

**COUNTRY  
CHAPTER**

**BG**

**Bulgaria 2016 Overview:**

Resettlement programme since: <b>2016</b>	Selection Missions: <b>Yes</b>	Dossier Submissions: <b>No</b>
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**Resettlement Admission Targets for 2018 and 9:**

Admission targets for <b>UNHCR submissions:</b>	
Total resettlement admission target:	<b>110</b>

**Regional Allocations for 2018 and 2019:**

Africa	
Asia and the Pacific	
<b>Middle East and North Africa</b>	<b>110</b>
Europe	
Americas	

**Sub-quota features:**

Designated sub-quota/ acceptance for:

Description,  
comments:

additional

Emergency resettlement procedures Нямаме
Medical cases
Women-at-risk cases
Unaccompanied children
Family Reunion (within programme)

## **1. Resettlement Policy**

### **1.1 Description of Bulgaria's Resettlement Policy**

On April 12, 2016, the Council of Ministers of the Republic of Bulgaria approved the National Resettlement Mechanism Framework, adopted with a Decision of the National Council on Migration and Integration. The Mechanism was developed for the purpose of fulfilling Bulgaria's commitments under the Council Conclusions of 20 July 2015, as well as the 1:1 Mechanism under the EU-Turkey Agreement of 18 March 2016, adopted in response to the unprecedented number of refugees and migrants arriving in Europe. On 28 November 2017 the Council of Ministers of the Republic of Bulgaria adopted a new time frame for the resettlement pledges made for 2016 and 2017, extending the deadline for the resettlement of 110 refugees by the end of October 2019.

### **1.2 Ministries or Departments Responsible for the Resettlement Policy**

The State Agency for Refugees with the Council of Ministers (SAR) is the national contact point for relocation and resettlement and the authority responsible for the implementation of these mechanisms, for coordination among the various actors, and for the overall management of the processes.

The State Agency for Refugees is responsible for conducting the refugee status determination procedure. The Agency is responsible for registering applicants for international protection, issuing registration cards for these applicants, and providing accommodation, food and medical care while international protection applications are under consideration. The National Council on Migration and Integration is responsible for drafting and regulating the state policy on asylum, migration and integration of persons granted international protection in Bulgaria.

After international protection is granted, resettled persons can receive support under the Ordinance on the Terms and Conditions for Concluding, Implementing, and Terminating an Integration Agreement for Foreigners Granted Asylum or International Protection. Pursuant to the Ordinance,

the main actors in the integration process are the local authorities, the beneficiaries of international protection, and the regional and local executive structures in the fields of education, employment, healthcare, social assistance, etc. Participation of these parties in an integration agreement shall be carried out on a voluntary basis. For the provision of services not stipulated in the integration agreement, resettled persons should refer to the relevant state or local entity providing services on a general basis as the one relevant for Bulgarian citizens.

### **1.3 Process for Deciding the Annual Resettlement Quota and its Composition**

The quota is proposed by SAR based on its intake capacity. The quota is adopted by the National Council on Migration and Integration (NSMI) and is approved by the Council of Ministers.

Under the standard operational procedures for implementing the resettlement scheme of the EU-Turkey Agreement of 18 March 2016 the target group is Syrian citizens who have left Syria because of the conflict there who are in a clear need of international protection. Persons registered by the Turkish authorities must not fall within the scope of the exclusion clauses under European and international law.

## **2. Criteria for Recognition of Refugee Status Eligibility and Asylum**

### **2.1 National Legislation Defining Refugee Status Eligibility**

In accordance with the Law on Asylum and Refugees (LAR), the protection granted by the Republic of Bulgaria to foreigners includes asylum, international protection and temporary protection.

International protection includes refugee status and humanitarian status.

International protection is granted pursuant to the Convention Relating to the Status of Refugees, established at Geneva on July 28, 1951, and the 1967 Protocol Relating to the Status of Refugees, international human rights law and the national Law on Asylum and Refugees.

"Subsidiary protection" within the meaning of Directive 2011/95 /EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, is called "humanitarian status" in the LAR.

### **2.2 Refugee Status Criteria for Asylum-Seekers and Resettled Refugees**

Refugee status in the Republic of Bulgaria shall be granted to an alien who for reasons of a well-founded fear of persecution due to his/her race, religion, nationality, political opinion or membership of a specific social group is outside his/her country of origin and who, for those reasons, is unable or unwilling to avail himself/herself of the protection of that country or return thereto.

Refugee status shall also be granted to an alien who is on the territory of the Republic of Bulgaria and has been recognized as refugee under the mandate of the United Nations High Commissioner for Refugees (Article 10 of the LAR).

It is irrelevant to the granting of refugee status whether the alien belongs to these race, religion, nationality, social group, or expresses the political opinion whereupon the persecution is based. It suffices for the body or organization pursuing the persecution to believe that the alien has such an affiliation.

Humanitarian status shall be granted to an alien who is not eligible for refugee status and who does not wish or is unable to receive protection from his/her country of origin as he/she may face a real risk of suffering serious harm, such as:

1. death penalty or execution, or
2. torture or inhuman or degrading treatment or punishment, or
3. serious threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.

Humanitarian status may also be granted for other reasons of humanitarian nature, as well as for the reasons stipulated in the Conclusions of the Executive Committee of the United Nations High Commissioner for Refugees (Article 9 (8) LAR).

### **3. Criteria for Resettlement**

#### **3.1 Refugee resettlement eligibility criteria**

The target group is Syrian citizens who left Syria because of conflict in that country, and who are in a clear need of international protection. Persons registered by the Turkish authorities must not fall within the scope of the exclusion clauses under European and international law.

### **4. Submissions and Processing via In-Country Selection**

#### **4.1 Selection mission policies**

The national contact point is the State Agency for Refugees with the Council of Ministers, assisted by two liaison officers. The national contact point receives the documents provided by UNHCR for the persons proposed for resettlement, sets up a team for the selection of documents, sends to the UNHCR Representation a list of the persons approved for admission to the resettlement scheme in Bulgaria, and coordinates the process of transferring persons admitted for admission to Bulgaria.

In order to facilitate the practical implementation of the mechanism, a Resettlement Selection Team is established, which includes experts from SAR, the State Agency for National Security, the Ministry of Interior (MoI) and interpreters. The team is assisted on the spot by representatives of the Ministry of Foreign Affairs – consular department, and MoI at the Embassy of the Republic of Bulgaria in Turkey. Its main task is to process the information provided by UNHCR and the

national contact point. Within the framework of the verification and the collection of additional information, the team checks the authenticity of the documents, performs a selection mission in Turkey and takes fingerprints. The team compiles the files of the persons to be admitted under the resettlement scheme. The dossier must contain personal data and other information on the basis of which an assessment can be made of the existence of grounds for believing that the alien could be a threat to the public order or national security of the Republic of Bulgaria. On the basis of the prepared dossier and the documents provided by UNHCR, the team prepares a written report with a proposal on the admission of persons to Bulgaria under the resettlement scheme.

#### **4.2 Case Documentation and processing**

The national contact point informs the European Commission and the UNHCR Representation in Bulgaria of the number of persons to be admitted to the resettlement scheme in Bulgaria. The selection team first reviews the UNHCR's submitted documents for the persons proposed for admission. The team is then dispatched to the Republic of Turkey, where it is assisted by the staff at the Embassy of the Republic of Bulgaria. On site, the selection team makes an initial assessment of the authenticity of the documents provided, certifying the identity of the alien (if any), takes fingerprints, assesses the availability of data for the application of the exclusion clauses set out in Art. 12 and Art. 17 of Directive 2011/95/EC. For each foreigner a dossier is prepared, which includes:

- documents provided by UNHCR (including refugee travel documents issued by UNHCR);
- a copy of documents certifying the identity of the alien and/ or other documents related to the individual and their relationship with other persons and an initial assessment of their authenticity by an expert;
- a dactyloscopic map and photograph of the individual;
- a record of the conducted conversations with the individual;
- other information related to the individual, including any relatives and/or family members.

In accordance with their areas of competence, the experts jointly or separately conduct a conversation with the designated persons and draft a written report with a proposal regarding their admission to Bulgaria under the resettlement scheme. In case of a positive decision based on the written report with a proposal on the admission of persons in Bulgaria, the selection team drafts a list of the approved persons for resettlement, which it provides to the national contact point.

#### **4.3 Processing times**

### **5. Medical Requirements**

Persons approved for resettlement in Bulgaria are subject to medical examinations prior to the transfer.

Immediately prior to departure, a "fit to fly" review, including a visual inspection, a temperature measurement, and an additional vulnerability assessment for vulnerable migrants (elderly people, pregnant women, young children, migrants with a visible illness or disability) is undertaken.

## **6. Travel**

Persons approved for resettlement shall be issued a Certificate of Return to the Republic of Bulgaria by a Foreigner from the Embassy of the Republic of Bulgaria in Ankara, Turkey (Article 59 (6) of the Bulgarian Personal Documents Act).

The transfer of candidates by airplane is organized as soon as possible, in cooperation with the transfer partner.

The organization and coordination of the transfer is done by the national contact point, together with the Ministry of Foreign Affairs and the Ministry of Interior. The national contact point informs the Border Police and the Ministry of Interior about the date, time and the border crossing point of the persons entering the territory of the Republic of Bulgaria, as well as the respective unit of the Ministry of Interior about their route to their final destination - the territorial unit of SAR. Once within the territory of Bulgaria, the persons are taken over by SAR and are accompanied by a MoI team along a pre-announced route to their final destination. The admitted persons are accommodated in a territorial unit of SAR, in which they are registered as asylum seekers and have their procedure under the Law on Asylum and Refugees conducted. Socialization activities (social assistance, health, psychological assistance, Bulgarian language courses, employment-related consultations, cultural orientation) are carried out within the framework of the procedure.

## **7. Status on Arrival and the Path to Citizenship**

### **7.1 Immigration status on arrival**

Upon the arrival of the persons, a refugee status determination procedure under the current Bulgarian legislation is conducted. The procedure for examining the application for protection in Bulgaria is completed within 6 months with:

- (a) a positive decision to grant refugee or humanitarian status, or
- (b) a negative decision.

A refugee status is provided upon the justification of legitimate fears of persecution based on race, religion, nationality, political opinion or membership to a particular social group. Humanitarian status is granted to an alien who does not qualify for refugee status and may face a real risk of serious harm in their country of origin. Applications for refugee status and humanitarian status are examined on an individual basis. Refugee or humanitarian status is granted by the Chairperson of the State Agency for Refugees.

During the refugee status determination procedure, applicants receive a registration card. They are accommodated at a reception center of the State Agency for Refugees until the end of the procedure, and are provided with three hot meals per day, with an interpreter, with medical and psychological assistance by specialized employees and non-governmental organizations, as well as with services related to the initial adaptation and integration of foreigners such as social, health, psychological assistance, Bulgarian language courses, employment consultations, and cultural

orientation. By the completion of the refugee status determination procedure, the applicants have their health insurance covered under the terms and conditions for Bulgarian citizens.

At the reception center of the State Agency for Refugees, measures for social adaptation and cultural orientation of persons seeking protection in the Republic of Bulgaria are implemented. The presence of representatives of non-governmental organizations working on programs and projects aimed at providing social mediation services, Bulgarian language courses, psychological and emotional support, legal consultations and others, is provided. Asylum seekers are entitled to access to the labour market during the refugee status determination procedure if proceedings are not completed within three months of filing the application for international protection due to reasons beyond their control.

## **7.2. Documentation issued, including travel documents**

Upon the completion of the procedure, international protection (refugee or humanitarian status) is granted. Personal identity documents certifying the protection granted (card of a person granted protection and travel certificate) are then issued.

The travel document of a foreigner with refugee status entitles the holder to exit and enter the Republic of Bulgaria within the term of its validity under the terms and conditions for the Bulgarian citizens insofar as the state to which they travel does not have other requirements.

The travel document for a foreigner with a humanitarian status entitles the holder to exit and enter the Republic of Bulgaria within the term of its validity under the terms and conditions for permanently residing aliens in the Republic of Bulgaria. Generally, this results in the need for a visa issued by the diplomatic representation of the country whereto the alien with a humanitarian status wishes to travel.

## **7.3 Requirements for citizenship**

Upon being granted international protection, individuals may apply for Bulgarian citizenship under the terms and conditions enshrined in the Bulgarian Citizenship Act. Foreigners with refugee status have the right to apply for Bulgarian citizenship 3 years after receiving international protection and for foreigners with humanitarian status this period amounts to 5 years.

## **8. Domestic Settlement and Community Services**

The opportunities for integration into society begin during the refugee status determination procedure and continue after refugee status or humanitarian status is conferred and the registration of the alien in the municipality at a permanent address is completed. The integration of persons who have been granted international protection in the Republic of Bulgaria entitles them to conclude an Integration Agreement with a mayor of a municipality or with another official designated by the mayor. The integration is carried out in accordance with the Terms and Conditions for Concluding, Implementing, and Terminating an Integration Agreement for Foreigners Granted Asylum or International Protection – Decree of the Council of Ministers №144 of 19/07/2017.

Integration measures include the preparation of an integration profile of the persons during the refugee status determination procedure in the Republic of Bulgaria. SAR provides the mayor of the receiving municipality with preliminary information on the age, gender, family status, citizenship, educational level, professional experience, professional qualification, skills, as well as with other relevant information about the individual. At the request of both parties, an integration agreement between the beneficiary of international protection and the mayor of the respective municipality is signed for an initial period of one year, with the possibility for an extension for one more year – upon the proposal by the mayor of the municipality and the written consent of the foreigner granted asylum or international protection in the Republic of Bulgaria.

An integral part of the integration agreement is the individual integration plan, which is prepared by the mayor of the receiving municipality. The integration plan sets out the specific measures for integration and includes the outcomes of these measures in the respective integration areas (education, social assistance, medical services and health insurance, access to the labour market). When a foreigner is accompanied by underage members of his/her family, upon the conclusion of an integration agreement an individual integration plan is prepared for each minor.

The mayor of the municipality, who has submitted an application for the conclusion of an integration agreement:

- arranges for the admission and provides assistance concerning the housing of the foreigner concerned and his/her family members;
- registers the foreigner concerned and his/her family members in the population register;
- assists the foreigner concerned in applying for Bulgarian identity documents;
- assists with the registration with the Employment Bureau Directorate;
- refers the persons concerned to the Social Assistance Directorate where necessary;
- arranges for the development of individual integration plans for the family members of the foreigner concerned who are children, jointly with the Social Assistance Directorate and the child's legal representative;
- assists with the provision of access to other administrative services;
- upon registration of the foreigner concerned and his/her family members in the population register, refers them to the Regional Education Administration where necessary;
- provides and supervises the scope of the preschool and school education of the children and pupils who are subject to compulsory schooling, including minor foreigners who have been granted asylum or international protection;
- informs the persons concerned about the possibilities to select a general practitioner within the territory of the municipality;



- notifies the Ministry of the Interior and the State Agency for Refugees of the integration agreements concluded, as well as of any preterm termination of the agreements and the grounds for such termination;
- notifies the relevant regional health inspectorate and health insurance fund of the integration agreements concluded;
- ensures opportunities for the foreigners concerned to engage in sports and sports events;
- supervises the implementation of the integration agreements.

Children subject to compulsory pre-school and school education are enrolled in kindergarten and state or municipal school under a procedure provided for in a special ordinance of the Ministry of Education. Foreigners are registered at the local Labour Bureaux, where they are informed about job vacancies and are provided with vocational consultation services. Depending on the current programs and projects of the municipality, foreigners may be enrolled in programs and measures for employment and training, such as Bulgarian language training for adults and training for acquiring professional qualifications. As of the registration in the Labor Bureau to the start of the work arrangement, the person has his/her health insurance covered under the procedure for the Bulgarian citizens. As of the moment the foreigner is employed, the latter is obliged to have his/her health insurance, pension allocations and social care covered, under the regulations for the Bulgarian citizens. Persons granted protection are also entitled to benefit from social assistance under the terms and conditions for Bulgarian citizens (monthly social assistance, one-off social assistance, etc.), and the territorial Social Assistance Directorate assesses whether the prerequisites meet the legal requirements for receiving social assistance.

The process of integration of refugees and humanitarian status holders is assisted by international, non-governmental and nation-wide representative organizations which enter into partnership with local authorities.

The integration agreement includes the following types of services that the host municipality may offer:

- Education – enrollment of children granted international protection in preschool, primary and secondary education, ensuring equal access to education;
- Employment – provision of information and consultation on available job vacancies, assistance and provision of employment with an employer, or self-employment, application of mechanisms for inclusion of the issue of integration of foreigners in the national employment policies, including for individuals of 16 years of age, under terms and conditions provided for in the labour legislation.
- Access to training – ensuring access to vocational training, application of mechanisms for inclusion of the issue of integration of foreigners granted asylum or international protection in the national policies for lifelong learning;

- Access to housing – ensuring consultation services for access to housing, application of mechanisms for inclusion of the issue of integration of foreigners granted asylum or international protection in the national policies for housing, social inclusion and regional development;
- Access to healthcare – ensuring provision of healthcare services to foreigners granted asylum or international protection;
- Access to social assistance and social services – provision of monthly social allowances under the Law on Social Assistance, provision of one-off social assistance for meeting accidental health, educational, domestic or other vital needs, provision of one-off social assistance for issuing an identity card, access to the social service “Centre for Temporary Accommodation” for a period of 3 months per year, provision of targeted assistance for heating, provision of social services, covering hospitalization fees for diagnostics and medical treatment for individuals without income and/or personal property, which is to ensure their personal participation in the health insurance process, inclusion in programmes and measures for child protection.

### **8.1 Reception**

The mayor of the municipality that has concluded the agreement or an official designated by him/him shall organize the reception and the accommodation of the alien and the members of his/her family.

### **8.2 Health**

The persons have the right to health insurance and accessible medical assistance under the terms and conditions for Bulgarian citizens.

### **8.3 Language Training**

Enrolment in kindergarten and state or municipal school of children subject to compulsory pre-school and school education (information on the possibilities is provided to the municipality by the Ministry of Education and Science). The mayor of the municipality or a designated official appointed by him/her ensures and monitors the compulsory pre-school education for children and compulsory schooling for pupils up to the age of 16.

Bulgarian Language training. The mayor of the municipality or a designated official may organize the training in Bulgarian language, as set in the integration agreement and in the individual integration plan of the foreigner.

### **8.4 Employment**

The mayor of the municipality or a designated official appointed by him/her shall assist the alien and his/her family members to register with the Labor Bureau Directorate where he/she and his/her family members have access to the following counseling services: vocational consultations and inclusion in adult education, inclusion in employment and training programs and measures, information on vacancies announced.

## **8.5 Financial Assistance**

The mayor of the municipality or a designated official appointed by him/her provides material or financial assistance for meeting the basic domestic needs of the foreigner and his/her family members, as set in the individual integration plan. Financial assistance could be provided under the terms and conditions for the Bulgarian citizens in the form of social benefits for the unemployed, upon an application and admissibility assessment under the procedure foreseen under the Law on Social Assistance.

The Integration Agreement may include other activities at the initiative of the host municipality.

For the assessment of the realization of the integration indicators, the competent authorities compile information on the – number of children granted international protection enrolled in kindergartens and schools, number of foreigners granted asylum or international protection enrolled in higher education, number of employed foreigners granted asylum or international protection who have benefitted from targeted services for access to housing, number of foreigners granted asylum or international protection who have received social benefits and social services. The realization of the criteria for integration of the foreigner granted asylum or international protection is recorded in the individual integration plan.

## **9. Family Reunification of Refugees**

### **9.1 National definition of family**

"Family members" are:

- a) the husband, the wife or an individual with whom the alien has an evidenced stable long-term relationship and their unmarried underage children;
- b) underage unmarried children who are unable to provide for themselves due to grave health conditions;
- c) the parents of either one of the spouses who are unable to take care of themselves due to old age or a serious health condition, and who have to share the household of their children.
- (d) the parents or another adult member of the family who is responsible, by law or custom, for the underage unmarried alien who has been granted international protection.

### **9.2 Legislation regarding rights and restrictions to family reunification**

An alien who has been granted international protection shall be entitled to ask to be reunited with his/her family on the territory of the Republic of Bulgaria. The Chairperson of the State Agency for Refugees grants a permission for family reunification. The Chairperson of the State Agency for Refugees shall permit an unaccompanied minor or underage alien who has been granted international protection to reunite with his/her parents or another adult member of his/her family or a person who is in charge of him/her by law or custom when the parents are deceased or missing.

When the alien is unable to provide official papers certifying marriage or kinship, the latter shall be established by a statement thereof signed by the alien or by other means.

The State Agency for Refugees shall facilitate the reunion of separated families by assisting aliens in the issue of travel documents and visas, and in the admission of such aliens into the territory of the country.

Where the whereabouts of the family members is unknown, the State Agency for Refugees, in cooperation with the United Nations High Commissioner for Refugees, the Bulgarian Red Cross and other organizations, shall take actions to trace them. The search actions shall be conducted under the conditions of confidentiality, where the circumstances so require.

## **10. References/**