



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Bulgaria

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN FOR BULGARIA

Part 1: OVERVIEW

1. Protection and socio-economic operational environment
 - 1.1. Two key events confirmed the future direction for Bulgaria: on 2 April 2004, Bulgaria and six other Eastern European states joined the North Atlantic Treaty Organization; and on 17 December 2004, the European Council decided at its Brussels Summit that the accession treaties with Bulgaria and Romania would be signed in April 2005, with a view to becoming full EU members in 2007. Bulgaria was the Chair of the OSCE in 2004 and hosted the OSCE 12th Ministerial Council on 6-7 December in Sofia, in which UNHCR participated. Bulgaria has been active in other regional activities, such as the Stability Pact, the process for cooperation in South-East Europe and the Process of Stabilization and Association.
 - 1.2. Ensuring effective protection for asylum-seekers and supporting the Government of Bulgaria in its efforts to strengthen the process of integration of recognized refugees, in the process of the EU Accession and in the context of increasing border control, as Bulgaria will in future have an external EU border, and combating human smuggling and trafficking, continues to be major challenges. Upon provisional closure of the Chapter 24 of Justice and Home Affairs (JHA) on 29 October 2003, Bulgaria continued implementing strict border control measures, which led to a decreasing number of asylum applications and an increasing number of persons denied entry into the territory. Branch Office Sofia actively supported preparation of implementation of an EU PHARE Project for construction of two refugee transit centers close to the capital and in the Turkish - Bulgarian border area. The Branch Office successfully lobbied and obtained political support from the highest political levels, including the Prime Minister (who having spent fifty years in exile was sympathetic to the refugee cause).
 - 1.3. The overall assessment of refugee work in Bulgaria over the past ten years leads to a conclusion that the national system for refugee protection, by and large, is functioning. 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 standards, 3) refugee rights are respected and effective durable solutions for refugees are identified, 4) public opinion is receptive to the needs of refugees and 5) effective partnerships are in place and functioning, with the active support and advocacy of UNHCR.
 - 1.4. The EC 2004 Report on Bulgaria's progress towards accession notes that overall Bulgaria has now achieved a reasonable alignment with the "acquis" in the large majority of areas. The report raised a number of concerns on governance, however, suggesting that efforts will be necessary to foster Bulgaria's capacity to prosecute organized crime and corruption, which in turn involves further reforms in the structures of the judiciary. Similarly if Bulgaria is to fully benefit from EU funds available upon accession, especially the European Refugee Fund, it must reinforce efforts to strengthen the required institutional and administrative capacity of the relevant sectors, which UNHCR Sofia has been supporting.
 - 1.5. According to the United Nations Resident Coordinator Report for 2004 in Bulgaria, progress toward meeting Millennium Development Goals (MDG) was uneven during the reporting period. GDP grew by approximately 5%, average incomes per person for the first 11 months of the year compared to the same period in 2003 increased by 10.2% to 162 BGN per month (83 Euro), and unemployment declined from 19% to 12%. The minimum salary was 120 BGN (55 Euro). Poverty and

unemployment levels, however, remained higher than the national average in many regions, and youth unemployment and emigration continued.

- 1.6. In the field of asylum, the EC 2004 Regular Report indicates that the Bulgarian authorities continued efforts to fully implement the 2002 Law on Asylum and Refugees (LAR) which is broadly in compliance with the 1951 Convention. "Proper implementation, as well as adequate resources for integration of refugees and a rapid extension of the reception capacity, is necessary to reverse the trend of decreasing number of asylum applications. Bulgaria should accelerate its preparations for full implementation upon accession of the EURODAC Regulation by adopting as soon as possible a Dublin/Eurodac implementation plan". The process of amendments of the 2002 LAR, in line with its further harmonization with international and relevant EU "acquis" standards, started in April 2004 with the approval of the Council of Ministers, and the final adoption of the proposed amendments by parliament is expected in early 2005. While acknowledging improvements in terms of time of processing applications within deadlines for accelerated and general procedures set by the LAR, UNHCR Bulgaria has concerns over access to territory and the full implementation of the LAR, specifically regarding non-operability of the SAR throughout the territory of Bulgaria, coupled with indications that persons potentially in need of protection in Bulgaria may not have been admitted to the territory and to the refugee status determination procedure.
- 1.7. UNHCR's objective for opening its office in Bulgaria in 1992, was and still remains to support the Bulgarian Government and civil society, to strengthen the national asylum system to eventually integrate into the European asylum system, in line with the stipulated provisions of the Tampere EU Council decision of October 1999 and in accordance with international standards. UNHCR involvement and support was categorized in three areas, namely:
 - persons in need of international protection must have access to the territory and asylum procedure;
 - Bulgaria should develop and harmonize its asylum system in line with international standards; and
 - public opinion should support protection and integration of refugees.
- 1.8. UNHCR Bulgaria will continue to focus on monitoring of borders, detention, refoulement, access to fair and efficient refugee status determination procedures with appeals and suspensive effects for rejected claims. With the adoption of a National Program for Integration of Refugees currently making its way through the Council of Ministers and expected to become operational in 2006, there will be significant demands on UNHCR to expand government capacity through the new legislation and all its institutions. After 2007, UNHCR and partners can begin to scale down activities in Bulgaria as the government assumes the protection and management of refugee issues.