



## **EASO OPERATING PLAN TO BULGARIA**

### **Stock taking report on the asylum situation in Bulgaria**

Starting from July/August 2013 the EASO monthly statistics showed a steep increase in the influx of asylum requests in Bulgaria<sup>1</sup>. After preliminary talks in early October 2013, the Bulgarian Government asked EASO for technical and operational support on 14 October 2013. In bilateral consultations it was agreed that besides EASO emergency support, also EASO support on structural capacity building would be necessary.

An EASO Support Plan to improve and enhance the Bulgarian asylum and reception system was signed on 17 October 2013 by the Vice Prime Minister and Minister of Interior of Bulgaria and by the Executive Director of EASO. It covers the period from November 2013 until September 2014.

On 5 November 2013, the first Asylum Support Teams were already delivering support on the ground in Bulgaria. Until 24 February 2014, 19 Asylum Support Teams have been deployed. In total, 53 Asylum Support Teams of over 100 experts are foreseen.

A high-level expert mission of Member States and EASO experts visited Bulgaria from 17 to 21 February 2014 to conduct a mid-term stock taking of the EASO support.

This report provides the findings and recommendations of that mission.

<sup>1</sup> Until the end of 2013 when the influx decreased substantially.



## 1 - INTRODUCTION

### 1.1. Background

On 14 October 2013, due to the sudden influx of mixed migration flows, Bulgaria requested EASO for support to improve and enhance its asylum and reception system in order to cope with the situation. The EASO Operating Plan for support and deployment of EASO Asylum Support Teams (AST) and the provision of technical and operational assistance to Bulgaria was signed on 17 October 2013.

The EASO measures to support Bulgaria fall under three categories, namely: operational support, institutional support and horizontal support. Joint AST composed of EASO experts, experts from Member States and Bulgarian officials have been set-up and deployed in Bulgaria, starting from 5 November 2013. The request of support was also timely with regard to the implementation of the recast EU asylum package, which presents additional challenges for the Bulgarian asylum and reception system.

In 2013, the short-term support activities focused on mapping out the asylum process and suggesting step-by-step solutions on the Bulgarian asylum registration, asylum procedure and reception system and support on the pre-registration of asylum seekers in different Reception Centres. In this regard, a manual on the registration process for the new staff members has been developed and put into use. Furthermore, the following activities have been launched: support to the reception system, support on Country of Origin Information (COI), support on training of new staff and support for the referral procedures for unaccompanied minors (UAM), vulnerable groups and persons with special procedural or reception needs. In addition, the first EASO AST for immediate support on EU funding started their work from January 2014 onwards.

### 1.2. Methodology

To prepare this report, EASO involved senior officials of the relevant asylum authorities in the EU Member States and constituted three ASTs on the following topics: the asylum registration process, the asylum determination procedure and the reception procedure. The mid-term stocktaking mission to Bulgaria in the framework of the EASO Operating Plan to Bulgaria took place from 17 to 21 February 2014.

A statistical contribution<sup>2</sup> was provided by the asylum and migration authorities of Bulgaria.

According to the terms of reference for the mid-term stocktaking mission to Bulgaria, the EASO ASTs were requested to "verify the state of fulfilment of the EASO measures in the EASO Operating Plan to Bulgaria, the state of implementation of the legislative, policy and institutional framework, in compliance with the European and international standards, assess the functioning of the legal, policy, institutional and organizational procedures and principles."

The stocktaking mission started on 17 February 2014, in Sofia, under the auspices of the Executive Director of EASO and the Deputy Minister of Interior of Bulgaria. Side meetings between ED EASO and the Minister of Interior of Bulgaria, the Chairman of the State Agency for Refugees and the UNHCR Representative in Bulgaria took place on the same day.

During one week, field visits to all the asylum seekers accommodation facilities and the border-crossing points in Lesovo and Kapitan Andreevo took place. The EASO ASTs had meetings with representatives (management level, registration officers, interviewers, caseworkers, legal advisors) of the State Agency for Refugees (SAR), the Migration Directorate and the Chief Directorate Border Police.

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<sup>2</sup> A comprehensive statistical data was collected in regard to: asylum seekers registered in BG during 2012, 2013, 2014; asylum seekers pending decision; number of decisions taken in first instance; number of decisions taken in second instance; final status of protection given; a ratio (percentage) of migrants apprehended at the borders since the crisis started - how many persons requested asylum and how many persons are already under procedure or have been given a form of protection in BG; Total/New asylum applicants in BG [Total and of SYR origin]; Ratio of Total asylum applications on total decisions [Total and of SYR origin]; Average monthly decisions [Total and of SY origin]; Backlog at first and second instance [Total and of SY origin]



In a concluding meeting with the relevant Bulgarian stakeholders and the EASO ASTs on 21 February 2014 the preliminary findings were presented and additional comments and information were received. Prior to finalising the report, the assessment and the draft report were shared with key partners in Bulgaria, European Commission, UNHCR, Frontex and IOM.

This report aims to provide a thorough evaluation of the first part of the implementation of the EASO Operating Plan to Bulgaria, a description of the current national legislative and policy framework concerning the asylum and reception system as well as of the functioning of the asylum related institutional framework in Bulgaria. It also identifies recommendations and sets out a step-by-step approach - short, mid-term and long-term measures that should be considered by Bulgaria with the support of EASO until the end date of the Operating Plan (September 2014).

The present report therefore represents a preliminary snapshot of the situation based on the current state of implementation of the EASO Operating Plan to Bulgaria at mid-February 2014. The findings included in the current document would need to be updated following the implementation of the next phase of the EASO Operating Plan till September 2014, on-going legislative, policy and institutional changes to be implemented by Bulgaria in line with the EASO Operating Plan and the new asylum legislation changes in the Common European Asylum System (CEAS). Bulgaria is supposed to adopt further changes, and to further improve the situation, following the effective implementation of the EASO support measures. EASO will continue to monitor the progressive implementation of the EASO Operating Plan, and present its findings in the context of its regular reports to the EASO Management Board.

## **2 – LEGAL ASYLUM REGIME CURRENTLY IN PLACE**

### **2.1. Background**

The competent authority for asylum matters is the State Agency for Refugees (SAR). SAR is responsible for the procedure related to the applications for any form of international protection, the provision of reception services to asylum-seekers, the management of the Reception and Registration Centres (RRC) in Sofia and Bania, the Transit Centre (TC) in Pastrogor, the Reception Centre (RC) in Harmanli, the Reception Shelters (RS) in Kovachevtsi, Vrajdebna and Voenna Rampa and the provision of integration services to refugees and beneficiaries of subsidiary protection.

The Bulgarian asylum system consists of two instances – administrative and judicial. A negative refugee status determination decision may be appealed before the administrative courts system.

The national legislation – Law on Asylum and Refugees includes four types of protection: 1) Asylum is granted by the President to foreigners who have been persecuted due to their beliefs or activities in support of internationally recognized rights and freedoms; 2) Temporary protection is granted, by virtue of an act issued for a certain period by the Council of Ministers, in the event of a mass influx of foreigners who have been forced to leave their country of origin due to armed conflict, foreign aggression, large scale violence or violation of human rights; 3) Refugee status is granted by the Chairperson of SAR in line with the criteria of the Refugee Convention; 4) Humanitarian Status (subsidiary protection) is granted by the Chairperson of SAR to a foreigner whose life, security and freedom are threatened due to an armed conflict or danger of torture or other forms of inhuman and degrading treatment, as well as for other humanitarian reasons.

In Bulgaria, persons seeking any form of international protection may do so upon first contact with the authorities and the Border Police. Access to the asylum procedure is granted after the asylum-seeker is registered by SAR caseworkers (including in the Distribution Centre in Elhovo) and transferred to a SAR Reception or Transit Centre.

## 2.2. Planned changes of the legal framework

Currently, a Law for Amending the Law on Asylum and Refugees is being discussed in the Parliament with the participation of international organisations and NGOs, including UNHCR, Bulgarian Helsinki Committee and various Bulgarian institutions. Voting at Plenary session is forthcoming. The main purpose of the draft Law is to transpose provisions of the recast EU asylum instruments, thereby introducing higher standards for granting international protection.

The following issues *inter alia* are addressed:

- Higher protection of vulnerable groups and UAM;
- Guardians of the UAM;
- Shorter terms for access to labour market;
- Upgraded provisions regarding the right of information and legal assistance, as well as the issuance of documents certifying the status of the person and his right to remain on the territory of the country;

The draft law also aims to transpose Art 8 of the Reception Conditions Directive (RCD)<sup>3</sup> introducing provisions for limitation of the freedom of movement.

A multiannual national integration programme is being drafted under the supervision of the Deputy Prime Minister for the economic development and should start its implementation in spring 2014. The programme is drafted with the participation of governmental institutions, international organizations and NGOs. Currently Bulgaria explores the Member States' experience aiming at perceiving and applying the best practices in that area of integration policies.

The strategic priority areas that will be addressed are as follows:

- Integration of new refugees – training in Bulgarian language; access to labour market, to education, social assistance, medical care, access to accommodation etc.
- Integration of vulnerable persons – guaranteeing specific cares etc.
- Integration of UAM – guaranteeing appointment of guardians, legal consultations etc.
- Integration of the refugees in the social, economic, cultural and civil society life.

Currently SAR and UNICEF are working on establishing a specialised school for minors in the city of Varshets. The national integration policy envisages a clear distinction of the functions between the different stakeholders, establishing a working coordination mechanism, provision of the necessary financial recourses and communication campaigns on supporting the integration.

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<sup>3</sup> Directive 2013/33/EU

## 3 – KEY FINDINGS AND RECOMMENDATIONS

### 3.1. Asylum Registration Process

#### Situation in October 2013

The registration of migrants entering Bulgaria existed on three different levels. Due to the large influx of mixed migration flows in Bulgaria in the autumn of 2013<sup>4</sup>, the registration procedure was lengthy and in practice it took more than a week from the moment the request for a form of international protection was made with the Border Police or the Migration Directorate to the moment the applicant was sent to the Reception and Registration Centres under the jurisdiction of SAR and registered in the asylum process.

#### EASO support

EASO offered operational support on the identification of mixed migratory flows starting on 11 November 2013. EASO ASTs were deployed in the Distribution Centre in Elhovo and in the Transit Centre in Pastrogor, close to the point of entry of the asylum seekers as well as in the Special Centre for the Temporary Accommodation of Foreigners (SCTAF) in Busmantsi, close to Sofia. A SAR representative was appointed to work with EASO ASTs and bilingual registration forms were used.

Operational support to the setting up of asylum processes, optimising and advising on the identification and pre-registration of mixed migration flows, as well as preparation of the asylum files was given in the Distribution Centre in Elhovo (in part 1) and the SCTAF in Busmantsi (in part 2). In Pastrogor, the focus was on the pre-registration of persons seeking international protection. All files were submitted to the appropriate Reception and Registration Centres of SAR for further processing the claim. A manual on the registration process in Bulgaria was drafted and presented in January 2014.

#### Situation mid February 2014

The registration cards are usually issued within one day after the arrival of asylum seekers in the centres and the interview dates are fixed immediately at the registration. SAR is aware of its daily responsibility, the need for special support and accommodation of vulnerable persons, the interpretation needs and the equipment. Mutual support and regular exchange of information with all relevant stakeholders (Ministry of Interior – Chief Directorate Border Police and Migration Directorate, Ministry of Health, Bulgarian Helsinki Committee and UNHCR) is performed. SAR facilitates and coordinates a balanced contribution of applicants and staff.

Legal counselling and information by leaflets - or where needed in another way - is usually provided from the initial application (e.g. at the border) until the registration process is finished.

Persons with negative or discontinued decisions/procedures have – if they so wish – access to a new procedure, where SAR examines eventual new findings through an interview.

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<sup>4</sup> The number of persons apprehended at the Bulgarian land border for illegal entry increased dramatically from approx. 200-400 cases per month during the period January-July 2013 to nearly 4,000 cases in October 2013. Although there is no direct relationship between illegal border crossings and asylum applications, many apprehended persons were subsequently seeking international protection. Therefore, the number of registered asylum applicants increased sharply during August-October 2013, from approx. 200-500 cases per month to over 1200 cases in October 2013. The overwhelming majority of the asylum applicants are from Syria (about 80%).

In contrast to apprehensions, the number of asylum applicants did not drop directly after October but remained stable in November. In December 2013, the number of registered asylum applicants dropped significantly to approx. 650 cases and was of 822 cases in January 2014 (most recent data, numbers are usually higher in January than in December) which is still significantly higher than the level in the first half of 2013. (Total for 2013: >7,000). It seems that the speed of formal registration of asylum applications could not keep up with the pace of apprehensions. Therefore the registered asylum applications number has remained high and might continue to do so for a few more months, although the number of apprehensions has already dropped dramatically.

Official BG statistics in 2013 show of that 11618 persons were apprehended at all BG borders, out of which 4520 persons applied for asylum to the Border Police officers, 7886 persons applied for asylum in one of the closed accommodation facilities of the Migration Directorate and in total 7144 persons applied for a form of international protection with the State Agency for Refugees (out of which 3640 persons could be processed and they were given a decision concerning their asylum application in 2013).

**Main findings:**

- The identification and initial registration of applicants is performed;
- Information on the access to the asylum procedure is provided;
- The applicants in the centres have the possibility to be registered as asylum seekers;
- There is currently no registration backlog ;
- Fingerprinting and comparison of the data in EURODAC and AFIS works and the actors are able to handle the systems. The results are available very rapidly;
- The EASO manual on registration is being used;
- The tasks of SAR are clearly described and the communication between the Chief Directorate Border Police, the Migration Directorate and the State Agency for Refugees is functioning.

**On the basis of the above assessment, the following recommendations should be considered:**

**Short-term measures:**

- **Keeping the information leaflets up to date** in all languages available and make them uniform for all responsible authorities;
- **Completing/linking the EASO registration manual** with the internal SAR rules for registration (to have one completed instead of two documents);
- **Appointing personnel backup** and training for the emergency case.

**Medium/long-term measures:**

- **Performing** the Dublin interview during the registration of the applicants; therefore, suggestion to use only one form instead of two similar forms;
- **Making Video-Conference-Systems available** in all reception centres in case of need for interpretation of non-available languages (already existing in the main three reception and registration centres);
- **Improving data sharing and comparison** among different responsible stakeholders in the migration chain, without prejudice to data protection rules.

### 3.2. Asylum Determination Procedure

#### Situation in October 2013

14 caseworkers were responsible for the incoming asylum claims in Bulgaria. The caseworkers were conducting the Dublin interview, the accelerated procedure interview, the general procedure interview and drafted decisions. The date of the Dublin interview was determined by the registrars at the moment of registration (mostly a week to ten days after the registration). The caseworkers were not informed about these dates as they received the list of the interviews to be conducted the evening before or at the same day of the interview. The number of Dublin interviews varied from 5 to 10 or more a day. The Dublin interviews were written by hand and added to the hardcopy file. A certain time was needed to process all the Dublin decisions at the SAR head office before handing back the file to the caseworker. General procedure interviews were planned by the caseworkers. There was no sufficient time left for the caseworker to draft decisions in the accelerated/general procedure (caseworkers returned to the office on Saturdays or Sundays to do this work).

The Bulgarian Law on Asylum and Refugees provides a non-mandatory three months period enabling the caseworker to decide about the need for protection in an asylum claim. Due to the high influx, this three months period was rarely respected. There was no pre-screening of the files; the files were distributed randomly to the caseworkers who, due to the workload, had no time to prepare the interviews. The caseworkers handled all type of requests, there was no specialisation and caseworkers were not supported by adequate COI.

Statistics till the end of October 2013 showed 5232 asylum claims. 2316 decisions were taken of which 23 asylum seekers were granted refugee status and 1250 asylum seekers were granted humanitarian protection. Out of the 5232 asylum claims, 2982 claimed to be of Syrian nationality. Syrian nationals proving their identity by original Syrian identity documents were almost automatically granted humanitarian protection. The duration of the interview and the decision in the general asylum procedure were shortened for Syrian nationals by prioritizing their claims for international protection.

In every asylum claim, it was obligatory to send a letter to inform the National Security State Agency about the application. As a consequence, additional workload for the caseworkers and considerable delays of the general asylum procedure were registered.

Due to the higher influx and related work pressure, employees of SAR were reassigned and sent to the territorial units to form a temporary taskforce. SAR was in the process of hiring new staff.

#### EASO support

EASO offered operational support on the preparation of the asylum files in the Reception Centres starting on 14 November 2013. ASTs drafted together with the Bulgarian responsible authorities a peer review of the existing procedures in the asylum process (especially in the 1<sup>st</sup> instance asylum decision process), followed by recommendations concerning the current asylum process and EASO support on short and mid-term. EASO ASTs offered technical support in the personal interview of asylum seekers.

EASO ASTs made recommendations on the basis of the Asylum Procedures Directive<sup>5</sup> for a flowchart of the asylum procedure as a basis for discussion and a directory for improvement and acceleration of the asylum procedure. One suggestion has been to establish administrative units in every centre, responsible *inter alia* for screening of the files and planning of the interviews and interpreters. Furthermore, proposals have been made and discussed in January 2014 how to make the procedure faster. One EASO AST started drafting country fiches on top 3 countries of origin in Bulgaria: Syria, Algeria and Iraq.

An EASO - UNHCR *ad-hoc* training session for newly employed staff members took place in December 2014. Tailor made EASO training sessions for around 60 new Bulgarian staff members took place in January and February 2014 on: Interview Techniques, Inclusion, COI, Evidence Assessment, CEAS and Drafting and Decision-Making.

<sup>5</sup> Directive 2013/32 (EU)



## Situation mid February 2014

The Bulgarian authorities are taking steps to improve the asylum procedure but more remains to be done. Productivity of SAR has increased in a very visible way (2013 – approximately 303 decisions per month, January 2014 - 952 decisions). The administrative courts confirm the vast majority of SAR decisions (2013 – 84%, 2014 – 86%). High recognition rate has been observed (2013 – 68%, 2014 – 93%) but refugees and those who have been granted subsidiary protection, partly due to the lack of integration programs, are not able to leave centres and continue to stay there. In general, the asylum procedure in relation to Syrian nationals is conducted efficiently within the period of 2-3 months from the moment of registration (except for residents of the Reception Centre in Harmanli).

SAR hired in total 160 new staff members, comprising 54 experts (civil servants with analytical functions), 55 specialists (employment contract, supporting functions), eight legal advisers, four directors, three heads of units and further support staff. Due to increased administrative capacity and training of new staff, the situation in the RRCs in Sofia and Bania as well as in TC in Pastrogor remains under control and relatively stable at the moment. 35 newly recruited officers of three different profiles (registration officers, case officers, legal advisors mostly dealing with the Dublin Procedure) and coming from three different territorial units were trained by EASO in January 2014 and 24 newly recruited staff members are trained by EASO in the last week of February 2014.

SAR has set up a COI Unit, in order to offer timely support to the asylum case workers, operational since 24 January 2014. The asylum procedure interviews have started in the RC in Harmanli, where 1245 asylum seekers are accommodated. Four experienced interviewers were transferred to Harmanli from the RRC Sofia for an indefinite period of time. In addition, ten new interviewers were recently appointed in the RC in Harmanli. In total, 14 interviewers are now working in the RC in Harmanli to deal with the asylum applications and to speed up the asylum process.

The security checks and the organisation of the complex decision-making process (Dublin and regular procedure) constitute a serious obstacle to speed up the overall asylum procedure and to ensure maximum productivity. Furthermore, it seems that non-Syrian nationals could risk becoming a neglected group due to the priority that has been given to the Syrian applicants.

### Main findings:

- Lengthy asylum procedure in case of residents of RC in Harmanli;
- Lengthy asylum procedure in case of non-Syrian nationalities due to prioritization of Syrian cases;
- The Dublin interviews take one-month in average. This may lead to further delays in the asylum procedure;
- Decision-making process remains multi-staged and centralized; the nomination of a new Deputy Chairman responsible for signing decisions is a great institutional step; according to the latest statistics, the number of decisions raised significantly in the past 2 months.

### On the basis of the above assessment, the following recommendations should be considered:

#### Short-term measures:

- **Increasing administrative capacity** to ensure maximum productivity in the **general asylum procedure**;
- Conducting proceedings with **planned prioritization** and attention for all nationalities claiming for asylum;
- **Delegating competences** related to issuing Dublin and general asylum procedure decisions from SAR HQ to RRC/TC staff;
- **Shortening the time for the security check**

#### Medium/long-term measures:

- **Reconsidering** the procedure to determine the responsible Member State according to the Dublin Regulation in case of no hit in the EURODAC system or establishment of specialised Dublin units in Reception Centres with a bigger capacity in order to fasten the process.





### 3.3. Reception Capacity

#### Situation in October 2013

All reception centres in Bulgaria were overcrowded, with asylum seekers staying in common living areas. Even if in the RS in Voenna Rampa and the RC in Harmanli people had access to hot water, central heating, electricity, the overall living conditions in the facilities in Voenna Rampa, Vrajdebna and Harmanli were poor (in the light of EU standards). SAR was understaffed and available staff not adequately trained.

There were no special places provided for vulnerable groups or people with special needs. SAR guaranteed a special floor in the RRC in Sofia for UAM but accommodation conditions were similar to those in other centres; children did not receive specific treatment. They were present for example during parents' interview. There were no dedicated personnel, classrooms, kindergartens or similar possibilities of ensuring a standard of living adequate for minors' physical, mental, spiritual, moral and social development.

Applicants were informed in writing regarding the procedure, social assistance and obligations only during the registration procedure (more than 15 days after applying for asylum).

#### EASO support

EASO offered operational support to enhance the reception system starting on 6 November 2013. An assessment of the current situation of the reception system, including the referral of persons to be accommodated by SAR and step-by-step solutions on improving the Bulgarian reception process were provided. A set of quality standards and mechanisms for reception, based on the recast RCD was made available, as well as the lines for the discussion of a national strategy to increase the capacity of reception facilities and to harmonise the existing reception capacities in line with current needs and resources, tailor-made for the various vulnerable groups in both a short term and long term perspective.

EASO offered operational support for the referral of UAM and vulnerable persons starting on 5 February 2014. A mapping out of existing referral procedures for UAM, vulnerable persons and persons with special procedural and reception needs took place and a manual for the identification of vulnerable groups, as well as addressing further needs for reception facilities was drafted. The support will be continued in March/April 2014.

#### Situation mid February 2014

There has been a lot of progress in a short span of time. Motivation and determination to get the job done is quite remarkable. A manual for the registration of the asylum applications, in cooperation with EASO, the instant issuance of registration green cards and broad freedom of movement in open centres are now assured.

Some standards/conditions set out by the RCD have been already reflected in the Bulgarian law (e.g. Art. 29.2 - the asylum seeker shall have the right to shelter and food). A major progress was made from 1 February 2014 in provision of food, minimum one hot meal prepared in all reception centres in cooperation with the Ministry of Defence.

However, the quality of reception remains uneven and in particular for UAM and vulnerable groups. Residents in the system are not sufficiently informed and have no occupation or activities, and children education and care is lacking.

The reception system has improved but it is still occupied above its capacity and overburdened, it is not sufficiently institutionally developed and it depends on external organisations and external factors over which it has little or no control. Contingency is not developed for the event influx increases again. Managing the outflow is difficult. Without appropriate action there is a serious risk of permanent over-occupation and shortage of places.

### Main findings:

- Reception facilities are largely in a reasonable state and have motivated and determined staff. The reception shelter in Kovachevtsi is (for local standards) a model centre; RRC in Bania, RRC in Sofia and TC in Pastrogor are modern accommodation centres; RC in Harmanli and RS in Vrajdebna are still a work in progress; RS in Voenna Rampa is still below standards. Renovation has started on most sites and some progress has already been made.
- All centres provide medical care, either through own medical staff or *Médecins Sans Frontières* (MSF), allow access to legal aid via volunteers of the Bulgarian Helsinki Committee and provide two hot meals per day. Some level of standardisation has taken place in the intake procedure and registration procedure. There is a simple resident database. An information leaflet regarding the procedure is provided.
- With one or two social workers per centre, the capacity to offer social work and individual attention to residents, as well as appropriate information is seriously lacking. Furthermore, there is often a language barrier. The social work is left in part to NGOs without any standardized cooperation agreements, or in part to the 'social directorate' of the Ministry of Labour.
- For children there are very few provisions, there is no access to school or education, and it is not defined by authorities if the meals provided ensure adequate nutrition. For UAM the social work and care is seriously lacking, especially in Sofia.
- The construction of ten cottages in Bania has been planned, which will increase the accommodation capacity with 40 beds. The RRC in Bania is planned to accommodate vulnerable persons such as UAM, single mothers with their children, etc.
- There are no harmonised reception practices, no common guidelines for all centres, very little standardisation, which means that the regime, provisions and internal rules can differ quite substantially from one centre to another. When there are specialised centres (TC in Pastrogor or RRC in Bania) or specialised wings (Integration Centre in Sofia) appropriate reception guidelines (e.g. Standard Operating Procedures - SOPs) for the specialisation and care should be introduced.
- The outflow of persons who received a form of protection in Bulgaria is very problematic. They continue to occupy reception places that can be used for newcomers; hence an ever-increasing capacity would be needed as more and more asylum seekers receive status. The Bulgarian social system and education system do not appear to be adapted to take on all the refugees that have to integrate. Also, SAR does not appear to have a flow management system and statistical analyses in place yet, so no prognoses can be made on future capacity needs or potential impact on other facilities such as child education and care.

### On the basis of the above assessment, the following recommendations should be considered:

#### Short-term measures:

- **Adopting urgent measures** to improve standards for the residents of **Voenna Rampa**, such as mobile sanitary containers, transfer of some of the residents and additional social workers;
- **Transferring the vulnerable persons** to more appropriate places such as some UAM from RRC in Sofia to RRC in Bania, and the most vulnerable families from RS in Voenna Rampa to RS in Kovachevtsi;
- **Providing information leaflets** in several languages with simple and clear information on the asylum procedure and rights and obligations (including information on what happens when they leave the centre during the procedure, when they receive a decision and what are their rights to travel outside of Bulgaria);
- **Providing oral explanation** of these leaflets to the residents in a language they understand;
- **Meaningful occupation** of the residents that allow them to have some structure in their lives. Participative system of community leaders can be a good practice but some care has to be given not to create a new social order in the centre or not to allow domination of others by certain groups or gender. Some additional attention to minorities in the centre (basically all non-Syrian residents) through, for example, additional languages on notices (not just Arabic) and similar benefits for everyone;

- **Strategic decisions on the way forward:** for instance, whether to increase capacity or rather to use available means to bring reception conditions everywhere to a minimal standard; how to deal with the high number of residents with status in the RC etc.

**Medium/long-term measures:**

- **Introducing a flow management system in SAR**, with good statistical data and data flows from the Migration Directorate, Border Police and the RRP, to allow for a) appropriate allocation of places and b) analysis of data and projections, in order to make realistic policy decisions, such as increasing the capacity for UAM when needed, or taking provisions in case of emerging capacity problems, or to detect bottle necks when persons with status make up half of the population in a center;
- **Introducing strategic and operational plans** on how to deal with the current situation;
- **Introducing a coordinated plan** on how to deal with a potential future situation;
- **Introducing standardised reception practices, central common guidelines and SOPs** on reception;
- **Training of staff;**
- **Develop policies** on a) specialised care for vulnerable groups, b) access to education for children, c) meaningful occupation of residents, d) preparation for integration or on voluntary return, e) content of social work, f) service agreements with NGOs etc;
- **Introducing a complaints procedure** for residents.

#### 4 – WAY FORWARD

This stock taking report compares the state of implementation of the EASO support measures in the Operating Plan to Bulgaria with the situation in October 2013 and identifies the changes made till mid February 2014. With the support of EASO and other stakeholders involved, the report shows that Bulgaria has taken concrete steps to improve its asylum and reception system for offering protection to those in need.

This report, its findings and its recommendations on the state of play in the areas of asylum registration process, asylum determination procedure and reception procedure, will help Bulgaria to tackle existing shortcomings of short term as well as medium/long-term nature. EASO will discuss the report with the Bulgarian authorities involved in the asylum and reception process. It must be noted that the actual EASO Operating Plan for Bulgaria already foresees an important number of measures and actions to be taken until September 2014. Where necessary on the basis of the report, additional actions and measures will be discussed.

Annex 1 – SWOT analysis

1.1. Asylum Registration and Determination Process

STRENGTHS	WEAKNESSES
What does work well? What resources are available? What do others see as strengths?	What could be improved? What shortcomings do exist? Where is a lack of resources?
<ul style="list-style-type: none"> <li>➤ <b>Structure:</b> The administrative structure is implemented in the centres and it works in practice.</li> <li>➤ <b>Staff:</b> Number of staff has been increased and is highly motivated for the current situation.</li> <li>➤ <b>Statistics:</b> The data are suitable for planning different measures and coordination and are kept up to date (daily exchange and analysis in HQ with other responsible Ministries).</li> <li>➤ <b>EASO support:</b> Active use of EASO manual on registration, initial training of new staff members.</li> <li>➤ <b>Transparency:</b> Open processes.</li> </ul>	<ul style="list-style-type: none"> <li>➤ <b>Structure:</b> Planning of number of registrars and case workers per centre/people accommodated, as well as of number of social workers is necessary.</li> <li>➤ <b>Staff:</b> Number of staff is not adequate for a future particular influx.</li> <li>➤ <b>Reliability and analysis of statistical data:</b> Need of monitoring a set of indicators for the efficiency of the asylum system and analysing statistical data</li> <li>➤ <b>Equipment:</b> Equipment (IT and office furniture) in some Reception and Registration Centres can (and apparently will) be improved, in accordance with the available funding. Further needs were already addressed from the centres to the headquarters.</li> <li>➤ <b>Interpreters:</b> Interpreters only available for the current composition of flows. Newly hired interpreters lack to some extent experience and would be in need of training.</li> <li>➤ <b>Quality:</b> Quality control system needs to be improved and enhanced.</li> </ul>
OPPORTUNITIES	THREATS
What opportunities are available? How can the strengths be translated into opportunities?	What threats could negatively influence the situation? What threats do the weaknesses expose Bulgaria to?
<ul style="list-style-type: none"> <li>➤ <b>Cooperation:</b> The current situation in Bulgaria provides the possibility of strengthening the cooperation when it comes to sharing information and planning between the different stakeholders, so that in case the number of applicants increases, a fast reaction is guaranteed.</li> <li>➤ <b>Data sharing:</b> The available information and expertise of the Migration Directorate and the Border Police can enhance SAR registration capacities, e.g. by giving partly access to the data bases, without prejudice to data protection rules.</li> <li>➤ <b>EASO support:</b> EASO training curriculum program should be implemented completely by SAR. It will allow reacting in a flexible and fast manner.</li> <li>➤ <b>EASO support:</b> Develop and test a quality control system for the Bulgarian asylum decision process; support of the Dublin Unit.</li> </ul> <p><b>EASO support:</b> Manual on identification of vulnerable persons developed.</p>	<ul style="list-style-type: none"> <li>➤ <b>Flow development:</b> If the number of applicants increases substantially, Bulgaria might face problems in ensuring a swift asylum registration, asylum determination procedure and reception capacity.</li> <li>➤ <b>Backlog situation:</b> Strategy necessary how to optimize the use of human and financial resources and to speed up the procedure.</li> <li>➤ <b>Referral of vulnerable persons and UAM:</b> No identification mechanisms in place yet, persons at the border and in the centres are so far mainly untrained.</li> </ul>

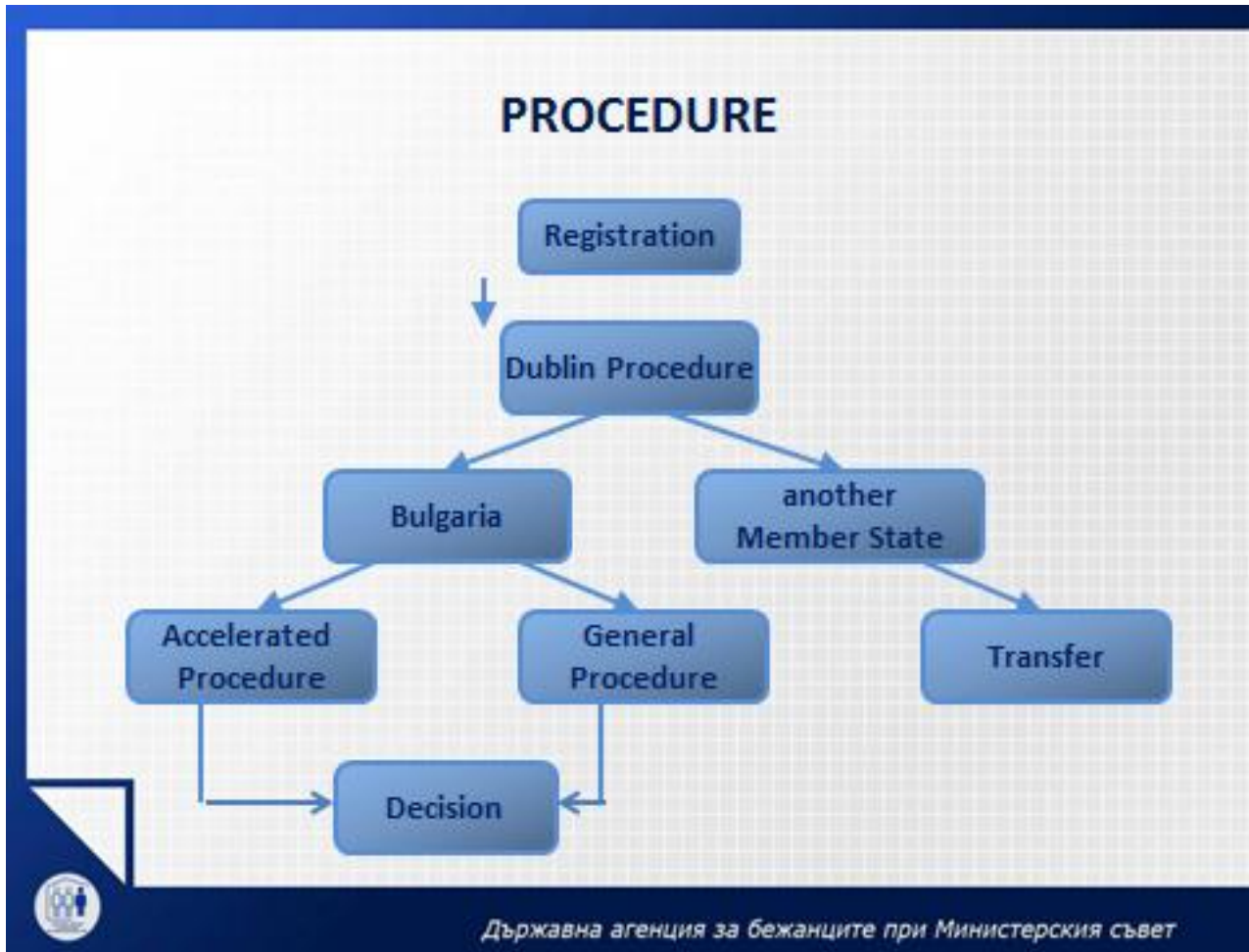
**1.2. Reception Capacity**

<b>STRENGTHS</b> What does work well? What resources are available? What do others see as strengths?	<b>WEAKNESSES</b> What could be improved? What shortcomings do exist? Where is a lack of resources?
<ul style="list-style-type: none"> <li>➤ Motivation and determination of SAR staff;</li> <li>➤ Participatory approach in the centres;</li> <li>➤ Manual for registration and intake;</li> <li>➤ Reception modalities in Kovachevtsi and Bania – samples of good practices;</li> <li>➤ Cooperation with NGOs;</li> <li>➤ Integration Centre in Sofia;</li> <li>➤ Trained staff by EASO.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Quality of reception in some centres is limited;</li> <li>➤ No reception guidelines or standardisation (SOPs);</li> <li>➤ Insufficient information available to residents;</li> <li>➤ Dependence on external organisations;</li> <li>➤ No prognoses of resident flows;</li> <li>➤ Little or no activities in the centres;</li> <li>➤ Limited capacity to detect vulnerabilities and limited follow-up;</li> <li>➤ No access to children education and care;</li> <li>➤ Limited management of outflow.</li> </ul>
<b>OPPORTUNITIES</b> What opportunities are available? How can the strengths be translated into opportunities?	<b>THREATS</b> What threats could negatively influence the situation? What threats do the weaknesses expose Bulgaria to?
<ul style="list-style-type: none"> <li>➤ Available EU funds and support of EASO;</li> <li>➤ Network of EU MS colleagues (e.g. EPRA, Enaro);</li> <li>➤ Building plans allow for substantial improvement of infrastructure;</li> <li>➤ Daily cooperation and exchange of information among stakeholders;</li> <li>➤ Development and exchange of good practices;</li> <li>➤ Recruitment and training of staff according to strategic choices and plans.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Limited outflow can block the entire reception system;</li> <li>➤ No contingency planning;</li> <li>➤ Capacity and flow management only sufficient for actual influx;</li> <li>➤ Lack of specialised staff;</li> <li>➤ High demands on medical services to compensate for lack of social work.</li> </ul>

**Annex 2 – Operational map of Bulgaria**



Annex 3 – Flowchart of asylum process in Bulgaria



Annex 4 – Asylum-related Statistics

