

ANNEX

Following the European Council of 9 February 2023, the European Commission's services and the Bulgarian authorities agreed to step up their cooperation and pilot tools or practices, based on the applicable Union and national legislation, with the support of the relevant EU Agencies, in the following areas: screening of third country nationals arriving at border crossing points or that have irregularly crossed the Bulgarian-Turkish border, their referral to the proper procedure, fast examination of the applications for international protection under the accelerated procedure and effective return procedures.

Envisaged measures can be implemented with the support of the relevant EU Agencies, in the areas outlined below, for an initial duration of 6 months.

All activities under this pilot are to be conducted in full respect of EU law and fundamental rights, in particular the principle of non-refoulement.

Screening

This pilot envisages that all the necessary steps according to the Bulgarian national legislation for screening of all third country nationals arriving at the border crossing points or who have irregularly crossed the Bulgarian-Turkish border who do not fulfil the entry conditions according to the Schengen Borders Code.

- In that context, Bulgaria will register in Eurodac and the national databases all persons subject who need to be subject to such registrations.
- Moreover, the Commission's services and the Bulgarian authorities will explore with the EU Agencies whether further support is required for the implementation of the security checks and identification.

Asylum

The pilot envisages using all available tools under the EU acquis to examine applications for international protection under the **accelerated procedure**:

- Using the grounds provided for in the Asylum Procedures Directive for the accelerated procedure could be further enhanced with the support of the EUAA.
- Bulgaria is applying the accelerated procedure in accordance with the Asylum Procedures Directive and could in conjunction with the current Reception Conditions Directive, assign areas within which the applicant may move freely.
- Explore further Bulgarian possibilities to limit secondary movements of people arriving irregularly with the support of the EU agencies.

Returns

The pilot envisages ways to ensure effective **returns** for those persons not in need of protection, as well as **cooperation with third countries**. With the support of Frontex and the Commission's services, Bulgaria will work toward the implementation of an effective return and readmission.

- Explore modalities to prevent absconding and improve the effectiveness of returns more generally, in line with the Commission's recommendation on mutual recognition of return decisions and expediting returns.
- With the support of Frontex and the Commission's services, Bulgaria will work towards putting in place a targeted assisted voluntary return (and reintegration) scheme to specific third countries, including through the deployment of return counsellors and the use of Frontex Joint Reintegration Services.
- Bulgaria will use the operational support that Frontex can offer to voluntary and forced return of illegally staying third country nationals:
 - o Use of Frontex-coordinated return operations and further support like (after internal assessment), deployment of return specialists to assist in preparation and organising returns, for instance upload of requests in Frontex Application Returns in order to enhance the use of Frontex assistance on returns by commercial flights, or return counselling.
- The Commission's services will support Bulgaria in making use of EU readmission agreements with relevant countries.
- The Commission's services, including the EU Return Coordinator, will also support Bulgaria in coordinating operational and practical bilateral support that other Member States can provide to Bulgaria in carrying out returns, depending on the nationalities of the third-country nationals.

In addition:

- The Commission's services and Bulgaria will further reflect on means to enhance regional cooperation, e.g. in the areas of police cooperation, and through increased involvement of the EU agencies (e.g. with reference to the new support agreement to North Macedonia).
- Bulgaria participates in Frontex joint operations in Serbia and will participate in such operations in North Macedonia when the Status Agreement enters into force.

Financial and material support

Financial and material support has been requested by Bulgaria for border management activities.

- In addition to eligible actions under the 2021-2027 programmes under Home Affairs Funds, the Commission's services will launch a call to provide additional funding considering the prioritization of the Bulgaria-Türkiye border and the needs expressed by Bulgaria, also to Frontex.

- Given the urgent needs in equipment expressed by Bulgaria, the Commission's services will engage with other Member States to request bilateral support for Bulgaria.

Frontex additional support

Consideration should be given to receiving additional support from Frontex. In particular:

- The Agency could increase the co-financing of host country officers to be deployed from other parts of the country to the most affected areas of the external land border.
- Further increase of the standing corps officers for border surveillance by re-deployments from other JOs. Any additional surveillance and border protection capacity can be assessed and considered.
- Deployment of aerial surveillance assets and/or co-financing of national assets can be considered.
- Deployment of additional handheld technical equipment for border surveillance tasks.
- Deployment of Mobile Surveillance System (MSS) at Bulgarian-Turkish land border is foreseen.
- Deployments of off-road vehicles, suitable for difficult terrain, to enhance border surveillance activities either provided by Frontex or within agreement with other contributing MS.
- To continue regular trainings of the Host MS resources and deployed Standing Corps officers for the effective usage of Frontex deployed technical equipment, as well as specialized profile trainings (e.g., debriefing training, one session is scheduled for April 2023), therefore increasing the effectiveness of performed tasks.

EUAA additional support

- EUAA has signed an Operating Plan (OP) with Bulgaria in September 2022, which foresees support in the areas of Temporary Protection, Reception and Asylum. In implementation of this OP, EUAA has provided support in capacity building and in interpretation and it is building up its activities in the remaining areas.
- Bulgaria and EUAA will review the current Operating Plan and consider additional activities and support, in particular regarding the relevant areas identified above.

Coordination and Cooperation Framework

Steering meetings with the Commission's services, EU Agencies and the Bulgarian authorities will take place on a monthly basis to ensure coordinated actions on the ground and exchange of information between all stakeholders.

Next steps:

Phase 1: (4 weeks)

Further meetings at technical level together with the relevant authorities, with the aim to further detail:

- (i) the exact steps under each area covered by the pilot project;
- (ii) additional support required from the EU agencies;
- (iii) monitoring of the implementation to allow conclusions on the added value of the relevant tools and practices at the end of the pilot project.

Phase 2 (6 months):

Implementation of the defined actions and provision of additional support.

Phase 3 (1 months):

Joint reporting on the results of the pilot project on migration indicators, lessons learnt, and conclusions going forward.