



State Agency for Refugees



The UN Refugee Agency



European Union

Reference Book
REFUGEES IN BULGARIA
Building the National System
for Refugee Protection
1993-2003

June 2004
Sofia



**BULGARIAN
RED CROSS**

Bulgarian Red Cross



Bulgarian Helsinki Committee



Caritas – Bulgaria

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ABSTRACT

This Joint Report is a publication of the UNHCR Representation in Bulgaria, the State Agency for Refugees with the Council of Ministers, in cooperation with the Delegation of the European Commission in Bulgaria, and the refugee-assisting NGO partners in Bulgaria.

Its objective is to review and document the past ten years of progress in building the national system for refugee protection since the ratification of the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 Protocol in 1993, and to look together ahead toward further harmonisation with the international standards and the evolving EU asylum *acquis* in the “post-Amsterdam 2004-2006” phase of Bulgaria's EU accession.

OUTLINE

Contributions of:

President of the Republic of Bulgaria

UN Secretary-General

UN High Commissioner for Refugees

Prime Minister of Bulgaria

Minister of Foreign Affairs of Bulgaria

Minister with Responsibility for Refugees

Head of the Delegation of the European Commission in Bulgaria

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1. Introduction by UNHCR and the State Agency for Refugees with the Council of Ministers
2. Main political, economic and social developments in Bulgaria, 1993-2003, reviewed by MFA
3. Chapters by the UNHCR Representation in Bulgaria and the State Agency for Refugees (SAR)
4. Chapters by the Bulgarian Red Cross/Council of Refugee Women, the Bulgarian Helsinki Committee, Caritas BG
5. Summary and Strategic Outlook
6. Selected Bibliography
7. Annexes (Milestones, Statistics, Budget Table, Judicial Decisions, Academic Initiatives, Map, Contacts)

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*This work would never be completed.
It needs to be declared as completed,
When one has done everything possible
In the time available and the circumstances.*

Johann Wolfgang von Goethe

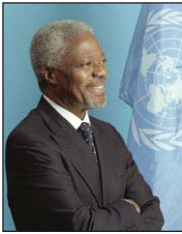
This work is dedicated to all those,
who, over the past ten years, have contributed in some way by
helping to build the national system for refugee protection and
improve the situation of asylum seekers and refugees
in Bulgaria!

Quotes*:



Georgi Parvanov,
President
of the Republic of
Bulgaria

“Today, tens of millions of people on our planet chased by wars or ethnic conflicts have left their homes and motherland and live the sorrowful and difficult life of refugees. A large part of them are children and young people who are most vulnerable in the new environment to which they are not accustomed. As a result, they very often become victims of violence and mistreatment, of forced labour and sexual slavery. The world cannot be indifferent to their fate, as these children and young people are part of the future of our Earth. We ought to help them and give them a chance to integrate in the new environment without being assimilated or forced to become soldiers. The best foundations for the social adaptation and integration of young refugees are the knowledge of the local language and access to education.”



Kofi Annan,
UN Secretary-
General

“A refugee's life, regardless of age, is never an easy one. But for many reasons, exile is particularly hard on the young. In addition to the usual emotional strains associated with coming of age, young refugees must often confront the torments of war, violence, bereavement, sexual abuse and forced conscription... At an age when they should be dreaming of life's limitless possibilities and building up their skills in preparation for adulthood, they are instead bound by the harsh reality of poverty and displacement, and condemned to what often seems to be a life without hope... Let us reaffirm our commitment to saving future generations from growing up without hope.”



Ruud Lubbers,
UN High
Commissioner
for Refugees

“If refugee situations drag on for years with no political solution in sight, the enormous potential of whole generations can be lost in the dust of a forgotten camp. This is a real tragedy. That is one reason why I, as UN High Commissioner for Refugees, am working so hard to find solutions for the nearly 20 million people of concern to my office. These solutions include repatriation, integration in countries of first asylum or resettlement to third countries. Achieving such solutions requires the co-operation of the entire international community- rich and poor, North and South, developed and developing... There is hope out there.”

** Presented on the occasion of World Refugee Day 2003*



РЕПУБЛИКА БЪЛГАРИЯ
МИНИСТЪР-ПРЕДСЕДАТЕЛ

София, 28 май 2004 г.

Dear Mrs. Druke,

Изграждането на националната система за закрила на бежанците е част от развитието на демократичния процес в България. Отношението към изгнаниците е мерило за хуманна и политическа зрялост на една държава.

Настоящата публикация документира дейността на Представителството на Върховния комисариат на ООН за бежанците и Държавната агенция за бежанците към Министерския съвет, както и на всички държавни и неправителствени институции, благодарение на чиято дейност страната ни бележи напредък и в тази високохуманна и трудна мисия. Това е от особена важност и за процеса на присъединяването на България към Европейския съюз и приемането на правните норми в областта на убежището.

Yours,

СИМЕОН САКСКОБУРГГОТСКИ

ДО
Г-ЖА ЛУИЗЕ ДРУКЕ
ПРЕДСТАВИТЕЛ НА ВКБООН
В БЪЛГАРИЯ
София

Dear Mrs. Druke,

The building of the national asylum system for refugee protection is part of the democratic process in Bulgaria. The attitude to exiles is a measurement of the state's humane and political maturity.

The present publication documents the activity of UNHCR Representation of Bulgaria, SAR, as well as all the governmental and non-governmental institutions, which has allowed our country to achieve progress in this noble and difficult mission. This is also crucial to the process of Bulgaria's EU integration and the adoption of the EU acquis in the area of asylum.

Yours, Simeon Saxe-Coburg-Gotha

Foreword

The actions which a state undertakes to secure protection to individuals seeking shelter and subsistence outside their homeland serve as a precise measurement and reflection of democratic development. Over the past ten years, the concerted efforts of the Bulgarian governmental institutions and non-governmental organizations and associations have resulted in building and consolidating a national system for refugee protection in Bulgaria. It ensures most favourable conditions for the reception, settlement and integration of asylum seekers in our country in line with the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 New York Protocol, as well as the relevant European acquis. In the evolution of Bulgaria's accession to the European Union, our country will gradually integrate into the European „asylum space.“

I take the opportunity to stress that the support for refugees has its deep roots in the history and mentality of the Bulgarian people. A noteworthy fact takes us 500 years back, when the Jews were chased from Spain and many of them found refuge on the territory of Bulgaria. At different points in history, Bulgaria has offered shelter to Armenians, Ukrainians, and Russians, Greeks, Serbians, Kurds, and many other populations forced to flee their homeland. The traditional ethnic and religious tolerance amongst Bulgarians is not an accidental or temporary phenomenon but a solid basis for the assistance provided to refugees in my country.

I extend my deepest recognition for the valuable support of the Mission of the UN High Commissioner for Refugees, and personally to Dr. Luise Druke, its representative in Sofia. Dr. Druke's devotion and relentless work for the benefit of refugees have been at the core of wonderful initiatives, including this publication – a review of the achievements of the Republic of Bulgaria in the area of asylum.

This publication will be a helpful reference book for Bulgarian diplomats in terms of presenting the progress my country has attained in refugee protection and asylum. It will undoubtedly contribute to raising the public awareness as to the major stages in the development of the national system for refugee protection, and the challenges we are facing. Bulgaria will remain true to its traditions and will preserve its compassionate attitude to the plight of those who have been chased outside the boundaries of their motherland.

Let Bulgaria be a new home for them, let it also be the safe shelter under which they will live to the happy day of their return back to where they were born. On the occasion of today's holiday, World Refugee Day, I wish them all health, strength and hope.



Solomon Passy,
Minister of Foreign Affairs of the Republic of Bulgaria

Foreword

To grant asylum, to save human life irrespective of one's origin, race, religion or political beliefs is a noble mission for any country. Bulgaria has fulfilled this obligation over the past ten years and has contributed to the enlarging asylum space.

Following 23 July 1993, our country has provided a serious basis for cooperation with UNHCR. Today, we can happily note that our joint work has ensured safeguards for individuals seeking asylum and protection, that the territory of Bulgaria offers them security, protection, opportunities for personal development and a chance for normal adaptation to new life conditions.

It should be highlighted that Bulgaria is amongst the first countries in Central Europe which ratified the Geneva Convention and developed an adequate policy for asylum seekers and refugees, and established a refugee institution. The construction of two new transit centres has been planned due to the extremely valuable financial support of the European Union.

Nowadays, the efforts of the Bulgarian Government are directed toward enhancing the capacity of the reception centres for asylum seekers, improving the facilities and creating education and development opportunities for refugees and their children.

I wish this first-ever joint report, prepared on the occasion of World Refugee Day 2004, would make us all ever more engaged in this topic. I believe it will contribute to the process of Bulgaria's accession to the European Union and will expand the opportunities for co-operation at the national, regional and international level.



ФИЛИЗ ХИОСМЕНОВА

Filiz Husmenova
Minister without portfolio
Responsible for Refugees

Foreword

The European Commission's 2003 Regular Report mentions the entry into force of the new Bulgarian Law on Asylum and Refugees of December 2002. I welcome the fact that the Bulgarian Government has ever since maintained its efforts to ensure full implementation of the Law. The initiative of this spring to amend the 2002 Law in order to further align it with international refugee standards and the evolving relevant EU acquis is a very positive development. Further efforts should now focus both on the swift implementation of the new legislation and on further enhancing the administrative capacity.

For the European Commission, human rights, and refugees and asylum matters in particular, are important matters. The European Commission, together with other European institutions, has been active in the field of migration issues. It has launched a number of initiatives making full use of the legal framework of the treaties. The Commission is part of a process involving numerous governmental and non-governmental actors and stakeholders. Last year we completed a successful project on refugee and asylum issues with the State Agency for Refugees in Bulgaria and I am happy to note that this year, and in coming years, we will be able to continue our support for activities in this important area.

This year, for example, we will embark on a project to build and equip two transit centers for refugees. The EC Phare Project will provide financial assistance in the amount of 3.75 million Euros and support for the construction and equipment of the two centers. The establishment of the two transit centers is needed in order to enhance the accommodation capacity of the State Agency for Refugees in view of conducting the accelerated procedure for handling asylum seekers in accordance with EU standards and practices. We believe this will facilitate Bulgaria's migration policy and will help align asylum procedures with the acquis of the European Union.

I wish to conclude by stating that we shall extend further assistance and support for strengthening the State Agency for Refugees. The EU is keen to continue lending a helping hand, but we realize that the lion's share of the burden falls on Bulgaria itself. The commitment and professionalism shown is laudable, and is matched with equal commitment on the part of the current EU Member States so that we can soon welcome Bulgaria to the EU family of nations.



Dimitris Kourkoulas

Head of the Delegation of the European Commission to Bulgaria

Preface

The **democratic transformation** that has taken place in Central Europe over the past decade has presented UNHCR and Governments of the countries in the region, including Bulgaria, with new opportunities and challenges in the field of refugee protection. Once perceived as „source countries of refugees“, the changes that took place in the early 1990s marked the beginning of the transformation of Central European States into „refugee-receiving countries“, thus considerably expanding the European space in which persons in need of international protection can seek and enjoy asylum.

UNHCR is very pleased to have had the opportunity to contribute to the **efforts of Bulgaria and the Central European countries in the past ten years**. During that time, these countries have acceded to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, promulgated national refugee legislation, established asylum procedures and put into place related administrative structures. In other words, they have laid the foundations of functioning asylum systems.

With asylum procedures now in place and continuing to improve their capacity, the issue of refugee integration has risen to the top of the agenda in the EU and Bulgaria alike. Indeed, effective protection of refugees necessitates practical measures to assist and support refugees with real self-sufficiency and self-reliance opportunities which facilitate their integration into the social, economic and cultural fabric of the host society. **UNHCR welcomes Bulgaria’s initiative to adopt, in December 2003, a first integration „package“** for an initial group of recognised refugees. This builds on the joint initiative of the Government of Bulgaria and UNHCR in setting up a refugee integration centre in 1997, which has piloted work with language training, employment counselling, vocational training and the like.

In light of the progress made in building the national system for refugee protection in Bulgaria in the past ten years, **and taking account of the challenges that lie ahead as the EU continues to harmonise their asylum systems**, UNHCR has initiated this ten-year, public-domain report as a joint effort to document achievements and pave the way ahead. It identifies strengths and weaknesses in the existing legislative and administrative frameworks and describes the state of their implementation, offering at the end a concise summary and a strategic perspective for the future.

Much of the information contained here has come from the Government and the UNHCR Representation in Bulgaria, as well as from refugee-assisting and refugee non-governmental organizations. UNHCR hopes this joint report will enjoy a wide circulation within and outside of Bulgaria and serve as a solid tool of reference. It also hopes it will **help buttress information sharing and funding** for the national system for refugee protection in Bulgaria so as to further expand the common European asylum space in the enlarging Europe and the globalising world.

Raymond Hall
Director
Bureau for Europe

UNHCR Headquarters Geneva, June 2004

The **Co-Editors** wish to acknowledge with appreciation the work of many individuals and institutions who, during the past ten years, have made a contribution directly or indirectly to building the national system for refugee protection in Bulgaria. **Special recognition goes to the Prime Minister** for his personal interest and the Minister without portfolio with responsibility for refugees, the Minister of Foreign Affairs and especially the Human Rights Directorate, the Ministry of Interior, including the National Service Border Police, the Ministry of Labor and Social Policy, including the Agency for Social Assistance, the Ministries of Health, Education, Defense and other relevant government agencies and their colleagues. As regards the national refugee legislation, appreciation goes to the National Assembly and, in particular, to its Speakers for the leadership provided and to the Chairpersons and Members of the Commission on Human Rights for supporting and co-hosting the traditional Round Tables. The Co-Editors wish to place on record particular appreciation to all former and current colleagues for their contributions during the past ten years, especially those mentioned here below and their respective colleagues who have been involved in general and in preparing this Joint Report in particular.

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1. Advisory Board of Heads of NGO Refugee Services:

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Iliana Savova: Director of the Programme for Legal Protection of Refugees and Migrants (Refugee Unit), Bulgarian Helsinki Committee. **Previous positions:** practice in civil and administrative law, Sofia Bar Association (1993-1996). As from 1996 legal counsel with the Bulgarian Helsinki Committee, Legal and Social Protection of Refugees Project. Co-ordinator: National legal network on asylum, BHC Programme for Legal Protection of Refugees and Migrants. **Educated:** Sofia University, Faculty of Law; M.A. (1992); specializations in Refugee and Asylum Law (with ECRE-ELENA, European Court in Strasbourg, Council of Europe, 1997-2003); Refugee Law and Human Rights Lawyering (New College, University of Oxford, 1999), European Convention on Human Rights (University of Birmingham, 2000).

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Linda Awanis: President of the Council of Refugee Women in Bulgaria since 2002. **Previous positions:** Chief Refugee Representative and Chief at Caritas' Computer Centre. Whilst in Iraq, worked as Public Administration/Public Relations Officer with a foreign company based in Baghdad.

2. Judiciary:

Acknowledgement goes to the judges from the Supreme Administrative Court who have handled some 3,500 appeals on asylum cases since 1996, and to the judges from the Administrative Department of the Sofia City Court, who have handled some 700 appeals in the accelerated procedure since 2003, as well as to judges from District Courts in Bulgaria.

3. Leading Academic Experts within the Framework of ARSIB in Bulgaria:

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The Prime Minister with the UNHCR Representative, 2001



Solomon Passy, Minister of Foreign Affairs



Minister Filiz Husmenova



1. Mr. Petko Draganov, Deputy Minister, Ministry of Foreign Affairs at the United Nations, NY



2. Dr. Katya Todorova, Deputy Minister, Ministry of Foreign Affairs



3. The Co-Editors, Boyko Antonov and Luise Druke (on the occasion of the 10th anniversary of the State Agency for Refugees, its President presents to the UNHCR Representative a Certificate of Appreciation for the fruitful cooperation for the development of the asylum system in Bulgaria at the launching of the Academic Refugee Studies Initiative (ARSIB) in the Aula Magna of the Sofia University, on UN Day, 24 October 2002)



4. Co-ordination Meeting for preparation of the Joint Report on Building the National System for Refugee Protection 1993-2003 and of the WRD 2004 in the UNHCR Representation in Sofia with Martina Vachkova and Ognian Zlatev, April 2004



5. UNHCR Team, UNHCR Representation Sofia: Headed by Dr. Druke



6. Mr. Boyko Antonov, President of the State Agency for Refugees with the Council of Ministers (SAR) and Dr. Luise Druke, Representative, UNHCR in Bulgaria, (here inaugurating Bulgaria's postal stamp on the 50th Anniversary of the 1951 Geneva Convention), July 2001



7. BRC – Refugee – Migrant Service: Headed by Ms. Tatyana Valchanova



8. BHC Program for Legal Protection of Refugees and Migrants and Legal Network of Lawyers : Headed by Iliana Savova



9. Caritas – Bulgaria Refugee and Migration Service: Headed by Tzveta Georgieva



10. Refugee – assisting family of the SAR, UNHCR, BRC, BHC, CARITAS, ACET, CRWB solving refugees' problems 2002



11. 1st of eight semestrial UNHCR Round Tables on Bulgaria's EU Integration, European Asylum Harmonisation and International Refugee Protection in the Parliament, co-chaired by the Speaker of the House, the President of SAR and the UNHCR Representative, December 2000



12. UNHCR Representative Druke receiving newly arrived asylum – seeking children at the Bulgarian Turkish Border point and in the centre at Kapitan Andreevo, with Chief Colonel Hristov, Border Police, Nov. 2000



13. Regional Emergency Management Training Program (EMTP) and Contingency Planning, at the Agency for Civil Protection, Sofia, July 2001



14. NATO/UNHCR Training and Simulation Exercise Cooperative Key 2001, daily de-briefing/coordination with some 100 refugee workers, Airfield Krumovo, near Sofia



15. Cross-border Workshop with Bulgarian and Greek Border officials in Svilengrad, April 2001



16. EU Twinning proposals by Colleagues from Germany, Sweden, Spain, Greece after project presentations in the EC Delegation, at the UNHCR Sofia office, September 2001



17. Honoring Jasenka Vaillant for teaching refugee children painting in the BRC and SAR with Aloyo Ongiro, August 2003



18. Painting by Athena, refugee from Iran, (8 years old) July 2003



19. Refugee children painting the walls in the Refugee Integration Centre at the SAR with the new teacher Marianna Zashheva, at the SAR 2003



20. Signing of the Plan of Action by the Deputy Prime Minister, the President of SAR and UNHCR's Representative, WRD 2001



21. Sofia Judicial Round Table with Judges of the Supreme Administrative Round Table and the Sofia City Court, Opened by HE Amb. Campagnola, Italian EU Presidency and by the President of SAR, Mr. Antonov and Dr. Druke, 2003



22. WRD 2003 NBU on "Refugee Youth – Building the Future"



23. UNHCR Rep. Dr. Druke lecturing at Sofia University, April 2003



24. Preparing departure for family reunion of Iraqi refugee children with their parents, at the Orphanage DOM 7, with its Director, Mrs. Ivanova and UNHCR Children Co-ordinator Kate Halvorsen, Dr. Kaltcheva, Ms. Maya Kocharkova, Mr. Boyko Antonov to Germany, 2003



25. Voluntary Repatriation of Dr. Labib's parents to Afghanistan here at the Airport in Sofia prior to departing to Kabul, 2003



26. Founding session of the Council of Refugee Women, (CRWB), Linda Awanis and her colleagues (incl. Aloyo Ongiro, BRC), in UNHCR May 2002



27. CRW members receiving training for strengthening and building capacity to work for the refugee community by Aloyo Ongiro, BRC Social Counselor



28. Certificate of Recognition from UNHCR for Contributions towards the Empowerment of Refugee Women and the Promotion of Gender Equality from the UN High Commissioner for Refugees which Linda Awanis, President of the CRW received in Geneva on 5 December 2003



29. The Rector of the University of Shumen presents the Doctor Honoris Causa to the UNHCR Representative L. Druke, on Human Rights Day, 10 Dec. 2002



30. 10th Anniversary Commemoration of the Agreement of Bulgaria and UNHCR, Award for Excellence in Refugee-Related Journalism, "Plaques of Appreciation" and paintings by refugee children offered.



31. Mr. Boyko Antonov, President of SAR and Co-Editor of this Book, Ms. Svoboda Gencheva, Mr. Boris Cheshikov – SAR Team for the Book



32. SAR – Mr. Rumen Galev, Secretary-General, Mr. Dimitar Ognyanov, VP, Mr. Boyko Antonov, President, Mr. Krassimir Kossatev, VP



33. Methodology, Documentation and Procedure Representation Directorate



34. Registration – and – reception Center for Refugees in Sofia



35. Integration Center for Refugees in Sofia



36. Financial-Economic Activities and Management of the Estate Directorate



37. Reception and Integration of Refugees Directorate



38. Administrative-Legal and Information Services Directorate



39. Briefing in the Delegation of the European Commission in Sofia on 10 years of refugee work in Bulgaria, Mr. K. Andreev MFA, Mr. Apostolov, Dty. Minister MLSP, Mrs. Banova, Child Protection Agency, November 2002



40. Meeting: Council of Europe's Social Development Bank, Ms. Eva Schwebel, EC Commission's MM Per Ibold and R. Schweighofer, IOM Rep. Ms. Iliana Derilova, Dty. Mayor of Sofia Dr. Radeva, SG of SAR Mr. P. Netzov, UNHCR's Dr. Kina Sabeva and Dr. Druke discussing co-operation on refugee-related issues



41. Guy Goodwin-Gill and Luise Druke in the UN Palais des Nations, Ministerial Meeting on the 1951 Geneva Convention, Dec. 2001



42. At UNHCR Headquarters, Geneva with the Director for Europe, Raymond Hall



43. Werner Blatter, Regional Representative for Central Europe, UNHCR RO Vienna, dealing with Bulgaria prior to UNHCR's Office in Sofia



44. At UNHCR Headquarters, Geneva with the UN High Commissioner for Refugees

1. INTRODUCTION

1. The 1 May 2004 EU enlargement with another ten countries marks a critical event in the history of Europe. Based on UNHCR's mandate world-wide and goals in Bulgaria, the last ten years of building the Bulgarian asylum system also mark a significant development. **The UNHCR Representation in Bulgaria and the State Agency for Refugees with the Council of Ministers wish herewith to express their satisfaction with the progress achieved by Bulgaria, in this short time, toward assuming its international refugee protection obligations.**

2. In these **past ten years, Bulgaria has contributed to expanding the common European asylum space** with its own work in this field. By becoming, in 1993, a Party to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and by adopting its first ordinance on refugee matters in 1994, followed by the 1999 Refugee Law and the 2002 Law on Asylum and Refugees (LAR), Bulgaria has made relevant progress in its efforts to fully develop its capacity and role as a host country for refugees.

3. **The UNHCR country agreement signed with the Republic of Bulgaria on 23 July 1993 has provided the legal basis for co-operation with UNHCR.** In view of the fact that the whole region of Central Europe used to be a refugee-producing one during the Cold war, it is noteworthy that Bulgaria is becoming an ally to refugee protection, together with its governmental and non-governmental refugee institutions and specialists at different levels of society.

4. **Historically**, Bulgarian people are renowned for their traditional sense of tolerance and hospitality in extending asylum to persecuted people. At the beginning of the 20th century, exiles – fleeing repression during anti-colonial and liberation wars – from Armenia, Russia and from Aegean Thrace, as well as others from African, Latin American and Asian countries are known to have found refuge in Bulgaria. Bulgarians welcomed them with understanding and compassion, whilst helping them to integrate, which was difficult at times due to economic and social constraints.

5. **During the past ten years**, asylum seekers from some 72 countries have been registered in Bulgaria. By way of comparison, for example, Bulgaria received around 5.49 percent of the total number of asylum seekers in the 12 countries of Central Europe from 1993 to 2003, which amounts to approximately 234,000.¹ By the time conditions in their home countries allow for safe voluntary

¹ Source: Population Data Unit, UNHCR Geneva, based on available governmental statistics of the individual countries. Data on file with UNHCR Representation in Bulgaria. For com-

repatriation, refugees need protection against return to a place where their life or liberty might be in danger, which requires access both to the territory and to a fair and efficient refugee procedure. If found in need of protection, refugees also need real opportunities for integration. They themselves can do a great deal if given a hand.

6. In this context, at the end of 2003, the UN High Commissioner for Refugees Ruud Lubbers awarded 20 refugees, non-governmental organisations (NGOs) and UNHCR staff with special recognition for their work. That honorary group included Mrs. Linda Awanis, President of the Council of Refugee Women in Bulgaria. At the ceremony for the *“2003 UNHCR Award for the Promotion of Gender Equality and the Empowerment of Refugee Women”* at the UNHCR Headquarters in Geneva, the High Commissioner said: “We should give public recognition for their work. It is stimulating for them and for others.” In her acceptance speech, Mrs. Awanis thanked UNHCR for involving refugees, in particular refugee women, in the search for solutions to their problems and said: “Thank you for trusting us and for believing that your efforts would not be wasted on us. Thank you also to all the men who found the courage to work as volunteers in a female organisation even though it was against their tradition and culture.”

7. It is the purpose of this joint ten-year report to give recognition to so many for working hand in hand. The publication before you is intended to synthesize results, which comprise both strengths and weaknesses, produced by **the Republic of Bulgaria, its officials and non-governmental organisations, with the support of UNHCR and the EU**. UNHCR’s Representation in Bulgaria and the State Agency for Refugees hope that the efforts will continue by all colleagues at the Ministries involved in refugee-related work, as well as the governmental and non-governmental institutions, the media and the academic and the international communities in the country.

8. **The UNHCR Representation in Bulgaria, together with the State Agency for Refugees with the Council of Ministers**, decided to present, jointly with partners, this report, which is also meant to evaluate the output by the Bulgarian asylum system and the input by the main donors – UNHCR and the EU,² as well as the Government of Bulgaria, which has been allocating considerable funds for both relevant administrative bodies and structures and for direct assistance for refugees.

9. The UNHCR-sponsored and -supported activities, the EU-supported twin-

plete details, see Annex II. Source: Population Data Unit, UNHCR Geneva, based on available governmental statistics of the individual countries. Data on file with UNHCR Representation in Bulgaria. For complete details, see Annex II.

² About 6 million dollars from UNHCR and about 4.85 million euros from the EU.

ning projects, such as the projects of the State Agency for Refugees with EU Member States (especially Germany and Sweden), the projects of the Bulgarian Red Cross with the International Federation of the Red Cross and Red Crescent Societies, the Bulgarian Helsinki Committee through its network of the Helsinki Federation, and the Caritas network with Caritas-Europe have contributed to building the national refugee protection system.

10. The list of 53 milestones (See 10.1. in Annexes) achieved in this process reflects some of the main results reached in the course of these last ten years. These milestones specify the actions taken, which include the full ratification of the Geneva Convention; the setting up of the National Bureau for Territorial Asylum and Refugees in 1993; the adoption of the 1994 Ordinance for Granting and Regulating of Refugee Status; the adoption of the first refugee law in 1999; the development of judicial protection and the 2002 Law on Asylum and Refugees (LAR) basically in line with the international standards, which the authorities translated in appropriate secondary legislation, which ensures the implementation of the Law in areas, such as health, social security and employment; around 3,500 appeal cases dealt with by the Supreme Administrative Court since 1996; and another 700 dealt with by the Sofia City Court since January 2003.

11. Nevertheless, Bulgaria is still overcoming the inherent challenges of the transformation from a centralised to market economy and from a former communist State to one on its way to EU membership. While these constraints did hinder the progress made, at the same time, they required pulling together all efforts and making the best out of the limited resources. Going forward in the same manner, the goal is to successfully integrate into the common European asylum space as foreseen in the Amsterdam Treaty and the Tampere work program, for which this ten-year report is intended to make a contribution.

12. This report, though conceived as an endeavour to provide an account for the whole period under review, i.e. 1993-2003, **focuses in more details on the past few years**. This is particularly due to the increased number of activities in building and operating the national system for refugee protection following the EU Accession negotiations at the end of the last decade and to a more systematic record-keeping in the agencies involved.

13. It is hoped that **this joint ten-year account, which does not claim to be exhaustive, will serve the reader as a reference book on some key achievements and will enjoy wide circulation within and outside the country**, for the purpose of background briefing, political and further financial support, through the European Union, the Council of Europe and other partners, as well as the relevant Bulgarian institutions and ministries. This public-domain document is also meant for circulation via **the Ministry of Foreign Affairs and Bulgaria's em-**

bassies. In addition to the national bodies, it is also intended to inform international and regional institutions in which Bulgaria has played a role, such as the **UN**, the **EU**, the Organisation for Security and Co-operation in Europe (**OSCE**) whose chairmanship Bulgaria holds in 2004, and the **Council of Europe**, of which Bulgaria has been a member for over ten years.

14. We intend to follow-up this joint reference book covering the first ten years of building the national system for refugee protection with a **Joint 2004 Annual Report** of the State Agency for Refugees and UNHCR Representation, in cooperation with the relevant partners. That annual report is to be prepared and presented on the occasion of the 2005 World Refugee Day with a view to making it a traditional tool for facilitating policy formulation, fund raising, institutional co-operation and public information in Bulgaria.

Boyko Antonov, M.A. (Co-editor);
President, State Agency for Refugees
with the Council of Ministers of Bulgaria

Luise Druke, Ph.D. (Co-editor)
Representative,
UNHCR Representation in Bulgaria

2. MAIN POLITICAL, SOCIAL AND ECONOMIC DEVELOPMENTS IN BULGARIA³

2.1. Political Developments

1. Since 10 November 1989, when the transition started, nine **governments** have been formed in Bulgaria. The first one, under Prime Minister Dimitar Popov (20 December 1990 – 8 November 1991), was a coalition government including representatives of the Bulgarian Socialist Party, the Union of Democratic Forces, the Bulgarian Agrarian People's Union and non-partisan members. A Grand National Assembly⁴ voted in the new Constitution of the country on 12 July 1991. On 13 October 1991, elections were held for a regular national assembly/parliament and municipal governing bodies. The Government of Filip Dimitrov (8 November 1991 – 30 December 1992) was a single-party government of the United Democratic Forces.

2. In the area of foreign policy, the accession of Bulgaria to the Council of Europe on 7 May 1992 was a major accomplishment. The Cabinet remained neutral on the conflict emerging at that time in Former Yugoslavia, but was the first one to recognise the Former Yugoslav Republic of Macedonia (FYROM) as an independent and sovereign state (15 January 1992). On 28 October 1992, Filip Dimitrov's attempt to obtain a confidence vote for his Cabinet ended in the Cabinet's resignation.

3. The following Government, with Prime Minister Lyuben Berov (30 December 1992 – 17 October 1994), was formed with a mandate by the Movement for Rights and Freedoms, supported by the votes of the Socialist Party and part of the Union of Democratic Forces.

4. During the first half of 1994 (January-May), Bulgaria joined NATO's Partnership for Peace and received an associated member status from the organisation. On 2 September 1994, Prime Minister Lyuben Berov handed in his Cabinet's resignation. A caretaker government led by Reneta Indzhova was appointed (17 October 1994 – 25 January 1995). On 18 December 1994, elections for a new National Assembly took place. The following government, with Prime Minister Zhan Videnov (25 January 1995 – 12 February 1997), was set up by the coalition of the Bulgarian Socialist Party, Bulgarian Agrarian People's Union "Alexander Stamboliiski," Political Club "Ecoglasnost" and independent experts.

³ This chapter is largely based on BTA (Bulgarian News Agency) and UNDP (United Nations Development Programme) information and has been reviewed by the Ministry of Foreign Affairs, 20 May 2004.

⁴ A specially elected legislative body, the only kind that can which solely has the powers to adopt a new Constitution.

5. **On 1 February 1995, the Agreement for the Accession of Bulgaria to the European Union entered into effect** and, shortly after that, the Government submitted a full-membership application. In the autumn of 1996 and the winter of 1997, the country was facing a situation of hyperinflation. The standard of living declined precipitously. The Government was forced to resign. The Socialist Party was assigned the task of creating a new government with Prime Minister Nikolai Dobrev, who on 4 February 1997 returned the mandate to President Petar Stoyanov. Another caretaker government, with Prime Minister Stefan Sofianski, was in power between 12 February 1997 and 21 May 1997.

6. Pre-term parliamentary elections were held on 19 April 1997, as a result of which a coalition dominated by the United Democratic Forces formed a Government with Prime Minister Ivan Kostov (21 May 1997 – 6 July 2001). After the fifth consecutive parliamentary elections (held on 17 June 2001), a coalition government of the National Movement “Simeon II” (NMS II) and the Movement for Rights and Freedoms was constituted on 25 July with Prime Minister Simeon Saxe-Coburg-Gotha.

7. From 1990 to 2004, one grand national assembly (GNA) and four regular **national assemblies** (NA) have been in session. The first free and democratic elections were held on 10 and 17 June 1990 for the 7th Grand National Assembly (10 July 1990 – 2 October 1991) and were won by the Bulgarian Socialist Party with 52.75 percent of the votes. Academician Nikolai Todorov was designated Speaker of that Parliament. That GNA adopted the 1991 Constitution of the Republic of Bulgaria. From July, when the new Constitution was adopted, until 2 October, when the GNA dismissed itself, it functioned as a regular national assembly. The 36th NA (4 November 1991 – 17 October 1994) became effective after the elections held on 13 October 1991 and won by the Union of Democratic Forces with 34.36 percent of the electoral vote. Stefan Savov (4 November 1991 – October 1992) and Alexander Yordanov (October 1992 – 17 October 1994) were its Speakers. That National Assembly was dissolved before expiration of its term.

8. The 37th NA (12 January 1995 – 19 February 1997) was elected on 18 December 1994 and was dominated by the coalition of the Bulgarian Socialist Party, the Bulgarian Agrarian People’s Union “Alexander Stamboliiski” and the Political Club “Ecoglasnost”, whose total electoral outcome amounted to 43.5 percent of the vote. Academician Blagovest Sendov acted as its Speaker. It was also disbanded pre-term and was followed by the 38th NA (19 April 1997 – April 2001), which was constituted after elections that gave an absolute majority of the vote, 52.26 percent, to the United Democratic Forces (consisting of the Union of Democratic Forces, Democratic Party, the Bulgarian Agrarian People’s Union and the Bulgarian Social-Democratic Party). Yordan Sokolov was designated as its Speaker.

9. The 39th NA was formed on 5 July 2001, following the elections of 17 June 2001 carried by the National Movement “Simeon II” with 42.74 percent. Its chairperson became Prof. Ognyan Gerdzhikov, Law professor at Sofia University.

10. **The institution of President of the Republic** was first created in March 1990. On 1 August 1990, Dr. Zhelyu Zhelev was elected Bulgaria’s President by the 7th GNA. On 12 and 19 of January 1992, the first direct presidential elections took place, which resulted in electing Dr. Zhelev as President and Blaga Dimitrova as Vice-President of Bulgaria.

11. On 27 October and 3 November 1996, the second presidential elections were held, which were won, after the second round, by the United Democratic Forces’ candidates Petar Stoyanov and Todor Kavaldzhiev. On 9 October 1997, President Stoyanov signed the Framework Convention for National Minorities in Strasbourg.

12. On 18 November 2001, Georgi Parvanov became the third president directly elected since 1989. The nominees supported by the Coalition for Bulgaria, Parvanov and Angel Marin (for President and Vice-President, respectively), won the second round of the elections with 54,13 percent.

2.2. Economic Activities

13. On 29 January 1991, the prices of essential goods and services were liberalised and pricing was gradually based on market control mechanisms. Economic reforms started. The year 1993 marked the start-up of privatisation in Bulgaria. On 14 May 1996, the NA adopted the first Program for the Mass Privatisation of State-Owned Enterprises. On 14 June 1997, the 38th NA voted in the Law on the Currency Board Arrangement, which took effect on 1 July, pegging the value of the Bulgarian Lev to the German Mark (1DM = 1,000 Lev).

14. As of 5 July 1999, by force of the Law on the Denomination of the Bulgarian Lev, 1,000 old Lev were denominated into 1 New Bulgarian Lev (BGN).

15. According to the EC Annual Report on the Advancement of Bulgaria in Its Preparation for EU Membership⁵ of 13 November 2001, Bulgaria’s economic growth was 5.8 percent in 2000, which was the highest increase since the 1996-1997 crisis. Macro-economic stability was also maintained. The purchasing power parity (PPP) of the Bulgarian population was 24 percent of the EU average. For the first time, the report noted that the country was very close to a “functioning market economy” and assessed the potential for the economy to deal with the competitive and market forces of the EU as good. According to the data of the

⁵ http://europa.eu.int/comm/enlargement/report2001/bu_en.pdf.

National Statistics Institute, the inflation accumulated from 1990 to March 2002 was 263,511.9 percent. The average annual inflation rate was 22.3 percent in 1998, 6.2 percent in 1999, and 10 percent in 2000. Compared with the inflation rate in other Central- and East-European countries, Bulgaria ranked last but one in 2001, with a 4.8 percent rate. In 2002, it stood at 3.8 percent, and in 2003 – 5.6 percent, the highest rate in the last three years.

16. In 1995, the gross domestic product (GDP) per capita was \$1,559, in 1997 – \$1,224, in 1998 – \$1,484, and in 1999 – \$1,510. Since the winter crisis of 1996-97,⁶ Bulgaria has made tremendous strides along the path of recovery, not only towards social and economic stabilisation, but also towards lasting stability and real growth. In 2000, GDP growth was 5.8 percent, which marked an impressive increase by 12.8 percent compared to 1997. Moreover, despite a plummeting of 36 places (from 33rd to 69th) in Bulgaria's Human Development Index (HDI) ranking between 1991 and 1997, the country recovered slightly, and in 2001 rose to 57th place. In spite of the improvement in terms of major indicators, the social sphere did not experienced the same degree of positive change. Unemployment remained high, peaking at 22.1 percent in December 2000, and settling at 18.5 percent in July 2001. As in 2000, both real and nominal incomes rose, but the rate of growth continued to be slow, and while the average Bulgarian salary was up by 22.5 percent in January 2000, by the summer of 2001 it was still a frail 261 BGN (US\$ 125) per month. The per capita purchasing power parity of the Bulgarian population, measured in the report "Global Competitiveness 2002-2003," was \$ 6,182 in 2001, which ranked the country 56th out of 80 countries studied.

17. In 2003⁷, in spite of economic stagnation worldwide, the Bulgarian economy still managed to show signs of both growth and stability. In 2003, this stability was evident in an inflation rate of 2.3 percent, and GDP growth of 4.3 percent. In addition, there was an improvement in unemployment at large, the 2003 rate dropping down to 13.5 percent from 16.3 percent in 2002. This was due to new job creation in the private sector and through government employment promotion schemes.

2.3. Social Policy, Health Care, Employment, Unemployment

18. Some policy and legislative activities aimed at sustainable human development promotion, as well as activities supported by UNDP during the period 1997 – 2001.⁸

Poverty: Social Investment Fund (SIF) (2001)

⁶ UNDP: Review 1997-2001, p. 2 (http://www.undp.bg/user_files/en/documents/publications/und_reviews_2001.pdf) UNDP: Review 1997-2001, p. 2 (http://www.undp.bg/user_files/en/documents/publications/undp_reviews/review_2001.pdf)

⁷ UNDP: Annual Review 2003, p. 2 (http://www.undp.bg/user_files/en/documents/publications/undp_reviews/review_2004.pdf)

Environment: Establishment of a National Commission on Sustainable Development (1999); Regional Development Act (1999); National Bio-diversity Conservation Plan (1999); sustainable energy efficiency policy and legislation (1999); Water Act (1999)

Human Rights and Equal Opportunities: Abolishment of the death penalty (1998); fundamental conceptual and legislative support to the child welfare reform programme (2000); Draft National Strategy on the Equalisation of Opportunities for People with Disabilities (2000); Draft Law on Equal Opportunities (2001)

HIV/AIDS: National Strategy and accompanying Action Plan for Combating HIV/AIDS (2001).

19. In 2001, **Bulgaria ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention Against Trans-national Organised Crime.** The US State Department's report on illegal human trafficking for 2003 noted that the key risk factors in Bulgaria remained socio-economic: poverty, inadequate education and low employment levels, especially among the Roma population.

20. According to the information provided by Ministry of Education and Science, in 2002, 106,171 (10,6 percent) out of the total of 1,007,544 schoolchildren enrolling in grades 1-12 were Roma children. Mandatory pre-school preparation was introduced for the 2003-2004 school year, as a result of which over 20,000 children additionally enrolled in schools and kindergartens.

21. The experimental teaching of Turkish language started in early March 1991 in classes selected by the Ministry of Education and Science in different regions across the country. As from 11 November 1991, Turkish language classes were introduced as electives. In 2000, 37,437 students did Turkish as their mother tongue in 434 schools in 21 regions of Bulgaria. In addition, Hebrew, Armenian and Greek are taught as well.

22. As from the 1997-1998 school year, the option of religious studies was given to second- and third-graders whose parents gave agreement. In April 1998, a 12-year mandatory education was introduced, with three compulsory graduation exams, as is the practice elsewhere in Europe.

23. **The 37th National Assembly adopted the Higher Education Act** on 12 December 1995. In 1992-1993, there were 154,714 Bulgarian university students altogether, and this number increased during the following years to reach the le-

⁸ UNDP: Review 1997-2001, p. 15 (http://www.undp.bg/user_files/en/documents/publications/undp_reviews/review_2001.pdf) UNDP: Review 1997-2001, p. 15 (http://www.undp.bg/user_files/en/documents/publications/undp_reviews/review_2001.pdf)

vel of 214,918 in 1995-1996, and 260,000 in 2000. In 2002, the number of higher education graduates amounted to 44,500. The total number of university students in 2002-2003 was 230,500. By 1999, 22 higher education institutions had been accredited, and in 2000 there were 41 full universities across the country. In 2002, their number remained the same, including 4 private universities.

3. CONTRIBUTION OF THE UNHCR REPRESENTATION IN BULGARIA

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3.1. MANDATE, GOALS AND PRIORITIES FOR CENTRAL EUROPE AND BULGARIA

3.1.1. Mandate

1. The United Nations Refugee Agency (UNHCR) **has been mandated since its establishment in 1950**, by the United Nations, to lead and co-ordinate international action for world-wide protection of refugees⁹ and solution of refugee

⁹ According to the 1951 Convention, the term "refugee" shall apply to any person who, "... owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

problems. UNHCR's primary purpose is to safeguard the rights and well-being of refugees. UNHCR strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another country, and to return home voluntarily. By assisting refugees to return to their own country or to settle in another country, UNHCR also seeks lasting solutions to their plight. UNHCR's efforts are mandated by its Statute, and guided by the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol. International refugee law provides an essential framework of principles for UNHCR's humanitarian activities. UNHCR's Executive Committee and the UN General Assembly have also mandated the organisation's involvement with other groups. These include people who are stateless or whose nationality is disputed and, in certain circumstances, internally displaced persons. UNHCR seeks to address situations of forced displacement by encouraging states and other institutions to create conditions, which are conducive to the protection of human rights and the peaceful resolution of disputes. In pursuit of the same objective, UNHCR actively seeks to consolidate the re-integration of returning refugees in their country of origin and averting the recurrence of refugee-producing situations. UNHCR offers protection and assistance to refugees and others in an impartial manner and humanitarian assistance on the basis of their need and irrespective of their race, religion, political opinion or gender. In all of its activities, UNHCR pays particular attention to the needs of children and seeks to promote the equal rights of women and girls. In its efforts to protect refugees and to promote solutions to their problems, UNHCR works in partnership with governments, international and regional organisations, and international and national NGOs. UNHCR is committed to the principle of participation by consulting refugees on decisions that affect their lives. By virtue of its activities on behalf of refugees and displaced people, UNHCR also promotes the purposes and principles of the United Nations' Charter: Maintaining international peace and security; developing friendly relations among nations; and encouraging respect for human rights and fundamental freedoms.

3.1.2. Central Europe

2. Central Europe has experienced a very rapid transition from a refugee-producing toward a refugee-hosting region, though some asylum seekers still regard it rather as a transit point on their way to Western European countries. The evolution of asylum institutions, legislation and procedures has had a stabilising impact on refugee movements. The governments in the region have made considerable progress in developing the national asylum systems, which is related to the requirement to meet both the standards set to them as EU Candidate States and the basic needs of refugee protection and assistance.

3. Both legal and social aspects, in particular with regard to the integration of refugees in Central European states, need further active and sustained input and

efforts in order to ensure that international standards are upheld, and that public awareness and support are raised, so that the national asylum systems would allow these states to be defined as refugee-hosting countries. As elsewhere in the EU, strict border controls continue to constitute a key challenge for the access to protection – territory and refugee status determination procedure – in this region.

3.1. 3. Bulgaria

3.1.3.1. UNHCR's overall goal in Bulgaria

4. UNHCR's overall goal in the country is that by 2007 Bulgaria should have in place a well functioning, fair and sustainable asylum system in line with the international refugee standards and the relevant EU *acquis*. Thus priority elements include:

- a) **Proper implementation and update of the 2002 Law on Asylum and Refugees (LAR)**, in accordance with the 1951 Geneva Convention (for details see below Chapter 3.2. on Protection);
- b) **Access to the territory and the refugee status procedures for persons in need of protection;**
- c) **Identification of alternative and increased Government-provided funding** for national refugee-assisting NGOs.

3.1.3.2. UNHCR's special operations in the framework of NATO accession and refugee emergency preparedness

5. In an effort to upgrade the country's refugee emergency preparedness, in 2001, UNHCR and SAR co-organised a Regional Refugee **Emergency Management Training Program**¹⁰ hosted in and by the State Agency for Civil Protection with some 80 participants from Bulgaria and Romania. This Program was conducted upon the request of the authorities based on a potential refugee emergency situation emerging from the 2001 conflict in FYROM, for which the authorities jointly drafted a Contingency Plan for the FYROM crisis in an inter-ministerial setting, established by decree of the then-Prime Minister Kostov, with UNHCR Representation in Bulgaria.

6. The UNHCR Representation co-ordinated the refugee component of the Peace Enforcement Training and Simulation in the context of the **NATO Partnership for Peace Exercise Co-operative Key 2001 and 2003**.¹¹ UNHCR's Representation also handled the refugee segment of the NATO CAS A1-2 exerci-

¹⁰http://www.unhcr.bg/remtp_17_200701_en.pdf
¹¹http://www.unhcr.bg/remtp_17_200701_en.pdf

¹¹ The National Assembly appointed UNHCR's Representation in Bulgaria as the lead agency for this emergency preparedness training, in line with international guidelines (State Gazette (from here on, SG) issue 37 of 13 April 2001). The Representation co-ordinated preparation and implementation for these exercises with SAR, in close co-operation also with BRC, BHC, Caritas Bulgaria and the Ministry of Defence.
http://www.unhcr.bg/events_records/2003/ck2003_en.pdf

se (November 2003), jointly with the International Committee of the Red Cross/Red Crescent and provided briefing and training for military officers on UNHCR's mandate and involvement in civil and military humanitarian operations. The *UNHCR Handbook for Emergencies*¹² and related materials for humanitarian emergency management from UNHCR Headquarters provided relevant guidance. As can be seen on the web site, by means of these and similar activities UNHCR's Representation in Bulgaria assisted and facilitated the building and strengthening of capacities and receptive climate for refugee protection.¹³

3.1.3.3. UNHCR's role within Bulgaria's EU accession

7. Since the early 1990s, UNHCR has supported governmental and NGO partners in Bulgaria dealing directly and indirectly with refugee protection and assistance to develop the national asylum system. The reason behind its support is the goal for the country to eventually integrate into the evolving European common asylum system, as one component of the full EU integration, in line with the international refugee standards and in fulfilment of the 1999 Tampere Asylum work programme in implementation of Art. 63 of the 1997 Amsterdam Treaty.¹⁴

8. The 2002 and 2003 EU Regular Reports¹⁵ documented the progress made in Bulgaria's EU accession, including the adoption and entry into force of the 2002 Law on Asylum and Refugees (LAR), which was one of the requirements to provisionally close Negotiation Chapter 24 "Justice and Home Affairs" in 2003. In parallel, increasing border control activities were observed in the context of implementing the Schengen Agreement compensatory measures (enhanced external border control, visa requirements, carrier sanctions in the event of detecting individuals who are improperly documented at entry points). In order to address the challenges ensuing from these measures, in early 2001, UNHCR Representation in Bulgaria entered into a sub-agreement with the National Service Border Police with a view to clearly establish and implement a working mechanism for which UNHCR supported the provision of minimal reception facilities at the Bulgarian-Turkish border. This sub-agreement was not renewed in 2003, as, pursuant to the new 2002 LAR, the Border Police was no longer entrusted with handling the accelerated refugee status determination procedure (RSDP), hence the previous legal framework was no longer applicable. Instead, a Plan of Action is envisaged for a standing operations procedure with the National Service Border Police. In order to meet international migration management and border principles and in an effort to safeguard access to protection – territory and RSDP –

¹² Handbook for Emergencies, UNHCR, 2nd ed. June 2000, of 400 pages.

¹³ http://www.unhcr.bg/events_records/2003/report_trauma_persicution_en.htm

¹⁴ Article 63 of the Amsterdam Treaty (http://www.unhcr.bg/euro_docs/en/treaty_amsterdam_en.pdf) prescribed that EU States had to accomplish the task by May 2004.

¹⁵ http://europa.eu.int/comm/enlargement/report_2002/pdf/rr_bg_final.pdf and http://europa.eu.int/comm/enlargement/report_2003/pdf/rr_bg_final.pdf

UNHCR continues to pursue the facilitation and co-operation between Border Police, NGO partners and itself, on the basis of trust and mutual respect.

9. In the context of actively supporting Bulgaria's EU accession, UNHCR, in co-operation with SAR, initiated bi-annual **Round Tables on Bulgaria's EU Accession, European Asylum Harmonisation and International Refugee Protection**.¹⁶ For each of the round tables, UNHCR Representation in Bulgaria produced a Collection of Documents which are a series of publications aimed at facilitating refugee-related work both in day-to-day refugee operations and in the larger framework of legislative and EU integration processes. Since they are also intended for the general public, these documents (in English and Bulgarian) are accessible at http://www.unhcr.bg/round_tables/index.htm, which makes them applicable for research and teaching purposes at universities and academic institutions. The round tables also provided an opportunity for the "refugee family in Bulgaria and its friends" to review progress and identify areas of further co-operation and joint activities, including in consultation with the European institutions in Brussels (EU), Strasbourg (CoE) and Vienna (OSCE).

10. **These Round Tables (RT)**, co-organised with the respective EU Presidencies,¹⁷ have met the objective of consolidating support for and understanding of the national asylum system in Bulgaria. The focus of the round tables held so far is, as follows:

- 1st RT – Dec. 2000 (**French** EU Presidency): The Global Consultations on International Refugee Protection
- 2nd RT – April 2001¹⁸ (**Swedish** EU Presidency): European Harmonisation of Refugee Law and Policy
- 3rd RT – October 2001¹⁹ (**Belgian** EU Presidency): European Harmonisation of Refugee Law and Policy
- 4th RT – May 2002²⁰ (**Spanish** EU Presidency): EU Asylum Harmonisation and International Refugee Protection
- 5th RT – Nov./Dec. 2002²¹ (**Danish** EU Presidency): Refugee work since UNHCR's opening of its office in 1992
- 6th RT – March 2003²² (**Greek** EU Presidency): Reception of asylum seekers in Bulgaria

¹⁶ Most of these Round Tables were hosted by the National Assembly (in room 134), which is acknowledged here with appreciation.

¹⁷ The sequence of the EU Presidency: 2000, Portugal, France; 2001, Sweden, Belgium; 2002, Spain, Denmark; 2003, Greece, Italy; 2004, Ireland, Netherlands; 2005, Luxembourg, Great Britain; 2006, Austria, Germany. (http://europa.eu.int/institutions/council/index_en.htm)

¹⁸ http://www.unhcr.bg/round_tables/second_10_04_01/index.htm

¹⁹ http://www.unhcr.bg/round_tables/third_24_10_01/index.htm

²⁰ http://www.unhcr.bg/round_tables/fourth_14_05_02/index.htm

²¹ http://www.unhcr.bg/events_records/2002/5_rt/handout_shoumen_en.pdf

²² http://www.unhcr.bg/round_tables/sixth_07_03_03/index.htm

- 7th RT – December 2003²³ (**Italian** EU Presidency): 10th Anniversary of the Bulgaria-UNHCR Agreement
- 8th RT – June 2004²⁴ (**Irish** EU Presidency): Completion of the Amsterdam asylum harmonisation phase with the presentation of the ten-year account on developing the national system for refugee protection

11. The UNHCR Representation in Bulgaria initiated the bi-annual EU Asylum Harmonisation Working Groups at EU expert level²⁵ among the relevant ministries and their EU Integration Department staff and NGOs in order to compare notes and brief each other on the main developments at both the EU and national levels in the area of refugee and refugee-related matters. The participants included representatives of the Council of Ministers, the Ministry of Interior, the Ministry of Justice, the State Agency for Refugees, NGO Implementing Partners, the Institute of Public Administration and European Integration, the Ministry of Labour and Social Policy, and academia, who also co-operated with the respective EU presidencies and the EU Delegation in Bulgaria. The Working Groups' meetings allowed to review work programmes and achievements in the field of EU asylum harmonisation and its application at the national level. In addition, UNHCR Representation actively contributed to and participated in PHARE horizontal activities and SAR's operations under an EU Twinning Project with EU funding implemented by Germany (Federal Service for Recognition of Foreign Refugees: Bundesamt für die Anerkennung von ausländischen Flüchtlingen, or BAFL) and Sweden (Migration Board: Migrationverket) in 2002-2003, designed to strengthen the administrative capacity of SAR and to complete preparatory work for two refugee reception centres.

3.1.3.4. The UNHCR Representation's Plans of Action

12. The UNHCR Representation and the State Agency for Refugees concluded **Plans of Action**²⁶ with a number of partners in order to establish a framework agreement for co-operation. These included the:

1. Academy of the Ministry of Interior of the Republic of Bulgaria, 1998, and 2002;²⁷
2. State Agency for Child Protection at the Council of Ministers and the State Agency for Refugees with the Council of Ministers, May 2002;²⁸
3. Ministry of Labour and Social Policy of Bulgaria, June 2002²⁹ (signed through Letters of Exchange with the Deputy Prime Minister³⁰);

²³ http://www.unhcr.bg/events_records/2003/handout_101203_en.pdf

²⁴ http://www.unhcr.bg/events_records/2004/index.htm

²⁵ http://www.unhcr.bg/events_records/2003/index.htm

²⁶ http://www.unhcr.bg/sa_plans_action/sa_pa.htm

²⁷ http://www.unhcr.bg/sa_plans_action/unhcr_mi_en.pdf

²⁸ http://www.unhcr.bg/sa_plans_action/sacp_en.pdf

²⁹ http://www.unhcr.bg/sa_plans_action/mlsp_en.pdf

³⁰ http://www.unhcr.bg/sa_plans_action/mlsp2_el_en.pdf

4. New Bulgarian University and SAR, May 2003³¹ (signed through Letters of Exchange³²);
5. Media Development Centre and SAR, September 2003;³³
6. Faculty of Education at Sofia University “Kliment Ohridski”, 2003-2004.³⁴

3.1.3.5. Academic Refugee Research and Teaching

13. **UNHCR Representation in Bulgaria established the Academic Refugee Studies Initiative in Bulgaria (ARSIB)** in 2002, following conclusions of the Self-Evaluation of UNHCR Training and Capacity Building Strategy in Central Europe – National Stakeholders, which UNHCR hosted in September 2001 at the Representation in Sofia. Together with the State Agency for Refugees, it officially launched the ARSIB on the UN Day, 24 October 2002, in the Aula Magna of Sofia University; the event was honoured by the Deputy Minister of Foreign Affairs and the Danish EU Presidency, and a number of distinguished professors and interested students and researchers, as well as refugee-related governmental, non-governmental and academic communities. In the context of ARSIB, UNHCR and its partners achieved measurable results, including more than ten sessions (teaching and research, planning and implementation) with over 1,000 academic hours taught in both B.A. and M.A. programs on refugee law, political science, social work with refugees. By way of an example in this framework, the B.A. POL 703 Migration and European Integration course at New Bulgarian University (30 hours, autumn semester 2003/04), whose main lecturers included Dr. Anna Krasteva (NBU), Dr. Luise Druke (UNHCR) and Boyko Antonov (SAR), as well as others who dwelt on migration and refugee issues. The Minister responsible for refugees, Filiz Husmenova, delivered the closing lecture on the institutional aspects of refugee policy and practice in Bulgaria, before a university-wide audience of some 50 students, professors and others. (See 10.5. in Annexes.)

14. In order to facilitate teaching and research, UNHCR Representation continued to share a 400-page **Teaching Materials Collection**³⁵ that includes major international, European and national legal instruments in the field of asylum in electronic and paper versions. UNHCR Representation produced these materials on paper and in an electronic format in Bulgarian and English to cover the refugee law reference materials needs of both professors and students. Within the framework of ARSIB, the Representation conducted **five co-ordination meetings**³⁶ to update developments in refugee-related studies at the 16 higher education ins-

³¹ http://www.unhcr.bg/sa_plans_action/nbu_sar_en.pdf

³² http://www.unhcr.bg/sa_plans_action/nbu_sa_el_en.pdf

³³ http://www.unhcr.bg/sa_plans_action/unhcr_mdc.pdf

³⁴ http://www.unhcr.bg/sa_plans_action/unhcr_su_sar_en.pdf

³⁵ http://www.unhcr.bg/other/19_index_en.htm

³⁶ <http://www.unhcr.bg/arsib/index.htm>

titions involved in the project, and to conduct a review of the courses on refugee-related issues taught at universities across the country. The rectors, deans and lecturers who participated reported with enthusiasm on their work, which UNHCR continues to support through materials and lectures.

15. UNHCR Representation, following the Plan of Action signed with the Rector of New Bulgarian University (NBU), supported the establishment of the **regional Centre for Refugee, Migration and Ethnic Studies**³⁷ (CERMES), where academics and practitioners in the field can pursue their research in refugee- and migration-related issues based on an inter-disciplinary approach. The outcomes of the research are presented at the academic seminars on migration and European integration held at NBU.

16. Also on the basis of the PoA with NBU, UNHCR Representation in Bulgaria has also supported the *Refugee, Migration and Ethnic Studies* journal, edited by Dr. Anna Krasteva,³⁸ member of the ARSIB advisory and leading experts group.

17. The UNHCR representation continued to facilitate the work of the **refugee legal clinics**, such as those at **Sofia and Plovdiv Universities**, through support for their working programs, dissemination of country-of-origin information and sharing of teaching materials. The Representation has assisted the invitations for the participation of students from these legal clinics in workshops and round tables, border monitoring missions and international training seminars, such as the ELENA International Course. In addition, the UNHCR regional project in Budapest provides further assistance and support for such initiatives, especially through the Legal Assistance through Refugee Clinics (LARC) for International Asylum Moot Court Competitions, etc.

³⁷ http://www.unhcr.bg/cerms/plan_lect_en.htm

³⁸ Contributions for the first issue included:

1. Introduction: including functional and geographical objectives, Luise Druke and Anna Krasteva
2. The Bulgarian Ethnic Model, Anna Krasteva – Director, Department of Political Science, New Bulgarian University
3. Inter-Cultural Studies and Public Policy, Plamen Makariev – Director, Department of Philosophy AT Sofia University
4. Urgent Anthropology and Balkan Conflicts, Antonina Zhelyazkova – Director, International Centre for Minority Studies and Intercultural Relations
5. Migration and Security, Anthony Galabov, Assistant Prof. of Sociology, Bulgarian Academy of Sciences
6. Developing national refugee regimes in Post-communist countries in transition – In Central Eurasia: Central Europe and Baltic States & Eastern Europe and Central Asia including Bulgaria, Luise Druke, Ph.D., UNHCR Representative
7. Interview, Minister Filiz Husmenova, Minister responsible for refugees in the Republic of Bulgaria.

³⁹ Page 20 of the collection of materials at: http://www.unhcr.bg/events_records/2003/handout_101203_en.pdf

18. The UNHCR Representation also supports the *University of Tolerance Project of Shoumen University*³⁹, which introduced, as a preventive project, course work in social work with refugees (B.A. and M.A. programmes) whose first graduates completed their work with a satisfactory performance. New courses in social pedagogy for refugees have also been conducted. UNHCR has supported the Shoumen University at large – it has some 11,000 students of whom about 25 percent of Roma and Turkish origin, and others with physical disabilities – and its traditions in the field of tolerance towards minorities and refugees. Among other priorities for Roma youths, equal access to higher education continues to be relevant as a prevention tool in the refugee context, so that after graduating from high school the disadvantaged students would have better educational and employment opportunities and, thus, smaller incentives to leave the country. In September 2002, the Academic Council of Shoumen University passed the decision to award the *Doctor Honoris Causa* Degree of Shoumen University to the current UNHCR Representative, Dr. Luise Druke, for research contributions and accomplishments in the area of human rights and refugee protection. The awarding ceremony took place on Human Rights Day, 10 December 2002.

3.2. PROTECTION AND DURABLE SOLUTIONS FOR REFUGEES

3.2.1. Asylum Policy and Practice

1. Pursuant to the Constitution (Art. 27, para 2), “the Republic of Bulgaria shall grant asylum to foreigners persecuted for their opinions or activity in defence of internationally recognised rights and freedoms.” The granting of asylum is a prerogative reserved for the President of the Republic of Bulgaria, according to Art. 98, para 10 of the Constitution.

2. In May 1992, UNHCR opened its office in Bulgaria. In January 1993, the State of Bulgaria made its first institutional arrangements at the national level by establishing the National Bureau for Territorial Asylum and Refugees (NBTAR), whose function, as the competent refugee authority, was to handle refugee-related activities within the executive branch. As soon as Bulgaria ratified and promulgated the 1951 Geneva Convention on 15 October 1993,⁴⁰ UNHCR ceased processing refugee claims, as NBTAR took over that responsibility.⁴¹ In the first five months of 1994, UNHCR was present at most of the refugee status interviews held at NBTAR.

3. The Ordinance for Granting and Regulating the Status of Refugees of Oc-

⁴⁰ Law on Ratification of the 1951 Convention and the 1967 Protocol (SG issue 36/5 of May 1992).

⁴¹ Between 1989 and 1993 UNHCR processed some 20 asylum applications under UNHCR’s Mandate with the assistance of BRC, which submitted the files to UNHCR HQ in Geneva.

tober 1994, was the first relevant legal instrument for handling refugee matters which was effective for the next five years until 1999, when the National Assembly passed the Law on Refugees⁴². The Law established the Agency for Refugees to replace NBTAR as the governmental refugee authority, which, together with the National Service Border Police, was to conduct the accelerated procedure at entry points.

4. The UNHCR Representation in Bulgaria started lobbying for a refugee law in 1995. By the end of 1996, two draft laws were prepared. UNHCR Representation continued its substantive contribution to further development of those drafts, including by co-organising and participating in relevant events, such as the 1996 workshop in Haskovo and the 1999 round table in Sofia.⁴³

5. In July 1995, the Government of Bulgaria granted refugee status for the first time and in 1996 the Supreme Administrative Court started its work for judicial review of rejected cases at the administrative level.⁴⁴

6. On 1 December 2002, the second refugee law, known as Law on Asylum and Refugees (LAR)⁴⁵ entered into force. Before its adoption on 17 May 2002, since January 2001, the State Agency for Refugees with the Council of Ministers (SAR) and the UNHCR Representation, in a joint effort with the Bulgarian Helsinki Committee's Refugees and Migrant Protection Programme, the National Task Force and judges from the Supreme Administrative Court, had conducted in an intensive process the preparation of the new text. As stipulated by the 2002 LAR, SAR became the single central competent authority to decide on all refugee matters and the Sofia City Court (SCC) started being involved in the judicial review of SAR's administrative acts in accelerated procedure.⁴⁶ The LAR reflected, with some exceptions, relevant international standards. The shortcomings, as expressed by the UNHCR Representation in its Comments of November 2002,⁴⁷ are being addressed. It also incorporated in 2002 the then current EU *acquis*, namely the Directive on Temporary Protection.⁴⁸

⁴² http://www.unhcr.bg/bglaw/ref_law_fin_en.pdf

⁴³ Workshop "Access to procedure and safety of asylum seekers at border checkpoints," Haskovo, 3-6 June 1996; PHARE Horizontal Programme for Justice and Home Affairs, Round Table One, Sofia, 28 June – 1 July 1999. Records on file with UNHCR's Representation.

⁴⁴ Based of information provided by the Bulgarian Helsinki Committee from its records and caseload represented in the courts, which does not include a relatively small number of appeal cases handled by other lawyers, of the about 3,500 cases handled by the Supreme Administrative Court since 1996, it overturned 6.4 percent of the first-instance administrative negative decisions.

⁴⁵ 2002 Law on Asylum and Refugees, adopted 16 May 2002, published in SG issue 54 of 31 May 2002, in force 1 December 2002, available at: http://www.unhcr.bg/bglaw/en/ukaz_162_en.pdf

⁴⁶ Based on the same information from BHC, as in the footnote to para 5 above, out of the approximately 700 cases handled by the Sofia City and other district courts, about 5.8 percent of the first-instance administrative negative decisions were overturned.

⁴⁷ http://www.unhcr.bg/bglaw/en/unhcr_comments_lar2002_en.pdf

⁴⁸ http://www.unhcr.bg/euro_docs/en/20001_55_ec_en.pdf

7. This constituted an important step forward for the Bulgarian system for refugee protection. Major improvements included:

- **Conformity with the 1951 Geneva Convention on the inclusion, exclusion and cessation clauses;**
- **Judicial appeal in the accelerated procedure to be submitted within seven days** (and in the normal procedure within 14 days) with suspensive effect respectively;
- **A single central competent refugee authority** is stipulated to be responsible for examining requests for refugee status and taking decisions in the first instance of the accelerated and normal procedures;
- The principle of *non-refoulement* now reflects Art. 33 of the Geneva Convention and Art. 3 and 5 of the European Convention for the Protection of Human Rights and Fundamental Freedoms;
- **Skilled female interviewers** in procedures for the determination of refugee status of female asylum applicants;
- **Clarified entitlements for Convention refugees and humanitarian status holders** as a new type of an individual status pursuant to the provisions of Article 3 of the European Convention for Human Rights and Article 3 of Convention against Torture, and for temporary protection holders as a group (in line with the EU Directive on Temporary Protection);
- **Accommodation upon recognition for a period of six months**, as a right to housing allowance for Convention refugees and humanitarian protection holders alike;
- **Discretion of the competent refugee authority to assess the needs of asylum seekers** for state-provided accommodation and support, which is expected to constitute an incentive for strengthening access to the RSDP (as previously asylum seekers were entitled to state-provided accommodation).

8. **UNHCR's Implementing Partners** for refugee protection and support, in addition to SAR, BRC, BHC, and Caritas, included, as from early 2001, the National Service Border Police of the MoI, as the latter had a role in implementing the accelerated procedure at entry points and within the territory. However, since under the 2002 LAR, SAR is the only central refugee authority, there was no longer a legal basis for renewing the sub-agreement with the Border Police.

9. The Government of Bulgaria continued strengthening the protection and assistance capacity of the system by establishing **refugee centres**, namely a reception-and-registration centre in Sofia with a staff of 22 and accommodation capacity for 500 asylum seekers and an integration centre in Sofia with a staff of nine.⁴⁹

⁴⁹ Council of Ministers' Decree 123 of 14 May 2001.

10. In order to encourage inter-ministerial and institutional cooperation in refugee protection, UNHCR Representation initiated and concluded a number of joint **Plans of Action**⁵⁰ (For more details, see Chapter 3.1.3. above.)

11. In view of refugee protection issues involved, UNHCR co-operated in the preparation of the primary and secondary legislation on “Combating Illegal Trafficking in Human Beings.” The law was promulgated in the State Gazette issue 46 of 20 May 2003, and secondary legislation later the same year,⁵¹ when the Council of Ministers adopted the Rules of Procedure of the National Commission for Combating Trafficking in Human Beings (promulgated in SG issue 19 of 9 March 2004). UNHCR’s proposal on the saving clause of the 2000 Palermo Protocol was included and reflected as follows in Art. 23: “Victims of trafficking shall be informed in language they understand on their rights and obligations during their stay, the right to apply for asylum, and regarding the services provided by the Centers for Protection and Assistance.” In addition, NGOs and international organisations such as UNHCR have the right to participate in the sessions of the National Commission as observers, as stipulated in Art. 11 (3) of this Law.

12. Two laws of interest to UNHCR were passed during the 2003 legislative season, which, on the one hand, apply to refugees residing in the country and, on the other, might contribute to the citizens of Bulgaria having their rights respected and their grievances heard, so as not to feel the need to cross the borders and become refugees themselves. **The Law on Protection Against Discrimination**, which the National Assembly passed on 16 September 2003 (in SG issue 86 of 30 September 2003) and the **Law on the Ombudsman** (promulgated in SG issue 48 of 23 May 2003) both came into force on 1 January 2004.

13. **The Amendments to the Law on the Ministry of Interior** published in SG issue 103 of 25 November 2003 (entered into force on 26 February 2004), aimed at revising the functional competencies of the National Service Border Police and the formation of a new Migration Directorate. The establishment of a migration control body is highlighted in Bulgaria’s Road Map for EU accession as well as in the updated 2003 plan for adoption of Schengen *acquis*.⁵² In line with these parameters, the new Migration Directorate is entitled to exercise administrative control over aliens residing in Bulgaria.

14. In terms of **international and regional instruments**, as of 31 December 2003, Bulgaria had acceded to most of the basic international and regional human

⁵⁰ http://www.unhcr.bg/sa_plans_action/sa_pa.htm

⁵¹ Following work of the working group since 21 August 2003.

⁵² <http://www.mvr.bg/mvr-eng/index.htm>

rights instruments.⁵³ The Republic of Bulgaria ratified a number of international instruments relevant to the suppression of **acts of terrorism**.⁵⁴ As of 31 December 2003, Bulgaria had concluded 33 bilateral agreements, 2 tripartite agreements⁵⁵ and 2 multilateral agreements for co-operation in combating trans-national organised crime and international terrorism.⁵⁶

15. Principle of *Non-Refoulement* in law: Pursuant to LAR (Art. 4, para 3), an alien who has entered Bulgaria to seek protection or has received such protection shall not be returned to the territory of a country where his/her freedom or life is threatened due to race, religion, nationality, membership of a specific social group or political opinion, or where he/she faces a threat of torture or other forms of cruel, inhumane or degrading treatment or punishment. The overwhelming majority of asylum seekers enter Bulgaria from the Bulgarian-Turkish border. The 2002 LAR foresees (Art. 47, paragraphs 1 and 2) that SAR shall establish “territorial units” (i.e. branch offices) across the country and that “transit centres” shall be set up for the registration, accommodation, medical examination and implementation of the accelerated procedure.

⁵³ The Convention and Protocol relating to the Status of Refugees, on 12 May 1993; The Covenant on Civil and Political Rights in 1970 and to its optional Protocol, on 26 March 1992 and its Second Optional Protocol aiming at the abolition of the death penalty, 1999; The Covenant on Economic, Social and Cultural Rights, on 21 September 1970; The European Social Charter (Revised) ratified on 29 March 2000. The Convention on the Rights of the Child, on 3 June 1991. The Convention on the Elimination of all forms of Discrimination Against Women on 8 February 1982; The Convention on the Prevention and Punishment of the Crime of Genocide, on 21 July 1950; The Convention Against Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment on 16 December 1986; The European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), on 7 September 1992 and Protocol 6 to ECHR concerning the abolition of the death penalty, 1999, Protocols no 4 and 7 to the ECHR 2000; The Framework Convention for the Protection of National Minorities 1999; The European Convention for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment, on 3 May 1994; The Convention on the Recognition of Qualification Concerning Higher Education in the European region, 2000; The UN Convention against Transnational Organised Crime, 2000. The Hague Convention on Cross-Border Adoption, 2002; The Hague Convention on Civil Aspects of the International Child Kidnapping, ratified 2003; European Convention for Execution of Decisions on Parental Rights, ratified 2003;

⁵⁴ International Convention for the Suppression and Financing of Terrorism, in force from 15 May 2002; International Convention for Suppression of Terrorist Bombings, in force from 14 March 2002; European Convention on the Suppression of Terrorism, in force from 18 May 1998; International Convention Against taking of Hostages, in force from 9 April 1988;

⁵⁵ The first tripartite agreement was concluded between Bulgaria, Romania and Turkey and the second between Bulgaria, Romania and Greece.

⁵⁶ www.mvr.bg/mvr-eng/dms/annexes.htm (Annex 4).

16. In the ten-year period and the process of Bulgaria's way to the EU, strengthening migration and border control measures has been a requirement to the Government in the context of Chapter 24 on Justice and Home Affairs.⁵⁷ Official information from the Border Police Report⁵⁸ for the period up to 2003 included, shows that a number of third-country nationals were denied entry at the border. UNHCR Representation in Bulgaria has taken up this issue with the competent authorities, so that people expressing their need of protection would be allowed to have their case examined.

17. Access to the territory and the Refugee Status Determination Procedure has been an issue in Bulgaria since UNHCR established its presence in the country. In 1998, UNHCR's Representation provided temporary support by means of assistance for small centres at the main border checkpoints to Turkey (Kapitan Andreevo), Romania (Rousse) and Greece (Kulata) as a temporary measure.

18. As regards **protection against expulsion, deportation and extradition**, in addition to the **prohibition of *refoulement*** as regulated in Art. 4 (3) of the LAR, a number of additional guarantees against expulsion and deportation are contained in Art. 66 (1) according to which "forced taking away to the border" and expulsion shall not be enforced before the negative decision on the asylum application passed by SAR is not appealed against and comes into effect.

19. As of late 2003,⁵⁹ Bulgaria had signed **33 Readmission Agreements**.⁶⁰ These re-admission agreements generally apply to the return of nationals of the contracting state and third-country nationals who entered a contracting state in an irregular manner.

20. In fulfilment of Art. 35 of the 1951 Geneva Convention relating to UNHCR's supervision of the application thereof by the Parties, UNHCR's role in Bulgaria in law and practice is well established and exercised, specifically under the 2002 LAR and its Art. 3 (2), in conjunction with Art. 53 (8). The 2002 LAR

⁵⁷ In line with the negotiations and the closure of the Chapter 24 of Justice and Home Affairs (JHA) on 29 October 2003,⁵⁷ Bulgaria continued with implementing the strict border control measures, which may have contributed to the decreasing number of asylum applications and the increasing number of persons denied entry into territory.

⁵⁸ Official letter from MFA dated January 2004 on file with UNHCR Representation in Bulgaria (APR 2003, p.14)

⁵⁹ Information received by the MFA, International Law Directorate, letter dated 10 January 2003, on file with UNHCR's Representation.

⁶⁰ Republic of Poland (1993), Swiss Confederation (1994), Federal Republic of Germany (1994), Slovak Republic (1995), Hellenic Republic (1995), Republic of Lithuania (1996), Republic of France (1996), Kingdom of Spain (1996), Portugal (1997), Denmark (1997), Finland (1998), Czech Republic (1998), Austria (1998), Italy (1998), Hungary (1999), Sweden (1999), Norway (1999), Romania (2000), Slovenia (2000), FRY (2001), Ukraine (2001), FYROM (2001), Georgia (2002) and Ireland (2002), Ukraine (2002), Albania (2002), Latvia (2002), Lebanon (2002), Croatia (2002), United Kingdom (signed on 21 February 2003 but pending entry into force), Estonia (signed on 11 June 2003, in force from 8 November 2003), Uzbekistan (signed on 23 November 2003, pending entry into force).

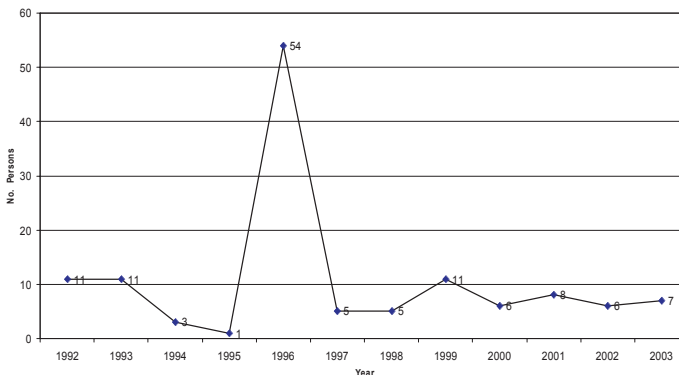
clearly stipulates that UNHCR has access to any asylum seeker and refugee at any stage of the refugee procedure.

3.2.2. Progress toward Durable Solutions

21. The progress in achieving durable solutions for refugee problems in Bulgaria (through **Voluntary Repatriation, Resettlement and Local Integration**), has been slow but with encouraging initial results. The goal of international protection is to restore refugees' belonging to society, as well as the restoration of national protection, either through reintegration in the country of origin or local integration elsewhere. Voluntary repatriation is viewed as the most desirable long-term solution by the refugees themselves and the international community. In the context of the *Agenda for Protection*⁶¹, Goal 5, redoubling the search for durable solutions, under the objective for improved conditions for voluntary repatriation, UNHCR Representation in Bulgaria initiated the process of establishing a **Standing Committee on Voluntary Repatriation of Refugees to Afghanistan and Iraq from Bulgaria** with the aim of establishing co-operation among all the relevant governmental bodies and NGOs involved.⁶²

22. Hundreds of refugees have chosen to return home since 1992, some 120 persons having done so with UNHCR's assistance, while many others, among whom women and children, have left Bulgaria spontaneously to return home.

UNHCR Assisted Repatriations 1992-2003

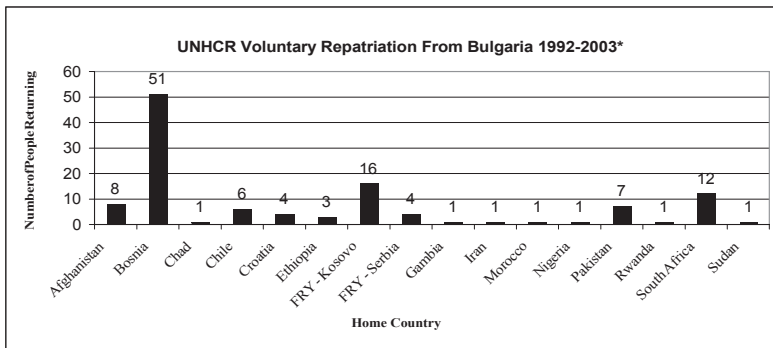


⁶¹ The Agenda is an ambitious, yet practical, programme of action to improve the protection of refugees and asylum seekers around the world. It is intended to serve as a guide for concrete action, not only by UNHCR, but also by Governments, NGOs and other partners. Agenda for Protection, originally published as A/AC.96/965/Add.i of 26 June 2002. It was endorsed by the Fifty-third session of the Executive Committee of the High Commissioner's Programme in October 2002.

⁶² So far, under this initiative seven people were voluntarily repatriated to Afghanistan in 2003.

23. These statistics do not take into account two special operations carried out by UNHCR involving the repatriation to Bosnia-Herzegovina in 1996, when the UNHCR Representation organised the return of two groups of people in August and in November after the refugees had been registered and the “voluntary intent” of those who wished to return had been proved, as well as clearance from the Bosnian government and an exit visa from the Bulgarian authorities had been obtained.

24. In connection with the Kosovo conflict, over 470 persons from FRY applied for protection in Bulgaria and received humanitarian status in 1999. Once the war was over, almost all of them returned. As both charts in the chapter illustrate, the largest number returned to Bosnia in 1996, followed by Kosovo in 1999-2002 and South Africa in 1992. Repatriation to Kosovo, Croatia and Serbia consisted mostly of families with children, unlike other voluntary repatriation cases. There is a different perception of voluntary repatriation among old and young refugees. Frequently, children, especially if born in the asylum countries, do not have the same ties to the country-of-origin of their families and tend to be reluctant to the idea of returning. Repatriation to Bosnia was Bulgaria’s first experience in handling such issues with UNHCR’s assistance. Experience shows that once the conditions in the country of origin become conducive to return, refugees usually want to go home.



*These data do not include spontaneous returns such as to Kosovo and Bosnia-Herzegovina.

25. On 27 May 2003, UNHCR Representation in Bulgaria initiated the first **Inter-Agency Standing Committee on the Voluntary Return to Afghanistan and Iraq** jointly with the State Agency for Refugees, the Ministry of Interior, the Ministry of Foreign Affairs, the Bulgarian Helsinki Committee, the Bulgarian Red Cross, the Council of Refugee Women in Bulgaria and the respective embassies. In 2003 UNHCR chaired 4 meetings⁶³ of the standing committee in Sofia and a number of practical issues, procedures and cases were discussed. In 2003,

⁶³ Second meeting took place on 9 June 2003, third on 1 July 2003 and final 22 July 2003.

UNHCR Representation in Bulgaria supported two individual cases of voluntary repatriation: **two families, Afghan** nationals (7 persons) under the UNHCR Geneva Project “Return to Afghanistan from non-neighbouring countries,” which the International Organisation for Migration implemented in line with the co-operation developed between UNHCR and IOM over 50 years.

26. **Permanent residence status** is granted to all recognised refugees in Bulgaria. **Naturalisation** is applicable for those who qualify after residing a minimum three years and submitting the relevant application. Records show that, within the reported period, 40 recognised refugees have obtained Bulgarian citizenship.

27. **Integration** is often the most feasible durable solution for refugees world-wide. In Bulgaria, primary and secondary legislation provide for initial integration, including language training, vocational training, social security, with access to the labour market and treatment similar to Bulgarian citizens in comparable social situations. In order to promote this work, UNHCR Representation co-organised, with the State Agency for Refugees and important partners, a number of conferences,⁶⁴ which contributed to the 2003 adoption by the Government of a concrete initial integration package as a matter of policy and relevant state funding that foresees refugees having a possibility to integrate into Bulgaria’s social and economic fabric. **UNHCR’s priority** continues to be the focus on refugee integration, which remains a great challenge for the consolidation of the national system of protection as Bulgaria has only shifted slowly from a **refugee-transit country to a refugee-receiving country**.

28. The UNHCR Representation in Bulgaria has supported the integration of recognised refugees. Especially so, following the Council Conclusions of the 2003 Thessaloniki Summit,⁶⁵ where the need for a more vigorous integration policy was expressed for the first time, as being one of the four broad migration/asylum objectives of the October 1999 Tampere work programme on asylum agreed upon by the Heads of States and Governments.⁶⁶ In addition, the new Constitutional Treaty, as proposed in the Convention for Future of Europe, includes draft provisions on EU support for initiatives in the area of refugee integration,⁶⁷ which also addresses the development of a policy on the integration of third-country nationals legally residing on the EU territory.⁶⁸ The recommendation to

⁶⁴ Conference on Integration with ECRE, October 2000 and Meeting on Housing with CoE, May 2002.

⁶⁵ Presidency Conclusions. Thessaloniki, 19 and 20 June 2003

⁶⁶ Council Conclusions on the Development of a policy on Integration of third country nationals legally residing in the territory of the EU

⁶⁷ See Proposed ArticleArt. III – 163 (4)..

⁶⁸ See Commission Communication on immigration, integration and employment, Brussels, 3.6.2003COM (2003) 336 final; and also ArticleArt. 31 “Access to integration facilities” of the Proposal for a Council Directive on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection: Brussels, 19 June 2003 10576/03 ASILE 40

Bulgaria in the Road Map toward accession⁶⁹ (in the area of Justice and Home Affairs) envisages promoting the conditions for refugee integration, in parallel with strengthening the capacity of the reception centres and the administrative capacity of the State Agency for Refugees.

29. **Public support for protection and integration policies** is crucial for their success and sustainability. Under UNHCR's annual projects, public awareness campaigns and specific events have been organised to help the public understand that EU integration also requires such refugee-related actions.

30. In accordance with the 2002 LAR, as amended, the rights of recognised refugees are similar to those of Bulgarian citizens (For more details, see: LAR, Section 3, Chapter 4⁷⁰), which is a helpful basis for refugee integration in Bulgaria.

31. **Identification, registration and documentation** of refugees and asylum seekers are regulated in the 2002 LAR, as amended; they are a precondition for ensuring durable solutions, including for humanitarian status holders in line with the National Law on Identity Documents.⁷¹

32. Since May 1997, the Bulgarian authorities have issued Convention Travel Documents to recognised refugees under the 1951 Geneva Convention. In recent years, especially after 11 September 2001, refugees have reported facing problems in obtaining visas to travel abroad.

33. **Resettlement, as one of the three durable refugee solutions**, is applied when there are no other solutions available. Over the past ten years, there have been very few cases processed for resettlement – over 20 individuals for Australia, Canada, Denmark, Finland, Netherlands, Norway, Sweden and USA.⁷²

34. **Family reunification** is regulated in Art. 34, Points 1, 2 and 3 of LAR, which provide, for recognised refugees, the right to apply for the reunification of the nuclear family, as well as elderly parents of recognised refugees under the 1951 Convention who can also join their children in Bulgaria. The President of the State Agency for Refugees grants permission for family reunification. During the past ten years, some 35 individuals, mostly refugees from Afghanistan and Iraq, were reunited with their families in Bulgaria, while another 23 individuals, mostly refugees from Iraq, Iran, Bosnia and Herzegovina and Somalia, were assisted for family reunification in Canada, Denmark, Norway and USA, again with

⁶⁹ Commission Communication on the Roadmaps for Bulgaria and Romania Brussels, 13.11.2002 COM(2002) 624 final

⁷⁰ http://www.unhcr.bg/bglaw/en/ukaz_162_en.pdf

⁷¹ The Law on Bulgarian IDs, 1998, amended No. 54/ of 31 May 2002, into force 1 December 2002, in Art. 55 (2): "Temporary refugee card shall be issued immediately after opening of the asylum-procedure" by the SAR.

⁷² Internal UNHCR records (including Annual Protection Reports for the period), on file with the Representation office in Sofia.

support for travel and other related matters from the International Organisation for Migration.⁷³

35. Pursuant to the Family Code⁷⁴, refugees, similar to any aliens, should present a document certifying that they have not concluded marriage in their country of origin in order to be able to marry a Bulgarian or another citizen or stateless person. In most refugee cases, this has proved impossible due to the lack of documentation. Therefore, Art. 30, para 3 of the LAR provides that in case the refugee does not possess the documents which can be used to establish his/her identity, nationality and marital status, s/he shall certify her/his identity, the date and place of birth and his/her family status by means of a declaration signed personally before the competent authorities.⁷⁵ The State Agency for Refugees may afterwards issue documents for certification purposes, which can serve the refugee to exercise the right to get married in Bulgaria.

3.2.3. Refugee Children, Women, and Others of Special Concern, including Separated Children in Need of Protection

Refugee Children

36. The Bulgarian Constitution envisages special protection by the state and the society for unaccompanied minors (Art.47, 4). Pursuant to Art. 25 of LAR, a guardian shall be appointed, under the conditions and procedure laid down in the National Law on Child Protection and the Family Code, for any unaccompanied minor or juvenile alien who seeks or has received protection and who is on the territory of Bulgaria.

37. In view of the particular vulnerability of children and in the light of existing human trafficking problems, the State Agency for Refugees is to accommodate the unaccompanied minor or juvenile aliens seeking or having received protection, until they come of age, at a specialised governmental institutions. In addition the State Agency for Refugees is to ensure the implementation of the principle of the best interest of the child.

38. The institutional support for unaccompanied refugee children provided by the Government is evolving. The numbers of unaccompanied minors in the refugee caseload in Bulgaria is relatively low. UNHCR Representation in Bulgaria, through its implementing partners, has prioritised awareness raising and training of refugee workers. In 2003, 193 children were registered for protection out of a cumulative of 1,549 persons in total. In the recent past, the State Agency for Refugees, UNHCR Representation and the Bulgarian Helsinki Committee agreed on

⁷³ On file with UNHCR Representation in Bulgaria, APRs 1993-2003.

⁷⁴ Family Code, promulgated in SG issue 41, 17 May 1985, effective 1 July 1985

⁷⁵ For the accuracy of the Declaration he/she shall be held liable under Art. 313 of the Criminal Code (promulgated in SG issue 26 1968, last amendment promulgated in SG issue 92 of 27 September 2002).

and implemented a legal representation mechanism for unaccompanied asylum-seeking minors to be provided, as needed, by the Bulgarian Helsinki Committee during the refugee procedure.

39. As of 31 December 2003, the Government of Bulgaria has recognised **a total of 327 children as Convention refugees and provided humanitarian protection status to 702 children**. These 1,029 positive decisions (out of 2,097 applications) make for an almost 50-percent positive decision rate. UNHCR's Representation in Bulgaria programme and protection work continued to target a better integration of the special needs of refugee children and adolescents and to ensure that relevant guidelines are made known and implemented by relevant refugee workers. The Government of Bulgaria has traditionally provided free access to the Bulgarian primary and secondary education for refugee and asylum seeking children.

40. UNHCR's priorities in Bulgaria related to asylum-seeking and refugee children, especially separated children, called for activities, such as: co-ordinate the protection of refugee children in the wider perspective of protecting children's rights with the Government and NGOs; encourage the Government to initiate and maintain statistics reflecting age categories; enlarge the membership of the existing task force on separated children, so as to include additional government structures; disseminate guidelines on separated children in the context of the **Programme on Separated Children in Europe, including the co-hosting of workshops on separated children**.

41. The objectives of the efforts of UNHCR Representation in Bulgaria for meeting the protection needs of separated children included: promote the implementation of the rights of separated asylum-seeking and refugee children and adolescents in Bulgaria through capacity-building among staff members, partners and policy makers; take remedial action where the rights of separated children are not duly respected; strengthening the National Task Force on Separated Asylum Seeking and Refugee Children in Bulgaria with a view to applying the basic protection and assistance principle; contribute to designing a National Action Plan for Protection of Separated Asylum Seeking and Refugee Children in Bulgaria.

42. The UNHCR Representation in Bulgaria has been supporting the physical and mental development of asylum-seeking and refugee children enrolled in primary and secondary schools, by providing items such as school materials, clothes and lunch vouchers through the Bulgarian Red Cross. Contacts were established with the school authorities and teachers for the purpose of monitoring the school performance of **all refugee children** and identifying their **needs in terms of additional training**. In order to help refugee children to follow school curriculum and improve their performance, additional training started as from November 2002. Depending on the age of the children, study groups were set up with the following purposes: preparation for admission to primary school; preparation for

the matriculation exam and providing children with a solid base to enrol in university education; improving their performance on particular subjects like mathematics, Bulgarian history and Bulgarian language. The Bulgarian Red Cross and the school authorities conducted a joint assessment of refugee schoolchildren's needs and designed extra-curricular activities for them. The Bulgarian Red Cross has organised annual summer camps with intensive language classes for all children who needed extra training.

43. Parents of pre-school refugee children have been encouraged to enrol children in **kindergarten**. The kindergarten fee for refugee children has also been covered by UNHCR through the Bulgarian Red Cross sub-project. As regards the refugee status determination procedure, seeking asylum minors are included in the parent's application and registered in the documents of both parents.

44. A comprehensive analysis of the state of protection needs of refugee children in the country was deemed necessary and the UNHCR Representation in Bulgaria, together with the Bulgarian Red Cross and the Council of Refugee Women in Bulgaria, started the project **Analysis of the Protection Provided to Refugee Children in Bulgaria** in 2003, with financial support from UNHCR Headquarters.⁷⁶

Refugee Women

45. The UNHCR Representation in Bulgaria has promoted the cause and the issue of **refugee women**, on the basis of UNHCR's policy and protection guidelines concerning refugee women, especially the High Commissioner's Five Commitments to Refugee Women. Implementing partners, including the Council of Refugee Women in Bulgaria, supported by UNHCR Representation in Bulgaria, have expanded the scale of legal and social services for refugee women and, at the same time, have taken steps to find durable solutions for them. In recognition of this and the results achieved, the President of the Council of Refugee Women in Bulgaria was amongst the 5 out of the 180 nominated world-wide whom the High Commissioner honoured with the Award for Empowerment of Refugee Women and Organisations at a ceremony on 5 December 2003 at UNHCR HQ. UNHCR Representation in Bulgaria encouraged and initiated the establishment of the Council of Refugee Women in Bulgaria in May 2002 by a group of recognised refugee women enthusiasts with the support of the Bulgarian Red Cross.

46. Once recognised as refugees, both men and women have the same rights as Bulgarian citizens, with certain exceptions specified in the 2002 LAR. With the adoption of the 2003 Law on Protection against Discrimination,⁷⁷ additional protection is stipulated in Art. 4, which explicitly forbids any direct or indirect

⁷⁶ http://www.unhcr.bg/events_records/2003/handout_311003_bg.pdf

⁷⁷ Passed by the National Assembly on 16 September 2003, SG issue 86 of 30 September 2003, came into force on 1 January 2004.

discrimination on the grounds of gender, race, nationality, ethnic belonging, citizenship, origin, religion or belief, education, opinions, political affiliation, personal or public status, disability, age, sexual orientation, marital status, property status, or any other grounds established by the law, or by international treaties to which Bulgaria is a signatory. UNHCR's Representation in Bulgaria provided members of the Council of Refugee Women in Bulgaria with training developing their project implementation skills. The UNHCR Representation in Bulgaria initiated the project **Developing a national network and refugee self-support groups to prevent and respond to sexual gender-based and domestic violence in refugee communities in Bulgaria** in June-November 2003. The project was implemented by the Bulgarian Red Cross in close co-operation with the Council of Refugee Women in Bulgaria and the State Agency for Refugees, and funded under a project of the Regional Support Unit in Budapest. In August 2003, a task force and three working groups on the prevention of and response to sexual and gender-based violence (SGBV) in refugee communities were established. Minimum safety standards for reception and accommodation centres and a code of conduct for staff working with refugees were agreed upon at a national seminar in November 2003.

47. Though there is no special department for refugee women within the State Agency for Refugees, interviewers and the Reception, Integration and Adaptation Directorate staff (mainly female officials) are well aware of the special needs of refugee women. As regards social aid, women are entitled to social assistance and receive maternity benefits; e.g. unemployed women who give birth to a child receive social assistance. Mothers, employed or unemployed, may apply for additional support similar to Bulgarian women in this situation. In the Refugee Status Determination Procedure, female asylum applicants have their cases registered separately from the accompanying family members. Married women are, in principle, interviewed separately from their husbands. However, in many cases the claim is primarily based on the husband's persecution. If the husband is granted refugee status, the wife and minor children are also recognised. If the husband is denied refugee status, the spouse *de jure* (or *de facto*) can present her own claim, if she has not done so at the outset. In most cases, the State Agency for Refugees ensures female interviewers. The possibility for a woman or a man to ask for an interviewer of the same sex is guaranteed (Art. 68, para 3). About 50 percent of the Agency interviewers are female, and both UNHCR Representation in Bulgaria's and the non-governmental implementing partners have predominantly female staff.

48. Upon registration as asylum seekers, refugee women are provided with an individual document with their photograph regardless of marital status. Upon recognition, they receive their own ID card and a Convention Travel Document. UNHCR Representation in Bulgaria has been active, together with the Government and the NGO partners, in ensuring other aspects of protection for refugee women, such as subsistence and accommodation. Single refugee women are

housed separately from refugee men. In terms of health services, women refugees are provided with medical aid depending on their special needs. Pregnant women refugees are entitled to monthly check-ups and free-of-charge hospitalization for delivery in the maternity hospitals of Bulgaria under conditions comparable to those for Bulgarian nationals. Following a needs assessment, UNHCR Representation, through the Bulgarian Red Cross, has been providing special assistance to pregnant and breast-feeding mothers and social and legal counselling, as necessary and feasible, in line with UNHCR's guidelines.

49. Refugee women are especially encouraged to get involved in local integration programs, and many have participated in the regular social counselling meetings for newly recognised refugees conducted by UNHCR Representation in Bulgaria since 2002. Since 2001, the Representation has actively followed up with activities under a project under the **Regional Competence Development Network Program** of the Regional Support Unit in Budapest. The Representation established contacts and enlisted support of major governmental and non-governmental partners for this purpose.

3.2.4. Promotion of Refugee Law, Human Rights and Training

50. During the ten-year period, the activities on the promotion of refugee law, and human rights of UNHCR's Representation in Bulgaria focused on training, including: Strengthening of the asylum administration, improving access to the country and the refugee procedure, awareness raising with regard to refugee issues among the public and the media, improving social integration and adaptation of refugees in Bulgaria, in particular refugee children and women. The UNHCR Representation in Bulgaria organised, co-organised or attended specific training events on the special protection issues of refugee women and children, separated children and elderly refugees. Capacity-building activities have been part of a longer-term strategic plan.

51. Specific initiatives included, for example: A three-day seminar in March **1992** on emergency management and development of a contingency plan as the crisis in the Former Yugoslavia unfolded; lectures in the Law Department of Sofia University and the Bulgarian Red Cross; joint work with the Ministry of Interior and Ministry of Foreign Affairs in refugee related-matters in the run up to the ratification of the 1951 Convention in 1992. Seminars on refugee law for NBTAR officials and refugee NGOs were organised jointly with the European Council on Refugees and Exiles (ECRE), the then Regional Legal Advisor for Central and Eastern Europe: A four-day refugee law training seminar for officials of NBTAR, the Ministry of Interior, the Ministry of Labour and Social Policy and other refugee-related governmental institutions **in 1993**. **In 1994**, further activities included a workshop on refugee protection in Varna, where the issue of detention of asylum seekers at border points was also on the agenda with representatives of MoI

and MFA. In addition, UNHCR provided, jointly with the US Agency for International Development, support for three interviewers of asylum-seekers to attend a one-month course for newly appointed asylum officers at the U.S. Immigration and Naturalisation Office. Noteworthy initiatives in the following years included workshops in **1995 and 1996** with the aim to familiarise passport and visa control officials of MoI with refugee issues and the role of NBTAR in the refugee procedure and, **in 1997**, training sessions with border officials as well as, later on, for Sofia Airport officials, and Heads of Sofia police stations and Regional police directorates which benefited some 290 professionals.

52. UNHCR facilitated the participation in discussions on the then draft refugee law of a delegation of representatives of the Bulgarian legislative and executive branches at **UNHCR Geneva in 1996**.

53. In 1998, UNHCR's Representation organised jointly with the Training Centre for Human Rights at the Academy of the Ministry of Interior a regional seminar with border police officers from all neighbouring countries, to discuss issues of common concern and work towards better co-ordination and co-operation in the context of providing asylum seekers with access to the territory and RSDP. **In 1998**, the EU Odysseus project started, in the framework of which workshops were conducted on human rights and refugee protection at the Academy of the Ministry of Interior.

54. UNHCR held round tables and two workshops with judges from the Supreme Administrative Court in 1997 and 1998 to familiarise them with legal issues in handling asylum appeal cases. In addition, UNHCR Representation financed an English language-training course conducted by the British Council for asylum law judges of the Supreme Administrative Court. In order to enhance the international exposure of the judges from the SAC, UNHCR Representation supported the participation of two judges in the Asylum Judges Support Program workshop in Bratislava in 1999 and in a workshop on country-of-origin information the same year.

55. The UNHCR Representation in Bulgaria published a collection of legal texts and commentaries in the book *Refugee Law in Bulgaria* in 1998, which contained, *inter alia*, the outcomes of the 1997 conference convened by UNHCR in relation to the draft refugee law. In the same year, UNHCR Representation, jointly with the Institute of Legal Sciences of the Academy of Sciences of Bulgaria, published the book *Rights to Asylum and Refugee Status in the Republic of Bulgaria*, which is a collection of international and national instruments in the field of asylum. The Representation, in collaboration with partners, also published the brochure *Information for Refugees in the Republic of Bulgaria* in Bulgarian, English, French, Arabic and Dari, in order to provide asylum seekers with information concerning the refugee status determination procedure (RSDP) and the right to legal and social assistance for persons in need of protection.

56. In 1999, under the Joint Support Program on the **Application of the EU Acquis** on Asylum, the Bulgarian authorities adopted the National Action Plan on Asylum (NAP), for which UNHCR with the Ministry of Justice prepared and published the bi-lingual publication *Legal Instruments on Asylum and Refugee Related Matters*.

57. In 2000, the UNHCR Representation in Bulgaria held several training sessions for law-enforcement and other governmental and NGO officials. During the same year, it started initiated the bi-annual Round Tables⁷⁸ on Bulgaria's accession, European Asylum Harmonisation and International Refugee Protection hosted at the National Assembly, which were also attended by officials from the refugee entities and judges dealing with asylum appeals.

58. In 2001,⁷⁹ UNHCR Representation in Bulgaria organised, co-organised or took part in sessions, including training in interviewing refugees and interpreting in the RSDP for strengthening the capacity and skills of state officials and interpreters working in the field. In view of promoting public awareness and creating favourable integration conditions for people seeking and granted protection in Bulgaria, in June 2001, the Representation organised a workshop on international protection of refugees with participation of journalists and media representatives. Among others, the Children's Academy for Safety Program of the Bulgarian Police Academy in August, workshops of the National Task Force for the Revision of the Law on Refugees in Velingrad, and the Separated Children in Europe Programme Training of Trainers Workshop in November in Bucharest, Romania.

59. In 2002,⁸⁰ the UNHCR Representation in Bulgaria organised a **sub-regional workshop** with representatives of state and local government in the region of Bourgas and media representatives, focusing on Bulgaria's EU accession, European harmonisation of asylum and international refugee protection. Following that workshop, further **briefings** with local governments and Regional Governors took place in Sofia (chaired by the Minister of State Administration) and in Varna. In March, UNHCR Representation co-chaired, with the British Council in Bulgaria, the Institute of Public Administration and EU Integration and the Agency for Refugees, a workshop on **Public Administration and Management** for strengthening the partners' administrative capacity and facilitating their co-operation and co-ordination. Training of border officials was also conducted within the sub-regional **Workshop with State and Local Government and Border Police Officials** dealing with asylum seekers and refugees. In a pioneering initiative, New Bulgarian University, the State Agency for Refugees and UNHCR's Representation joined their expertise and co-organised the first acade-

⁷⁸ http://www.unhcr.bg/round_tables/index.htm

⁷⁹ See relevant documents, details, agenda, and summary reports or recommendations at http://www.unhcr.bg/events_records/2001/index.htm

⁸⁰ See relevant documents, details, agenda, and summary reports or recommendations at http://www.unhcr.bg/events_records/2002/index.htm

mic course in Bulgaria on **Social Work with Refugees** for those who might choose to become refugee workers. UNHCR also held a workshop on **Asylum Seeking and Refugee Separated Children**, to address the special protection concerns of this vulnerable group and to present the UNHCR Guidelines on the issue. Jointly with the US State Department of Justice, and experienced partners and experts, UNHCR organised the International Workshop on **Policies to Combat Human Trafficking: Human Dignity, Refugee Protection and Gender Issues**, which helped to broaden the understanding of the risk of refugees being caught up in trafficking and of ways to counteract such phenomena in the future. Besides workshops in the country, UNHCR also supported the participation of counterparts from refugee governmental and NGO partners in sessions abroad, as, for example, in the **Urban Refugee Seminar** in March 2002 in Moscow, attended by the Head of the Refugee Service of the Bulgarian Red Cross. In addition, UNHCR assisted in institution building and conducted in **April 2002 a brainstorming and planning meeting** on activities to be envisaged by the Council of Refugee Women in the process of its development, in co-operation with BRC and SAR, and supported vocational training and Bulgarian language learning, awareness raising and gender issues. UNHCR participated in the European Commission's **TAIEX Seminar on Asylum and Migration**, and contributed to similar capacity building sessions, including the Sozopol two-day seminar on the **New Aspects of Protection and Assistance of Refugees in Bulgaria** in 2002-2003 for regional BRC offices.

60. In **2003**, UNHCR organised, co-organised or participated in sessions including: a two-day Workshop on Practical Questions for the Implementation of the 2002 LAR organised by SAR in January in Hissarya, which was also attended by judges from the Supreme Administrative Court and Sofia City Court, UNHCR and BHC colleagues; the **Regional Competence Development Network Program Workshop**, Bratislava, 14-15 February, where UNHCR Representation in Bulgaria made a contribution; the **ACET Workshop: Training of Police Trainers on Human Rights and Minorities**, Bansko, March; a two-week **EU Twinning Seminar** at which the Representative also delivered a lecture: **Social Support for Refugees, Human Rights and Military Operations in Humanitarian Emergencies**, Sofia, April-May, organised by The Lester B. Pearson Canadian International Peacekeeping Training Centre in Sofia for South-Eastern Europe; **UNHCR Working Group on EU Asylum and Migration Harmonisation** continued bi-annually; Seminar on the Trauma of Persecution, organised by ACET with UNHCR support; **Co-operative Key Workshop and Final Planning Conference** in Plovdiv on 2-6 June; **EU Twinning Seminar in Velingrad: Social Inclusion Policy & Integration of Refugees**; meetings of the **Standing Committee on Voluntary Repatriation to Afghanistan and Iraq** in May, June and July; **Guardianship and Custodianship of Separated Children - Asylum Seekers and Refugees** – round table; Sofia Judicial Round Table on Refugee Protection,

for judges from Sofia City Court and the Supreme Administrative Court, July; **Seminar on Sexual and Gender-Based Violence; NATO/UNHCR Training and Simulation Exercise** in NATO Co-operative Key with a scenario of 20,000 refugees for some 80 refugee workers from governmental agencies and the NGO community and UNHCR Representation in Bulgaria, Plovdiv, 2-12 September; Co-operation between Military and Humanitarian Agencies in Refugee Emergencies; **Seminar of the Council of Europe, the State Agency for Refugees and UNHCR on Subsidiary and Temporary Protection in Europe and Bulgaria - Theory and Practice**, Sofia, September; **The Schengen Acquis and its Implementation in the EU Framework, Eurodac and Dublin II**, Velingrad, September, ; **EU Twinning Workshop on new EU Acquis** in co-ordination with UNHCR for governmental and NGO workers; Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons; **EU Twinning in co-operation with UNHCR's Representation in Bulgaria of a workshop on Training the Trainers**; Training for SAR's Interpreters: **Interpreting in a Refugee Context**.

61. Since 2000, UNHCR Representation has supported the work of the **Refugee Law Legal Clinic at Sofia University** through reference materials and teaching manuals, country-of-origin information and UNHCR refugee law and policy guidelines. With UNHCR's support, students from the Legal Clinic took part in the ELENA International Course in Denmark and in UNHCR round tables, seminars, and border missions, together with UNHCR staff, judges and NGO partners.

62. In addition to the Supreme Administrative Court, whose cooperation with UNHCR Representation dates back to 1996, in 2003 the Sofia City Court also started hearing appeals against decisions of the State Agency for Refugees in the accelerated procedure, as stipulated in Art. 84 of LAR. UNHCR Representation provided advice and training to the judges of the Administrative Department of Sofia City Court in the judicial review in the following fields: a) training, b) information related to the judicial protection in asylum, c) assistance for participation in study visits, d) RefWorld, e) Internet access to the Court. Judges from Sofia City Court participated in several international training events with the financial support of the UNHCR Representation, such as international courses of the European Legal Network on Asylum in Denmark and Slovenia; Refugee Law Course in Strasbourg.

63. Co-operation with professional training academies or institutions (for military, judicial, police, media specialists) and academic lecturing for students and practitioners at universities has been amongst UNHCR's priorities since 2001, also within the framework of EU and NATO integration, including through the *European Distinguished Lectures Series* and the *Jean Monnet Lecture Series* which the American University of Bulgaria hosted on International Refugee Protection in the Human Rights Framework in the context of EU Integration.

3.2.5. Integration of Protection and Programme

64. UNHCR's Programme and Protection has focused on a proactive approach in order to achieve concrete results, including:

1. **Finding an effective way to address the protection and assistance needs of asylum seeking and refugee populations**, ensuring access to territory and covering the gaps and shortcomings in the course of the first year of implementation of the 2002 Law on Asylum and Refugees;
2. **Supporting that refugee children receive child benefits** on the basis of the National Insurance Institute's administrative instruction No. 91/ 01/91 dated 9 April 2003, facilitated, *inter alia*, through UNHCR organised seminars and lobbying;
3. **Providing support for official appointment of legal representation for unaccompanied asylum-seeking children** by the President of the State Agency for Refugees during the refugee procedure;
4. **Setting up by UNHCR of an Inter-Agency Ministerial Standing Committee on Voluntary Repatriation** (Afghanistan and Iraq);
5. **Establishing working hours at the premises of the State Agency for Refugees for the Bulgarian Helsinki Committee, the Bulgarian Red Cross, Caritas Bulgaria and the Council of Refugee Women in Bulgaria** for advisory services on behalf of the UNHCR Representation in Bulgaria to asylum seekers and refugees;
6. **Signing of the jointly agreed Plan of Action** between the New Bulgarian University, the State Agency for Refugees and UNHCR Representation in Bulgaria on **teaching and research in refugee- and migration-related issues**;
7. **Co-ordinating the Second NATO-UNHCR Representation in Bulgaria training and simulation exercise in NATO Co-operative Key 2003** with the scenario of 20,000 refugees in Plovdiv for some 80 refugee workers from the Government and the NGO community and the UNHCR Representation in Bulgaria (2-12/9/03), enhancing the staff capacity and skills in terms of contingency planning, including assessment of needs, resources, co-operation and co-ordination with Governmental and NGO entities; Co-ordinating UNHCR **Refugee Emergency training** within the context of the NATO / Partnership for Peace Exercise;
8. **Inviting UNHCR's Representation** to be an associated member of the Inter-Ministerial National Council for Child Protection in Bulgaria (2 October 2003);
9. **Inviting UNHCR's Representation** to participate in the work of the Working Groups on drafting the secondary legislation on prevention of Human Trafficking and Trafficking of Children of the Ministry of Justice;
10. **Providing input for adoption of secondary legislation** to implement legal protection and material assistance through state institutions and means in 2002-2003.

65. The UNHCR Representation in Bulgaria, similarly to other UNHCR offices in Europe, has been guided in its work to support the national asylum system in Bulgaria by the 2000-2005 Strategic Objectives of UNHCR Bureau for Europe.⁸¹

66. The capacity-building activities of UNHCR's Representation in Bulgaria in the past few years started bearing fruit at the end of the period under review, as in the professional and institutional perspective, its partners, both governmental and NGO, gained and demonstrated capacity, skills and commitment in terms of assuming national responsibility for refugees through the Bulgarian asylum system. In view of UNHCR's steadily decreasing funds for such activity in Europe and in Bulgaria, it is important that UNHCR's funding should not be further reduced, as otherwise the progress made by the national asylum system, including the solid contribution of national refugee-assisting NGOs, could be adversely affected.

67. In supporting the development and consolidation of the national asylum system, and with a cross-cutting approach to co-operation, partners work together in a structured process, which in the ten years after 1993 absorbed about 5.1 million US dollars (not including either projects supported by Headquarters in Geneva, the Regional Office in Vienna or, more recently, the Regional Support Unit in Budapest or about 900,000 US dollars for administrative support, staff costs, etc.) through refugee-assisting governmental and NGO entities, including the project: Scholarships for Refugee Students under a DAFI programme, which benefited about 50 refugee students from different countries: Afghanistan, Zaire, etc. (See 10.3. in Annexes.)

68. UNHCR focused its programming activities on addressing the core protection issues in the areas of: 1) Access to the territory; 2) access to the refugee status determination procedure; 3) smooth implementation of the 2002 LAR in line with UNHCR standards and EU asylum *acquis*; 4) lack of reception facilities for implementation of the accelerated procedure at border points.

69. Throughout the reported period, UNHCR Representation in Bulgaria, with a view to achieving UNHCR's overall goal to ensure protection for asylum-seekers and refugees in Bulgaria, worked in partnership with the Bulgarian Government, the judiciary, the legislative, NGOs, lawyers, the media, educational establishments and others in Bulgaria, and on a regional level with the European Commission Programs, the supporting Western European Governments, the Council of Europe, and the European Council on Refugees and Exiles, and other organisations.

⁸¹ Strategic Directions 2000–2005, UNHCR Bureau for Europe, June 2000. This strategy paper for UNHCR's operations in Europe reflects a more integrated approach to operations throughout Europe, in view of the increasingly inter-related problems of migration, displacement and asylum affecting the entire region.

70. During the reported period, over 12,000 registered asylum seekers have been supported as a result of UNHCR protection activities. UNHCR Representation in Bulgaria focused its attention on ensuring (through the State Agency for Refugees and the Bulgarian Helsinki Committee, the NGO implementing partner for legal aid to asylum seekers and refugees) that persons in the following **priority categories** of concern received protection and guaranteed basic human rights and a minimum of reception conditions: asylum seekers apprehended at land borders or airport; asylum seekers applying inland; asylum seekers unable to register; asylum seekers and refugees in detention; asylum seekers presenting their asylum application to the administrative instance (State Agency for Refugees); asylum seekers encountering procedural flaws; asylum seekers lodging an appeal at court.

3.3. PROGRAMME AND OPERATIONS

3.3.1. Goals and Objectives of UNHCR's Programme in Bulgaria

1. **UNHCR's Programme** in Bulgaria for the period 1993-2003 aimed at supporting the country in **establishing, developing and strengthening the national asylum system** while ensuring the **basic protection and assistance** of asylum seekers and refugees.

2. **The UNHCR's Country Operation in Bulgaria** focused on supporting the establishment and development of a fully-fledged asylum system by providing expertise, material support and capacity building. UNHCR's overall plan⁸² in the country was to achieve by 2007 the following goals:

- Goal 1: Concretising the strengthening of the implementation of the 1951 Convention and 1967 Protocol;
- Goal 2: Protecting refugees within broader migration movements;
- Goal 3: More equitable sharing of burdens and responsibilities and capacity-building for refugee reception and protection;
- Goal 4: More effective addressing of security-related concerns;
- Goal 5: Redoubling the search for durable solutions; and
- Goal 6: Meeting the protection needs of refugee women and refugee children.

3. **The main objective** of the UNHCR's Programme in Bulgaria has always been to support the Government and civil society, especially refugee assisting non-governmental organisations, in building the national asylum system in accordance with relevant international standards and the evolving EU *acquis*.

⁸² Inspired by the *Agenda for Protection*. *The Agenda* is an ambitious, yet practical, programme of action to improve the protection of refugees and asylum seekers around the world. It is intended to serve as a guide for concrete action, not only by UNHCR, but also by Governments, NGOs and other partners. *Agenda for Protection*, originally published as A/AC.96/965/Add.I of 26 June 2002. It was endorsed by the Fifty-third session of the Executive Committee of the High Commissioner's Programme in October 2002.

4. **UNHCR's Programme** has pursued building the capacity of the governmental and non-governmental actors involved in the protection of refugees and strengthening national primary and secondary refugee legislation to assist Bulgaria evolving from a transit to a refugee host country. UNHCR's broad policy framework for ensuring quality asylum in Bulgaria has been to contribute to the development and effective implementation of international and national refugee principles to also address legal and social gaps in the asylum system. For this purpose, it has put forward the following **objectives**:

- **Making sure** that comprehensive refugee and migration policies from the human rights perspective are developed and implemented, including adequate safeguards against direct or indirect *refoulement*,
- **Ensuring** that asylum-seekers have access to refugee procedures in which their claims are heard fairly and promptly,
- **Supporting** that the legal framework for asylum is implemented in line with international standards and practice,
- **Helping** asylum institutions to develop and become effective and eventually independent of external support,
- **Ensuring** that the asylum system is capable of dealing with complementary forms of protection and temporary protection in situations of mass influx,
- **Advocating** that asylum seeker and refugee rights are respected and they are treated in accordance with international standards in a positive environment,
- **Working** towards ensuring that integration of refugees becomes a real possibility,
- **Ensuring** that refugees who wish to avail of UNHCR voluntary repatriation programs are assisted accordingly to return to their home countries when conditions are right,
- **Mobilising** a positive public opinion that xenophobic trends diminish in favour of increased tolerance, and the public at large understands the difference between economic migrants and refugees, and
- **Ensuring** a high standing of UNHCR as the international authority on refugee protection.

5. **UNHCR's programme activities** have attempted to contribute to the development and effective implementation of a national asylum policy that combines:

- 1) **Effective international protection** to all those who need it;
- 2) **Harmonised, high quality asylum** procedures that enable expeditious identification of refugees with valid protection claims;
- 3) **Workable, protection-based and equitable mechanisms** for the allocation of responsibility for examining asylum claims;
- 4) **The rights of refugees are respected** and they have real opportunities to integrate;
- 5) **Effective public information** and education programmes to combat negative perceptions of refugees and asylum seekers in the context of the bro-

ader migration management debate and to promote a positive message about active tolerance, pluralism and community relations.

3.3.2. Implementation Strategy, Co-ordination and Funding Issues

6. The **implementation strategy** for UNHCR's programme has been to channel the financial resources, through project agreements with governmental and non-governmental implementing partners towards protection and assistance, including:

a) Domestic Needs/Household Support: Needy asylum-seekers and refugees receive support for subsistence and accommodation, primary medical assistance, basic medical supplies, limited financial support to cover health care costs, and referral to specialised health care services, including for torture victims and their families.

b) Community Services: Refugees receive integration-related assistance, social counselling and advice, sessions on cultural orientation, sexual and gender base violence and family planning, limited financial support to recognised refugees with special needs, activities for separated children/adolescents and refugee women, psychological assistance, and empowerment of refugees through their training/coaching for community work, self-help activities and support to community initiatives with a gender and age perspective.

c) Education: Support for primary and secondary education, as well as scholarships for refugee students for university education.

d) Legal Assistance/Protection: Asylum seekers and refugees receive support, relating to interventions for access, legal counselling, assistance and interpreters throughout refugee procedures and legal representation in judicial appeals in court. Border monitoring activities, use of updated country of origin information, capacity and institution building activities, including training, workshops, seminars for staff working with refugees, participation of Bulgarian practitioners in regional programs, dissemination of guidelines, co-ordination conferences and round tables on international and EU standards with Government and non-governmental organisations.

e) Agency Operational Support: Public information activities, such as public events, newsletters, and support for operational cost of implementing partners (State Agency for Refugees, National Service Border Police, Bulgarian Red Cross, Bulgarian Helsinki Committee, Caritas Bulgaria).

7. The UNHCR Representation in Bulgaria directly implemented a number of programme activities related to legal assistance and protection and public information. UNHCR's Programme has been and will continue to be involved in supporting the state institutions and NGOs to develop their capacity to handle refugee issues in a manner that would ultimately allow UNHCR to phase out in due time. The responsibilities of operational and implementing partners which have been involved in providing protection, assistance and durable solutions to refugees in Bulgaria also in line with the 2002 LAR are illustrated in the table below:

Institution / Organisation	Responsibilities
<p>1. National Service Border Police, structure within the Ministry of Interior (Agreements with UNHCR in 2001 and 2002)</p>	<ul style="list-style-type: none"> • Ensure access to the territory of persons in need of protection • Receive applications for asylum and channel them to the central refugee authority (State Agency for Refugees)
<p>2. State Agency for Refugees with the Council of Ministers, Central competent refugee authority. (Agreements with UNHCR since 1995)</p>	<ul style="list-style-type: none"> • Receive and register applications for asylum and issue identification documents for asylum seekers within the refugee procedure • Interview asylum seekers • Examine asylum applications and make first-instance decisions (accept/reject) • Provide subsistence allowance and accommodation for asylum seekers • Assist asylum seekers with medical insurance and primary medical care • Refer asylum seekers to national health care facilities, as necessary • Organise Bulgarian language classes for asylum seekers • Ensure appointing legal representation of separated children • Facilitate appointment of guardian for separated children in need of protection • Operate reception/registration centres for asylum seekers • Operate an Integration Centre for Refugees in Sofia
<p>3. Judiciary: Sofia City Court, District Courts, Supreme Administrative Court</p>	<ul style="list-style-type: none"> • Judicial appeals in the accelerated procedure of asylum applications handled by the Sofia City Court and Districts Courts • Judicial appeals in the general refugee procedure handled by the Supreme Administrative Court

4. National Service Police, structure within the Ministry of Interior

- Receive applications for asylum and channel them to the central refugee authority (State Agency for Refugees)
- Issue of travel document for recognised refugees

5. Ministry of Foreign Affairs

- Through its embassies, receive applications for asylum abroad and channel them to the central refugee authority (State Agency for Refugees)
- Issue entry visas for asylum seekers or appropriate certificate of return

6. Ministry of Education

- Provide access for asylum seekers to primary and secondary education under the same conditions as for Bulgarian nationals
- Access for refugees and humanitarian status holders to primary, secondary and university education under the same conditions as for Bulgarian nationals

7. Ministry of Health

- Ensure medical care to asylum seekers under the same conditions as for Bulgarian nationals
- Medical insurance and medical care of refugees and humanitarian status holders under the same conditions as for Bulgarian nationals

8. Ministry of Labour and Social Policy Plan of Action for social and economic protection of refugees, signed with UNHCR BO Sofia, June 2002)

- Facilitating access to labour (Joint market for refugees and humanitarian status holders under the same conditions as for Bulgarian nationals)
- Access to vocational training and employment for unemployed refugees and humanitarian status holders under the same conditions as for Bulgarian nationals
- Access to the social welfare system for refugees and humanitarian status holders under the same conditions as

	for Bulgarian nationals in compatible conditions
9. State Agency for Child Protection (Joint Plan of Action signed with UNHCR BO Sofia, May 2002)	<ul style="list-style-type: none"> • Access to child care services for asylum seeking and refugee children under the same conditions as for Bulgarian children
10. Bulgarian Helsinki Committee (Agreements with UNHCR since 1995, refugee related activities and operational cost for those activities funded by UNHCR)	<ul style="list-style-type: none"> • Monitoring of points of entry (land, air, sea) • Monitoring of detention centres • Legal advice and counselling in all stages of the refugee procedure • Legal representation in Court • Input for law drafting
11. Bulgarian Red Cross (Agreements with UNHCR since 1993, refugee-related activities and operational cost for those activities, as well as co-operation with the Council of Refugee Women in Bulgaria, funded by UNHCR)	<ul style="list-style-type: none"> • Social support and social counselling for refugees and humanitarian status holders • Referrals to the state welfare system • Social and cultural orientation • Integration support with community services • Development of self-help opportunities for the refugee community • Participation in the social clinics for refugees
12. Caritas Bulgaria (Agreements with UNHCR since 2001, with the Assistance Centre for Torture Victims helping torture survivals, refugee related activities funded by UNHCR)	<ul style="list-style-type: none"> • Social advice and counselling for asylum seekers • Social assistance for asylum seekers • Medical and emergency assistance and referrals for asylum seekers • Counselling and medical assistance for victims of torture

8. **UNHCR's Programme** supported the Bulgarian Helsinki Committee, the Bulgarian Red Cross, Caritas Bulgaria and the Council of Refugee Women in Bulgaria as refugee-assisting non-governmental organisations. The goal was to **enhance their strength and sustainability**, the quality of protection and assistance they are able to provide to asylum seekers and refugees, and their contribution to the planning and co-ordination of the developing Bulgarian asylum system. The objective of UNHCR's Representation in Bulgaria also was to **facilitate**

te consolidation of their status and role as partners of the government in the refugee field and the effectiveness, relevance, autonomy and sustainability of the country-level non-governmental organisation networks.

9. UNHCR's Representation involved the State Agency for Refugees, non-governmental implementing partners and refugees in all stages of programme development and in relevant workshops and meetings, focused on topics such as programme management, financial control and project implementation. UNHCR's Representation has been helping partners to design projects, and to encourage them to present those to other donors for co-financing. Jointly with partners, UNHCR's Representation has also been assisting in strengthening the mechanisms and means for refugee integration.

3.3.3. UNHCR's Policy Priorities for Refugee Women, Refugee Children and the Elderly

10. Mainstreaming the protection and assistance needs of refugee women, refugee children and the elderly into regular programme activities was a UNHCR policy in Bulgaria. With the co-operation of the recently created Council of Refugee Women, UNHCR's Representation and partners have also been addressing the need to foster local integration of refugee women by developing a network of social activities and through individual, family, and community support. The integration of refugee children and adolescents was typically achieved through education. In the case of separated asylum-seeking and refugee children, UNHCR's Programme was to ensure their access to special assistance, while also providing additional assistance to the elderly, disabled, chronically and mentally ill refugees, as well as victims of torture.

3.3.4. Emergency Preparedness and Contingency Planning

11. UNHCR Representation in Bulgaria has been monitoring the situation in the Balkans, as well as in Afghanistan and Iraq, in view of keeping a level of preparedness. The Representation has regularly updated the 2001 contingency plan jointly developed for any potential refugee influxes. UNHCR Representation facilitated co-ordination and co-operation in contingency planning and emergency preparedness, deeming this as necessary not only for Bulgaria and the region, but also as a useful training tool for partners, and an instrument to maintain the awareness of the authorities with regard to potential challenges. As mentioned in Chapter 2, UNHCR hosted, jointly with SAR, a major three-day regional refugee emergency training workshop with some 80 participants and co-ordinated the refugee component of larger NATO exercises in 2001 and 2003.⁸³

⁸³ For more details see: http://www.unhcr.bg/events_records/2003/ck2003_en.pdf,
http://www.unhcr.bg/cooperative_key/index.htm and
http://www.unhcr.bg/remtp_17_200701_en.pdf

3.3.5. Progress toward UNHCR's Programme Objectives

12. **The overall assessment of UNHCR's Programme in Bulgaria** shows that while a number of activities have contributed to the development of the national system for refugee protection, the outcomes have also indicated to some weaknesses. **Key objectives** are yet to be fully met, namely: (1) Persons in need of international protection generally have access to the territory; (2) Asylum seekers normally have access to efficient asylum procedures and are treated in accordance with international protection standards; (3) Refugee rights are respected, and effective durable solutions have been recognised at the highest political level; (4) Public opinion is mostly receptive to the protection and solutions needs of refugees; (5) Effective partnerships are in place and function, and (6) Despite some persisting gaps, the national asylum system has improved in terms of effective refugee protection and assistance. Therefore, it remains a key UNHCR endeavour to help fill those gaps, contingent upon which is the Government's future ability to fully handle any aspects of refugee affairs in the country, while safeguarding international standards.

13. **UNHCR strived to ensure the appropriateness** of its programme activities through consultations with the relevant Bulgarian authorities, non-governmental partners and the beneficiaries themselves. UNHCR Representation facilitated a smooth operation, and, despite successive reductions in the annual programme budget, managed to achieve positive results, including enhanced access to the territory and refugee procedure, emergency assistance to the most needy refugees and asylum-seekers, while supporting the contribution of national asylum system to expanding the European asylum space regardless of the challenges that increased border control, according to the EU border management policies, present to the still relatively fragile and evolving national asylum system.

14. **Achievements** of UNHCR's programme activities for the period also included the increased awareness of refugee issues among central and local authorities, openness of the authorities to consider UNHCR's concerns regarding the protection of refugee women and children, the growing use of country of origin information by decision makers during the refugee status determination procedure, further mainstreaming of refugees into national social and health care schemes. Through the development of the Academic Refugee Study Initiative in Bulgaria, UNHCR endeavoured to create more systematic knowledge and expertise in the refugee field for the future.

15. UNHCR will maintain a **semi-operational role in Bulgaria** to assist in building the administrative and institutional capacity for the asylum system while also meeting basic protection and assistance needs of asylum seekers and refugees. **The overall goal of the UNHCR's programme** is that by the end of 2006 Bulgaria will have a functioning, fair and sustainable asylum system in place,

which comprises the following integral **components**: 1) Remaining identified gaps in the relevant refugee legislation filled in (by 2005 end); 2) A functioning system of reception or transit centres for asylum seekers at borders managed and run by the government, thus ensuring access to the territory on a sustainable basis (by 2006 end); 3) A functioning system of temporary accommodation centres for asylum seekers managed and run by the government, thus ensuring adequate reception facilities for asylum seekers during the refugee procedure, as needed (gradually, from 2001 to 2006); 4) A government-financed integration programme for refugees (by 2006); 5) Optimal diversity of funding sources for NGO legal and social counselling services and NGO border monitoring activities, with additional funding sources identified (progressively to 2007).

16. With these components in place and functioning as intended, it is anticipated that the asylum system will meet the international standards in line both with Bulgaria's obligations as a signatory to the 1951 Convention and subsequent policy guidelines, including by the EU, and with the 1950 European Convention on Human Rights. After **the year 2010**, it is expected that UNHCR's role in Bulgaria will be to **monitor** the functioning of the asylum system and the quality of protection and solutions provided by the system, while continuing to provide advice to help improve the system's fairness, efficiency and co-ordination, if required.

3.4. EXTERNAL AFFAIRS ⁸⁴

1. UNHCR's Representation in Bulgaria has promoted the coverage of refugee matters in the public media and, as feasible and where appropriate, has informed on UNHCR official public materials from the international to the national level, through press releases, briefings, brochures, videos, photos, posters and refugee magazines.

3.4.1. Relations with the Government and Co-operations with NGOs

2. The UNHCR Representation in Bulgaria has established and strengthened its co-operation with an increasing number of official institutions after 2000. In addition to the above-mentioned governmental institutions with which **Plans of Action** (see Chapter 3.3.1. above) were concluded, there has been informal co-operation with the Asylum Granting Committee under the Office of the President set up as per Art. 2 of 2002 LAR. In its **efforts to identify new partners**, UNHCR Representation explored and conducted collaborative activities with the Association of Municipalities in Bulgaria and with relevant regional governors. In co-operation with the Minister of Public Administration, the Representation,

⁸⁴ UNHCR has developed its public information and public awareness activities in a systematic manner since the autumn of 1995, when it set up its public information function in the Sofia office.

together with the President of the State Agency for Refugees, has briefed Governors on current refugee issues. The Representation continued its co-operation and joint work with the student diplomatic clubs and the United Nations Association of Bulgaria for promoting refugee issues among students at universities and schools.

3. In view of the increasing number of cases of asylum seekers being caught up in smuggling and trafficking situations, UNHCR Representation extended its co-operation to entities dealing with these matters, such as the relevant departments of the Ministry of Justice and the Ministry of Interior; the Department of Justice of the USA and the International Organisation for Migration and local NGOs with significant expertise and experience in this field, such as Animus Association and Nadya Centre.

3.4.2. Relations with UN Agencies, Other International Organisations and Others

4. The UNHCR Representative has periodically acted as the UN Resident Co-ordinator *ad interim* in Bulgaria during transitional periods between outgoing and incoming UN Resident Co-ordinators (June to October in 2002 and June to September in 2003), as well as on an *ad hoc* basis at other times. In this capacity, the Representative also assumed responsibility as the Designated Officer for Security (DO) (for developing of the country security plan and minimum operational security standards), dealing with UN Country Team⁸⁵ matters and Senior Security Team issues of the UN system in the country, organised and chaired the commemoration events for UN Day in 2001 and 2002. UNHCR's Representation in Bulgaria participated in UN information, co-ordination and donor meetings, including for the drafting of reports on country assessment, early warning, national human development, the resident co-ordinator's report and the Millennium Development Goals progress report. The UNHCR Representation also participated in projects of other UN agencies, such as the UNDP Jobs and Beautiful Bulgaria programmes and the Poverty Reduction Strategy of the World Bank.

5. Other partnerships included those with NATO via collaboration with the Ministry of Defence, the Delegation of the European Commission in Bulgaria and the Council of Europe, which co-organised seminars with UNHCR and SAR on the social and legal protection of refugees from a comparative regional perspective.⁸⁶ In addition, UNHCR's Representation maintained contacts with the

⁸⁵ The UN Country Team includes the UN agencies working in Bulgaria: the International Bank for Reconstruction and Development (IBRD), the International Labour Organisation (ILO), the International Monetary Fund (IMF), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the World Bank (WB), and the World Health Organisation (WHO), as well as the International Organisation for Migration (IOM).

⁸⁶ http://www.unhcr.bg/events_records/2003/handout_160903_en.pdf

Stability Pact Secretariat in Brussels and participated in discussions of the Migration, Asylum, Refugees Regional Initiative (MARRI).

6. The co-operation with the International Organisation for Migration (IOM) continued through the traditional support for UNHCR in facilitating the movement of refugees for the purpose of durable solutions, especially voluntary repatriations (such as the one in 2003 to Kabul, Afghanistan), and resettlements and family reunification of individual refugees in other countries. In the context of anti-trafficking efforts, IOM participated in UNHCR-initiated workshops at the Academy of Ministry of Interior or in awareness-raising efforts at specific national and regional events and trainings.

3.4.3 Fund-Raising Issues and Activities

7. UNHCR Representation in Bulgaria supported NGO partners in their fund-raising efforts, including through co-financing of their refugee-related activities, for example, BRC in its efforts to obtain funding from the national Red Cross Societies of Spain, the Netherlands and other countries for refugee children summer camps in 2003.

8. UNHCR managed to directly attract **donors for a small-scale public awareness project**, for which companies, such as Air France, DHL, Domain Boyar, BNP PARIBAS and Crafts-Suchard, provided in-kind contributions for events.

9. In addition, UNHCR Representation organised a series of lectures on **EU funding for refugee and human rights NGOs⁸⁷ in order to find appropriate EU budget lines** and help the NGO partners benefit from them. UNHCR Geneva has supported, in the 1990s and early 2000s, through the European Council on Refugees and Exiles (ECRE), capacity-building for NGOs with a special focus on fund-raising. One of the seminars, conducted in Sofia in November 2002, made a contribution to local NGOs' increased knowledge and abilities to work for fund-raising on their own.

10. UNHCR's Representation in Bulgaria with technical support from the Love That Child Foundation produced a 30-minute video, jointly with Shoumen University, entitled: *Shoumen University of Tolerance – No Place Like Home*, in order to identify sources of support for the integrated efforts of teaching refugee issues at a university which seeks to improve the situation of minority, disabled and refugee students.

3.4.4. Public Awareness

11. Since 1996, the UNHCR Representation in Bulgaria has helped produce and broadcast short spots on refugees on national TV. Since 2000, on the occasion

⁸⁷ http://www.unhcr.bg/lecture/eu_funding.htm

of World Refugee Day productions from UNHCR Headquarters have been adapted to Bulgaria in order to be used at schools across the country for educational purposes, which, in some cases, were also televised on local and national levels.

12. **UNHCR's Representation in Bulgaria, the State Agency for Refugees and the Bulgarian Red Cross take a proactive role in encouraging the media** to do interviews, feature stories with and about refugees. There have been reports on and personal interviews with refugees in the printed and electronic media, especially on major occasions, such as World Refugee Day, International Women's Day, etc.

13. The event of awarding the honorary doctoral degree to the UNHCR Representative by Shoumen University was widely covered in the media and made a special contribution to raising public awareness about refugee issues.⁸⁸

14. In October 2000, after the arrival of the current Representative, UNHCR Representation started developing the **web-site of UNHCR Sofia (www.unhcr.bg) in English and Bulgarian**, which was synchronised with UNHCR's site in Geneva (www.unhcr.ch) in the following year. It is now **a rich source of information and knowledge** for practitioners, academics, students, and the media. The site has been maintained and updated, to the extent feasible, in Bulgarian and English with relevant information and documents from key ongoing protection and programme activities, international texts from refugee legislation and policy, EU harmonisation, Council of Europe and national texts, press releases, press reports, photos. UNHCR Representation also linked to its site (without always being able to ensure translation into Bulgarian due to time and financial constraints) materials provided by Headquarters, such as statements of the High Commissioner, *Agenda for Protection*, documents of the Executive Committee of the High Commissioner's Programme, information from the Global Consultations process, country-of-origin information.

15. In the context of marking the 50th Anniversary of UNHCR and the signing of the 1951 Convention in 2000 and 2001 respectively, the UNHCR Representation initiated and conducted a number of activities including photo exhibitions on refugees in Sofia and Plovdiv, launching a commemorative postal envelope (2000) and a commemorative post stamp (2001) – the latter in co-operation with the Ministry of Transport and Communications – being among the few UNHCR country representations in the world to have ever done this, which produced publicity opportunities with the media.

16. **Refugee Women and Refugee Children** issues were given special priority. The Refugee Women document from the Fourth Meeting of the Global Consultations (25 April 2002), the special message of the High Commissioner and other relevant documents were shared with the participants in the 2002 World Refugee Day meeting and the media. Refugee women were featured in interviews in

⁸⁸ http://www.unhcr.bg/events_records/2002/hon_en.pdf

the printed and electronic media. The refugee-assisting community and refugees regularly marked the International Women's Day (8 March) by means of various activities used for advocacy and public awareness. In the framework of promoting activities to meet the protection needs of refugee women and children, UNHCR Representation organised panel discussions on the topic "**Refugee Youth – Building the Future**" on the occasion of **World Refugee Day 2003**, in parallel to a discussion on war and conflict, co-chaired by the world-famous photographer Ivo Hadjimishev, within the programme of the 2003 World Photo Exhibition held in the National Palace of Culture.

17. As its practice world-wide, UNHCR Representation in Bulgaria has worked with the general public and the media, also sharing Geneva-produced public information materials, including the *Refugees Magazine*, posters, videos and photos on pertinent occasions. The Representation **disseminated** press releases in Bulgarian and English, originating both from UNHCR Headquarters and the Sofia office, to implementing partners, external partners, media, NGOs, educational and other institutions. The UNHCR Representation translated the book *State of the World's Refugees 1997-1999* into Bulgarian and printed 1,000 copies, which were distributed in order to inform the public about the situation of refugees across the world. UNHCR Representation also translated various other information materials: *Refugees in Numbers*, *Protecting Refugees: Questions and Answers*, *Refugee Children*, etc.

3.4.5. Media Relations

18. The efforts of the UNHCR Representation in Bulgaria have been directed at operating in co-ordination with the media, state bodies and NGOs within the framework of the office's public information policy to promote its activities in general. The Representation and its partners built networks of journalists, academic institutions, public administration officials and NGOs, working to further the understanding of refugee issues and the implementation of joint media activities emphasising on these issues.

19. UNHCR's Representation in Bulgaria translated selected materials (*Most frequently asked questions about the Refugee Convention*, articles from the *Europe & Refugees* quarterly of the Regional Office in Brussels, and others) and used them for briefing the local media and the public at large. The Representation supported and participated in the editorial board of the newsletter *The Refugees Today and Tomorrow*, published by the Bulgarian Helsinki Committee until the end of 2003. **Information campaigns** with the media included, among others, marking the 50th anniversary of the Universal Declaration of Human Rights in 1998 and the World Refugee Days in 2001, 2002 and 2003. UNHCR information packages, including on asylum law and refugee protection, were distributed to higher education institutions in Bourgas, Dobrich, Montana, Pleven, Plovdiv, Varna

and Veliko Turnovo. Among other cultural events, UNHCR organised major gala concerts, including in December 2000, May 2001 and 2002, which attempted to reach a wide audience, including by means of CDs from them.

20. UNHCR's Representation in Bulgaria has organised and participated in **workshops for the media**. UNHCR and the Centre for Independent Journalism in Sofia implemented a research project *Refugees in the Bulgarian Media* with the Deputy Dean of the Department of Journalism of Sofia University. The objective of that project was to gain a better understanding of media attitudes to refugees, and to suggest ways of communication with the media to combat xenophobic attitudes and enhance awareness regarding refugees.

21. **Policy documents** in the public domain were translated and shared with governmental institutions, implementing partners, international and national NGOs and other counterparts. In this context, the UNHCR Representation disseminated information on the FYROM, Afghan and Iraq crises, statistics and information on funding for public use by email and in print. Dozens of copies of the *Handbook for Emergencies*⁸⁹ in English, French and Russian were distributed to implementing partners and relevant Government institutions. Print and electronic media coverage, articles and briefings, as relevant, were translated as feasible and are available at.

22. The UNHCR Representation translated into Bulgarian the 2001 *Handbook on International Refugee Law* prepared by the Interparliamentary Union and UNHCR. Having attended the Ministerial Meeting of Parties to the 1951 Geneva Convention in December 2001, the Representation launched the publication in Bulgarian at a large public event for 400 people in February 2002 with the Ministry with responsibility for refugees and the two vice chairpersons of the Parliamentary Commission on Human Rights, who also participated in the Geneva meeting. Subsequently, UNHCR Representation provided a copy of the *Handbook* to all MPs (240) and the civil servants of the National Assembly involved in legal matters.

23. Another initiative, which the UNHCR Representation in Bulgaria undertook toward enhancing the quality and quantity of media coverage and public awareness about refugees, included the **Award for Excellence in Refugee Journalism** presented to three individual journalists and three media outlets at the commemoration of the 10th Anniversary of Signing the Agreement between UNHCR and Bulgaria on Human Rights Day in 2003. The independent jury established for the purpose of selecting the winners from among entries covering three years' worth of media work, operated in a professional manner, under the leadership of the Media Development Centre in Sofia and the chairing of a journalist with international experience.

89 *Handbook for Emergencies*, UNHCR, 2nd ed. June 2000, pp.400.

24. In view of **promoting awareness and disseminating knowledge in the area of human rights and refugee issues among the young generation**, UNHCR Representation has carried out and supported different school/university projects, such as:

- **Pilot project** with the Academy of MoI, *Academy on Children's Safety*, which involved Bulgarian and refugee children.
- **Moot Court Competition** for Sofia University teams of law students' participating in the 24th Telders International Law Moot Court Competition, which took place at the Peace Palace in The Hague, 26 - 28 April 2002.
- **Refugees in Bulgaria and Human Rights**, a co-operation between UNHCR Representation and the United Nations Association (UNA) of Bulgaria, which included, among others, a number of activities, such as the Model UN Security Council exemplified by a well received simulation held in 2001 with students in the village of the Satovcha, and the "UN: The Kosovo Case" in 2002, which was attended by the Representative.⁹⁰

25. Within the activities related to creating a climate supportive to refugee matters in Bulgaria as a receiving community, UNHCR Representation organised events to target groups, such as political leaders, academia, media representatives, law enforcement officials, the military, and the public at large. These activities also followed in line with Goal 1 of the *Agenda for Protection*, namely strengthening the implementation of the Convention and the Protocol.

26. Thus, the overall assessment allows to conclude that public information activities have contributed to both refugees' and UNHCR's gaining **a higher profile in Bulgaria** by implementing its core functions in the area of protection, training and dissemination of refugee law and policy to practitioners and academics throughout the country.

3.5. ADMINISTRATION AND HUMAN RESOURCES

Initially, the UNHCR Regional Representative Werner Blatter handled matters from UNHCR Regional Office with responsibility for Central Europe in Vienna. Following that period of overseeing UNHCR's work from Vienna, UNHCR established its presence **in Bulgaria** in February 1992 and signed an Agreement with the Republic of Bulgaria in July 1993.⁹¹ There has been a gradual increase in the workload over the past ten years, following the ratification of the 1951 Convention by Bulgaria. **In 2000, UNHCR upgraded its presence in Bulgaria** from a Liaison Office to a Branch Office, currently referred to as UNHCR Representation in Bulgaria.

⁹⁰ The UN Secretary General Kofi Annan sent a letter to UNA, congratulating the event, saying that the UN appreciates such programmes of the UNA clubs, as they teach youth about the principles and activities of the UN system.

⁹¹ http://www.unhcr.bg/bglaw/agreement_unhcr_government_bg_en.pdf

4. STATE AGENCY FOR REFUGEES WITH THE COUNCIL OF MINISTERS

THE STATE OF REFUGEES IN BULGARIA, 1993-2003

4.1. Legal Foundation and Building of the Government Institutions

1. With Bulgaria's accession to the 1951 Geneva Convention Relating to the Status of Refugees and the 1967 New York Protocol,⁹² the country assumed the obligation to provide for aliens seeking asylum and protection on its territory a fair refugee status determination procedure, the right to asylum, social and health care and assistance, free access to education, vocational training and job opportunities – all of which are aimed at facilitating refugees' integration in society. The Republic of Bulgaria also ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms on 2 October 1996.

2. In order to implement the responsibilities to which it had committed, Bulgaria established the National Bureau for Territorial Asylum and Refugees (NBTAR) with the Council of Ministers (Decree 207 of 23 October 1992). Prior to the establishment of the Bureau, UNHCR Geneva handled about 210 asylum applications under its mandate.⁹³ The actual processing of asylum applications on behalf of the Government began in 1994. Before the Law on Refugees was passed a few years later, the overall refugee process and the refugee status determination procedure (RSDP) were managed in conformity with the Regulation on Granting and Regulating Refugee Status (Decree of the CM 208/1994), in line with the fundamental principles and requirements of the 1951 Geneva Convention and its accompanying 1967 New York Protocol.

3. Developing an effective and efficient procedure for asylum seekers, and ensuring social protection and integration for refugees is an essential part of the Government's asylum policy, especially in view of the EU accession negotiations.

4. In the context of implementing the national programme for the harmonisation of the Bulgarian legislation and practices, the 38th National Assembly (NA) adopted the Law on Refugees (Refugee Law) on 27 May 1999 (SG issue 53/1999), in force as from 1 August 1999.

5. The Refugee Law regulated the RSDP, defined the rights and responsibilities of asylum seekers and refugees, as well as the relevant state authorities in the

⁹² Ratified with a law passed by the National Assembly on 22 April 1992 and promulgated in the State Gazette, issue 36/1992, later supplemented with a law passed by the National Assembly on 1 April 1993, published in the State Gazette, issue 30/1993; effective in Bulgaria as from 10 August 1993.

⁹³ UN General Assembly Resolution 428, which gives the statute of UNHCR and is applicable in countries which have not yet ratified the 1951 Convention and/or the 1967 Protocol, enabling UNHCR to examine seekers under its mandate.

field of asylum and protection and their respective competences. The Law laid a special emphasis on individuals with special needs – women and unaccompanied minors and adolescents. The Law was in line with the effective European criteria and standards in the area of asylum and its effective implementation was one of the key priorities in the National Programme for the Transposition of the EU *acquis*.

6. In accordance with the Refugee Law, the Agency for Refugees with the Council of Ministers assumed the functions of the NBTAR established in 1992. The Agency was a legal state-funded entity accountable to the Council of Ministers (CM), which conducted, in agreement with the relevant bodies, the national policy for the implementation of the 1951 Geneva Convention and the 1967 New York Protocol.

7. The Agency co-ordinated Bulgaria's successful participation in the PHARE Horizontal Programme for Justice and Home Affairs, dealing with asylum and refugee issues in the framework of the two-year project of the German Federal Service for the Recognition of Foreign Refugees (January 1999 – November 2000) for all candidate countries. Seminars, round tables and conferences were held at different stages of project execution with the relevant grouping of participating countries. At the Final Conference held in November 2000 in Nuernberg, a National Action Plan and a national report on future activities regarding legislative harmonisation with the EU *acquis* on asylum, refugee and migrant issues were adopted. Based on the updated recommendations in these two instruments, an inter-agency working group was set up, which developed and submitted to the CM a new draft Law on Asylum and Refugees. **The new LAR was adopted on 16 May 2002 and came into force on 1 December 2002.**

8. The main goals of the 2002 LAR were to ensure better compliance of the national legislation with the respective international legal instruments, the legal regulation of subsidiary protection for aliens, as well as mechanisms for their effective implementation. Among other goals were securing guarantees and a balance between the interests of Bulgarian citizens and those of refugees, between the state's national priorities and its international commitments, as well as a strict differentiation of the functions of the different state authorities involved in asylum seekers' protection and co-ordination among them.

9. The results expected from the implementation of LAR relate to the following strategic issues:

- Ensure comprehensive protection for aliens in Bulgaria, in case there are legal grounds for granting thereof;
- Reduce the migration flow toward Bulgaria by limiting the number of aliens who reside illegally on its territory;
- Enhance the role of the state body for implementing the refugee protection policy;
- Save state budget funds for the support of aliens in RSDP.

10. In the 2002 and 2003 Regular Reports on Bulgaria, the European Commission qualified the adoption of the new LAR as a significant improvement of the legal framework and as a factor of progress in the legal harmonisation with the EU *acquis* in this area.

11. In implementing that legislation, as an initiative of the President of the State Agency for Refugees and in agreement with the Minister of Foreign Affairs, SAR committed to update and submit, in consultation with the UNHCR Representation, a List of Safe Countries of Origin and a List of Safe Third-countries for asylum seekers to be adopted by the Council of Ministers before 31 March of each year. The annual adoption of these two lists is important both in terms of applying the provisions which require that each negative decision for refugee status should establish the degree of safety of the country to which the applicant is due to be returned, as well as for the accelerated procedure. SAR also prepares current country-of-origin information, country profiles, information summaries and weekly information newsletters to be used in the refugee status determination procedure. It compiles statistical reports as well, shared in line with international co-operation.

12. The provisions and the terminology in LAR, as well as the need for a more precise definition and differentiation of the functions and responsibilities of the relevant administrative units served as grounds for drafting new Rules of Procedure for the Agency for Refugees. By virtue of a CM Decree 291 of 12 December 2002 on transforming the Agency for Refugees into a State Agency for Refugees (SAR) and the adoption of its Rules of Procedure, the legal framework for conducting practical activities related to RSDP, housing, support and integration of asylum seekers and refugees was put in place. (The list of staff who have worked and are still working for SAR and/or its predecessors can be found in the Acknowledgements section of this reference book.)

13. LAR defines three centres as territorial divisions of SAR:

- Registration-and-reception centre for refugees in the village of Banya, Nova Zagora municipality, with accommodation capacity for up to 80 people (CM Order 199 of 9 May 1997);
- Registration-and-reception centre for refugees in Sofia, with accommodation capacity for up to 500 people (CM Order 123 of 14 May 2001);
- Integration centre for refugees in Sofia (CM Order 123 of 14 May 2001).

14. The registration-and-reception centre for refugees (RRCR) in Sofia was re-organised by virtue of a CM Order 291 of 12 December 2002. The functions of the newly established RRCR were regulated in LAR, Art. 47 para 2, item 2 in relation to conducting the accelerated procedure and the general procedure for refugee status determination, registration, accommodation, medical checks, social and psychological support for asylum seekers.

15. The development of an adequate institutional framework for the implementation of EU *acquis* on asylum and building a stable infrastructure by opening the necessary number of transit, registration-and-reception and integration centres is an important condition for conducting the general and the accelerated RSDP for asylum seekers, as well as for aliens who have already been granted refugee status. The requirement for emergency preparedness in the event of mass influxes of asylum seekers on the territory of Bulgaria also places high on the agenda the issues of providing certain accommodation facilities, as well as the need for co-ordinating actions among the central executive bodies, the local authorities and the regional administrations and non-governmental organisations (NGOs) in the planning and preparation stages, as well as in fulfilling the tasks delegated to them in the action plan for temporary protection.

16. In conformity with the updated 2000 National Action Plan and the national report on future activities regarding further legislative harmonisation in the asylum sphere, and in view of building a stable infrastructure and enhancing the reception capacity, especially in terms of the accelerated procedure for manifestly unfounded claims of asylum seekers, the establishment of two transit centres in the vicinity of the busiest border check points, Sofia Airport and Kapitan Andrevo at the Turkish-Bulgarian border, was declared as a priority project to be implemented with financing from the National PHARE programme.

17. In this connection, an Inter-agency Task Force was set up by the Prime Minister of Bulgaria (Order R-29 of 20 March 2000), which produced and submitted to the Council of Ministers a Report on the Need for the Construction of Refugee Transit Centres. EC confirmed the high priority of these plans, as well as its own commitment to provide technical and financial assistance for their construction.

4.2. EU Accession Negotiations and SAR's Co-operation with the Delegation of the European Commission (EC) in Bulgaria

18. The negotiations on Chapter 24 Justice and Home Affairs formally opened on 27 June 2001; their second round was held in March 2002; and the third additional set of information on the negotiation position for Justice and Home Affairs was officially submitted in early October 2002.

19. SAR was regularly and actively involved in the working group on Chapter 24 and its competent performance contributed to the successful closing of the asylum section of that chapter in November 2003.

20. SAR analysed and prepared the information used for updating a number of documents related to the negotiations on asylum and refugees issues:

- Draft Common Position on Chapter 24;

- Draft for the Bulgarian contribution to the 2003 EC Regular Report on the Progress of Bulgaria in the Accession Process;
- Action plan in the area of justice and home affairs regarding the adopted Strategy for Accelerating Bulgaria's Negotiations for EU Accession, including legal steps, draft laws, measures for administrative capacity building, political and coordination measures;
- Harmonisation programme for bringing the national legislation in line with the EU *acquis*.

21. In addition, SAR gathered information and submitted expert positions in the field of asylum and refugees regarding:

- Additional issues raised with regard to the EU Common Position;
- Progress achieved in the area of legislative revisions and the practical and administrative steps undertaken for implementation purposes;
- Civil and political rights of refugees in the context of progress in fulfilling the political criteria;
- Measures related to the revision of LAR;
- Measures related to the implementation of the recommendations in the EC Regular Report;
- Monitoring matters;
- Changes in SAR's administrative capacity in view of implementing the EU *acquis*;
- Application of the legal provisions regarding the integration of recognised refugees and financial coverage of the implications thereof
- Family reunion;
- Plans for strengthening SAR's reception capacity ;
- Operation of existing and planned reception centres;
- Accommodation conditions;
- Functions, human resources, training and equipment of SAR;
- Coordination of the interaction related to SAR staff training on the new EU directives with the Technical Assistance and Information Exchange Unit (TAI-EX), Enlargement General Directive of the European Commission.

22. The conclusions in the Position of the Inter-governmental Conference held on 15 October 2003 related to the accession negotiations, and the recommendations in the EC 2003 Regular Report were crucial in terms of the tasks to be fulfilled by SAR in the process of integrating in the common European asylum system. After a year and a half of practical implementation of the 2002 LAR, its timely revision in line with the newly adopted EU legal instruments was a priority task, in addition to further activities for strengthening the administrative and reception capacity of the State Agency for Refugees.

23. In partnership with the German Federal Service for the Recognition of Foreign Refugees and the Swedish Migration Board, SAR successfully comple-

ted a twinning project (1.1 million euros) under the EU PHARE Programme for Strengthening SAR's Institutional Capacity (BG 0103.06) which was aiming at developing an efficient RSDP in accordance with the EU standards. The following outcomes have been attained under this project: accounting and commercial documentation for the construction of two new transit centres; a training programme; a review of the relevant Bulgarian legislation; and assistance for the creation of the current LAR. Twenty seminars, attended by staff of SAR, the Supreme Administrative Court, the Sofia City Court, the District Courts in Blagoevgrad, Sliven, Varna, the Bulgarian Helsinki Committee, the National Service Border Police and the Directorate for Identification Documents and Migration with the National Service Police Directorate, as well as UNHCR. Twelve SAR officials participated in training seminars in Germany and five in Sweden.

24. SAR drafted a project (0.88 million euros) under the PHARE Programme for Enhancing SAR's Institutional Capacity in the sphere of accommodation and social integration of refugees, which, regrettably, was not approved by the EC.

25. At the end of 2003, another investment project, under the PHARE Programme for Strengthening SAR's Reception Capacity (BG 2003/004-937.08.05), for the construction of two transit centres with a total value of 5 million euros was approved. The transit centres are to be located in the vicinity of the two busiest border check points, Sofia Airport (in the neighbouring village of Busmantsi) and Kapitan Andreevo (in the village of Pastrogor, Haskovo region), for aliens intercepted at the border. The centres' staff will facilitate the timely removal from the territory of the country of individuals not determined to be in need of protection. The set of documentation for the civil works, monitoring and equipment has been submitted to the Central Financing and Co-operation Unit at the Ministry of Finance for the purpose of making the necessary tender arrangements.

26. The feasibility study for that project and the preparation of the tender documentation were completed within the deadlines of the Twinning Project for Strengthening SAR's Institutional Capacity (BG 0103.06), which was successfully closed in November 2003.

27. In relation to the commitment to additional strengthening of SAR's capacity, under the other twinning project, in late 2003, a Training Centre was established at SAR, with state-of-the-art equipment, funded with resources from the European Commission. This facility will be used for training SAR staff, as well as representatives of related ministries, agencies and NGOs involved in asylum and refugee issues.

4.3. SAR's External Relations: Co-operation of SAR with UNHCR, IOM and NGOs

Co-operation of SAR with UNHCR's Representation in Bulgaria

28. The Agreement between the Government of Bulgaria and UNHCR took force on 22 July 1993. In accordance with that Agreement, the office of UNHCR, under its mandate, would co-operate with the Bulgarian Government, open a Bureau (Representation) in the country, advise on the development of a refugee law and refugee protection, and would perform its international protection and humanitarian assistance functions aimed at finding durable solutions to refugee problems.

29. Due to the gradually growing relevance of its operations in Bulgaria and the other EU candidate countries, the status of the UNHCR Branch Office (initially Liaison Office) was upgraded to that of a Representation in 2000, when Dr. Luise Druke became UNHCR Representative.

30. The Bulgarian Government has implemented the principles of international protection; it has made efforts to seek durable solutions in line with the internationally accepted legal norms, and has contributed to promoting international solidarity on these issues. Bulgaria has observed the *non-refoulement* principle *vis-a-vis* asylum seekers on its national territory, and has undertaken the necessary steps to ensure and safeguard their basic human rights and freedoms.

31. The Agreement has been successfully implemented over the past ten years, in the spirit of friendship and co-operation, incorporated in the preamble thereto, which has been translated into a variety of multiple and interactive activities.

32. UNHCR has performed its function of monitoring the implementation of the Geneva Convention and the New York Protocol. Ever since it established its presence in Bulgaria the goal of UNHCR Representation has been to support the Bulgarian government and the civil society in the country, especially the NGOs working with refugees, in the development and proper functioning of the national asylum system in line with the international standards and the evolving EU *acquis* in this area.

33. The UNHCR Representation in Bulgaria provided significant financial assistance to the Bulgarian Government, especially between 1996-1999, when up to 50 percent of the overall refugee maintenance costs were covered by UNHCR.

34. **The Co-operation Agreement** between SAR and UNHCR Representation in Bulgaria has been annually renewed to outline the key directions and activities for which UNHCR commits financial support to the Government of Bulgaria in view of its efforts to fulfil international commitments for granting adequate protection to asylum seekers and refugees.

35. In addition, over the whole ten-year period under review, under the joint leadership of SAR and UNHCR, and with UNHCR's financial assistance, **joint education and training projects have been developed and implemented** for the state officials working in the area of asylum and refugees: round tables, conferences, workshops, internships, traineeships and exchanges with similar refugee-focused organisations, lectures on refugee rights, human rights and humanitarian law, both in the country and abroad, and various other events in the same vein. These events were attended by representatives of SAR, the National Service Border Police, the bodies responsible for the administrative control of aliens, representatives from the ministries and institutions whose activities are related to asylum, refugees and migration, such as the Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Labour and Social Policy, the Ministry of Health, Ministry of Science and Education, Labour Offices, Social Services, regional units of the Ministry of Interior, local administrative authorities, judges from the Sofia and district courts and the High Administrative Court, journalists and others. Resources were also allocated for publishing special papers, translations and other similar materials on refugee and asylum issues.

36. During the **Bosnia crisis**, UNHCR provided significant financial assistance for the maintenance of the Bosnian citizens seeking asylum in Bulgaria. UNHCR, together with the International Organisation for Migration (IOM), secured the necessary resources and conditions for the subsequent voluntary repatriation of these persons.

37. In 1997, under a special programme, developed by SAR and financed by UNHCR, an Integration Centre for Refugee Women was established. In May 2001, by virtue of CM Decree 123/14.05.2001, this Centre was transformed into an **Integration Centre for Refugees**. The Centre fostered useful multicultural activities for assistance and facilitation of social adaptation and integration in a new living and cultural environment for refugees, in particular recognised refugees with special needs (single parents, families with many children, unaccompanied minors, pregnant women, chronically ill, traumatised refugees and victims of torture, elderly refugees, victims of gender persecution and violence, handicapped).

38. A key prerequisite for durable solutions was the Long-term Programme for the Integration of Refugees in Bulgaria developed by SAR, pursued jointly with other governmental bodies, NGOs and UNHCR Representation. In this connection, a relevant event was the **International Conference on the Integration of Refugees in Bulgaria**, held by virtue of a decision by and with the financial support of the European Council for Refugees and Exiles (ECRE), UNHCR and with the participation of SAR, the Council of Europe, the Bulgarian Red Cross, the Bulgarian Helsinki Committee and other NGOs. The Conference was organised within the framework of Partnership in Action (17-18 October 2000, Sofia). One of the conclusions reached at that Conference envisioned the readiness of the

EU, the Council of Europe, ECRE and UNHCR to facilitate the development of the Long-term Programme for the Integration of Refugees in Bulgaria and to assist SAR, as the single competent and specialised refugee authority in the country, and its partners, by means of financial support for Programme implementation.

39. On 8 and 9 May 2001 in Sofia, SAR co-organised, with the Council of Europe and UNHCR, the **International Expert Meeting on Housing of Refugees in Bulgaria** in co-operation with the EC Delegation, representatives of several national ministries, municipalities and NGOs, and a number of international experts. As a result of this meeting, certain conclusions and recommendations were adopted for the future development of the refugee settlement policy in Bulgaria.

40. The integration of recognised refugees has been one of the key priorities in SAR's activities. The holistic solutions to the numerous problems in this area – housing, social assistance, vocational training, finding jobs, etc. – relied on co-ordination and the successful co-operation among the central and local authorities, UNHCR and NGOs.

41. The need for special care and protection of vulnerable groups of refugees, namely children and women refugees, was translated into signing a Memorandum for Co-operation and adopting a joint Plan of Action among SAR, the State Agency for Child Protection and UNHCR in 2002.

42. In the framework of the planned joint activities for 2002-2003, expert meetings and seminars were held, dedicated to the practical aspects of the social work with refugees, adequate arrangements for social protection and care for unaccompanied minors seeking asylum.

43. The reception and integration of refugees was possible in practical terms due to the constant, active programmes conducted by SAR, jointly with UNHCR Representation in Bulgaria, the Refugee-Migrant Service of BRC, BHC, Caritas-Bulgaria, and the Assistance Centre for Torture Survivors (ACET).

44. SAR's activity in the field of social protection and integration of refugees was in line with the national social policy aimed at assisting disadvantaged refugee groups in a manner comparable to the aid provided to Bulgarian citizens in a similar situation.

45. On 14 December 2000, the 50th Anniversary of the establishment of UNHCR was commemorated around the world, including in Bulgaria.

46. On 28th July 2001, the 50th Anniversary of the Geneva Convention served as an occasion to reiterate the unanimous acknowledgement of the Convention as the universal instrument for the international refugee protection regime.

47. The Swiss government and UNHCR co-hosted the formal meeting of the

Parties to the Geneva Convention and the New York Protocol, which was held at the **ministerial level on 12 December 2001** at *Palais des Nations* in Geneva and to which all 143 signatories had been invited to take part. The meeting was attended by the President of SAR and UNHCR's Representative in Bulgaria. In its statement, the Bulgarian delegation led by Minister without Portfolio Nezhdet Mollov underscored the historic significance of that meeting, confirmed Bulgaria's commitment to continue its efforts towards the full and inclusive application of the Convention and the harmonisation of the national asylum policy with the international standards.

48. UNHCR initiated an unprecedented process of Global Consultations for Strengthening the Regime for International Refugee Protection, which was accompanied by a number of events structured in three rounds which started in October 2000 through 2002, and lasted until mid 2003.

49. Representatives of SAR and UNHCR Representation in Bulgaria also participated in the Regional Conference of the countries of Central and South-Eastern Europe held on 7-8 April 2003 in Prague, Czech Republic. The Conference focused on current issues of trans-border co-operation, the administration of asylum and responsibilities allocation, as a follow-up to the Budapest meeting. The Conference emphasized on the practical steps for the application of the *Agenda for Protection* within the framework of the Global Consultations. The key conclusion of the Prague Regional Conference was that UNHCR, following a period of focusing on spent on problems identification, was taking steps toward identifying practical solutions to specific issues.

50. During the period 2000-2003, with the active participation of SAR, with the support and co-operation of UNHCR Representation in Bulgaria, a series of joint events were held: round tables, conferences, seminars, lectures on refugee and humanitarian law, working meetings, commemorative events on the occasion of important refugee-related dates. Representatives of all the relevant Bulgarian governmental and NGO institutions involved in asylum and protection issues took part in these and other national events with international participation, as well as in similar forums abroad.

51. The Parliament (the National Assembly) became the traditional host of the **bi-annual Round Tables** on Bulgaria's EU Accession, European Harmonisation and International Refugee Protection initiated by UNHCR Representation in Bulgaria (First RT – December 2000, Second RT– April 2001, Third RT– October 2001, Fourth RT– May 2002, Fifth RT focused on the ten-year period since the establishment of the Bulgarian refugee state institution and opening of UNHCR Representation in Sofia – December 2002, Sixth RT– March 2003). The Seventh RT held in December 2003 was dedicated to the 10th Anniversary of signing the Country Agreement between the Government of Bulgaria and UNHCR,

as well as the Human Rights Day, 10 December. UNHCR Representation awarded the Chairperson of the Council of Refugee Women in Bulgaria with a distinction for promoting gender equality, and the University of Shoumen – for its contribution to promoting tolerance toward minorities, as well as certificates for selfless work on behalf of refugees over the past ten years to the leadership and the staff of the institutions working with refugees.

52. On the occasion of UN Day, on 24 October 2002, UNHCR **launched the Asylum and Refugee Studies Initiative in Bulgaria (ARSIB)** in the framework of UNHCR's strategic guidelines on European asylum matters in the context of Bulgaria's integration into EU and NATO at an official ceremony in the Aula Magna of Sofia University.

53. In May 2003, a Plan of Action was initiated and signed by UNHCR Representation in Bulgaria, SAR and New Bulgarian University, aiming at establishing academic refugee studies at the B.A. and M.A. levels accessible to refugees, supporting the exchange of information, the planning and execution of research and studies, publications and academic research seminars and events at the New Bulgarian University.

54. On 20 June of each year, UNHCR Representation in Bulgaria and SAR, in conjunction with refugee NGO and governmental partners involved in asylum and human rights issues, organised commemorative events to appropriately mark World Refugee Day.

55. It is worth noting that the event-intensive programme of SAR and the UNHCR Representation in Bulgaria also included a joint seminar which was held by and with the Council of Europe (CoE)⁹⁴ on "Subsidiary Protection for Refugees" in addition to the twinning project "Strengthening of SAR's institutional capacity" (national PHARE programme and a consortium between the German Federal Service for Refugees Recognition and the Swedish Migration Board) and UNHCR Representation (15-16 September 2003, Sofia). The topic of the seminar was *Subsidiary and Temporary Protection in Bulgaria* and it was highly evaluated both by UNHCR Representation and the CoE experts.

56. SAR representatives took part in the 54th session of the Executive Committee (ExCom) of the UNHCR Programme held 28 September – 3 October 2003 in Geneva, Switzerland. Mr. Ruud Lubbers, the High Commissioner for Refugees, highlighted the lively debate on the development of a common asylum system within the EU and UNHCR's active participation in the discussions aimed at identifying a number of shared positions on the main issues of international protection, the initiative called "Convention Plus," and the "UNHCR 2004" process, which were a follow-up to the earlier Global Consultations.

⁹⁴ http://www.unhcr.bg/events_records/2003/handout_160903_en.pdf

57. **The main goal of the UNHCR 2004 process was to define UNHCR's place within the UN system** in terms of parties and partners, strengthening its position and ensuring better implementation of its mandate. Important issues in the framework of that process were the prospects in finding durable solutions. The Durable Solutions Framework consists of three initiatives, developed during the early 2000s: DAR – “Developing the assistance of refugees,” 4Rs – “Repatriation, Reintegration, Rehabilitation and Reconstruction” and DLI – “Development through local integration.”

Co-operation of SAR with the International Organisation for Migration (IOM)

58. The other key international partner of SAR is the International Organisation for Migration (IOM), an inter-governmental organisation established on 5 December 1951. On 16 March 1994, the Bulgarian National Assembly adopted a Law for the Ratification of the IOM Constitution. Bulgaria had an observer status in the organisation from 1991 to 29 November 1994, when it was approved by the Council of IOM (Resolution 893) as a full member. In the context of the trends and the requirements for international co-operation in the area of refugees and migration, on 13 October 1994 (Protocol 84) the Council of Ministers empowered NBTAR to co-operate with the Geneva-based IOM. This commitment of SAR was stipulated in Art. 37, item 7 of the previous Refugee Law and reintroduced into the new 2002 LAR, Art. 53, para 9. SAR pays Bulgaria's IOM membership fees out of its annual budget. Pursuant to Art. 25, para 2 of the IOM Constitution, the specific amounts of member countries' fees are negotiated between the IOM Council and the respective country.

59. In 1993 and 1996, in response to a request by Bulgaria, IOM conducted two studies on the migration situation in Bulgaria, which show that the country is no longer a source of emigration pressures, which positively affects the process of its EU accession.

60. In order to make the IOM Constitution responsive to its ever-expanding functions and improve IOM's ability to adequately react to the dynamics of the contemporary migratory processes, on 24 November 1998, at its 76th session, the organisation's Council was unanimous in approving amendments to the Constitution. These changes, adopted in Resolution 997, are in line with Bulgaria's national interests and do not contradict the effective national legislation. The National Assembly ratified these amendments, confirming Bulgaria's wish for further productive co-operation with IOM and improvement of its efficiency.

61. In 1999, via the IOM Representation in Bulgaria, a total of 19 people were repatriated, including African students and Kosovo refugees. In some cases, IOM-Bulgaria and UNHCR also collaborated. In 2000, four programmes were underway in Bulgaria through the IOM Representation: for the return of qualifi-

ed staff to Africa; family reunification (a joint programme with the Norwegian Immigration Service); voluntary repatriation of victims of human trafficking and voluntary return of refugees (implemented jointly with UNHCR Representation in Bulgaria). A total of 24 people received assistance under these programmes.

62. There has been an intensive interaction with IOM for bi-lateral exchange of information on refugee and migrant issues. English language courses were organised for staff members of the Bulgarian authorities involved in this sphere. Based on a proposal by the Minister of Foreign Affairs, of 29 July 1999, the CM approved a Draft Agreement for Co-operation between IOM and Bulgaria. IOM's Director General Mr. Branson MacKinley and the Minister of Foreign Affairs of Bulgaria signed the Agreement on 12 November 1999 in Budapest at a forum which initiated a new IOM programme for Bulgaria and Hungary on the Prevention of Female Trafficking. In this connection, Mr. MacKinley, who had taken over the position of Director General of IOM in the autumn of the same year, was officially invited to visit Bulgaria.

63. On 10 December 1999, Mr. MacKinley led a three-member IOM delegation which visited SAR. Mutual satisfaction was expressed with the co-operation so far, which gave reason for IOM to consider Bulgaria an important country in terms of addressing migration problems, as well one that provides IOM with full support for its own work.

64. On 25 June 2002, Mr. MacKinley, at the head of a two-member delegation, once again visited SAR. The possible framework for expanding the successful collaboration and co-operation by means of new programmes and initiatives of mutual interest was outlined on the occasion of that visit.

65. The signing of the Agreement for Co-operation between Bulgaria and IOM in 2000, ratified by the National Assembly, served as grounds for regarding this formal document as a tool for expanding and deepening the interaction in managing migration processes and for setting up a local IOM Mission.

66. The IOM Mission in Bulgaria, located in Sofia, is subordinate to both the Organisation's Geneva Headquarters and the Regional Bureau in Budapest (Regional Director for Central and Eastern Europe).

67. Through the IOM Mission in Bulgaria from 2000 through 2003, the following programmes have been implemented (in addition to the four mentioned above in paragraph 61):

- 1) Return of asylum seekers who have been found not to be in need of international protection;
- 2) Programme for the return of Afghani citizens who could contribute to the process of reconstruction of their country and voluntary repatriation of two families to Afghanistan, as requested by UNHCR;
- 3) IOM travel and travel-related assistance for refugee family reunifications;

- 4) Joint programme for single refugee mothers and unaccompanied refugee minors, pending voluntary repatriation;
- 5) Exchange of information on countries of origin, which are sources of migrants and asylum seekers.

68. Bulgaria participated in IOM's programme Partnership for Co-operation against Female Trafficking in Bulgaria.

69. SAR expressed a wish for its experts to participate in regional IOM projects in the sphere of Justice and Home Affairs, in particular to find opportunities for SAR to make use of its experience and provide technical assistance to some Balkan countries, such as, for example, Macedonia and Croatia, in the process of harmonising their national legislations.

SAR's Co-operation with Governmental and Non-governmental Organisations (NGOs)

70. SAR has maintained good professional contacts with the relevant ministries, directorates and services, NGOs, as well as foreign representations, namely:

- Ministry of Foreign Affairs, Directorates Consular Relations, Human Rights and International Humanitarian Organisations, European Integration and others;
- Ministry of Interior, Directorates for International Affairs and European Integration, the Academy of the Ministry of Interior, National Service Border Police, National Police Service, BRC, BHC and others in the field of the implementation of the legal framework relating to asylum, refugees and migration, and the implementation of the 1 December 2002 LAR and its draft amendments;
- Ministry of Labour and Social Policy, National Labour Service, National Association of Municipalities in Bulgaria, and NGOs working for the integration of refugees in the country;
- Ministry of Justice, Ministry of Finance, the Parliamentary Committee on Human Rights, Religions Freedoms, Claims and Petitions, the Supreme Administrative Court, and other agencies working for the harmonisation and application of the EU *acquis* on asylum, refugees and migration.

71. In 2003, SAR took part in *ad hoc* working groups of the Ministry of Foreign Affairs, related to the country's progress in fulfilling the political criteria in the process of Bulgaria's EU Accession. Materials were developed in relation to refugee rights and the steps for their application.

72. In order to expand and deepen the collaboration with NGOs, the concept "NGOs – essential structures for building a democratic society" was developed.

73. In the framework of SAR's practical activity related to the management of the complex and multifaceted refugee process, as a result of putting in place

the legal framework in line with the European criteria and standards and ensuring the necessary logistics for the RSDP and for refugees' integration in the Bulgarian society, key actors are not only the governmental agencies, but also the NGOs, such as the Bulgarian Red Cross, the Bulgarian Helsinki Committee, Caritas Bulgaria, the Centre for Assistance of Torture Survivors and other NGOs which contribute to achieving social protection and integration for refugees in Bulgaria on behalf of and largely supported by UNHCR.

74. In its co-operation with governmental, international and Bulgarian non-governmental organisations, SAR looked for opportunities to expand its cooperation on current issues related to asylum and refugees. Along this line, the following results have been attained:

- Participation of SAR in inter-agency expert groups for projects implemented in the framework of UNHCR's Regional Initiative for Competence Development, in conjunction with the Agency for Child Protection, the Ministry of Interior, the partner NGOs (the Refugee-Migrant Service of BRC, BHC, Caritas Bulgaria, Bulgarian Centre for Gender Research, Nadya Assistance Centre, ACET and others):
 - a) *Development of a National Network and Refugee Self-support Groups to Prevent and Respond to Sexual, Gender-based and Domestic Violence in Refugee Communities* Project;
 - b) *Analysis of Protection Provided to Refugee Children in Bulgaria* Project;
- Participation in the preparatory committee for seminars based on the above listed projects, held in October-November 2003;
- Co-ordination of activities for collaboration and development of future cooperation, exchange and training in the area of asylum, refugees and migration with the NGOs *Mountain States Group* and *the Refugee Service of Idaho, USA*, as well as with the *Index Foundation* in Bulgaria. In this connection, in June 2003, with the assistance of Index, a seminar on the Immigration Policy and Maintenance of Refugees in USA: The Experience of the Idaho Refugee Service was held at SAR.
- Participation in the inter-agency task force on a project related to the problems of labour migration in Bulgaria, lead by the Open Society Foundation.

4.4. Participation of SAR at International Forums and Co-operation with Refugee Authorities in Other Countries

75. SAR representatives actively participated in the regular meetings of UNHCR's Executive Committee, the sessions of IOM's Council, the expert meetings at the EU Centre for Information, Discussion and Exchange on Asylum (CI-REA) up to 2002; the sessions of the European Commission's European Network on Asylum (EURASIL); all international forums for exchange of information on countries of origin; the meetings of the *ad hoc* Committee on Legal Aspects of

Asylum, Refugees and Stateless Persons with the Council of Europe; seminars, international conferences and courses on refugee law organised by the International Institute for Humanitarian Law. SAR representatives also took part in events and forums organised by the EC, various joint activities with the EU and UNHCR Representation, the Council of Europe and other international organisations.

76. During the **Co-operative Key NATO training** which took place in Plovdiv, 10-21 September 2001, with the participation of 24 NATO States and Members of the Partnership for Peace, a scenario aimed at raising the level of emergency preparedness of refugee authorities and their partners in case of a mass influx of temporary asylum seekers was designed and played out. Under the overall co-ordination role of UNHCR Representation in Bulgaria, in line with the relevant international standards, SAR assumed the leadership and co-ordinator functions in terms of registration, checks, interviewing, issuing IDs, settlement, as well as providing mental health and social care to those occupants of a refugee camp who might need them, in a shared effort with UNHCR Representation, BRC, BHC and Caritas Bulgaria. The participation of SAR in preparing and conducting that training was highly appraised. The experience from that initiative significantly enhanced both the emergency preparedness of all the national partners and the institutional and practical aspects of their organisational interaction.

77. On 19-20 July 2001, UNHCR Representation, together with the State Agency for Civil Protection and SAR, organised a three-day regional training programme for the management of emergencies with some 80 participants, which was also attended by counterparts from similar refugee services in Romania.

78. Alongside UNHCR, BRC and other NGOs, SAR had its second participation in the NATO Co-operative Key training. The training for about 80 participants was funded by UNHCR Representation in Bulgaria, in line with the draft plan of the HQ of NATO's Southern Front in Europe and was held in Plovdiv, 7-11 September 2003. The Ministry of Defence built the mock refugee camp for this operation with a scenario of 20,000 refugees. It also secured the venue for the CIMIC centre (Civil-military co-operation) at Kroumovo Airport. A SAR representative, together with a UNHCR staff member, took part in the International Preparatory Conference organised in Naples, 27-31 January 2004, by the HQ of NATO's Southern Front in Europe.

4.5. SAR's Co-operation with Counterpart Agencies Abroad

79. SAR maintained close bilateral contacts and developed and deepened its co-operation with similar organisations, such as the German Federal Service for the Recognition of Foreign Refugees (BAFL) in Nuernberg, through training seminars and expertise exchanges among staff members involved in the RSDP, legal counselling and observance of the European standards in dealing with asylum

seekers, refugees and migrants matters, as well as the establishment of a Training and Qualification Centre at SAR.

80. In late 1999, collaboration was established with the Swedish Migration Board and the Danish Immigration Service for conducting special joint events aimed at training staff in the field, with a view to acquiring knowledge and practical skills for addressing refugee and border control challenges. In the context of this collaboration, a seminar “Procedure for Asylum, Information Systems” with lecturers from the Swedish Migration Board and an introduction of UNHCR was held in Sofia 11-13 June at the premises of UNHCR Representation.

81. SAR also had very good professional relations with the Swiss Federal Refugee Service in Bern.

4.6. Media Policy

82. SAR’s media policy and its co-operation with UNHCR in this area, as well as the constant interactions between SAR and journalists contributed to the significant improvement of the media’s attitudes toward refugee issues and their coverage in the period 1993 - 2003. This was due to the following factors:

- SAR, the body in charge of implementing the Bulgarian asylum and refugee policy, was already better known with its activity and tasks, which enjoyed an objective coverage in the electronic and print media;
- Progress was achieved in terms of raising the awareness as to the refugee issue, and the clear definition of a refugee;
- The terminology specific to the asylum and refugee debate was used more correctly;
- Public debates on these issues were emerging;
- Constructive reports prevailed in the mass media;
- There were generally no explicit xenophobic incidents and attitudes in the Bulgarian society at large.

4.7. Conclusion

83. The State Agency for Refugees wishes to express its satisfaction with the productive and ongoing cooperation with UNHCR Representation in Bulgaria over the whole ten-year period under review. Bulgaria will continue to actively cooperate in the framework of the international, European and regional initiatives aimed at building stable asylum systems, together with UNHCR Representation in Bulgaria and all other partners, in the process of achieving the goals of the *Agenda for Protection* of the UNHCR Executive Committee and the United Nations General Assembly, 2002.

INTERNATIONAL CO-OPERATION AND EURO-INTEGRATION DIRECTORATE
STATE AGENCY FOR REFUGEES WITH THE COUNCIL OF MINISTERS

5. BULGARIAN RED CROSS

5.1. Mission and Goals

1. The Bulgarian Red Cross (BRC) is a voluntary organization, which is a member of the International Red Cross movement and follows its fundamental principles: humanity, impartiality, neutrality, independence, voluntary service, unity and universality. Through its volunteer network across the country, BRC supports vulnerable people in emergency or crisis situations. BRC helps to alleviate and prevent suffering in all its forms, protects health and life, and ensures respect for human beings through training programmes and activities for the benefit of society.

The aim of the Refugee-Migrant Service of BRC (RMS) is to facilitate the integration of refugees in Bulgaria, prevent the isolation of migrants and promote tolerance towards both groups in the Bulgarian society.

5.2. Chronicle of a Decade

1992

2. In April, Bulgaria ratified the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol.

3. BRC was the only non-governmental partner of UNHCR in the country, together with the Representation of the International Federation of the Red Cross/Red Crescent in Sofia.

4. An employee from the International Co-operation Unit worked on a project for health services, Bulgarian language training and financial **assistance for 35 refugees, under a UNHCR mandate.**

5. The National Bureau for Territorial Asylum and Refugees with the Council of Ministers was established by force of a CM Decree in October, which marked the beginning of co-operation between BRC and state authorities in the area of asylum and refugees.

1993

6. In parallel with the refugees project, BRC embarked on a migrants project, financed by the Swiss Red Cross and co-ordinated by BRC's Sofia branch.

7. The total budget of the above two projects amounted to approximately 100,000 US dollars.

8. Initial contacts with the European Council on Refugees and Exiles (ECRE) were established; training of staff from BRC's regional branches on asylum and refugees was initiated.

1994

9. The number of asylum seekers in the country increased – BRC assisted about 450 refugees from Afghanistan, the Middle East and Africa.

10. In the context of the war in Bosnia and Herzegovina, another project – financed by UNHCR – supporting refugees from that region was developed.

11. The projects implemented by BRC had a total value of 291,000 US dollars and were co-ordinated by three employees from the International Co-operation Unit.

12. BRC provided social services and financial assistance to all asylum seekers in Bulgaria.

1995

13. BRC developed its legal and institutional framework for providing services to refugees.

14. Refugees and asylum seekers were included among the organisation's beneficiaries in the new Law on BRC (Art. 4, Point 6).

15. BRC's National Committee adopted its Strategy for Service Provision to Refugees (13 November), which determined the relevant framework and operating methods.

16. In September, at its Sozopol facility, BRC hosted the establishment of the Central-European Forum of Refugee-Assisting NGOs, with representatives from seven countries.

17. The total value of the three ongoing projects for providing social services amounted to 288,000 US dollars.

1996

18. BRC acquired full membership of ECRE and, a few months later, a staff member became a member of the network's executive committee, representing the seven countries of Central and Eastern Europe.

19. Through refugee- and migrant-related projects implemented by BRC, 222,000 US dollars have been disbursed in the country.

1997

20. In February the Refugee-Migrant Service was established by a decision of BRC's National Committee. RMC entirely took over the government's commitment in terms of providing social assistance to asylum seekers and refugees in Bulgaria. As the number of people served was on the rise, (approx. 650 people per month), **UNHCR provided funding for separate premises of RMS's office.**

21. BRC hosted the annual meeting of ECRE.

22. Three projects were implemented, with a total budget of 259,000 US dollars, financed by UNHCR and the Dutch Red Cross.

1998

23. The BRC, represented by the Refugee-Migrant Service joined the Platform for European Red Cross Co-operation on Refugees, Asylum Seekers and Migrants (PERCO).

24. Three projects whose total value was in the amount of 250,640 US dollars were executed. The BRC Regional Committee in Varna took up refugees integration activities.

1999

25. The Law on Refugees came into force; the Law defined BRC as one of the Government's partners in refugee reception and integration in Bulgaria.

26. The Government took up the responsibility for asylum seekers pending the refugee status determination procedure, which alleviated BRC's burden in terms of financial assistance.

27. In August BRC started delivering mental health services to asylum seekers accommodated in the Banya reception centre, Nova Zagora Region, with the assistance of the Sliven Regional Committee of the Red Cross.

28. There were four BRC projects whose total value was 180,000 US dollars.

2000

29. BRC, represented by its Refugee-Migrant Service, became a full member of PERCO. It continued to diversify its refugee-related services by opening a telephone line for refugees and migrants, granting university scholarships to recognised refugees, facilitating work opportunities for refugee women, etc.

30. The Plovdiv Regional Branch of the Red Cross was involved in the refugee integration project with a separate co-ordinator.

31. The number of BRC-implemented projects grew to five; they had a total budget of 195,000 US dollars and provided services to over 4,000 people per year.

2001

32. **1,000 BGN from the BRC's state budget subsidy were allocated for activities with refugees.** These were the first government funds used for refugees by BRC. RMS undertook its first fund-raising efforts among the general public.

33. The integration of refugees became part of the 2010 Strategy Plan of BRC.

34. The head of BRC's Refugee-Migrant Service was designated a member of PERCO's Executive Committee with a one-year mandate which was renewed in 2002.

35. RMS worked on seven projects with a total value of 260,000 BGN.

36. The organisation participated in NATO Peacekeeping Training Exercise "Co-operative Key 2001."

37. In its regular meeting, BRC's National Committee approved the RMS logo, which completed the institutionalisation of RMS within the framework of the organisation and facilitated fund-raising.



2002

38. The new Law on Asylum and Refugees (LAR) that came into force on the 1 December provides for co-operation between BRC and the Bulgarian Government for the reception and temporary accommodation of refugees and for their social adaptation and integration in the country. In co-operation with the State Agency for Refugees, BRC conducted awareness raising activities among citizens and institutions concerning the problems related to the refugees and took part in the Plan of Action in conditions of massive influx of asylum seekers. (LAR Art. 53, Points 1, 4, 5, 7)

39. Art. 53, Point 9 and Art. 54, Point 1 of LAR regulated SAR's co-operation with the International Red Cross/Red Crescent Federation and the International Committee of the Red Cross with regard to refugee and migration issues, and the provision of documents to asylum seekers and to recognised refugees.

40. Six full-time employees and a part-time one worked contributed to the implementation of six projects for the integration of recognised refugees with a total value of 254,167 BGN. BRC continued allocating 1,000 BGN of its annual state budget subsidy for refugee-related activities. The revenues from donations and fund-raising activities with refugee participation reached 4,000 BGN. The audit of RMS's major projects, financed by UNHCR concluded: "The financial statements of the program represent an authentic record of the funds received and spent and as such give grounds for certifying them without any reservations."

2003

41. RMS took up two new activities benefiting civil society development - institutional strengthening of the Council of Refugee Women in Bulgaria (the first refugee women's NGO in the country) and lecture delivery as part of the Social Work and Anthropology Programs at New Bulgarian University (NBU) and Shoumen University. In October, NBU initiated a new academic program addressing medical, social and psychological issues within refugee communities, designed and conducted by RMS's medical consultant.

42. On the basis of the policy agreed by and with UNHCR Representation in Bulgaria, and in collaboration with the Border Police, the Haskovo Regional Committee of BRC began providing foodstuff assistance to newly arriving asylum applicants accommodated in the border police reception centre in the town of Lyubimetz.

43. BRC conducted two new studies - one on donors' attitudes and the willingness to make donations to refugees in Bulgaria, which exposed the need for more efficient awareness raising in the Bulgarian society, and another one on the efficiency of refugee children protection, for which interviews with both the children and their parents were used.

44. The first project on the prevention of sexual and gender-based violence in Bulgaria was designed and implemented, and, as a result of it, the refugee assisting organisations developed a Code of Conduct, while the State Agency for Refugees introduced Minimum Safety Standards for reception centres.

45. Nine projects whose total value was 251,598 BGN were implemented by the seven employees of BRC's RMS. The funds raised from donations and charity initiatives amounted to 11,326 BGN, while the state subsidy allocation was 2,500 BGN.

46. A regular update of the information on current and upcoming events organised by BRC, including refugee-related events, was disseminated in Bulgarian and English through the Weekly Electronic Bulletin of BRC, distributed to partner organisations and to the media.

47. On the occasion of 20 June, the World Refugee Day, the first poster in BRC's history to mark that event was printed and sent to 80 NGOs in Europe and USA and 30 embassies in Sofia.

5.3. Number and Origin of Persons Assisted

48. The majority of the 2002 cases – 1,397 of a total of 2,631 people - assisted by BRC in Sofia and Plovdiv were humanitarian protection holders. One-third of them, or 897, were Convention refugees, while another 299 (11 percent) were in the refugee status determination procedure. Most of them came from Iraq (35 percent) and Afghanistan (28 percent), while the next largest categories by country of origin were asylum seekers Sudan, Iran and Armenia.

49. In 2003, asylum seekers from Iraq and Afghanistan continued to constitute the main groups in Bulgaria, out of a total of 1,808 protection seekers assisted by BRC. 755 Iraqis (41 percent) and 458 Afghanis (25 percent), as well as Iranians (8 percent), Congolese (4 percent) and stateless persons (4 percent) applied for protection in the country. Out of these, more than half (933) were humanitarian status holders and 41 percent (719) - Convention refugees.

5.4. Types of BRC Assistance Rendered on behalf of UNHCR

50. In 2002, humanitarian aid and financial support, physical and mental health services, social counselling and in-kind (food, clothes, etc.) assistance were provided to asylum seekers and refugees by BRC. BRC also assisted refugees with a variety of educational activities, such as professional and vocational training; primary, secondary and higher education financial and related in-

kind support, as well as Bulgarian language training. Almost half of the assistance rendered in 2002 (1,441 individual services) was in the form of social counselling.

51. In 2003, the number of individual services performed increased to a total of 4,226, comprising new services in addition to the traditional ones. Furthermore, representation and interpretation services and transportation were secured to assist the partner organisation - the Council of Refugee Women in Bulgaria.

52. In the two centres in Banya and Lyubimetz, BRC rendered 135 mental health consultations (56 percent of the total assistance at these two venues); Bulgarian language training for 31 asylum seekers and food and medication for another 76 (31 percent of the assistance).

5.5. Projects and Financing

53. For its operation and projects, BRC's Refugee-Migrant Service received financing from a variety of donors. The vast majority of resources (82 percent) came from UNHCR and was allocated, as follows: 74 percent for refugee integration activities, 5 percent for university scholarships for refugee students, 2 percent for training in the basics of social work and 1 percent for competence development. The other funding sources for RMS-BRC were the Dutch and Spanish Red Cross, the European Council for Refugees and Exiles and the subsidy from the state budget. In addition, 4 percent of the resources were obtained through donations to and fund-raising by RMS itself.

5.6. Co-operation with the Council of Refugee Women in Bulgaria (CRWB)

54. The Council of Refugee Women in Bulgaria was established in May 2002 by a group of recognised refugee women⁹⁵ and was officially registered as a non-profit, non-governmental organization by the Bulgarian government (registration No. 1221/2003) on 17 March 2003.

55. **Structure:** CRWB has a five-member executive committee, regular members and volunteers.

56. **Mission:** Assist newly recognised refugees, especially refugee women, in their initial adaptation and integration into the Bulgarian society.

57. Main principles:

- All human beings have the right to humane and fair treatment;
- All human beings have equal rights, regardless of race, religious beliefs, sex, nationality or social status;

⁹⁵ Established with the support of BRC and UNHCR Representation in Bulgaria

- All human beings have the right to seek and receive assistance when in need without their dignity being impaired.

58. **Main activities:** CRWB assists newly recognized refugees through:

- Assistance in their contacts with various institutions;
- Counselling in respect of their initial adaptation and integration, with special guidance for refugee women;
- Information on their rights and responsibilities in Bulgaria;
- Representation of refugees' voice before different institutions;
- Celebration of different cultural and traditional activities of the refugee community.

59. **Partnerships:** The Council of Refugee Women has maintained a good working partnership with UNHCR Representation in Bulgaria, the State Agency for Refugees, the Refugee-Migrant Service of the Bulgarian Red Cross, Caritas Bulgaria and the Legal Clinic at Sofia University.

60. **Activities of the CRWB:** The CRWB members and volunteers participated in the implementation of the BRC projects for "Developing a national network and refugee self-support groups to prevent and respond to sexual, gender-based and domestic violence in refugee communities in Bulgaria" using UNHCR's guidelines, as well as "Analysis of protection provided to refugee children in Bulgaria" by conducting interviews with refugees adults and children.

61. CRWB undertook positive steps to ensure competence development for refugees working for refugees, and refugee-specific competence, which has proved crucial in assessing the needs of vulnerable asylum seekers and refugees and in establishing direct communication with members of the refugee community in Bulgaria. Meanwhile, CRW succeeded in finding solutions to many problems faced by asylum seekers and refugees in Bulgaria, especially refugee women and separated children. Setting up CRW itself was a good example as to how refugee women from different countries and cultures achieved self-support and, building upon their strength and skills in the course of taking care of their families, adapted and integrated in Bulgaria.

62. As a result of a trans-border project implemented by UNHCR Representations in Bulgaria and Romania, a network between the Council of Refugee Women in Bulgaria and the Organization of Refugee Women in Romania was established. The two organizations exchanged visits, information, experience and best practices. Under another UNHCR programme, the Competence Development Network, CRWB and the Association of Asylum Seekers in Poland exchanged working visits, information, experience and good practice.

63. Members of CRWB participated and represented the refugee community in various round tables and seminars organized by UNHCR Representation in

Bulgaria, the State Agency for Refugees, BRC and Caritas Bulgaria at the national and international level, such as:

- Sexual and gender-based violence in Hungary and Bulgaria;
- Integration of refugees in Bulgaria by UNHCR;
- Protection of unaccompanied refugee children and minors in Bulgaria;
- Policies to combat human trafficking in Bulgaria;
- Academic Refugee Studies Initiative in Bulgaria;
- UNHCR Voluntary Repatriation Standing Committee;
- Protection of refugee children in Bulgaria;
- Caritas Europe Migration Forum, “Integration of Immigrants and Refugees,” which took place in Madrid, Spain.
- The European Conference on Strengthening Refugee Participation in European Asylum Policies, Gent.

64. Training of CRWB: In order to help the CRW members acquire NGO working skills and habits, the following specialised trainings were organized by BRC, with UNHCR support:

- Three-month English language course;
- Bulgarian language courses;
- Computer courses;
- Course in international and national legal instruments concerning refugee rights and responsibilities (1951 Convention and 1967 Protocol), the LAR, the new Law on Social Assistance and the Law on Child Benefits;
- Project implementation and reporting training;
- Basics of social work for non-legal/social refugee workers;
- Protection of refugee children in Bulgaria;
- Fundraising;
- Strategy building;
- Social orientation for refugees;
- Working in a team;
- Selecting and working with volunteers.

65. CRWB facilitated the access to state-provided services for newly recognized refugees by means of consultations, interpreting services and accompanying to government institutions. CRWB also offered assistance in kind to both asylum seekers and refugees. In the first couple of years of its existence, in working with refugees and the Bulgarian institutions, CRWB managed to win the trust of both groups. In addition, as CRWB is not limited by its statute as a refugee women organization, it managed to involve refugee men as volunteers.

6. THE CONTRIBUTION OF THE BULGARIAN HELSINKI COMMITTEE TO THE DEVELOPMENT OF THE REFUGEE SYSTEM IN BULGARIA

6.1. Establishment of the Refugee and Migrant Protection Programme of BHC

1. The Refugee and Migrant Protection Programme of the Bulgarian Helsinki Committee (BHC) has been effective since 1994 and has ever since been an implementing partner of UNHCR Representation in Bulgaria, which has provided inestimable support for its establishment, institutional and capacity building. The programme was initiated to fill the gap of a legal aid system for asylum seekers and refugees. It was designed to offer counselling and legal representation to refugees, asylum seekers and forced migrants. BHC's programme has also contributed to the development of the refugee and migration policy in Bulgaria, the successful integration of refugees, and the promotion of voluntary repatriation in dignity and humane treatment. In its activities, the programme has received financial support not only from UNHCR, the key sponsor of its operations, but also from Open Society Foundation, Save the Children, the World Council of Churches, and other donors.

2. Since its initiation, the programme has offered consultations to almost 2,000 beneficiaries per year, the basic beneficiaries being asylum seekers, recognised refugees, rejected refugees, humanitarian protection holders and voluntary returnees. There is a special focus on vulnerable groups, especially to separated asylum seeking and refugee children who are a target assistance and representation group under the programme.

3. Legal aid is rendered by means of consultations and representation in court cases. The purpose of representation is the establishment of adequate legal standards for a fair and efficient administrative and judicial procedure for granting refugee status. Legal defence is provided by means of access to registration before the State Agency for Refugees with the Council of Ministers, interviews and consultations, appeals against administrative rejections, country of origin information processing, legal representation of rejected refugees before the Supreme Administrative Court and the competent district courts including the Sofia City Court, representation before other government bodies and counselling on other refugee-related legal issues.

6.2. Programme and Operations

4. During the period under review, the programme was operated by a nine-member staff, five of whom were licensed lawyers, and also by a national network of 15 associated lawyers specialised in refugee, immigration and human rights law who provided competent legal aid to asylum seekers and refugees.

5. The need for such a program was identified in the first years of its operation. As a result of the establishment of the National Legal Network on Asylum in 1997 and its support in terms of the initial representation of asylum seekers before the National Bureau for Territorial Asylum and Refugees (the predecessor of the State Agency for Refugees), a very important standard was set - any refugee has the right to engage a lawyer and receive qualified legal assistance at each stage of the administrative refugee status determination procedure. In those early days, the issue was highly controversial and it took almost four years to introduce this standard as indisputable and safeguarding the right to a lawyer, which is a constitutional guarantee pursuant to Art. 56 of the Constitution of the Republic of Bulgaria. This issue is of key relevance to the refugee status determination procedure, especially in view of the special and vulnerable situation of asylum seekers. Typically, they do not speak Bulgarian, are not familiar either with the structure of the administration or the relevant government bodies they need to approach, or the procedure to follow and their obligations therein.

6. Observing the rules throughout the RSDP is crucial in terms of the final decision. The lack of knowledge can result in asylum seekers failing to fulfil their obligations (e.g. untimely declaration of circumstances relevant to the outcome of the case), and to observe preclusive terms. Thus, the institutionalisation of the asylum seekers' right to engage legal aid and legal counsel has been of key importance both in terms of the right to asylum and the fair and efficient refugee status determination procedure.

6.3. Working with the Courts for the Judicial Protection of Asylum Seekers and Refugees

7. The practice of the Supreme Administrative Court (SAC) has substantially contributed to setting this important legal standard in refugee procedures - in many court cases conducted under BHC's programme, SAC has ruled that the impediments faced by asylum seekers and their specific needs should be taken into account as pending the procedure they may find themselves under very complex circumstances being in an unfamiliar environment and suffering psychological difficulties while presenting their case to the authorities of a foreign country. (First ruling, Decision No 2878/03.06.1999 of the SAC, III administrative department, case No 3815/1998.) Finally, Art 23, para 2, of the Law on Asylum and Refugees (enforced on 1 December 2002) explicitly stipulates the obligation of the state to ensure conditions for the provision of legal defence to asylum seekers in Bulgaria. Although the provision does not provide for legal aid by the state, it is an important step forward in the spirit of the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol.

8. As a result of the establishment of this basic standard and with the active assistance of UNHCR Representation in Bulgaria, BHC signed a bilateral agree-

ment and opened a legal counselling centre on the premises of the State Agency of Refugees, which provides legal assistance to asylum seekers on the spot on a daily basis. This activity is fully financed by UNHCR Representation.

9. Another very important protection aspect was the obligation undertaken by the BHC to secure legal aid and representation to all separated underage and minor asylum seeking children during RSD procedures. BHC actively contributed to identifying temporary and durable solutions for the protection of separated refugee children in terms of accommodation, guardianship and methods of age assessment. Upon the request of SAR, BHC made an analysis of the effective legal framework and drafted recommendations for institutional changes which envisaged the transformation of the regional Registration and Accommodation Centre in the village of Banya into a specialised social services institution (in accordance with the Law on Social Protection) under SAR's jurisdiction, as this was deemed to be the quickest way of solving the problem with the appointment of guardians. BHC recommended the combination between a specialised institution and a registration and accommodation centre. The director of the specialised accommodation section of SAR would act as *ex lege* guardian, in conformity with the Family Code, as from the point of accommodation. Certain court procedures would be required only with regard to accommodation as the Law on Child Protection allows accommodation outside the family only by virtue of a judicial decision.

10. As a result of BHC-assisted cases before SAC and the regional courts, guaranteed access to legal defence was legally protected at each stage of the procedure and judicial review was expanded over any acts of the refugee administration. Court appeal against rejections in the accelerated procedure was introduced, as well as humanitarian status pursuant to Art. 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, and temporary protection in situations of mass influxes. Through its representation activities, BHC has facilitated not only the adjustment but also the improvement of the administrative procedures and practice.

11. In addition to court representation, BHC successfully established and developed the practice of representation during the administrative procedure. The scope of this representation covered, among others, the lawyer's right to defend asylum seekers during the interviews, namely the right to make remarks, raise questions and objections regarding the record of the proceedings, as well as access to personal files and the relevant information from the administration as soon as the case has reached the judicial review stage.

6.4. Monitoring of Border and Detention Places

12. A specific programme activity was the monitoring of detention places for asylum seekers, mainly the Drouzhba detention centres in Sofia and at the airport

transit zone. The programme reached a good-will agreement with the Ministry of Interior on the establishment of a weekly legal aid reception facility at the Sofia detention centre. The detainees were consulted and assisted in relation to access to the RSD procedure or repatriation in a humane and dignified manner. Thus, the *non-refoulement* principle of Art.33, para 1 of the 1951 Convention was guaranteed. On the other hand, through its activity, BHC assisted the prevention of violation of Art.5 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

13. According to statistics, between 1993 and 2003, the majority of asylum seekers entered the country illegally. This determined another task under BHC's programme: monitoring the borders and the procedures of detention and expulsion or transfer to the border of aliens who have made an attempt to enter the country in an irregular way or at irregular places or using invalid identification documents. The primary monitoring target was the Kapitan Andreevo border checking point near Svilengrad at the Bulgarian-Turkish border, which was the main entry point for immigrants. By monitoring this border and intervening in cases of asylum seekers detention, the programme ensures one of the main aspects of asylum under the 1951 Convention, namely access to the territory of the country and, thus, to the refugee status determination procedure or other types of additional protection in accordance with the *non-refoulement* principle under Art.33, para 1 of the 1951 Convention and Art.67 of LAR.

6.5. External Relations and Public Information

14. The programme publishes a newsletter, *Refugees Today and Tomorrow*, – co-funded by UNHCR Representation – which reports on the debate among refugee and asylum-related institutions and governmental and non-governmental organisations engaged in Bulgaria; consideration is given to matters of integration, legal aid, detention, family reunification and separated children, legal opportunities for refugees with final rejection, as well as voluntary repatriation.

15. As a result of its work, BHC has built strong relations of co-operation with the State Agency for Refugees with the Council of Ministers, and with other governmental institutions dealing with refugee issues. Under a bilateral agreement and with the active co-operation of UNHCR, in 2002, BHC opened a legal aid centre on the premises of SAR where it started providing asylum seekers with counselling on the spot. BHC has actively worked with BRC, Caritas Bulgaria, ACET and many other non-governmental organisations for the establishment of an effective and efficient system of refugee protection in Bulgaria.

7. CARITAS BULGARIA IN ASSISTANCE OF REFUGEES AND ASYLUM SEEKERS IN BULGARIA, INCLUDING THE CENTRE FOR ASSISTANCE OF TORTURE VICTIMS (ACET)

7.1. Caritas Bulgaria – who we are

1. Established in 1993 by force of a resolution of the Episcopal Conference of the Catholic Church in Bulgaria, Caritas Bulgaria is a federation of independent eparchial catholic organizations: Caritas Plovdiv, Caritas Rousse and Caritas Sofia. The objective of Caritas Bulgaria is to provide support to the needy in building a humane society. In achieving this objective, Caritas Bulgaria has supported its member organizations which perform social activities through their field units.

2. Caritas Bulgaria is registered as a non-profit association for social and community services and, together with another 162 organizations, is a member of the global Caritas Internationalis family – a confederation of relief organizations of the Catholic Church.

3. The activities of Caritas Bulgaria focus on the homeless, the lonely, the sick, the unemployed, refugees, the abandoned, pensioners, the socially disadvantaged and other groups of the Bulgarian society for whom, due to a variety of reasons, active social life is difficult to lead.

7.2. Caritas Bulgaria – Partnerships

7.2.1. Operations of Caritas Bulgaria, 1996 -2001 (first steps in partnership)

4. In 1996, the Agency for Refugees with the Council of Ministers turned to Caritas Bulgaria for support in addressing a social conflict which had arisen in the village of Banya, Nova Zagora Municipality, in relation to the construction of a refugee registration and reception centre. The reasons for the emerging social conflict were, on the one hand, the state of social exclusion of the local population and, on the other hand, the establishment, in the village of Banya, of a Reception and Registration Centre for the purpose of assisting asylum seekers in the country.

5. Caritas Bulgaria and UNHCR Representation agreed on resolving the problem by means of joint efforts. A decision was reached to set up a student canteen; hence, the local restaurant was renovated by UNHCR, while Caritas committed to financing daily warm lunch meals for the local children who come mostly from the Roma and Turkish ethnic minorities. Later on, that initiative was joined by the Nova Zagora Municipality whose financial responsibility has gradually increased to reach the current situation when warm meals are ensured for 260 children who regularly attend school.

6. In 1999, during the Kosovo crisis, the Agency for Refugees once again approached Caritas Bulgaria for support to the refugees coming from Kosovo. The organization, with the assistance of the Catholic Church in Bulgaria, mobilized its logistic and human resources and was prepared to assist in receiving the refugee influx.

7. In late 2000, UNHCR Representation in Bulgaria turned to Caritas Bulgaria for assistance in providing humanitarian support to 90 Iraqis in Ivailovgrad who had illegally crossed the Bulgarian border. Caritas, through its local structures, provided the necessary humanitarian aid to the people in need. In early 2001, UNHCR Representation, the Agency for Refugees and Caritas formally signed a tripartite partnership agreement.

7.2.2. Operations of Caritas Bulgaria, 2001-2003

8. Caritas Bulgaria, together with SAR, BRC-RMC, BHC, CRWB and ACET (a centre working professionally with victims of torture and their families by means of psychological and medical services), the Community of the Eucharist Sisters and the Catholic Church as a whole, with the good coordination of UNHCR Representation in Bulgaria, has provided support for the following categories of asylum seekers and refugees:

- 1.1. Asylum seekers with special needs (women, children and unaccompanied minors);
- 1.2. Victims of torture – asylum seekers, refugees – and humanitarian status holders (psychological assistance by the ACCET Centre)

The support to these individuals comprises medical services, training, social consultations, and social welfare.

9. In the course of the refugee status determination procedure, asylum seekers are entitled to health care. In this respect, Caritas Bulgaria has ensured, before refugees have chosen a general practitioner, medical services, including initial medical checks, emergency health services and dental care at the John Paul II Medical Centre. The St. Joseph Caritas Centre has offered recently recognized refugees one-off integration packages with household essentials in the total amount of 40-80 BGN.

10. Caritas Bulgaria engaged in social counselling, including the provision of information, advice, accompanying asylum seekers and refugees in their visits to administrative institutions. The counselling sessions have been held in Sofia by the Caritas Bulgaria social consultant, in co-operation with the Council of Refugee Women in Bulgaria and a representative of the State Agency for Refugees. These social consultations target the most vulnerable groups of asylum seekers. Individual plans have been developed to render support with the necessary steps and solutions, which the asylum seeker undertake, together with the Caritas assistant, to facilitate their adaptation to the Bulgarian environment, espe-

cially in establishing contacts with the various institutions dealing with refugee issues.

11. Caritas Bulgaria has provided food and hygienic packages for the second registration and reception centre in the village of Banya, Nova Zagora Municipality. Computers skills and Bulgarian language training courses have been held at the St. Joseph Training Centre of Caritas in Sofia.

7.3. Caritas Bulgaria – Opportunities, Prospects and Expectations

12. In 2003, Caritas Bulgaria set up a Migration Service as a part of building a fair and efficient refugee protection system in Bulgaria. The goal is the provision of a better and more efficient support for asylum seekers in Bulgaria.

13. Being a full member of Caritas Europe, Caritas Bulgaria is involved in the Migration Committee through its representatives. By means of the Expert Committee, efforts have been made to contribute to a more effective and efficient system of the European policy in the area of asylum and refugee reception in united Europe.

7.4. Co-operation with the Centre for the Assistance of Torture Survivors – ACET

14. The main target groups of ACET's rehabilitation program include asylum seekers, refugees and members of their families. The refugees who have so far received services at the reception office in Sofia come mainly from Iran, Afghanistan, Turkey, Armenia, Georgia, and Belarus, and several cases from Africa.

15. In addition to victims of torture and political persecution, ACET has rendered psychological and medical assistance to victim of armed conflicts and trafficking. These are individuals who have suffered severe abuse and violations of their human rights in their countries of origin.

16. Collaboration with professionals and institutions in the area of asylum and assistance for refugees has been an integral part of the efforts to ensure rehabilitation for victims of torture and repression. In 2003, in cooperation with UNHCR Representation in Bulgaria, ACET conducted training seminars on the trauma of persecution and the role of interpreters in service provision for refugees.

Children Programs

17. In 2001, ACET embarked on developing a specialized program for the support of children and adolescents from refugee and asylum seeker families. This is the first program of this type in Bulgaria. It includes the following activities:

- Fairy Tales Workshop – a program for children aged 6-12;
- Theatre Workshop – a program for adolescents aged 13-18;
- Program for participants' parents;
- Individual and family consultations;
- Work with institutions, schools and kindergartens.

The specialists in charge of program activities, which started in November 2002, are involved in a long-term training process with experienced French child psychotherapists.

The program is open to the children of refugees and migrants who have been forced to flee their homeland and search asylum in another country with a different culture. The program has a special focus on separated children, as children at high risk.

18. Any individuals who have approached ACET for assistance or advice have enjoyed tolerant treatment by the team, regardless of sex, race, religion, political beliefs, nationality or social status. One of the major accomplishments of the ACET centre relates to the approach of simultaneously providing services to Bulgarian nationals and refugees. This has helped ACET avoid the stigmatization of refugees and promote the implementation of the general standards, procedures and services in support of individuals in need of protection.

8. SUMMARY AND STRATEGIC PERSPECTIVE

8.1. SUMMARY

1. **The stock-taking** of progress and achievements, of strengths and weaknesses for this joint report on the first ten years of building the national refugee protection system in Bulgaria is a pioneering project for which refugee-assisting entities and some of their former and current staff served advice and provided input. Transposing and capacity-building in line with the international standards for refugee procedures and in view of Bulgaria's NATO and EU accession, UNHCR's Representation, the State Agency for Refugees and the Bulgarian refugee-assisting NGOs placed their work in the context of these integration processes, as intended to be reflected in this report. Bi-annual Round Tables on Bulgaria's EU Integration and International Refugee Protection, an EU Working Group and meetings on international, EU and national refugee law harmonisation, NATO training and simulation exercises constituted some of the key activities in this framework. The latter, with a scenario of 20,000 refugees in a humanitarian emergency, were held in an airfield outside Sofia and actively engaged some 100 refugee workers and volunteers and, thus, together with a regional emergency preparedness workshop in 2001, contributed to building the emergency preparedness and contingency planning capacity of the national refugee protection system.

2. Records of government-provided **statistics** show that:

- a) **Worldwide** there have been some 832,500 asylum applications for the year 2003, while in Bulgaria there were 1,549 asylum applications registered in the same year which is about 0.19 percent.⁹⁶
- b) **In Europe with 31 countries (and Canada)** over the last 10 years there were⁹⁷ 4,672,861 asylum applications, Bulgaria received over 12,800 in that period which represent around 0.26 percent.⁹⁸
- c) **Central Europe** received some 234,000 asylum applications in the 12 countries in 1993-2003, while Bulgaria received over 12,800 asylum applications, which is 5.49 percent.
- d) **Bulgaria recorded a recognition rate (positive decisions)** for the years 2000-2003 (comprising both Convention and humanitarian status) about 35 percent, with a decreasing trend to 14 percent in 2003, that is 1.38 percent Convention status and 12 percent humanitarian protection. During the period 1993-2003, the recognition rate for unaccompanied asylum-seeking children was about 50 percent (from a cumulative 2,097

⁹⁶ Source: UNHCR Headquarters Geneva, based on statistics received from governments as provided for in the 1951 Geneva Convention, Art. 35, Para 2, 21 May 2004.

⁹⁷ See Annex 10.2. – Asylum application submitted in Central (Enlarging) Europe, 1993-2003 (Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia).

⁹⁸ See in Annex 10.2 – Asylum application submitted in Europe, 1993-2003.

applications, 1,029 received a positive decision being Convention status or humanitarian status).

3. Pending Bulgaria's ratification of the 1951 Convention Relating to the Status of Refugees and the **setting up of national refugee procedures and institutions**, the Office of the UNHCR, with the assistance of the Bulgarian Red Cross and in consultation with the national authorities, handled the processing of some 210 asylum applications under its mandate from 1990 to 1993. Once the first Bulgarian refugee institution (National Bureau for Territorial Asylum and Refugees) started its work in 1994, after Bulgaria had ratified the 1951 Convention and the 1967 Protocol, it assumed this function as usually done in Signatory States of these international legal instruments.⁹⁹ One year later, in 1995, UNHCR started to fund free legal aid for asylum seekers in the procedure through the Bulgarian Helsinki Committee. Since opening its office in Bulgaria in 1992, UNHCR directly and through governmental and non-governmental institutions has been supporting Bulgaria in developing the legal, judicial and social aspects of its national system for refugee protection.

4. UNHCR, with partners, has been conducting, supporting or assisting in the area of **training and capacity building in refugee law and refugee issues** through some 300 sessions with around 2,500 participants over the past ten years, including 500 officials from different sectors of government and from civil society, who have been trained for their refugee and refugee-related work. This included some of those currently 140 officials of the refugee administration. It included also around 40 judges from the Supreme Administrative Court and some 30 judges from the Sofia City Court and other District Courts, as well as those officials directly responsible, or contributing in various ways. This includes especially representatives of the Ministry of Foreign Affairs, the Ministry of Interior, the Ministry of Labour and Social Policy, the Ministry of Health, the Ministry of Education and Science, the Ministry of Transport and Communications. UNHCR, also through the EU Odysseus project has attempted to measure the impact of training in refugee law and human rights of law enforcement officials, which it has been promoting. The evaluation showed that human rights and refugee issues have largely become part of their overall training programme, but that translation into action needed to be strengthened further.¹⁰⁰

⁹⁹ As of 1 February 2004, total number of State Parties to the 1951 Convention Relating to the Refugee Status and the 1967 Protocol is 145. The most recent ratification of the 1967 Protocol by Saint Vincent and the Grenadines by accession. Complete information available at: http://www.unhcr.ch/cgi-bin/texis/vtx/home/+zwwBmeim_g_wwwmwwwwwwxwFqzvqXsK69s6mFqA72ZR0gRfZnHfQa72ZR0gRfZnHfQpGdBNqBzFqmrBzAFqA72ZR0gRfZNDzmxwwwwww1FqmRbZ/opedoc.pdf

¹⁰⁰ EU Odysseus Programme, "Police and Human Rights in Bulgaria – Conditions – Assessment – Recommendations – Report assigned by the UNHCR. The results from the mission to the Bulgarian Police – 25 November – 5 December 2000," p. 3, on file with UNHCR Representation in Bulgaria. Available at: http://www.unhcr.bg/study_research_papers/phrb_en.pdf

5. Throughout the ten-year period under review, the UNHCR Representation in Bulgaria has been **supporting building the capacity of refugee-assisting NGOs**, including of the Bulgarian Red Cross, the Bulgarian Helsinki Committee, Caritas Bulgaria, as well as most recently the Council of Refugee Women, the Centre for Assistance of Torture Survivors, the Sofia University Legal Clinic and others. Since 1993, more than 120 refugee NGO colleagues have been involved in the Bulgarian refugee programme and have been trained, also through the UNHCR-funded project of the European Council on Refugees and Exiles in Central Europe. UNHCR's records show that about 40 of its colleagues have been involved directly in refugee work in Bulgaria since 1990, from UNHCR offices in Geneva, Vienna, Brussels, Budapest and in the country. More than 45 interns in the UNHCR office in Sofia have, since 2000, specialised in refugee matters by contributing to a number of activities. The State Agency for Refugees and the NGO partners also offered such opportunities.

6. The UNHCR Representation has been proactive in developing **the Academic Refugee Studies Initiative (ARSIB)**, and jointly with the State Agency for Refugees and partners from the refugee assisting NGOs and the New Bulgarian University, Sofia University, Schoumen University and others managed to attain a significant increase of activities and measurable results. UNHCR launched the ARSIB in the UN Day commemoration in which the Minister responsible for refugees, the Deputy Minister of Foreign Affairs and the then Danish EU Presidency made introductory statements alongside professors, researchers and students in the Aula Magna of Sofia University in October 2002. This initiative resulted in more than 15 sessions with professors and other teaching and research staff, some 2,100 students attending some 1,000 course hours specialised on refugee law and policy, social work, journalism, economics and political science. Much of the teaching and research was conducted in an interdisciplinary manner at 15 universities in the country and five professional training institutes and academies¹⁰¹ where future leaders receive their preparation for work in all sectors of the society, including in the refugee field. This initiative enabled more than 100 students to specialize in these issues at B.A., M.A. and Ph.D. levels, and some 30 dissertations on refugee-related issues to be done. More than 20 colleagues of the UNHCR Representation, the State Agency for Refugees, the Bulgarian Red Cross, the Bulgarian Helsinki Committee, Caritas Bulgaria, as well as the Council of Refugee Women, and more recently the Sofia University Legal Clinic, have been delivering lectures throughout the country. The Minister responsible for refugees, the President of the State Agency for Refugees and the Representative of UNHCR in Bulgaria themselves presented major lectures as part of the ARSIB.

¹⁰¹ Including the academies for training law enforcement officials, military and judicial officials, journalists and public administrators.

7. Work in **public awareness and information** started slowly in the middle of the 1990s. UNHCR, the State Agency for Refugees and NGO partners jointly and separately developed initiatives, issued press releases and press briefings from events, gave interviews with the electronic and print media¹⁰², with a view to promote public awareness and positive receptiveness of refugee issues among the Bulgarian public. UNHCR's Representation in Bulgaria published or has been supporting the publishing of some 30 books and major publications and translations on international, EU and national refugee law and policy texts and has organized or coordinated training of Bulgarian journalists. In the framework of commemorating the 50th Anniversary of the Office of the UNHCR and of the 1951 Convention, campaigns included the launching of a post stamp and a commercial envelope, which the Ministry of Transport and Communications hosted. Over the ten-year period, the UNHCR Representation produced TV films, videos and posters to inform the public at large and specialised interest groups in the country. At the occasion of the 10th Anniversary commemoration of the signing of the Agreement between UNHCR and the Republic of Bulgaria, the UNHCR Representation in Sofia presented the Award of Excellence in Refugee-Related Journalism to three individual journalists and three media houses in recognition of quality and quantity of their coverage of refugee issues since 2000, as identified by a professional independent media jury.¹⁰³

8. **Funding** through UNHCR of some 6 million US dollars supported the developing of the national system for refugee protection. In the framework of EU accession negotiations since 1998, the European Commission will eventually have provided around 4.85 million euros for refugee-related work through the EU PHARE Horizontal¹⁰⁴ and other projects, especially through the 2002-2003 EU Twinning projects implemented with the assistance of the German Federal Office for the Recognition of Foreign Refugees (BAFL) and the Swedish Migration Board. The Bulgarian authorities have also allocated from the state budget considerable amounts both for relevant administrative bodies and structures and for direct assistance for refugees. As records show, the partner refugee-assisting NGOs have been increasingly able to carry out their own fund-raising and have obtained limited ad hoc funding for specific activities and events from sources such as the Open Society Institute, the British Refugee Council, the National Societies of the Red Cross of Spain, Germany, Switzerland and the Netherlands,

¹⁰² http://www.unhcr.bg/briefing_documents/index_bd.htm and http://www.unhcr.bg/briefing_documents/index_pc.htm

¹⁰³ http://www.unhcr.bg/events_records/2003/handout_101203_en.pdf

¹⁰⁴ First Twinning Project "Institutional Strengthening of the State Agency for Refugees": May 2003 – November 2003; Second Twinning Project expected to start in 2004, aims to strengthen Bulgaria's asylum accommodation capacity and to allow the conduct of the accelerated procedure within the frame of the new legislation and to be in line with the EU acquis in respect of the minimum accommodation standards. The EU Commission will finance the implementation with 3,750,000 euros and Bulgaria will co-finance the project with 1,250,000 euros.

the International Federation of the Red Cross and Red Crescent Societies and the MATRA Projects of the government of the Netherlands, as well as, since 2001, from the State of Bulgaria in a symbolic manner.

9. The **result of the overall assessment of building the national system for refugee protection** is that, by and large, it is functioning. However it needs additional efforts to fully comply with international refugee standards. In general, the existing system provides that: 1) persons in need of international protection, in principle, have access to territory, 2) asylum seekers normally have access to efficient asylum procedures and are treated in accordance with international protection standards¹⁰⁵, 3) refugee rights are respected in principle and effective durable solutions for refugees are endeavoured, 4) public opinion is mostly receptive to the needs of refugees and 5) effective partnerships are in place and functioning, with the active support and advocacy of the UNHCR Representation.

10. An important **impact** of the development of the national system for refugee protection in Bulgaria is the preservation of results achieved and the continued contribution to the countering of potential weakening of international refugee protection system. It also became clear in the process of work – both during the last decade and during the review done for the purposes of this report – that there is a need for further strengthening of this system in the context of increasing international pressure to control migration. Further efforts continue to be placed on the administrative and judicial levels of the refugee status procedure¹⁰⁶, for increased awareness of refugee issues within the relevant governmental bodies and of the officials directly and indirectly involved, for consistent compliance with international protection standards across state institutions. Particular emphasis will need to be continuously placed on access to the territory, protection against refoulement, and the quality of the refugee status determination procedure. As integral part of the refugee protection priorities, work will continue to highlight and mainstream refugee protection activities and issues related to separated children, refugee women, refugees with special needs and gender equality, as well as to pursue real integration possibilities for refugees into the social and economic fabric of Bulgaria.

¹⁰⁵ The highest rate of recognition of Convention refugees in Bulgaria was in 2001, when 28 percent of the decisions were given in line with the Refugee Convention criteria, as compared to 2003, when this percentage fell to 1.38 percent. In terms of protection with humanitarian status, which the authorities started to provide in 1999 during the Kosovo situation when it amounted to 11.13 percent, as compared to for example 2001, 39.01 percent and in 2003 12.09 percent.

¹⁰⁶ Based of information provided by the Bulgarian Helsinki Committee from its records and caseload represented in the courts, which does not include a relatively small number of appeal cases handled by other lawyers, of the 3,500 cases handled by the Supreme Administrative Court since 1996, it overturned 6.4 percent of the first instance administrative negative decisions, and of the about 700 cases handled by the Sofia City and other district courts, they overturned about 5.8 percent of the first instance administrative negative decisions.

8.2. STRATEGIC PERSPECTIVE

1. With the 1 May 2004 EU enlargement the history of Europe takes a fresh step ahead in expanding **the common European asylum space in which persons in need of international protection can seek and enjoy asylum**. Bulgaria's ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as its first Ordinance in 1994 for the processing of refugee applications are important steps. As in all EU States, the task of transposing the latest EU aquis, now also reflecting more strongly international standards, is on the agenda also for Bulgaria, where this has been an on-going process, starting with the 1999 and 2002 national refugee legislations and subsequent amendments.

2. The **post-Amsterdam EU Harmonisation phase 2004-2006** will be a challenging time, during which further efforts are needed in Bulgaria in the process of incorporation and implementation of relevant EU aquis. Until establishing a truly common European asylum system, refugee institutions in the enlarging Europe will face some turbulence unless they are well prepared. National refugee policy in Bulgaria will need to continue to be informed by a strategy capable to pave the way forward in the evolving EU asylum harmonisation process and structure. Further evolution needs to be gradual, from 2004 to the next phase, approximately to 2007, in order to maintain a sustainable development of the national system for refugee protection in Bulgaria.

3. Bulgaria will **continue evolving from a refugee-transit country to being a refugee-host country** in its destiny as a new EU Member State. As the statistics presented in the previous section of this chapter show (also in 10.2., Statistics Annex), Bulgaria has seen a relatively small number of asylum applications, compared with other countries and regions in the world. Therefore, if this trend continues, the upcoming years present a good opportunity for the country to consolidate further its national system for refugee protection and its emergency preparedness mechanisms to be in place and well-functioning, if and when needed.

4. Elements which will keep influencing refugee affairs at large and in Bulgaria, include, among others, international and regional political and security developments **post-11 September 2001**, the situations in Afghanistan and in Iraq, anti-terrorist measures and the impact thereof. For as long as outflow of people in need of protection continues to occur, access to safety, territory and protection must be ensured. This might happen in an increased parallel development, where refugees can avail themselves of individual spontaneous return and organised voluntary repatriation. This is all preconditioned on reconciliation, reconstruction, rehabilitation and reintegration of refugees in their home countries, so that their lives and liberty are not in danger.

5. As this joint report shows, the results produced by all institutions involved in refugee affairs in Bulgaria are noteworthy. In 1993 all now accomplished was

still to be done. However, further substantive efforts are required across state institutions to accomplish fully the goals set for Bulgaria's EU asylum integration and for the consistent implementation of international refugee protection standards. Therefore, UNHCR and the State Agency for Refugees are looking forward to continued co-operation with all Ministries involved in refugee work, as well as with the refugee NGO partners, with the media, the academics and all others who have been supportive of refugee affairs in Bulgaria.

6. This first public joint report, prepared in a transparent and co-operative manner, constitutes a helpful tool for future cooperation and consolidation of the national system for refugee protection. This should be encouraging for main stake holders, actors and donors – the Government of Bulgaria, UNHCR, the European Union and others¹⁰⁷. As a further effort toward transparency in refugee affairs in Bulgaria, the websites of the UNHCR Representation in Bulgaria (www.unhcr.bg) and of the State Agency for Refugees (www.aref-bg.bg), as well as those of the NGO partners¹⁰⁸, provide more detailed records of ten years' worth of activities and events for building the national system for refugee protection in Bulgaria.¹⁰⁹

7. Funding will continue to be of the essence. While institutions and capacities are being built, sustainability will continue to be an issue. As UNHCR's sources from the international donor community decrease for this part of the world because of different priority-setting and considering Bulgaria's forthcoming EU membership, efforts are needed in the country to develop and use capacity to obtain available EU funds as seed money for larger projects. Even though the economic and social situation in Bulgaria – for example, a per capita annual income of 2,255 Euro for 2003, which, after adjusting for differences in purchasing power standards, is still only 28 percent of the EU average¹¹⁰ – still presents challenges, the national system for protection is by and large functioning. Thus, funding for protection and especially for the partner NGOs will be critical, as otherwise their refugee-related activities be left in danger of collapsing.

8. The State Agency for Refugees, the UNHCR Representation in Bulgaria and their NGO partners will continue their efforts for international refugee standards implementation and EU asylum harmonisation through further capacity-building and co-operation in the following areas are needed:

¹⁰⁷ About 6 million dollars (UNHCR), 4.85 million euros (EU) and considerable amounts from the Government of Bulgaria both for relevant administrative bodies and structures and for direct assistance of refugees.

¹⁰⁸ Bulgarian Red Cross, Refugee-Migrant Service (http://www.redcross.bg/activity_ref.html); Bulgarian Helsinki Committee (<http://www.bghelsinki.org>); Caritas Bulgaria (<http://www.caritas-bg.org>); ACET (<http://www.acet-bg.org>).

¹⁰⁹ For a concise overview, see materials from 10th Anniversary of the signing of the Agreement between UNHCR and Bulgaria. Available at:

http://www.unhcr.bg/events_records/2003/handout_101203_en.pdf

¹¹⁰ "Bulgarians' low income," by Ivan Vatahov, Sofia Echo, 21-27 May 2004, p. 6

- a) Harmonising of the legislation in the asylum area, especially regarding asylum procedures;
- b) Strengthening of the infrastructure for accommodation and integration of refugees;
- c) Monitoring and examining refugee cases, especially of victims of trafficking¹¹¹ and other vulnerable groups;
- d) Working with the EU Directorates of all relevant Ministries and continued facilitation and promotion of international and EU asylum harmonization texts and related UNHCR positions. These training and awareness-raising activities will also address **recommendations in the 2003 EU Regular Report**.¹¹² Latter also mentioned a need for continued and additional support in the areas of capacity-building of the State Agency for Refugees and other refugee-related authorities; increasing reception capacity; consolidating refugee integration possibilities; as well as strengthening of the application of the accelerated refugee status determination procedure.

9. **UNHCR's policy proposals of late 2003 for the future development of EU asylum system** address issues with respect to the consequences of the application of the Dublin II Regulation¹¹³, possible overburdening of the still fragile Central European refugee systems, and other concerns for refugee protection in enlarging Europe. Balancing the obligations of the international refugee protection standards, EU acquis, and Schengen Agreement¹¹⁴ against anti-terrorist measures and national security polices will continue to be an ever-serious challenge, which will require new pro-active and substantive approaches of beton protection, that is, of solid nature.

10. **Increased cross-border** cooperation between states and other actors will be necessary to accompany the forming of the European common asylum space. So will be the engaging in discussions with European countries where asylum seekers arrive, in light of the upcoming application of the EURODAC system¹¹⁵,

¹¹¹ As exemplified in the 2002 training of law enforcement officials, more information about which can be found at:

http://www.unhcr.bg/events_records/2002/vipond_29_30/police_%20academy_en.pdf

¹¹² http://europa.eu.int/comm/enlargement/report_2003/pdf/rr_bg_final.pdf

¹¹³ Regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third country national. Available at:

http://www.ecre.org/eu_developments/responsibility/dublinreg.pdf

¹¹⁴ A 1990 agreement containing a list of compensatory measures to increase external border control for the elimination of internal borders in the EU (through visa requirements, carrier sanctions, etc.).

¹¹⁵ Designed by the European Commission in 2002 for the comparison of fingerprints of asylum applicants and certain other categories of third-country nationals in the countries linked by the EURODAC Regulation for the purpose of determining which country is responsible for examining an asylum application.

Dublin II Regulation and the “safe third country” policy¹¹⁶. Co-operation with a variety of regional and international organisations, not just the UN and EU, but also the Council of Europe and the Organisation for Security and Co-operation in Europe chaired by Bulgaria in 2004, will increasingly need to be part of the day-to-day co-operation of EU Member States, including of Bulgaria. This will constitute a new set of challenges and opportunities. None of the new requirements - for new visa regimes, new trade barriers, migration issues, etc. – can be handled by any one country alone, but will increasingly need a regional approach.

11. In the context of the regional dimension of future challenges, **strategies** Bulgaria looks to develop for further implementing solutions of refugee problems in a comprehensive manner considering the complexities in today’s and tomorrow’s refugee world. Latter will need appropriate forms of complimentary protection in order to cover the whole range of refugee protection needs at the national level, including local integration, voluntary repatriation, resettlement and effective solution for those found not in need of international protection.¹¹⁶ Integration of refugees will also be a priority to help prevent secondary movements to and within EU countries.

12. Finally, it is planned to follow up on this joint report covering the first ten-years of the building of the national system for refugee protection with a **Joint 2004 Annual Report** of the State Agency for Refugees and the UNHCR Representation, in cooperation with the relevant partners. This annual report is planned to be prepared and presented on the occasion of the 2005 World Refugee Day, with the intention to become a tradition and a tool for further facilitation of policy formulation, fund-raising, institutional co-operation and public information in Bulgaria.

(http://europa.eu.int/comm/justice_home/fsj/asylum/fingerprints/fsj_asylum_fingerprints_en.htm) The policy advises that asylum seekers who have travelled through countries deemed as “safe-third countries” (fulfilling special criteria) should be returned in the last “safe” country they travelled through and encouraged to apply for asylum there.

¹¹⁶ Developing such strategies, will also include that Bulgaria would implement specific EU refugee programmes, such as the European Refugee Fund, worth 216 million euro, which has been created by the European Commission to foster solidarity between Member States, to promote balance in the efforts they make in receiving asylum seekers, refugees and displaced persons, to finance pilot initiatives and exchanges between Member States and may also be used to finance emergency measures to provide temporary protection in the event of mass influx of refugees, see:

http://europa.eu.int/comm/justice_home/funding/refugee/wai/funding_refugee_en.htm

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 - 9.5. References on General Refugee Matters:**
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5. **Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Trans-national Organised Crime**
6. **Declaration on Territorial Asylum from 14 December 1967**
7. **Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live, 13 December 1985**
8. **Convention on the Reduction of Statelessness, 30 August 1961**
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14. **International Covenant on Economic, Social and Cultural Rights from 16 December 1966**
15. **International Convention on Elimination of All Forms of Racial Discrimination from 12 December 1965**
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Doc Symbol: WPNo. 32

71. October 2000 | PDF

Repatriation as peacebuilding and reconstruction: the case of northern Mozambique, 1992-1995, Olaf Tataryn Juergensen

Doc Symbol: WPNo. 31

72. October 2000 | PDF

Human rights and refugees: enhancing protection through international human rights law, Brian Gorlick

Doc Symbol: WPNo. 30

73. August 2000 | PDF

Are refugee camps good for children?, Barbara Harrell-Bond

Doc Symbol: WPNo. 29

74. August 2000 | PDF

Africa's refugees: patterns, problems and policy challenges, Jeff Crisp

Doc Symbol: WPNo. 28

75. August 2000 | PDF

Towards a common European migration and asylum policy?, Colleen Thouez

Doc Symbol: WPNo. 27

76. July 2000 | PDF

Refugee involvement in political violence: quantitative evidence from 1987-1998, Sarah Kenyon Lischer

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77. July 2000 | PDF

Conflict, displacement and reintegration: household survey evidence from El Salvador, Sarah Gammage and Jorge Fernandez

Doc Symbol: WPNo. 25

78. July 2000 | PDF

Humanitarian agendas, state reconstruction and democratisation processes in war-torn societies, David Moore

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79. July 2000 | PDF

The role of African regional and sub-regional organisations in conflict prevention and resolution, Abiodun Alao

Doc Symbol: WPNo. 23

80. July 2000 | PDF

International refugee aid and social change in northern Mali, Stefan Sperl
Doc Symbol: WPNo. 22

81. July 2000 | PDF
'Return is struggle, not resignation': lessons from the repatriation of
Guatemalan refugees from Mexico, Steffanie Riess
Doc Symbol: WPNo. 21

82. July 2000 | PDF
Forced migration and the evolving humanitarian regime, Susan F. Martin
Doc Symbol: WPNo. 20

83. June 2000 | PDF
Negotiating humanitarian access in Angola: 1990 - 2000, Anna Richardson
Doc Symbol: WPNo. 18

84. June 2000 | PDF
Refugee identities and relief in an African borderland: a study of northern
Uganda and southern Sudan, Jozef Merckx
Doc Symbol: WPNo. 19

85. February 2000 | PDF
Access to safety? Negotiating protection in a Central Asian emergency, Arafat
Jamal
Doc Symbol: WPNo. 17

86. December 1999 | PDF
A state of insecurity: the political economy of violence in refugee-populated
areas of Kenya, Jeff Crisp
Doc Symbol: WPNo. 16

87. December 1999 | PDF
Returning refugees or migrating villagers? Voluntary repatriation programmes
in Africa reconsidered, Oliver Bakewell
Doc Symbol: WPNo. 15

88. December 1999 | PDF
Aiding peace ... and war: UNHCR, returnee reintegration, and the relief-devel-
opment debate, Joanna Macrae
Doc Symbol: WPNo. 14

89. July 1999 | PDF
Partnerships in the protection of refugees and other people at risk: emerging

issues and work in progress, Larry Minear

Doc Symbol: WPNo. 13

90. June 1999 | PDF

“Who has counted the refugees?” UNHCR and the politics of numbers, Jeff Crisp

Doc Symbol: WPNo. 12

91. June 1999 | PDF

Changing opportunities: refugees and host communities in western Tanzania, Beth Elise Whitaker

Doc Symbol: WPNo. 11

92. June 1999 | PDF

Deflecting international protection by treaty: bilateral and multilateral accords on extradition, readmission and the inadmissibility of asylum requests, Karin Landgren

Doc Symbol: WPNo. 10

93. June 1999 | PDF

Angry young men in camps: international assistance and changing hierarchies of authority amongst Burundian refugees in Tanzania, Simon Turner

Doc Symbol: WPNo. 9

94. May 1999 | PDF

The humanitarian operation in Bosnia, 1992-95: the dilemmas of negotiating humanitarian access, Mark Cutts

Doc Symbol: WPNo. 8

95. May 1999 | PDF

Policy challenges of the new diasporas: migrant networks and their impact on asylum flows and regimes, Jeff Crisp

Doc Symbol: WPNo. 7

96. May 1999 | PDF

Responding to the arrival of asylum seekers: control and protection in asylum procedures, Jens Vedsted-Hansen

Doc Symbol: WPNo. 6

97. May 1999 | PDF

The end of asylum? The changing nature of refugee policies in Africa, Bonaventure Rutinwa

Doc Symbol: WPNo. 5

98. May 1999 | PDF

Rejected asylum seekers: the problem of return, Gregor Noll

Doc Symbol: WPNo. 4

99. May 1999 | PDF

The evolution of US immigration and refugee policy: public opinion, domestic politics and UNHCR, Michael J. McBride

Doc Symbol: WPNo. 3

100. May 1999 | PDF

From resettlement to involuntary repatriation: towards a critical history of durable solutions, B. S. Chimni

Doc Symbol: WPNo. 2

101. May 1999 | PDF

Globalization and the dynamics of international migration: implications for the refugee regime, Sarah Collinson

Doc Symbol: WPNo. 1

9.7. Specialised Journals and Publication of Research

Academic Journals

1. **International Journal of Refugee Law** / Gilbert, G. (ed.). – Oxford (United Kingdom): Oxford University Press
Quarterly
ISSN: 0953-8186
www.ijrl.oupjournals.org
2. **Journal of Refugees Studies** / Black, R.; Van Selm, J. (eds). – Oxford (United Kingdom): Oxford University Press, in association with the Refugee Studies Centre, University of Oxford
Quarterly
ISSN: 0951-6328
www.jrs.oupjournals.org
3. **New issues in Refugee Research: UNHCR Working Papers** / United Nations High Commissioner for Refugees. – Geneva: UNHCR
ISSN: 1020-7473
www.unhcr.ch

4. **Refugee Survey Quarterly** / Bijleved, A.-W. (ed.). – Oxford (United Kingdom): Oxford University Press, produced by the United Nations High Commissioner for Refugees
Quarterly
ISSN: 1020-4067
www.rsq.oupjournals.org
5. **World Refugee Survey** / U.S. Committee for Refugees. – Washington (DC): U.S. Committee for Refugees
Annual
ISSN: 0197-5439

10.1.**Annex I****Key Milestones of Developing the National System for Refugee Protection (1992 – 2003)**

The **key milestones** of the impact of UNHCR's ten-year work – since its branch office in Bulgaria was opened on 15 May 1992 and the Country Agreement with the Government of Bulgaria was signed on 22 July 1993 – on the development of the Bulgarian asylum system include the following:

1992

1. **Establishment** of UNHCR presence;
2. **Establishment** of National Bureau for Territorial Asylum and Refugees (NBTAR) with the Council of Ministers;¹¹⁷

1993

3. **Full ratification** of 1951 Convention and 1967 Protocol;
4. **Establishment** of NGO social counselling services at the Bulgarian Red Cross;¹¹⁸
5. UNHCR Country Agreement signed with the Republic of Bulgaria on 22 July 1993;

1994

6. **Ordinance** on Granting and Regulating of Refugee Status;

1995

7. **Establishment** of NGO legal counselling services (1995) at the Bulgarian Helsinki Committee;¹¹⁹
8. **First** recognition of a refugee by the Government, before by UNHCR under the mandate;

1996

9. **Establishment** of legal network through the Bulgarian Helsinki Committee;
10. **First** integration assistance (UNHCR-funded);
11. **First** appeal cases heard and positively decided by the Supreme Administrative Court;¹²⁰
12. **First** jurisprudence on asylum issues at the Supreme Administrative Court;

¹¹⁷ <http://www.government.bg/English/1182.html>

¹¹⁸ <http://www.redcross.bg/>

¹¹⁹ <http://www.bghelsinki.org/>

¹²⁰ <http://www.sac.government.bg/>

1997

13. **Establishment** of border transit facilities for asylum seekers through NGOs, closed early 2000;
14. **GoB** took over 25% of asylum seekers care and maintenance costs from UNHCR for the first time;
15. **Establishment** of an Integration Centre for Refugee Women under UNHCR special programme;

1998

16. **Handling** of the first significant number of arrivals through land borders;
17. **Agreement** on co-operation in the field of training of MoI officials in refugee matters signed between UNHCR and the Policy Academy of the Ministry of Interior;¹²¹

1999

18. **A measurable** improvement of media attitude and coverage of refugee issues, established through a survey;
19. **Enactment** of the first national refugee law, in which UNHCR's comments were barely reflected;
20. **Establishment** of the Agency for Refugees (replacing NBTAR);

2000

21. **Rules** of Procedure of the Agency for Refugees adopted by the Council of Ministers;
22. **The Council of Ministers** adopted the National Action Plan (July 2000);
23. **GoB** committed to cover about 50% asylum seekers care costs (the remaining part – UNHCR);

2001

24. **The Council of Ministers** established a Registration Centre (capacity to accommodate 500 asylum seekers with a staff of 22) and an Integration Centre for Refugees (staff of nine) at the Agency for Refugees in Sofia (Decree No. 123 of 14 May 2001);
25. **The Prime Minister** established the Temporary Inter-Agency Coordination Council (in case of a mass influx (Decree No. P-28, Sofia of 14 June 2001);
26. **The Government and UNHCR BO Sofia**, after 2 months of work, finalized the Contingency Plan in case of a refugee influx from FYROM;
27. **In line** with the conclusions of the International Conference on the Program for the Integration of Refugees of 17-18 October 2000, the Government set up the Working Group on Refugee Integration;

¹²¹ <http://www.vipond.mvr.bg>

28. **The Council of Europe** co-hosted with the Agency for Refugees and UNHCR BO Sofia the International Expert Meeting for developing the Strategy for Housing of Refugees;
29. **The National Service Border Police** of the MoI became UNHCR's Implementing Partner;
30. **The National Task Force on Refugees**, in consultation with UNHCR BO Sofia, achieved a broad consensus for the revision of the 1999 Refugee Law (in its first full meeting on 31 May 2001)
31. **The Parliament** started to host UNHCR BO Sofia initiated bi-annual Round Tables on Bulgaria's EU Accession, European Harmonization and International Refugee Protection (1st RT December 2000;¹²² 2nd RT April 2001;¹²³ 3rd RT October 2001;¹²⁴ 4th RT May 2002;¹²⁵ 5th RT October 2002;¹²⁶ 6th RT 7 March 2003;¹²⁷ 7th RT 10 December 2003¹²⁸)
32. **UNHCR BO Sofia** initiated and hosted most of the meetings of the working group, the sub working group, and the National Task Force on Refugees for the revision of the 1999 Refugee Law and the draft law with the active involvement of UNHCR BO Sofia; the draft law was approved by the Council of Ministers on 6 December 2001, submitted to Parliament for approval, and adopted on 16 May 2002 after about 14 sessions in which UNHCR BO Sofia actively participated with lobbying and negotiating;
33. **Publication** of the Collection of speeches and refugee documents from the International Conference on the Program for Integration of Refugees in Bulgaria (in Bulgarian and English);¹²⁹
34. **Standardization** of UNHCR BO Sofia's web site in Bulgarian and English-with UNHCR's web site;

2002

35. **Signing** the jointly agreed Plan of Action, on behalf of refugee children, with the Chairperson of the State Agency for Child Protection;¹³⁰
36. **Signing** the jointly agreed Plan of Action concerning social protection of refugees and asylum seekers in Bulgaria with the Deputy PM of Bulgaria and Minister of Labor and Social Policy;¹³¹
37. **Signing** the jointly agreed Plan of Action, with the Academy of MoI, concerning cooperation in refugee matters in the context of human rights, train-

¹²² http://www.unhcr.bg/round_tables/firsr_14_12_00/index.htm

¹²³ http://www.unhcr.bg/round_tables/second_10_04_01/index.htm

¹²⁴ http://www.unhcr.bg/round_tables/third_24_10_01/index.htm

¹²⁵ http://www.unhcr.bg/round_tables/fourth_14_05_02/index.htm

¹²⁶ http://www.unhcr.bg/round_tables/fifth_10_12_02/index.htm

¹²⁷ http://www.unhcr.bg/round_tables/sixth_07_03_03/index.htm

¹²⁸ http://www.unhcr.bg/events_records/2003/handout_101203_en.pdf

¹²⁹ <http://www.unhcr.bg/conference/index.htm>

¹³⁰ http://www.unhcr.bg/sa_plans_action/sacp_en.pdf

¹³¹ http://www.unhcr.bg/sa_plans_action/mlsp_en.pdf

- ing of law enforcement officials in refugee and human rights law, and co-operation in the specialization of Academy professors in the field of refugees;
38. **Establishing** the Council of Refugee Women in Bulgaria for self-help and refugee adaptation and integration support activities in close co-operation with the Bulgarian Red Cross;
 39. **The UNHCR BO Sofia** initiated a Task Force on EU asylum harmonization and bi-annual meetings with the participation of representatives of the Council of Ministers, MoI, MoJ, SAR, NGO implementing partners, the Institute of Public Administration and European Integration, MLSP, the academic community, with a view to working closely with the EU Presidencies and following the work programs and achievements in the field of EU asylum harmonization and its application at the national level.
 40. **The National Assembly adopted the Law on Asylum and Refugees (LAR)**¹³² on 16 May 2002, published in the State Gazette on 31 May 2002 and effective as from 1 December 2002. With LAR, harmonisation with the international and European legislation in the area of access to the refugee status determination procedure, and the refugee reception, care and integration policy has been achieved. If implemented properly with UNHCR Representation support, LAR is in compliance with the 1951 Geneva Convention Related to the Status of Refugees, as well as the EU *acquis* in the field of asylum (see UNHCR Comments)¹³³.
 41. **Amendment of the Law on Health insurance** stipulating access to national healthcare services for asylum seekers after registration;
 42. **Amendment to the Law on Employment Promotion** stipulating that humanitarian status holders do not need a working permit;
 43. **Amendment to the Law on Social Assistance** to include humanitarian status holders amongst beneficiaries;

2003

44. **Refugee children** started receiving child benefits on the basis of the National Insurance Institute's administrative instruction No. 91/ 01/91 dated 9 April 2003;
45. **Official appointment** of legal representation for unaccompanied asylum-seeking children by the Chairman of SAR during the refugee procedure;
46. **UNHCR Representation set up** an Inter-Agency Ministerial Standing Committee on Voluntary Repatriation (Afghanistan and Iraq);
47. **Opening**, on the premises of the SAR, a reception office for advisory services to asylum-seekers and refugees rendered by BHC, BRC, Caritas and CRW on behalf of UNHCR;
48. **Signing** the jointly agreed Plan of Action between New Bulgarian University,

¹³² http://www.unhcr.bg/bglaw/en/ukaz_162_en.pdf

¹³³ http://www.unhcr.bg/bglaw/en/unhcr_comments_lar2002_en.pdf

SAR and UNHCR on teaching and research in refugee and migration-related issues¹³⁴ and Launching of the Regional Centre of Refugee, Migration and Ethnicity Studies (CRMES);

- 49. Co-ordinating the Second NATO/UNHCR training and simulation exercise in NATO Co-operative Key 2003** with a scenario of 20,000 refugees in Plovdiv for some 80 refugee workers from the GoB and the NGO community and UNHCR Representation (2-12/9/03);
- 50. Invitation by the Agency for Child Protection to UNHCR BO Sofia** to become an associated member of the Inter-Ministerial National Council for Child Protection in Bulgaria (2 October 2003);
- 51. Co-ordinating the UNHCR Refugee Emergency training component of the NATO / PFP Exercise;**
- 52. Awards of Excellency in Refugee Journalism;**
- 53. GOB adopted the Integration package for recognised refugees to assist their integration in Bulgaria.**

¹³⁴ http://www.unhcr.bg/sa_plans_action/nbu_sar_en.pdf

10.2.**Annex II
Statistics**

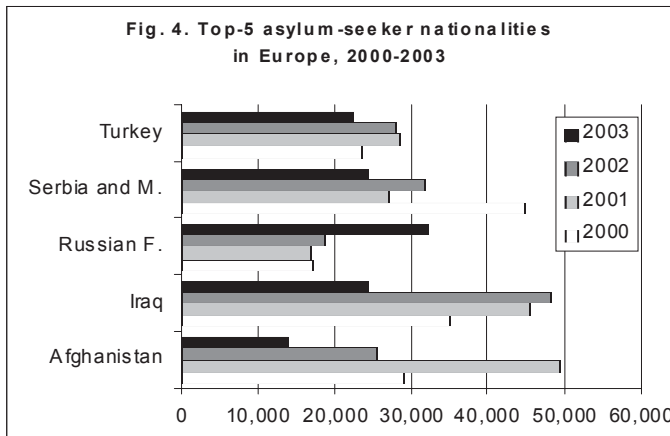
1. Estimated Number of Persons of Concern who fall under the Mandate of UNHCR – 1st January 2003
2. Top – 5 asylum-seeker nationalities in Europe, 2000–2003
3. Asylum claims submitted in the European Union, 1990–2003
4. New Asylum Applications submitted in 31 European Countries and Canada, 1993–2003 (table)
5. New Asylum Applications submitted in 31 European Countries and Canada, 1993–2003 (graph)
6. 10 Major Nationalities of Asylum Applicants by Asylum Country, 2003
7. Asylum Applications in Central (Enlarging) Europe, 1993–2003 (table)
8. Asylum Applications in Central (Enlarging) Europe, 1993–2003 (graph)
9. Asylum Applications in Central (Enlarging) Europe Submitted per 1,000 Inhabitants
10. Trends in Asylum Applications in Bulgaria, 1993–2003
11. Countries of Origin of Asylum Applicants in Bulgaria, 1993–2003
12. Total Number of Decisions on Asylum Applications in Bulgaria, 1993–2003 of a Cumulative 13,685 (numbers)
13. Total Number of Decisions on Asylum Applications in Bulgaria, 1993–2003 of a Cumulative 13,685 (percentages)
14. Substantive Decisions Taken on Asylum Applications, 1993–2003, Total no. = 7,758 (only 1951 Convention Status, Humanitarian Status, Rejections)

1. Estimated Number of Persons of Concern who fall under the Mandate of UNHCR – 1st January 2003



Source: <http://www.unhcr.ch/cgi-bin/texis/vtx/statistics>

2. Top Five Asylum-seeker Nationalities in Europe, 2000-2003



Source: Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003, 24 February 2004, Population Data Unit/PGDS, Division of Operational Support, UNHCR Geneva, p. 5

3. Asylum Claims Submitted in the European Union, 1990-2003

Asylum claims submitted in the European Union, 1990-2003			
Country	Total	Share	Per 1,000 population
Sweden	349,700	6.6%	39.4
Austria	249,800	4.7%	30.8
Belgium	283,400	5.3%	27.5
Netherlands	433,500	8.1%	27.0
Germany	2,168,000	40.7%	26.3
Denmark	117,900	2.2%	22.0
Luxembourg	9,700	0.2%	21.7
Ireland	59,300	1.1%	15.2
UK	851,930	16.0%	14.4
France	485,700	9.1%	8.1
Finland	29,600	0.6%	5.7
Greece	47,000	0.9%	4.3
Spain	113,100	2.1%	2.8
Italy	118,800	2.2%	2.1
Portugal	6,400	0.1%	0.6
Total	5,323,830	100.0%	14.0

Source: Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003, 24 February 2004, Population Data Unit/PGDS, Division of Operational Support, UNHCR Geneva, p.5

4. New Asylum Applications Submitted in 31 European Countries and Canada 1993-2003

	Country of asylum	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	Total	% of EUR total
1	Austria	4 745	5 082	5 919	6 991	6 719	13 805	20 096	18 284	30 135	39 354	32 359	183 489	3,92%
2	Belgium	26 882	14 353	11 420	12 433	11 788	21 965	35 780	42 691	24 549	18 805	16 940	237 606	5,08%
3	Bulgaria	276	561	451	283	429	834	1 349	1 755	2 428	2 888	1 549	12 803	0,27%
4	Canada	20 292	22 006	26 072	26 120	22 584	23 838	29 993	34 252	44 038	39 498	31 937	320 030	6,84%
5	Cyprus	-	-	109	101	92	225	789	651	1 766	951	4 411	9 095	0,19%
6	Czech Rep.	2 207	1 187	1 417	2 211	2 109	4 085	7 220	8 788	18 094	8 484	11 396	67 198	1,44%
7	Denmark	14 347	6 651	5 104	5 893	5 092	9 370	12 331	12 200	12 512	6 068	4 593	94 161	2,01%
8	Estonia	-	-	-	-	-	23	21	3	12	9	14	82	0,00%
9	Finland	2 023	839	854	711	973	1 272	3 106	3 170	1 651	3 443	3 221	21 263	0,45%
10	France	27 564	25 964	20 415	17 405	21 416	22 375	30 907	38 747	47 291	51 087	59 768	362 939	7,76%
11	Germany	322 599	127 210	127 937	116 367	104 353	98 644	95 113	78 564	88 287	71 127	50 563	1 280 764	27,38%
12	Greece	813	1 303	1 312	1 643	4 376	2 953	1 528	3 083	5 499	5 664	8 178	36 352	0,78%
13	Hungary	468	207	130	152	209	7 097	11 499	7 801	9 554	6 412	2 401	45 930	0,98%
14	Iceland	3	-	5	4	6	19	17	24	52	117	80	327	0,01%
15	Ireland	91	362	424	1 179	3 883	4 626	7 724	11 096	10 325	11 634	7 900	59 244	1,27%
16	Italy	1 647	1 786	1 732	675	1 858	11 122	33 364	15 564	9 620	7 281	...	84 649	1,81%
17	Latvia	-	-	-	-	-	58	19	4	14	30	5	130	0,00%
18	Liechtenstein	-	-	-	-	-	228	515	11	112	96	101	1 063	0,02%
19	Lithuania	-	-	-	-	320	163	133	199	256	294	183	1 548	0,03%
20	Luxembourg	-	-	394	263	431	1 709	2 921	621	687	1 042	1 549	9 617	0,21%
21	Malta	-	-	148	75	65	165	85	71	116	350	588	1 643	0,04%
22	Netherlands	35 999	52 573	29 258	22 170	34 443	45 217	42 733	43 895	32 579	18 667	13 402	370 336	7,92%
23	Norway	12 876	3 379	1 460	1 778	2 271	8 373	10 160	10 842	14 782	17 480	15 959	99 360	2,12%
24	Poland	819	598	843	3 211	3 533	3 373	2 955	4 589	4 506	5 153	6 921	36 501	0,78%
25	Portugal	2 090	767	457	270	297	365	307	224	234	245	88	5 344	0,11%
26	Romania	928	647	634	588	1 425	1 236	1 670	1 366	2 431	1 151	1 077	13 153	0,28%
27	Slovakia	96	140	359	415	645	506	1 320	1 556	8 151	9 700	10 358	33 246	0,71%
28	Slovenia	11	30	6	38	72	499	867	9 244	1 511	702	1 100	14 080	0,30%
29	Spain	12 615	11 992	5 678	4 730	4 975	6 654	8 405	7 926	9 489	6 309	5 767	84 540	1,81%
30	Sweden	37 583	18 640	9 047	5 753	9 662	12 844	11 231	16 303	23 515	33 016	31 348	208 942	4,47%
31	Switzerland	24 739	16 134	17 021	18 001	23 982	41 302	46 068	17 611	20 633	26 125	20 806	272 422	5,83%
32	United Kingdom	28 000	42 200	55 000	37 000	41 500	58 500	91 200	98 900	91 600	103 080	61 051	708 031	15,14%
	Total	579 113	354 611	323 606	286 460	309 508	403 445	510 826	490 035	516 429	496 262	405 593	4 675 888	100%

Notes

A dash (-) indicates that the value is zero or not available.

Cyprus: Data for 1993-2001 refer to asylum applications lodged under the UNHCR mandate.

Denmark: Data for 1993-1997 refers to "net application figure".

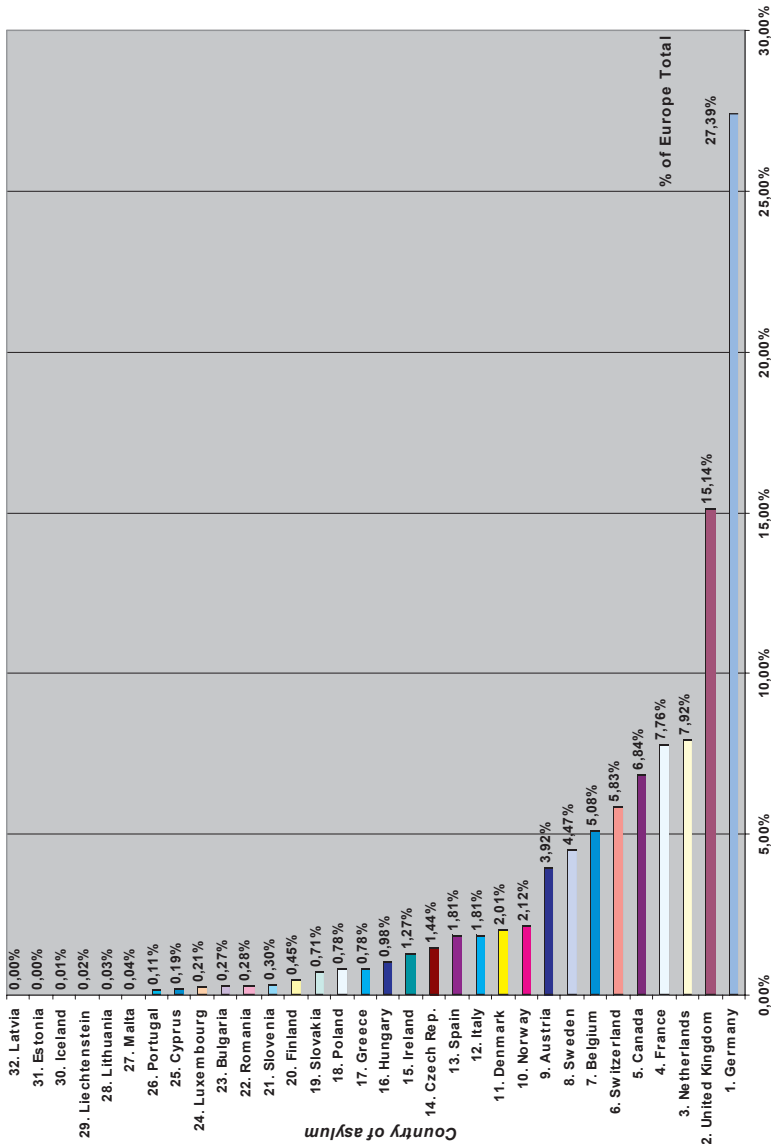
France: Data for 1993-2002 excludes applications lodged by minors.

Italy: No data for 2003 available. Hungary: Excludes applications lodged under the UNHCR mandate (1993-1998).

Netherlands: Applications in 1999 include 3,434 applications submitted by persons from Kosovo under the Humanitarian Evacuation Programme.

Source: Governments; compiled by Population Data Unit, UNHCR Geneva and received by UNHCR Representation in Bulgaria, May 2004.

5. New Asylum Applications Submitted in 31 European Countries and Canada 1993-2003



Source: Data – Governments; compiled by Population Data Unit, UNHCR Geneva and received by UNHCR Representation in Bulgaria, May 2004; Graph prepared by UNHCR Representation in Bulgaria.

6. Ten Major Nationalities of Asylum Applicants by Asylum Country, 2003

10 major nationalities of asylum applicants by asylum country, 2003

Values between 1 and 4 have been replaced with an asterisk.

Australia	Total	Austria	Total	Belgium	Total	Bulgaria	Total	Canada	Total
China	813	Russian Federation	6 715	DR Congo	1 778	Afghanistan	525	Pakistan	3 944
India	601	Turkey	2 839	Russian Federation	1 680	Iraq	211	Mexico	2 601
Indonesia	230	India	2 823	Serbia and M.	1 280	Armenia	196	Colombia	2 011
Rep. of Korea	215	Serbia and M.	2 518	Islamic Rep. of Iran	1 153	Algeria	155	Costa Rica	1 834
Malaysia	184	Afghanistan	2 359	Cameroon	625	Islamic Rep. of Iran	97	China	1 750
Thailand	179	Nigeria	1 845	Turkey	618	Nigeria	94	Sri Lanka	1 239
Sri Lanka	166	Georgia	1 520	Rwanda	450	Somalia	57	India	1 114
Fiji	164	Iraq	1 433	Algeria	400	Stateless	55	United States	1 017
Iraq	131	Rep. of Moldova	1 175	Slovakia	390	Turkey	44	Bangladesh	676
Bangladesh	120	Armenia	1 113	Togo	365	India	17	Nigeria	641
Czech Rep.	Total	Denmark	Total	Finland	Total	France (excl. Dec.)	Total	Germany	Total
Russian Federation	4 852	Serbia and M.	743	Serbia and M.	561	Turkey	6 143	Turkey	6 235
Ukraine	2 043	Afghanistan	653	Russian Federation	287	China	4 587	Serbia and M.	4 866
Slovakia	1 055	Iraq	438	Bulgaria	286	DR Congo	4 046	Iraq	3 895
China	853	Somalia	373	Turkey	183	Algeria	2 125	Russian Federation	3 389
Viet Nam	566	Russian Federation	269	Croatia	173	Mauritania	2 118	China	2 395
Georgia	320	Bosnia and H.	229	Iraq	149	Russian Federation	1 986	Viet Nam	2 101
Belarus	260	Islamic Rep. of Iran	159	Romania	107	Sri Lanka	1 747	Islamic Rep. of Iran	2 053
Rep. of Moldova	191	Occ. Palest. Terr.	153	Somalia	90	Congo	1 629	India	1 739
India	168	Bulgaria	134	Slovakia	85	Rep. of Moldova	1 569	Afghanistan	1 467
Iraq	104	Turkey	106	FYR Macedonia	79	Serbia and M.	1 563	Azerbaijan	1 302
Greece	Total	Hungary	Total	Ireland	Total	Japan	Total	Liechtenstein	Total
Iraq	2 879	Afghanistan	469	Nigeria	3 110	Myanmar	111	FYR Macedonia	25
Pakistan	703	Iraq	348	Romania	691	Turkey	77	Serbia and M.	23
Islamic Rep. of Iran	632	Georgia	205	DR Congo	256	Islamic Rep. of Iran	24	Russian Federation	17
Afghanistan	593	Islamic Rep. of Iran	170	Rep. of Moldova	244	China	22	Ukraine	6
Nigeria	468	Turkey	125	Somalia	183	Pakistan	12	Bosnia and H.	*
Somalia	426	Somalia	113	Ghana	180	India	12	Bulgaria	*
Myanmar	406	Serbia and M.	112	Czech Rep.	169	Cameroon	8	Belarus	*
Bangladesh	251	Russian Federation	105	China	168	Philippines	6	Kazakhstan	*
Sudan	222	Algeria	79	Croatia	164	Bangladesh	6	Czech Rep.	*
Turkey	218	Nigeria	74	Albania	142	Various countries	5	Azerbaijan	*
Luxembourg	Total	Netherlands	Total	New Zealand	Total	Norway	Total	Poland	Total
Serbia and M.	541	Iraq	3 472	Islamic Rep. of Iran	134	Serbia and M.	2 216	Russian Federation	5 581
Nigeria	86	Islamic Rep. of Iran	555	Thailand	109	Afghanistan	2 050	Afghanistan	251
Algeria	81	Afghanistan	492	Zimbabwe	72	Russian Federation	1 923	India	235
Albania	66	Somalia	451	India	72	Somalia	1 623	Pakistan	151
Russian Federation	60	Liberia	441	China	57	Iraq	971	Armenia	104
Liberia	60	Turkey	414	Iraq	39	Bosnia and H.	676	Ukraine	85
Bosnia and H.	59	Nigeria	414	Malaysia	36	Islamic Rep. of Iran	621	Iraq	75
Belarus	55	Burundi	402	Hungary	32	Stateless	379	Belarus	58
Georgia	44	Serbia and M.	393	Bangladesh	29	Ethiopia	293	Sri Lanka	32
Islamic Rep. of Iran	31	Angola	370	Chile	25	Libyan Arab Jamahiriyy	288	Georgia	30
Portugal	Total	Romania	Total	Slovakia	Total	Slovenia	Total	Spain	Total
Angola	14	Iraq	330	Russian Federation	2 663	Turkey	192	Nigeria	1 685
FYR Macedonia	9	China	205	India	1 636	Iraq	190	Algeria	680
Russian Federation	6	India	158	China	1 073	Serbia and M.	181	Colombia	524
Georgia	6	Islamic Rep. of Iran	65	Armenia	747	Islamic Rep. of Iran	88	DR Congo	268
Colombia	6	Somalia	63	Afghanistan	629	Georgia	68	Côte d'Ivoire	240
Ukraine	5	Turkey	36	Georgia	578	FYR Macedonia	67	Liberia	189
Liberia	5	Occ. Palest. Terr.	26	Rep. of Moldova	573	Algeria	66	Cameroon	178
Zimbabwe	*	Pakistan	22	Bangladesh	556	Bosnia and H.	48	Guinea	170
Cuba	*	Afghanistan	16	Iraq	479	Egypt	34	Russian Federation	138
Bulgaria	*	Syrian Arab Rep.	15	Pakistan	304	Pakistan	28	Iraq	134
Sweden	Total	Switzerland	Total	UK (cases)	Total	USA (cases)	Total	Cyprus	Total
Serbia and M.	5 305	Serbia and M.	2 991	Somalia	5 098	China	3 774	Bangladesh	2 077
Somalia	3 069	Turkey	1 661	Iraq	4 047	Colombia	3 729	Pakistan	481
Iraq	2 701	Iraq	1 451	China	3 446	Haiti	3 025	Islamic Rep. of Iran	465
Stateless	1 788	Algeria	866	Zimbabwe	3 281	Mexico	2 928	Turkey	294
Bosnia and H.	1 396	Georgia	750	Islamic Rep. of Iran	2 875	Indonesia	2 629	Russian Federation	253
Russian Federation	1 361	Bosnia and H.	743	Turkey	2 395	Guatemala	1 754	Occ. Palest. Terr.	209
Azerbaijan	1 032	Guinea	658	Afghanistan	2 292	Cameroon	1 343	Georgia	178
Belarus	901	Liberia	580	India	2 276	Venezuela	1 105	Ukraine	91
Afghanistan	811	Russian Federation	528	Pakistan	1 907	India	1 002	Armenia	54
Islamic Rep. of Iran	787	DR Congo	527	DR Congo	1 526	Ethiopia	866	Lebanon	52

Reference Book of the UNHCR Representation in Bulgaria and the State Agency for Refugees, in consultation with the MFA and the EC Delegation in Bulgaria, and in co-operation with the Bulgarian Red Cross, the Bulgarian Helsinki Committee and Caritas Bulgaria, Sofia June 2004

Estonia	Total	Iceland	Total	Lithuania	Total	Latvia	Total	Malta	Total
Russian Federation	*	Romania	16	Russian Federation	91	Georgia	*	Somalia	173
Georgia	*	Albania	11	India	25	Russian Federation	*	Liberia	71
Azerbaijan	*	Poland	5	Afghanistan	17			DR Congo	70
Ukraine	*	Uzbekistan	*	Pakistan	14			Côte d'Ivoire	43
South Africa	*	China	*	Occ. Palest. Terr.	9			Ethiopia	41
Iraq	*	Belarus	*	Stateless	6			Eritrea	37
		Iraq	*	Azerbaijan	5			Sudan	28
		Mongolia	*	Ukraine	*			Iraq	14
		Liberia	*	Viet Nam	*			Occ. Palest. Terr.	14
		Afghanistan	*	Sierra Leone	*			Turkey	11
Turkey	Total								
Islamic Rep. of Iran	3 092								
Iraq	342								
Somalia	183								
Afghanistan	77								
Sudan	64								
Ethiopia	48								
Uzbekistan	24								
Eritrea	20								
China	19								
Morocco	9								

Source: Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003, 24 February 2004, Population Data Unit/PGDS, Division of Operational Support, UNHCR Geneva, p. 25

7. Asylum Applications in Central (Enlarging) Europe 1993-2003 (table)

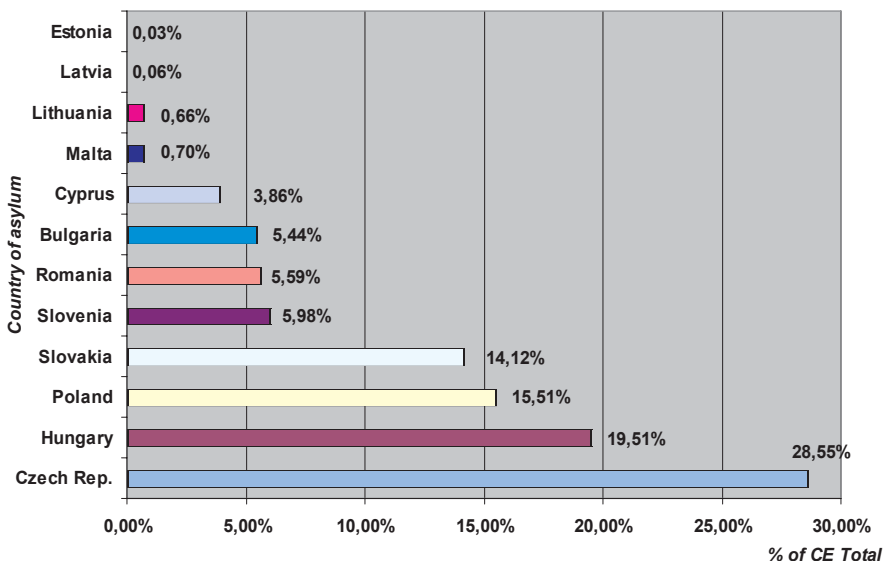
	Country of														% of CE
	asylum	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	Total	total	
1	Bulgaria	276	561	451	283	429	834	1 349	1 755	2 428	2 888	1 549	12 803	5,44%	
2	Cyprus	-	-	109	101	92	225	789	651	1 766	951	4 411	9 095	3,86%	
3	Czech Rep.	2 207	1 187	1 417	2 211	2 109	4 085	7 220	8 788	18 094	8 484	11 396	67 198	28,55%	
4	Estonia	-	-	-	-	-	23	21	3	12	9	14	82	0,03%	
5	Hungary	468	207	130	152	209	7 097	11 499	7 801	9 554	6 412	2 401	45 930	19,51%	
6	Latvia	-	-	-	-	-	58	19	4	14	30	5	130	0,06%	
7	Lithuania	-	-	-	-	320	163	133	199	256	294	183	1 548	0,66%	
8	Malta	-	-	148	75	65	165	85	71	116	350	568	1 643	0,70%	
9	Poland	819	598	843	3 211	3 533	3 373	2 955	4 589	4 506	5 153	6 921	36 501	15,51%	
10	Romania	928	647	634	588	1 425	1 236	1 670	1 366	2 431	1 151	1 077	13 153	5,59%	
11	Slovakia	96	140	359	415	645	506	1 320	1 556	8 151	9 700	10 358	33 246	14,12%	
12	Slovenia	11	30	6	38	72	499	867	9 244	1 511	702	1 100	14 080	5,98%	
	Total	4 805	3 370	4 097	7 074	8 899	18 264	27 927	36 027	48 839	36 124	39 983	235 409	100%	

Note:

With the exception of Bulgaria and Romania, which are expected to join the European Union in 2007, the countries included in the table above became members of the EU on May 1, 2004.

Source: Governments; compiled by Population Data Unit, UNHCR Geneva and received by UNHCR Representation in Bulgaria, May 2004.

8. Asylum Applications in Central (Enlarging) Europe 1993-2003 (graph)



Source: Data – Governments; compiled by Population Data Unit, UNHCR Geneva and received by UNHCR Representation in Bulgaria, May 2004; Graph prepared by UNHCR Representation in Bulgaria

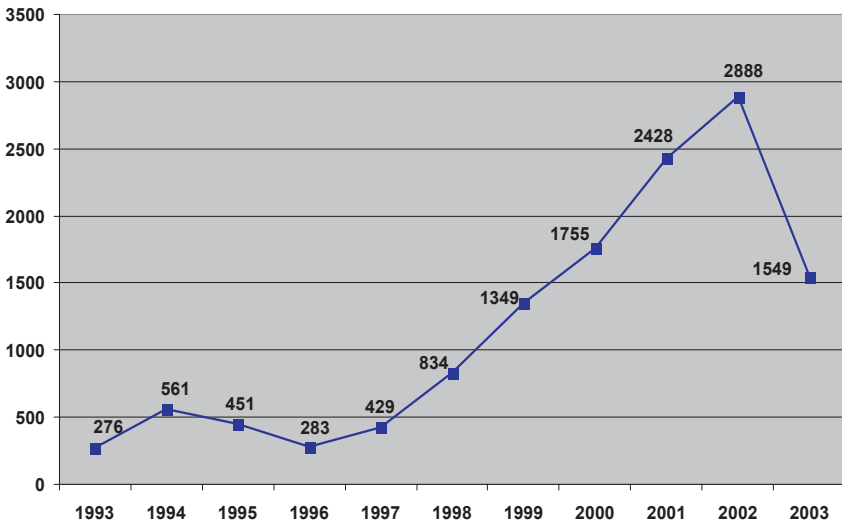
9. Asylum Applications in Central (Enlarging) Europe Submitted per 1,000 Inhabitants

Country of asylum	National population	Asylum applications, 2003	Per 1,000 inhabitants
Bulgaria	7,964,900	1549	0,194
Cyprus	795,8	4411	5,543
Czech Rep.	10,245,700	11396	1,112
Estonia	1,338,000	14	0,01
Hungary	9,922,800	2401	0,242
Latvia	2,329,100	5	0,002
Lithuania	3,465,000	183	0,053
Malta	392,6	568	1,447
Poland	38,622,100	6921	0,179
Romania	22,387,400	1077	0,048
Slovakia	5,398,200	10358	1,919
Slovenia	1,985,900	1100	0,554

Source: Data – Governments; compiled by Population Data Unit, UNHCR Geneva and received by UNHCR Representation in Bulgaria, May 2004 and Population Division, World Population Prospects: The 2002 Revision, New York, 2003. Graph prepared by UNHCR Representation in Bulgaria.

10. Trends in Asylum Applications in Bulgaria, 1993-2003

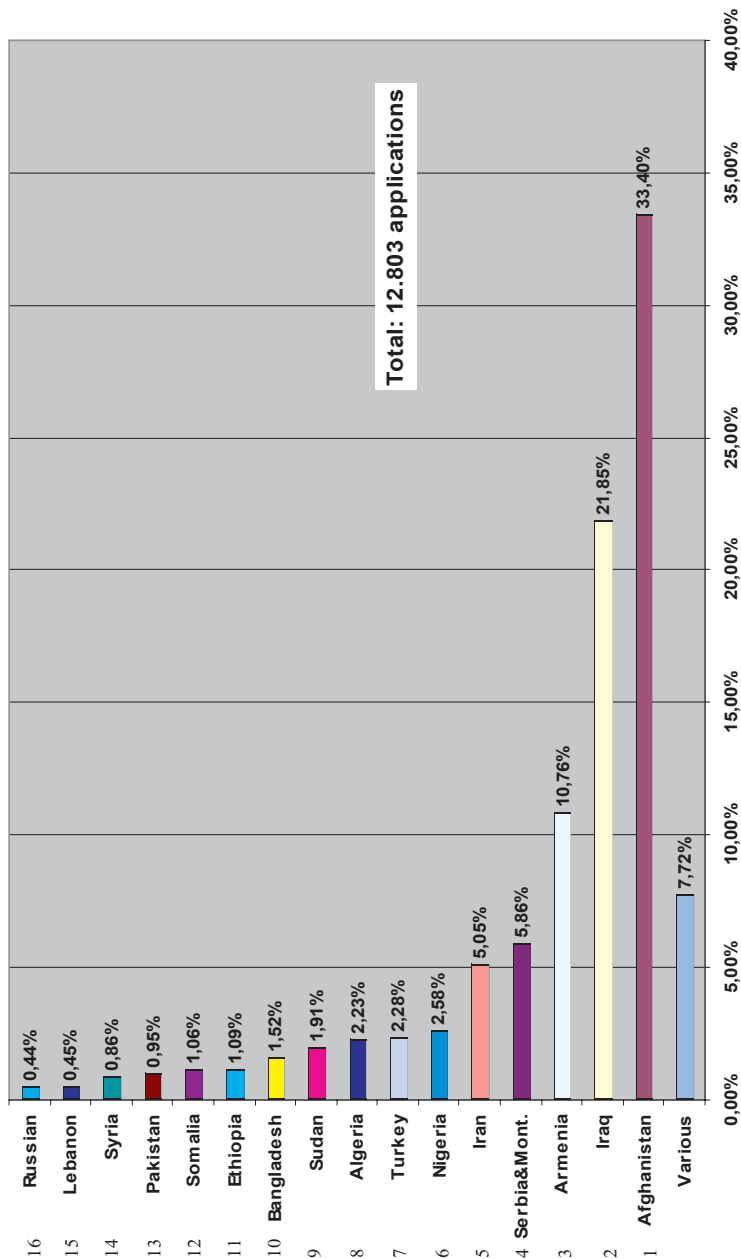
1. Asylum Applications in Bulgaria by year 01.01.1993-31.12.2003 (12,803 persons)*



*1990-1992 (210 persons) Registrad by UNHCR under its Mandate pending the establishment of the government refugee authorities

Source: Prepared by The UNHCR Representation in Bulgaria.

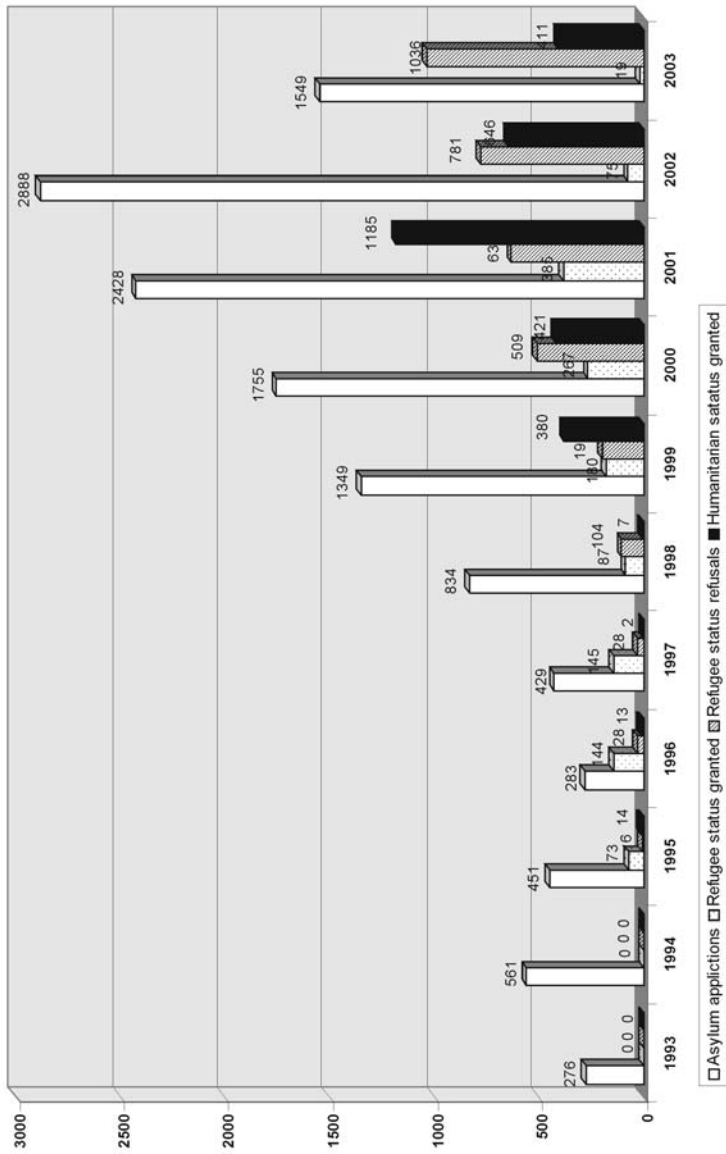
11. Countries of Origin of Asylum Applicants in Bulgaria, 1993-2003



*1990-1992 (210 persons) Registered by UNHCR under its Mandate pending the establishment of the government refugee authorities

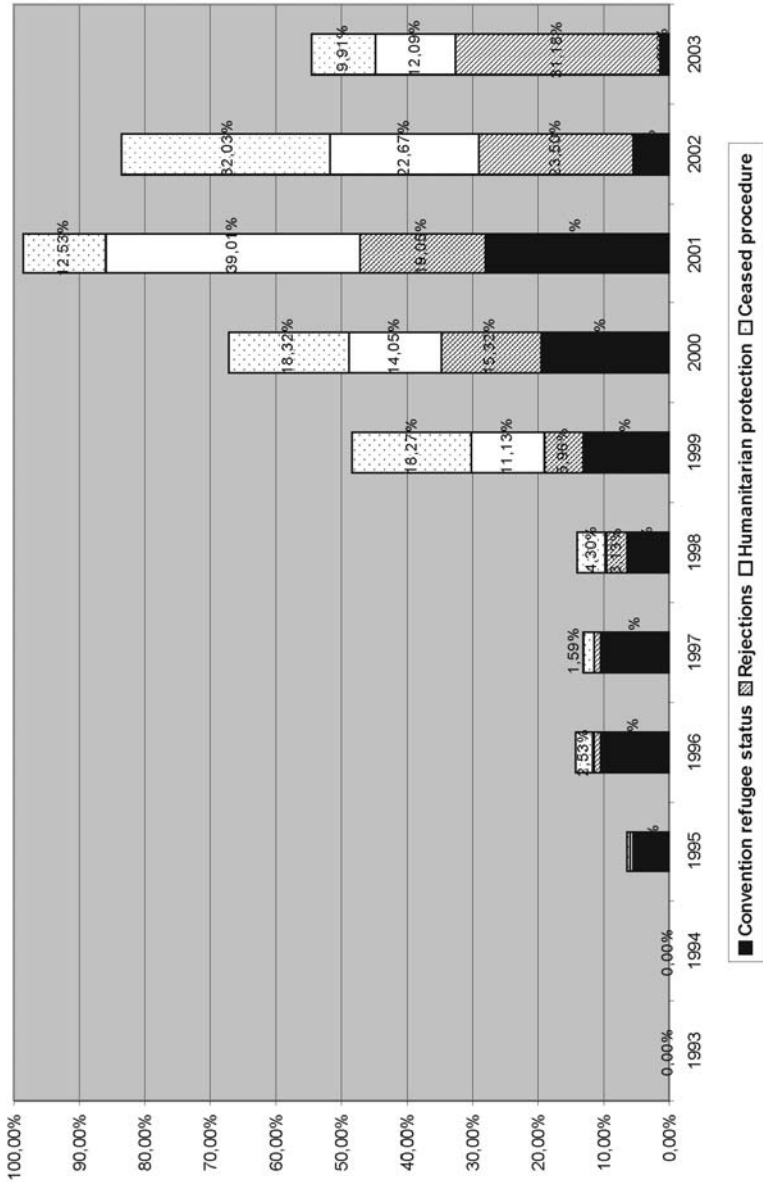
Source: Prepared by The UNHCR Representation in Bulgaria.

12. Total Number of Decisions on Asylum Applications in Bulgaria, 1993 - 2003 of a Cumulative 13,685*



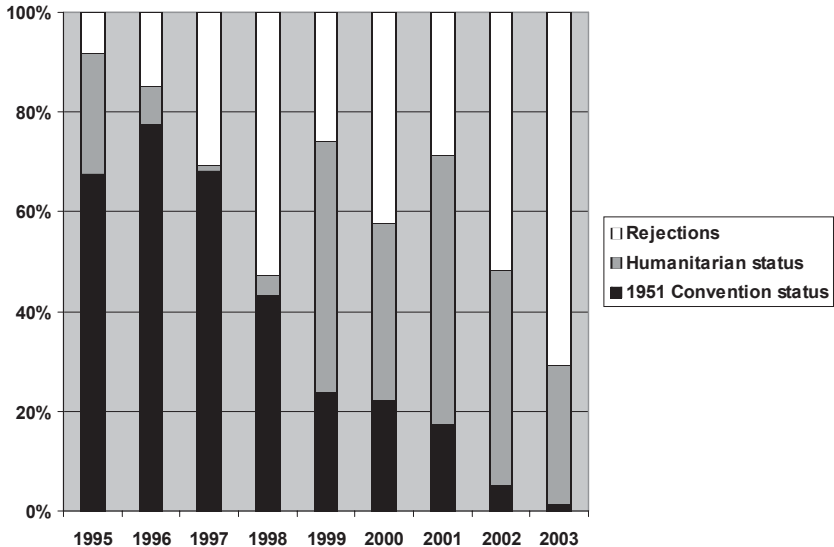
* According to the Law on Asylum and Refugees during the general and accelerated procedure, several decisions might be taken on one application (after appealing a rejection, continuing a suspended procedure, continuing of an already granted humanitarian status, etc.).
 Source: State Agency for Refugees with the Council of Ministers, 25 May 2004

13. Decisions on Asylum Applications in Bulgaria 1993-2003 of a Cumulative 13,685 *



* According to the Law on Asylum and Refugees during the general and accelerated procedure, several decisions might be taken on one application (after appealing a rejection, continuing a suspended procedure, continuing of an already granted humanitarian status, etc.).
Source: State Agency for Refugees with the Council of Ministers, 25 May 2004 Graph prepared by the UNHCR Representation in Bulgaria

14. Substantive Decisions Taken on Asylum Applications, 1993-2003, Total no. = 7,758 (only 1951 Convention Status, Humanitarian Status, Rejections)

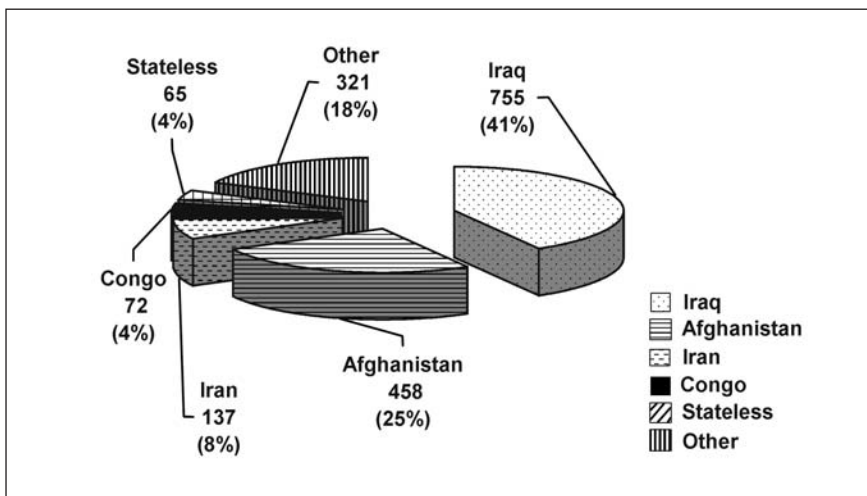


	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Asylum applications	276	561	517	302	429	833	1 331	1 755	2 428	2 888	1 549
1951 Convention status			50	145	127	87	180	267	385	75	19
Humanitarian status			18	14	2	8	380	421	1 185	645	411
Rejections			6	28	57	106	194	509	633	770	1 036
o/w closed			22	132	85	230	753	784	37	1 798	528
Total decisions excl o/w closed	-	-	74	187	186	201	754	1 197	2 203	1 490	1 466
Total decisions	-	-	96	319	271	431	1 507	1 981	2 240	3 288	1 994
Pending 31/12			1 302	1 303	1 357	1 718	1 542	1 316	1 540	1 140	695
1951 Convention status, %			67,6	77,5	68,3	43,3	23,9	22,3	17,5	5,0	1,3
Humanitarian status, %			24,3	7,5	1,1	4,0	50,4	35,2	53,8	43,3	28,0
Rejections, %			8,1	15,0	30,6	52,7	25,7	42,5	28,7	51,7	70,7
Total decisions excl o/w closed, %			100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

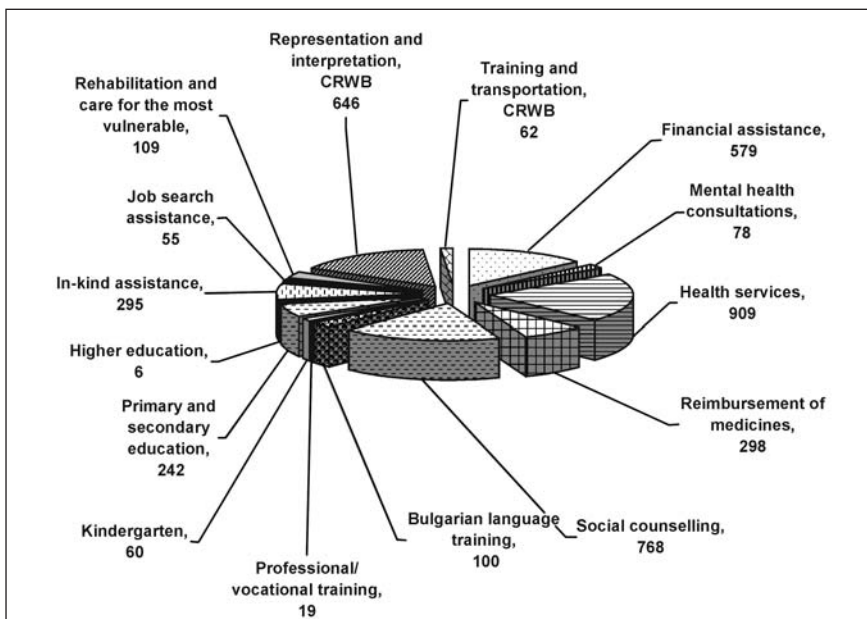
Source: State Agency for Refugees with the Council of Ministers, 25 May 2004

Graph prepared by UNHCR Headquarters, Geneva

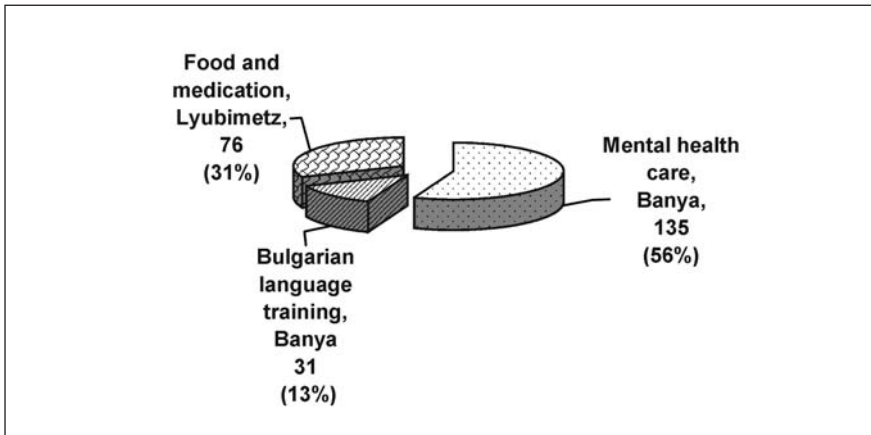
People assisted by RMS of BRC in 2003 by Country of Origin



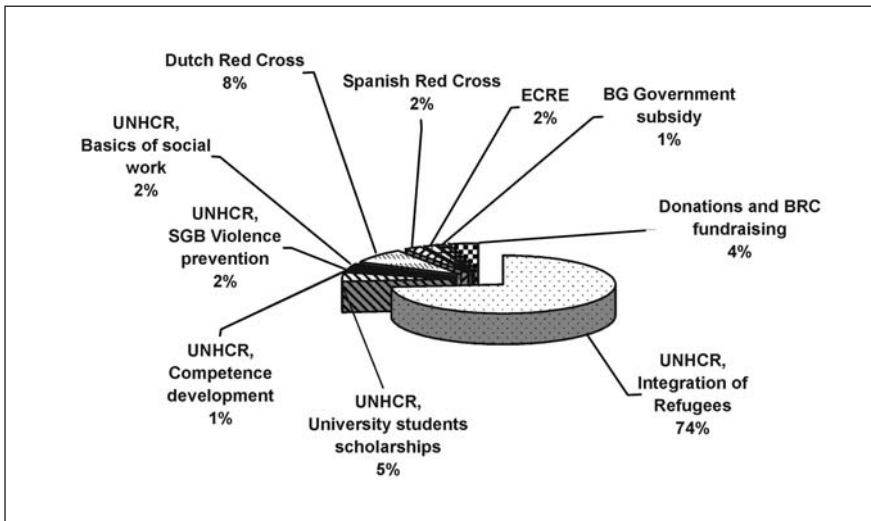
Types of assistance provided in Sofia and Plovdiv by RMS of BRC in 2003 (4,226 individual services performed)



**Types of assistance provided in the reception centres
in the village of Banya and the town of Lyubimetz
(242 individual services performed)**



Projects and Funding of RMS of BRC



Source: Bulgarian Red Cross

Prepared by BRC – Refugee-Migrant Service

Statistics updated as of December 2003

10.3.

Annex III

UNHCR's Operational Contributions to the Building of the National Asylum System in Bulgaria through Implementing Partners and Direct Implementation

The **implementation strategy** for UNHCR's programme has been to channel the financial resources, through project agreements with governmental and non-governmental implementing partners towards protection and assistance, for example in 2003 UNHCR's contribution was used for the following activities:

- a) **Domestic Needs/Household Support:** Needy asylum-seekers and refugees receive support for subsistence and accommodation, primary medical assistance, basic medical supplies, limited financial support to cover health care costs, and referral to specialised health care services, including for torture victims and their families.
- b) **Community Services:** Refugees receive integration-related assistance, social counselling and advice, sessions on cultural orientation, sexual and gender-based violence and family planning, limited financial support to recognised refugees with special needs, activities for separated children/adolescents and refugee women, psychological assistance, and empowerment of refugees through their training/coaching for community work, self-help activities and support to community initiatives with a gender and age perspective.
- c) **Education:** Support for primary and secondary education, as well as scholarships for refugee students for university education.
- d) **Legal Assistance/Protection:** Asylum seekers and refugees receive support, relating to interventions for access, legal counselling, assistance and interpreters throughout refugee procedures and legal representation in judicial appeals in court. Border monitoring activities, use of updated country of origin information, capacity and institution building activities, including training, workshops, seminars for staff working with refugees, participation of Bulgarian practitioners in regional programmes, dissemination of guidelines, coordination conferences and round tables on international and EU standards with Government and non-governmental organisations.
- e) **Agency Operational Support:** Public information activities, such as public events, newsletters, and support for operational cost of implementing partners (State Agency for Refugees, National Service Border Police, Bulgarian Red Cross, Bulgarian Helsinki Committee, Caritas Bulgaria).
- f) **Direct implementation of UNHCR's Representation** of programme activities related to legal assistance and protection and public information. UNHCR's Programme has been and will continue to be involved in support-

ting the State institutions and NGOs to develop their capacity to handle refugee matters in a manner that would eventually allow UNHCR to phase out.

Contribution illustrated in the table below (all in US \$) are adjusted over time and for public information purposes only¹³⁵:

YEAR/IP	SAR (AR, NBTAR)	National Service of the Border Police	BRC	BHC	Caritas	UNHCR Direct Implementation	State Enterprise for Recreation*)	"Help the Needy" Foundation	"Future" Foundation	TOTAL PER YEAR
1993	9 607	--	60 112	--	--	23 928	--	--	--	93 647
1994	21766	--	60 220	11 122	--	43 858	36 516	--	--	173 482
1995	37 663	--	280 606	20 128	--	43 709	--	--	--	382 106
1996	128 026	--	283 456	27 933	--	21 085	--	15 000	--	475 500
1997	126 750	--	249 553	50 799	--	58 894	--	47 606	32 598	566 200
1998	127 876	--	240 140	65 313	--	165 235	--	39 882	124 285	762 731
1999	196 696	--	187 013	73 884	--	96 201	--	--	112 490	666 284
2000	183 109	--	160 833	66 964	--	54 780	--	--	13 471	479 157
2001	204 435	40 323	106 975	52 860	36 266	105 579	--	--	--	546 438
2002	230 360	29 327	110 195	74 008	45 981	87 608	--	--	--	577 479
2003	115 290	--	129 209	101 046	44 434	86 600	--	--	--	476 579
TOTAL PER PARTNER ORG	1 381 578	69 650	1 868 312	544 057	126 681	787 477	36 516	102 488	282 844	5 199 603

*) Full board for Bosnian refugees accommodated in Velingrad.

¹³⁵ The amount of US \$ 5,199,603 does not include an estimated \$900,000 for administrative and staff costs between 1993-2003 or projects funded by the UNHCR Headquarters in Geneva or its offices in Vienna and Budapest.

10.4.**Annex IV****Significant judicial decisions of a precedent-setting nature**

Over the last ten years, a number of judicial decisions of a “precedent” relevance have been passed in the area of refugee law and practice, the most important of which are:

Supreme Administrative Court**1997**

1. Decision No. 495, dated 11.12.1997, of the Supreme Administrative Court (SAC), five-member session, rapporteur judge Marina Mihailova. The Court ruled that the request for refugee status cannot be rejected if the rejection is based only on the formal ground that the refugee failed to cooperate with the authorities by not appearing at the appointed interviews. The subsequent appearance and readiness expressed by the asylum seeker to cooperate gives an opportunity for and obliges the administrative authority to produce a decision on the substance of the appeal.
2. Decision No. 510, dated 22.12.1997, of the SAC, five-member session, rapporteur judge Vesselin Angelov. The Court ruled that when establishing the circumstance that the applicant meets the refugee definition criteria, the state has no right to choose whether to grant status or not, as it is a matter of legality and not of discretion.

1998

3. Decision No. 5471, dated 23.11.1998, of the SAC, five-member session, rapporteur judge Ivan Trendafilov. The Court ruled that the court was obliged to employ an interpreter through a translation agency, thus ensuring and guaranteeing the quality of interpretation adequate for hearing and the proper judicial interview of the rejected applicant for refugee status.

1999

4. Decision No. 2878, dated 03.06.1999, of the SAC, III department, rapporteur judge Antoaneta Arnaudova. The Court ruled that the administrative body is obliged to appoint a competent interpreter during the RSDP taking into consideration both the applicant's needs during the interview and the impediments he/she faces due to the complicated situation and the unfamiliar environment and the psychological difficulties while presenting his/her case to the authorities of a foreign country.
5. Decision No. 4421, dated 30.07.1999, of the SAC, I department, rapporteur judge Sonya Yankulova. The Court ruled that the application of the exclusion or cessation clauses – whether the applicants meets the refugee definition cri-

teria – before a decision on the merits has been passed is unlawful.

6. Decision No. 6674, dated 09.12.1999, of the SAC, II department, rapporteur judge Georgi Angelov. The Court ruled that in its decision for rejection of status the administrative body is obliged to issue a statement which is motivated with regard to the security of the country of origin where the individual is due to be returned.

2000

7. Decision No. 272, dated 21.01.2000, of the SAC, III department, rapporteur judge Antoaneta Arnaudova. The Court ruled that the state, as a party to the 1951 Convention, has no right to narrow the scope of refugee protection using as an argument new limitations, exclusion or cessation grounds which are not listed in the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol.
8. Decision No. 1901, dated 29.03.2000, of the SAC, five-member session, rapporteur judge Srebrina Hristova. The Court ruled that the absence of sufficient data and information on past persecution cannot be used as a self-sufficient ground for the rejection of refugee status, referring to the benefit of the doubt principle. (*in dubio pro fugitivo* principle)
9. Decision No. 6482, dated 26.10.2000, of the SAC, III department, rapporteur judge Vanya Puneva. The Court ruled that it is unlawful to argue the decision to refuse protection in the general RSD procedure on grounds stipulated for the accelerated procedure.

2001

10. Decision No. 8747, dated 20.11.2001, of the SAC, V department, rapporteur judge Andrey Ikonov. The Court ruled that the absence of a legal ruling on the possibility of granting humanitarian protection in a specific case is a breach of administrative procedural regulations as promulgated by the relevant legislation and its non-observance in all cases is a ground for repealing the decision.

2002

11. Decision No. 1389, dated 14.02.2002, of the SAC, III department, rapporteur judge Boyan Magdalinchev. The Court ruled that any acts of the administration are subject to judicial control under Art. 120, para 2 of the Constitution of the Republic of Bulgaria, unless they are explicitly excluded from its range by a special law. The judicial appeal against acts by which humanitarian protection is rejected is admissible.
12. Decision No. 11975, dated 27.12.2002, of the SAC, III department, rapporteur judge Yovka Drazheva. The Court ruled that in line with the §17 of Refu-

gee Law, the Council of Ministers approves the list of safe countries of origin and including a country on this list is a rebuttable presumption, referring to the situation in the particular country.

13. Decision No. 222/10.01.2002, Adm. case No 3971/01 of the SAC, 1st instance, rapporteur judge Biserka Kotzeva. The Court ruled that the administrative body deciding on the refugee case should take into account the principle of family reunification and the fact that asylum seeker does not have any family members in the country of origin.
14. Decision No. 4052/24.04.2002, Adm. case No. 5467/2001 of the SAC, 1st instance, rapporteur judge Yovka Drazheva. The Court ruled that the consent of the applicant for refugee status to be interviewed by a male interviewer during the RSDP is irrelevant and that, in case the applicant is female, the interview must be conducted by a female interviewer/interpreter;

2003

15. Decision No. 12066, dated 19.12.2003, of the SAC, III department, rapporteur judge Penka Ivanova. The Court ruled that the Palestinians without citizenship are 'refugees by ipso facto' (Art. 1D of the 1951 Convention) and this is considered as an independent ground for granting refugee status (different from Art. 1A of the Convention).
16. Decision No. 12121, dated 22.12.2003, of the SAC, rapporteur judge Tatyana Hinova. IC from Turkey, male, married. The Court ruled that the presumption based on Decision No. 233 of 11 April 2003 of the Council of Ministers, the so called List of Safe Countries – according to which Turkey is a safe country of origin is rebutted by the reports collected during the court hearings. These reports originating from Human Rights Watch proved that Turkey cannot be considered a safe country of origin in the event of a claimant from the Kurdish ethnic minority due to major violations of human rights being identified and ascertained in this respect. A persisting practice of torturing Kurds while in police custody has been identified. The claimant declared as the main reason for seeking protection the fact that he had suffered torture and this had served as grounds for granting protection; hence, the subsequent negative decision should have proved that there was no other reason for the claim but the reasonable doubt, which it failed to do.
17. Decision No.3291/04.04.2003, SAC, rapporteur judge Georgi Angelov. The Court ruled that the failure to translate the protocol of the interview before presenting it to the asylum seeker to sign consists a serious violation of Art.25, para 1 and Art. 51, para 1 of the Law on Asylum and Refugees. This discredits the validity of the document and the latter cannot be taken into consideration by the court.

Sofia City Court

2003

1. Decision dated 20.02.2003 of the Sofia City Court (SCC), A.C. 3'c' composition, rapporteur judge Marusya Dimitrova. The Court ruled that a decision produced within the accelerated procedure after the expiration of the deadline stipulated by the law is null and void. The court practice on similar cases became unified.
2. Decision dated 10.03.2003 of the SCC, A.C. 3'g' composition, rapporteur judge Anelia Markova. The Court ruled that the conducting of an accelerated procedure in the administrative detention is violation of Art.68, Para 1 of the law and thus, unlawful.
3. Decision dated 24.04.2003 of the SCC, A.C. 3'g' composition, rapporteur judge Anelia Markova. The court ruled that the legality of a marriage should not be determined according to the laws of the country of refuge and therefore the thesis of the administrative body that only the civil marriage is legal contradicts the 1951 Convention Relating to the Status of Refugees, since Bulgaria has signed the latter without reservation.
4. Decision dated 24.04.2003 of the SCC, A.C. 3'b' composition, rapporteur judge Anna Dimitrova. The Court ruled that the accelerated procedure is inapplicable with regard to unaccompanied asylum seeking children and the decision in such proceedings should be considered as null and void. The court practice on similar cases became unified.
5. Decision dated 27.10.2003 of the SCC, A.C. 3'c' composition, rapporteur judge Marusya Dimitrova. The Court ruled that the rejection of application for protection made in the accelerated procedure is repealed by the court and that the administrative body is obliged to proceed processing the case automatically under the general procedure. Repeated review of the case in an accelerated procedure would be unlawful.
6. Decision dated 04.11.2003 of the SCC, A.C. 3'f' composition, rapporteur judge Theodora Nikolova. The Court ruled that the statement of the administrative body in a decision referring to the safety of the return to more than one country as safe countries of origin and third safe countries is contradictory and equal to the absence of any statement on the safety of the country where the applicant is to be returned. The court practice on similar cases is unified.
7. Decision dated 03.12.2003 of the SCC, A.C. 3'f' composition, rapporteur junior judge Petar Guntchev. The Court ruled that women may be considered as a social group in the context of Art. 8 of LAR (Art. 1A of the 1951 Convention Relating to the Status of Refugees).
8. Decision dated 7 May 2003 of the SCC, A.C. 3 "g" composition, rapporteur Judge Petar Stoitzev. The Court ruled that prohibition for concluding a mar-

- riage due to religious reasons represents a ground for persecution considering the consequences after returning to the country of origin.
9. Decision dated 7 May 2003 of the SCC, A.C. 3 “g” composition, rapporteur Judge Petar Stoitzev. The Court ruled the religion conversion (from Islam to Christianity) as ground for persecution.
 10. Decision dated 24 March 2003 of the SCC, A.C. 3 “g” composition, rapporteur Judge Anelia Markova. The Court ruled that if one of the spouses has been granted protection, the asylum application of the other should be processed in general procedure in line with the family unity principal. No requirement for the marriage to be civil is contained in LAR.
 11. Decision dated 22 May 2003 of the SCC, A.C. 3 “b” composition, rapporteur Judge Donka Chakarova. The Court ruled that the administrative authority should examine the existence of grounds for granting both refugee and humanitarian status irrespective of the applicant’s claim.
 12. Decision dated 22 May 2003 of the SCC, A.C. 3 “b” composition, rapporteur Judge Anna Dimitrova. The Court ruled that contradictory information given by the applicant on the details of his/her travel to Bulgaria should not be considered as not meeting the requirements of Art. 8. Subject to examination are not the details of the applicant’s travel to Bulgaria, but whether persecution in the country of origin existed.

10.5. **Annex V**

Chronology and Development of the Academic Refugee Studies Initiative in Bulgaria (ARSIB)

Events (round tables, coordination meetings, launchings etc.):

2000

1. **November**, Working Lunch with Law Professors, BO Sofia.
2. **December**, 1st Round Table on Bulgaria's EU Integration and European Harmonisation of Refugee Law and Policy:
 - Presentation of the research “Legal Regulation of Refugee Problems in the Republic of Bulgaria: Historical Developments, International Regulations, and Contemporary Bulgarian Legislation” made by Parliament's interns Eva Atanasova, Katerina Koleva, Lachezara Stoeva, Lilia Rigova, Yana Mihaylova

2001

3. **September**, Self-Evaluation of UNHCR Training and Capacity-Building Strategy in Central Europe – National Stakeholders' Meeting, BO Sofia
4. **December**, **First ARSIB Coordination Meeting** on Research, teaching and training in refugee and refugee-related issues at BO Sofia

2002

5. **April**, Launching of the first academic course “Social Work with Refugees” at the NBU. Inaugural Lecture by Dr. Luise Druke (www.unhcr.bg/events_records/2002/forthcoming_event_2002.htm)
 - Presentation of the specialisation (www.unhcr.bg/events_records/2002/presentation_b_georgieva.htm)
 - 21 April, Prof. Georgieva's presentation of the course “Social Work with Refugees” at the Southeast European social work students parliament, Belgrade.
6. **May**, Signing of the Plan of Action between the Academy of the Ministry of Interior and UNHCR
7. **May**, Signing of the Plan of Action between the Institute of Public Administration and EU integration and UNHCR
8. **September**, **2nd Coordination Mtg:**
 - www.unhcr.bg/events_records/2002/coordination_meeting_2309/coordination_meeting_2309_en.pdf
9. **24 October UN DAY**, Launching, Aula Magna, Sofia Univ.:
 - www.unhcr.bg/events_records/2002/un_day_24oct02/un_day_24oct02_en.pdf

2003

10. **January, Third Coordination Meeting** in UNHCR BO Sofia:
www.unhcr.bg/events_records/2003/arcib_230103_en.pdf
11. **May**, Signing of the Joint Plan of Action between the NBU, the SAR and UNHCR, at the Aula Magna, NBU on cooperation, including the establishment of a **Centre for European Refugees, Migration and Ethnic Studies** (CERMES)
12. **September, Forth Coordination Mtg**: Council of Europe Information Center
www.unhcr.bg/events_records/2003/catalogue_arsib_en.pdf
13. **December**, at the commemoration of the 10th Anniversary of the Agreement b/n Bulgaria and UNHCR, UNHCR presented the University of Schoumen an award of appreciation for outstanding academic efforts integrating refugee and refugee-related teaching in its curriculum.

Lectures delivered by the UNHCR Representation in Bulgaria and Implementing Partners:

1. **June 2001**, “Exodus within borders: Internally Displaced People” provided by Dr. Roberta Cohen, Brookings Institutions, BO Sofia
2. **September 2001**, “EU Funding for NGOs working in the field of human rights and refugees” provided by Mrs. Isabel Uribe, BO Sofia
3. **June 2001**, “UNHCR’s mandate and programme in Bulgaria” by Petia Karayaneva, within the framework of training on Migration Issues, School for Training of Border Police Officials, Pazardjik
4. **February 2002**, “International Protection in the Human Rights Framework in the context of EU Integration” by Dr. Luise Druke, American University in Bulgaria (AUBG), Blagoevgrad
www.aubg.bg/dbtext/text.php?i=432
5. **February 2002**, Presentation by Dr. Luise Druke, Varna Free University, Law Faculty
6. **March 2002**, Lecture within the course on Refugee Law provided by Dr. Tanya Troeva, Mrs. Petya Shikova, Mrs. Tanya Valchanova, Law Faculty Plovdiv University
7. **August 2002**, “Refugees in the Globalize Post-Cold War Era”, by Dr. Luise Druke, Fullbright International Summer school, Pamporovo –
www.unhcr.bg/events_records/2002/pam_16_08_02/pamporovo_160802.pdf
8. **October 2002**, Bourgas Free University, Dr. Luise Druke
www.unhcr.bg/events_records/2002/lectures/bfu_en.htm
9. **October 2002**, Varna Free University, Dr. Luise Druke
www.unhcr.bg/events_records/2002/lectures/vfu_en.htm
10. **October 2002**, Shumen University “Konstantin Preslavski”, Dr. Luise Druke
www.unhcr.bg/events_records/2002/lectures/su_en.htm
11. **October 2002**, Russe University, Dr. Luise Druke
www.unhcr.bg/events_records/2002/lectures/ru_en.htm

12. **December 2002**, Lecture provided by Dr. Luise Druke, Rouse University, Law Faculty
13. **December 2002**, “Introduction to the International Protection of Refugees”, Mr. Petros Mastakas CRFMS in FYROM
www.unhcr.bg/events_records/2002/17dec2002.pdf
14. **March 2003**, Jean-Monnet Lecture by Dr. Luise Druke and Mrs. P. Shikova
www.unhcr.bg/events_records/2003/27032003_en.htm
15. **April 2003**, “The Human Tragedy of Refugees” by Dr. Luise Druke in “The War in Iraq – a challenge to the International Security system”, Sofia University
www.unhcr.bg/harvard_club_bg/Files/sdc_230403_en.pdf
16. **April-May 2003**, Human Rights Course, Pearson Peace-Keeping Centre Canada, Dr. Luise Druke
www.unhcr.bg/events_records/2003/pearson_photo.jpg
17. **May 2003**, “Refugee Law Curriculum: The concept of International refugee Law”, by Mr. Davor Sopf, Mrs. Marinela Radeva, Mr. Krasimir Kosatav, Mrs. Vera Rangelova; Rouse University
www.unhcr.bg/events_records/2003/rousse_19may2003.pdf
18. **December 2003**, “Social work with refugees”, by Kristina Barbova, Sophie Alexandrova, T. Valchanova, Aloyo Ongiro, Shoumen University –
www.unhcr.bg/events_records/2003/13_12_03_ppp1.pdf ,
www.unhcr.bg/events_records/2003/13_12_03_ppp2.pdf and
www.unhcr.bg/events_records/2003/13_12_03_ppp3.pdf

Academic Programs and Courses:

1. **2002-2003 to 2003-2004**, MA “Social Work with Refugees”, by Assoc. Prof. Kolev, Shumen University
2. **2003-2004**, Migration and EU Integration Course, by Assoc. Prof. A. Krasteva, NBU
3. **2002-2003**, MA “Policy in the social protection and work with refugees”, by Prof. Bogdana Georgieva, NBU
4. **1998-1999 to 2003-2004**, Refugee Law Course by Prof. B. Vidin, Sofia University
5. **1999-2000 to 2003-2004**, Legal Clinic on Refugee Law, Sofia University
6. **2001-2002 to 2003-2004**, Refugee Law Course, by Assoc. Prof. B. Vidin, NBU
7. **1997-1998 to 2003-2004**, Refugee Law Course, by Assoc. Prof. Tsankov, Faculty of Law, Plovdiv University
8. **2001-2002 to 2003-2004**, Refugee Law Course, by Assoc. Prof. Tsankov, MA “Border Control and Company Security”, Varna Free University
9. **2002-2003 mo 2003-2004** Refugee Law Course, by Assoc. Prof. Tchakov
10. **2001-2002 to 2003-2004**, Refugee Law Course, by Assoc. Prof. Tsankov, Faculty of Law, Burgas Free University

Seminars:

1. **16-17 September 2002**, Block seminar on “Refugee Issues”, by Dr. Kina Sabeva, Mr. Petros Mastakas, Dr. Luise Druke, BO Sofia
2. www.unhcr.bg/events_records/2002/block_seminar_17_09/index_en.htm
3. **9-11 July 2003**, “Fundamentals of Social Work with Refugees”, Plovdiv
4. **October 2003 - May 2004**: 5 Seminars at NBU on Migration and Refugee Issues: Bulgarian Emigration; Bulgarian Diaspora; Immigration in Bulgaria; Africans in Bulgaria; Immigration, Integration and Civic Culture

Centre for European, Refugees, Migration and Ethnic Studies (CERMES):

The aims of CERMES are to develop curricula and projects in the field of migration, refugees and ethnic problems, to develop and strengthen the values of tolerance and integration, to promote refugee, immigrant, and minority rights, to raise public awareness on migration and asylum issues. A prestigious international scientific committee for cooperation and profile has been set up, a monthly research seminar on migration policy is held. The journal *Refugee, Migration and Ethnic Studies* edited by Anna Krasteva is developing.

Social Clinics:

During 2002-2003, approximately 450 refugees benefited from the activities of the New Bulgarian University Social Clinic operating at the Bulgarian Red Cross with the support and supervision of the UNHCR Representation in Bulgaria. Students from the Social Clinic, as part of their university course “Social work with refugees”, provided social counselling and assistance to refugees under the guidance of their lecturers and the Bulgarian Red Cross staff.

Legal Clinics:

UNHCR Representation in Bulgaria has been supporting the activities of Sofia University Legal Clinic by various means, such as through funding the participation of students in international training events – the ELENA International Course on Art.1C and Art.1F of the 1951 Convention and by giving them the floor on the 4th Round Table and occasions. The Legal Clinic has also benefited from the UNHCR funded Regional Project Legal Assistance through Refugee Clinics (LARC).

Internships:

Students and recent graduates interned in the State Agency for Refugees, Bulgarian Red Cross (40 persons), Bulgarian Helsinki Committee (25 persons), Caritas Bulgaria (40 persons), UNHCR BO Sofia (35 persons).

Publications:

One of ARSIB's crucial objectives is to support and facilitate publications on refugee issues in Bulgarian in order to help further developments and provide reference materials for professors, students, researchers and practitioners. Publications of more important size, content and volume prepared, supported or/financed by the UNHCR Representation in Bulgaria so far include: *Refugee Law in Bulgaria*, UNHCR Representation in Bulgaria, 1998; V. Tzankov, *Right of Asylum and Refugee Status in Bulgaria*, 1998; *Legal European Integration*, 1999 and 2003; "Economic and Social Impact of Refugees on the Host Country: Bulgaria," IME, 1999; *Right to Asylum and Refugee Status in the Republic of Bulgaria*, 2000; *A Guide to International Refugee Law, Handbook for Parliamentarians*, 2000; *Programme for Integration of Refugees in Bulgaria*, 2000; *Teaching Manual on Bulgarian Language for Refugee Children*, 2000; "Social Economic Profile Study of Asylum Seekers, Convention Refugees and Individuals with Humanitarian Status in Bulgaria," IME, 2002; *Training refugee communities in social work with refugees; Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees*, Published in Bulgarian by UNHCR Representation in Bulgaria, 2003; *Agenda for Protection; Refugees today and tomorrow*, 2000 – 2003; "Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons," 2003; *Collection of Documents for ARSIB*, 2002; *Bulgarian Red Cross: Refugees magazine*. Detailed information on these publications in Chapter 9, Annotated Bibliography above.

Research Projects in Progress:

The research projects in the framework of the ARSIB cover a multidisciplinary base of refugee and refugee related issues. The main topics are the EU legal harmonisation and Law on Asylum and Refugees in Bulgaria, migration and refugees, comparative analysis of reception and integration of refugees in the EU, social work with refugees and with refugee children.

10.6.

Annex VI
Acronyms Used

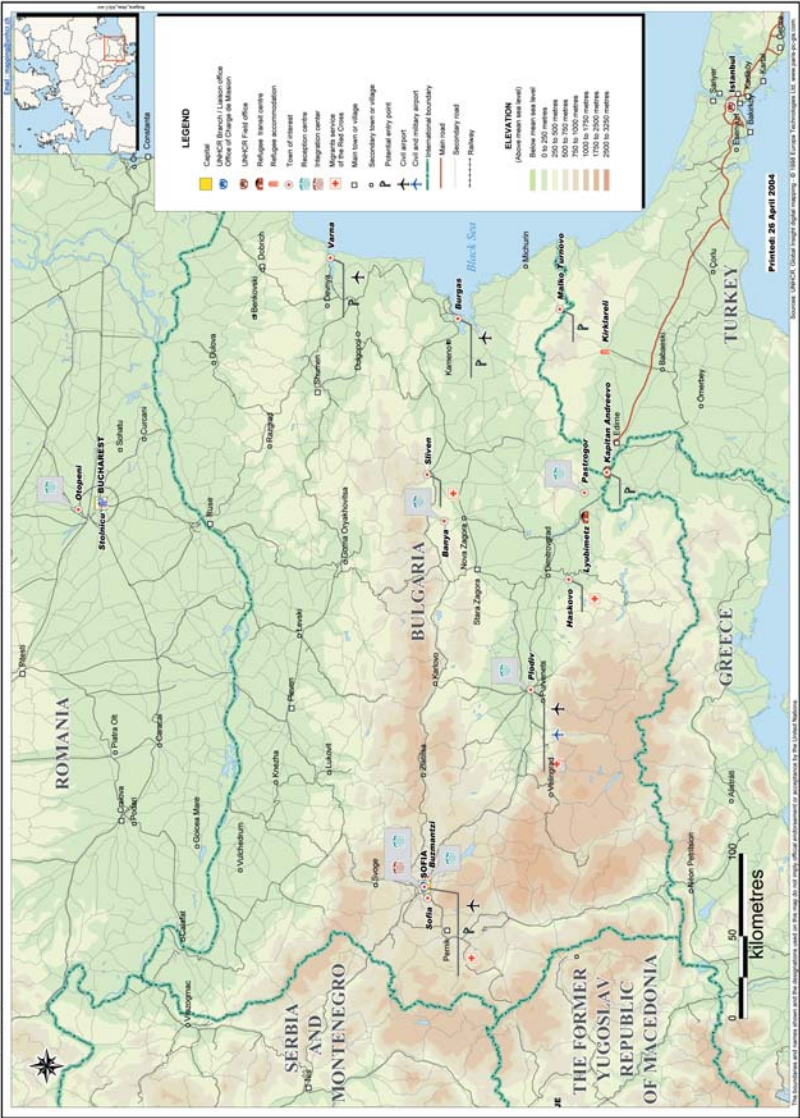
Acronym	Meaning
SAR	State Agency for Refugees
BHC	Bulgarian Helsinki Committee
BPA	Bulgarian Police Academy
BRC	Bulgarian Red Cross
CAT	Convention Against Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment of 1984
CCPR	International Covenant on Civil and Political Rights of 1966
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women of 1979
CESCR	International Covenant on Economic, Social and Cultural Rights of 1966
CM	Council of Ministers
CoE	Council of Europe
COI	Country-of-origin Information
CRWB	Council of Refugee Women in Bulgaria
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950
ECRE	European Council on Refugees and Asylum
ELENA	European Legal Network on Asylum
EU	European Union
EXCOM	UNHCR Executive Committee
HQ	UNHCR Headquarters in Geneva, Switzerland
IC	Individual Case
ICRC	International Committee of the Red Cross
ID	Identity Document
IDP	Internally Displaced Persons
IFRC	International Federation of Red Cross and Red Crescent Societies
IOM	International Organization for Migration
IOM/FOM	Inter-Office Memorandum/Field Office Memorandum
IPs	Implementing Partners
LAR	Law on Asylum and Refugees of 2002

MARRI	Migration, Asylum, Refugees Regional Initiative of the Stability Pact
MFA	Ministry of Foreign Affairs
MoI	Ministry of Interior
MPs	Members of Parliament
NA	National Assembly
NATO	North-Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
NSBP	National Service Border Police
NTF	National Task Force
PP	Partnership for Peace
RO	UNHCR Regional Office
RSDP	Refugee Status Determination Procedure
SAC	Supreme Administrative Court
SCO	Safe Country of Origin
SG	State Gazette
STC	Safe Third Country
ToT	Training of Trainers
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNHCR BO Sofia	UNHCR Representation in Bulgaria
1951 Convention	Convention Relating to the Status of Refugees of 1951
1967 Protocol	Protocol Relating to the Status of Refugees of 1967

10.7. Annex VII
Map of Bulgaria with Refugee-related Points of Interest
Bulgaria Atlas Map
 As of April 2004



GIMU / PGDS
 Representation and Geographic Data Unit



10.8.**Annex VIII****Contact Information of Organisations Involved in Refugee-related Work**

The UNHCR Representation in Bulgaria, Sofia **www.unhcr.bg**
 Ms. Luise Druke, Ph.D., Representative Drukel@unhcr.ch
 Mr. Davor Sopf, Protection Officer Sopf@unhcr.ch
 Mr. Volen Kroumov, Public Information Officer Kroumov@unhcr.ch
 Ms. Kina Sabeva, Ph.D., Programme Management Sabeva@unhcr.ch
 Ms. Petya Karayaneva, Legal Affairs/Training Karayan@unhcr.ch
 Ms. Irina Gancheva, Administration and Human Resources Gancheva@unhcr.ch
 Ms. Raina Kirilova, Secretariat Kirilova@unhcr.ch
 Mr. Kostadin Avramov, Logistics Avramov@unhcr.ch
 Mr. Emil Peev, Part time web master and IT expert Peev@unhcr.ch
Mail address: 1000 Sofia, 19 Denkogu Street, Sofia
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State Agency for Refugees **www.aref-bg.org**
 Mr. Boyko Antonov, President B.Antonov@aref-bg.org
 Mr. Krassimir Kossatev, Vice President Aref@spnet.net
 Mr. Dimitar Ognyanov, Vice President Aref@spnet.net
 Mr. Roumen Gulev, Secretary General Aref@spnet.net
 Mr. Boris Cheshirkov, Head of International Affairs Arint@spnet.net
Mail address: 21 Montevideo Street, Ovcha Kupel, Sofia
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Fax: (+359 2) 955-94-76 *E-mail:* aref@spnet.net

Bulgarian Red Cross **www.redcross.bg**
 Ms. Tanya Valchanova, t.valchanova@redcross.bg (+359 2) 816-48-14
 Head of Refugee-Migrant Service
 Ms. Minka Mecherinkova, (+359 38) 62-44-93
 Chief Secretary, Haskovo
Mail address: 76 James Boucher Blvd, Sofia 1407
Tel: (+359 2) 81-64-741/738/739
Fax: (+359 2) 81-64-730 *E-mail:* info@redcross.bg

Bulgarian Helsinki Committee **www.bghelsinki.org**
 Ms. Iliana Savova, Director of Refugees and Migrants
 Legal Protection Programme
Mail address: 5 Angel Kanchev Street, Sofia 1000
Tel: (+359 2) 981-33-18 *E-mail:*
Tel/Fax: (+359 2) 980-20-49 peregrine@aster.net

Caritas Bulgaria**www.caritas.bg**

Ms. Tsveta Georgieva, Head of Migration Service

Mail address: 9 Oborishte Street, Sofia

Tel: (+359 2) 944-18-58

Fax: (+359 2) 946-11-33

E-mail:

caritas.bulgaria@caritas-bg.org

National Service “Border Police”**www.mvr.bg/stuct/nsgp.html****Mail address:** 45 Maria Luisa Street, Sofia

Tel: (+359 2) 987-52-51

Fax: (+359 2) 983-51.32

E-mail: nsgp@mvr.bg

Supreme Administrative Court**www.sac.government.bg****Mail address:** 18 Stamboliiksi Blvd, SofiaTel: (+359 2) 940-42-49

Sofia City Court**Mail address:** 2 Vitosha Blvd, SofiaTel: (+359 2) 92-19-414

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