, only 40 Moroccan nationals applied for protection in Bulgaria, while in 2021 Moroccan applications are 5 times more – 208 – and represent nearly 2% of the total number of asylum seekers.

<sup>3</sup> [https://www.aref.government.bg/sites/default/files/uploads/docs/2022-02/Charts-website-bg\\_12.pdf](https://www.aref.government.bg/sites/default/files/uploads/docs/2022-02/Charts-website-bg_12.pdf)

<sup>4</sup> SAR, [Статистически данни за лицата, потърсили международна закрила през 2021 г.](#)





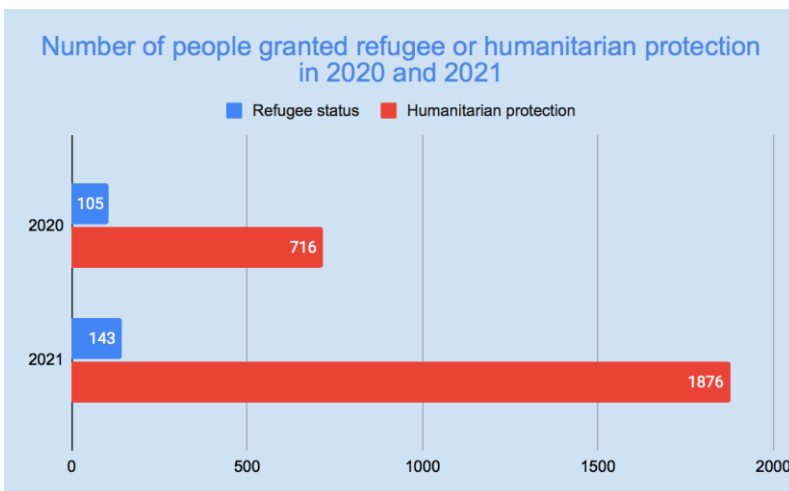
○ 4.2 RECOGNITION OF APPLICATIONS FOR INTERNATIONAL PROTECTION

In 2021, international protection was granted to 2019 persons, and refugee status was recognised to a total of 143 persons, among whom the largest number were stateless persons. Refugees from Syria were 59, followed by persons from Afghanistan – 50. In the same year, 13 persons from Iraq and 8 from the Russian Federation were granted refugee status.

Humanitarian status was granted to a significantly higher number of persons – 1 876. The largest number were Syrian nationals – 1 792, followed by 33 Afghans and 19 stateless persons.

The total number of recognised international protection status is almost 3 times higher compared to the previous year.

Noteworthy is the recognition rate for stateless persons, which reached 85% in 2021. This is a significant increase compared to the recognition rating in 2020 – 37% and 2019 – 30%.



The following chart summarises the information on persons who have sought protection and the decisions taken by the Bulgarian authorities:

○



	Number of persons applying for protection	Refugee status	Humanitarian status	Refusals	Suspended proceedings
01/01/2021 – 31/12/2021 г.	10,999	143	1,876	1,256	2,870

The year 2021 marks a national record in terms of granting international protection to Afghan refugees. The increased presence of refugees applying for protection in Bulgaria is linked to the unstable political situation in Afghanistan after the Taliban came to power. In Bulgaria, the number of Afghan asylum seekers who were granted international protection is usually low, but 2021 marks a drastic change in this respect. In 2019, according to Eurostat, the recognition rate of Afghans by the Bulgarian state is 4.1% (compared to 93.8% in Italy), in 2021 the number of approved applications for protection marks a record of 10% (88 persons in total). The "striking disparity between the average recognition rate of Afghan asylum claims in Bulgaria and in the EU"<sup>5</sup> has been raised as a matter of concern by the European Commission. However, in the first days after the capture of Kabul by the Taliban, the Bulgarian foreign minister said that Bulgaria could receive 70 Afghan refugees<sup>6</sup>. This expressed readiness reflected in the high rate of recognised refugee or humanitarian status for Afghan nationals can be **a sign that Bulgarian authorities are working in coordination with other EU Member States to tackle the humanitarian challenge provoked by the unstable political situation in Afghanistan.** Responsible authorities started to consider the specificities of each particular situation in relation to the circumstances of individual cases and the particular threats faced by asylum seekers. In parallel, however, the annual rejection rate for Afghan nationals remains at 90%.

#### ○ 4.3 DECISIONS AT FIRST INSTANCE AND FINAL DECISIONS

The number of persons with suspended proceedings is 2 870, and the number for Afghan asylum seekers is 2 102. The total number of persons in accelerated proceedings and refused status in 2021 is 1 112.

By the end of 2021, 45-50% of the total capacity (this amounts to 5 530 places<sup>7</sup>) of the territorial units of the State Agency for Refugees was reached. According to the SAR report for 2021, such occupancy has not been observed since 2016.

During the reporting period, a total of 169 cases were initiated and examined by the Sofia City Administrative Court, Sofia District Administrative Court and the Supreme Administrative Court.

The Administrative Court of Sofia ruled on 79 cases issuing 25 decisions overturning the decisions of the SAR, 38 decisions rejecting the appeals of foreign citizens and 16 orders terminating the proceedings before the Administrative Court.

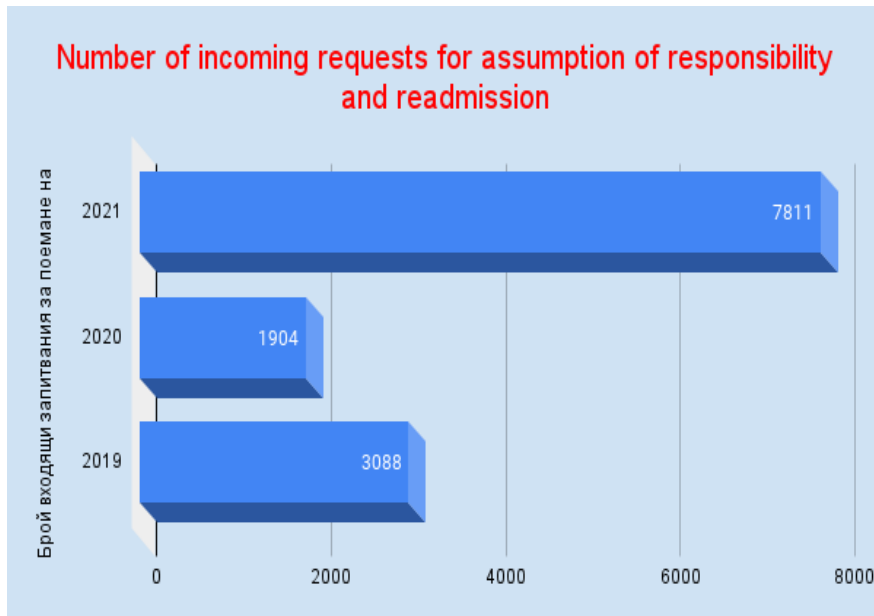
<sup>5</sup> <https://www.proasyl.de/wp-content/uploads/2015/12/DG-HOME-Letter-to-BG-6-July-2017.pdf>

<sup>6</sup> Bulgaria accepts up to 70 Afghans on its territory <https://nova.bg/news/view/2021/08/20/337280/българия-приема-до-70-афганистанци-на-своя-територия/>

<sup>7</sup> [https://www.parliament.bg/pub/cW/20171102104350stan\\_dap\\_budjet\\_2018.pdf](https://www.parliament.bg/pub/cW/20171102104350stan_dap_budjet_2018.pdf)

The Supreme Administrative Court ruled on 78 cases. The Court dismissed 59 foreigners' appeals and issued 18 decisions returning the administrative dossier for review by the administrative authority and 1 decision returning the case to another composition of the court of first instance.

**In 2021, 82 per cent of refugee cases were decided at cassation instance not in their favour. 18% of them were decided unfavourable for refugees after the SAC overturned positive decisions.**



With regard to the implementation of the Dublin III Regulation, a significant number of requests for readmission and acceptance of responsibility by the Bulgarian State were received in 2021, i.e. 7 811. This number exceeds the number of incoming requests in the past years and is linked to the increase in the number of applications for protection not only at national but also at European level.

**According to SAR data, at the end of 2021, 7 556 persons were in the procedure, of whom 60% were Afghans, 31% Syrians and 3% Iraqis.** This number also marks a 71% increase compared to 2020.

2,897 persons have opted out of the procedure to obtain status in Bulgaria. Compared to the total number of asylum seekers, this represents 26%. Asylum seekers seem to be willing to change their attitudes, considering it as risky travelling to Hungary, Croatia and Austria, where borders have remained closed for some time. Applicants for international protection decide to wait for the outcome of their application, which proves decisive for whether to continue their journey to other countries legally or illegally.

#### ○ 4.4 POLICY AND LEGISLATION CHANGES AND CONSEQUENCES

According to the data of the State Agency for Refugees (reg. No. RD05-26 of 14 January 2022), 105 persons have had their international protection status revoked as a result of the arbitrary termination of protection. This is the result of a new clause introduced in 2020 in Article 42(5) of the Law on Asylum and Refugees stipulating the commencement of proceedings for the revocation or suspension of international protection granted or the withdrawal if the holders of the status fail within thirty days to renew their expired Bulgarian identity documents.

As a result of changes to the Law on Asylum and Refugees, a draft amendment to the Regulation on the responsibility and coordination of the state authorities implementing the Dublin and Eurodac

Regulations was implemented in the first half of 2021. After going through a public consultation, the draft amendment is to be examined by the Council of Ministers.

In 2021, the Information and Services Office for Foreigners was launched as a joint initiative of the Sofia Development Association, the Bulgarian Red Cross and the UNHCR and "Pazari (Markets) Vazrazhrade"<sup>8</sup>, which provides support to asylum seekers in several areas: providing conditions for easier access of applicants for international protection and third country nationals to services provided by NGOs in Sofia and Sofia Municipality; access to information on trainings, programmes and events, as well as the possibility to organise own cultural events. The latter option further promotes the cultural orientation and social adaptation of asylum seekers and third-country nationals. This is the first service of its kind in Bulgaria, in which cooperation to support the integration of foreign nationals at the local level has been successfully implemented between the Metropolitan Municipality through PASARI ZAPAD EAD and the NGO sector and other stakeholders.

#### ○ 4.5 EFFECTIVE COOPERATION WITH THE EUROPEAN ASYLUM SUPPORT OFFICE (EASO)

In line with the SAR's objective of Quality and Effective Preparation and Active Participation in the Common European Asylum System working formats, the following activities have been implemented:

- Participation of SAR representatives in 17 videoconferences of the Asylum Working Group of the Council of the EU and in 11 meetings of the group;
- Draft national positions prepared for each of the group meetings;
- Participation of SAR in 4 online meetings of the EASO Board and in 13 online meetings of working groups on different topics in the field of international protection and attendance at one conference in Malta;
- Training of 10 SAR staff members on modules of the EASO curriculum.
- Validation of the information on the Bulgarian international protection system in the EASO Information and Documentation System.
- Participation of SAR in the work of the newly established Expert Platform on Legal Migration Routes for Afghan nationals under the auspices of the EASO Resettlement Network and in the voluntary relocation scheme for unaccompanied children from Greece.
- Regular communication with the Special Secretary for the Protection of Unaccompanied Minors in Greece, EASO and national partners.

#### ○ 4.6 RESETTLEMENT AND TRANSFERS

The National Council on Migration, Borders, Asylum and Integration has proposed to the Council of Ministers that the Republic of Bulgaria participate in a campaign to collect requests from EU Member States, with the possibility to identify 50 TCNs or stateless persons coming from a third

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<sup>8</sup> Commercial company whose sole owner is Sofia Municipality.

country to be resettled in the period 2021-2022, with the support of the Asylum, Migration and Integration Fund 2021-2027.

During 2021-2022, the country participates in the international solidarity and responsibility sharing mechanism of the European Resettlement Programme. In so doing, Bulgaria reaffirms its commitment to providing refugees with protection and sustainable integration solutions. The resettlement programme of the Bulgarian State is anchored in an absolutely necessary understanding of cooperation between the state authorities and the NGO sector. There are no established criteria for accepting resettled persons, but practice shows that families are prioritised.

According to SAR, in 2021 the State has committed to relocate 70 unaccompanied minors under the voluntary relocation scheme from Greece. Under the EU-Turkey resettlement agreement concluded in 2016 (EU-Turkey deal), Bulgaria committed to resettle 100 Syrians. By the end of 2021, 85 Syrian refugees have been resettled in Bulgaria from Turkey.

Under a relocation scheme since 2015, Bulgaria has accepted 88 persons, of whom 76 persons came from Greece and 10 persons from Italy.

In the context of the Covid-19 pandemic in 2021, transfers have been temporarily suspended to ensure both safety for asylum seekers and safe working conditions for staff members of the competent authorities. In view of the fluctuating pandemic situation, transfers of asylum seekers under the Dublin system have been reduced, with their number halving from 2019 to 2020. In 2021, this trend continues. According to the Ministry of Interior, out of 247 requested transfers, 78 have actually taken place<sup>9</sup>.

#### ○ 4.7 CAPACITY BUILDING TRAININGS ON INTERNATIONAL PROTECTION

In order to improve understanding and application of international standards and instruments for the protection of human rights and the EU law in the field of migration and asylum, SAR staff members participated in numerous trainings and seminars on working with applicants seeking international protection, as follows:

- Training under the project "ACTIVATE – Improving victim identification, prevention of trafficking in human beings and support mechanisms", organised by Animus Association Foundation;
- Training on "Prevention of Gender Based Violence", organised by the International Organization for Migration (IOM), the UNICEF Representation in the Republic of Bulgaria, Animus Association Foundation;
- Seminar on "Social Work with Refugees and Migrants. Identification and vulnerability work", organised by Animus Association Foundation;

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<sup>9</sup> 2021 Report on the activity of the Ministry of Interior.

- Training on working with children accommodated in the Safe Zone for Unaccompanied Children – organised by IOM.
- Expert meeting "Administrative Detention and Alternatives to Detention of Children – Foreign Nationals in Bulgaria", organised by FAR-Bulgaria;
- Participation in a seminar organised by LUMOS under the project "Training in Alternative Care";
- Participation in a training seminar for unaccompanied children seeking or receiving international protection, organised by UNHCR, IOM, Multi kulti Collective;
- Participation in a public meeting on the project "Capital of Tolerance in an Era of Pandemic: Students connect academia and NGOs for the benefit of refugees and migrants", organised by MultiCult Collective;
- Participation in a meeting on "Protecting the Rights of Migrants" organised by IOM;
- Participation in the working group for the development of an Action Plan on the implementation of the Council Recommendations on the establishment of a European Child Guarantee;
- Participation in the Round Table on "Alternatives for Unaccompanied Children and Youth in Bulgaria".

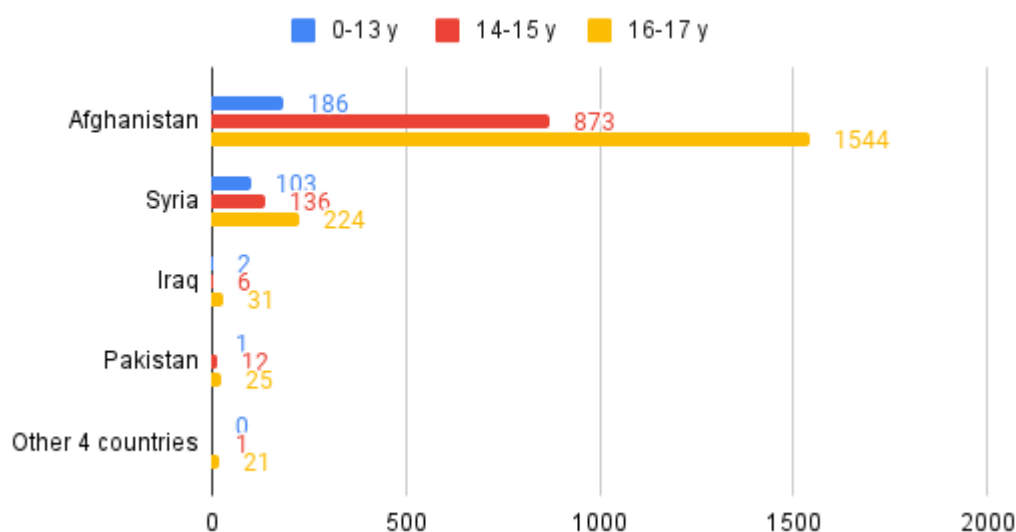
The active participation of SAR staff members in the above activities indicates the readiness of the state institution for cooperation and joint action with the NGO sector.

## 5 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

### 5.1 UNACCOMPANIED MINORS SEEKING OR RECEIVING INTERNATIONAL PROTECTION - STATISTICS AND TRENDS

In 2021, a total of 3 172 unaccompanied foreign children applied for international protection in Bulgaria, which is an increase of 397% compared to 2020. Of these, 293 were aged 0–13, and 2 879 were between 14 and 17 years of age. 99% were males. Citizens of Afghanistan (82% of the total), Syria (15% of the total) and Iraq (1% of the total) predominated<sup>10</sup>.

#### Nationality and age of unaccompanied refugees



During the year, most of the unaccompanied minors who sought protection were placed in the two separate Safe Zones for unaccompanied children in the Registration and Reception Centre (RRC) in Sofia in the "Voenna rampa" and "Ovcha Kupel" Departments of "International Protection Proceedings". The Safe Zones are managed by the International Organization for Migration in Bulgaria (IOM) and the State Agency for Refugees with the Council of Ministers. The good cooperation between these two entities in managing the zones continued in 2021. A team of social workers, psychologists and lawyers from IOM continued to provide 24/7 care and support in the Safe Zones.

The year was characterised by an extremely high number of applications from unaccompanied minors from Afghanistan. This led to the establishment of an additional area in the "Voenna rampa" Department, located adjacent to the Safe Zone. Its purpose is to accommodate unaccompanied minors on a temporary basis if the main capacity of the area is full at the time of accommodation.

In 2021, the Ombudsman of the Republic of Bulgaria carried out an inspection<sup>11</sup> in the Registration and Reception Centre (RRC) in Sofia, in the "Voenna Rampa" Department of "International

<sup>10</sup> <https://www.aref.government.bg/index.php/bg/node/238>

<sup>11</sup> <https://www.ombudsman.bg/pictures/file/%D0%9D%D0%9F%D0%9C/2021/doklad%20Vo%D0%B5nna%20rampa%202021.pdf>

Protection Proceedings". The focus of the inspection was specifically directed to the material and living conditions, the provision of medical and non-medical specialists, the access regime of the Safe Zone for unaccompanied minors. In the report, the National Preventive Mechanism (NPM) identified problems with the functioning of the Safe Zones at the time of the inspection and made recommendations to the Chairperson of the State Agency for Refugees.

In 2021, IOM Bulgaria continued its work to ensure the functioning of the two Safe Zones for unaccompanied minors seeking international protection. A total of 2,692 unaccompanied minors received support during the reporting period. In January, IOM Bulgaria launched a new project "Support for asylum seekers in Bulgaria", funded under Bulgaria's National Assistance Programme of the Asylum, Migration and Integration Fund 2014-2020. The project, which will last for 18 months, will provide social, administrative, psychological and legal support to asylum seekers in Bulgaria. It will also identify the needs of unaccompanied minors seeking international protection and provide a safe environment and social support for them by continuing the management of the two Safe Zones that IOM has established in the RCC Sofia – Ovcha Kupel and Voenna Rampa Departments. Teams of social workers from IOM Bulgaria will provide 24/7 care and support to the unaccompanied minors accommodated in the Safe Zones. The children will receive clothes, hygiene materials and other non-food items, as well as have the opportunity to participate in various sports, art and other recreational activities. IOM mobile teams will provide legal, psychological and social counselling to asylum seekers and identify and refer vulnerable asylum seekers to specialised services. Specific services such as translation, interpretation and social mediation will also be provided within the project.

During the reporting period, the State Agency for Refugees made **1,883 prompt assessments** of the child's best interests and **159 full assessments**.

Assistance was provided in cases for the establishment of guardianship/custody of 6 protected children.

In 2021, 8 unaccompanied minors receiving international protection were placed in social services. By comparison, in 2020, no unaccompanied protected minors were placed in social services.

Bulgaria continues to participate in the voluntary relocation mechanism for unaccompanied minors from Greece. The total number of relocated unaccompanied minors admitted in Bulgaria is 28 in 2020 and 11 in 2021.

## ○ 5.2 LEGISLATIVE CHANGES

In relation to the change of the epidemic situation in the Republic of Bulgaria and the Order No. RD-01-412/03.06.2021 of the Minister of Health, **the admission of persons under the Dublin III Regulation was resumed** at the end of June 2021 after a positive response was sent. The admission of third-country nationals and stateless persons under the Dublin III Regulation was suspended in March 2020 in accordance with the Decision of the National Assembly of 13 March 2020 on the declaration of a state of emergency in the Republic of Bulgaria on the occasion of the COVID-19 pandemic and in the implementation of Order No. RD-01-127/16.03.2020 of the Minister of Health.

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During the year, the administrative proceedings under the Law on Asylum and Refugees were monitored regarding the application of the latest amendments of 2020 related to the representation of minors seeking international protection. An agreement was concluded between the SAR and the National Legal Aid Bureau (NLAB) on the procedure for appointing lawyers to represent unaccompanied minors seeking international protection under Article 25 of the Law on Asylum and Refugees.

In July and September 2021, instructions were issued by the SAR on the procedure for the provision of free legal aid to vulnerable persons by the National Legal Aid Bureau (NLAB) under Article 25 of the Law on Asylum and Refugees in order to improve coordination.

Special attention was paid to the category of unaccompanied minors in the new Migration Strategy of the Republic of Bulgaria for the period 2021-2025, which entered into force in March 2021, in the section National policies in the field of "Free movement, legal migration and integration". The Strategy also advocates important changes that have taken place in Bulgarian legislation, namely the amendments to the Law on Foreigners in the Republic of Bulgaria, which allow unaccompanied minors who do not wish to apply for international protection or are with a final refusal of such an application to obtain a residence permit on the territory of the country until the age of 18. According to the Strategy, with regard to unaccompanied asylum-seeking minors, efforts should be directed towards adequate care and timely provision of alternative accommodation outside reception centres in cases where they are granted refugee or humanitarian status or refused international protection.

#### ○ 5.4 UNACCOMPANIED MINORS WHO DO NOT APPLY FOR OR HAVE NOT BEEN GRANTED INTERNATIONAL PROTECTION AND OTHER VULNERABLE GROUPS

In 2021, 102 unaccompanied minors were identified and handed over to the Social Assistance Directorate under Article 63k et seq. of the Regulations implementing the Law on Foreigners in the Republic of Bulgaria<sup>12</sup>.

In 2021, 3,928 vulnerable persons were identified in the territorial divisions of the SAR, accounting for 36% of the total number of applications submitted for this period. Of the group of vulnerable persons and persons with special needs, the largest number is that of unaccompanied minors, who make up about 81% of all vulnerable persons identified during the year. This is followed by accompanied minors, who account for 14%, single parents with children under the age of majority – less than 1.5%, persons with severe health problems – about 1.3%. Those belonging to other vulnerable groups are less than 1%.

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<sup>12</sup>[https://www.mvr.bg/docs/default-source/planiraneotchetnost/spravka\\_december\\_2021\\_internet.pdf?sfvrsn=8037ab62\\_2](https://www.mvr.bg/docs/default-source/planiraneotchetnost/spravka_december_2021_internet.pdf?sfvrsn=8037ab62_2)

## 6 INTEGRATION AND INCLUSION

### 6.1 GENERAL FRAMEWORK FOR INTEGRATION

The integration of asylum seekers and beneficiaries of international protection is a complex phenomenon with multiple interactions. It is a process that includes economic integration, but also housing, linguistic, social, educational and cultural integration. Emotional integration, which involves developing a sense of belonging to the host country, is also an essential aspect. Each of these dimensions can develop in parallel with the others at different dynamics. They can also reinforce each other. Integration is a two-way process between the immigrant and the host society. On the one hand, the immigrant must make an effort to integrate, and on the other hand, members of the host society must agree to include him or her in their mainstream social relationships. The success of integration will depend on national and local reception policies, on the attitude of the locals towards immigrants, and also on the characteristics of the newcomer and his or her willingness to integrate. The analysis of immigrant integration requires an interest in all its different dimensions, in the roles of the different actors, but also in the possible interactions between these actors.

Integration is the key to effective and sustainable migration management. Integration policies should not only focus on immigrants, but also address the whole of society, as successful integration is essential for all stakeholders, not only in terms of the benefits derived from migration, but also for the well-being of migrants and the security, stability, social harmony and prosperity of society as a whole. Integration policies and support measures should not be limited to long-term migrants, but should also address the needs and challenges associated with short-term migration. The implementation of policies to achieve durable integration of newcomers, as well as cooperation at different levels and between different stakeholders, is important to support the integration process of asylum seekers and beneficiaries of international protection.

On 24 March 2021, the Council of Ministers adopted the National Migration Strategy of the Republic of Bulgaria 2021-2025, according to which the policy on integration of migrants legally residing in the country shall be conducted in accordance with the Common Basic Principles for the Integration of Migrants in the EU. The Strategy notes that the balance between the rights and obligations of migrants in the Republic of Bulgaria is guaranteed and that integration policy is an integral part of the national state policy in the field of legal migration.

Since 2017, there has been an Ordinance on the conditions and procedures for the conclusion, implementation and termination of the agreement on the integration of foreigners granted asylum or international protection, under which the integration of beneficiaries of international protection in the Republic of Bulgaria is carried out. The Ordinance regulates the conditions and procedure for the conclusion, implementation and termination of the agreement for the integration of foreigners granted asylum or humanitarian protection in the Republic of Bulgaria; the indicators for integration; the participation of the central authorities and mayors of municipalities in the process of implementation of the integration agreement; the coordination and control of the implementation of the integration agreement and the liability in case of non-implementation of the integration agreement. (Article 1)

Article 20 of the Ordinance states that the State Agency for Refugees with the Council of Ministers shall prepare an Integration Profile of the foreigner during the asylum and international protection procedure and provide information on the possibility of concluding an integration agreement.

In 2021, 233 Integration Profiles were prepared for foreigners wishing to stay in Bulgaria after obtaining refugee or humanitarian status, of whom 182 were men and 51 women.

The Ordinance on the conditions and procedure for concluding, implementing and terminating the agreement on integration of foreigners granted asylum or international protection introduces a new model of integration in which the main actors are local authorities. In accordance with Article 13 of the Ordinance, the mayor of the municipality wishing to conclude an integration agreement shall submit an application to the State Agency for Refugees. In 2021, 14 integration agreements were facilitated between Sofia Municipality – Ovcha Kupel District and fourteen Afghan nationals who were admitted to the country under the voluntary relocation scheme for unaccompanied minors from Greece.

#### ○ 6.2 SOCIAL ADAPTATION AND CULTURAL ORIENTATION ACTIVITIES

Within the framework of the process of social adaptation and cultural orientation of asylum seekers, various thematic events, sports festivals and celebrations, art activities, including film screenings, theatre and graffiti fest, and other events have been organised in and outside the centres of the State Agency for Refugees, either independently or in cooperation with representatives of the NGO sector in the field of migration. Informative talks on health care and dermatological hygiene were also held, as well as activities on domestic adaptation and self-esteem promotion for asylum-seekers, with a focus on women and unaccompanied minors.

In 2021, the New Bulgarian University launched a project called “**Applied Theatre for Refugees. Beyond the Barrier**”. Participants use their own creativity, talents, ideas and imagination to present with local artists an original theatrical performance that provides direct communication with local communities. One of the main goals of the project is for the refugees who participate to acquire new artistic skills and competencies that will facilitate their integration into society.

During the year, 353 refugee children were involved in football training sessions under the “**Welcome to Bulgaria! Family Football Training Sessions for Refugees**” project, funded by the UEFA “Football for Refugees” programme and implemented by the Bulgarian Sports Federation for Disadvantaged People in partnership with the Bulgarian Football Union.

In 2021, in the framework of the project “**Empowering young migrants and refugees through innovative practices for a more inclusive (post) pandemic and (post) crisis Bulgaria**”, implemented by the “Political and Civil Observatory: migration, digitalization, climate” with the financial support provided by Iceland, Liechtenstein and Norway under the EEA Financial Mechanism, a variety of activities have been carried out to introduce innovative methods and approaches to the needs of young migrants and refugees. Among the activities carried out were three online debates on the following topics: “Migrant and Bulgarian youth as innovators and (social) entrepreneurs”, “Innovative practices of young and migrant people in the post-pandemic city” and “Youth strategies and leadership in the three crises: pandemic, migration, climate” within which 8 young migrants and refugees were in the active empowering role of presenters and discussants. In order to present an overview of good practices for innovative and positive coping with the pandemic in Bulgaria and around the world, a portrait section entitled “Faces of Migrant Youth: Being an Innovative Young Migrant and Refugee in (Post)Pandemic Bulgaria” was created. The feature presents five portraits of empowered young migrants and refugees with leadership qualities who live in Bulgaria and reflect successful examples of coping with the pandemic and other crises. During the year, the initiative „Faces of Migrant Youth. Being an innovative young

migrant and refugee in (post) pandemic Bulgaria", which brought together Bulgarian school and university students with young migrant refugees in the country and aimed to identify and promote inspiring examples of empowered young migrants and refugees who are successfully navigating and overcoming critical situations. Students from the 9th French Language School "Alphonse de Lamartine" in Sofia met with a young woman from Morocco, and a girl from Iraq met with students from the 18th Secondary School in Sofia. In June 2021, the event "Living lab/My city. Young migrants and Bulgarians – "transformers" of the post-pandemic city", which brought together 36 persons from different international groups living in Sofia, united by the love of the common urban space and thus contributed to the intercultural dialogue between local youth and young migrants and refugees. During the Sofia tour "Sofia through a different lens" and the workshop held afterwards, the participants became active actors thinking about the future of the common city. The young people had the opportunity to take part in the interactive "Future city game" to generate ideas in the framework of the Living Lab, as well as in a discussion dedicated to the transformation of a post-pandemic Sofia.

In October 2021, six schools in the initiative "Intercultural Gardens as Green Bridges" took place in Harmanli and the village of Bulgarin, Harmanli municipality. The initiative brought together children from Bulgaria, Syria, Iraq, Iran and Afghanistan, as well as teachers, parents and citizens who planted flowers and saplings in the schools where they study. After the planting there was a short intercultural programme prepared by the students and their teachers especially for the event. Such activities, combining art and nature, helped to minimise the risk of social exclusion of third-country nationals (TCNs) in the region, opening up space for rich interaction among them and among local residents. Through the initiative, a new shared reality and a new meeting place was created through social inclusion and the transformation of the shared public space. The activity has a second objective, which is to highlight the need to protect the environment and diversity in the region. The directly targeted group in the implementation of "Intercultural Gardens as Green Bridges" were the TCNs, local residents – school principals, teachers and students from schools where migrant children are taught. The initiative "Intercultural Gardens as Green Bridges" was organised by the teams of CERMES (Centre for European Refugee, Migration and Ethnic Studies) and Caritas-Sofia. It is implemented in the framework of the European project MATILDE "Migration Impact Assessment for Improving Integration and Local Development in European Mountain and Rural Regions" (2020-2023) under Horizon 2020.

### ○ 6.3 INCLUSION IN THE LABOUR MARKET

In terms of inclusion in the labour market in 2021, **97 persons seeking international protection have been included** and 146 service notes certifying the right to work have been issued by the State Agency for Refugees with the Council of Ministers.

In July 2021, the Institute for Social and Trade Union Studies at the Confederation of Independent Trade Unions in Bulgaria (KNSB/CITUB) presented the results of a study aiming to investigate and identify the most common problems of access to the labour market for third-country nationals and the attitudes of Bulgarian employers, implemented within the framework of the international project

"UnionMigrantNet and Cities Together for Integration", co-funded by DG Migration and Home Affairs under the AMIF-2018-AG-INTE programme<sup>13</sup>.

#### ○ 6.4 EDUCATION DEVELOPMENTS AND ACTIVITIES

During the year, a total of 1,523 children of compulsory and pre-school age were accommodated in the Territorial Units (TUs) of the SAR<sup>14</sup>. During the two school years, **130 children were enrolled in school, 51 of whom were unaccompanied**. The pupils' countries of origin are Syria, Afghanistan, Iran, Iraq and Egypt. For the school year 2021-2022, 109 children are enrolled, of whom 39 are unaccompanied. In cooperation with the regional education offices, the SAR organizes, coordinates and implements the referral of children to the public and municipal schools of the Republic of Bulgaria.

Material support such as clothes, shoes, school supplies, etc. continues to be provided to the asylum seekers placed in SAR's TUs, as well as school backpacks by the European Institute Foundation.

In order to effectively implement online learning in 2021, a stable internet connection was provided in the TUs and experts support the learning process in an electronic environment, while students are also assisted in their home self-study.

Regarding the Bulgarian language classes – during the year they were organised by age groups and were held in the Registration and Reception Centre (RRC) in Harmanli and in the RRC in Sofia, in the "Ovcha Kupel", "Voenna ramp" and "Vrazhdebna" Departments of "International Protection Proceedings". Besides, Caritas-Bulgaria conducted additional Bulgarian language and non-formal education classes, and IOM-Bulgaria – a Bulgarian language course for children.

#### ○ 6.5 FORUMS AND PROJECTS

In December 2021 was the official launch of the "**Migrants with Talents**" project, a 3-year national media campaign by the Multi Kulti Collective, which aims to highlight the positive contributions that foreigners from around the world make to Bulgaria in the fields of sports, business, art, culture, culinary, social causes, etc. Migrants with Talents aims to overcome negative stereotypes of migrants in Bulgaria by spotlighting their unique talents, strengths and the contributions they bring to the country in the fields of art, sports, business, culinary, science, social, beauty, lifestyle, etc., while empowering them to be present in the public space with their own voice and signature. The project also includes a series of live and online events during which migrants will have the opportunity to showcase their talents and share them with Bulgarian and international audiences – concerts, performances, workshops, presentations, discussions, etc. The project will run until March 2024 in Sofia and in 10 other Bulgarian cities, which will be selected after a competition in January 2022. The project is funded by the Active Citizens Fund Bulgaria under the Financial Mechanism of the European Economic Area.

In the framework of the national forum "**Together we write the new stories of refugee integration**", organised by UNHCR, the Bulgarian Council on Refugees and Migrants and Multi Kulti Collective, in November 2021 started the work on the first Bulgarian Manifesto on Refugee Integration. This is an innovative strategic advocacy document at the national level to provide a clear vision for integration in which the state and local authorities take the lead. The model is based on mutual benefit for both the refugee community and the host society. The process of writing the Manifesto will take 6 months and will include several thematic meetings as well as online consultations, in which all stakeholders – policy makers, local authorities, agencies, international

<sup>13</sup> [https://drive.google.com/file/d/1aav9RJ11\\_QIaXcCZB5shc8Bjd1GaSpJI/view](https://drive.google.com/file/d/1aav9RJ11_QIaXcCZB5shc8Bjd1GaSpJI/view)

<sup>14</sup> Report on the activities of the State Agency for Refugees with the Council of Ministers for 2021  
<https://www.aref.government.bg/bg/node/17>



organisations, NGOs, researchers as well as refugees themselves – will be invited. The event is organised under the UNHCR-funded project "Advocacy for Refugee Integration in Bulgaria" and the project "NIEM – National Evaluation Mechanism for Refugee Integration" funded under the EU Asylum, Migration and Integration Fund.

In December 2021, the third **international conference "Between Worlds: Migrants, Borders and Social Environment"** was organised by the Institute of Ethnology and Folklore Studies with the Ethnographic Museum at the Bulgarian Academy of Sciences – Sofia (IEFEM – BAS) under the project "Cultural Adaptation and Integration of Immigrants in Bulgaria", funded by the Bulgarian Science Fund. The conference was supported by the Embassy of the French Republic and the French Institute in Bulgaria. The two-day academic debate was attended by a significant number of Bulgarian and foreign scholars and researchers from the field of humanities, who participated with their work on topics related to, but not limited to: student migration, mobility of study and specialisation; labour migration; lifestyle and marriage migration; refugee movements.

During the year, UNHCR Bulgaria and the Refugee Advisory Council launched the **online platform [rumorfree.org](https://rumorfree.org)**<sup>15</sup> to identify and debunk rumours and misinformation about refugees in Bulgaria through reliable information from trusted sources. The platform aims to become the preferred source of information on refugee-related topics. It covers a wide range of areas such as Asylum Procedure, Health, Education, Employment and others where relevant and reliable information will be published. In the "Information Sources" section, organisations that provide support to refugees in different areas are listed.

At the beginning of the year, the Bulgarian Council on Refugees and Migrants launched the **Digital Student Lab platform**<sup>16</sup>, which will feature materials developed or translated by students of Arab Studies at Sofia University „St. Kliment Ohridski". Some of the materials include translations of original UNHCR articles and reports, multimedia and other content. The materials can be useful for academics and students as well as professionals working on the topic. The Digital Student Lab platform is another strategic step in the efforts of UNHCR and partner organisations to support universities and contribute to developing a more systematic understanding of refugee and humanitarian issues in Bulgaria.

The Bulgarian Council on Refugees and Migrants has launched **Compass for Refugees**, which presents information resources on refugee integration in one place and provides the opportunity for online consultation. Awareness and access to information are essential in the refugee integration process, both for stakeholders to build a supportive environment and for refugees themselves to make informed decisions. The Refugee Compass application has been developed and is maintained within the framework of the implementation of the NIEM – National Refugee Integration Assessment Mechanism project.

#### ○ 6.6. INTEGRATION RESEARCH

In 2021, a range of **research in the area of integration was published by the NGO sector**. The list below is a **sample of the main research and studies** published by NGOs and international organisations working in the field of migration, as well as **academic institutions**.

In July 2021, the Institute for Social and Trade Union Studies at the Confederation of Independent Trade Unions in Bulgaria (CITUB) presented results **of a study aimed at exploring and identifying the most common problems of labour market access for third-country nationals and the attitudes of Bulgarian employers**. The target groups were asylum seekers and

<sup>15</sup> <https://rumorfree.org/>

<sup>16</sup> [https://academia.bcrm-bg.org/digitalstudentlab/?\\_ga=2.205917136.294403823.1650215200-611591211.1612784143](https://academia.bcrm-bg.org/digitalstudentlab/?_ga=2.205917136.294403823.1650215200-611591211.1612784143)



beneficiaries of refugee or humanitarian status, third-country national economic migrants, employers, stakeholders. The study was implemented within the international project "UnionMigrantNet and Cities Together for Integration", co-funded by the Directorate General Migration and Home Affairs under the AMIF-2018-AG-INTE programme. It shows that the main obstacles to the integration of third-country nationals into the Bulgarian labour market are the language barrier, and separate cases of unfair working conditions and discrimination. The study also makes recommendations on labour market access for TCNs.

In September 2021, the European Commission's Integration website shared a national **Social Impact Report (Migration Impact Assessment for Strengthening Integration and Local Development in European Rural and Mountain Regions)**<sup>17</sup> prepared by the Centre for European Refugee, Migration and Ethnic Studies (CERMES). The report aims to provide an assessment of the social impact of the arrival and settlement of third-country nationals (TCNs) in Haskovo region and in the municipality of Harmanli, as well as TCN's role on the transformations of local daily life and social structure. The focus is on social inclusion or polarisation, civic participation and access to services. The report is based on extensive fieldwork, including a large number of interviews and focus groups. The study paints a diverse picture in terms of the importance of place for migrants – for some groups place matters, while for others it does not. It is important to note that for amenity migration, the rural space is considered the main destination. For asylum seekers, it is the other way around – they are accommodated in the Registration and Reception Centre in Harmanli not by choice, but by the decision of the host country. For the third group of migrants, the location is of secondary importance, with the priority being the issue of establishing a family.

The economic aspects of the issue are explored in a separate report published in November of the same year on the European Commission's website under the title **Economic Impact Report (Migration Impact Assessment for Improving Integration and Local Development in European Rural and Mountain Regions)**<sup>18</sup>.

The Asylum Information Database (AIDA), created and maintained by the European Council on Refugees and Exiles (ECRE), presented a **national report for Bulgaria for 2021**. This report tracks the developments in asylum and international protection proceedings, reception conditions, detention of asylum seekers and the content of international protection granted in 2021. The report was published in March 2022<sup>19</sup>.

In 2021, "The Policy and Citizenship Observatory: migration, digitalisation, climate" published five info sheets and two policy briefs within the project "Empowering young migrants and refugees through innovative practices for a more inclusive (post) pandemic and (post) crisis Bulgaria", implemented with financial support provided by Iceland, Liechtenstein and Norway under the EEA Financial Mechanism. These materials are as follows: Infosheet 1: The policy discourse on migrants and refugees in a pandemic; Infosheet 2: The policy discourse on migrants and refugees in a pandemic; Infosheet 3: Monitoring the communication of institutions to refugees; Infosheet 4: The policy discourse on migrants and refugees in a pandemic; Infosheet 5: Refugees – Institutions: Communication Brief 2021-2022. ; Policy brief "My City" – a synthesis of

<sup>17</sup> [https://ec.europa.eu/migrant-integration/library-document/bulgaria-social-impact-report-migration-impact-assessment-enhance-integration-and\\_en](https://ec.europa.eu/migrant-integration/library-document/bulgaria-social-impact-report-migration-impact-assessment-enhance-integration-and_en)

<sup>18</sup> [https://ec.europa.eu/migrant-integration/library-document/bulgaria-economic-impact-report-migration-impact-assessment-enhance-integration\\_en](https://ec.europa.eu/migrant-integration/library-document/bulgaria-economic-impact-report-migration-impact-assessment-enhance-integration_en)

<sup>19</sup> [https://asylumineurope.org/wp-content/uploads/2022/02/AIDA-BG\\_2021update\\_summary.pdf](https://asylumineurope.org/wp-content/uploads/2022/02/AIDA-BG_2021update_summary.pdf)

ideas from the Living Lab; Policy brief on overcoming the consequences of the pandemic for migrants and refugees

Four issues of the **Academic Bulletin "Refugees: today and tomorrow"** have been published. The Bulletin was launched in 2020 and aims to provide up-to-date information on various aspects of the phenomenon of forced migration, including international standards for refugee protection, information on asylum systems in Bulgaria and Europe, integration opportunities and practices for refugees, as well as the political, economic and social implications for host communities. It contains data and statistics, brief legal explanations of the international protection regime, information on the activities of institutions and NGOs that assist refugees in Bulgaria, interviews with experts in the field, speakers, information on academic initiatives and published articles related to the topic. The newsletter is published by the Bulgarian Council on Refugees and Migrants within the framework of the project "Advocacy for Refugee Integration in Bulgaria", supported by the UNHCR Representation in Bulgaria.

The sixth issue of the Bulletin and the first for 2021 was produced jointly by the Bulgarian Council on Refugees and Migrants (BCRM) and the Multi Kulti Collective (MKC) under the project "Capital of Tolerance in an Era of Pandemic: Students Connect Academia and NGOs for Refugees and Migrants", funded by the Sofia Municipality under the "Crisis as Opportunity" programme, and in partnership with UNHCR. The project offers student internships to 14 students to gain real-world experience working with refugees and migrants through a two- or three-month internship, on the basis of which to publish short analyses, interviews or more in-depth field research in the pages of the newsletter. First impressions of some of the students are collected in the special section with their texts. The seventh issue of the academic bulletin "Refugees: today and tomorrow" presents the contributions of the interns who have successfully completed two- or three-month internships in five NGOs in the field of refugee and migration issues (Bulgarian Red Cross, Caritas Sofia, Council of Refugee Women in Bulgaria, Access to Rights Foundation and Legal Aid Centre "Voice in Bulgaria"). There is also a section that addresses different aspects in the field of integration – the role of learning Bulgarian language, art as a bridge between cultures and the importance of the attitudes of the host society are presented. The issue also presents a project by a team of young researchers from the Political and Civic Observatory: migration, digitalization, climate, who are working on the empowerment of young refugees and migrants. The eighth issue of the newsletter is dedicated to women and forced migration, and includes articles that, on the one hand, contribute more to understanding what Bulgarian society's attitudes towards refugee women are, and on the other, tell more about them. The focus of the ninth issue are children and forced migration. It features legal analyses by young lawyers and advocates, short articles focusing on unaccompanied minors, and other topics in the field of the educational and social integration of refugee children. Educational and social integration of children is addressed by articles comparing what it is like to be a student in Yemen and Bulgaria, and what opportunities for integration of refugee children are provided by the Lebanese school in the capital and the primary school in the village of Bulgarin near the town of Harmanli. Another interesting and innovative initiative, which can be read about in the issue, is "Intercultural Gardens as Green Bridges", which is also conducted by CERMES – Centre for European Refugee, Migration and Ethnic Studies at New Bulgarian University, and Caritas in schools in the town of Harmanli and the region.

## 7 CITIZENSHIP AND STATELESSNESS

### 7.1 GRANTING CITIZENSHIP - STATISTICS AND TRENDS

The definition given by legal scholarship of the term "citizenship" is an enduring legal and political relationship between a person and the state in which he or she lives. Citizenship is the legal relationship between the state and the citizen. The Constitution and laws provide for the citizen rights and duties based on this relationship. Persons holding citizenship of a Member State of the European Union have, in addition to national citizenship, European citizenship under the EU law.

Pursuant to Article 98(9) of the Constitution of the Republic of Bulgaria, the President of the Republic grants and restores Bulgarian citizenship and revokes and deprives of citizenship. Pursuant to Article 104 of the Constitution, the President may entrust the Vice President with the exercise of the powers of the President under Article 98, items 9, 10 and 11 of the Constitution, including the powers of granting, restoring, revoking and depriving of Bulgarian citizenship.

There is a Commission on Bulgarian Citizenship, which is a permanent auxiliary body with advisory functions to the Vice President of the Republic, to whom the Head of State by Decree No. 9 of 22 January 2022 has entrusted the power of granting and restoring Bulgarian citizenship, as well as the revocation and deprivation thereof, pursuant to Article 98, item 9 of the Constitution. The Commission on Bulgarian Citizenship assists the President and the Vice-President of the Republic, respectively, by collecting and analysing the information necessary to clarify the facts and circumstances supporting the proposals made by the Minister of Justice for the issuance of decrees and refusals to issue decrees on the change of citizenship.

The Law on the Bulgarian citizenship, in force since 20.02.1999, defines the conditions and procedures for acquiring, losing and restoring Bulgarian citizenship.

In 2021, the Vice President of the Republic of Bulgaria issued **229 decrees on changes in Bulgarian citizenship to 17,295 persons**<sup>20</sup>, as follows:

- 128 decrees on acquisition of Bulgarian citizenship on the grounds of Bulgarian origin, parent Bulgarian citizen, general naturalisation, on the grounds of Article 12a, Article 14a and Article 16 of the Law on the Bulgarian citizenship, for 15,171 persons;
- 78 decrees for restoration of Bulgarian citizenship for 1,926 persons;
- 19 decrees on exemption from Bulgarian citizenship for 188 persons;
- 4 decrees revoking naturalisation for 10 persons

Citizens of the Republic of North Macedonia, Ukraine, the Republic of Albania, the Republic of Turkey, the Republic of Moldova predominate. Bulgarian citizenship was also granted to 34 stateless persons.

There is a 9% decrease in the number of persons who acquired Bulgarian citizenship compared to 2020, when 16,709 persons acquired Bulgarian citizenship.

During the reporting period **8,488 persons**, or 49% of the total number, acquired Bulgarian citizenship **on the grounds of Bulgarian origin**.

**5,940 foreigners** were granted Bulgarian citizenship **on the basis of a Bulgarian parent or under the conditions of full adoption**.

<sup>20</sup> Report on the activities of the Commission on Bulgarian Citizenship for the period 01 January - 31 December 2021  
<https://www.president.bg/docs/1643018870.pdf>

**By decree of the Vice-President of the Republic of Bulgaria**, Bulgarian citizenship was granted to **719 persons** who fulfilled the conditions of Articles 12, 12a, 13, 13a and 14 of the Law on the Bulgarian Citizenship. **9 persons** have acquired Bulgarian citizenship in exchange for investment, under the terms and conditions of Article 14a of the Law on the Bulgarian citizenship.

Citizenship has been granted to **15 persons** due to the **State's interest in their naturalisation and special merits to the Republic of Bulgaria**.

In 2021, **decrees were issued for the restoration of Bulgarian citizenship to 1,926 persons. 188 persons have been exempted from Bulgarian citizenship**, and this category includes Bulgarian citizens who have permanently settled on the territory of another State and have requested to acquire its citizenship. During the reporting period, persons requested exemption from Bulgarian citizenship in order to acquire citizenship of: the Republic of Austria, the Federal Republic of Germany, the Kingdom of Spain, the Italian Republic, the Kingdom of the Netherlands, the Republic of Korea, the Republic of Singapore, the Republic of Slovenia, the United States of America, the Republic of Turkey, the Kingdom of Sweden and Japan.

**4 decrees revoking naturalisation of 10 persons** were issued, on the following grounds: legal violations with imposed bans on entry and residence in the Schengen area; concealed facts and data on judicial and criminal registrations; valid convictions for intentional crimes of a general nature in the country of origin or in a Schengen country; persons declared wanted by Interpol; failure to maintain the investments that became the basis for acquiring Bulgarian citizenship for at least a two-year period from the date of naturalisation.

In 2021, **3,044 persons were refused Bulgarian citizenship**. On the proposal of the Minister of Justice, the Vice President refused to restore Bulgarian citizenship to 56 persons.

#### ◦ 7.2 LEGISLATIVE CHANGES

The Law on the Bulgarian citizenship defines the conditions and procedures for acquiring, losing and restoring Bulgarian citizenship. In February 2021, the 44th National Assembly adopted **legislative amendments to the Law on the Bulgarian citizenship**. The draft law was promulgated in State Gazette No. 21 of 12 March 2021. It aims to create conditions for more effective control over investment and the possibility of acquiring citizenship, as well as to meet the requirements of the European Commission in relation to the report of the EC to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 23.01.2019 on citizenship and residence regimes in the European Union (EU). The Commission presented information on citizenship and residence schemes in exchange for investment applied by some Member States. The new draft law maintains the possibility to acquire Bulgarian citizenship for investment but expands the tools to control investors. A more efficient procedure for determining the Bulgarian origin of applicants for Bulgarian citizenship through naturalisation has also been established. In connection with this amendment and in order to achieve greater transparency in the granting of Bulgarian citizenship to persons of Bulgarian origin, a new collective body – the Consultative Council of the State Agency for Bulgarians Abroad – has been created to establish the Bulgarian origin of applicants.

#### ◦ 7.3 DETERMINATION OF STATELESSNESS, STATUS AND RIGHTS

In 2016, the Law on Foreigners in the Republic of Bulgaria introduced the possibility of granting the status of "stateless person", in accordance with the 1954 Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. Respective changes were also made to the Implementing Rules of the Law in order to lay down a detailed procedure for granting this status.

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In 2021, a new procedure was introduced. The Migration Directorate of the Ministry of Interior, in cooperation with UNHCR Bulgaria, developed a checklist aimed at monitoring the relevant procedure with regard to stateless persons, the documents presented and the respect of the rights of applicants. It is a procedural guarantee in the procedure for granting stateless status.

In 2021, **Bulgarian citizenship was granted to 34 stateless persons**<sup>21</sup>.

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<sup>21</sup> Report on the activities of the Commission on Bulgarian Citizenship for the period 01 January - 31 December 2021  
<https://www.president.bg/docs/1643018870.pdf>

## 8 BORDERS, VISA AND SCHENGEN

### 8.1 MANAGING EXTERNAL BORDERS - STATISTICS AND TRENDS

In 2021, the Bulgarian state focused its efforts to curb irregular migration, both by deterring it at its borders and through various operations within the country. Bulgaria is an external border of the EU and bears a particular burden in terms of securing it, on the one hand, and strengthening the Schengen area for free movement, on the other.

In this regard the country is supported by the European Border and Coast Guard Agency (Frontex) in countering irregular migration and ensuring border security. Joint action and cooperation between the Bulgarian border authorities and Frontex is a crucial factor in strengthening the capacity and proper functioning of the asylum system. Ensuring a well-functioning European border and coast guard is a common goal for the Bulgarian country and for the EU. For this reason, a number of border and coast guards, experts and equipment were available for deployment in Bulgaria.

In addition, the work of the National Contact Point established within the Directorate General of the Border Police continues. It carries out the coordination and exchange of information following the adoption of Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on European Border and Coast Guard.

In 2021, the competent authorities have registered a total of 55,012 attempts by TCNs to cross Bulgaria's borders, which is 4.2 times more as compared to 2020 (13,042 persons). As an outcome of continuous actions to control the flow of irregular migration, the Ministry of Interior's data indicates that a total of 10,799 third-country nationals were detained in the period January-December 2021.

At the entrance of the state border, 1,386 migrants were found in irregular stay, with the majority of them coming from Afghanistan (40.5%) and Syria (32.9%). The largest number of illegal crossing attempts by third-country nationals were recorded at the Bulgarian-Turkish border. There, 1,045 persons were apprehended, which constituted a fourfold increase compared to 2020 (258).

At exit points of the state border 2,578 persons were apprehended, marking an increase of more than 50% compared to 2020 (1,675 apprehended persons). Detainees at the Bulgarian-Serbian border were 2,213 persons. Again, this shows a 50.5% increase compared to 2020 (1,470 persons). According to the data of the Ministry of Interior, the national authorities have detected at the exit of the state border the largest number of citizens from Afghanistan. They are followed by citizens of Syria, Morocco and Iraq. The table below illustrates the percentage of nationality of TCNs detected and apprehended at the exit of the state border for the period 01.01 – 31.12.2021.

Nationality	Number of TCNs	% of Total number of TCNs
Afghanistan	1,606	62,3 %
Syria	420	16,3%
Morocco	115	4,5%
Iraq	93	3,6%



In line with the technical and operational objectives of the integrated management of the European borders the Bulgarian State is implementing the National Strategy for Integrated Border Management in the Republic of Bulgaria 2020-2025. The key points of the strategy are: effective border control; successful cooperation with third countries to reduce migratory pressure and effective return of persons; modernisation of border surveillance systems and combating cross-border crime. An annual action plan was also adopted in 2021, which maps out activities to achieve the strategy's objectives.

#### ○ 8.2 IMPROVING THE EFFICIENCY OF BORDER CONTROLS

Border security is a leading and constant national priority in the field of security and migration management. In this respect, the country is making consistent efforts to integrate European mechanisms to enhance border control, with technologicalisation and modernisation being a key element. **The adopted National Strategy for Integrated Border Management in the Republic of Bulgaria 2020-2025 underlines the importance of the development and optimisation of national information systems to achieve interoperability with European information systems.** In this respect, the work of the competent state authorities in accelerating the modernisation of technical means, increasing the capacity of staff and equipment for more reliable control of external borders should be highlighted.

The leading projects in 2021 through which the country has modernised its control systems are :

- Supply of a mobile surveillance system – equipment for FRONTEX (under Bulgaria's National Assistance Programme from the Internal Security Fund 2014-2020);
- Supply of new technical equipment for the needs of the National Centre for Combating False and Forged Travel Documents in Sofia and the regional units in Burgas and Svilengrad.

In order to maintain the high-tech control and surveillance system, activities have been carried out under the project "Maintenance and repair of mobile thermal imaging cameras and other technical surveillance equipment"; the project "Post-warranty maintenance of border control equipment, systems and tools" and the project "Upgrading, maintenance, repair and modernisation of electronic counters built at the Regional Directorate "Border Police" – Airports", funded by the Internal Security Fund.

In the context of the COVID-19 pandemic competent institutions carried the supply of equipment, protective equipment and consumables to protect the health of police officers and prevent the spread of COVID-19 at the borders of the Republic of Bulgaria.

In addition, the Border Police Directorate General participated as a partner in a pilot project implemented by Frontex. The project is aimed at testing technological controls of passengers at Bulgarian borders, focusing mainly on TCNs. The technological checks include biometric controls and automated passport checks. The new system is part of the preparation of the entry-exit system, which will be progressively implemented from mid-2022 at the EU's external borders.

In the course of 2021, the Border Police Directorate General was implementing 3 projects funded under the Horizon 2020 research and innovation programme:

1. The Project: "Identifying threats by analysing attitudes/perceptions of potential migrants in their countries and at EU borders".
2. The Project: "Autonomous border surveillance platforms combining next generation drones and high-resolution multi-sensors".
3. The Project: "Detention in forested areas, including in the remotest regions of the EU".

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### ○ 8.3 INTERNATIONAL COOPERATION

On the basis of treaties, agreements, conventions, the Bulgarian government maintained active cooperation in 2021 and joint activities in border control at the common border with all neighbouring countries – the Republic of North Macedonia, Greece, Turkey, Romania and Serbia.

Since 2021, the **INTERREG IPA Cross-Border Cooperation Programme between the Republic of Bulgaria and the Republic of Turkey 2021-2027**, whose specific objective 3.1 is migration management, has been implemented. Implementing and beneficiary agencies of the programme are the Regional Directorates of the Ministry of Interior – Haskovo, Burgas and Yambol, and the Police Department in the province of Edirne and Kırklareli. The programme provides for training, exchange of experience and good practices, study visits aimed at implementing more effective institutional cooperation; measures to ensure security in urban and suburban areas of the cross-border region; supply of specialised equipment to optimise the technical capabilities and improve the skills of law enforcement officers. Cooperation with law enforcement authorities in Turkey is of paramount importance as the country is a crossroads for all illegal migration channels to Member States, including Bulgaria. The high concentration of migrants in Turkey as well as in the territory of Northern Greece can be considered as a potential risk for Bulgaria.

### ○ 8.4 VISA POLICIES AND SCHENGEN

The European Schengen Strategy adopted in 2021 calls on the EU Council to take a decision on Bulgaria's integration into the Schengen area, stressing that the country has met all the necessary requirements for this. **The adopted legislative changes concerning visas further testify to the readiness of the Bulgarian state to align with the EU legislation. The latter is a prerequisite for achieving one of the objectives of the Schengen area – ensuring open borders in Europe by modernising and digitalising border and visa control and related systems such as the Schengen Information System (SIS).**

In 2021, a **total of 160,931 (Schengen) short-stay visas were issued (so-called A and C visas, the latter including long-stay visas for stays of up to 90 days)**. Of these, 148,765 were issued to third-country nationals coming directly from a third country and 200 were issued to third-country nationals residing in another EU Member State.

During the reporting period, **11,966 national long-stay visas (so-called D visas) were issued**. 127 of them were issued to third-country nationals residing in another EU Member State and 11 839 to third-country nationals coming directly from a third country.

### ○ 8.5 LEGAL CHANGES CONCERNING THE VISA SYSTEM

On 12 March 2021, the Bulgarian Parliament adopted amendments to the Law on Foreigners in the Republic of Bulgaria, which entered into force on 1 June 2021. The changes concern the visa system described in the Law on Foreigners in the Republic of Bulgaria, Chapter Two – Entry and Airport Regime – Article 9ж, Article 10, paragraph 6, Article 14.

The approved amendments aim, on the one hand, to synchronise Bulgarian legislation with that of all other EU Member States and, on the other hand, to promote the growth and competitiveness of the local economy by providing easier access to the Bulgarian market for start-up companies aimed at creating high-tech products and providing services. The desired outcome of this policy and the subsequent legal amendment is to establish the country as an IT hub in the region. The laws provide for the following measures:

- Facilitated electronic submission of visa applications using Qualified Electronic Signature (QES).

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- Acquisition of prolonged residence permits through Startup Visa, mainly targeting entrepreneurs and investors. In order to obtain a prolonged residence permit for a foreigner, the following are required: a "Start-up visa" (certificate for an innovative project issued by the Ministry of Economy); a prolonged residence visa issued; a minimum of 50% equity participation in a Bulgarian company whose object of activity is identical to the one requested when issuing the Start-up visa.

The changes in 2021 regarding the short-stay visa can be synthesised as follows:

- Specific validity periods have been set for short-stay multiple-entry visas. The possibility of issuance of short-stay visa for multiple entries has been introduced. The validity periods of short-stay multiple-entry visas are regulated according to specified conditions. They may be up to 1, 2 or 5 years.
- Short-stay visa holders may stay on the territory of the Republic of Bulgaria for up to 90 days within each 180-day period.

## 9 IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

### 9.1 IRREGULAR STAY

**As a result of the expansion of patrol and police operations in the interior of the country, 8,316 persons were detected in illegal stay**, mostly in the second half of 2021, during which 6,038 persons were detained. Compared to the number in 2020 – 2,053 persons, in 2021 there was a nearly fourfold rise. The trend of apprehending mainly irregular migrants from Afghanistan continues. In 2021, Afghan migrants are the largest group of migrants who have been apprehended in the interior of the country.

There is also an increase in the number of persons accommodated in the Special Homes for Temporary Accommodation of Foreigners<sup>22</sup> at the Migration Directorate in Sofia and Lyubimets throughout 2021. **728 persons from Afghanistan, Syria, Iraq, Morocco, Tunisia, Algeria, Pakistan and other nationalities were accommodated as of 31.12.2021.** With a capacity of 1300 places, 56% occupancy has been reached. In 2021, in a pandemic situation and in view of the increased number of TCNs in the Special Homes for Temporary Accommodation of Foreigners anti-epidemic measures have been put in place such as medical screening, social distancing, mandatory 14-day quarantine, enhanced disinfection and restricted access to outsiders.

### 9.2 COUNTERING MIGRANT SMUGGLING

According to data of the Directorate General of Border Police, 207 Bulgarians were detained at the state border suspected of smuggling during the reporting year, while 73 persons were convicted for smuggling activity.

In Bulgaria, as a consequence of increased control by the authorities responsible, several operations to apprehend migrant smugglers were unclosed through the media.

In 2021, the Directorate General of Border Police has continued the implementation of activities aimed at countering smuggling throughout the year. There are many examples in this respect:

- In the first months of 2021, the law enforcement authorities publicly informed about the arrest of a smuggler transporting 12 migrants from Syria and Iraq.
- In the course of another operation, the driver of a bus carrying 20 migrants from Afghanistan was arrested, as well as his accomplice.
- In March, officers of the Border Police Department – Krumovgrad detected illegal transportation of 13 foreigners from Iraq and Afghanistan. Two Bulgarian drivers of the vehicle were detained.
- At the end of March, Border Police officers from Novo Selo detained in Lyubimets seven illegal immigrants – men from Syria.
- In April, on the international road E-79, border police officers found 11 foreign nationals, men from Afghanistan and Pakistan, in a truck. The foreigners were previously registered with the State Agency for Refugees. The driver and the illegal passengers were detained at the Border Police Station – Chiprovtsi.

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<sup>22</sup> The Special Homes for Temporary Accommodation of Foreigners are closed-type centres. On the grounds of irregular residence, the law enforcement authorities may place TCNs who are subject to compulsory administrative measures "return to the country of origin, a transit country or a safe third country" and "expulsion" where they obstruct the implementation of the measures imposed on them or where there is a risk that they abscond. They shall remain accommodated until their return or expulsion is arranged, which may last up to 6 months or a maximum of 18 months only in individual cases. Foreign nationals have the right to lodge their application for protection in the centres and to use the services of an interpreter to write their application in their native language.

- At the end of April, while checking a minibus, border guards found 13 illegal immigrants from Syria.
- In June, border police officers using a gas analyser detected elevated levels of carbon dioxide in the cargo hold. After an X-ray inspection of the vehicle, border police officers found illegal immigrants from Algeria and Morocco.
- In July, 6 foreigners from Iraq were detained at the border crossing point "Kapitan Andreevo" for attempting to illegally cross the territory of the country. The driver was detained.
- In September, seven persons were detained on charges of migrant smuggling.

According to the information of the Ministry of Interior, most of the drivers were charged under Article 281, paragraph 2, item 1 and item 5, Art. 1, in conjunction with article 20, paragraph 2 of the Criminal Code, which stipulates a penalty of imprisonment from one to six years and a fine of five thousand to twenty thousand leva for a person who, with the aim of obtaining for himself or for another a pecuniary benefit, unlawfully assists a foreigner to reside or pass in the country in violation of the law by using a motor, aircraft or other means of transport.

### ○ 9.3 DEVELOPMENTS AS REGARD TO IDENTIFICATION OF FALSE TRAVEL DOCUMENTS

Active cooperation between institutions has continued in the general process of identification and issuance of travel documents to illegally staying TCNs.

The ISF National Programme (2014 – 2020) in accordance with the Integrated Border Management Strategy (2014-2020) and more concretely the National objective 6 – National capacity sets as a priority the delivery of new technical equipment for the needs of the National centre for fight against forged and falsified travel documents in Sofia, Burgas and Svilengrad. In this regard, a Grant Agreement has been concluded. The experts responsible for its implementation have developed technical specifications and tender procedures for the delivery of the equipment.

With the aim to support border control officers and broaden their expertise they were provided with more than 170 information bulletins concerning new travel and identity documents and alerts for detected forgeries. The materials show all images accompanied with descriptions of all security features in the authentic documents and of the detection points in the forged and counterfeit documents.

## 10 TRAFFICKING IN HUMAN BEINGS

### 10.1 GENERAL CONTEXT

Trafficking in human beings is committed for the purpose of exploitation and does not necessarily take place across borders. Migrant smuggling and trafficking in human beings are often linked, as persons smuggled across borders may fall prey to traffickers for labour, sexual or other exploitation. Due to its strategic location and geographical position, Bulgaria is one of the countries through which half of the European corridors pass. In this respect, **the country is directly affected by human trafficking and is therefore highly involved in countering this cross-border phenomenon**. Although the US State Department's Trafficking in Human Beings Report published in June 2021 ranks Bulgaria in the group of countries making significant efforts to counter the crime, it is also noted that the country fails to fully meet the minimum standards for its elimination<sup>23</sup>.

**In 2021, as in previous years, the most prevalent form of human trafficking continues to be that for sexual exploitation, affecting mostly women and girls.** More than 100 reports of potential victims of sexual exploitation and forced prostitution are filed with the administration of the National Commission for Combating Trafficking in Human Beings (NCCTHB). **Labour exploitation is the next most common target after trafficking. Bulgarian citizens become victims of labour exploitation in countries such as Spain, France, the Czech Republic, UK, the Netherlands, Belgium,** often misled by the search for cheap labour in these countries and dubious job advertisements that the Internet offers.

**According to the Ministry of the Interior, 207 persons were arrested or prosecuted for human trafficking in 2021. In the same reference period, 73 persons were convicted.** These figures refer to suspects apprehended at the state border. It should be noted that the actual number of persons to be convicted cannot be stated correctly due to the three-instance type of proceedings. Compared to the previous year in 2020, there has been an increase in the number of investigations against groups organising and committing trafficking in human beings. **The competent authorities have conducted 12 police operations to counter trafficking in human beings. 3 of the operations were conducted in the framework of a cooperation mechanism between European countries in this field**<sup>24</sup>.

### 10.2 LEGISLATIVE AND POLICY DEVELOPMENTS

The Law on Combating Trafficking in Human Beings provides for the establishment of institutional support mechanisms and efficient functioning of administrative bodies. In pursuit of this objective, several bodies are involved in 2021 in countering human trafficking:

- The composition of the National Commission for Combating Trafficking in Human Beings (NCCTHB), whose members are the Deputy Minister of the Interior, Deputy Minister of Justice, Deputy Prosecutor General at the Supreme prosecution of Cassation, Deputy

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<sup>23</sup> [https://bg.usembassy.gov/wp-content/uploads/sites/256/Bulgaria-2021-TIP-Report-Country-Narrative\\_BG.pdf](https://bg.usembassy.gov/wp-content/uploads/sites/256/Bulgaria-2021-TIP-Report-Country-Narrative_BG.pdf)

<sup>24</sup> [https://www.mvr.bg/docs/default-source/planiraneotchetnost/doklad-za-dejnostta-na-ministerstvo-na-vътрешните-работи-през-2021-г.pdf?sfvrsn=9469ef60\\_2](https://www.mvr.bg/docs/default-source/planiraneotchetnost/doklad-za-dejnostta-na-ministerstvo-na-vътрешните-работи-през-2021-г.pdf?sfvrsn=9469ef60_2)



Minister of Education and Science, Deputy Minister of Health, Deputy Minister of Foreign Affairs, Deputy Minister of Labour and Social Policy.

- During the reporting period, the NCCTHB carried out activities under the following operational programmes: the Project "Ensuring the Sustainability of Specialised Support for Victims of Human Trafficking", funded through the EU Internal Security Fund, and the Partnership Agreement for Grant Direct Co-financing of Activities Implemented under the National Anti-Trafficking Programme for 2021 with the Hans Seidel Foundation.
- 10 Local Anti-Trafficking Commissions operating in Blagoevgrad, Burgas, Varna, Veliko Tarnovo, Montana, Pazardzhik, Pleven, Plovdiv, Ruse and Sliven.
- A Permanent Expert Working Group (PWG) of the NCCTHB, which is composed of specialists from member institutions of the NCCTHB, as well as experts from NGOs and international organisations. The Permanent Expert Working Group assists the work of the commission by developing strategic documents and guidelines on anti-trafficking policies. In addition, it monitors the activities of the National Programme. In view of the pandemic and especially the unstable political situation in 2021 in terms of three general elections and the impossibility of forming a regular government, the work of the NCCTHB has been hampered. As of June 2021, its regular meetings have not been held, but online meetings have been held with the NCCTHB's Permanent Expert Working Group to discuss the 2020 Annual Report on the Implementation of the National Programme (NP) and coordinate activities for 2021.

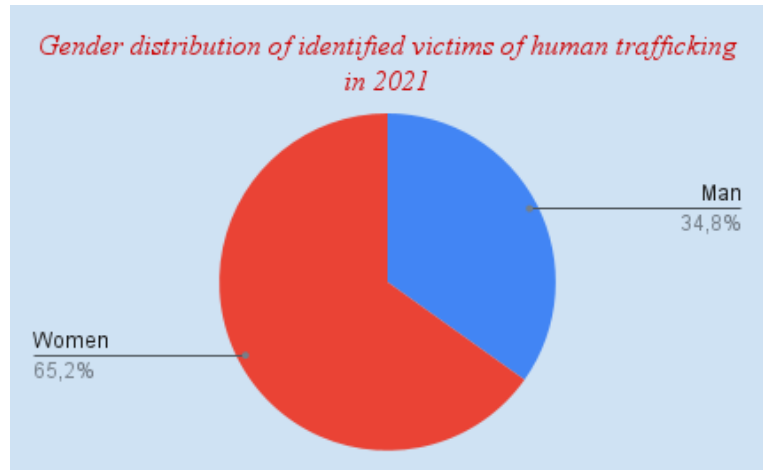
**In 2021, the Government approved the National Referral and Support Mechanism for Victims of Trafficking.** The document regulates the forms of cooperation through which institutions, NGOs, international organisations and civil society can coordinate actions and efforts in countering trafficking in human beings. It is the National Commission for Combating Trafficking in Human Beings (NCCTHB) that coordinates the mechanism through its secretaries and administration, as it is stipulated in the Law on Combating Trafficking in Human Beings.

In 2021, continued the campaign to prevent trafficking of pregnant women for the purpose of selling their new-born children.

**During the year an inter-agency team including experts from all relevant authorities and organisations was established to enhance an inclusive approach where experts from different fields jointly coordinate efforts to resolve complex trafficking cases.**

As from 2020 and within 2021, the General Directorate of Border Police participates as a partner in the project "Strengthening the administrative capacity of competent authorities in the field of asylum and migration", funded under the Norwegian Financial Mechanism 2014-2021. The project aims to provide training to counter trafficking of unaccompanied minors, respecting their rights.

Regarding the development and trends in the crime, prevention and counteraction of trafficking in human beings, for the period January – December 2021, the administration of the NCCTHB, in its role as coordinator of the National Referral Mechanism and equivalent mechanism of National Rapporteur, **has registered and followed up a total of 76 alerts on Bulgarian citizens for human exploitation. Of these, 70 were identified as directly related to trafficking in human beings. 132 is the number of persons linked to trafficking alerts who have been identified as victims of trafficking.** More than half of the identified victims are women – 86 alerts, while the number of cases of exploited men is 46. According to the type of exploitation, there were 61 cases of labour exploitation, while there were 47 victims of trafficking for sexual exploitation.



More than half of the identified victims are women – 86 alerts, while the number of cases of exploited men is 46. According to the type of exploitation, there were 61 cases of labour exploitation, while there were 47 victims of trafficking for sexual exploitation.

In 2021, the NCCTHB oversaw the implementation of 7 services providing support to a target group of adult victims of trafficking.

- 5 temporary accommodation services, within which are functioning 2 shelters for temporary accommodation, 1 shelter for subsequent reintegration. The accommodation services have an accommodation capacity of 26 places. Adult victims of trafficking can be accommodated together with their children.
- 2 counselling services, which include protection and support centres in the districts of Varna and Burgas and 2 services (Temporary Accommodation Shelter and Protection and Support Centre) in the city of Sofia.

The services are managed by NGOs within the framework of contracts for the provision of the services as well as the adopted Minimum Standards of Work of the Shelters for Temporary Accommodation and Centres for Protection and Support of Victims of Trafficking in Human Beings of the NCCTHB.

### ○ 10.3 LEGISLATIVE CHANGES

**By Decision No 236 of 19 March 2021, the Council of Ministers approved the Annual National Programme for Combating Trafficking in Human Beings and Supporting Victims for 2021.** The document foresees about 50 activities to be implemented by all stakeholders, covering victim support activities (including potential victims who are third-country nationals), prevention campaigns, capacity building and international initiatives.

A process to evaluate the National Strategy to Combat Trafficking in Human Beings has been initiated, as foreseen under the National Programme.

Although no concrete solutions and changes have been reached during the caretaker government, the issue of increasing penalties is being raised in relation to the alarming statistic that  $\frac{2}{3}$  of those convicted of trafficking in human beings in Bulgaria do not receive effective sentences but

suspended sentences. The U.S. State Department report confirms this, noting as a weakness the fact that in Bulgaria, justice authorities issue suspended sentences for most convicted traffickers – only 29% of them received actual sentences – which undermines counter-trafficking efforts.

○ **10.4 AWARENESS-RAISING ON THE PROBLEMS OF HUMAN TRAFFICKING OF THE PUBLIC AND GROUPS CONSIDERED AS VULNERABLE (CHILDREN, WOMEN, ETHNIC MINORITIES, UNEMPLOYED AND SOCIALLY DISADVANTAGED)**

An essential part of the prevention of trafficking in human beings are the activities to raise awareness of the Bulgarian citizens and the groups considered vulnerable (children, women, members of ethnic minorities, unemployed and socially vulnerable) on the problems of trafficking in human beings. Cooperation between Bulgarian institutions, international organisations and NGOs is being carried out in this area. The main activities and results in this respect are:

- More than 25 main activities have been implemented as well as more than 80 mini projects aimed at raising awareness at national and local level, reaching directly more than 6,500 persons<sup>25</sup>.
- Training of over 160 volunteers in awareness sessions on prevention work.
- Regular social media coverage through (over 150 posts) the National Commission's prevention activities and related materials – video spots, information visualisations, media publications, etc. The number of users visiting the Commission's social profiles is over 100 thousand.
- Regional webinar "Trafficking in human beings for labour exploitation – identification and prevention in the context of crisis and growing unemployment", held in the city of Blagoevgrad.
- Online regional forum "Trafficking in human beings for labour exploitation – identification and prevention in the context of crisis and growing unemployment", organised by the local commission for combating trafficking in human beings together with trade union representatives.
- Training "Counteracting and preventing trafficking in human beings with a focus on local specificities of the crime" of the team of the Association "Doctors of the World" held in Sofia.
- Annual campaign "Where are you travelling to" as part of the National Campaign for the Prevention of Trafficking in Human Beings for Labour Exploitation by the Local Commission for Combating Trafficking in Human Beings and the Prevention Directorate – Varna Municipality, in cooperation with the National Commission for Combating Trafficking in Human Beings.
- Labour exchange under the project "Ready for Work", organised by the Directorate of the Labour Office – town of Varna. Sliven with the participation of the Local Commission for Combating Human Trafficking – town of Sliven. The aim of the event was to familiarise the participants with the mechanisms of becoming victim of involved in human trafficking for labour exploitation.

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<sup>25</sup> According to data of the Council of Ministers.

#### ○ 10.5 AWARENESS-RAISING AMONG YOUNG PEOPLE, SCHOOL AND COLLEGE STUDENTS AND PROFESSIONALS WORKING WITH THEM

In the course of 2021, the competent authorities have carried out numerous initiatives, including meetings and trainings at local level.

A local awareness-raising campaign on the prevention of all forms of trafficking in human beings and cybercrime has been organised, targeting young people and students. The main focus of the campaign is on the role of Internet and social networks as a means of involvement in trafficking for exploitation.

- A discussion on 'Opportunities and challenges for young people in Europe' was held in Shivachevo with students.
- An introductory training in Blagoevgrad for 4th grade students on the prevention of the crime of human trafficking and the safe use of online platforms, gaming sites and social networking sites for communication.
- Online discussion forum in Sliven on "Policies for counteracting and preventing the crime of human trafficking and promoting the safe use of the Internet" held with students.
- Online discussion forum held in Burgas on "Trafficking in human beings for the purpose of labour exploitation" with the participation of students and lecturers from Prof. Dr. Asen Zlatarov University.
- The annual prevention and information campaign against trafficking in human beings for labour exploitation.
- Academy for volunteers "Human Trafficking" implemented in Veliko Tarnovo, Pazardzhik and Plovdiv, Blagoevgrad with the participation of 100 students.
- Specialised online training in Burgas on "Psychosocial prerequisites for the involvement of adolescents in the crime of human trafficking".
- Numerous awareness-raising campaigns have been organised throughout the country on the occasion of the International Day against Trafficking in Human Beings.
- In Veliko Tarnovo, in cooperation with "Amalipe" Centre for Interethnic Dialogue and Tolerance, an online training on "Trafficking in human beings" was conducted with the participation of nearly 30 educational mediators.

#### ○ 10.6 DEVELOPING NATIONAL CAPACITY TO COUNTER AND PREVENT TRAFFICKING IN HUMAN BEINGS AND ENHANCING THE CAPACITY OF OFFICIALS AND MEMBERS OF THE NCCTHB

Enhancing the professional capacity of the pre-trial and judicial authorities is a key priority in the National Programme for Combating Trafficking in Human Beings and Protection of Victims 2021 of the NCCTHB. In this regard, 21 trainings were conducted during the reporting period. They are mainly aimed at enhancing the capacity of experts in the field of timely identification and guidance of victims of trafficking in human beings.

- Various trainings and multidisciplinary webinars have enabled more than 750 professionals, including education specialists, social workers, school and health mediators, labour experts and inspectors, law enforcement officers, prosecutors, trade union representatives and NGOs, to participate and improve their knowledge and skills in dealing with trafficking in human beings. The trainings were spread throughout the year, allowing for a balanced

inclusion of participants. As of June 2021, more than 470 professionals have participated in the organised trainings, and experts from the NCCTHB and local structures have participated in more than 8 trainings as lecturers.

- During the trainings, the participating professionals have been introduced to and engaged in developing risk profiles of victims of trafficking and traffickers. A key theme of the training sessions was the cases of trafficking of children for the purpose of selling newborns or for forced labour or sexual activity begging, pickpocketing. During the training sessions, special attention was paid to the topics concerning measures to ensure their rights.

In order to enhance the skills of professionals working on the topic, the following activities were carried out:

- Virtual Conference on "Modern Slavery, Human Trafficking and Organised Immigration Crime" – a capacity building event organised by the NCCTHB in partnership with the Crown Prosecution Service (CPS) and the British Embassy in Sofia and addressed to law enforcement officers and other professionals. The training focused on irregular migration, joint investigation teams, victim participation in the prosecution process, money laundering from the crime of human trafficking and irregular migration;
- An online roundtable on "Challenges in Identifying, Investigating and Preventing Trafficking in Persons for Labour Exploitation" with the participation of 78 representatives of state institutions, regional directorates of the Labour Office, Labour and Social Affairs Offices, Ministry of Interior, district and regional prosecutor's offices, trade unions and NGOs. During the event, the issue of identification, including the differentiation of labour exploitation from labour rights violations, the specifics of investigation and the improvement of effective prevention methods was addressed;
- Regional online forum on "Trafficking for labour exploitation: prevention and identification in the context of crisis and growing unemployment" – a capacity building event for regional labour specialists and trade union representatives, focusing on labour market relevance and the impact of trafficking for labour exploitation in the context of crisis;
- Seminar on "Trafficking in Human Beings: Practices in Investigation and Prosecution. Litigation and Legal Defense. Supporting Victims of Trafficking" – a capacity building event with the participation of prosecutors; focusing on the investigation and prosecution of the crime, the judicial process and legal protection, the participation of victims in the pre-trial and trial phase and the psychological and non-verbal aspects in communicating with victims of trafficking.
- Regional forum "Enhancing the capacity to investigate the crime of trafficking in human beings. Online crimes. Evidence collection methods. Identification and referral of victims of trafficking in human beings" – a capacity building event with the participation of prosecutors, investigators, police officers and members of LCCTHB Varna;
- Specialised session on "Competencies of the National Commission for Combating Trafficking in Human Beings. Interaction with the Ministry of Foreign Affairs and the overseas representations of the Republic of Bulgaria", attended by 38 people, including consuls in the diplomatic and consular representations of the Republic of Bulgaria abroad.
- Online training of volunteers from the Bulgarian Red Cross in Plovdiv.
- Training course for trainee attachés, within the module "Trafficking in human beings: identification and referral;

- Training on "Practical Guidelines for Identification and Counteraction of the Crime of Human Trafficking" with the participation of 30 officers of the General Directorate of Border Police from Border Police Departments – Gyueshevo, Blagoevgrad, Kyustendil, Zlatarevo, Gotse Delchev, Petrich and Regional Directorate of Border Police – Airports.

○ **10.7 IDENTIFICATION AND PROVISION OF INFORMATION TO THIRD-COUNTRY NATIONALS WHO ARE VICTIMS OR POTENTIAL VICTIMS OF TRAFFICKING IN HUMAN BEINGS**

In order to improve the identification of victims of trafficking in 2021 and to raise awareness of trafficking in human beings among third country nationals seeking and receiving international protection, an Advisory Group has been established to create an online platform for referral and assistance to victims of trafficking, based on the National Mechanism for Referral and Assistance to Victims of Trafficking in Bulgaria. The State Agency for Refugees is part of the National Referral and Assistance Mechanism for Victims of Trafficking and one of the participants in the Advisory Group. The other institutions involved are: the Agency for Social Assistance, the Agency for the Quality of Social Services, the State Agency for Child Protection, the Prosecutor's Office, the General Directorate of National Police – MoI, the General Directorate for Combating Organised Crime – MoI, the General Directorate of Border Police – MoI, the General Labour Inspectorate, the International Organisation for Migration, UNHCR.

In addition, in the course of 2021 a 24-hour National Anti-Trafficking Hotline continues to operate in the country.

○ **10.8 DEVELOP EFFECTIVE INTERNATIONAL COOPERATION AND COOPERATION WITH NON-GOVERNMENTAL ORGANISATIONS**

International cooperation is essential for effectively managing human traffic issues. It includes information gathering, evaluation and analysis. Regarding international cooperation, state authorities were particularly active in the period January-June, in which many activities have been carried out:

- Coordination of the final feedback on the draft report of the 27th meeting of the Committee of the Parties to the CoE Convention on Action against Trafficking in Human Beings by the Group of Experts on Action against Trafficking in Human Beings (GRETA);
- An online meeting of the European Network of National Rapporteurs or equivalent mechanisms, presenting the new European Strategy on Combating Trafficking in Human Beings (2021-2025);
- Discussion of the US State Department's Trafficking in Persons Report, including consolidation of responses from all institutions;
- Report on proposals for measures and priorities in relation to the development of a new European Strategy to combat trafficking in human beings;
- Online meetings within the Southeast European Anti-Trafficking Coordinators Network;
- Presentation of the 2020 Trafficking in Persons Report of the United Nations Office on Drugs and Crime (UNODC);
- Coordination of a monitoring visit of the OSCE Special Representative and Coordinator on Combating Trafficking in Human Beings and meetings with all stakeholders in Bulgaria;



- The 21st OSCE Alliance against Trafficking in Human Beings High Level Conference "Confronting Demand: Tackling a root cause of trafficking in human beings";
- Meetings between 10 state authorities and their representatives in the framework of the visit of the OSCE Special Representative and Coordinator on Combating Trafficking in Human Beings to Bulgaria, Mr. Ritchie;
- Meeting of Anti-Trafficking Coordinators, National Rapporteurs or equivalent mechanisms organised by OSCE and the Council of Europe;
- Participation in the planned measures on human trafficking in the framework of the Bilateral Cooperation Programme between the Ministry of Labour and Social Policy and the Federal Ministry of Labour and Social Affairs of the Federal Republic of Germany;
- Participation in an online meeting on "Access to Effective Remedies for Victims of Trafficking in Human Beings in Southeastern Europe" organised by the National Commission for Combating Trafficking in Human Beings and Illegal Migration in the Republic of North Macedonia, the United Nations Office on Drugs and Crime and the French Ministry of Europe and Foreign Affairs.

**During the reporting period efforts were made towards the strengthening of bilateral cooperation between Bulgaria and Germany on joint measures to prevent cases of trafficking in human beings.** In this regard, the successful joint initiative between Bulgaria and Germany, implemented within the framework of the Cooperation Work Programme between the Ministry of Labour and Social Policy of Bulgaria and the Federal Ministry of Labour and Social Affairs of Germany, should be noted as a good example. The event addressed in depth the issue of human trafficking, as well as issues concerning social protection and the improvement of working conditions of Bulgarian workers. **Numerous working meetings between Bulgarian and German responsible institutions have been implemented in 2021**, aimed at exchanging experiences and identifying future joint measures, including specifics and amendments to national labour regulations.

As a continuation of the joint efforts, the NCCTHB and the relevant German authorities in the course of 2021 have been working on the development of concise guidelines for the identification and referral of victims of trafficking for labour exploitation and relevant preventive measures in a series of workshops involving relevant stakeholders from Bulgaria and Germany, with the aim of improving bilateral cooperation and collaboration.

**In 2021, good practices and experiences were exchanged bilaterally in expert working meetings with representatives from Germany and France.** Representatives of the NCCTHB were involved in outlining future joint actions and measures, discussing specifics and changes to national labour regulations, as well as defining a long-term strategy to prevent trafficking in human beings.

**Bulgaria is a key driver in the new European campaign to prevent human trafficking for sexual exploitation. With the support of EMPACT<sup>26</sup> in Bulgaria, several major initiatives**

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<sup>26</sup> A platform through which EU Member States identify, prioritise and outline an approach to tackling the threats posed by organised and serious international crime.

related to the "Don't put your fate on the line"<sup>27</sup> campaign were planned and coordinated by the Directorate General for Combating Organised Crime in 2021. The campaign is supported by more than 20 state institutions, NGOs, private sector representatives, media and others, and aims to draw the attention of the public and at-risk groups to the methods of involvement in trafficking, identification and support of victims of sexual exploitation. On the initiative of Bulgaria, the campaign will be extended to 25 European countries.

**“There Ain't No Such Thing as a Free Lunch” is another national campaign, running in 2021, aimed at preventing labour exploitation.**

Active cooperation with countries of final destination in the investigation of the crime of trafficking in human beings for labour exploitation is of key importance for the Bulgarian State and its citizens. Considering this type of exploitation solely as a violation of labour law by most countries does not allow for a more extensive, inclusive and effective approach to tackling the problem through bilateral formation of concrete measures for its prevention.

○ 10.9 ACTIVITIES RELATED TO THE IDENTIFICATION, SUPPORT AND PROTECTION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS CARRIED OUT IN COOPERATION WITH NGOS AND INTERNATIONAL ORGANISATIONS

In 2021, **an intensification in the interaction and cooperation between Bulgarian institutions and NGOs providing services for victims of trafficking can be noted.** State authorities maintain active cooperation with numerous organisations such as: the Animus Association Foundation, the International Organization for Migration, the Centre for the Study of Democracy, the Bulgarian Foundation for Gender Studies, the Nadia Center Foundation, World without Borders, the A21 Campaign – Bulgaria, the Dignita Foundation.

Regular working meetings have been held with governmental and non-governmental organisations to coordinate the different channels of communication and information exchange in order to facilitate more effective and rapid cooperation and response to different cases and signals. Mutual efforts are undertaken to inform victims of trafficking in human beings about the legal remedies they can access, as well as the reflection period, the amount of compensation, in accordance with the Bulgarian legislation. Governmental institutions and NGOs were in cooperation in the cases where it was necessary to involve victims of trafficking as witnesses in criminal proceedings against traffickers.

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<sup>27</sup> <https://www.youtube.com/watch?v=KnXXluzMad8>

## 11 RETURN AND READMISSION

### 11.1 GENERAL OVERVIEW

An effective return policy that fully respects the human rights and fundamental freedoms of the persons concerned is an integral part of an overall migration and asylum policy. The EU's common rules on return, as described in Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, provide for clear, transparent and fair treatment of migrants in an irregular situation, while respecting their rights and freedoms.

An important element of the common EU return system is voluntary return, which, together with effective reintegration measures, offers a humane, effective and sustainable return of irregular migrants. An EU strategy on voluntary return and reintegration, which implements the Pact on Migration and Asylum Seeking, is presented in the Communication from the European Commission to the European Parliament and the Council of 27.4.2021. The strategy aims to increase the number of voluntary returns and improve the quality of support provided to returnees. In doing so, it improves the overall effectiveness of the EU return system.

The return policy of the Republic of Bulgaria shall be conducted in compliance with the norms established by EU and international law, aiming at full respect for the human rights and dignity of those to be returned, as well as the principle of "non refoulement".

Return is either forced or voluntary, and the policy and legislation of the Republic of Bulgaria give priority to voluntary return as a first and desirable option. The main partner of the Bulgarian competent authorities in this area is the International Organization for Migration's Mission in Bulgaria.

### ○ 11.2 FORCIBLY AND VOLUNTARILY RETURNED THIRD-COUNTRY NATIONALS ILLEGALLY RESIDING ON THE TERRITORY OF THE COUNTRY

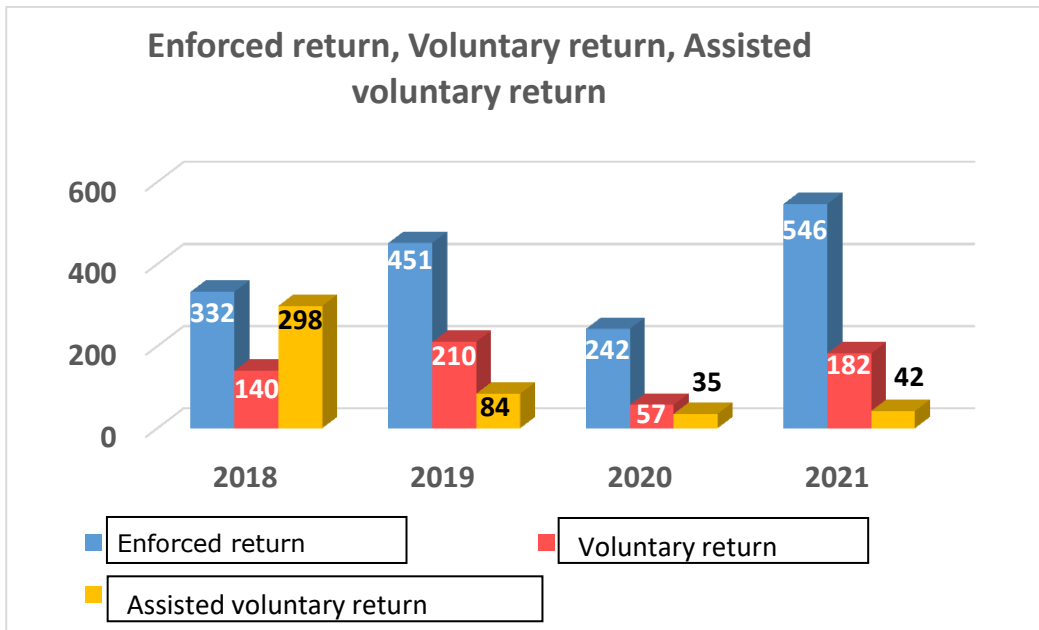
There were **546 forced returns in 2021**, 47 of whom were women and 499 men. A total of **224 persons were voluntarily returned**, of whom 48 were women and 176 were men. Among the third-country nationals (TCNs) voluntarily returned, 49 TCNs were returned as part of the Voluntary Return and Reintegration Programme implemented by IOM Bulgaria, of which 9 are women and 40 are men.

During the period **01.01-31.12.2021 a total of 770 third-country nationals were returned**, distributed as follows<sup>28</sup>:

- - 145 were forcibly returned;
- - 401 were returned under readmission agreements;
- - 84 with compulsory administrative measures have left the country voluntarily by their own means;
- - 42 were returned with the assistance of the Migration Directorate under assisted voluntary return programmes;
- - 39 without a compulsory administrative measure have left the country voluntarily.

<sup>28</sup> Monthly information on the migration situation in the Republic of Bulgaria for December 2021

[https://www.mvr.bg/docs/default-source/planiraneotchetnost/spravka\\_december\\_2021\\_internet.pdf?sfvrsn=8037ab62\\_2](https://www.mvr.bg/docs/default-source/planiraneotchetnost/spravka_december_2021_internet.pdf?sfvrsn=8037ab62_2)



Among the returned third-country nationals, persons from Turkey – 33.9%, Afghanistan – 11.8% and Iraq – 8.8% prevailed. There were 70 third-country nationals transferred to other EU Member States under readmission procedures pursuant to Regulation 604/2013 EC (the Dublin Regulation).

One EU citizen was returned by the Migration Directorate of the Ministry of Interior on the basis of Article 25 and Article 26 of the Law on Entry, Stay and Departure of EU Citizens and their Family Members.

### ○ 11.3 LEGISLATIVE CHANGES

In March 2021, in the State Gazette № 21 was promulgated the Law amending and supplementing the Law on Foreigners in the Republic of Bulgaria. One of the objectives of the proposed amendment is to create an effective remedy for the expulsion of a foreigner to a third safe country. Among the reasons for adopting the document are as follows:

- The lack of an effective remedy for allegations that the expulsion of a person to a particular host country would endanger his/her life or expose him/her to the risk of torture or inhuman or degrading treatment;
- the absence of an automatic suspensive effect on the execution of the expulsion order pending the outcome of the judicial proceedings on an appeal under Article 44a of the Law on Foreigners in the Republic of Bulgaria, and the absence of an obligation on the expelling authority to mention the host country in a binding legal instrument;
- the lack of distinction between expulsion orders on grounds of national security and expulsion orders based on a violation of public order in accordance with the Interpretative Report to Protocol No. 7 and the case law of the European Court of Human Rights, necessitates the need to refine individual provisions of Chapter Five "Administrative Coercive Measures" of the Law on Foreigners in the Republic of Bulgaria in accordance with the principle of proportionality.

○ 11.4 COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT ON RETURN AND REINTEGRATION MANAGEMENT

During the year, due to the COVID-19 pandemic, several practical approaches related to cooperation with third country embassies for the identification and issuance of travel documents were adapted.

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