



**ANNUAL REPORT 2023 ON MIGRATION AND ASYLUM
IN REPUBLIC OF BULGARIA
NATIONAL REPORT (PART 2)**

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EXECUTIVE SUMMARY

This report aims to outline the most significant developments in the field of migration and asylum in the Republic of Bulgaria in 2023. It provides up-to-date statistics as well as an overview of legislative and policy developments.

In 2023, the efforts to harmonise national legislation with the EU law and to introduce best practices in all aspects of migration policy continue. A number of legislative amendments have been elaborated envisaging clarification of the national provisions in the field of labour migration, international protection, Bulgarian citizenship, irregular migration and border management, as well as guaranteeing the rights of unaccompanied minors.

The year 2023, reviewed in this report, stands out for its serious dynamics in the political processes in the Republic of Bulgaria, as well as the migration management, given the high migration pressure from illegal migrants to which the country was subjected during a certain period of the year.

The increased migration pressure towards the borders of the Republic of Bulgaria, which intensified particularly during the summer months of the year and reached its highest levels in August 2023, triggered intense public and political debates.¹

LEGAL MIGRATION

With regard to legal migration, in 2023 there was a strengthening trend towards an increase in the number of third-country nationals who have received permits for access to the Bulgarian labour market.

In 2023, legislative amendments were promulgated in the State Gazette to introduce procedures for more effective harmonisation of national legislation on legal migration with EU law, some of which aim to refine national legislation on a wide range of labour migration topics.

During the reporting period, the National Assembly adopted a Law on Amendment and Supplement to the Law on Labour Migration and Labour Mobility, which selectively transposes individual provisions of Directive 2021/1883 /EU on the conditions and procedures of entry and residence of third-country nationals for the purposes of highly qualified employment. An additional provision in the Draft Law on Amendments and Supplements to the Law on Labour Migration and Labour Mobility includes amendments to the Law on Foreigners in the Republic of Bulgaria and its implementing regulations, the Law on Bulgarian Identity Documents and the Law on Employment Promotion.

In 2023, a Draft law on Amendment and Supplement of Law on Foreigners in the Republic of Bulgaria (LRFB) was developed. It aims to introduce the requirements of Directive (EU) 2021/1883 on the conditions for entry and residence of third-country nationals for the purposes of highly qualified employment. An amendment has also been foreseen related to a gap identified by the European Commission on the implementation of the Directive 2014/36/EU on

¹ <https://bnt.bg/news/povisheniyat-migracionen-natisk-problemi-resheniya-i-perspektivi-v338571-315290news.html?page=7>

the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

INTERNATIONAL PROTECTION

In 2023, 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. Against this background, there has been a significant increase in the number of applications for international protection over the past year, maintaining the trend for them to be submitted mainly by citizens of Syria, Morocco and Afghanistan.

A Draft Law amending and supplementing the Law on Asylum and Refugees (LAR) was developed. The main objective of the Draft Law is to implement the recommendations of the European Commission by optimising the procedure for international protection and in particular by refining the grounds and rules for conducting the accelerated procedure as well as the proceedings for inadmissibility of applications for international protection, in accordance with Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast).

During the period, the Republic of Bulgaria accepted for resettlement from the Republic of Turkey 9 third-country nationals.

By 31 December 2023, 94 persons from Cyprus had been relocated to Bulgaria.

TEMPORARY PROTECTION AND OTHER MEASURES IN RESPONSE TO PERSONS FLEEING THE WAR IN UKRAINE

The Republic of Bulgaria's experience in granting temporary protection under Directive 2001/55/EC has underscored the necessity for refining legal provisions pertaining to temporary protection. The Draft Law on Amendment and Supplement to the Law on Asylum and Refugees (LAR), addresses the legal avenue for displaced persons to lodge individual applications for humanitarian status (subsidiary protection) even during the period of temporary protection. The objective of the Draft is also to clarify the legal provisions related to temporary protection and subsequent processing of applications for international protection submitted by Ukrainian citizens.

The Council of Ministers of the Republic of Bulgaria adopted a Decision No. 95 of 1 February 2023 to amend Decision No. 144 of 10 March 2022, concerning the provision of temporary protection to displaced persons from Ukraine, and to amend the National Action Plan for Temporary Protection in the Republic of Bulgaria. This extends the temporary protection of displaced persons from Ukraine on the territory of the Republic of Bulgaria for one year, until 4 March 2024, in accordance with the decision of the European Commission to extend the application of the Temporary Protection Directive.

UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

During the reporting period, the Republic of Bulgaria registered the highest number of applications for international protection submitted by unaccompanied minors.

In 2023, in cooperation with the IOM Mission in Bulgaria, the construction of a third Safe Zone for the accommodation of unaccompanied minors.

In 2023, Bulgaria's efforts to implement a targeted and consistent policy to create conditions and guarantees for the care and protection of unaccompanied minors continued.

A significant progress has been achieved in the field of improving the coordination and cooperation between state authorities and non-governmental and international organisations on the implementation of joint activities for protecting and guaranteeing the rights of unaccompanied minors in Bulgaria.

The first-of-its-kind Instruction on the terms and conditions for assessing the age of a foreigner seeking protection in the Republic of Bulgaria, which provides for the application of a complex of medical and non-medical examinations, was prepared.

Legislative initiatives have been undertaken which aim to strengthen the legal guarantees for the protection of the rights of unaccompanied children seeking or receiving protection.

INTEGRATION AND INCLUSION

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 pre-school age.

By order of the Minister of Labour and Social Policy, the deadline for the Refugee Employment and Training Programme has been extended until 31 December 2024. The main aim is to support the labour market integration of foreigners granted refugee or humanitarian status, as well as those enjoying temporary protection.

CITIZENSHIP AND STATELESSNESS

There is an increase in the number of persons acquiring Bulgarian citizenship in 2023 compared to 2022.

During the reporting period, Draft laws on amendment and supplementing to the Law on Bulgarian citizenship were presented for discussion in the National Assembly. They foresee supplementing to separate provisions on terms and conditions for granting, releasing and revoking Bulgarian citizenship.

BORDERS, VISA AND SCHENGEN

The Law on Foreigners in the Republic of Bulgaria has been amended (promulgated in State Gazette No. 67 of 4 August 2023) to harmonise the national legislation with the EU law on external border controls of the Schengen Area.

The amendment of the law introduces provisions concerning the use of an EU Entry/Exit System (EES), access to information and competent authorities at national level.

Organisational technological rules have been elaborated for working with the automated information system for border control, approved by the Minister of Interior, in which the requirements of the EES have been introduced.

In 2023, a government decision was updated in light of the Republic of Croatia's accession to the Schengen Area. Decision No. 284 of April 12, 2023, amends and supplements Decision No. 459 of 2014, through which the Council of Ministers of the Republic of Bulgaria adopted certain documents equivalent to national visas for transit or planned stays on their territory, not exceeding 90 days within a period of 180 days, issued by Romania, Cyprus, and Croatia.

IRREGULAR MIGRATION INCLUDING SMUGGLING

In 2023, amendments were adopted in articles 280 and 281 of the Penal Code (promulgated SG, 67/2023) – articles related to the migrant smuggling.

Since March 2023, Bulgaria has been implementing a Pilot Project with the European Commission (initially initiated with the Republic of Austria) for preventing illegal arrivals and strengthening border management and migration governance. The project, in compliance with applied European and national legislation, is executed with strong operational and technical support from the Commission and key EU agencies in the field of internal affairs (EUAA, Europol, and Frontex). It is based on Bulgaria's best practices and experience, including excellent cooperation with Serbia, Turkey, and other neighbouring countries, as well as with European agencies operating in Bulgaria. The project is a significant achievement resulting from Bulgaria's high-level commitment and supports finding sustainable solutions for managing migration at the EU level.

TRAFFICKING IN HUMAN BEINGS

In 2023, a multidisciplinary workshop took place in Sofia. The meeting was dedicated to anti-trafficking prevention in the context of mass migration flows. The seminar was organised in cooperation between the National Commission for Combating Trafficking in Human Beings (NCCTHB) and the Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings of the OSCE and brought together representatives of various institutions and organisations at a national and local level. The OSCE Special Representative's recommendations on improving trafficking prevention in migration contexts were presented. Discussions included measures to address asylum seekers' urgent needs, legislative and policy changes to reduce vulnerability factors, integration assistance, enhancing anti-trafficking mechanisms' readiness to monitor risks, and broadening the response scope.

In March 2023, IOM Bulgaria hosted a workshop on human trafficking, sexual and labour exploitation. The meeting, held on the occasion of a visit of colleagues from IOM Germany, took place with the participation of the National Commission for Combating Trafficking in Human Beings, “Animus Association” Foundation and “Dignita” Foundation. The participants shared challenges in the area of human trafficking from the Bulgarian and German context and sought common solutions, with a focus on improving the identification of victims of trafficking in migrant and refugee communities, as well as opportunities to strengthen coordination between investigative authorities in Germany and Bulgaria. The IOM Germany representatives visited the crisis centre of the “Animus Association” Foundation and spoke with representatives of the Council of Refugee Women In Bulgaria to learn more about their experience in working with migrant communities.

In the context of the international cooperation, representatives of the General Directorate Combating Organized Crime”- MoI participated in the international police operation "Joint Action Days against human trafficking for the purpose of labour exploitation in the agricultural sector", together with representatives of the NCCTHB, the Directorate for International Operational Cooperation –MoI and the Chief Directorate Border Police.

RETURN AND READMISSION

During the year, voluntary return and reintegration were the main tools used to facilitate effective returns to the countries of origin. In 2023, more than 150 cases were entered into the RIAT. Bulgaria has a total of 13 staff trained with access to Frontex Agency’s Reintegration Assistance Tool (RIAT) who are able to enter and approve cases.

Competent authorities within the Ministry of Interior have launched a call for new Assisted Voluntary Return and Reintegration (AVRR) programmes, with a focus on larger cash initiatives to promote voluntary return. More information will be available during 2024.

Bulgaria actively expanded the scope of Joint Reintegration Services (JRS) provided by Frontex.

The Migration Directorate with the Ministry of Interior initiated a high-level meeting between the Minister of Interior and the Ambassadors of Iraq and Morocco. As a result, a declaration of intention and cooperation between Bulgaria and Iraq has been agreed to be signed during the first quarter of 2024. It will cover procedures for identification, documentation, return and reintegration.

MIGRATION AND DEVELOPMENT COOPERATION

In 2023, the Republic of Bulgaria continued its active involvement in the Budapest Process and the initiatives carried out within its framework for cooperation with countries along the Silk Road.

1 INTRODUCTION

This report is the 15th Annual Report on Migration and Asylum of the Republic of Bulgaria elaborated by the National Contact Point of the European Migration Network (EMN) in accordance with Article 9(1) and (2) of the Council Decision of 14 May 2008 establishing a European Migration Network (2008/381/EC).

The Annual Report on Migration and Asylum 2023 only reflects significant developments and debates defined on the basis of the criteria listed in the report specifications. These include amended or new legislation, strategic developments, fundamental political changes, and developments with high political priority or a significant impact on migrants.

The purpose of this report is to inform EU institutions, national experts and the general public about the development of national policies and legislation in the field of migration.

The report is based on data from a wide range of sources, which are intended to provide up-to-date information and to ensure impartial assessment. The information has been collected from publicly available sources. Information on the legal aspects of the report is drawn from free sources and the websites of the National Assembly and the institutions and organisations whose opinions are cited.

The information from government documents, strategies, annual reports and action plans, published studies, parliamentary debates and questions, etc. has also been used. The opinions and publications of non-governmental or international organisations are included. The information from relevant internet sites (ministries, non-governmental organisations, etc.) and media has been used as well.

The terminology in the report is based on the European Migration Network glossary.

2 OVERARCHING AND CROSSCUTTING CHANGES TO NATIONAL MIGRATION AND ASYLUM SYSTEMS

2.1 POLITICAL CONTEXT

In the first months of 2023, a Caretaker government with Prime Minister Galab Donev was in power in Bulgaria.

On 02.04.2023, the fifth consecutive parliamentary elections were held within two years, and the vote of the electorate determined that six political parties should enter the 49th National Assembly - GERB-SDS, We continue the change-Democratic Bulgaria (PP-DB), Revival (Vazrazhdane), the Movement for Rights and freedoms, the Bulgarian Socialist Party and There is such a people (ITN).

The first political power became the PP GERB-SDS, which failed to get support for forming a one-party cabinet and returned the mandate unfulfilled. After negotiations, which lasted more than two months, PP/DB and GERB-SDS reached an agreement to form a coalition government, the composition of which was approved with 131 votes "for" on June 6th 2023 in the National Assembly. The cabinet was formed on the basis of a rotational principle - a government with an 18-month horizon. During the first 9 months the country was governed by Academician Nikolay Denkov with a Deputy Prime Minister Mariya Gabriel.

On October 29th, local elections were held, and the political map of the country was re-arranged. A mayor was elected in the first round, only in eight regional cities and a runoff was needed to elect the mayors in the rest.

One of the announced priorities of the government was to make changes to the Constitution of the Republic of Bulgaria. The changes envisaged: structural reform of the Supreme Judicial Council; reform of the Prosecutor's office; creating a possibility of appointing a Caretaker government with a constitutionally appointed prime minister; introduction of a possibility Bulgarian citizens with dual citizenship to be elected and/or hold high government positions and constitutionalisation of the main stages of the procedure for electing members of independent regulatory and control bodies².

The amendments were adopted in three readings. Part of the professional guilds came out with negative comments on the proposed changes, and the opposition in the parliament, as well as the President Rumen Radev, gave statements that they will attack the amendments to the Constitution in the Constitutional Court³.

The full accession of the Republic of Bulgaria to the Schengen Area is a major foreign policy priority of the Government of the Republic of Bulgaria, laid down in the Management Programme of the Republic of Bulgaria for the period June 2023 - December 2024⁴. To achieve it, the Government implemented some activities in order to respond to the requirements of our European partners for the acceptance of the country into the Schengen area, as well as for strengthening of border control.

On December 30th 2023, the Council of the EU came out with a unanimous decision on the accession of Bulgaria and Romania to the Schengen area, start with lifting controls at air and sea borders as of March 2024. Discussions on a further decision to lift controls at land borders will continue in 2024.

The accession happens 12 years after the first confirmation by the COM that the two countries fulfil the criteria. In 2011, the Commission first confirmed that both Bulgaria and Romania were ready to become part of the Schengen area without internal border controls. Since then, Bulgaria and Romania have continued to demonstrate that they fulfil the conditions for becoming Schengen members. This was reconfirmed by three fact-finding missions at the Bulgarian and Romanian external borders in 2022 and 2023. The Commission also launched pilot projects with Romania and Bulgaria in March 2023 to boost external border management, reinforce cooperation with neighbouring countries and ensure fast asylum and return procedures⁵.

In 2023 Bulgaria was elected as a member of the UN Human Rights Council for the period 2024-2026.⁶ The Human Rights Council (HRC) is an intergovernmental body responsible for the

² <https://www.parliament.bg/bg/bills/ID/165057>

³ <https://news.bg/politics/2023-g-politicheska-sglobka-i-obshtestvena-razglobka.html>

⁴ https://gov.bg/files/common/2023-07-26_Programa_za_upravljenie-odobrena-ot-SR-i-prieta-ot-MS-final_1.pdf

⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6861

⁶ <https://www.mfa.bg/en/news/38864>

protection of human rights worldwide. It is made up of 47 UN member states, elected by the UN General Assembly.

Bulgaria was elected first with the most votes - 160 UN member states voted for Bulgaria.

“*Thank you to everyone who supported Bulgaria's candidacy. The election of our country as a member of the HRC is a recognition of its active policy in the field of human rights*”

Deputy Prime Minister Mariya Gabriel

"Committed to contribute" - this is our country's motto. There are four flagship national commitments on which Bulgaria will work: support for measures and policies aimed at combating all forms of discrimination and intolerance, racism, anti-Semitism and hate speech, promoting the inclusion of more women and girls at all levels and in all spheres of political and public life, protecting the rights of the child, including the right to universal access to education for every child, combating misinformation, promoting media freedom and protecting journalists.

In the domestic political aspect, the main debates in the field of migration were focused on countering illegal migration within the country and taking effective measures to prevent smuggling.

One case from the beginning of 2023 shocked the society and found a wide public and political response⁷.

On February 17th 2023, 18 migrants from Afghanistan were found suffocated in a cargo truck, not far from Sofia, transported by smugglers⁸.

Immediately after the incident, the institutions took urgent measures to identify the guilty persons. The prosecutor's office pressed charges against six persons⁹. All of them were accused of participating in an organised criminal group, and three of them were also charged with a crime committed in complicity - illegally helping third-country nationals to stay or cross the country in violation of the law. Two of the individuals were charged with causing death by negligence of more than one person.

The focus of the public debate was on the lack of more serious punishments for the smugglers, which is a major obstacle for the effective fight against illegal migration¹⁰. In this regard, during the reporting year, on the initiative of the Ministry of the Interior, amendments were adopted to the Penal Code, which aim at effective countering of the criminal activity related to illegal crossing of the state border and smuggling.

⁷ <https://bntnews.bg/news/shestima-dushi-sa-obvineni-za-smartta-na-migrantite-krai-lokorsko-1224049news.html>

⁸ <https://dariknews.bg/novini/bylgariia/tragediia-v-lokorsko-18-migranti-biaha-otkriti-myrtvi-v-kamion-sred-tiah-i-dete-obzor-2339483>

⁹ <https://www.bta.bg/bg/news/bulgaria/oficial-messages/409922-sgp-privleche-6-obvinyaemi-za-rakovodene-i-uchastie-v-opg-za-kanaldzhiystvo-na-#17.02.2023>

¹⁰ <https://bntnews.bg/news/lipsata-na-tezhki-prisadi-osnoven-problem-v-borbata-sreshtu-trafika-na-migranti-obzor-1224348news.html>

In August 2023, as a result of the active cooperation between the Ministry of Interior and the Prosecutor's Office of the Republic of Bulgaria and in order to optimise the joint work, a Specialised Interdepartmental Unit for fighting against drugs, human trafficking and illegal migration was formed, which is already producing decent results¹¹.

In 2023, several civil protests were held in the city of Harmanli, on the territory of which the largest reception centre for accommodation of asylum seekers is located. Among the main demands of the protesters are: change of the status of the centre from open to closed type; reduction of the bed capacity; turning the centre into a "family-type" centre, as well as introducing curfew for asylum seekers.

2.2 INSTITUTIONAL FRAMEWORK IN THE FIELD OF MIGRATION AND ASYLUM

In 2023, continued 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. 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.¹²

During the period under review, the implementation of the National Migration Strategy of the Republic of Bulgaria, 2021-2025¹³ and the National Strategy for Integrated Border Management, 2020-2025¹⁴, as well as the implementation of activities under the Migration, Borders, Asylum and Integration Fund, managed by the Ministry of Interior, continued in the Republic of Bulgaria.

Work has started on the implementation of the AMIF programme and the Instrument for Financial Support for Border Management and Visa Policy of the financial framework for the period 2021-2027. In connection with the improvement of the external land borders and the expansion of the existing Integrated System for Monitoring of the Bulgarian-Turkish border, the EC has approved funds amounting to EUR 30.3 million, including national co-financing. Under the AMIF thematic mechanism to support the initial reception and temporary accommodation of displaced persons from Ukraine to state institutions, local/regional authorities and non-governmental organisations, EUR 10.9 million has been directed to the Functioning of the Republic of Bulgaria¹⁵.

¹¹ https://www.mvr.bg/docs/default-source/planiraneotchetnost/%D0%B4%D0%BE%D0%BA%D0%BB%D0%B0%D0%B4-%D0%B7%D0%B0-%D0%B4%D0%B5%D0%B9%D0%BD%D0%BE%D1%81%D1%82%D1%82%D0%B0-%D0%BD%D0%B0-%D0%BC%D0%B8%D0%BD%D0%B8%D1%81%D1%82%D0%B5%D1%80%D1%81%D1%82%D0%B2%D0%BE-%D0%BD%D0%B0-%D0%B2%D1%8A%D1%82%D1%80%D0%B5%D1%88%D0%BD%D0%B8%D1%82%D0%B5-%D1%80%D0%B0%D0%B1%D0%BE%D1%82%D0%B8-%D0%BF%D1%80%D0%B5%D0%B7-2023-%D0%B3-.pdf?sfvrsn=7a339f7b_3

¹² https://iisda.government.bg/ras/executive_power/council/2853

¹³ https://migrant-integration.ec.europa.eu/library-document/national-strategy-migration-republic-bulgaria-2021-2025_en

¹⁴ <https://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=1325>

¹⁵ www.mvr.bg/docs/default-source/planiraneotchetnost/доклад-за-дейността-на-министерство-на-вътрешните-работи-през-2023-г-.pdf?sfvrsn=7a339f7b_3

From the beginning of 2023, the activities of the National Operational Headquarters continued, which plans, manages, coordinates and supervises the reception, accommodation, health, social assistance and integration of persons who have sought and received temporary protection on the territory of the Republic of Bulgaria. In order to continue the activity of providing suitable conditions for those already residing in Bulgaria and the newly arriving Ukrainian citizens and considering the formation of a new government, in June 2023 a new National Operational Headquarters was established.

2.3 LEGAL FRAMEWORK

Some of the most notable changes and debates in the Republic of Bulgaria in the fields of migration and asylum during the year 2023 were of legislative nature.

The table below provides an overview over the most significant changes in Bulgarian legislation that were passed in 2023 and the respective sections of the report in which these legislative developments are discussed in detail.

Law	Content	Entry into force	Section
Law on Labour Migration and Labour Mobility	<i>Expanding the possibilities for applying for a Blue Card and subsequent work, as well as introducing the possibility of staying in Bulgaria during the procedure for issuing a Blue Card on the basis of a short-term visa issued.</i>	SG No. 8 of 25.01.2023	3.1.3
Law of the Foreigners in the Republic of Bulgaria	<i>Harmonising the entry and residence conditions for highly skilled employees from non-EU countries and enhancing the attractiveness of the EU Blue Card.</i>	SG No. 8 of 25.01.2023	3.1.3
Law of the Foreigners in the Republic of Bulgaria	<i>Harmonising the national legislation with the EU law on external border controls of the Schengen Area.</i>	SG No. 67 of 04.08.2023	9.1
Law on Employment Promotion	<i>Establishment of a new procedure for recognition of local employers.</i>	SG No. 8 of 25.01.2023	3.1.3
Law on Bulgarian Identity Documents	<i>Reducing the administrative burden and unjustified expenses for the Blue card holders and their employers</i>	SG No. 8 of 25.01.2023	3.1.3
Regulation Implementing the Law on Foreigners in the Republic of Bulgaria	<i>Strengthening the control in granting right of residence on the basis of investments.</i>	SG No.37 of 25.04.2023	3.1.3
Penal Code	<i>Changing of the foreseen punishments for smuggling.</i>	SG No. 67 of 04.08.2023	10.1
Family Code	<i>Introducing the guardianship of minor foreigners who are on the territory of the country.</i>	SG No. 106 of 22.12.2023	6.1.3
Draft Law on Amendment and Supplement to the Law	<i>Clarification of the provisions concerning the terms and conditions of residence of third-country nationals for the purposes of highly qualified employment and seasonal</i>	draft	3.1.3

Law	Content	Entry into force	Section
on Foreigners in the Republic of Bulgaria.	<i>workers.</i> <i>Clarify the distinction of the applicable procedures arising from the Family Reunification Directive in relation to the family members of foreigners having a right of residence under the migration legislation, in particular under the Law on Foreigners in the Republic of Bulgaria, and under a granted right of asylum regulated in the Law on Asylum and Refugees.</i>		3.2
Draft Law on Amendment and Supplement to the Law on Asylum and Refugees	<i>Implementation the recommendations of the European Commission by optimising the international protection procedure, as well as fully transposes the admissibility procedure regulated in Article 33(2) of Directive 2013/32/EU.</i> <i>Clarification of the legal provisions related to temporary protection and subsequent processing of applications for international protection submitted by Ukrainian citizens.</i> <i>Strengthening the legal guarantees for protecting the rights of the unaccompanied minors seeking or receiving protection;</i> <i>Creation of a legal prerequisite for the adoption of the Ordinance on the Assessment and Establishment of Age.</i> <i>Clarification of the provisions for the integration of third-country nationals granted temporary protection.</i>	draft	4.6 5.1 6.1.3 7.1
Draft Laws on Amendments and Supplements to the Law of Bulgarian Citizenship	<i>Supplementing separate provisions on terms and conditions for granting, releasing and revoking of Bulgarian citizenship.</i>	Adopted at first reading by National Assembly	8.2

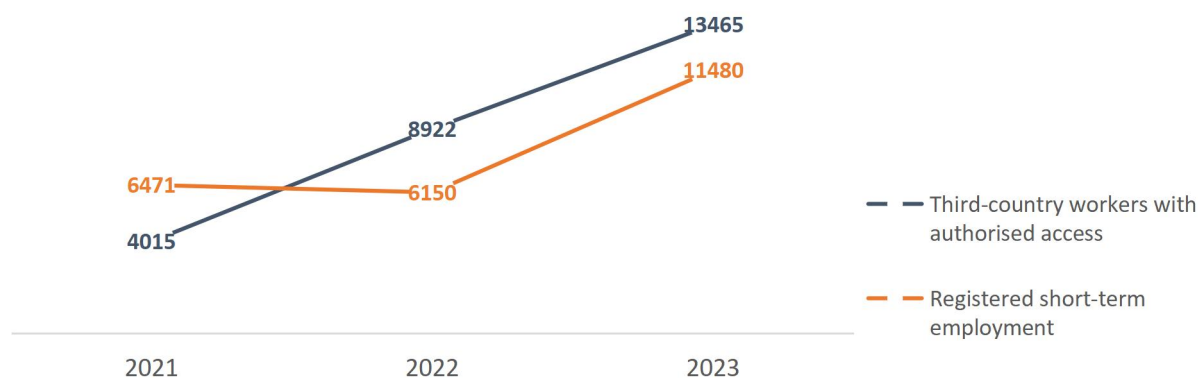
3 LEGAL MIGRATION

3.1 WORK-RELATED MIGRATION

3.1.1 STATISTICS AND TRENDS

In 2023, the implementation of the policy of a balanced reception of third-country nationals for the purposes of employment has continued, taking into account the needs of the national labour market and by applying the provisions of the Law on Labour migration and Labour mobility.

During the reporting period, 13,456 workers – nationals of 59 third countries – were allowed access to the Bulgarian labour market¹⁶. There is an increase of 66% compared to 2022.



The largest number of decisions/positive opinions has been granted for the exercise of employment through the "**Single Residence and Work Permit**", the number of which has progressively increased since 2019. Their number in 2022 was 4,549 and in 2023 they reached 7,760, representing 58% of all permits issued during this period.

Permits for seasonal employment of up to 9 months for third-country nationals– "**Seasonal Worker Permit**" were granted to 2,419 workers. There was a significant increase compared to previous years. The lifting of the restrictions due to the Covid-19 pandemic can be mentioned as one of the reasons for the increase in 2023. In this case, there were mainly workers in agriculture and tourism where low-skilled labour is practised. With regard to the third group of work permits, which includes family members, authorised to stay in the country for extended periods and seconded professionals in companies performing service contracts in the country, an increase in the number of permits issued in recent years has also been recorded. Their number in 2023 was 1,662, while in 2022 was 1,103, and in 2021 it was 819.

In 2023, 1,195 third-country nationals received a decision by the Employment Agency for highly qualified employment in connection with the issuance of an **EU Blue Card**, the majority of whom were employed in the Intra-Corporate Transfer (ICT) sector (creation and dissemination of information and creative products; telecommunications). Others were employed in the trade; automotive and motorcycle repair, construction and manufacturing sectors. Persons from the Russian Federation, Ukraine, the Republic of Belarus, and the Republic of Cuba predominated, holding mainly engineering and managerial positions. In 2023, the tendency observed in 2022 for a gradual increase in the number of highly skilled professionals gaining access to the labour market due to military conflict between the Russian Federation and Ukraine continues. As of

¹⁶ <https://www.az.government.bg/pages/otchet-za-deinostta-na-az/>

February 2022, processes were in place to start moving staff as well as entire activities and companies from the Russian Federation to EU countries, including the Republic of Bulgaria.

Decisions related to the transfer of persons under the **Intra-Corporate Transfer (ICT)** were 420, which is an increase of 2.3 times compared to 2022 (124).

In 2023, there was a general trend towards an increase in the number of applications submitted by employers and positive opinions/permits granted by the Employment Agency to third-country nationals to access the Bulgarian labour market compared to 2022.

In 2023, **165 decisions were taken to refuse third-country nationals' access to the labour market**. There is an increasing trend in this area, which is mainly related to the growth in the number of applications for employment of foreigners who do not meet the requirements of the legislation on employment of third-country nationals.

During the reporting period seven decisions were taken in relation to the granting of **permits for freelance activities** by foreigners (Russian Federation (3); Ukraine (2); Japan (1) and the Republic of Serbia (1)).

The largest number of decisions/positive opinions for access to the labour market were granted to citizens of the Republic of Turkey (3,743) – mainly seconded specialists, engineering and technical staff, mid-technical staff and seasonal workers. The second place is occupied by citizens of the Republic of Uzbekistan (2,893) – seasonal workers, construction workers, workers in manufacturing industry, followed by Kyrgyz Republic (1,488) – mainly seasonal workers, workers in manufacturing industry; Nepal (848) – mainly seasonal workers in agriculture; Russian Federation (785) - highly skilled specialists, medium-technical personnel, engineering and technical personnel.



In 2023, a **short-term employment** of 11,480 third-country nationals was recorded, of which 7,088 were seasonal workers up to 90 days; 4,224 were seconded up to 90 days under service contracts and 168 were persons of Bulgarian origin (mostly citizens of Moldova and Russian Federation).

3.1.2 INTERGOVERNMENTAL AGREEMENTS CONCLUDED TO REGULATE LABOUR MIGRATION

In 2023, no new intergovernmental agreements on the regulation of labour migration were signed.

During the reporting period, in connection with the Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Moldova on the regulation of

labour migration (signed on 18.06.2018 in Sofia, promulgated in SG No. 82 of 5.10.2018), 35 offers from Bulgarian employers for the recruitment of Moldovan workers for 183 advertised vacancies have been accepted, processed and sent to the National Employment Service of the Republic of Moldova (ANOFM). 45 applications of migrant workers have been processed. The employment contracts of 8 persons have been extended and one Moldovan citizen has his employment terminated. In 2023, 14 Moldovan citizens have started work in Bulgaria.

In 2023, by the order of the Minister of Labour and Social Policy, the composition of the National Council for Labour Migration and Labour Mobility was renewed¹⁷. An interdepartmental working group was established at the Council, which developed a draft Action Plan in the field of labour migration for 2024 (to be discussed at a Council meeting in February 2024)¹⁸. (See Box №1)

Box 1: Draft Action Plan in the field of Labour migration for 2024

The project contains legislative and administrative measures to facilitate the access to the Bulgarian labour market for citizens of third countries and make the procedures for issuing residence and work permits electronic. Legislative measures in the Draft National Plan envisage an expert-level review of the Law on Labour Migration and Labour Mobility and the Law on Foreigners in the Republic of Bulgaria, as well as proposed changes to the current legislation aimed at improving access conditions to the labour market for third-country nationals.

Measures are also included to change the organisational regulations of the Ministry of Labour and Social Policy, in order to ensure the necessary administrative capacity for the implementation of the activities under the Plan; as such, a change had already been made in the Employment Agency.

The administrative measures envisaged in the Project aim to make electronic all procedures for issuing residence and work permits and the renewal of the negotiation processes for concluding bilateral agreements in the field of labour migration with third countries.

3.1.3 LEGISLATIVE DEVELOPMENTS

In 2023, 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 were to the Law on Foreigners in the Republic of Bulgaria (LFRB) determining the conditions and procedures under which third-country nationals may enter, reside and leave the Republic of Bulgaria, to the Regulation for the Implementation of the Law on Foreigners in the Republic of Bulgaria and to the Law on Labour Migration and Labour Mobility, which regulates access to the labour market for third-country national workers.

¹⁷ <https://www.mlsp.government.bg/svett-po-trudova-migratsiya-obsdi-merki-za-ulesnyavane-na-dostpa-doblgarskiya-pazara-na-truda-na-grazhdani-ot-treti-str>

¹⁸ <https://www.mlsp.government.bg/uploads/32/strategichsko-planirane-1/ot4et-operativen-plan-mlsp-31-12-2023.pdf>

Law amending the Law on Labour Migration and Labour Mobility (SG No. 8 of 25.01.2023)

In 2023, the Law amending and supplementing the Law on Labour Migration and Labour Mobility was promulgated in the State Gazette¹⁹. Its main objective is to implement the provisions of the Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the Conditions of Entry and Residence of Third-Country Nationals for the Purpose of Highly Qualified Employment, and Repealing Council Directive 2009/50/EC into the Bulgarian legislation.

It aims to create a clear and transparent admission system to ensure that highly skilled workers can be attracted more effectively. The Blue Card should become the main tool for this, including faster procedures, more flexible and inclusive admission criteria and broader rights, including facilitated short- and long-term mobility.

The proposed amendments to the Law on Labour Migration and Labour Mobility are related to:

- the possibility of remote working within the territory of the country is allowed if agreed between the employer and the foreign employee and control measures are also provided;
- the obstacles related to the posting of foreign employees with a Blue Card, both within Bulgaria and outside the country for a certain period of time, have been abolished;
- a holder of a Blue Card issued by another EU Member State can be posted and work on the territory of the country for a certain period of time;
- the procedure of changing the employer has also been changed – after the first 12 months of highly qualified employment, the foreigner will be able to change his employer freely;
- the possibility for the foreigner to work as a self-employed person during his highly qualified employment has been introduced;
- an alternative and equivalent to acquired higher education opportunity is foreseen for the admission of third-country nationals who possess "a high professional qualification, certified by proof of a high degree of professional skills".

A new article 15a was created in the Regulation for the Implementation of the Law on Labour Migration and Labour Mobility, containing a list of professions for which the relevant knowledge, skills and competences are certified through professional experience at a level comparable to acquired higher education, and in Art. 7 - the range of types of documents certifying professional qualifications is expanded.

Changes to the Law on Foreigners in the Republic of Bulgaria has also been adopted:

- the conditions and procedure for entry into Bulgaria without a visa for the purpose of short-term or long-term mobility of an EU Blue Card holder issued by another Member State are regulated;
- a large part of the deadlines in the application procedure for the issuance of a residence and work permit type "Blue Card" is changed and the possibility of submitting the necessary documents electronically is introduced;

¹⁹ <https://www.parliament.bg/bg/bills/ID/164337>

- persons who have been granted international protection will also be able to apply for a Blue Card;
- the maximum period of validity of the Blue Card has been extended to 5 years;
- evidence of insured housing will be provided at the stage of applying for a Blue Card (the term “temporary address” is also included);
- a simplified procedure for changing employer during the first 12 months of highly skilled employment is introduced, which also provides appropriate control measures to avoid abuse;
- holders of a Blue Card issued by another Member State will be able to move to Bulgaria under simplified conditions;

A new Chapter 8 “b” in the Law on Employment Promotion was created. It establishes a new procedure for recognition of local employers in order to apply a simplified procedure for issuing a Blue Card for highly qualified foreigners employed by them.

A few changes in the Law on Bulgarian Identity Documents were included, which reduce the administrative burden and unjustified expenses for the Blue cardholders and their employers during the procedure of changing the employer and promotion in position.

In Article 33, paragraph 1 of the Law on Health Insurance, a new subsection labelled “4” is established. This subsection stipulates that third-country nationals holding a residence permit of type “Blue Card” are required to have health insurance in Bulgaria, thus exempting them from the need to obtain separate health insurance.

Amendments to the Regulation Implementing the Law on Foreigners in the Republic of Bulgaria (SG No. 37 of 25.04.2023)

Amendments to the Regulation Implementing the Law on Foreigners in the Republic of Bulgaria²⁰ provided for a procedure for a preliminary approval to make investments when the foreigner subsequently applies for permanent residence on this ground. The aim is to strengthen the control over granting right of residence based on investments.

Draft Law on Amendment and Supplement of Law on Foreigners in the Republic of Bulgaria

The Draft Law, elaborated in 2023, amending and supplementing the Law on Foreigners in the Republic of Bulgaria²¹ aims to introduce the requirements of Directive (EU) 2021/1883 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. An amendment has also been foreseen related to a gap identified by the European Commission on the implementation of the Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

In this regard, the relevant provisions of the LFRB and the Law on Labour Migration and Labour Mobility have been specified, regarding, specifically, health insurance of seasonal workers having the right of long-term residence under Article 24k of the LFRB after receiving the

²⁰ [https://www.ciela.net/svobodna-zona-darjaven-vestnik/document/2137233024/issue/6948/postanovlenie-%E2%84%96-58-ot-19-april-2023-g-za-izmenenie-i-dopalnenie-na-pravilnika-za-prilagane-na-zakona-za-chuzhdentsite-v-republika-balgariya-priet-s-postanovlenie-%E2%84%96-179-na-ministerskiya-savet-ot-2011-g-\(dv-br-51-ot-2011-g\)](https://www.ciela.net/svobodna-zona-darjaven-vestnik/document/2137233024/issue/6948/postanovlenie-%E2%84%96-58-ot-19-april-2023-g-za-izmenenie-i-dopalnenie-na-pravilnika-za-prilagane-na-zakona-za-chuzhdentsite-v-republika-balgariya-priet-s-postanovlenie-%E2%84%96-179-na-ministerskiya-savet-ot-2011-g-(dv-br-51-ot-2011-g))

²¹ <https://www.strategy.bg/publicconsultations/View.aspx?lang=bg-BG&Id=7856>

residence document and the possibility of extending the period of residence of a foreign seasonal worker for a period of up to 90 days who has entered the country with a short-term residence visa or a short-term residence permit.

The Draft Law introduces into the national legislation the types of personal documents issued by the Republic of Bulgaria in accordance with Regulation 2019/1157/EU.

Health insurance has also been foreseen for foreigners who are holders of a "Single residence and work permit" after receiving the residence document.

The Draft Law creates a new Article 24p, which expands the field of application of the LFRB by prescribing a procedure for granting the right of residence to foreign specialists.

The procedure for granting the right of prolonged residence to investors has been optimised and the verification of the conditions for the investment, which they must meet, is assigned to the Bulgarian Investment Agency.

The procedure for interaction between the competent state authorities involved in the process of issuing: Prolonged residence and work permit of the "Single permit for residence and work" (Art. 24i of the LFRB); Permit for work and residence of EU Blue Card (Article 33k of the LRFB); Intra-corporate transferee residence permit (Art. 33p of the LRFB); Seasonal worker prolonged residence permit (Art. 24k of the LRFB.) has been improved.

3.2 FAMILY REUNIFICATION AND FAMILY FORMATION

The Draft Law, elaborated in 2023, amending and supplementing the Law on Foreigners in the Republic of Bulgaria²² foresees changes regarding the regulation of the reunification of families of foreigners with the right of residence. Relevant provisions have now been specified in the LFRB, and not in the Regulations Implementing the LFRB, as before.

In addition, substantial amendments have been made to the family reunification procedure in the Law on Asylum and Refugees optimising the procedure applied by the State Agency for Refugees and clearly stating the rights of protected persons and their family members, as well as the required documents.

²² <https://www.strategy.bg/publicconsultations/View.aspx?lang=bq-BG&Id=7856>

4 INTERNATIONAL PROTECTION

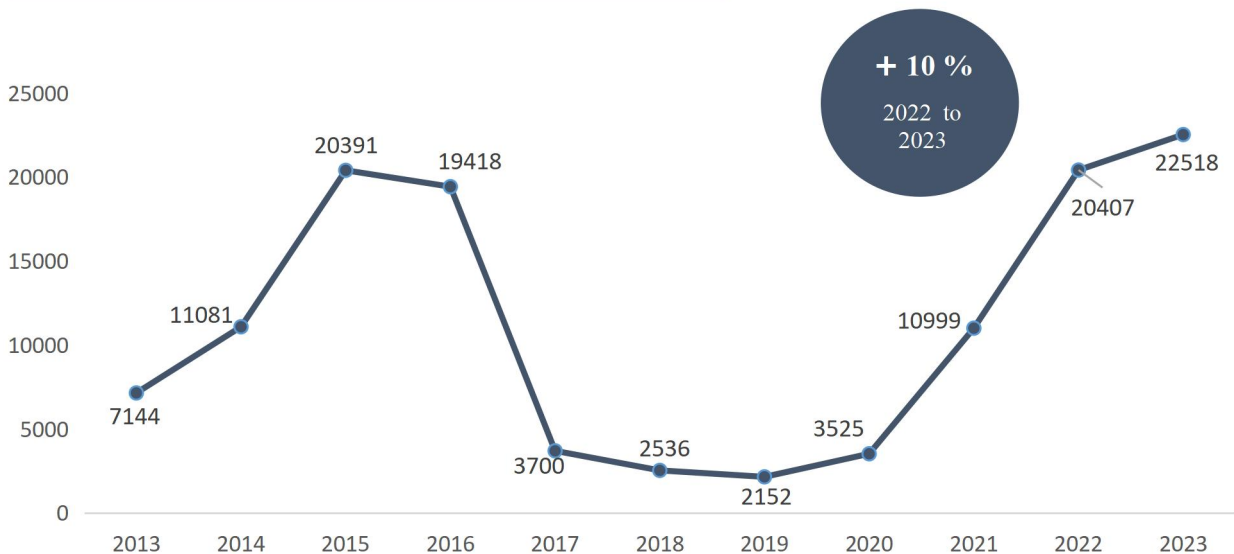
4.1 RECEPTION OF APPLICATIONS FOR INTERNATIONAL PROTECTION

In 2023, Bulgarian policy on international protection and asylum has been conducted in the context of increased migratory flows to the country and Europe as a whole. According to the European border and coast guard Agency (FRONTEX), in 2023, 60,073 illegal border crossings were recorded along the route through the Eastern Mediterranean, which marked an increase of 55 % compared to 2022²³. This is the highest number of crossings reported on this route since 2019²⁴.

In 2023, 22,518 third country nationals applied for protection in Bulgaria²⁵. This is an increase of 10% compared to 2022, when applications for international protection numbered 20,507, including the applications for protection of nationals of Ukraine which were submitted before the introduction of Decision No. 144/10.03.2022 of the Council of Ministers of the Republic of Bulgaria for providing temporary protection to displaced persons from Ukraine.

According to State Agency for Refugees data, the number of registered applications for international protection for the period is the highest since the Agency was founded. For comparison, in 2015, at the peak of the migrant crisis, the number of persons seeking international protection reached 20,391.

Third-country nationals seeking protection in Bulgaria



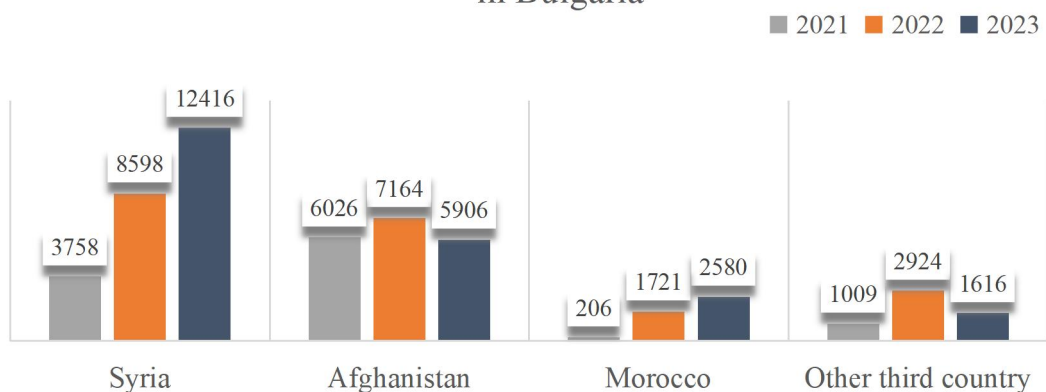
²³ Significant rise in irregular border crossings in 2023, highest since 2016 <https://www.frontex.europa.eu/media-centre/news/news-release/significant-rise-in-irregular-border-crossings-in-2023-highest-since-2016-C0gGpm>

²⁴ <https://www.frontex.europa.eu/what-we-do/monitoring-and-risk-analysis/migratory-routes/eastern-mediterranean-route/>

²⁵ <https://aref.government.bg/sites/default/files/2024-02/%D0%94%20%D0%9E%20%D0%9A%20%D0%9B%20%D0%90%20%D0%94%202023.pdf>

Applications for international protection in the Republic of Bulgaria continued to be submitted mainly by citizens of Syria (55%), Afghanistan (26 %) and Morocco (12%).

Nationality of the applicants for international protection in Bulgaria

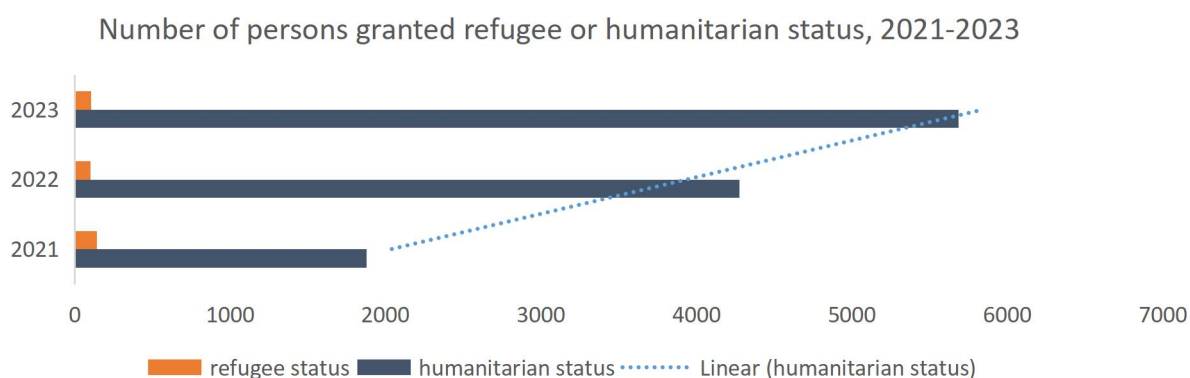


In 2023, an increase of 44% in the number of Syrian citizens who sought protection in Bulgaria, compared to the previous year was observed. A 50% increase of the applications of Moroccan nationals was also observed. In 2023, 17% fewer nationals of Afghanistan compared to 2022 sought protection in Bulgaria.

By the end of 2023, a total of 2,611 foreigners were accommodated in refugee centres. 73% of the total capacity of SAR territorial units was filled. During the reporting period, due to construction activities, SAR territorial units provided 3,592 places. In November 2023, the accommodation capacity of SAR territorial units was filled to 76%, such high accommodation rate has not been observed since the 2016. The persons accommodated in the centres have received a range of services, social and health care. In 2023, the average occupancy rate was 58%.

4.2 INTERNATIONAL PROTECTION STATUS AND WITHDRAWAL OF STATUS

In 2023, international protection was granted to 5,788 persons²⁶. Refugee status was recognised to a total of 106 persons, among whom the largest number was Syrian nationals (67 % of the total number).



²⁶ <https://aref.government.bg/sites/default/files/2024-02/%D0%94%20%D0%9E%20%D0%9A%20%D0%9B%20%D0%90%20%D0%94%202023.pdf>

Humanitarian status was granted to a significantly higher number of persons – 5,682. The largest number was Syrian nationals – 97 % of the total number.

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

Information on asylum seekers and the decisions taken						
Reporting year	Number of persons seeking protection	Refugee status granted	Humanitarian status granted	Denial	Ceased procedure	Total number of decisions
2023	22 518	106	5682	2950	16 211	24 949
2022	20 407	100	4 273	445	14 474	19 292

In 2023, the number of rejected applications (denied status) was 2,574. Most of the rejected applications were for nationals of Morocco. 87% of the decisions to refuse international protection resulted from decisions of the interviewing authority within accelerated proceedings.

The total number of persons with terminated proceedings in 2023 amounted to 16,211. Of these, 7,408 concerned Syrian nationals and 6,205 were the cases of Afghan nationals.

It is important to note that in 2022, 2.3 times more decisions were issued compared to 2022 on applications for family reunification. 90% of them were submitted by Syrian citizens who have already received international protection and live on the territory of Bulgaria.

In July 2023, by an order of the Head of SAR, the Internal Rules for conducting proceedings were updated, which contributed to unify the good practices and optimise the procedures for granting international protection.

4.3 DUBLIN PROCEDURE

Regarding the implementation of the Dublin III Regulation, a record number of the take charge and take back requests from Bulgaria and requests for information were received in 2023 – 21,862 (2021 -21,533). Most requests have been addressed to the Bulgarian state from Germany (6,809), Austria (6,544) and France (1,698).

SAR sent a total of 18,432 replies to take back requests, of which 4,923 were negative and 13,509 positive. According to SAR data, Bulgaria has taken responsibility for approximately 9,000 persons by default or by explicit positive reply.

As of 31.12.2023, a total of 2,465 incoming transfers have been requested and 590 of them have been realised (24 % from the total number). In comparison, in 2022, 846 incoming transfers were requested, of which 202 were realised.

In 2023, a total of 138 outgoing requests were sent to other EU Member States. Individual requests have been sent to Member States for the transfer of persons belonging to a vulnerable

group (mostly unaccompanied children). A total of 51 persons have been transferred to other EU Member States.

4.4 RELOCATION AND RESETTLEMENT PROGRAMMES

Relocation

The Council of Ministers with Decision No. 682/21.09.2022 approved the participation of the Republic of Bulgaria in mechanisms for voluntary relocation of third-country nationals. In 2022, the Republic of Bulgaria supported the Solidarity Declaration proposed by the French Presidency, which established the creation of a Voluntary Solidarity Mechanism, whose objective was "to provide a concrete response to the migration difficulties of the Mediterranean Member States" by relocating asylum seekers and refugees or by financial contributions.

Under this voluntary relocation scheme, the Republic of Bulgaria made a commitment to relocate 179 persons seeking international protection. By 31 December 2023, 94 persons from Cyprus have been relocated in our country.

Resettlement

The Council of Ministers adopted Decision No. 719/05.10.2023 on approving the resettlement in 2023 in the Republic of Bulgaria of 50 citizens of third countries or stateless persons coming from a third country to which they were resettled, meeting the criterion "Syrian refugees in the region and more specifically from the Republic of Turkey".

In 2023, the Republic of Bulgaria accepted for resettlement from the Republic of Turkey two families, a total of nine third-country nationals.

4.5 ACCELERATED PROCEDURES

In the first quarter of 2023, officials from the State Agency for Refugees, together with the Ministry of Interior, participated in a number of meetings with the Austrian Migration Service with a view to launching a pilot project on the territory of the Republic of Bulgaria to conduct accelerated procedure for international protection near the Bulgarian-Turkish border. The pilot project is in implementation of the bilateral Action Plan for the prevention of irregular migration between Bulgaria and Austria. The initial period of implementation was foreseen for the period from March 2023 to September 2023 and the main duty of SAR was to carry out accelerated procedures for examining applications for international protection submitted at the Transit Centre in Pastrogor.

On 20 March 2023, the implementation of a joint pilot project of Bulgaria and the European Commission (COM) for prevention of irregular arrivals and strengthening of border and migration management was also launched. The project builds on the project launched on March 1st and foreseen in the Joint Action Plan between Bulgaria and Austria for prevention of irregular migration.

The Pilot project is implemented with an initial period of 6 months and Bulgaria, with operational and technical support from the COM and EU agencies, has applied several tools, including screening, referral to the right procedure, accelerated procedure and return procedure.

As a part of the implementation of the project in the Pastrogor Transit Centre within SAR, procedures were conducted with asylum seekers, and for the period from March 2023 to December 2023, 2,794 asylum-seeking third-country nationals were registered and a total of 2,430 decisions were made in an accelerated procedure.

A working group was established in order to prepare national lists of safe countries of origin and safe third countries.

In 2023, SAR elaborated a concept note on the creation of a database for comprehensive digitalisation of the international protection procedure in the Republic of Bulgaria. The concept was presented to the European Commission in the framework of the initiated Pilot project for accelerated asylum procedures. At the end of August, SAR sent a request for support from the EU Technical Support Instrument. The overall digitalisation of processes will contribute to achieve faster processing of applications for international protection; greater transparency, accountability and efficiency in the administration of processes; easier tracking of deadlines and to expand the possibilities for aggregated data extraction.

4.6 LEGISLATIVE DEVELOPMENTS

In 2023 a Draft Law on Amendment and Supplement of the Law on Asylum and Refugees (LAR) was developed²⁷. It was published for public consultation in early February 2024.

A Draft Law on Amendment and Supplement of the Law on Asylum and Refugees (LAR) was developed. The main objective of the Draft law is to implement the recommendations of the European Commission by optimising the procedure for international protection and in particular by refining the grounds and rules for conducting the accelerated procedure and bringing them into line with the community grounds regulated in Directive 2011/95/EU (Qualification Directive), as well as the proceedings for inadmissibility of applications for international protection, in accordance with the general standards established in Directive 2013/32/EU (Procedural Directive).

The Draft law regulates all admissibility proceedings introduced in the Common European standards, namely, in relation to third-country nationals who have been granted international protection in another Member state of the European Union; third-country nationals who have been granted refugee status or another type of protection in a first country of asylum; third-country nationals who come from a safe third country and third-country nationals with a subsequent application for international protection.

With the Draft law, the general terminology of the law is made in accordance with the constitutional regulations in the field of asylum by introducing the term "asylum" as a generic term in compliance with Article 27, paragraphs 1 and 2 of the Constitution of the Republic of Bulgaria. The legal definitions of subjects of protection are made in accordance with the definitions of Article 7 of Directive 2011/95/EU.

²⁷ <https://www.strategy.bg/publicconsultations/View.aspx?lang=bq-BG&Id=8070>

The grounds for applying accelerated and inadmissibility proceedings are revised and transposed in full compliance with the relevant provisions of Directive 2013/32/EU (Procedural Directive), following the recommendations of the European Commission.

On the basis of the proposal of the National Office for Legal Assistance, a distinction is introduced in the rights of access to information on the personal file of foreigners seeking protection in accordance with the provisions of the Law on the Bar and the Law on the Protection of Classified Information. Additional requirements are introduced for family reunification proceedings in accordance with Article 5, Paragraph 1 and Article 7, Paragraph 2 of Directive 2003/86/EC in order to optimise them through clear deadlines and rules for their implementation at all stages and introduction of additional guarantees for providing support and shelter by the principal for his/her family members on the territory of the Republic of Bulgaria and guarantees against the trafficking and exploitation of women and minors.

The State Agency for Refugees is obliged to create and maintain a single register for foreigners seeking or granted protection on the territory of the Republic of Bulgaria, access to which will be given to the State Agency for National Security and the Single System for Civil Registration and Administrative Services of the Population (ESGRAON) in order to improve the exchange, consolidation and integration of information on administrative control between the databases of various state authorities with powers in the field. There is an opportunity for accessing of certain data in the Register by other state bodies, local and foreign legal entities and individuals under conditions and rules determined by the heads of SAR and the State Agency for National Security either by virtue of law or on the basis of a court decision.

Changes are also foreseen in connection with the clarification of the legal provisions related to temporary protection.

4.7 OTHER DEVELOPMENTS

On 5 December 2023.²⁸ the Ministry of Foreign Affairs, the United Nations High Commissioner for Refugees (UNHCR) and the Embassy of Switzerland organised in Sofia a joint event entitled “Bulgaria at the Global Refugee Forum”. The voluntary commitments that the Republic of Bulgaria plans to declare at the upcoming second Global Refugee Forum on 13 - 15 December 2023 in Geneva were presented publicly at the event.

The new nine voluntary commitments concern the socio-economic integration of asylum seekers in Bulgaria, the protection of refugee children, with particular attention to unaccompanied children, and ensuring access to humanitarian care on a non-discriminatory basis.

The Forum will bring together representatives of over 180 countries that adopted the Global Compact on Refugees at the UN General Assembly on 17 December 2018. This international document aims to alleviate the situation of refugees around the world and to equally distribute the responsibility for their economic, social and cultural integration in host countries. The document foresees a Global Forum to be organised every four years, at which the States Parties will report on the implementation of commitments to improve the situation of refugees and identify new measures in the same direction. (*see Box 2*)

²⁸ <https://www.mfa.bg/en/news/39467>

Box 2: “Bulgaria at the Global Refugee Forum”

The event was opened by the Deputy Minister of Foreign Affairs Irena Dimitrova, who highlighted the 30 years of joint work of the Bulgarian state institutions and the UNHCR. She reported on the full implementation of the six commitments made by the Republic of Bulgaria at the first Global Refugee Forum in 2019 and presented the voluntary commitments of the competent Bulgarian institutions that Bulgaria plans to announce at the second Global Refugee Forum.

Speeches were also delivered by the Minister of Labour and Social Policy, the Chairperson of the State Agency for Refugees and representatives of other institutions that will implement the commitments over the next four years. The Ambassador Extraordinary and Plenipotentiary of Switzerland to the Republic of Bulgaria H. E. Raymund Furrer presented Switzerland as the host country of the upcoming Global Refugee Forum. The discussion was attended by representatives of the Bulgarian Red Cross, academia, business, NGOs, refugee organisations in Bulgaria, as well as representatives of the diplomatic corps in Bulgaria.

In 2023, the Republic of Bulgaria participated in the negotiation process for making progress on the legislative acts included in the Pact on Migration and Asylum. Bulgaria consistently defended its position to achieve the right balance between solidarity and fair sharing of responsibility.

During the voting for achieving a common approach on the Asylum and Migration Management Regulation and the Asylum Procedures Regulation, Bulgaria voted "abstain", defending its national interest and because of its legitimate concerns related to the geographical location of the country²⁹.

During the reporting period, the State Agency for Refugees prepared a Draft instructions and written comments for 17 meetings of the Working Group "Asylum" and Justice and Home Affairs Council on asylum, as well as for two meetings of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA).

In the field of the bilateral cooperation, SAR was visited by representatives of the relevant competent institutions of Belgium, Austria and Germany. The focus of the discussions was on the improvement of the cooperation in the implementation of the Dublin Regulation.

In 2023, SAR continued to actively develop its bilateral relations and cooperation with related services of the EU member states. An Agreement for the Exchange of Liaison Officers has been signed between SAR and the Federal Office for Migration and Refugees of Germany. A joint visit was held with the Greek and Cypriot asylum services, with which the possibilities for strengthening cooperation at the time of migratory pressure between the three countries located on the external borders of the EU were discussed.

In 2023, within the framework of the operational and technical support of the European Union Agency for Asylum (EUAA), trainings were conducted for SAR employees on the topics "Age assessment of unaccompanied minors" and "Conflict management".

²⁹ <https://aref.government.bg/sites/default/files/2024-02/%D0%94%20%D0%9E%20%D0%9A%20%D0%9B%20%D0%90%20%D0%94%202023.pdf>

Last year, EUAA provided interpreters for the needs of the procedure and reception of the centres of SAR. As part of the activities for the implementation of the Operational Plan, the European Agency organised a visit of a SAR team to Athens, Greece on the topic of "Digitalisation".

Monitoring of the activity of providing information has begun in one of the SAR centres at the Council of Ministers for mapping of work processes and available information materials.

Following a request made by the head of SAR to extend the support, a new Operational Plan was signed with EUAA on 3rd July 2023, which will be in force until the end of 2024. According to this plan, SAR will continue to receive assistance for improving the quality of the process of consideration of the applications for international protection, as well as for the reception and accommodation of persons seeking protection.

5 TEMPORARY PROTECTION AND OTHER MEASURES IN RESPONSE TO PERSONS FLEEING THE WAR IN UKRAINE

5.1 OVERARCHING AND CROSSCUTTING DEVELOPMENTS

Given the continued war in Ukraine throughout 2023, the implementation of measures to ensure suitable conditions for those arriving from Ukraine in Bulgaria continued during this period.

The Republic of Bulgaria's experience in granting temporary protection under Directive 2001/55/EC has underscored the necessity for refining legal provisions pertaining to temporary protection³⁰.

Box 3: Draft Law on Amendment and Supplement to the Law on Asylum and Refugees

The Draft Law on Amendment and Supplement to the Law on Asylum and Refugees, addresses the legal avenue for displaced persons to lodge individual applications for humanitarian status (subsidiary protection) even during the period of temporary protection. It also outlines streamlined procedures for the examination and coordination of such applications, considering the identical material legal requirements for granting protection. The objective is to prevent undue strain on the national asylum system resulting from individual applications for international protection from persons displaced from Ukraine and residing in the Republic of Bulgaria after the expiration of their temporary protection on 4 March 2025.

Additionally, the legislation provides for the possibility of submitting an individual application for the termination of granted temporary protection, with the Head of the State Agency for Refugees empowered to terminate temporary protection through an individual administrative act directed at the specific applicant.

The primary aim is to clarify the legal provisions regarding temporary protection and the subsequent processing of applications for international protection submitted by Ukrainian citizens.

Approval of the amendments will alleviate the risk of overwhelming the national asylum system due to individual applications for international protection from Ukrainian nationals displaced by the war in Ukraine, who will be residing in the territory of the Republic of Bulgaria after their temporary protection expires on March 4, 2025.

In June, by order of the Prime Minister of the Republic of Bulgaria, a new National Operational Headquarters was formed, under the leadership of the Minister of Interior³¹.

The composition of the headquarters includes representatives from ministries, agencies, and organisations relevant to fulfilling its tasks. Inter-agency working groups established within the National Operational Headquarters actively work on vulnerability assessment and identifying the need for accommodation of Ukrainian citizens with temporary protection, a group for social issues, employment, and integration, and a group for coordination with non-governmental and international organisations. An inter-agency working group has been formed to develop a Programme for Integration and Humanitarian Assistance for displaced persons from Ukraine granted temporary protection in the Republic of Bulgaria.

³⁰ <https://www.strategy.bg/publicconsultations/View.aspx?lang=bg-BG&Id=8070>

³¹ <https://government.bg/bg/prestentar/novini/ministarat-na-vatreshnite-raboti-oglavni-natsionalniya-operativen-shtab-za-ukraintsite-s-vremenna-zakrila>

During the reporting period, individuals with temporary protection, including those under 18 years of age, are assisted under the so-called Second Humanitarian Programme - the Programme for Humanitarian Assistance to displaced persons from Ukraine granted temporary protection in the Republic of Bulgaria, adopted by Decision No. 317 of the Council of Ministers of 2022, amended and supplemented by Decisions No. 535, 665, 856, 909, 963, and 1038 of the Council of Ministers of 2022 and Decisions No. 141, 212, 323, 400, 454, and 660 of the Council of Ministers of 2023.

The Ministry of Tourism updates on its website the continuous information regarding the implementation of the Programme for Humanitarian Assistance to displaced persons from Ukraine granted temporary protection in the Republic of Bulgaria, by assisting the owners of the shelter facilities where Ukrainian citizens, beneficiaries of the programme, are accommodated.³²

IOM Bulgaria³³ has been supporting people fleeing the war in Ukraine by providing multipurpose cash assistance, emergency accommodation, mental health and psychological support, purchase of medicines and healthcare assistance.

To facilitate and support the inclusion of Ukrainian and third-country nationals in Bulgaria, IOM has been offering social and administrative counselling, free Bulgarian language courses for adults and distributes school supplies kits to children, displaced by the war in Ukraine. Furthermore, IOM Bulgaria has been providing support in the form of food vouchers distributed to families with children arriving from the worst-affected regions. IOM Bulgaria also has organised and supported various recreational, sports and art activities for children and adults who have fled the war.

There were more than 25,000 persons fleeing the war in Ukraine, supported by IOM in Bulgaria in 2023.

On April 2023, the Bulgarian minister of Foreign Affairs Nikolay Milkov received the United Nations Deputy High Commissioner for Refugees Kelly Clements³⁴. In the course of the meeting, the sides discussed issues related to the refugee crisis caused by the ongoing conflict in Ukraine and the support Bulgaria is providing, our country's commitments in relation to the upcoming Global Refugee Forum in December, as well as other topical issues on the international agenda.

In the context of the 30th anniversary of UNHCR's presence in Bulgaria, Minister Milkov expressed gratitude to the organisation for the fruitful cooperation and said that Bulgaria will continue to work with the UN and other international organisations to address migration challenges and protect the rights of refugees.

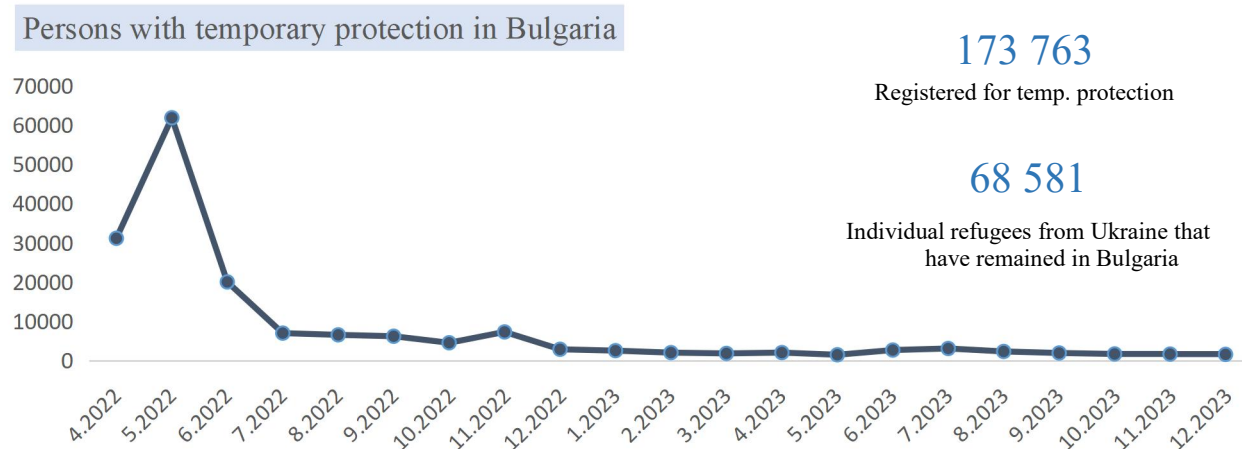
The Bulgarian Foreign Affairs minister pointed out that the Bulgarian government has taken a number of measures to address the challenges related to Ukrainian refugees. He also pointed out that those with temporary protection in the country have access to the labour market, guaranteed access to medical care like Bulgarian citizens, receive accommodation, social benefits as well as the opportunity for education.

³² www.tourism.government.bg/en/kategorii/informaciya-za-nastanyavane-vuv-vruzka-s-voynata-v-ukrayna

³³ <https://bulgaria.iom.int/ukraine-response>

³⁴ <https://www.mfa.bg/en/news/37895>

As of 31.12.2023, the registered with temporary protection in the Republic of Bulgaria are 173,763, and 68,581 of them have registration cards for temporary protection in the Republic of Bulgaria valid until 04.03.2024³⁵.



In 2023, the functioning of the government website Bulgaria for Ukraine continued: <https://ukraine.gov.bg/bg/> on which timely information was published in Bulgarian, Ukrainian and English on all issues related to the residence of Ukrainian citizens with temporary protection in Bulgaria.

Box 4: On 4 May 2023, citizens were informed that technical deficiencies regarding the health insurance of some of the beneficiaries of temporary protection had been identified in the information systems.

The State Agency for Refugees with the Council of Ministers, the Ministry of Interior and the National Revenue Agency are working to eliminate these problems. Persons subject to health insurance are confident that according to Decree No 69 of the Council of Ministers of 5 May 2022, they are insured and the institutions are working to eliminate the errors found in the systems.

5.2 LEGAL STATUS

At the meeting on 01.02.2023, the Council of Ministers of the Republic of Bulgaria adopted a Decision No. 95³⁶ to amend Decision No. 144 of 10 March 2022, concerning the provision of temporary protection to displaced persons from Ukraine, and to amend the National Action Plan for Temporary Protection in the Republic of Bulgaria. This extends the temporary protection of displaced persons from Ukraine on the territory of the Republic of Bulgaria for one year, until 4 March 2024, in accordance with the decision of the European Commission to extend the application of the Temporary Protection Directive.

The government also adopted a Decision amending Decision No. 642 of 4 August 2016 approving specimen registration cards issued by the State Agency for Refugees with the Council of Ministers,

³⁵ <https://aref.government.bg/sites/default/files/2024-02/%D0%94%20%D0%9E%20%D0%9A%20%D0%9B%20%D0%90%20%D0%94%202023.pdf>

³⁶ <https://www.gli.government.bg/bg/node/12354>

specifying a deadline for the re-registration of individuals displaced from Ukraine, provided with temporary protection, in connection with the extension of the temporary protection period on the territory of the Republic of Bulgaria until 4 March 2024. The re-registration process began in early February 2023 and continued until 31 March 2023.

As of 01.04.2023, the acceptance of applications for reissuance of registration cards for temporary protection and the re-registration of persons with temporary protection in the structures of the Regional Directorate of the Ministry of Interior and the Sofia Directorate of the Interior was suspended, and they could be accepted only in the Registration-and-Reception Centres of SAR.

In order to optimise the re-registration processes of beneficiaries of temporary protection on behalf of SAR, together with the structures of the Ministry of Interior, the necessary organisation was created to ensure the process of re-registration for temporary protection. Until 31.03.2023, applications for reissuance of a registration card to a beneficiary of temporary protection could be submitted at the places of registration for temporary protection – the Regional Directorates of the Ministry of Interior, the Sofia Directorate of the Interior and the Registration-and-Reception Centres of SAR .

The joint activities of the SAR and the Ministry of Interior helped to avoid a large backlog of Ukrainian citizens wishing to renew their temporary protection registration cards in early 2023.

5.3 ACCESS TO RIGHTS

From 01.01.2023 to 31.12.2023, there have been no legal, political, or practical changes regarding access to social assistance and services for beneficiaries under temporary protection. Regulation under Article 16 of the Regulations for the Implementation of the Social Assistance Act³⁷ provides a legal possibility for assisting individuals and families in meeting incidentally arisen health, educational, household, and other vital needs by granting one-time assistance once a year. One-time assistance is not a right but a legal possibility and is granted if two cumulative conditions are met: there is an incident and the family is unable to cover the unforeseen expenses with its own means.

During 2023 a total of 2641 application-declarations for granting one-time assistance to persons displaced from Ukraine with granted temporary protection were accepted. 2440 one-time assistance were granted for 3638 persons.

For the period 01.01.23 - 31.12.2023, there were 3 applications for the use of social services by Ukrainian citizens with a temporary protection status: one in the Social Assistance Directorate (SAD)– Burgas for extending the accommodation of a user of the "Crisis Centre" in the city of Burgas; one in SAD – Varna for the use of social service "Home for adults with dementia", and one in SAD – Burgas for the use of "Crisis Centre".

From the beginning of April 2023, the implementation of the "Solidarity" project³⁸, funded through the Operational Programme "Human Resources Development" 2014-2020, has been extended. Thus,

³⁷ <https://www.mlsp.government.bg/uploads/37/politiki/trud/zakonodatelstvo/eng/social-assistance-act.pdf>

³⁸ <https://www.az.government.bg/bg/news/view/udyljava-se-izpylnenieto-na-proekt-ay-solidarnost-au-3897/>

the Employment Agency continued to provide timely support for the rapid labour integration of Ukrainian citizens who arrived in Bulgaria after 24th February 2022.

The employment period for the Ukrainians included in the project has been extended - instead of the previous 3 months; the subsidised employment is now for 6 months. Employers receive incentives for half (1/2) of the duration of subsidised employment, rather than as before - proportionally to the employment.

The remaining activities of the project related to providing integration supplements for accommodation and providing mentors, remain unchanged, so that all participants can continue to benefit from them.

The conditions for Ukrainian citizens wishing to participate in the project remain unchanged - they should register at the Labour Bureau offices located throughout the country and submit their applications there in person.

If desired, employers who already have contracts for providing employment and are in a period of executing subsidised employment or receiving incentives will be able to annex the contracts according to the new conditions.

Detailed information about the new conditions for "Solidarity" has been published on the official page of the Employment Agency as well as on the notice boards in the Labour Bureau offices throughout the country.

5.4 OTHER DEVELOPMENTS

The development of other activities in 2023 related to the support for Ukrainian citizens with temporary protection in the Republic of Bulgaria has been carried out both by state institutions and international and non-governmental organisations.

The Ministry of Science and Education provided, if necessary, psychological assistance to children and students from Ukraine enrolled in the educational system. Assistance provided is part of the overall support for personal development.

On 16 February 2023³⁹, Seda Kuzucu, UNHCR Representative in Bulgaria and Refugee Coordinator announced the appeal as a part of the Regional Refugee Response Plan for refugees from Ukraine launched in Geneva on 15 February with an appeal for \$1.7 billion. The plan includes 10 refugee host countries, namely Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania and Slovakia, with some 250 partners – more than half of whom are national partners. These funds will help 4.2 million Ukrainian refugees and communities in countries hosting them.

“Bulgaria’s people and government have generously received and helped tens of thousands of Ukrainians in need, in a remarkable show of solidarity with the plight of refugees. As one of the first countries in the European Union to provide Temporary Protection, Bulgaria has supported refugees with shelter and basic services, and has provided them with a range of rights, including the right to work.”

Seda Kuzucu, UNHCR Representative in Bulgaria

³⁹ <https://www.unhcr.org/bg/16607-un-and-partners-appeal-for-us-43-4-million-to-help-refugees-from-ukraine-in-bulgaria.html>

On 24 January 2023 European Institute in Sofia⁴⁰ started the project BRACE&PROTECT (Capacity-building and policy recommendations for vulnerable third-country nationals, seeking international protection or granted temporary protection).

The main objective is to improve the capacity of national institutions, public bodies and NGOs, working in the field of asylum and migration and those providing various services to TCNs seeking international protection and TCNs granted temporary protection, with a focus on vulnerable groups.

As a result of balanced activities, the following results are expected: An analysis/analytical report developed regarding the profile of TCNs, seeking international protection and those granted temporary protection status (with a focus on vulnerable groups) in Bulgaria. Developed and approved mechanism for support and social orientation of persons and families from 3rd countries seeking international protection and TCNs granted temporary protection status for the pilot municipalities and Burgas region. Conducted thematic information events. Increased the capacity of national institutions and NGOs working in the field of asylum and migration through training of 200 participants.

Analysis is being developed with proposals/recommendations for further development of policy and legislation in the field of asylum and migration (with a focus on the provision of temporary protection). Additionally, project management, information, and publicity activities are also planned.

Another example of active efforts to support and integrate those arriving from Ukraine is the work of Caritas Bulgaria.

Trainings have been organised as part of the initiative "Access to the Labor Market for Refugees from Ukraine and Other Countries of Origin"⁴¹, carried out by the Caritas network in Bulgaria, in partnership with UNHCR. A total of 150 refugees, settled in the Northern part of Bulgaria, are undergoing intensive language courses with a focus on vocational orientation.

The Career Centre of Caritas, in support of refugees from Ukraine and other origin countries, opened its doors in Sofia on May 18, 2023⁴². In the centre, refugees receive information and assistance in finding employment, career counselling, Bulgarian language courses, vocational training, and upgrading of labour skills, as well as the opportunity to participate in Caritas' entrepreneurship programme.

Caritas Ruse has launched a new series of activities⁴³ for children of refugees from the war in Ukraine, as part of its community support activities in the Northern Bulgaria region. A total of 25 children aged 5 to 15 have been divided into two groups, tailored to the need for their parents to

⁴⁰ <https://refugee-integration.bg/v54389489/>
<https://caritas.bg/novini/novini-bezhantsi/caritas-kursove-balgarski-ezik/>

⁴¹ https://caritas.bg/novini/novini-bezhantsi/caritas-kursove-balgarski-ezik/#pll_switcher

⁴² <https://caritas.bg/novini/novini-bezhantsi/karieren-tsentar-caritas/>

⁴³ <https://caritas.bg/novini/novini-bezhantsi/caritas-detsa-ukrayna/>

have free time to improve their Bulgarian language skills or find employment to ensure sustainable livelihoods for their families. During this time, children develop their imagination, engage in sports, and play in a safe environment.

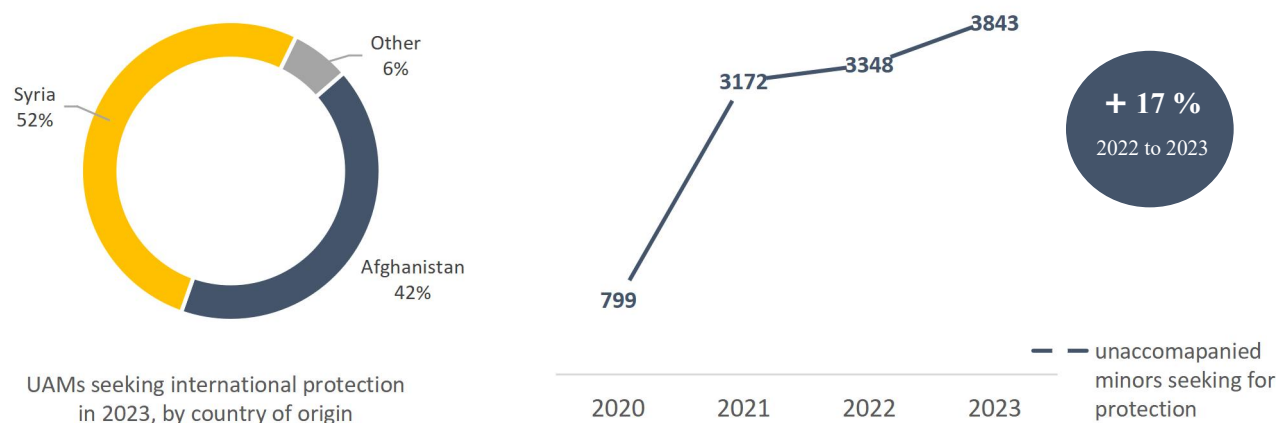
In the city of Varna, a training on "Support for Refugees and Migrants" was conducted. The meeting was organised by the Foundation "Rights for Children" and took place at the Social Tea House in Varna with the participation of representatives from the state institutions, NGOs, and Ukrainians living in Varna. Various aspects of fundamental human rights according to the Constitution of the Republic of Bulgaria and international acts were discussed.

6 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

6.1 UNACCOMPANIED MINORS

6.1.1 UNACCOMPANIED MINORS SEEKING OR RECEIVING INTERNATIONAL PROTECTION - STATISTICS AND TRENDS

In 2023, a total of 3,843 unaccompanied minors were registered in Bulgaria⁴⁴, which represents 17% of the total number of applications submitted for the period (22,518 applications). This year marks a record in the number of applications for unaccompanied minors registered in Bulgaria. In comparison in 2022, the number of registered unaccompanied minors was 3,348.



In 2023, in cooperation with the IOM Mission in Bulgaria, the construction of a third Safe Zone for accommodation of unaccompanied minors on the territory of the Registration and Reception Centre in Harmanli continued. It is expected the Safe Zone will be completed and opened in 2024.

IOM continued its activities in ensuring the functioning of two Safe Zones for unaccompanied minors seeking international protection in the reception centres of the State Agency for Refugees in Sofia, located in Voenna Rampa Quarter and Ovcha Kupel Quarter. A total of 2,569 unaccompanied minors received support during the reporting period⁴⁵.

The support provided by IOM includes: registration and accommodation; social, legal and psychological consultations; medical support; information sessions; distribution of non-food items; organisation of arts, sports and other recreational activities; organisation of informal educational activities; organisation of excursions to cultural, historical, and nature sites.

⁴⁴ Report on the activity of the State Agency for Refugees with the Council of Ministers for 2023 <https://aref.government.bg/sites/default/files/2024-02/%D0%94%20%D0%9E%20%D0%9A%20%D0%9B%20%D0%90%20%D0%94%202023.pdf>

⁴⁵ Safe Zones Snapshot 2023 <https://bulgaria.iom.int/bg/news/iom-bulgaria-safe-zones-snapshot-2023>

In 2023, IOM achieved the following results in the two Safe zones located in RRC Sofia:

- 541 UAMs received medical assistance
- 705 psychological and social consultations
- 2015 UAMs participated in non-formal educational activities
- 2845 UAMs participated in creative and arts-based activities
- 118 UAMs participated in excursions to nature, cultural and historical sites
- 151 UAMs who participated in rituals and celebrations
- 29 family reunifications of UAMs with relatives in the EU, UK and US

In 2023, the joint activities of the State Agency for Refugees within the Council of Ministers (SAR), the Social Assistance Directorate and the Child Protection Department with regard to the placement of unaccompanied minors granted international protection in social services, has continued. The activities aimed at applying an individual approach and taking special care of unaccompanied minors with a view to the best interest of the child. In connection with the execution of the activity, the State Agency for Refugees approved Rules for the organisation of the accommodation of unaccompanied minors who have received international protection in foster families, social or integrated health and social services for residential care. In 2023, 43 unaccompanied minors were accommodated in Social services⁴⁶. In comparison, in 2022, 29 unaccompanied minors were accommodated in Social services.

During the reporting period, the State Agency for Refugees made 2,056 prompt assessments of the child's best interests and 34 full assessments.

In June 2023, the State Agency for Child Protection conducted inspections⁴⁷ with the main objective of observing the rights of children during their stay in registration and reception centres and ensuring a secure and safe environment. Information was collected and analysed on a wide range of questions concerning the organisation of work, living conditions in the centres, work with children, education, training and the organisation of their free time, children's diet, facilities and provision of children's daily household needs, health care, rules and procedures guaranteeing the protection of children from violence, difficulties encountered, good practices and so on.

Recommendations were given to the directors of the RRCs and to the head of SAR. Proposals were also made to take specific actions to comply with legal provisions, regulating rules regarding the prevention of violence and incidents, developing information about the National Telephone Line for Children 116 111 in the languages spoken by children.

⁴⁶ Report on the activity of the State Agency for Refugees with the Council of Ministers for 2023
<https://aref.government.bg/sites/default/files/2024-02/%D0%94%20%D0%9E%20%D0%9A%20%D0%9B%20%D0%90%20%D0%94%202023.pdf>

⁴⁷ <https://sacp.government.bg/sites/default/files/2023-12/rezumeanalizrpc2023.pdf>

6.1.2 STATUS DETERMINATION PROCEDURES AND PROCEDURAL SAFEGUARDS FOR UNACCOMPANIED MINORS

Box 5: Coordination mechanism (CM) for interaction between institutions and organisations in cases of unaccompanied minors or separated children.

A Coordination mechanism (CM) for interaction between institutions and organisations in cases of unaccompanied minors or separated children on the territory of the Republic of Bulgaria, including children seeking and/or granted international or temporary protection has been functioning at national level since 2022.

Its first and main objective is to ensure efficient coordination and coherence between all authorities responsible for protecting and working with unaccompanied minors established on the territory of the Republic of Bulgaria in order to guarantee and protect their rights. Secondly, the Coordination Mechanism aims to achieve clarification and allocation of responsibilities, procedures and approaches of all institutions and organisations involved in its implementation. Finally, the application of the system of an inter-institutional approach, which is introduced with the Coordination Mechanism, facilitates the complex, swift and effective follow-up of each and every specific case of unaccompanied minors and separated children who reside in the Republic of Bulgaria, including those seeking and/or granted international or temporary protection.

In 2023, an Annual monitoring report of the Coordination Mechanism was prepared⁴⁸. It was compiled on the basis of the data provided by the participating institutions in the CM.

The report provided recommendations for improving coordination between institutions; establishing a model and practices for accommodating unaccompanied minors in Social services for children; creation of a register for missing children who have applied for international protection. It also suggests establishing accommodation centres and transitional housing, both for girls and boys unaccompanied minors as well as providing suitable facilities where the children can stay until the moment they are accompanied to the RRCs and their documentation is ready.

It is also recommended the National Office for Legal Assistance and the SAR to sign an agreement on the procedure, conditions and terms under which a State Agency can submit requests for the appointment of a representative and the creation of lists of names of translators for each district of the country. Proposals to change the Ordinance on the terms and conditions for application, selection and approval of foster families and accommodation of children have also been identified.

In 2023, the State Agency for Refugees together with the State Agency for Child Protection developed and adopted an Instruction on the

terms and conditions for assessing the age of a foreigner seeking protection in the Republic of Bulgaria with an unknown identity, who declares that he/she is a child or for whom there are grounds to assume that he/she is a child. When applying the instruction, the principles of the best interest of the child in compliance with the Law on Child Protection, respect for human dignity, the prohibition of torture, inhuman or degrading treatment, the prohibition of return (non-refoulement) and the prohibition of forced placement in a Special Home for Temporary Accommodation of Foreigners, have been taken into account. In the instruction, the age assessment methods (non-

⁴⁸ <https://sacp.government.bg/sites/default/files/politics/godishen-doklad-dazd-2024-last.pdf>

medical and medical examinations) and the responsible structures and officials have been clearly structured. The instruction will be applicable from 01.03.2024.

At the end of 2023, the head of the State Agency for Child Protection (SACP) and Mrs. Seda Kuzucu, UNHCR representative in Bulgaria, signed a Memorandum of Cooperation⁴⁹. With the Memorandum the parties establish a framework of their cooperation regarding the coordination of their joint actions for ensuring protection and inclusion of minors seeking asylum, refugees and stateless children. The Memorandum of Cooperation also outlines the framework for joint activities with regard to unaccompanied and/or separated minors.

In October 2023, a meeting was held which was organised in connection with the initiative of the Minister of Labour and Social Policy and with the assistance of SACP on the topic "The voice of children and their families". Children accommodated in the Safe Zone of RRC-Ovcha Kupel took part in the meeting where they had the opportunity to meet the heads of SAR and SACP. Representatives of the National Legal Aid Office, experts of the Social Assistance Directorates, and the SACP also attended. The meeting was held with the active support of IOM Bulgaria. Various case studies related to forthcoming family reunification were discussed. The complex reasons for delays in family reunification and the rules under which this procedure is organised and carried out were explained to the children.

In 2023, a Handbook on the representation by a lawyer of unaccompanied minors seeking international protection⁵⁰ was ordered by the National Office for Legal Assistance and developed within the implementation of project No. BGHOMEAFFAIRS-1.002-0001-C01 "Increasing the administrative capacity of the competent authorities in the field of asylum and migration" Home Affairs Programme in the framework of the Norwegian financial mechanism 2014-2021. Its main objective is to provide assistance to the defenders who take these complex cases. In the Handbook are included the terms and conditions for granting protection, the authorities, types of protection, the grounds for refusal, cessation and revocation of protection, the rights and obligations of foreigners seeking and receiving protection. It summarises the main legal acts in the field of refugee legislation not only at national, but also at European and international level. It also points out the connections between different legal branches and emphasises on the rights and obligations of the lawyer in all stages of the procedure for granting international protection.

The Foundation for Access to Rights – FAR is the leading organisation in the “Safeguarding unaccompanied and separated children’s rights through the EU Charter of fundamental rights” (SUN)⁵¹, funded by the Citizens, equality, rights, and values (CERV) Programme of the European Commission, which started on April 1, 2023, and will be implemented for 24 months. Partners in the project are ARSIS, Greece; Tdh, Romania; NIDOS, the Netherlands; Sirius Network (International network, based in Belgium); Voluntarius, Italy and CCAR, Spain.

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<https://sacp.government.bg/%D0%BD%D0%BE%D0%B2%D0%B8%D0%BD%D0%B8/%D0%B4%D1%8A%D1%80%D0%B6%D0%B0%D0%B2%D0%BD%D0%B0%D1%82%D0%B0-%D0%B0%D0%B3%D0%B5%D0%BD%D1%86%D0%B8%D1%8F-%D0%B7%D0%B0-%D0%B7%D0%B0%D0%BA%D1%80%D0%B8%D0%BB%D0%B0-54>

⁵⁰ www.acc.government.bg/api/part/GetBlob?hash=055881B9DB0F8393BB82B43B2ADE7542

⁵¹ <https://farbg.eu/en/projects/SUN-project>

The SUN project aims at promoting the effective enjoyment of rights stipulated in the EU Charter of Fundamental Rights by unaccompanied and separated refugee and migrant children.

The project targets all people working with or involved in caring for unaccompanied and separated minors, namely: lawyers, working in the field of legal representation of unaccompanied and separated refugee and migrant children; guardians; civil society organisations and independent human rights bodies representatives; social workers and frontline workers dealing with refugee and migrant children in various settings; school teachers, headmasters of schools and their associations, migrant and refugee communities and their associations, parents and family members from the refugee and migrant communities in the partner countries; university students.

6.1.3 LEGISLATIVE DEVELOPMENTS

In 2023, a Draft law on Amendment and Supplement of the Law on the Asylum and Refugee⁵², which foresees changes in the Bulgarian legislation regarding unaccompanied minors was issued. The main objective of the Draft Law is to strengthen the legal guarantees for the protection of the rights of unaccompanied children seeking or receiving protection in Bulgaria by supplementing and clarifying the powers of the special representatives from the National Office for Legal Assistance, thereby eliminating the possibility of abuse of the rights of children by unscrupulous third parties through paid guardian or Custodial Services for the supply of Bulgarian personal documents, providing assistance in obtaining bank cards for receiving funds from relatives abroad or from employment after reaching the age of 16 and exercising of other rights in the case of granted international protection in the form of refugee status or humanitarian status.

In the additional provisions of the law, the terms "separated child" and "persons responsible by virtue of custom" are introduced, in accordance with §2 of the Additional Provisions of the Regulations for the Implementation of the Law on Foreigners in the Republic of Bulgaria, as well as rules for the implementation of their representation and their right to legal aid and procedural representation.

Additional requirements for family reunification proceedings in accordance with Article 5, Paragraph 1 and Article 7, Paragraph 2 of Directive 2003/86/EC are introduced, which aims to optimise the proceedings by setting up clear deadlines and rules for their implementation at all stages and introducing additional guarantees for providing by the principal of support and shelter for his/her family members on the territory of the Republic of Bulgaria and guarantees against the trafficking and exploitation of women and minors.

A legal prerequisite for the adoption of an Ordinance on age assessment and determination by the Council of Ministers is also created. The adoption of such an ordinance is urgent and imperative due to the fact that, in general, the majority of third country nationals and in particular - unaccompanied minors, enter or reside on the territory of the Republic of Bulgaria not according to the established legal procedure and without valid identity documents. On one hand, this hinders the early identification of unaccompanied children and taking appropriate protective measures against them. On the other hand, this allows abuse of the law insofar as, in the absence of an adequate

⁵² <https://www.strategy.bg/publicconsultations/View.aspx?lang=bg-BG&Id=8070>

mechanism for age assessment, cases in which adult citizens of third countries declare that they are minors in order to benefit from the guarantees and privileges foreseen in the legislation as child protection measures become more frequent. For this reason, it is necessary to introduce a methodology for multidisciplinary age assessment based on a complex of non-medical and medical expertise, in order to enable the competent authorities to make a well-founded decision about foreigner's age, which will be defensible in case of further administrative or judicial proceeding.

The amendments of the Family Code⁵³ from 22.12.2023 introduce guardianship of minor foreigners who are on the territory of the country. There is no practice related to these amendments so far. The Family Code has also provided for special cases of representation and care when persons who are not the child's parents are entrusted with the care of the child (by a court decision or when a placement by a court decision is ordered). These persons carry out the necessary legal actions to protect the child's personal rights related to his health, education, civil status, including issuing of identity documents. In certain cases, the Social Assistance Directorate carries out these actions.

6.1.4 UNACCOMPANIED MINORS WHO DO NOT APPLY FOR OR HAVE NOT BEEN GRANTED INTERNATIONAL PROTECTION

In 2023, Chief Directorate Border Police identified and handed over to the Social Assistance Directorate 35 unaccompanied minors in compliance with the provisions of Article 63k et seq. of the Regulations implementing the Law on Foreigners in the Republic of Bulgaria⁵⁴.

During the reporting period, the "Child Protection" departments in the country took 120 cases of unaccompanied minors, including refugee children, against whom protection measures have been taken under the terms and conditions of the Law on Child Protections⁵⁵. For accommodation of unaccompanied minors, incl. refugee children, the built-up capacity and resources of the Social services for children at risk available in the country are used. Social services used during 2023: 88 children used social services for residential childcare (Crisis Centre, Centre for Integrated Services) and 32 children were placed with relatives and friends.

6.2 OTHER VULNERABLE GROUP

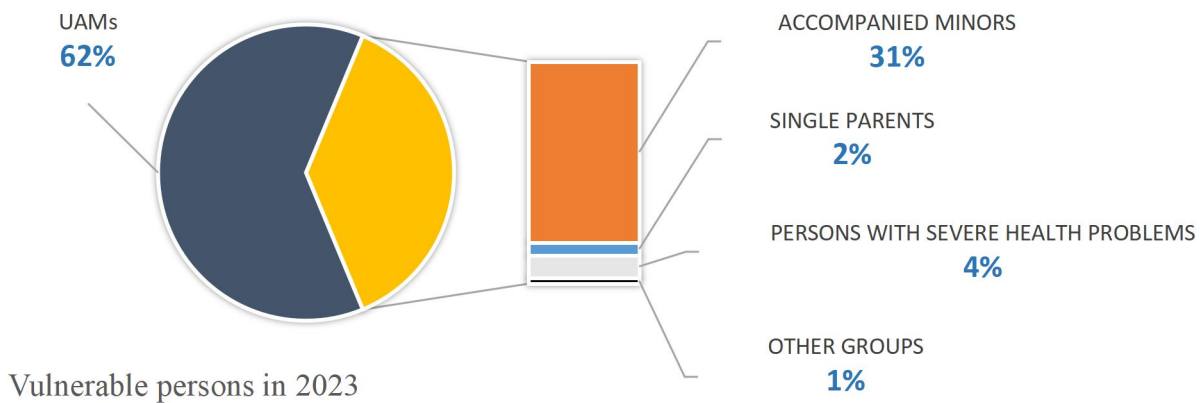
In 2023, 6,145 vulnerable persons and persons with special needs were identified in the RRCs of the SAR, which is a 27 % of the total number of applications submitted for this period.

The largest number of persons from that group is the one of the unaccompanied minors. They are about 63 % of all vulnerable persons identified during the year. This is followed by accompanied minors, who account for 31 %. The group of single parents with children under the age of majority is about 2 %, persons with severe health problems – 4 %. Those belonging to other vulnerable groups are less than 1%.

⁵³ Family code <https://lex.bg/laws/ldoc/2135637484>

⁵⁴ https://www.mvr.bg/docs/default-source/planiraneotchetnost/%D1%81%D0%BF%D1%80%D0%B0%D0%B2%D0%BA%D0%B0-%D0%B4%D0%B5%D0%BA%D0%B5%D0%BC%D0%B2%D1%80%D0%B8-2023_internet.pdf?sfvrsn=432901b2_2

⁵⁵ <https://asp.government.bg/bg/za-agentsiyata/misiya-i-tseli/otcheti-i-dokladi/>



Vulnerable persons in 2023

In order to identify vulnerable persons and persons with special needs the State Agency for Refugees works with established tools such as identification and assessment of needs, support plan, social consultation and so on. SAR also uses the guidelines of the Tool of the European Union Agency in the field of asylum for identifying persons with special needs, applies an individual approach and conducts social interviews and consultations.

In April 2023, a Memorandum of Understanding was signed between the State Agency for Refugees and the International humanitarian organisation "Doctors Without Borders" in the field of the implementation of activities related to reducing morbidity and mortality among vulnerable persons seeking international protection in RRC Harmanli.

7 INTEGRATION

7.1 GENERAL CONTEXT AND LEGISLATIVE DEVELOPMENTS

The National Migration Strategy of the Republic of Bulgaria 2021-2025 notes that the policy on integration of migrants who legally reside in the country shall be conducted in accordance with the Common Basic Principles for the Integration of Migrants in the EU. The Strategy also notes that the balance between the rights and obligations of migrants in the Republic of Bulgaria is guaranteed and that the integration policy is an integral part of the national policy in the field of legal migration.

The integration of persons who have received international protection in the Republic of Bulgaria has been carried out in accordance with the Ordinance on the Terms and Conditions for Concluding, Implementing and Terminating the Agreement for Integration of Foreigners with Granted Asylum or International Protection⁵⁶.

In accordance with Art. 20 of this Ordinance, the State Agency for Refugees with the Council of Ministers shall conduct individual and group consultations with the accommodated persons, prepare integration profiles of the applicants for international protection and assist in filling in applications for concluding integration agreements.

In 2023, 93 integration profiles for relocated persons, 15 for persons seeking international protection and 9 for resettled persons were made.

On the basis of the data provided by SAR during the reporting period 22 integration agreement with Vithosha region within Sofia municipality. Applications for signing an integration agreement for 30 persons were submitted from Vithosha region, for 16 persons from Kremikovtsi region and for 12 persons from Ovcha kupel region (all within Sofia municipality).

In 2023, a Draft law on amendment and supplement of the Law on Asylum and Refugees was prepared, which foresees in the circle of persons granted protection who are included in the integration programmes of the municipalities, local government and local administration to be also included foreigners with granted temporary protection. The opportunities for their prompt integration and self-support, including through targeted financing from EU funds (regional development, human resources and so on) were broadened. In this way, it foresees the dependency and the necessity for social support through State funding to be no longer needed.

7.2 INCLUSION IN THE LABOUR MARKET - STATISTICS AND POLICY DEVELOPMENT

In connection with the amendments to the Law on Employment Promotion, which came into force on June 3, 2022, regulating the right of foreigners with temporary protection to access all services for job seekers, including subsidised employment and training, there has been a need to expand the implemented programmes and measures aimed at addressing adaptation and integration issues of refugees and providing support that takes into account individual characteristics and needs. A crucial condition for the successful integration of refugees into Bulgarian society is proficiency in the Bulgarian language and access to the labour market.

Through their labour, professional experience, knowledge, and culture, foreigners granted refugee status or humanitarian status, or those enjoying temporary protection, contribute not only to

⁵⁶ <https://lex.bg/en/laws/ldoc/2137169844>

improving their economic and social status but also to the development of Bulgarian society, where they have found protection and support.

In this regard, a Programme has been developed for the employment and training of unemployed individuals who have acquired refugee or humanitarian status, as well as those enjoying rights under Article 29, paragraph 3 of the Asylum and Refugees Act or temporary protection. This group of unemployed individuals is among the most vulnerable groups in the labour market. The problems they face in finding employment are specific and stem from their particular situation: they may not speak Bulgarian, lack documents proving their education and professional qualifications, work experience, which complicates finding a job in their field of expertise. The main goal of the Programme is to support the successful adaptation and labour integration of individuals in the Bulgarian labour market by involving them in training and subsequent employment, as well as by enhancing the capacity of transit and reception centres under the Law on Asylum and Refugees t and local authorities to work with refugees, especially in the conditions of increased traffic of citizens arriving from Ukraine.

According to data from the Employment Agency, in 2023, the Programme provided employment to 37 persons, of which 22 were newly included.

According to information from the Employment Agency in 2023, in the labour bureaus in Bulgaria, 5,152 migrants were registered as job seekers, and 3,897 migrants had started working.

During the reporting period, Bulgaria continued putting efforts for the integration of persons displaced from Ukraine as well as for overcoming the growing shortage of personnel on the labour market in Bulgaria, mainly by attracting an active and qualified workforce. In 2023, 1,574 Ukrainian citizens granted temporary protection status were registered at the Labour offices around the country.

During the period under review, 266 Ukrainian citizens who received temporary protection in the Republic of Bulgaria have started working under the "Solidarity" project, financed under the Operational Programme "Human Resources Development". Since the beginning of the implementation of the project (24.02.2022) to 30.09.2023, 3,839 Ukrainian citizens started work.

7.3 EDUCATION AND TRAINING OF ADULTS

By order of the Minister of Labour and Social Policy dated 20th September 2023, the deadline for the Refugee Employment and Training Programme has been extended⁵⁷. This means that the Programme will continue to operate until 31st December 2024.

The main aim is to support the labour market integration of foreigners granted refugee or humanitarian status, as well as those enjoying temporary protection or rights under Article 29, paragraph 3 of the Law on Asylum and Refugees⁵⁸ through participation in Bulgarian language training and/or professional qualification acquisition training, and providing subsidised employment. The Programme is implemented nationwide.

⁵⁷ <https://mlsp.government.bg/uploads/24/zaetost/programa-za-zaetost-i-obuchenie-na-bejanci-2023-combined.pdf>

⁵⁸ https://aref.government.bg/sites/default/files/uploads/english/ASYLUM%20AND%20REFUGEES%20ACT_20.pdf

The tasks of the Programme include conducting consultations between the institutions involved in the implementation of activities, providing Bulgarian language training to unemployed individuals from the target group, providing professional qualification acquisition training to unemployed individuals from the target group, and facilitating employment for individuals from the target group.

In 2023, the State Agency for Refugees within the Council of ministers continued to work actively towards the inclusion of children seeking protection in the Bulgarian education system. For the academic year 2022/2023, 92 children are enrolled in school (in 2022 there were 118) and 20 children finished the school year.

In June 2023, one of the main activities of the project "Improving accommodation conditions and provision of social activities for persons accommodated in the centres of SAR within Council of Ministers", financed within the framework of the Norwegian Financial Mechanism, was launched, namely "Organising of Bulgarian language courses for asylum seekers accommodated in the Agency's territorial divisions". Additional classes in the Bulgarian language and informal training are also provided by Caritas - Bulgaria within the "Support for the Future" project.

On April 21-23, in Burgas, the Bulgarian Council on Refugees and Migrants held a second training "HELPING THE TEACHER – Working practices in teaching Bulgarian as a foreign language to adults, asylum seekers and refugees"⁵⁹. The training was organised under the project "Advocacy for the Integration of Refugees in Bulgaria", financed by UNHCR.

The event is part of the BSBM's efforts to contribute to increasing the quality and effectiveness of the teaching of the Bulgarian language to refugees as a prerequisite for their real integration. It is a continuation of the forum "Teaching Bulgarian as a Foreign Language: The Role of Institutions and Challenges for Practitioners", organised by BSBM in partnership with UNHCR and UNICEF in November 2022.

7.4 INVOLVEMENT OF MULTI-STAKEHOLDERS INCLUDING NON-GOVERNMENTAL ORGANISATIONS

The Bulgarian Council on Refugees and Migrants (BCRM)⁶⁰ was founded in 2005 by the Bulgarian Red Cross, the Bulgarian Helsinki Committee and Caritas-Bulgaria as a platform of their activities related to the refugee and migration policy, protection and integration of refugees and migrants. In 2007, the Association for Integration of Refugees and Migrants joined the BCRM.

The Council develops and strengthens the cooperation and partnership between the state institutions, local authorities and non-governmental organisations for legal and social protection to refugees and migrants.

On October 24, 2023, the Bulgarian Council on Refugees and Migrants in partnership with the Ministry of Education and Science, the State Agency for Refugees under the Council of Ministers and Sofia University "St. Kliment Ohridski" organised the **Academic Forum "Social and**

⁵⁹ <https://bcrm-bg.org/%d0%bd%d0%be%d0%b2%d0%b8%d0%bd%d0%b8-%d0%b8-%d1%81%d1%8a%d0%b1%d0%b8%d1%82%d0%b8%d1%8f/page/2/>

⁶⁰ <https://bcrm-bg.org/en/about-us/#who-we-are>
<https://bcrm-bg.org/%d0%b7%d0%b0-%d0%bd%d0%b0%d1%81/>

Educational Inclusion of Refugees⁶¹. The Forum is a logical extension of the BCRM strategic efforts to engage the academic community in the field of refugees in response to the Global Compact for Refugees.

In 2023, **two regional trainings were organised for the development of the capacity of non-governmental organisations in Bulgaria**. The trainings are part of the strategic efforts of the Bulgarian Council on Refugees and Migrants to strengthen civil society structures on issues of refugee integration and inclusion. The programme included the topics of cooperation between the State Agency for Refugees and the non-governmental sector, quality management of social work, digitization and digital transformation in the non-governmental sector, protection of personal data, cooperation between the private sector and non-governmental organisations, as well as the financial sustainability of non-governmental organisations. The training is organised under the project “Advocacy for refugee integration in Bulgaria”, financed by UNHCR.

In August the Bulgarian Council for Refugees and Migrants and the State Agency for Refugees with the Council of Ministers organised a working forum on social adaptation, inclusion and integration of persons granted international protection in Bulgaria. The forum brought together representatives of ministries and agencies, non-governmental organisations, the private sector, as well as representatives of non-governmental organisations to discuss the issues related to the current situation with the integration of refugees, the position of the institutions, as well as the experience of the non-governmental sector and municipalities.

At the beginning of the year, two regional discussion forums were also held on the social inclusion, adaptation and integration for refugees. Participants discussed the social assistance and social services for refugees and their importance for integration, focusing on vulnerable groups.

Academic Bulletin "Refugees: Today and Tomorrow"⁶² involve the academic community in the refugee protection and inclusion topic addressing challenges and opportunities. The BCRM published the first pilot issues of the Academic Bulletin Refugees: Today and Tomorrow in 2020. Due to the increasing interest of the academic community, the edition was continued and developed in the following years. By the end of 2023, the published issues of the journal will become 14. In 2023, the European Website of the Integration (EWSI) presented the Bulletin as a good practice. Currently, BCRM is in the process of synchronisation of the Bulletin content and metadata with the Bulgarian Portal for Open Science⁶³.

The academic bulletin is the only specialised journal in Bulgaria that offers an in-depth and multidisciplinary focus on forced displacement and refugee issues. It aims to create the first accessible space in Bulgaria where researchers, educational institutions, practitioners, and refugees can exchange knowledge and experience on topics related to forced displacement and refugees.

The Bulgarian Centre for Refugee and Migration has taken significant steps to foster academic collaboration and support the cause of refugee protection and inclusion. One of the initiatives is the creation of the Academic Portal on Forced Displacement and Refugees, accessible at www.academia.refugee-integration.bg. This platform is designed to serve as a dynamic hub for

⁶¹ <https://bcmr-bg.org/2023/>

⁶² <https://globalcompactrefugees.org/good-practices/academic-bulletin-refugees-today-and-tomorrow>

⁶³ <https://bpos.bg/en/about-portal>

academics, researchers, and students, providing them with a comprehensive repository of resources and a space for collaboration.

In 2023, the content of the platform www.refugeelight.bg was updated, which replaced the existing platform www.migrantlight.bg. The platform is supported by the Foundation for Access to Rights - PHAR in cooperation with UNHCR Bulgaria. The platform contains information in 9 languages about fundamental rights in Bulgaria and an interactive map of service providers for refugees and migrants in the country. A novelty is the creation of a new "Employment" section.

During the reporting period, a new Refugee Employment Platform in Bulgaria was developed - www.employment.refugeelight.bg, which started functioning at the beginning of 2024. The platform aims to connect refugees with employers, fostering self-reliance and economic empowerment within refugee communities in the country.

7.5 BASIC SERVICES

Within the framework of the process of social adaptation and cultural orientation of asylum seekers, various thematic events, sports festivals and celebrations, art activities, cultural and entertainment (theatre, cinema, museums, excursions, etc.); events for the presentation of different cultures, including Bulgarian customs and traditions; sports activities, etc.; domestic adaptation activities; organised events for health care and hygiene 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.

In carrying out activities related to organising and providing information regarding the procedures for conducting preventive examinations and investigations of individuals in the process of obtaining and/or having obtained refugee and humanitarian status in the Republic of Bulgaria, all asylum seekers undergo initial preventive examinations immediately after their registration with the State Agency for Refugees under the Council of Ministers. Information sessions are held on-site in territorial divisions.

In 2023, 38 information sessions were conducted regarding the right to access healthcare services.

Teams from the Emergency Medical Centres and their branches in areas with functioning Reception and Registration Centres under the State Agency for Refugees -Council of Ministers, have served 2,385 individuals seeking or having obtained protection in the country.

The Regional Health Inspectorates (RHIs) regularly provide information to foreigners seeking or having obtained refugee/protection status regarding the right to access healthcare services and health activities under national and regional health programmes operating in the respective municipality.

In 2023, a total of 31,700 examinations were conducted by RHIs at Reception and Registration Centres under the State Agency for Refugees, Ministry of Interior: microbiological, parasitological, and virological examinations of asylum seekers or individuals granted protection.

7.6 ACTIVE PARTICIPATION OF MIGRANTS AND RECEIVING SOCIETIES IN INTEGRATION

In November 2023, the Bulgarian Council for Refugees and Migrants presented Information material for the new mayors and representatives of local authorities⁶⁴, which provides extensive information on the subject of the integration of refugees (persons granted international protection or registered for temporary protection) at the local level – in the cities and municipalities on the territory of Bulgaria. The publication emphasises the opportunities for social and economic development, building local, national and international partnerships, as well as guaranteeing security. The publication was also developed as a result of consultations with experts from representatives of municipalities, state bodies and non-governmental organisations with experience on the subject of refugee integration.

In December 2023, was presented the next issue of the Information Newsletter “Integration of Refugees in Bulgaria: Opportunities for Development”⁶⁵. The issue includes information on Supporting local authorities: from challenges to opportunities, as well as Academic Forum “Social and Educational Inclusion of Refugees”.

7.7 FIGHTING RACISM AND DISCRIMINATION

In October 2023, the Council of Ministers adopted the first National Action Plan for Combating Anti-Semitism, which covers the period from 2023 to 2027.

A foundational document within the EU is the European Commission's Strategy for Combating Anti-Semitism and Supporting Jewish Life (2021-2030), in which Member States are invited to develop National Strategic documents to combat anti-Semitism⁶⁶. In the EU Council Conclusions of 4 March 2022, this commitment is recognized by all EU Member States. Among the measures listed in the Plan is the dissemination of information related to the topics of combating discrimination, intolerance, xenophobia and anti-Semitism, for which the Ombudsman of the Republic of Bulgaria and the Commission for Protection against Discrimination have been held accountable.

On 15.12.2023, the meeting of the national coordinator for combating anti-Semitism with the Contact Group for combating anti-Semitism was held. The meeting was attended by representatives of institutions as well as non-governmental organisations engaged in the fight against anti-Semitism, in accordance with Decision No. 874 of the Council of Ministers of 2022⁶⁷.

The meeting discussed the implementation of specific measures provided for in the National Action Plan for Combating Anti-Semitism (2023-2027), adopted by the Council of Ministers in October 2023. The participants in the meeting confirmed the commitment of the Republic of Bulgaria to counteract of anti-Semitism and the understanding that, given the history and traditions of our country, such manifestations of discrimination, intolerance and hatred have no place in Bulgarian society.

⁶⁴ <https://bcrm-bg.org/en/2023/>

⁶⁵ <https://bcrm-bg.org/en/2023/>

⁶⁶ www.mfa.bg/bg/4347

⁶⁷ www.mfa.bg/bg/news/39482

Box 6: The Commission for Protection Against Discrimination (CPD) is implementing the project "Improving the prevention of labour market discrimination through modernization and strengthening of the CDP" that is carried out with the financial support of the European Social Fund plus under the Human Resources Development Program 2021-2027.

The project aims to improve prevention and protection against discrimination. Among the main activities are: conducting campaigns to improve citizens' awareness of the Charter of Fundamental Rights of the EU and the Convention on the Rights of Persons with Disabilities and protection against discrimination; promotion and consolidation of the "Employer without discrimination" procedure, including its digitization in order to address a larger number of employers. In addition, other administrations related to the labour market, such as the Employment Agency, the General Labour Inspectorate, including their territorial structures, employees in the municipal and regional administrations / as well as the equality and non-discrimination coordinators/ who, in partnership with the regional representatives of the CPD can implement even more effective protection of the participants in the labour market. The form for submitting complaints, as well as the register of effective decisions of the CPD, will also be digitized, and for this purpose a new website of the Commission for Protection against Discrimination will be developed.

Source: <https://kzd-nondiscrimination.com/layout/index.php/component/content/article/39-proekti/2333--bg05sfpr002-1008-0001-bg05sfpr002-1008->

8 CITIZENSHIP AND STATELESSNESS

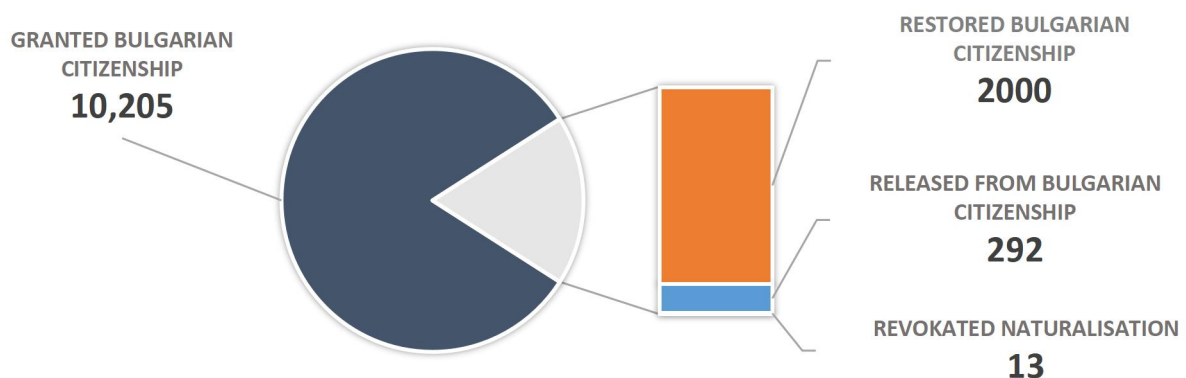
8.1 ACQUISITION OF CITIZENSHIP

A Commission on Bulgarian Citizenship has been set up within the Presidential Administration. It is a permanent subsidiary body with advisory functions to the Vice President of the Republic of Bulgaria, to which the Head of State by Decree No. 9 of 22 January 2022 has entrusted the power to grant and restore Bulgarian citizenship, release and deprivation thereof, in accordance with Article 98(9) of the Constitution of the Republic of Bulgaria⁶⁸. The composition, structure and rules of work of the Bulgarian Citizenship Commission are determined by Presidential Decree No. 36 of 22 January 2022.

Box 7: The Commission on Bulgarian Citizenship

The Commission on Bulgarian Citizenship shall assist the President and the Vice President of the Republic of Bulgaria, 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 for change of citizenship. The Commission prepares reports on each proposal received from the Minister of Justice, guided by the Constitution of the Republic of Bulgaria, the international treaties to which the Republic of Bulgaria is a party and domestic legislation. The report shall contain the opinions expressed and decisions taken by the Citizenship Council on each proposal for change of citizenship received, the annexed material from various institutions in support thereof, and the opinion of the Commission. The Vice-President of the Republic of Bulgaria shall issue or refuse to issue decrees on the change of citizenship on the basis of the proposal of the Minister of Justice and the report of the Commission. Decrees on change of nationality shall enter into force on the day of their issue.

In 2023, the Vice President of the Republic of Bulgaria issued 145 decrees on changes in Bulgarian citizenship to 12,510 persons⁶⁹:

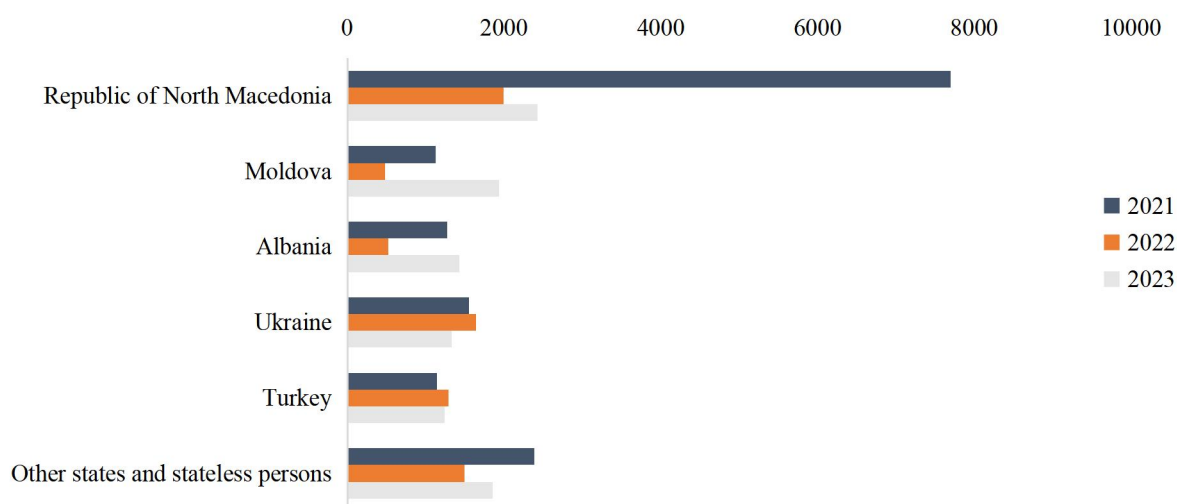


⁶⁸ <https://m.president.bg/en/cat22/Balgarsko-grajdanstvo>

⁶⁹ Report on the activities of the Commission on Bulgarian Citizenship in the period 1 January - 31 December 2023 <https://www.president.bg/docs/1705652588.pdf>

The citizens who predominated originated from the Republic of North Macedonia, Republic of Moldova, Republic of Albania, Republic of Ukraine and Republic of Turkey. Bulgarian citizenship has also been granted to 1,813 persons from 61 other countries and 42 stateless persons.

Nationality of the persons who acquired Bulgarian citizenship between 2021-2023



The increase in the number of persons acquiring Bulgarian citizenship compared to 2022, when 7,410 persons acquired Bulgarian citizenship, was 38% .

During the reporting period, 4,897 persons acquired Bulgarian citizenship on the grounds of Bulgarian origin.

In 2023, the number of persons who acquired Bulgarian citizenship based on a parent who is a Bulgarian citizen or under the conditions of full adoption is 4,513.

In the reporting period, the number of persons who acquired Bulgarian citizenship by naturalisation on the basis of art. 12, 13, 13a and 14 of the Law on Bulgarian citizenship is 773⁷⁰.

22 persons received citizenship due to an interest of the state in their naturalisation and special merits to the Republic of Bulgaria.

During the reporting period, the number of persons for whom decrees for restoring Bulgarian citizenship were issued was 2,000.

The number of persons released from Bulgarian citizenship was 292. This category includes Bulgarian citizens who are permanently settled on the territory of another country and have requested to acquire its citizenship.

13 persons were revoked of naturalisation due to legal violations (imposed entry bans in the Schengen area); hidden facts and data about judicial or criminal records; effective convictions for intentional crimes of general nature in the country of origin or in a Schengen country; persons wanted by Interpol; use of forged/falsified documents to verify the existence of a Bulgarian

⁷⁰ Law on Bulgarian Citizenship <https://lex.bg/laws/ldoc/2134446592>

ascendant; 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.

During the reporting period, the Vice President of the Republic of Bulgaria refused to issue decrees for change of citizenship to 4,780 persons in total.

In 2023, based on a proposal of the Minister of Justice, the Vice President refused to release 7 persons from Bulgarian citizenship and refused to restore the Bulgarian citizenship of 81 persons.

8.2 LEGISLATIVE DEVELOPMENTS

On September 21st 2023, the National Assembly adopted at first reading the three draft laws amending and supplementing the Law on Bulgarian Citizenship⁷¹, which provide for clarification of the terms and conditions for granting, releasing and revoking of the Bulgarian citizenship.

The main proposal is related to the introduction of the requirement for a clean criminal record of the applicant for Bulgarian citizenship, not only in the Republic of Bulgaria, but also in his country of origin, respectively in the country of residence⁷². It is proposed that in naturalisation procedures the period for submission of documents for releasing from foreign citizenship be shortened. Changes for unifying the conditions for acquiring Bulgarian citizenship upon marriage with a Bulgarian citizen have been proposed. In addition, the possibility of revoking naturalisation is foreseen if there is a proof of a marriage of convenience.

When applying for Bulgarian citizenship on the basis of Bulgarian origin it is foreseen the requirement for the ascending relative of Bulgarian origin "died as a Bulgarian citizen" to be dropped. Proficiency in Bulgarian language is introduced as a mandatory condition for all cases of naturalisation and the possibility for acquiring Bulgarian citizenship in case it is of interest for the Republic of Bulgaria or when the person has special merits to the Republic of Bulgaria.

The draft law provides the revocation of Bulgarian citizenship to be allowed only if the person has no unpaid public obligations in the Republic of Bulgaria. The requirement for the applicant for acquiring Bulgarian citizenship by naturalisation to be eligible at the time of issuing of the decree for Bulgarian citizenship is introduced.

Some of the proposed amendments outlined in the Draft Law aim to create an opportunity for acquiring Bulgarian citizenship by naturalisation in the cases when the person has requested his previous citizenship to be released, but it is not possible to do so due to reasons for which he can not be held responsible for⁷³.

It is proposed all decrees for granting, restoring, releasing, or depriving Bulgarian citizenship be promulgated in the State Gazette. It is also foreseen persons who have acquired Bulgarian

⁷¹ Transcript of the 49th National Assembly of the Republic of Bulgaria, 51st plenary meeting, 21 September 2023 <https://www.parliament.bg/en/plenaryst/ns/55/ID/10808>

⁷² Draft Law amending and supplementing the Law on Bulgarian Citizenships, № 49-354-01-34 <https://www.parliament.bg/bg/bills/ID/164820>,

⁷³ Draft Law amending and supplementing the Law on Bulgarian Citizenships, № 49-354-01-58 <https://www.parliament.bg/bg/bills/ID/164876>

citizenship to be given certificates at a special ceremony as well as making the registers of persons who have acquired Bulgarian citizenship based on significant public interest⁷⁴.

At the end of the year, at its meeting, the Council of Ministers adopted a decision for approving a draft Law on Amendments and Supplements to the Law on Bulgarian Citizenship⁷⁵ (adopted at first reading in February 2024 by the National Assembly).

The draft law foresees supplementing the conditions for the acquisition of Bulgarian citizenship by persons of Bulgarian origin, as well as by persons with a parent who has acquired Bulgarian citizenship, as proficiency in the Bulgarian language is introduced as a mandatory condition. The motives of the legislators in this regard are that the lack of knowledge of the Bulgarian language on the part of the persons who acquired Bulgarian citizenship by naturalisation would create serious and difficult obstacles for their integration into the Bulgarian society. The requirement for proficiency in the Bulgarian language does not apply to persons who acquire Bulgarian citizenship on the basis of adoption by a Bulgarian citizen under the conditions of full adoption.

The draft law also provides for the creation of a provision regarding the impossibility of persons against whom criminal proceedings have been initiated by a competent authority, as well as persons who have unpaid financial obligations to the Bulgarian state or to a Bulgarian natural person or entity, established by an effective act of competent authority, to be released from Bulgarian citizenship.

An essential point in the draft law is the creation of a provision that provides for the possibility of revoking naturalisation in cases where a person systematically and intentionally through speech, print and other means publicly preaches or incites violence or hatred, or has committed an act of hateful violence aimed at against the Republic of Bulgaria, the Bulgarian nation or the symbols of Bulgarian state system.

It is proposed that the Commission on Bulgarian Citizenship makes hearing for the person proposed to revoke naturalisation to ensure that the decision to deprive them of citizenship was not arbitrary.

The draft law proposes to suspend the existence of the Advisory Council at the Executive Agency for Bulgarians abroad.

8.3 STATELESSNESS DETERMINATION, STATUS AND RIGHTS GRANTED

In 2016, the Law on Foreigners in the Republic of Bulgaria introduced the possibility of granting the status of “stateless person”, according to the 1954 Convention Relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. Respective amendments were also introduced in the Rules applying this law.

In 2023, stateless status was granted to 2 persons.

⁷⁴ Draft Law amending and supplementing the Law on Bulgarian Citizenships, № 49-354-01-64, <https://www.parliament.bg/bg/bills/ID/164894>

⁷⁵ Draft Law amending and supplementing the Law on Bulgarian Citizenships, № 49-302-01-82, <https://www.parliament.bg/bg/bills/ID/165299>

In 2023, Foundation for Access to Rights - FAR prepared a “Newsletter - Stateless persons in Bulgaria”⁷⁶. Two videos have been published, sharing the stories of two stateless persons from the former USSR and Yugoslavia who have been living in Bulgaria for decades. Both videos are created with the support of the European Network on Statelessness.

Together with ENS FAR is updating the section on Bulgaria in the Statelessness Index⁷⁷.

In 2022, FAR together with UNHCR Bulgaria created information brochures about the statelessness determination procedure in Bulgaria⁷⁸.

⁷⁶ <https://farbg.eu/index.php/en/latest/newsletter-stateless-persons-bulgaria>

⁷⁷ https://index.statelessness.eu/node/222?language=bg&utm_source=brevo&utm_campaign=Stateless%20persons&utm_medium=email

⁷⁸ <https://farbg.eu/sites/default/files/2023-11/Brochure-05-2023-EN.pdf>

9 BORDERS, VISA AND SCHENGEN

9.1 SCHENGEN AREA (GOVERNANCE, EXTERNAL DIMENSION, INTERNAL BORDERS)

The Law on Foreigners in the Republic of Bulgaria has been amended⁷⁹ (promulgated in State Gazette No. 67 of 4 August 2023) which aims to create a national legal framework that will ensure the full implementation of the following EU Regulations⁸⁰:

- *Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals*
- *Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU*
- *Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226*
- *Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011*

Specific texts have been written which define the national contact points in relation to the Entry/Exit System and ETIAS, the state authorities with the right of access to the information systems for executing their legally defined duties, the competent law enforcement structures allowed to use the data from the information systems for the purposes of prevention, detection and investigation of serious crimes. A procedural order for appeal of the administrative decisions regarding travel permits issued to third-country nationals in the cases written in the Regulations is also defined. A revision and supplement have been made on the legal grounds for entering alerts into the SIS for the implementation of administrative or judicial decisions on the return of illegally staying third-country nationals, decisions that have entered into force for the purposes of refusal of entry or for the purposes of police and judicial cooperation in criminal matters. A reliable mechanism has been created to protect vulnerable persons at risk of illegal removal and involvement in illegal activities.

In 2023, work continued regarding the preparation of the country for accession to the Schengen area. In this regard, from 23 to 25 November 2023, the Third Voluntary Fact-Finding Mission was

⁷⁹ <https://lex.bg/laws/ldoc/2134455296>

⁸⁰ <https://www.parliament.bg/en/bills/ID/164822>

conducted to assess the degree of implementation of Schengen legislation by the Republic of Bulgaria.

The areas covered by the mission were external border management, police cooperation and return, respect for fundamental rights and information systems supporting the implementation of Schengen legislation.

The conclusion is made in the Report of the third voluntary fact-finding mission to Bulgaria – latest developments in the application of the Schengen acquis⁸¹ that over the past year Bulgaria has strengthened the management of the external borders by improving the national capabilities for border management, in particular, the increase in the number of human resources for border control.

In the report, it was pointed out that since the two voluntary fact-finding missions carried out in 2022, which confirmed Bulgaria's readiness to apply the Schengen acquis in full, the Bulgarian authorities have maintained a similarly efficient and effective level of application of the acquis. They have also continued to demonstrate a high level of commitment to ensuring an effective response to migratory pressure and related challenges, thereby contributing to the security of the EU. Bulgaria's high level of commitment to effective and sustainable migration management was further evidenced through the successful implementation of the Pilot Project, launched in March 2023 following the European Council meeting in February 2023.

According to the findings in the report, in 2023, the Bulgarian authorities made significant efforts to strengthen the structures and processes for combating illegal residence, in order to place the return system at the core of an effective response to illegal migration. Despite the complex operational environment, a series of measures were implemented, both to improve internal processes and to address existing challenges in cooperation with key third countries such as Iraq and Morocco.

According to the mission's experts, the operational and technical support provided by EU agencies under the Pilot Project with the European Commission has added significant value. All necessary efforts have been made to ensure that third-country nationals without the right of residence are detained and immediately directed to the return procedure, also enhancing the exchange of information with the Member States by entering all return alerts into the Schengen Information System.

As indicated in the report, Bulgaria continues to have a sufficient number of trained personnel to ensure the implementation of return procedures, especially in issuing return decisions. The deployment of Frontex staff to assist with return counselling and cooperation with third countries further provide support for Bulgarian authorities in effectively carrying out return procedures. It is noted that in 2023, there was a good level of inter-institutional cooperation among key agencies involved in the return process. Existing structures and procedures have been strengthened to ensure appropriate information sharing and interaction among different authorities, contributing to efficient and flexible use of resources during periods of high migration pressure.

The experts note that Bulgaria's implementation of return procedures generally complies with the requirements of the Return Directive. In 2023, the team observed a high level of commitment to

⁸¹ https://home-affairs.ec.europa.eu/document/download/634c9fb4-9860-472b-9d1b-09762a782ab4_en?filename=Report%20fact-finding%20mission%20to%20Bulgaria_en.pdf

effectively initiating the necessary procedures and systematically issuing return decisions in cases required by the Return Directive. This ensures the timely referral of illegally staying third-country nationals to the return procedure. It is noted that Bulgarian authorities, including the Migration Directorate MoI, significantly contribute to the security of the EU and the Schengen area by conducting necessary screenings, registrations (including in Eurodac), and entering return alerts into the Schengen Information System.

Furthermore, measures were taken in 2023 to further develop the return management system, where all available information (except asylum) is uploaded and accessible to all competent authorities involved in return procedures. This is seen as a significant improvement, allowing authorities to have up-to-date information on the status of the procedure and to move towards digitising the document flow for return correspondence.

In conclusion, the team of experts confirms the full implementation of Schengen *acquis* by Bulgaria. This conclusion applies to key elements of Schengen legislation, including return and the functioning of competent authorities applying this law.

On 30 December 2023, the Council of the EU adopted Decision (EU) 2024/210 on the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania.⁸²

“*This is a hard-won but well-deserved victory for Bulgaria. Because while persuading the countries that stopped us on the road to Schengen, we made those important steps that guarantee us a better quality of life here – in Bulgaria.*”

**Deputy Prime Minister Mariya Gabriel and
Prime Minister Nikolay Denkov**

Part of the annex to the agreement is the so-called joint statement of Austria, Romania and Bulgaria of 29 December 2023.⁸³

The Council of the EU announced to its delegations the accession of Bulgaria and Romania to the Schengen area by air and sea.⁸⁴

Following the decision of 30 December 2023 on Bulgaria's full Schengen membership, which provides for the abolition of controls at the country's internal air and sea borders as of 31 March 2024, a set of compensatory measures is being taken to ensure security in the absence of border control. These include various forms of cooperation – joint contact centres for police and customs cooperation, joint patrols and teams, specialised police operations on various lines of activity, checks in large-scale IT systems carried out at the external borders and inland, etc.

⁸² https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202400210

⁸³ <https://data.consilium.europa.eu/doc/document/CM-5950-2023-INIT/en/pdf>

⁸⁴ <https://www.consilium.europa.eu/en/press/press-releases/2023/12/30/schengen-area-council-takes-move-towards-lifting-border-controls-with-bulgaria-and-romania/>

9.2 BORDER MANAGEMENT AND VISA POLICY

Border management

Because of the increased migration flows worldwide and the geographical location of the country, which puts it on the path of illegal migration to Western Europe, the migration situation at the state border continues to be extremely dynamic.

As it is mentioned by Frontex Agency⁸⁵ among the key insights from 2023 is a substantial rise in irregular migration, particularly through sea routes, indicating the need for continued vigilance and adaptive strategies.

In order to ensure national security, in 2023, continued the implementation of the continued the implementation of a set of measures to protect the border and counteract illegal migration, including the implementation of an Action Plan for an Emergency Situation due to Increased Migration Pressure at the Border of the Republic of Bulgaria with the Republic of Turkey.

By decision of the Council of Ministers of the Republic of Bulgaria No.378 of 27 May 2023, a Plan for 2023⁸⁶ for the implementation of the objectives of the National Strategy for Integrated Border Management in the Republic of Bulgaria was adopted.

National Plan of the Republic of Bulgaria for 2023 for the Development of Border Management and Return Capabilities for Illegally Staying Third-Country Nationals⁸⁷ was approved by the Council of Ministers according to its Decision No.362 of 11 May 2023.

The Ministry of Interior has taken a number of measures and in particular, the Chief Directorate Border Police and the frontline border have improved surveillance in the busiest areas; the number of patrols along the border has increased by 30% with the assistance of officers and equipment from the gendarmerie and the Ministry of Defense. The interaction and exchange of information between the structures of the Border Police and the regional directorates of the Ministry of the Ministry of Interior and the General Directorate Combatting Organised Crime. Repeated meetings were held with the Turkish border authorities.⁸⁸

Essential to cope with the migrant pressure is the launch of a project for the construction of integrated surveillance systems 110 km from the Bulgarian-Turkish border and the maintenance and renovation of the already established surveillance systems for which funding from the European Commission has been provided.

During 2023 Chief Directorate Border Police⁸⁹ participates in the activities of the Frontex Agency both as a host country and as a participating country in operations at the EU's external borders and

⁸⁵ Frontex Annual Brief: Comprehensive Overview and Outlook for 2024 <https://www.frontex.europa.eu/media-centre/news/news-release/frontex-annual-brief-comprehensive-overview-and-outlook-for-2024-yTVo0A>

⁸⁶ <https://strategy.bg/StrategicDocuments/View.aspx?Id=1325>

⁸⁷

[/https://www.mvr.bg/%D0%BC%D0%B8%D0%BD%D0%B8%D1%81%D1%82%D0%B5%D1%80%D1%81%D1%82%D0%B2%D0%BE%D1%82%D0%BE/%D0%B7%D0%B0-](https://www.mvr.bg/%D0%BC%D0%B8%D0%BD%D0%B8%D1%81%D1%82%D0%B5%D1%80%D1%81%D1%82%D0%B2%D0%BE%D1%82%D0%BE/%D0%B7%D0%B0-)

⁸⁸ www.mvr.bg/press/актуална-информация/актуална-информация/информационен-бюлетин/преглед/новини/министър-калин-стоянов-результатите-които-гранична-полиция-отчита-са-плод-на-денонощния-труд-на-много-хора

⁸⁹ www.mvr.bg/gdgp/информационен-център/пресцентър/новини/преглед/новини/министър-калин-стоянов-результатите-които-гранична-полиция-отчита-са-плод-на-денонощен-труд

in third countries. The joint operation "TERRA 2023" was implemented at the external borders of the Republic of Bulgaria with Turkey, Serbia and North Macedonia. For all operational periods since the beginning of 2023, a total of 1,812 members of the Frontex standing corps have been deployed.

A total of 8,050 refusals of entry were issued at border crossing points in 2023. Of these, 7,862 are third-country nationals who do not meet the conditions for entry into the EU, according to Art. 6 of the Schengen Border Code. Most refusals were issued to citizens of Turkey, Georgia, Ukraine, Russia, North Macedonia, Serbia and others. The main reasons for the refusals are sustainable: no visa, no ban on staying in Schengen, no purpose of travel, overstay, without documents, etc. Most refusals of entry were issued at the Bulgarian-Turkish border.

Approximately 178,200 attempts have been prevented⁹⁰ to cross illegally from Turkey into Bulgaria. Migrants who attempted to cross the border illegally independently returned to the interior of the neighboring country after noticing the presence of Bulgarian patrols and border posts. It is possible that some of the individuals who voluntarily returned to the interior of Turkey may have made more than one attempt to cross into Bulgarian territory.

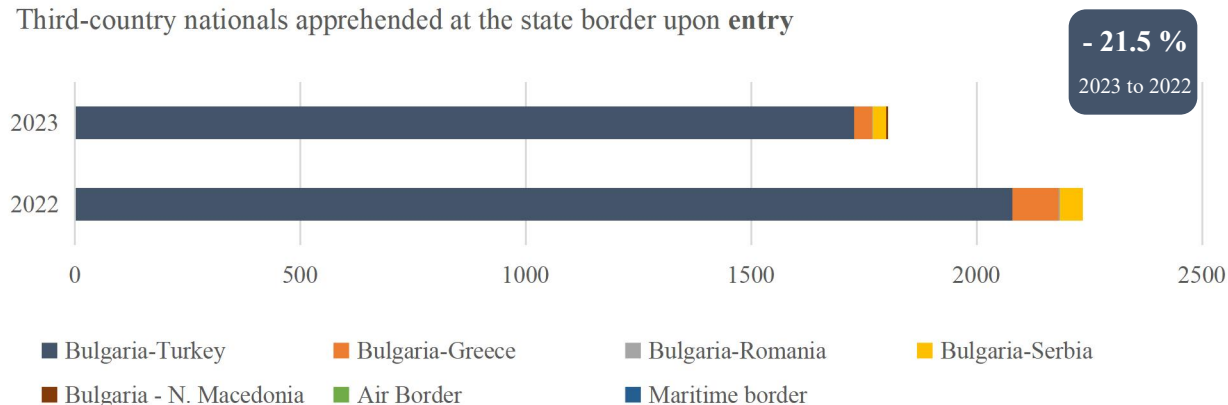
Based on information provided by the Bulgarian patrols, the Turkish border authorities have detained 616 individuals on neighboring territory.

With a 10% increase, attempts of illegal entry by migrants across the Bulgarian-Turkish border have risen compared to 2022.

During the summer months of 2023, there was a more than 50% increase in attempts of illegal border crossings. As a result of implemented measures, migratory pressure decreases, and during autumn and winter, the lowest levels in the past 10 years are observed, with the trend continuing since the beginning of 2024.

According to data from the Ministry of Interior⁹¹, in 2023, 1,803 third-country nationals were apprehended at the state border entry points, with 1,598 at the green border and 205 at the border checkpoints.

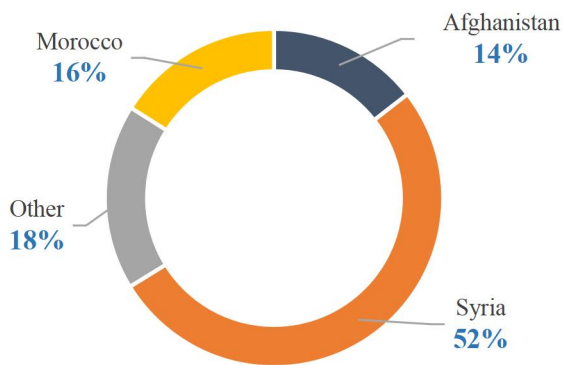
Third-country nationals apprehended at the state border upon entry



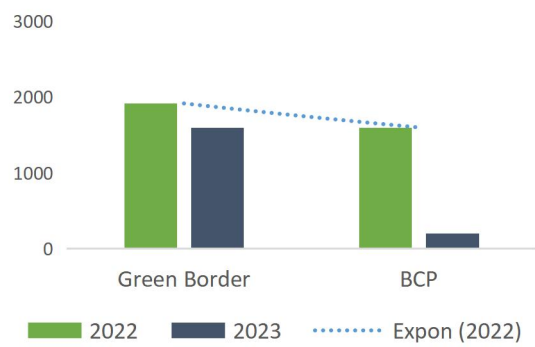
⁹⁰ www.mvr.bg/gdgp/информационен-център/пресцентър/новини/преглед/новини/през-2023-г.-служителите-на-гд-гранична-полиция-са-предотвратили-близо-180-000-опита-на-мигранти-да-влязат-незаконно-в-българия

⁹¹ <https://www.mvr.bg/docs/default-source/planiraneotchetnost/%D1%81%D0%BF%D1%80%D0%B0%D0%B2%D0%BA%D0%B0-%D0%B4%D0%B5%D0%BA%D0%B5%D0%BC%D0%B2>

TCNs apprehended at the state border upon entry by country of origin

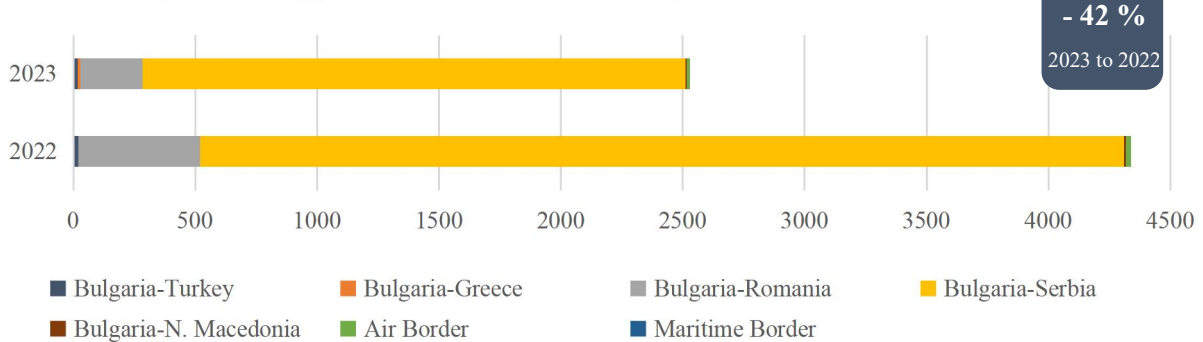


TCNs apprehended at the state border upon entry, by type of border



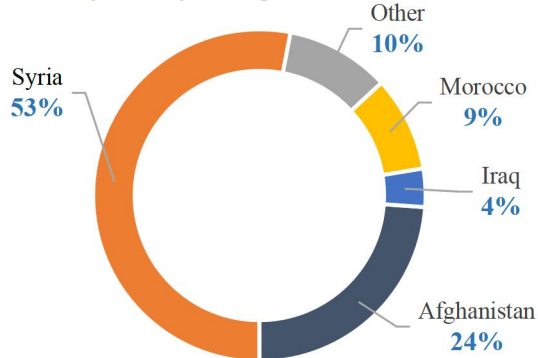
At the exit of the state border, 2,528 third-country nationals were detained (1,990 individuals without registration by the MoI authorities), with 2,197 at the green border and 331 at the border checkpoints.

Third country nationals apprehended at the state border upon exit

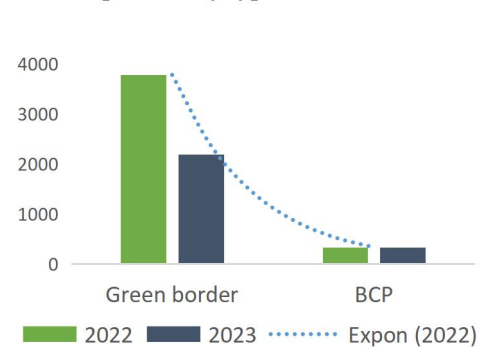


The highest number of attempted illegal crossings of the state border at the exit were detected at the Bulgarian-Serbian border, where 2,227 individuals were detained, which is 41.2% less compared to 2022 (3,789 individuals).

TCNs apprehended at the state border upon exit, by country of origin



TCNs apprehended at the state border upon exit by type of border



Visa policy

With regards to the fact that Croatia became a part of the Schengen Area, the national legislation concerning the visas issued by Croatia has been amended.

The Council of Ministers of the Republic of Bulgaria adopted a decision to amend and supplement Decision No. 459 of 2014 and to repeal Decision No. 48 of 2012.

With its Decision No. 459 of 3 July 2014, the Council of Ministers adopted certain documents equivalent to national visas for transit or planned stays not exceeding 90 days within a period of 180 days, issued by Romania, Cyprus, and Croatia. Consequently, holders of these visas and residence permits have the right to enter and stay in the territory of the Republic of Bulgaria for a period not exceeding 90 days within a period of 180 days, without holding a Bulgarian short-stay visa.

As of 1 January 2023, the Republic of Croatia joined the Schengen area. Therefore, a change in Decision No. 459 of 2014 became necessary. It should be noted that national visas for short-stay periods, national visas for long-stay periods, and residence permits issued by the authorities of the Republic of Croatia until 31 December 2022 are recognized as equivalent to Bulgarian national visas for transit stays and transit stays until the expiration of their validity period.

The decision explicitly introduces a requirement for visa holders to have used them once either in the country that issued them or in a country fully applying the achievements of Schengen law. This will prevent so-called visa shopping and avoid abuses by third-country nationals.

Decision No. 284 of 12 April 2023⁹² (promulgated in State Gazette No. 36 of 21 April 2023) amends and supplements Decision No. 459 of the Council of Ministers of 2014 to approve the application of Decision No. 565/2014/EU of the European Parliament and of the Council of 15 May 2014 (SG, 56/2014) and to repeal Decision No. 48 of the Council of Ministers of 2012 regarding the application of visa-free regime to holders of valid uniform (Schengen) visas, valid long-stay visas, and residence permits issued by Member States fully applying the achievements of Schengen law, as well as by Switzerland and Liechtenstein (SG, 9/2012).

According to the above mentioned Decision, as of 21 April 2023, holders of the following comprehensively listed documents have the right to enter and reside in the territory of the Republic of Bulgaria without the need to hold a Bulgarian visa type "C" for transit residence or planned stay:

- „Uniform visa” with the meaning of Art. 2, par. 3 of the Visa Code, valid for two or multiple entries, and after the visa has been used in a country fully applies the Schengen acquis;
- „Long-stay visa” refers to Art. 18 of the Convention implementing the Schengen Agreement and after the visa has been used in the country that issued the visa;
- “Residence permit” in accordance with Art. 2, par. 16 of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code);
- “Visa with limited territorial validity” in accordance with Art. 25, par. 3 of the Visa Code, valid for two or multiple entries, and after the visa has been used in a country fully applies the Schengen acquis;

⁹²<https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=191301>

- National visa for short-stay period or national visa for long-stay period, issued by Cyprus or Romania in relevance by laying down a uniform format for visas established by Council Regulation (EC) No 1683/95 of 29 May 1995, valid for two or multiple entries, and after these documents have been used for enter in the country that issued them; or a residence permit, issued by Cyprus or Romania in relevance by laying down a uniform format established by Council Regulation (EC) No 1030/2002 of 13 June 2002, unless visas and residence permits are placed on travel documents that those Member States do not recognize or on travel documents issued by a third country with which they do not have diplomatic relations;
- National visa for short-stay period, national visa for long-stay period or a residence permit issued by the authorities of the Republic of Croatia until 31 December 2022, or until their validity expires.

The documents referred to in points 1-4 are not to be recognised if they are placed on travel documents issued by a third country with which the Republic of Bulgaria does not maintain diplomatic relations.

Visa-free regime for holders of valid visas and residence permits issued by Romania and Cyprus

The Republic of Bulgaria shall recognize the following documents as equivalent to its national visas for transit or for a planned stay on its territory, not exceeding 90 days within a period of 180 days:

- National visas for short-stay period or national visas for long-stay period, issued by Cyprus or Romania in relevance by laying down a uniform format for visas established by Council Regulation (EC) No 1683/95 of 29 May 1995, valid for two or multiple entries, and after these documents have been used to enter the country that issued them;
- Residence permits, issued by Cyprus or Romania by laying down a uniform format established by Council Regulation (EC) No 1030/2002 of 13 June 2002, unless visas and residence permits are placed on travel documents that those Member States do not recognise or on travel documents issued by a third country with which they do not have diplomatic relations.

In 2023, the actions by the Ministry of Foreign Affairs of the Republic of Bulgaria continued towards the implementation of the so-called "External Portal" to the consular system operated by Bulgarian consular services, through which third-country nationals as well as Bulgarian citizens seeking consular services will be able to electronically submit visa applications or other consular services, schedule appointments, and make payments for the respective services.

By December 2023, the "External Portal" has been installed in 25 consular offices. Considering Bulgaria's accession to the Schengen area, access will be provided to the unified portal of the member states, enabling the submission of electronic visa applications. Consequently, a change is necessary, with the Bulgarian portal no longer accepting visa applications through it.

10 IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

10.1 PREVENTING THE ARRIVAL OF IRREGULAR MIGRANTS (MONITORING AND IDENTIFYING IRREGULAR MIGRATION ROUTES, COMBATING FACILITATION OF UNAUTHORISED, INFORMATION PROVISION, COOPERATION WITH THIRD COUNTRIES, PREVENTING IRREGULAR STAY)

During the reporting period, there was a high level of migration pressure observed. The Eastern Mediterranean route remains one of the main routes for illegal migration. It is mainly used by migrants from the Middle East and Asia (Syria, Afghanistan, Iraq) and Africa (Morocco, Algeria, and Tunisia), transiting through Turkey to Greece or Bulgaria, towards Central and Western Europe. The proportion of minors and unaccompanied minors continues to be significant.

Given the development of current trends on the international stage and the geographical position of the Republic of Bulgaria, migrant traffic through the country's territory remains at high levels. According to the report on the activities of the Ministry of Interior in 2023⁹³ this criminal activity, often led by international organised crime groups, generates high profits and is closely linked to other types of criminal activities (such as producing false identity documents or abusing visas, money laundering, etc.). Its transnational dimensions require coordinated international actions.

In this regard, information exchange has been enhanced through police cooperation contact centres, the Southeast European Law Enforcement Centre, and Europol, with joint investigations initiated. Efforts to enhance the quality of border control and deepen cooperation with all European partners, including the European Border and Coast Guard Agency – Frontex, continue.

An Operational Plan for the deployment of guest officers from Europol in the country has been approved.

Together with Europol, an anti-smuggling task force has been established with the participation of Romania, Greece and Moldova, operating since autumn 2023.

A joint team has been launched with Romania to investigate cases of migrant smuggling.

To improve coordination at the national level, in April 2023, an inter-agency group was established with experts from the Ministry of Interior, State Agency for National Security, State Intelligence Agency, Customs Agency, and Ministry of Defence, which exchanges and analyses information on illegal migration. An expert working group, the "Centre for Combating Illegal Migration," has been formed within it for operational exchange and identification of high-priority targets.

In 2023, amendments were adopted in articles 280 and 281 of the Penal Code (promulgated SG,67/2023) – articles related to migrant smuggling.⁹⁴ A change has been made to the prescribed penalties for smuggling - an increase in the imprisonment penalty, fines, and provision for confiscation of all assets of the perpetrator. The penalties for crimes related to facilitating and aiding illegal entry of migrants have been increased, as for these offences, prison terms ranging between three and eight years will now be imposed.

⁹³/ www.mvr.bg/docs/default-source/planiraneotchetnost/doklad-za-dejnostta-na-ministerstvo-na-vtreshnite-raboti-prez-2023-g-.pdf?sfvrsn=7a339f7b_3

⁹⁴ <https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=198063>

As noted in the Annual report of the Ministry of Interior, and in 2023, smuggling networks remain active, and the number of individuals engaged in this type of criminal activity is increasing. Organisers are employing new methods and modern communication capabilities, making the established channels flexible and difficult to detect. More than 90% of illegal migrants reaching the EU utilise the services of smugglers.

Box 8: On 06.11.2023, a specialised police operation was conducted by officers of the Chief Directorate Border Police in cities of Sofia and Montana under the supervision of the Sofia City Prosecutor's Office. Investigative actions were carried out at 8 addresses, resulting in the detention of 11 individuals, including two leaders of the criminal group.

The group was engaged in illegal activities related to recruiting, concealing, smuggling, and transporting illegal migrants from Turkey through Bulgaria towards Serbia and Western European countries, constituting crimes under Art. 321 in conjunction with Art. 280 and Art. 281 of the Penal Code. Physical evidence seized included a handgun with an empty magazine, mobile phones, notebooks, tablets, laptops, SIM cards, white substances resembling amphetamines, and others.

Border police officers began investigating the criminal activity several months ago, conducting numerous operational and investigative measures. The members of the organised criminal group were identified, which operated with a strictly defined structure and hierarchy. The specific responsibilities of each member in carrying out the illegal activities were uncovered.

Източник:

www.mvr.bg/gdgp/информационен-център/пресцентър/новини/преглед/новини/г-д-гранична-полиция-разби-организирана-престъпна-група-за-превеждане-на-незаконни-мигранти-през-българия

Criminal groups engaged in border crossings and assisting foreigners to reside illegally or transit through the country are characterised by a high level of organisation, secrecy, and precise distribution of functions and responsibilities. The individuals involved come from various nationalities, with organisers exerting control over criminal activities outside Bulgaria's territory. Some organised crime groups utilise the services of smaller criminal structures, primarily composed of Bulgarians. There is a trend of Bulgarian organised crime groups assisting illegal migration to recruit foreign citizens who, with their own or rented means of transport, carry out secondary transportation of migrants within the country.

During the period under review 45 police operations have been conducted, resulting in the detention of 75 individuals involved in organised crime group activities, with 64 of them being charged.

The Ministry of Interior has initiated 1,318 pre-trial proceedings for illegal transportation of people across the border and aiding illegal residence in the country (Articles 280-281 of the Penal Code), which is a 32.5% increase compared to 2022 (995 cases).

Given the high migration pressure towards the Republic of Bulgaria, in the summer of 2023, a police operation to counter illegal migration began in the country. In July, the MoI announced⁹⁵ that a large-scale police operation was underway, targeting illegal migration, smugglers, and those involved in such crimes. The operation is being conducted nationwide and involves personnel from various units of the MoI.

⁹⁵ www.mvr.bg/press/актуална-информация/актуална-информация/новини/преглед/новини/машабна-полицейска-операция-срещу-незаконната-миграция-на-територията-на-цялата-страна

On 29 September 2023 MoI has published the results of police actions in the framework of an operation against illegal migration⁹⁶. Over 5,650 officers from the National Police Directorate, the Sofia Directorate of the Interior and the Regional Directorate of the Ministry of Interior, CD Border Police, GD Combating Organised Crime and the Migration Directorate participate in the specialized police operation. The summarised data as of 28 September show that within the framework of the operation, which is carried out throughout the country, 1991 addresses, 32,320 vehicles and 48,101 persons were checked. For up to 24 hours, 300 people were detained – of whom 234 were illegally staying TCNs, 26 were people supporting illegal migration, and 26 were detained for other violations. Additionally, 20 people are declared as subjects of a nationwide search. During the police actions, various amounts of drugs were seized, and 59 pre-trial proceedings were initiated.

Since March 2023, Bulgaria has been implementing a Pilot Project with the European Commission (initially initiated with the Republic of Austria) for preventing illegal arrivals and strengthening border management and migration governance.⁹⁷ The project, in compliance with applied European and national legislation, is executed with strong operational and technical support from the Commission and key EU agencies in the field of internal affairs (EUAA, Europol, and Frontex). It is based on Bulgaria's best practices and experience, including excellent cooperation with Serbia, Turkey, and other neighbouring countries, as well as with European agencies operating in Bulgaria. The project is a significant achievement resulting from Bulgaria's high-level commitment and supports finding sustainable solutions for managing migration at the EU level.

Strengthening external borders with enhanced surveillance measures, to be implemented at the Bulgarian-Turkish border, is a key priority. The Commission and Bulgaria are finalising an assessment of needs, and the Commission provided financial support to Bulgaria for strengthening border management at its external border with Turkey.

In June 2023, a Memorandum of Understanding (Action Plan) was signed between Frontex Agency and the Republic of Bulgaria in the field of return to outline the possibilities for cooperation between the Agency and Bulgaria regarding return and reintegration procedures.

The Report on the results achieved from the pilot project Bulgaria-EU-COM of October 2023⁹⁸, takes into account the added value of implementation in several directions.

A draft Law amending the Law on Asylum and Refugees and lists of safe countries of origin and safe third countries has been prepared.

Cooperation with European agencies Frontex, Europol and the EU Agency for Asylum has been strengthened. Joint plans have been signed. Within the pilot project, Bulgaria was provided with additional funding of EUR 45 million, which is already part of the National Programme for Financing Bulgaria under the Border Management and Visa Instrument 2021 - 2027.

⁹⁶ www.mvr.bg/press/актуална-информация/актуална-информация/новини/преглед/новини/результати-от-полицейските-действия-в-рамките-на-операция-срещу-незаконната-миграция

⁹⁷ www.mvr.bg/press/начало/преглед/новини/ек-стартира-пилотен-проект-с-българия-за-превенция-на-незаконните-пристигания-засилване-на-граничното-управление-и-управлението-на-миграцията

⁹⁸ Reporting on progress made on the Pilot Project for fast asylum and return procedures with Bulgaria www.home-affairs.ec.europa.eu/reporting-results-pilot-project-fast-asylum-and-return-procedures-bulgaria_en

There has been an effect of countering the misinformation provided by smugglers. Potential returnees are assisted in making informed decisions by providing accurate and reliable information.

The effects of return counselling should be considered broadly, not just in terms of voluntary return statements. It involves preparing for the potential application of the Dublin Regulation concerning those third-country nationals registered in Bulgaria's protection procedure and their potential return and "secondary counselling".

Foundations have been laid for capacity building: assisting Bulgaria in building a solid counselling system by deploying return specialists (and other tools) is one of the specific objectives of implementation, included in the action plans (Return Action Plan). Through the Dublin Regulation procedure, Bulgaria can receive third-country nationals detained in other Member States who can then choose voluntary return and reintegration services. Having an effective counselling system is crucial for Bulgaria to take advantage of the available opportunities to support voluntary return and reintegration of TCNs.

According to the Report of the third voluntary fact-finding mission to Bulgaria – Latest developments in the application of the Schengen *acquis*⁹⁹ issued on 30 November 2023 with regards to Turkey, in September 2023, two high level professional meetings with Turkish partners were held at the border crossing point Kapitan Andreevo, with the second meeting being conducted in a trilateral arrangement that also involved Greece. This joint approach has improved Bulgarian-Turkish cooperation overall and has led, for example, to the Turkish authorities paying additional attention to the monitoring of lorries crossing the border into Bulgaria and to establish active surveillance of organised migrant smuggling groups on both sides of the border. The Bulgarian authorities indicated that as a result of the agreed measures, including the real-time exchange of information, there has been a significant decrease in the attempts of irregular border crossings in the last months. In terms of traffic, the existing risk analysis is being upgraded while a new one is under development to increase traffic capacity while maintaining a high level of control when checking vehicles.

On 28 November 2023, the First Agreement on the Strategic Project for Cross-Border Cooperation between Bulgaria and Turkey in the Field of Illegal Migration was signed¹⁰⁰. The project will be implemented by the Regional Directorates of the Ministry of Interior in Burgas, Haskovo and Yambol, together with the districts of Kirklareli and Edirne in Turkey. The joint project will be implemented by the three regional directorates, with the leading structure being the Regional Directorate of the Ministry of Interior - Burgas, in partnership with the Turkish services in Edirne and Kirklareli. It is a fact thanks to the assistance of the Bulgarian Ministry of Regional Development, and the funds for it are under the INTERREG Bulgaria-Turkey Cross-Border Cooperation Program 2021-2027¹⁰¹. The agreement has a duration of 24 months. The aim is to strengthen the capacity of national structures countering illegal migration in the cross-border region.

⁹⁹ Report of the third voluntary fact-finding mission to Bulgaria on the application of the Schengen *acquis* and its latest developments https://home-affairs.ec.europa.eu/document/download/634c9fb4-9860-472b-9d1b-09762a782ab4_en?filename=Report%20fact-finding%20mission%20to%20Bulgaria_en.pdf

¹⁰⁰ www.mvr.bg/press/актуална-информация/актуална-информация/новини/преглед/новини/първи-договор-по-стратегическия-проект-за-трансгранично-сътрудничество-между-българия-и-турция-в-сферата-на-нелегалната-миграция

¹⁰¹ <https://ipa-bgtr.mrrb.bg/?page=1>

This will be achieved by improving their functional and operational capabilities to respond to the specific security challenges associated with illegal migrants through a cooperative and solidarity approach. It is envisaged that modern equipment will be purchased for the structural units of the services involved in countering illegal migration, as well as conducting joint sessions, demonstration activities and working visits to facilitate the exchange of experience between the Interior Ministries of Bulgaria and Turkey.

Important results from the activity of the Bulgarian competent authorities, cooperation at the European level, as well as interaction with the third country - Turkey, were reported as early as the end of 2023.

Box 9: In December in the city of Edirne (the city in Turkey, very close to Bulgarian-Turkish border) the Bulgarian Minister of Interior Kalin Stoyanov held a meeting with the Regional Governor Yunus Sezer.

The focus of the talks between the two officials was the countering of illegal migration, highlighting the excellent relations between the border authorities of the two countries. "Over the past four months, there has been a radical change at the border, we are trying to work on the principle of 'zero people crossing and returning,'" the Turkish Regional Governor said.

For his part, Minister Stoyanov thanked for the assistance and the good communication between the services in order to protect the Bulgarian-Turkish border and confirmed: "For several months the situation at the Bulgarian-Turkish border has been extremely calm." This is the result of a change in the way of security, the compaction of the first line with 30% more border police, gendarmerie and employees of the Ministry of Defense. A particularly important point is also the strengthening of the active dialogue with Turkey, the interior minister said. He reported that currently the prevented attempts to illegally cross the Bulgarian-Turkish border are 50-60 to a maximum of 100 compared to 1500 in previous periods. "In parallel, detentions inside the country have also decreased," he said.

Source: www.mvr.bg/press/актуална-информация/актуална-информация/новини/преглед/новини/министър-калин-стоянов-от-няколко-месеца-ситуацията-на-българо-турската-граница-е-изключително-спокойна

During 2023 the delivery of new technical equipment for the needs of the National Centre for fight against forged or falsified travel documents has been included as a priority in the National Programme of the Internal Security Fund, in line with the European Integrated Border Management Strategy. A Grant Agreement has been concluded, the experts have prepared technical specifications and tender procedures for the delivery of the equipment have been carried out.

As a result, 20 pieces of equipment have been purchased – 9 video spectral comparators, 1 Image capture system and 10 microscopes of different types.

More than 150 information bulletins about new travel and identity documents and alerts for detected forgeries have been produced and disseminated to all BCPs to support the officers performing border checks. The materials consist of images and descriptions of all security features in the authentic documents and the detection points in the forged or counterfeit documents. In this summary alerts for imposters have been included as well.

10.2 ACCESS TO SERVICES AND LEGAL SOLUTIONS FOR IRREGULARLY STAYING MIGRANTS.

The extremely high migratory pressure in the warmer months of 2023 and the very high accommodation of third-country nationals subject to return in the Special Homes homes for temporary accommodation of foreigners (SHTAF) at the Migration Directorate – MoI also imposed an increase in the responsibility of the medical specialists who serve the homes. A specialised medical care is provided to all persons accommodated in the Centres, and their health condition is strictly monitored.

In 2023, numerous activities have been carried out to ensure the right conditions for accommodation in SHTAFs. By providing funds for the operating costs of the homes, the provision of electricity, water and three daily meals of illegally staying third-country nationals is ensured. Fuel for heating is provided, vending machines for food and beverages are installed, which are freely used by the persons accommodated in the homes. Sufficient hygiene materials have been obtained for the needs of the accommodated and to ensure the cleaning of both homes. Contracts have been signed for the supply of professional and household washing machines and dryers and air conditioners for home equipment, which significantly improves the living conditions for the accommodated persons.

The majority of activities to provide better conditions for illegally staying third-country nationals accommodated in the SHTAFs have been carried out with funds under the AMIF.¹⁰²

In 2023, the implementation of the Pilot project between Bulgaria and the EU Commission was initiated for accelerated procedures for asylum, effective returns, border management, and prevention of secondary movements. During the project implementation, the procedure related to asylum application under the Law on Asylum and Refugee was significantly expedited, and the stay of third-country nationals in the SHTAFs was reduced.

As a result of the implementation of the Pilot Project, a Law amending and supplementing the Law on Asylum and Refugees has been drafted in order to introduce the recommendations of the European Commission - a case optimises the procedure for international protection and in particular by specifying the grounds and rules for conducting the accelerated procedure, as well as the inadmissibility proceedings for applications for international protection, in accordance with the common standards laid down in Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (Directive 2013/32/EU).

¹⁰² www.mvr.bg/docs/librariesprovider51/default-document-library/doc00230920230217122613bc108e30215b4d6587c6d01432683c85.pdf?sfvrsn=4d4bc3d0_0

11 TRAFFICKING IN HUMAN BEINGS

11.1 NATIONAL STRATEGIC POLICY DEVELOPMENTS

The fight against trafficking in human beings is a national priority, which is implemented by the Bulgarian institutions systematically and consistently.¹⁰³

Bulgaria remains primarily a country of origin for victims of human trafficking in Western Europe. However, among the active work for the prevention of this type of crime, the work to prevent trafficking in third-country nationals stands out, especially in the light of the arrival of a large number of Ukrainian citizens who could become victims of trafficking in human beings. In this regard, the efforts of the state, NGOs and international organisations working in Bulgaria are systematised.

An example of the activity regarding counteracting TSNs trafficking is the holding in the period 4-6 October 2023 in Bulgaria of two consecutive expert thematic meetings dedicated to the Integrated Border Management and the fight against trafficking in human beings and migrant smuggling. The meetings are part of the implementation of the Budapest Process Action Plan.¹⁰⁴

The meeting of experts in the field of combating migrant smuggling and trafficking in human beings is entirely practical and aims to encourage the sharing of good practices and expertise.

Important European-level meetings provided an additional boost to the development of the national policy against human trafficking. One such event in 2023 was the official visit of the EU Coordinator for Combating Human Trafficking, Diane Schmidt. During the visit, a bilateral meeting was held with the Deputy Prime Minister, Minister of Foreign Affairs, and Chairperson of the NCCTHB, Mariya Gabriel.¹⁰⁵ Discussions focused on the current situation in Bulgaria, the challenges, and the necessary actions for implementing the EU Strategy against Human Trafficking (2021-2025) and Directive 2011/36/EU on preventing and combating human trafficking and protecting its victims. The discussion between the Deputy Prime Minister and the European Coordinator emphasised the need to raise awareness among the general public and specific vulnerable groups, ensure the protection of human trafficking victims, and enhance cooperation in law enforcement.

With the European representative, members of the National Commission for Combating Trafficking in Human Beings (NCCTHB) and other relevant institutions, as well as representatives of international and non-governmental organisations in Bulgaria, have also met.

In the course of the conversation¹⁰⁶, it was agreed that the coordination between institutions at national and European level, the exchange of data and good practices are of key importance for combating trafficking in human beings.

¹⁰³ <https://www.mfa.bg/bg/3102>

¹⁰⁴ <https://presscenters.com/News/231103/zam-ministur-dukakova-predizvikatelstvata-pred-koito-sme-izpravneni-iziskvat-edinen-otgovor-i-edinni>

¹⁰⁵ <https://www.24chasa.bg/bulgaria/article/16225836>

¹⁰⁶ <https://epicenter.bg/article/PRB--VKS-i-NSIS-obsadiha-borbata-s-trafika-na-hora-s-koordinatora-na-ES-Dian-Shmid/332550/3/0>

Deputy Prosecutor General, a member of NCCTHB, presented the national legal framework regarding the fight against trafficking in human beings and stressed that the investigation and prevention of this type of crime is a priority for the Bulgarian Prosecutor's Office. She pointed out that in August 2023 a Specialised Interdepartmental Unit was established between the Prosecutor's Office and the Ministry of Interior to support the investigation of crimes related to illegal migration, which presents the results of its activities publicly every month.

During the period under review, as in the previous ones, at the state level, the NCCTHB coordinates the interaction and cooperation on measures and activities to prevent and counteract trafficking in human beings and protect victims.

Among the annual information campaigns, prevention and events to increase the capacity of specialists, in partnership with the non-governmental sector and international organisations working on the problem are: activities related to the promotion of the topic among the general public; targeted prevention activities among vulnerable communities; campaigns with a focus on trafficking in human beings for labour exploitation and trafficking in human beings for sexual exploitation, and on the occasion of the European Day to combat trafficking in human beings.

The wide range of prevention activities and targeted assistance lead to less vulnerability to human trafficking as well as better individual risk mitigation behaviour of specific groups.

11.2 DETECTION AND IDENTIFICATION

During the year capacity building activities are organised to inform Bulgarian stakeholders of the best practices to identify, refer and support at-risk population as well as ways of finding risk factors related to THB.

In July 2023, a multidisciplinary workshop took place in Sofia.¹⁰⁷ The meeting was dedicated to anti-trafficking prevention in the context of mass migration flows. The seminar was organised in cooperation between the NCCTHB and the Office of the Special Representative and Coordinator for Combating Trafficking in HB of the OSCE and brought together representatives of various institutions and organisations at a national and local level. The recommendations of the OSCE Special Representative and Coordinator for Combating Trafficking in HB were presented in relation to the need to improve the prevention of trafficking in human beings in the context of migration flows. Measures taken to prevent and respond to the urgent needs of asylum seekers, legislative and policy measures to prevent and reduce factors contributing to vulnerability, assistance for integration and support, improving the readiness of anti-trafficking mechanisms to monitor risks of involvement in the crime and expanding the scope of the response were discussed.

Regional Border Police Directorate – Sofia Airport in cooperation with representatives of the NCCTHB has carried out 3 screening activities for indicators of trafficking, including of migrants and other vulnerable groups.

¹⁰⁷ <https://antitraffic.government.bg/en/news/5683-natsionalnata-komisiya-za-borba-s-trafika-na-hora-i-sluzhbata-na-spetsialniya-predstavitel-i-koordinator-za-borba-s-trafika-na-hora-na-osse-organizirahha-seminar-vav-vrazka-s-neobhodimostta-ot-podobryavane-na-preventsiyata-na-trafika-na-hora-v-konteksta-na-masovite-migratsionni-pototsi>

11.3 PROTECTION OF VICTIMS

In October 2023, the Local Commission for Combating Trafficking in Human Beings (LCCTHB) - Varna held a discussion forum for professionals on the topic "New trends in human trafficking. Countering the crime and responding to the challenges"¹⁰⁸. The initiative was carried out by the LCCTHB Varna, Prevention Directorate, Varna Municipality, together with the NCCTB and with the support of the Hanns Seidel Foundation. The forum was part of the initiatives on "18 October - European Day against Trafficking in Human Beings".

Forum goal was raising professionals' awareness of the challenges associated with the methodology of investigating the crime of trafficking in human beings, presenting up-to-date information on cross-border cooperation in the investigation of international trafficking, as well as new forms of trafficking. The region's specificities, investigative difficulties were discussed and good practices in countering human trafficking were shared.

In order to raise sensitivity towards victims, participants were introduced to trends and challenges related to victims of trafficking, protection measures, and subsequent reintegration. 26 representatives of Varna District Prosecutor's Office, Varna Regional Prosecutor's Office, Investigation Department of Varna District Prosecutor's Office, Varna Police Department, Varna Border Police, Varna Counteracting Organised Crime Sector, members of LCCTHB Varna participated in the event. Leading speakers at the forum were prosecutor at the State Prosecutor's Office, a proven specialist with extensive experience in investigating and counteracting human trafficking and the chairperson of the "SOS - Families at Risk" Foundation and manager of the Shelter for temporary accommodation of victims of human trafficking in the city.

On 31 May 2023, in Varna Municipality, in implementation of the National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of Victims, in connection with the implementation of the measures set out in the National Mechanism for Referral and Assistance to Victims of Trafficking in Human Beings, the LCCTHB, Preventions Directorate, Varna Municipality in partnership with the NCCTHB, held an information session¹⁰⁹ for professionals, 20 officers of the Varna Police Department, Varna Port Border Police Station and Varna Airport Border Police Station.

The topic of the training is 'Trafficking in human beings and victim protection - trends and responses to challenges'. The objective of the session is to educate and train the Ministry of Interior officers working in the field to detect, and prevent the crime of human trafficking, sensitise, identify, and refer victims of this crime.

For the year 2023, there are 7 specialised services for victims of human trafficking functioning under the NCCBT: 4 residential services and 3 advisory services. These services are managed by NGOs, in accordance with contracts for service provision and accepted Minimum Standards of Operation for Shelters and Support Centres for Victims of Trafficking affiliated with the NCCBT.

¹⁰⁸ <https://antitrafic.government.bg/en/news/5685-Discussion-Forum-on-New-trends-in-human-trafficking-Countering-the-crime-and-responding-to-the-challenges>

¹⁰⁹ <https://antitrafic.government.bg/en/news/5681-obuchenie-na-tema-%E2%80%99Etrafik-na-hora-i-zakrila-na-zhertvite-%E2%80%93-tendentsii-i-otgovori-na-predizvikatelstvata%E2%80%9C>

In 2023, IOM provided support to 11 victims of trafficking and vulnerable persons, including support for the voluntary return of victims of trafficking from the following countries of destination: Czech Republic – 1; Poland – 1; Switzerland – 1; Netherlands – 1

In addition, IOM has provided reintegration support to victims of trafficking, mainly for health needs, improvement of living conditions and purchase of essential appliances.

11.4 PROVISION OF INFORMATION TO VICTIMS OF HUMAN TRAFFICKING

During 2023 prevention activities targeting specific vulnerable groups in the Bulgarian and migrant populations were held. Migrants have been informed about human trafficking and how to protect themselves.

A round-table meeting on the topic “Trafficking in human beings for the purpose of labour exploitation and communities at risk: access to rights and social protection” has been organised by NCCTHB (May 2023).

A multidisciplinary workshop on “Unconditional access to services for victims of trafficking in human beings” focusing on the ‘social path’ to identification and assistance, and the benefits it brings to victims of trafficking in human beings for representatives of police offices, social and specialised service providers, prosecutors, local anti-trafficking coordinators and other relevant institutions was arranged in Sofia in December, 2023, by OSCE Office of the Special Representative and Co-ordinator for CTHB and the administration of NCCTHB.

The biggest information campaign against human trafficking - Walk for Freedom - was held in Varna on 14 October 2023¹¹⁰. The initiative is part of the events on the occasion of 18 October - European Day against Trafficking in Human Beings. It was organised by the A21 Bulgarian Foundation, together with the LCCTHB, the Prevention Directorate of the Varna Municipality supported by the NCCTHB.

Walk for Freedom is an annual global day to raise awareness and local action in the fight against human trafficking. The March takes place on one specific day in October, at one specific time around the world, allowing the event to be communicated as global, large-scale, and with an avalanche effect. In a column, one behind the other, the participants (about 130 students from schools; students from the universities of Varna, teachers, and professionals with an active civic position) walked silently, the symbolic distance in support of the fight against one of the most serious global crimes - human trafficking. The event is advocacy in nature and aims to show that there are people in the city of Varna who are aware of the problem and disagree with the rapidly growing statistics of people living in slavery. By holding this Walk, participants supported the work of the NGOs that fights human trafficking in Bulgaria and around the world. The aim of the March is to draw public and media attention to the problem of modern slavery and to inform people about the National Anti-Trafficking Helpline. On the same date the LCCTHB – Pazardzhik, also for the fifth year hosted the March of Freedom in the city.

The problem of trafficking is widely commented and discussed in Bulgarian media in order to better inform the public by attracting specialists in the field.

¹¹⁰<https://antitraffic.government.bg/en/news/5687-%E2%80%9Cpohod-za-svoboda%E2%80%9D-vav-varna>

A representative of the “Animus Association” Foundation told the OffNews news website in a publication dated March 30, 2023.¹¹¹ about the difficulties in identifying the victims and states "Women, refugees or asylum seekers have been referred to the “Animus” programmes for other reasons, and after creating trust, they share their vicissitudes on the road to Europe and it becomes clear that they have also been victims of trafficking."

During the period under review, activities were carried out to raise awareness of the issue among the media community, such as organising a training seminar "Combating human trafficking through media and public communications. Investigation and best practices" for representatives of national and regional media, organised by the Blagoevgrad LCCTHB, the NCCTHB, and A21 Bulgaria (January 2023).

11.5 COOPERATION WITH MEMBER STATES AND THIRD COUNTRIES

In March, 2023, IOM Bulgaria hosted a workshop¹¹² on human trafficking, sexual and labour exploitation. The meeting, held on the occasion of a visit of colleagues from IOM Germany, took place with the participation of the National Commission for Combating Trafficking in Human Beings, “Animus Association” Foundation and “Dignita” Foundation. The participants shared challenges in the area of human trafficking from the Bulgarian and German context and sought common solutions, with a focus on improving the identification of victims of trafficking in migrant and refugee communities, as well as opportunities to strengthen coordination between investigative authorities in Germany and Bulgaria. The IOM Germany representatives later visited the crisis centre of the “Animus Association” Foundation and spoke with representatives of the Council Of Refugee Women In Bulgaria to learn more about their experience in working with migrant communities.

In the context of the international cooperation, representatives of the General Directorate Combating Organised Crime MoI participated in the international police operation "Joint Action Days against human trafficking for the purpose of labour exploitation in the agricultural sector", together with representatives of the NCCTHB, the Directorate for International Operational Cooperation – MoI and the Chief Directorate Border Police.

Participation and presentation of joint activities were carried out in a panel discussion: "Cross-border fight against human trafficking for the purpose of labour exploitation" at the High-Level Conference for exchanging experience on the Work Programme for 2023-2024 with Germany, held on December 7, 2023, in Berlin. The event included 60 participants, representatives of the judicial and social systems in Germany, Bulgaria, Romania, and Moldova; national liaison officers and representatives of the European Labour Authority.

From the 28th of October to the 5th of November 2023 the city of Pazardzhik was hold a Youth Exchange, initiated under the Erasmus+ programme¹¹³, with the participation of 6 countries -

¹¹¹ <https://offnews.bg/obshtestvo/v-nachaloto-ni-kazvaha-che-si-izmisliame-i-che-trafik-na-hora-niama-796056.html>

¹¹² <https://bulgaria.iom.int/news/workshop-human-trafficking-sexual-and-labour-exploitation>

¹¹³ <https://antittraffic.government.bg/en/news/5690-informatsionna-sesiya-v-ramkite-na-mladezhki-mezhdunaroden-obmen-po-proekt-hvani-me-ako-mozhesh>

Bulgaria, Italy, Spain, Poland, Turkey, and Romania for 40 young people aged 18-30 years. The project "Catch Me If You Can" is of the Association "Forum - Centre for Youth Activities" and focuses on the topic of human trafficking the aim of the initiative is to raise the awareness of young people and encourage prevention activities. The attention was focused on how they could recognize a risky job advertisement; and who they could turn to for help if they were in danger; what to look out for when leaving their home countries. Their attention was also drawn to the lover boy method of getting involved in human trafficking. All this was preceded by group work and a very fruitful and lively discussion ensued. In the end, the young people watched the short film "Ghost Town", produced in the framework of the "Can You See Me" awareness campaign of the A21 Foundation focusing on labour exploitation. They were also informed about the possibility to use the 24-hour helpline, free of charge for Bulgaria and EU countries, if needed.

11.6 BENEFICIARIES OF TEMPORARY PROTECTION

Different prevention and counselling activities related to human trafficking among Ukrainian citizens fleeing the war in Ukraine, beneficiaries of temporary protection, were organised by NCCTHB, State Agency for Child Protection, Ministry of Labour and Social Policy and NGOs.

As an activity included in the National Programme for 2023, the "Dignita" Foundation (part of the Standing Working Group of the NCCTHB) organised two information circles/sessions for 50 Ukrainian women, with the aim of building their capacity to avoid the risks of human trafficking and labour exploitation and increasing their skills and knowledge for successful integration into the labour market.

The organisation also conducted a two-stage study for the analysis of the risks when looking for work among Ukrainian refugees in Bulgaria, which was presented during two round tables on the topic of prevention of human trafficking among Ukrainian women in Bulgaria with the participation of the NCCTHB administration.

The Local Commission for Combating Trafficking in Human Beings Burgas held a series of information meetings with Ukrainian citizens in the city of Burgas and towns of Primorsko, Nessebar and Pomorie, accommodated in a state-run accommodation facility under the National Programme to support Ukrainian refugees. There were 160 Ukrainian citizens beneficiaries of temporary protection.

12 RETURN AND READMISSION

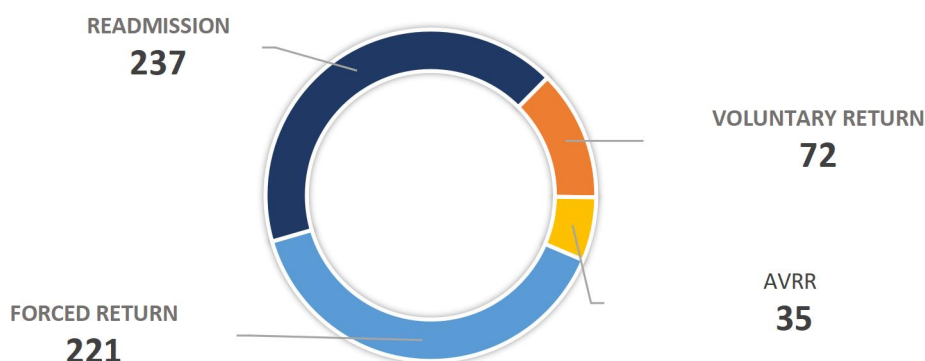
The return policy of the Republic of Bulgaria is conducted in compliance with the norms established by EU and international law, aiming at full respect for the human rights and dignity of those to be returned, as well as the principle of "non refoulement".

The return of illegally staying third-country nationals who do not have a legal basis to remain in the country can be either forced or voluntary, with preference given to voluntary return in accordance with European policy in the field. Efforts of the competent authorities in Bulgaria are directed towards this, and serious achievements have been made in the area of assisted voluntary return and reintegration with the assistance of Frontex in 2023.

The most significant factor obstructing the effective return of illegally staying TCNs remains the impossibility of forced return of Syrian citizens, as well as Afghans, while their countries remain unstable, due to the maintenance of a moratorium on returns to Afghanistan and Syria. This leads to a significant limitation in the implementation of return activities given that they constitute the largest group (around 78%) of illegally staying third-country nationals subject to return.

12.1 FORCED AND VOLUNTARY RETURN OF THIRD-COUNTRY NATIONALS

According to MoI statistics there were 565 forced¹¹⁴ and voluntary returns of third-country nationals in 2023.



Among the returned third-country nationals, the majority are from Turkey –20.8%, Morocco – 13.3% and Iraq – 11.5%.

There were 45 third-country nationals transferred to other EU Member States under readmission procedures pursuant to Regulation 604/2013 EC (the Dublin Regulation).

In line with Community policies and shared commitments to combat illegal migration, cooperation with the European Border and Coast Guard Agency (Frontex) continued. Through funding from the agency for purchasing plane tickets, in 2023, 8 Iraqi citizens and one citizen of Morocco were returned to their country of origin.

¹¹⁴ www.mvr.bg/министерството/programni-dokumenti-otcheti-analizi/статистика/миграционна-статистика

To strengthen administrative capacity in the field of return and implementation of community policies, the Migration Directorate with MoI also participated in 8 joint return operations with Frontex.

In 2023, all necessary measures were taken to ensure the effective execution of return procedures through the provided funding under the National Programme under the "Asylum, Migration and Integration Fund." As part of the activities of the project "Implementation of forced administrative measures against third-country nationals and provision of translation," one-way plane tickets were provided for 214 foreigners subjected to forced administrative measure "return."

During the period under review, significant factors hindering the implementation of return procedures remained:

- The deteriorating security situation and human rights conditions in Afghanistan, as well as in Syria, along with calls from international and non-governmental organisations in the field of migration, have led to a plea for maintaining a moratorium on the forced return of Afghan and Syrian citizens until stability is achieved in their respective countries.
- Diplomatic missions of countries facing migration risks refuse to identify their citizens and issue travel documents or passports if the individual has not expressed a desire for voluntary return to their country of origin.
- There are instances of abuse of the asylum system, where unfounded asylum applications are submitted at the last moment to delay the execution of return decisions.

12.2 ASSISTED (VOLUNTARY) RETURN AND REINTEGRATION

Since 2022, the Migration Directorate with the Ministry of Interior, functioning as a national authority empowered to conduct forced returns of third-country nationals and facilitate voluntary returns, has been integrated into Frontex's RIAT reintegration assistance platform. Frontex uses the RIAT, which is a reintegration assistance tool developed by the European Commission to ensure proper handling of administrative cases. This digital tool simplifies and standardises the exchange of information on the reintegration process to the best benefit of returnees, reintegration partners and return counsellors.

Bulgaria has a total of 13 staff trained with access to Frontex Agency's Reintegration Assistance Tool (RIAT) who are able to enter and approve cases.

During the year, voluntary return and reintegration were the main tools used to facilitate effective returns to the countries of origin. In 2023, more than 150 cases were entered into the RIAT.

Competent authorities within the Ministry of Interior have launched a call for new Assisted Voluntary Return and Reintegration (AVRR) programmes, with a focus on larger cash initiatives to promote voluntary return. More information will be available during 2024.

Bulgaria actively expanded the scope of Joint Reintegration Services (JRS) provided by Frontex. The Migration Directorate has been participating in the JRS since October 2022 - a project providing direct access for Member States to reintegration programmes for third-country nationals.

During 2023, Bulgaria focused actively to promote voluntary return and reintegration through returning counselling and JRS by Frontex.

In 2023, the agency's assisted return and reintegration programme included 127 of TCNs, returned from Bulgaria (55 citizens of Morocco, 46 citizens of Iraq, 5 citizens of Albania, 4 citizens each of Turkey and North Macedonia, 3 citizens each of Tunisia and Vietnam, 2 citizens each of Egypt and Bangladesh, and 1 citizen each of Sri Lanka, Moldova, and Algeria).

For 2024, the focus will be on continuing to expand the Joint Reintegration Services (JRS). An awareness campaign has been planned to provide illegally staying third-country nationals with information about the possibility of voluntary return and reintegration through the JRS.

In 2023, Bulgaria focused on return counselling as a main tool for effective return. Through proper return counselling, competent authorities promoted voluntary return and reintegration.

A national training for return counsellors was held in September 2023, where experts from Frontex, together with trainers from other Member States, provided training on all trending activities related to return counselling. Bulgaria also requested the deployment of return specialists with expertise in "Return Counselling" to conduct interviews in the detention centres, as well as to work with third-country nationals whose asylum procedures are still ongoing. The policy of competent authorities dealing with return will continue to focus on return counselling in 2024. Another national training for return counselling will be provided during 2024 for all Police districts across the country.

In 2023, IOM Bulgaria successfully completed a project for the assisted voluntary return and reintegration of third-country nationals. Under the project, effective assistance was provided to migrants, offering them the option to benefit from safe and dignified return. IOM provided support upon departure, during the transit stage, and upon arrival in the country of origin, as well as assistance with reintegration and monitoring of reintegration programmes.

In 2023, IOM Bulgaria, in cooperation with IOM missions in the respective countries of origin, provided reintegration support to 22 voluntary returnees.

Throughout the year, IOM experts held information sessions on the benefits of voluntary return at SAR centres and the Migration Directorate. A total of 101 third-country nationals were covered in activities carried out by IOM to support the voluntary return and reintegration of third-country nationals, including individual consultations on the possibilities of voluntary return.

12.3 DETENTION

The competent body in the Republic of Bulgaria responsible for managing the Special Homes for Temporary Accommodation of Foreigners (SHTAF), who are residing illegally in the country and are subject to compulsory administrative measures under the LFRB for return to their country of origin or to a third safe country or expulsion, is the Migration Directorate with the Ministry of the Interior.

The year 2023 is characterised by an extremely complex situation due to a significantly increased migration pressure during the warm months of the year, leading to multiple exceedances of the planned capacity for accommodating TCNs in the two Special Homes for Temporary Accommodations of Foreigners (SHTAF) managed by the Migration Directorate, located in Sofia and Lyubimec. The situation has caused high dynamics in the accommodation and release of foreigners. A notable aspect is the accommodation of large groups of identified illegal migrants.

From January to June, the accommodation capacity is filled on average between 30% and 60% with a total of 1,060 main accommodation places available. During the months of July to October, there is a peak in accommodations, with the average occupancy ranging between 110% and 203% of the capacity.

When the main capacity of the two Special Homes is exceeded, part of the capacity for accommodation in the Infrastructure Area with multifunctional purpose for the needs of the MoI in the town of Lyubimec is opened for use. The facility is an extension of the Lyubimec SHTAF, with a capacity of 1,232 places.

Due to increased migration pressure in the country and exceeding the main capacity for accommodation in the SHTAFs, from July 21, 2023, 25% of the accommodation places (308 in total) from the Infrastructure Area were opened for use, and from August 11, 2023, an additional 25% of the capacity (another 308 places), totalling 50% of the capacity of the facility. By the end of August 2023 (28.08.2023), when the peak of accommodations was observed, the entire capacity of 2,292 accommodation places available to the directorate was utilised.¹¹⁵ After managing the migration pressure in October¹¹⁶, the additional capacity was closed, and by the end of the year, the number of accommodations decreased to 36%¹¹⁷ of the total capacity.

In 2023, the total number of TCNs accommodated in the SHTAFs was 17,299 (from 62 nationalities), marking an increase of over 11% compared to 2022 (15,548 accommodated individuals). The majority of accommodated individuals were citizens of Syria (8596), Afghanistan (4890), Morocco (2243), Iraq (612), and Palestine (237). They accounted for 95% of the total number of forcibly accommodated foreigners during the period.

During the reviewed year, the SHTAFs continued their active efforts to promote voluntary return to the country of origin.

In the SHTAFs, interaction with international and non-governmental organisations conducting specific activities on the ground was continued. The employees of the Migration Directorate in the SHTAFs assisted in visits and meetings with accommodated foreigners by representatives of the Bulgarian Helsinki Committee, the International Organisation for Migration, the Bulgarian Red Cross, as well as other non-governmental organisations working to support citizens of third countries. However, there was a reduced intensity of interaction with some international and non-governmental organisations with which the Migration Directorate has traditionally worked in partnership due to the exhaustion of funding for NGO projects aimed at supporting foreigners and organising their free time through the implementation of sports, educational, or cultural activities.

¹¹⁵ www.mvr.bg/press/начало/преглед/новини/дирекция-миграция-има-готовност-да-разкрие-допълнителни-места-за-чужденци

¹¹⁶ www.mvr.bg/press/начало/преглед/новини/от-утре-се-затварят-допълнителните-помещения-за-незаконно-пребиваващи-чужденци-в-любимец

¹¹⁷ www.mvr.bg/docs/default-source/planiraneotchetnost/справка-декември-2023_internet.pdf?sfvrsn=432901b2_2

12.4 COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT COUNTRIES IN RETURN AND REINTEGRATION MANAGEMENT

Box 10: The Migration Directorate with the Ministry of Interior initiated a high-level meeting between the Minister of Interior and the Ambassadors of Iraq and Morocco.

As a result, a declaration of intention and cooperation between Bulgaria and Iraq has been agreed to be signed during the first quarter of 2024. A draft Joint Declaration for cooperation with Iraq in the field of migration has been prepared. In September 2023, the draft was sent through diplomatic channels for coordination.

Dialogue with Morocco on a high political level has been agreed to continue and a planned committee on consular matters is expected to be created in the first quarter of 2024, where internal security issues and illegal migration will be discussed.

With a view to effectively implementing return of TCNs during the year under review, active communication with countries of origin continued - both through return procedures by the Migration Directorate and through readmission agreements with third countries - on the part of the Chief Directorate Border Police.

Representatives of the Migration Directorate held 37 meetings with diplomatic representatives of third countries - Morocco (15), Iraq (7), Algeria (5), Egypt (2), Moldova (3), Kazakhstan (1), Azerbaijan (1), USA (2), and Vietnam (1). The meetings discussed facilitation of travel document issuance procedures, assistance in establishing the identity of illegally residing foreigners, and joint actions to promote voluntary return to the country of origin.

As a result of the cooperation with consular and diplomatic missions of third countries prone to risky migration in 2023, 44 travel documents were issued after requests for readmission submitted by the Chief Directorate Border Police to the competent authorities of the country concerned and confirmed that the persons were identified as their own nationals.

Active cooperation with the Consular Relations Directorate of the Ministry of Foreign Affairs continues in the process of identifying the identity and issuing travel documents to illegally residing foreigners from countries that do not have diplomatic or consular representations in the Republic of Bulgaria.

Through the Ministry of Foreign Affairs, an initiative has been launched to enhance communication and coordination with Pakistan, Azerbaijan, and Sri Lanka, aiming to resume negotiations and explore the possibility of signing proposed Protocols for the implementation of Readmission Agreements with the mentioned countries.

In 2023, IOM Bulgaria implemented a project focused on capacity building and improving cooperation with other countries in the field of voluntary return and reintegration.

Under the project, IOM organised three training seminars with a total of 92 participants in Burgas, Varna and Bankya, so as to include employees of national institutions from different regional directorates. The seminars were attended by representatives of the Regional Directorates of the Ministry of Interior, the Border Police, the Migration Directorate, the State Agency for Refugees, the Agency for Social Assistance through the Directorates for Social Assistance, the State Agency for Child Protection, the National Commission for Combating Trafficking in Human Beings, etc.

The workshops were aimed at increasing knowledge and establishing contacts at the local level to improve coordination in working on migrant identification and return cases.

Main topics in the workshops were humanitarian principles for border control, translation and cultural mediation, counselling of migrants for the return and reintegration process, as well as general coordination between stakeholders, incl. presentation of the mechanism for working with unaccompanied children of the SACP.

In 2023, within the framework of the project, IOM also carried out 2 working visits for exchange experience and best practices to Iraq and Iraqi Kurdistan, as well as to the Netherlands.

Representatives of the Migration Directorate, the State Agency for Refugees, attended the visit to Iraq and the same institutions participated with representatives in the visit to the Netherlands. In both countries, the IOM-led delegation met with representatives of IOM missions in the respective country, with national institutions in the field of migration management and visited various migrant accommodation and support services.

Within the framework of the visits, bilateral contacts were established and good practices in the field of return and reintegration were exchanged.

13 MIGRATION AND DEVELOPMENT COOPERATION

NEW DEVELOPMENTS AIMED AT FACILITATING SYNERGIES BETWEEN MIGRATION AND DEVELOPMENT IN THIRD COUNTRIES

During the reporting period, the Ministry of Foreign Affairs of the Republic of Bulgaria actively participated in the preparation of the national representation in the work of the External Migration and Asylum Working Party (EMWP) to the Council of the EU, in line with the priority importance for the country of the issue of effective, balanced, comprehensive, and structured management of migration and asylum and the need to develop relations in the field of migration and asylum with third countries, as part of the EU's Common Foreign and Security Policy.

To achieve these goals, the Ministry of Foreign Affairs and the Ministry of Interior, within their competencies, provided assistance in drafting positions for the meetings of the Operational Coordination Mechanism for the External Dimension of Migration¹¹⁸ (MOCADDEM), where measures for implementing the EU's objectives for migration management towards third countries are outlined and coordinated. Competent Bulgarian institutions have participated in coordinating the political aspects of the external dimension of migration and asylum and have contributed to the development of the foreign policy dialogue in this area with key partners at high and highest levels, including from the EU - Greece, Austria, Hungary, France, Germany, and outside the Union - the United Kingdom, Turkey, and others.

In the National Strategy on Migration of the Republic of Bulgaria 2021-2025, it is emphasised that effective migration management is possible through dialogue and partnership with key third countries, with countries along the Silk Road - Afghanistan, Pakistan, Iraq being particularly important in this regard.

One of the possible and effective instruments for developing cooperation is the Budapest Process, in which these countries have consciously and actively participated.¹¹⁹ The Budapest Process is an intergovernmental consultative forum, established in the early 1990s to promote dialogue among participating states in the field of migration. It is co-chaired by Turkey and Hungary. Every five years, the Budapest Process renews political commitments in line with the changing dynamics and challenges in the field of migration at the Ministerial Conference.

Bulgaria participates in the COLEP initiative¹²⁰, launched in 2022 within the framework of the Budapest Process and aimed at cooperation between law enforcement authorities in combating smuggling, co-chairing the meetings within the initiative with Iraq. Participation in the COLEP initiative allows for the promotion of professional contacts between the law enforcement authorities of EU member states and partner countries and provides an opportunity for the exchange of expertise and best practices in an area prioritised by Bulgaria, such as combating migrant smuggling and human trafficking.

¹¹⁸ <https://data.consilium.europa.eu/doc/document/ST-5095-2022-INIT/en/pdf>

¹¹⁹ www.budapestprocess.org/budapest-process/governance/

¹²⁰ www.budapestprocess.org/wp-content/uploads/2024/02/BP-COLEP-Factsheet.pdf

In May 2023, the third meeting of experts within the COLEP initiative (online) was held to discuss the challenges in combating migrant smuggling and human trafficking in the digital sphere.

Box 11: In October 2023, Bulgaria hosted thematic meetings within the Budapest Process, under COLEP, dedicated to integrated border management and combating migrant smuggling and human trafficking.

In a welcome address to the participants, Deputy Minister of Interior Ivelina Dundakova highlighted the exceptional role of the Budapest Process as a longstanding regional platform that has fostered positive dialogue and cooperation among origin, transit, and destination countries for the past 30 years, addressing all current challenges in the field of migration. Bulgaria is an active participant in the Budapest Process and strives to contribute to joint efforts to address these challenges.

"The challenges we face related to combating illegal migration and human trafficking require a unified response and unified solutions. In this sense, the organised format provides an opportunity for active partner dialogue, involving experts from the Silk Road region," commented the Deputy Minister. "Bulgaria has experience that it is ready to share, and it is in everyone's interest to maintain a high level of border security, promote strengthened partnerships, and seek joint solutions."

The forum was held in close partnership with the Secretariat of the Budapest Process and is part of the implementation of the commitments made in the political declaration adopted in 2019 and the action plan associated with it. The purpose of the meeting on integrated border management is to inform Budapest Process partners of the latest developments and news in this area, with a special focus on countries in the Silk Road region - Bangladesh, Iraq, and Pakistan. This is the first meeting of the newly formed Working Group for Cooperation between Law Enforcement Agencies, co-chaired by Bulgaria and Iraq since the beginning of 2023.

Prevention work is an important element of combating illegal migration. Bulgaria is a donor and partner in projects led by the International Centre for Migration Policy Development (ICMPD) aimed at increasing awareness of the risks of illegal migration and the opportunities for legal pathways in Iraq and Pakistan. Representatives from the CD Border Police and the GD Combating Organised Crime are from the Bulgarian side, and overall coordination is carried out by the Directorate "European Union and International Cooperation" - Ministry of Interior.

Source: www.bta.bg/bg/news/bulgaria/oficial-messages/536630-zam-ministar-dundakova-predizvikatelstvata-pred-koito-sme-izpraveni-iziskvat

The Republic of Bulgaria strives, within its capabilities, to provide support through financial means for development and humanitarian aid programmes, as well as for capacity building.

In this context, in 2023, the Republic of Bulgaria began its participation in the PARIM II ¹²¹(for increasing awareness of the risks of illegal migration in Pakistan) and MIRAMI ¹²²(for increasing awareness of the risks of illegal migration in Pakistan) projects. Both projects are implemented by ICMPD, with Bulgaria participating as a donor with 10,000 euros and as a partner with Austria, Germany, Greece, and Finland for each of the projects.

Participation in these projects allows for the transfer of experience from the PARIM project and demonstrates consistency in engagement and willingness to deepen dialogue with key migration-

¹²¹ <https://www.budapestprocess.org/our-work/parim-ii-awareness-raising-and-information-campaigns-on-the-risks-of-irregular-migration-in-pakistan/>

¹²² <https://www.icmpd.org/our-work/projects/migration-information-and-awareness-raising-on-the-risks-of-irregular-migration-in-iraq-mirami>

origin countries such as Pakistan and Iraq. A total of 10 meetings and two on-site monitoring visits are planned in Islamabad and Baghdad. In 2023, representatives of the Ministry of Interior of the Republic of Bulgaria participated in two online coordination meetings with project partners.

Important for the Republic of Bulgaria is cooperation with countries in the Western Balkans region. The development of partnership and support is primarily aimed at strengthening the capacity of these countries in the field of border security, migration management, and asylum to prevent a recurrence of the crisis situation from 2016. As an example of this activity, regular participation of national representatives in video conferences held by the European Commission to discuss the migration situation along the Western Balkans route and exchange information should be noted.