

COUNTRY OPERATIONS PLAN

Country: BULGARIA

Planning Year: 2003

Prepared by: UNHCR BO Sofia

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Part I: Executive Summary

(a) Context and Beneficiary Population

- **Political context** On the basis of the Strategy for Accelerating Bulgaria's negotiations for EU Accession of Bulgaria (see Summary attachment after annexes), the Government of Bulgaria requested UNHCR Branch Office Sofia to strengthen its support in the process of preparation for accession to the European Union , especially in 2002 and 2003.

1. As a Signatory to the 1951 Convention and the 1967 Protocol since 1993, and as a EU candidate State (accession hypothesis end 2006), Bulgaria is providing protection and durable solutions to asylum seekers and refugees, and developing an asylum system that is to contribute to equitable distribution of asylum-related responsibilities in Europe and meets European and related international standards.
2. Bulgaria must, as a condition for EU membership, transpose into its national legislation the relevant evolving EU acquis. Their priority focus is strengthening their capacities to effectively protect the common European space from undocumented arrivals. However, significant problems in the structure and capacity of the asylum system resulting in difficult access to, and quality of protection for persons of concern to UNHCR in Bulgaria need to be continuously addressed. Bulgaria is still perceived as a refugee transit country and has requested UNHCR's strong assistance in this period to become a refugee host country.
3. The current Bulgarian Government came to power in June 2001 and is a coalition administration of the National Movement Simeon the Second and the Movement for Rights and Freedom. The President, elected in November 2001, is the former Chairperson of the Bulgarian Socialist Party. The requirements of Bulgaria to meet the EU accession criteria, including in the area of Justice and Home Affairs, have become top priority with the opening of chapter 24 on Justice and Home Affairs, expected to be closed late 2002 or early 2003.
4. BO Sofia and the refugee organizations thus need to be continuing pushing refugee issues high to the governmental agenda, with due regard to related issued such as migration, immigration and Schengen aquis implementation with police and judicial cooperation.
5. Due to the weak economic situation of the country, UNHCR must continue providing financial support and technical advice until Bulgaria's EU integration. As other countries of transition toward market economy, Bulgaria requested UNHCR BO Sofia in its negotiation position on Justice and Home Affairs of February 2001 to assist in strengthening of the administrative capacities of the governmental central refugee authority, and other related partners to face challenges arising, including from major staff changes in relevant ministries.

- **Security situation**

6. BO Sofia has not obtained information on particular problems in this field. The authorities are at times detaining persons having entered Bulgaria in an irregular manner and without documents. Once in the detention, persons frequently apply for asylum. Therefore, BO Sofia through the Bulgarian Helsinki Committee (BHC), IP for legal advice or directly if necessary will intervene. BHC monitors the detention center on regular basis.

- **Protection issues**

7. Although it has made progress in the recent past, Bulgaria is still facing difficulties in strengthening the functioning of its institutional framework, and overcoming delays in the implementation of the reform of public administration. Throughout 2001, the country's social indicators have not experienced improvements. Given the weak economic performance, unemployment levels have increased to some 60%, in some parts of the country more than 40% of the people live with a minimum monthly salary of US\$ 48. With respect to 2001, little progress was achieved in areas which are critical to human development, particularly with regard to the protection of vulnerable groups (the children, the elderly, the disabled, and the Roma population). UNDP, Council of Europe and other institutions produced a number of reports that are critical of the situation of human development in the country and the country's practices in this field. Due to its geo-political



location, Bulgaria is somehow “the door to safe havens” on the route to the countries of Western Europe. A proactive UNHCR support for Bulgarian institutions to build up a system in which every asylum seeker has access to the territory of Bulgaria remains the core of its mission, which also focuses at preventing prolonged/unjustified detention and/or refoulement, receives access to a fair and efficient refugee status determination procedure (RSDP) including the right of appeal with suspensive effect in case of a rejected claim. UNHCR pursues by its activities of assisting building the capacity of the governmental and non-governmental actors involved in the protection of refugees and the improving the national refugee legislation to help turn Bulgaria eventually from a transit to a host country, in the run up to EU accession.

8. Core problems in the Bulgarian asylum system include:
 - 8.1 Weaknesses identified in the course of the implementation of the Refugee law in compliance with the EU *acquis* on asylum and UNHCR standards, though addressed in the 2002 refugee law, requires priority attention for appropriate implementation;
 - 8.2 Access to the territory is not yet guaranteed;
 - 8.3 Access to the refugee status determination procedure is not systematically guaranteed;
 - 8.4 The procedure for the determination of refugee status is still needing to be strengthened;
 - 8.5 Lack of reception center for implementation of the accelerated procedure;
 - 8.6 Split competencies between Border Police and Agency for Refugees to be resolved with the 2002 refugee law;
 - 8.7 Broad exclusion clauses and application expected to be resolved in the 2002 refugee law;
 - 8.8 Lack of State/NGO funding for legal aid for asylum seekers during the RSDP;
 - 8.9 Refugee assisting NGOs almost entirely are depending on UNHCR for funding;
 - 8.10 Due to turnover and evolving EU and intl./national standards crucial needs to continue strengthening knowledge and capacity of key actors in the national asylum system;
 - 8.11 Integration programme for recognized refugees depending on funding from UNHCR, the Government needs to develop and fund refugee integration programme;
 - 8.12 Many asylum seekers and refugees continue to abandon the RSDP and Bulgaria and attempt to move irregularly to an EU country, thus undermining the credibility of the national asylum system;
 - 8.13 Still lack of awareness amongst the public and officials of the difference between refugees and economic migrants and of the needs of asylum seekers and migrants;
 - 8.14 Xenophobia amongst certain sections of population towards foreigners, including asylum seekers and refugees.
9. Protection priorities for the years 2002 - 2003 include training of judges of the Sofia City Court and District Courts throughout the country who will be responsible for the judicial appeal under the 2002 Refugee Law, expected to be adopted in May/June 2002 for application in the accelerated procedure. In addition, the implementation of the 2002 Refugee Law will need priority attention, and ensuring that the protection given by Bulgaria is in conformity with the 1951 Convention and other relevant standards. Particular emphasis will need to be placed on access to the territory of Bulgaria and the quality of the refugee status determination (RSD) procedures and protection against refoulement. As part of protection priorities, continuing efforts will be made to highlight and integrate in protection activities issues related to separated children minors, gender equality, refugee women, and refugees with special needs.
10. As of 31 December 2001, there has been a cumulative of 8,366 applications for refugee status (5,326 men, 1,425 women and 1,615 children) in the Bulgarian RSD procedure. On the basis of statistics from the Agency for Refugees, a total of 3,258 persons were given a positive decision, and 1,506 were rejected since beginning this work in 1992 (1,281 persons received Convention status; 1,977 persons were granted humanitarian status); 2,300 persons were under consideration in the RSDP and 1,300 persons had their cases terminated, mainly due to abandoning the procedure. The asylum seekers come from 69 different countries, the majority from Afghanistan, followed by Iraq, Armenia, Yugoslavia and Turkey. The 63.66 % of them are male within working age 18 – 58 years, 17.03% are women and 19.30% are children. Most of them are urban refugees, and reside in Sofia or in other big cities such as the regions of Plovdiv, Varna and Bourgas as the job opportunities there remain significantly better than in rural areas. The most important change in the demographic profile was the enormous rise in the number of the applications lodged by the asylum seekers from Afghanistan. Although previously it was also the leading asylum producing country for Bulgaria, in 2001 the percentage of Afghan asylum seekers increased by 62.44% in comparison to the previous year.
11. The increase of the number of asylum seekers in Bulgaria was 110% from December 2001 to January 2002.



• **UNHCR's role**

12. UNHCR is represented in Bulgaria by a **single Branch Office** located in the capital Sofia. UNHCR's objective for opening its office in Bulgaria in 1992, was and for 2003 remains to support the Bulgarian Government and civil society, especially refugee NGOs, in building the national asylum system in accordance with international standards and evolving EU acquis, that should eventually integrate into the European asylum system, in line with the stipulated provisions of the Tampere EU Council decisions of October 1999.
13. **The key milestones** of the impact of the UNHCR's ten years work since starting its presence in Bulgaria in 1992 on the development of the Bulgarian asylum system are as follows:
- 13.1. **Establishment** of UNHCR presence (1992), and Country Agreement signed on the 22 July 1993;
 - 13.2. **Establishment** of a National Refugee Authorities - a National Bureau for Territorial Asylum and Refugees (NBTAR) under the Council of Ministers (October 1992);
 - 13.3. **Accession** to 1951 Convention and 1967 Protocol (ratified 1993);
 - 13.4. **Ordinance** for Granting and Regulating the Refugee Status (October 1994);
 - 13.5. **First** recognition of a refugee by the Government (July 1995), previously since 1990 by UNHCR under the mandate;
 - 13.6. **Establishment** of NGO social counseling services (1993) in the Bulgarian Red Cross;
 - 13.7. **Establishment** of NGO legal counseling services (1995) in the Bulgarian Helsinki Committee;
 - 13.8. **Establishment** of legal network through the Bulgarian Helsinki Committee (1996);
 - 13.9. **First** integration assistance (UNHCR-funded) (since 1996);
 - 13.10. **First** appeal cases heard and positively decided by the Supreme Administrative Court (1996) ;
 - 13.11. **First** jurisprudence on asylum issues in Supreme Administrative Court (1996);
 - 13.12. **Establishment** of border transit facilities for asylum seekers through NGO(1997), closed early 2000;
 - 13.13. **Government** undertook 25% for c&m of asylum seeker cost from UNHCR for the first time (1997);
 - 13.14. **Establishment** of an Integration Centre for Refugee Women under UNHCR spec. programme (1997);
 - 13.15. **Handling** of the first significant number of arrivals through land borders (1998);
 - 13.16. **Agreement** for co-operation in the field of training of Ministry of Interior officials in refugee matters signed between UNHCR and the Policy Academy of the Ministry of Interior (1998);
 - 13.17. **A measurable** improvement of media attitude and coverage of refugee issues (1999) , established through survey;
 - 13.18. **Enactment** of the first national refugee law (May 1999), in which UNHCR's comments were barely reflected;
 - 13.19. **Establishment** of the Agency for Refugees (August 1999, previously NBTAR);
 - 13.20. **Rules** of Procedure of the Agency for Refugees were adopted by the Council of Ministers (2000);
 - 13.21. **The Council of Ministers** adopted lists of Safe Countries of Origin and of Third Safe Countries (19 April 2000).
 - 13.22. **The Council of Ministers** on behalf of the Government adopted National Action Plan (July 2000);
 - 13.23. The Government undertook to cover about 50% for care&maintenance for asylum seekers (rest UNHCR (December 2000);
 - 13.24. **The Prime Minister** established the Temporary Inter-Agency Coordination Council (in case of a mass influx (by Order No. P-28, Sofia, 14 June 2001);
 - 13.25. **The Council of Ministers** established a Registration Centre and an Integration Centre for Refugees at the Agency for Refugees in Sofia by Decree 123 (14 May 2001)
 - 13.26. **The Government and BO Sofia**, after 2 months of work, finalized the Contingency Plan in case of refugee influx from FYROM, (July 2001)
 - 13.27. **In line** with the conclusions of the International Conference on the Programme for Integration of Refugees of 17-18 October 2000, the Government established the Working Group on Refugee Integration, (February 2001);
 - 13.28. **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 (May 2001);
 - 13.29. **The National Border Police** of the MOI became UNHCR's Implementing Partner (March 2001);
 - 13.30. **The National Task Force on Refugees**, including BO Sofia, achieved a broad consensus for the revision of 1999 refugee law (31May 2001)
 - 13.31. **The Parliament** started to host BO Sofia initiated bi-annual Round Tables on Bulgaria's EU Accession, (April-December 2001); European Harmonization and International Refugee Protection (December 2000: see www.unhcr.bg)
 - 13.32. **BO Sofia** initiated and hosted for the revision of the refugee law most of the meetings of the working group, the sub working and of the National Task Force on Refugees. This process produced a broad consensus for the revision of 1999 refugee law and the draft law with active involvement of BO Sofia,



which Council of Ministers adopted on 6 December 2001, introduced to the Parliament for approval expected May 2002;

- 13.33. **The Council of Ministers** established a Registration Center in Sofia with a capacity for accommodation of 500 asylum seekers with a staff of 22 by a Decree 123 (14 May 2001).
 - 13.34. **The Council of Ministers** established an Integration Center for Refugees at the Agency for Refugees in Sofia with a staff of 9 by a Decree 123 (14 May 2001);
 - 13.35. **Publication** of the Book in Bulgarian and English of speeches and refugee documents of the International Conference on the Programme for Integration of Refugees in Bulgaria (December 2001).
 - 13.36. **Standardization** of BO Sofia's web site in Bulgarian and English- www.unhcr.bg with UNHCR's Web site www.unhcr.org (June 2001).
14. UNHCR BO for Bulgaria main roles during 2002-2003 relate to protection, advocacy, solutions, and prevention. UNHCR **protection** and assistance to refugees and asylum-seekers in Bulgaria are essential until the Government is able to fully assume all responsibilities in this regard. As of March 2002, access to the territory and the RSD procedures is not fully ensured in practice, and compliance with the principle of non-refoulement is still problematic and needs attention; some asylum-seekers continue to be retained, especially at the airport; material assistance provided by the Government is below subsistence level, due to prevailing economic difficulties; no free legal advice during RSDP and in courts, no integration support program, as well as access to health care, employment, are extremely limited; concerns regarding refugee and asylum seeking women and separated children have recently started to be addressed by the authorities; etc.
15. To help overcome these shortcomings, UNHCR BO Sofia works with the Government, NGOs and beneficiaries to plan together, monitor borders, visit detention centres, organize and provide legal and social advice and medical assistance, by seeking to, at the same time, to address the special needs of women, separated children and refugees with special needs. In particular, the needs of increasing number of separated children will be addressed in co-operation with partner Government authorities and non governmental organisation (NGOs), as well as through continued functioning of the existing Task Force on Separated Children. In addition, UNHCR will continue to support the Government and the NGOs to develop their capacity to handle refugee issues at international standards, by giving due consideration to refugee participation in the planning, implementation and evaluation of all activities affecting their legal, social and economic status. Such assistance is provided to administrative authorities, judiciary, lawyers, education establishments promoting human rights and refugee law, as well as to refugee assisting NGOs, in a manner that would allow UNHCR to phase out in a predictable future.
16. **Negotiation** will continue to be another key element of UNHCR BO Sofia *vis-a-vis* the Bulgarian Government, and advocacy with the public at large. Improvements in the asylum practice, with particular focus on access to the territory and fair RSD procedures; compliance with the principle of non-refoulement; real integration opportunities and a clear distinction between refugees and other categories of migrants, will be encouraged and supported. UNHCR BO Sofia will take appropriate measures to ensure that gender policies and issues, as well as issues concerning separated children are systematically included on the agenda of meetings with Government, NGOs and other cooperating agencies. The advocacy strategy includes such regular meetings with decision-makers; thematic workshops and roundtables, production and distribution of reference, training and public information materials, close co-operation with the media in the organisation of public events, as well as for a fair presentation of refugee issues to the Bulgarian public.
17. UNHCR BO Sofia will continue to find durable solutions as feasible through integration and voluntary repatriation (in 2001 about ten such cases). As long as *voluntary repatriation* is not possible due to personal risk of persecution, generalized violations of human rights, and/or armed conflicts, *local settlement/integration*. In order to allow the refugees to live a decent life and to become self-sufficient, the Government has already legislated several facilities such as access to education, language learning, vocational training, labour market, state social welfare and health insurance. However, given the extremely limited resources available to implement those measures, it is unlikely that the system will be effective by the end of 2003. UNHCR is compelled therefore to continue to fill the gaps through its NGO partners, in particular with respect to refugees' access to cultural orientation, training, labour market and health care, by ensuring that due attention is paid to gender equality and the special needs of refugee women, children and elderly. In the case of separated children, UNHCR BO Sofia will continue to ensure their access to education, special assistance, emotional support and close relations with nationals and non-nationals/refugees of the same age. *Resettlement* from Bulgaria to third countries has only been pursued by UNHCR BO Sofia in a very limited number of cases; in general, requests for resettlement on grounds related to the lack of integration opportunities and/or insufficient Government assistance towards self-reliance were discouraged



(so far only two cases to Norway and Denmark).

18. By providing the necessary protection and assistance to the refugees and asylum-seekers in Bulgaria; by supporting the refugees to integrate and become self-reliant in Bulgaria rather than seek better economic opportunities elsewhere; through permanent advocacy and constructive response to Government and NGO capacity building needs in the area of asylum, UNHCR BO Sofia will also have a role concerning prevention of irregular movements and/or trafficking of refugees and asylum-seekers towards Western Europe.
19. In addition, UNHCR BO Sofia plays an essential role in the co-ordination of initiatives and developments in the area of asylum, by acting in co-operation with the other UN Agencies present in the country, the European Commission Delegation, Council of Europe and international organisations such as the International Organisation for Migration (IOM).

- **Overview of the theme**

20. UNHCR's programme in Bulgaria within the overall strategy for Central European and Baltic states for the period 2001-2004 *Quality Asylum in a uniting Europe* will address one major theme **strengthening asylum system in Bulgaria**.
21. The UNHCR Country Operations Plan for 2003 thus describes in more detail the strategy for helping Bulgaria to build the remaining key aspects of the system, and the programme, administrative and staffing requirements of the Branch Office in Sofia, in terms of a single thematic programme : **Support to the establishment and development of the full fledged asylum system in Bulgaria** through expertise, material support and capacity building.
22. Through the 2003 country programme UNHCR will assist directly and/or indirectly some 3500 asylum seekers and 2000 refugees.
23. In order to assist Bulgaria to catch up with other Central European countries, the Branch Office UNHCR must continue all efforts for ensuring that the basic protection and assistance needs of the asylum seekers and refugees in Bulgaria are met, given the continuing inadequacies and gaps in the system, and continuing financial dependence of partners on UNHCR, and only partial and gradual assumption of responsibilities by the government in the short and medium term. During 2003 and until 2005, a high proportion of the UNHCR's staffing and program resources will still be devoted to directly meeting these basic needs.
24. UNHCR's overall goal in the country is that by end of the year 2005 Bulgaria will have in place a functioning, fair and sustainable asylum system incorporating the following necessary components:
 - 24.1. **Revised** Law on Refugees in line with the international protection standards for refugees (by 2002);
 - 24.2. **A functioning system** of transit centres for asylum seekers at borders managed and run by the government ensuring access to the territory on a sustainable basis (by 2005);
 - 24.3. **A functioning system** of registration and reception centers for asylum seekers managed and run by the government ensuring adequate reception facilities for asylum seekers (progressively from 2001 to 2005);
 - 24.4. **An effective** institutional structure linking border authorities and competent first instance authority (by 2002);
 - 24.5. **Almost** fully funded by the governmental subsistence for asylum seekers and UNHCR support reduced to a minimum (by 2005);
 - 24.6. **A speeded up** first and second instance decision making body in asylum matters (by 2003);
 - 24.7. **A government-managed** integration programme for recognised refugees with NGO involvement and UNHCR financial support (by 2003);
 - 24.8. **Optimally** diversified funding for NGO legal and social counseling services, and for NGO border monitoring activities (progressively from 2002 to 2005) with additional funding sources identified.
 - 24.9. **A government** financed Integration programme for recognised refugees (by 2005).
25. With these components in place and functioning as intended it is anticipated that the asylum system will meet the standards of the *acquis* of the European Union in the field of asylum, as well as the international standards corresponding to Bulgaria's obligations as a signatory to the 1951 Convention and the 1950



26. In relation to the strengthening of the asylum system in Bulgaria, UNHCR will conduct a series of activities meant to, on the one hand, ensure sustainable protection through support to the national capacity building; and on the other hand provide legal, social and material assistance to needy asylum-seekers and refugees, through NGO implementing partners and on a complementary basis to Government assistance. UNHCR will:
- (1) **Train** the authorities, lawyers, judiciary and NGOs, through seminars and workshops, by ensuring that UNHCR guidelines on the special needs of refugee women, separated children, refugees with special needs are covered under protection and assistance-related subjects;
 - (2) **Disseminate** relevant materials and documentation for increased awareness of international standards and Bulgaria's obligation to implement them;
 - (3) **Closely monitor** the implementation of the 2002 Refugee Law, with special emphasis on each stage of the RSD procedure and notify the authorities of any shortcomings;
 - (4) **Facilitate** access to country of origin information to all relevant actors in the Bulgarian asylum system, through ACCORD, ECOI.net and other means.
 - (5) **Support** fill in the gaps for initial integration support for newly recognised refugees
 - (6) **Support** translation into Bulgarian and printing of relevant documents and jurisprudence;
 - (7) **Disseminate** human rights and refugee law at pre-university and university levels;
 - (8) **Provide** pro-active advice and guidance to the media on asylum and refugee issues.
27. After the year 2005 it is expected that UNHCR's role in Bulgaria will be of monitoring 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.

- **Policy issues**

28. UNHCR's broad policy framework for ensuring quality asylum in Bulgaria is to contribute to the development and effective implementation of a national policy that combines: appropriate measures for addressing irregular migration, complemented by adequate safeguards to ensure persons in need of international protection are not endangered by such measures; effective international protection to all those who need it; harmonised, high quality asylum procedures that enable expeditious identification of refugees with valid protection claims; workable, protection-based and equitable mechanisms for allocation of responsibility for examining asylum claims; effective public information and education programmes to combat negative perceptions about refugees and asylum seekers in the context of the broader migration debate and to promote a positive message about active tolerance, pluralism and community relations; effective arrangements for the return of persons not (or no longer) in need of international protection.
29. While retaining a capacity to support the work of partners with all persons of concern of UNHCR, the Branch Office Sofia will focus its attention in 2002 on ensuring 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 in country; asylum seekers unable to register; asylum seekers and refugees in detention; asylum seekers presenting their case to 1st instance; asylum seekers encountering procedural flaws; asylum seekers rejected at 2nd instance.
30. Mainstreaming the **protection and assistance needs of refugee women, refugee children and adolescents and separated children**, into regular programme activities is a Branch Office policy in Bulgaria. Undeveloped asylum system and procedures to sufficiently tackle the refugee women problem have placed many challenges on the Branch Office in carrying out its mandate, namely that of protecting refugee women and promoting durable solutions to their problems. The Branch Office Sofia programme and protection work will continue to strive to better integrate the specific needs of refugee women, refugee children and adolescence into its day to day activities and its training programme. The Branch Office Sofia will address the need to foster the local integration of refugee women by developing a network of social activities and through individual, family, and community support. Refugee children and adolescence will be supported through education to integrate into Bulgarian society. In addition to mainstreaming the protection and assistance needs of **refugees and asylum seekers with special needs** into regular programme activities, additional assistance will be provided to elderly, disabled, chronically ill, mentally ill, and victims of torture.

- **Capacity and presence of implementing partners**



Bulgaria Country Operations Plan 2003

31. The Bulgarian Red Cross, the Bulgarian Helsinki Committee, and Caritas Bulgaria are the NGOs implementing partners of UNHCR for its operation in Bulgaria. The governmental implementing partners are the Agency for Refugees under the Council of Ministers and the National Service Border Police
32. In line with UNHCR policies and practices in the area of individual casework and capacity building activities in other countries in Central Europe and elsewhere, implementing partners will be in charge of organizational and technical details of training activities during 2003, while BO Sofia will continue to maintain its leadership role in core functions with substantive and legal advisory functions. This means, BO Sofia, in consultation with partners, will act in precedent-setting IC work where UNHCR's role is required and asked for, including prevention of refoulement and implementation of durable solutions.
33. *The Bulgarian Red Cross Refugee Unit (BRC)* will focus on local integration activities involving pre-integration assistance, integration support, assistance for vulnerable cases, health care, community services, special services for refugee women, refugee children. The BRC will continue to provide social counseling to refugees. Promoting conditions for integration of refugees will be a high priority of BRC work, and all possible attempts will be made to facilitate refugees' access to employment, secondary and higher education, government job-training, placement mechanisms and social security.
34. *The Bulgarian Helsinki Committee Refugee Unit (BHC)* will continue to provide legal counseling to asylum seekers and refugees in Sofia and at borders. BHC will operate a legal network of a pool of qualified young lawyers. These lawyers will launch appeals for those asylum seekers who were rejected in border procedures, assist with the registration of asylum seekers, attend interviews, launch appeals for asylum seekers whose applications have been rejected and represent them in court. BHC work will include border monitoring activities.
35. *The Caritas Bulgaria* will focus on assistance to vulnerable asylum seekers, asylum seekers with special needs, emergency dental, medical help and medicine, and support to torture survivors. Caritas will distribute one-time household support packages to newly recognised refugees. Under the Caritas sub- project the Assistance Center for Torture Victims will provide rehabilitation services to refugee victims of torture and their family members.
36. *The Agency for Refugees (AR)* is an independent governmental body under the Council of Ministers, and is charged with determination of refugee status, implementation of national refugee legislation (in co-operation with relevant government departments), management of registration and reception centres, provision of arrangements for social and medical services to asylum seekers, as well as co-ordination with UNHCR in the implementation of the 1951 Convention. The Agency for Refugees requires financial support from UNHCR to provide for accommodation and subsistence of asylum seekers during the RSDP in addition to the funds provided under the state budget.
37. *The National Service Border Police (BP)* is a governmental body operating under the Ministry of Interior. The BP requires support from UNHCR in implementing national legislation and procedures. This support will be provided through material support and training. The Border Police sub-project includes support for running the temporary reception facilities in the town of Ljubimetz (near the Bulgarian/Turkish/Greek borders).



- **Presence and role of other UN agencies and international organizations**

38. In Bulgaria, UNHCR mandate is not shared by any international organisation. UNHCR Branch Office Representative in Sofia co-operates in inter-agency activities with UNDP frequently serving as an Resident Coordinator a.i., being second international organisation of 5 international organisations (others are World Bank, IMF, UNDCP) especially when such activities can include a refugee related component, and to the extent that such participation is relevant to UNHCR's mandate. Closer co-operation with IOM is developed in respect of family reunification, voluntary repatriation and finally rejected cases.

39. **Management – strengthening**

UNHCR national offices capacity in number – currently National offices for protection, PI, program and European harmonization. BO Sofia proposes, in follow up of the COP 2002 of 12 Sept.2002 and Bulgaria's strategy for accelerating EU accession, to reclassify the P3 protection post to NOC for External Relations, PSFR and financial questions. As HQ has appointed the incumbent of the P3 post to another post in March 2002, and also the framework of planning human resources in BO Sofia, the Sr.Admin/Fin Ass with BA and M and International Relations and relevant experience for the post is a suitable candidate for the functions to be discharged. She has the relevant experience/capacity both in terms of organising external relations events, as also making substantive presentations (see report of the Varna workshop with state and local government on 28 February 2002 at www.unhcr.bg). In addition, the NOB Programme post is proposed for reclassification to NOC. Thus, the staffing table is envisaged to be as follows:

1. P5 - Representative (Protection background);
2. NOC - PI;
3. NOC - Protection;
4. NOC - Programme;
5. NOC - External Affairs, PSFR & Finance;
6. G6 - Administration/Personnel Management;
7. G5 - Senior Secretary/Executive Assistant
8. G3 - Driver/Senior Clerk

The relevant submissions for reclassifications are enclosed in the annex hereto.



(b) Selected Programme Goals and Objectives

Name of the Theme: Strengthening Asylum (as outlined in the revised Strategic Directions 2001-2004)	
Main Goals:	
<ol style="list-style-type: none"> 1) Persons in need of international protection have access to the territory of Bulgaria; 2) Asylum-seekers have access to fair, efficient and effective asylum procedures and are treated in accordance with international protection standards; 3) The rights of refugees are respected and effective durable solutions are found for them; 4) Public opinion is receptive to the protection and solutions needs of refugees. 	
GOAL 1 PERSONS IN NEED OF INTERNATIONAL PROTECTION HAVE ACCESS TO THE TERRITORY OF BULGARIA and responding to the Government's request for strengthened support in its implementation of its Strategy for Accelerating Bulgaria's Negotiations for Accession to the European Union for 2002 – 2004, adopted by the National Assembly in 19 December 2001	
Principal Objectives	Related Outputs
1.1 Measures to combat irregular migration and smuggling include adequate safeguards against direct or indirect refoulement	1.1.1 The 2002 Refugee law will reflect intl. standards and evolving EU Acquis (UNHCR standards prevailing in case they differ with EU standards); 1.1.2 In compliance with art. 35 of the Convention UNHCR to receive from the competent authorities (Border Police and Agency for Refugees) prompt and correct information on new arrivals, so that appropriate and timely interventions can be made, if needed; 1.1.3 Appropriate implementation of the new 2002 Refugee Law, which prescribes that asylum may be sought at the Bulgarian Embassy in the country of origin, including issuing humanitarian visas in countries of origin, without compromising the security of applicants; 1.1.4 Border police officers are aware of international refugee law standards as well as the obligations under international and domestic laws; 1.1.5 Legal counseling for asylum seekers during the accelerated procedure for non-discrimination and accessible RSD procedure 1.1.6 Temporary accommodation and reception facilities near Bulgarian/Turkish/Greek border Government operated; 1.1.7 Border monitoring reinforced with NGO Implementing Partner (expanding BHC legal network); 1.1.8 Border monitoring system between UNHCR/NGO(s)/Border Police functioning 1.1.9 Detention centers monitoring on a regular basis by the IP with the support of UNHCR where appropriate; 1.1.10 Enhanced cross-border co-operation between Bulgaria and neighboring countries border authorities through joint border activities for upholding basic protection principles
1.2 Comprehensive refugee and migration policies from the human rights perspective are developed and implemented	1.2.1 Initially mechanism developed to efficiently deal with finally rejected cases; 1.2.2 Increased awareness of international standards and Bulgaria meeting its obligation to implement them; 1.2.3. Inclusion into the curriculum of Universities and Schools of human rights and refugee issues in different fields of studies in cooperation with governmental and NGO IPs 1.2.4 For preventive purposes, UNHCR Sofia will have supported and achieved increased presence of Bulgaria's refugee and human rights issues and officials in the relevant European and international fora (EU, CoE, OSCE, Security Council Commission on Human Rights) dealing policy development and promotion of themes such as respect for human rights, minorities, multicultural society and peace.

GOAL 2 :

ASYLUM-SEEKERS HAVE ACCESS TO FAIR, EFFICIENT AND EFFECTIVE ASYLUM PROCEDURES AND ARE TREATED IN ACCORDANCE WITH INTERNATIONAL PROTECTION STANDARDS

Principal Objectives	Related Outputs
<p>2.1 Asylum-seekers have access to procedures in which their claims are heard fairly and promptly</p> <p>2.2 Legal framework for asylum is implemented in line with international standards and practice</p> <p>2.3 Bulgarian Asylum-relevant institutions develop to become effective and eventually independent of external support</p> <p>2.4 Bulgarian Asylum system is capable of dealing with complementary systems of protection and temporary protection in situations of mass influx</p> <p>2.5 Asylum seekers and refugees are treated in accordance with international standards in a positive environment</p>	<p>2.1 Asylum seekers have access to UNHCR funded legal advice and social counseling in all stages of the Refugee Status Determination Procedure (RSDP) and with claiming their rights under the 1951 Convention and other international human rights instruments.</p> <p>2.2 Border officials are adequately trained and sensitized on refugees and asylum issues, so that they refer asylum seekers to the AR competent to examine their claims and so that access to procedures is not denied.</p> <p>2.3 Monitoring mechanisms at points of application to ensure a transparent process with participation of actors other than the administration (BHC, Lawyers from the Legal network).</p> <p>2.4 Monitored (with BHC and BRC involvement) all stages of the RDSP (access, first instance, appeals and judicial review) as a basis for making informed recommendations for improvements in the procedure and in order to verify compliance with international standards;</p> <p>2.5 Improved quality of the refugee status determination procedure at both administrative and judiciary level within reasonable time limits (accel. Procedure 1 month, normal procedure 4 months in compliance with the 2002 refugee law)</p> <p>2.5 Continue enhance access to country of origin information by the RSD authorities, Judges, and NGOs</p> <p>2.6 Government authorities implement and adhere to national legislation in a manner consistent with international standards relating to refugees and asylum seekers;</p> <p>2.7 Sufficient availability of female interviewers is ensured;</p> <p>2.8. Communication with asylum seekers during RSDP in a language she/he understands</p> <p>2.9 Persons granted humanitarian protection benefit from government assistance</p> <p>2.10 Effective and experienced lawyers' networks is in place;</p> <p>2.11 Basic social and medical welfare rights for asylum-seekers are implemented, in line with national legislation;</p> <p>2.12 Social and economic rights of persons who have received complementary forms of protection are adequately legislated and implemented;</p> <p>2.13 Treatment of refugee children are conducted in accordance with international law and standards in full respect of the child's rights and in the child best interests;</p> <p>2.14 Separated children and unaccompanied minors are appropriately protected and assisted;</p> <p>2.15 RSDP and treatment of separated children are carried out expeditiously, including keeping in mind the recent guidance on treatment of sexual violence and abuse of refugee children.</p>



GOAL 3 : THE RIGHTS OF REFUGEES ARE RESPECTED AND EFFECTIVE DURABLE SOLUTIONS ARE FOUND FOR THEM	
Principal Objectives	Related Outputs
3.1 Refugee rights are respected	3.1.1 Receiving community accepts refugees in their place of refuge within the territory in a positive spirit
3.2 Refugees have real opportunities to integrate	3.2. 1 Refugees are able to make a free and informed choice on local integration; 3.2. 2 Government accepts and assists integration of refugees in their place of refuge within the territory; 3.2. 3 Government initiate establishment comprehensive integration programme for recognized refugees and legal provisions concerning refugee integration are further strengthened 3.2. 4 In the initial period after recognition refugees receive counseling and integration support (social and material) to help them achieve basic independence, and their needs for a limited period of time pending self sufficiency; 3.2.5 Refugee integration measures are implemented by Government in co-operation with NGOs 3.2.7 An increasing number of recognised refugees can sustain their living through income generating activities
3.3 Refugees have real opportunities to return to their homes	3.3.1. A number of refugees start to request and receive information and support to voluntary repatriation

GOAL 4: PUBLIC OPINION IS RECEPTIVE TO THE PROTECTION AND SOLUTIONS NEEDS OF REFUGEES	
Principal Objectives	Related Outputs
4.1 Xenophobic trends diminish in favor of increased tolerance, and the public at large understands the difference between economic migrants and refugees	4.1.1 A better understanding amongst the public of difference between refugees and economic migrants with greater receptiveness 4.1.2 Increased public awareness with regard to refugee, asylum issues, and the special needs of refugee women, refugee children and adolescents, separated children 4.1.3 Enhanced public tolerance towards understanding and compassion for refugees 4.1.4 Government involved in public awareness/public information activities 4.1.5 Closer relations with NGO partners and contribution to the promotion of their image and interests in the field of asylum 4.1.6 Opinion leaders, local authorities, NGOs attract support to structures already involved in refugee issues
4.2 UNHCR's standards as the international authority on refugee protection is understood and acknowledged, including by the local and international donor community.	4.2.1 Better chances to be effective in discharging UNHCR's global and local role through higher profile of UNHCR BO Bulgaria

