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EESC fact-finding missions on the situation of refugees, as seen by civil society organisations



MISSION REPORT – BULGARIA
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Mission Report – Bulgaria, 25-26 January 2016

In December 2015 and January 2016, EESC delegations visited eleven EU Member States to meet civil society organisations working with migrants in order to identify the problems, needs, failures, success stories and best practices of the various actors in the current refugee crisis with the final aim of providing input to EU policy-making. The delegation to Bulgaria was composed of Evgeniy Ivanov (Bulgaria, Employers Group), Veselin Mitov (Bulgaria, Workers Group) and Bogomil Nikolov (Bulgaria, Various interests Group), supported by Milen Minchev, EESC secretariat.

1. Conclusions

No hostile attitudes or violence have been reported between the Bulgarian population and asylum seekers. In 2015, Bulgaria received 20 391 asylum applications – almost double the 2014 figure of 11 081. The available capacity for housing refugees is 5 130 places across the country and the absolute maximum is estimated at 10 000. An increased influx is deemed unmanageable. Over the last few months, there was a gradual fall in the number of Syrians, who comprised 31% of all refugees in 2015 (11% in January 2016). There are many Iraqis and Afghans, many of whom are minors. Most migrants entering Bulgarian territory have no identification papers on them.

A significant difference in the attitude of refugees was noticed following Angela Merkel's announcement in September 2015. Many people staying at reception/registration centres left. Whereas these centres were previously at full capacity, by January 2016, there were only a couple of hundred asylum seekers left in Bulgaria. The vast majority of asylum seekers either withdrew their applications or left the country before being granted refugee status. In fact, only 66% of the 31 000 people who entered the country in 2015 applied for asylum. Since the end of summer 2015, the main proportion of people entering Bulgaria is reported to have shifted from asylum seekers to economic migrants. The ratio of single people used to be 80 out of 2 000 refugees. This has now been reversed.

Best practices relating to the authorities' work include the decentralisation of refugee registration, the introduction of satellite registration points at border centres, and 13 EURODAC fingerprinting centres, which have significantly reduced registration times. Another achievement is that the asylum procedure has been shortened from 2.5 months to 2 months. Recent improvements mean that it should soon become even shorter. The authorities have managed to register every refugee documented as entering Bulgaria. This compliance with the rules may be a factor that stops refugees from taking the route through Bulgaria.

Bulgaria is not part of the Schengen area, even though it safeguards the EU's external border. This imbalance between equal rights and obligations is a source of contention. The social partners argue that the country is obliged to protect the Schengen borders but does not receive the necessary support or recognition and its citizens do not benefit from being in the area. If they are to convince Bulgarian nationals of the need to protect the Schengen borders, then the government's support is a must.

Refugee flows are a relatively new issue for Bulgarian society, which can partly explain why the State is relatively unprepared to address all its aspects effectively. Bulgaria is in the process of resettling several Syrians, Eritreans and Iraqis, who were scheduled to arrive in early February. Its total resettlement quota is 1 500 people. Asylum seekers in Bulgaria often have no education and some are illiterate in their own language, which makes integration difficult. In Germany, 30% of arrivals have a higher education qualification, compared with only 2-3% in Bulgaria. A point of disagreement between the authorities and NGOs is whether language training is readily available to asylum seekers. NGOs reported that a number of services, including childcare, were only available to those who spoke Bulgarian or were already integrated in the labour market and therefore not to refugees. The major obstacle to integration is the lack of a national action plan to teach Bulgarian and facilitate social adaptation and cultural orientation. The experience of NGOs is not taken into account in the development of national refugee and migration strategies. They report that instead, a piecemeal approach is in place.

Due to the lack of staff and infrastructure required to secure the border with Turkey, a fence was constructed over a distance of 65km (the total border with Turkey is 270km); and a 30km extension has been approved. The ministry of the interior spends 20% of its budget on border control. The cost of protecting the EU's external borders is reported not to be considered by the EU. The EU has refused to finance any part of the fence's construction.

2. Summaries of the meetings

a) Meeting at the Ministry of the Interior

Tens of thousands of migrants crossed the Bulgarian borders and 31 000 of them were documented and registered. The number could be smaller if the country's resources for protecting its borders were more adequate. The recruitment of 800 staff is needed for the Turkish border alone; no EU funding has been received for this. The timely response of border patrols is significantly undermined by the sub-par infrastructure in the mountainous parts of the border. A forest road will cost EUR 100 000 per kilometre and EUR 30 million has already been invested. The EU is expected to contribute EUR 40 million to safeguard the border and to provide EUR 32 million for police cooperation. Despite governments asking for emergency funding to tackle the influx of refugees, only EUR 20 million was allocated for Europe as a whole. Bulgaria's request for EUR 2 million was refused in 2015, citing insufficient evidence for a change in migration flows. In August, it was necessary to revamp border controls and tackle the refugee crisis. Bulgaria applied for emergency funding since the border authorities need EUR 15-20 million per year for translation and vehicles alone. A reply is expected for the next financial period. Theoretically, EUR 30-40 million a year will provide sufficient human and logistical resources. There are no notable changes on the border with Greece (which is longer than the one with Turkey); no investments are being made, neither is there any EU funding for the EU's internal borders.

Between 2013 and 2014, the reception-registration centres were at full capacity and the refugees remained in them. Expenditure on private rent and efforts to begin to integrate refugees amounted to EUR 1.5 million. In September-October, a new system was set up to cope with arrivals, which is faster and more efficient. Compared to the migrant registration procedure in the US, where 15 intelligence services are involved in interviews and the process takes up to two years, in Bulgaria there are interviews with only two services. The percentage of migrants considered to be a high security risk is 0.1% and these can be deported to Turkey or Syria (Afghanistan and Iraq have no deportation arrangements with the EU).

The current international initiatives, including the EU refugee facility for Turkey costing EUR 3 billion, will only address the issue of Syrian refugees. The current major groups of asylum seekers are from Afghanistan and Iraq. The Bulgarian reception-registration centre in Elhovo is a hotspot, even though there is reluctance to call it that. A key point is the right to return migrants into Turkey. An agreement has already been signed and was due to come into force in 2018, but this is now expected to happen in the summer of 2016. There is no legal way to stop refugees from crossing the EU's external borders – they have an obligation of non-expulsion or return. If Turkey is considered to be a safe country, Bulgaria should be able to return migrants to Turkey. The Bulgarian authorities hope that this is the legal way to stop migration flows - by returning migrants to Turkey.

The authorities have received EUR 2 million for integration over the seven coming years. Existing funds are for vulnerable groups. Language training is not provided, unlike in Germany, whereas investment in intensive language training for asylum seekers who remain in Bulgaria is needed to improve integration.

Recently the Deputy Prime Ministers for Internal Affairs and Labour and Social Policy took part in two important discussions: one with the four employers' organisations and the two trade unions, and another with the Red Cross, UNHCR and EU ambassadors. The discussions focused on how the social partners and the government can help with the labour market and social integration of asylum seekers. Their joint position is that integration initiatives should not hurt the labour market. This means that refugees should only be integrated in employment niches where there are current shortages, for example in outsourcing companies and in the textile and construction sectors. It has not been decided whether the Ministry of Interior or the Ministry of Labour and Social Affairs should take responsibility for integrating refugees.

b) Visit to the accommodation centre at a Voenna rampa, Sofia

The different steps in the registration of asylum seekers seem to run efficiently. At times, discrepancies between the information obtained from the interviews conducted by the two intelligence agencies raise concerns about their authenticity. Interpreters are used, at a cost of EUR 13 an hour. The refugees are very well informed and seem to "know the laws better than the border and immigration authorities". The centre currently accommodates about 100 people. Over the last few weeks, most have been from Afghanistan. Following the statements by the German authorities in

September welcoming refugees, the number of residents at the centre fell from 850 to 200 within two weeks. Most left via a Red Cross corridor through Serbia and some may have gone with traffickers through the Kalotina and Dragoman border crossings.

An effective practice is to separate new arrivals according to their nationality and send them to different centres. This has avoided the ethnic and social tension which used to exist. New arrivals usually stay at a centre for a few days and then leave since it is an open-access facility. In July 2015, the centre housed 900 people, mostly Syrians, Afghans and other refugees of Arab origin. The authorities used to talk to elected representatives of the people staying at the centres. They also had "elders' councils" – but this changed in September. Families and single people live on different floors. A drawback is the lack of security on every floor of the centre, and the absence of all types of personnel outside working hours.

Recent reports state that most refugees have money on them when they arrive and receive money during their stay at the centre. Some engage in commercial activities, others work in services, for instance in restaurants. Integrating them has been difficult due to differing values and attitudes towards the treatment of women. The typical asylum seeker is male and aged between 15 and 35. Some have several wives, which causes problems when registering marital status. The centre has a UNHCR-sponsored kitchen; they serve meals that are adapted to Muslim practices three times a day. The centre's authorities expect March and April to be difficult with a fresh influx of people.

c) Visit to the reception-registration centre in Harmanli

The Harmanli centre is the largest in Bulgaria and has witnessed the biggest refugee flows due to its location close to the Turkish border. The centre's average processing capacity is 35-40 people a day. In January 2016, the centre was registering 20 people per day. At the peak, between 18 September and 30 October, it was processing 110 people a day. Following Angela Merkel's announcement in September, riots occurred when new arrivals refused to be fingerprinted as they did not want to be registered in Bulgaria.

A recent challenge is that despite the availability of interpreters from other languages, the new arrivals are Kurds, for which interpreters are difficult to find, especially at such a distance from Sofia (250km). Most women at the centre are Kurds, and many of them do not speak Arabic. Funding for interpreters comes from the Asylum, Migration and Integration Fund (80% EU-funded, 10% government-funded). Interpreters are currently hired on one-year contracts; until recently, they used to have monthly contracts.

The centre has had an in-house kitchen since January 2015, which provides culturally appropriate meals. The food used to be provided from elsewhere. Extensive renovations are required. In terms of security, there have been no tensions with the surrounding community. Vandalism in the centre cannot be prevented as the security cameras do not allow the staff to determine who is responsible. The centre cannot afford to hire more security personnel – even though more security would make it

safer. The centre has a doctor and social workers and offers psychological treatment and an ambulance service. However, if the existing programmes are not renewed, it will not have the resources to go on offering the same services. The centre has provided a prayer space, but many residents are non-practicing. One criticism from NGOs is that each faith needs to have its own separate prayer space.

Before September 2015, local businesses were happy to have new customers and have expressed regret that the asylum seekers have left the region. In terms of integration, a number of refugees were opening businesses (a shop and several services) before September, but now only one fast-food business remains. In total, 57 people had found jobs, 21 of them in manufacturing. A challenge to accessing the labour market is that without access to the refugees' papers, the authorities cannot determine what skills they have. The majority of the centre's current residents had not been educated beyond the 4th grade.

Asylum seekers leave Bulgaria for other countries because the country does not provide social support. Instead, refugees remain at the centre for 2-4 months and then leave. The centre manager reported that some unaccompanied minors are sent ahead because minors have legal protection. Once they receive refugee status, they can apply for their family to join them. This is especially the case when their families are in a third country which is not deemed to be dangerous as to entitle them to refugee status.

d) **Meeting at the Ministry of Labour and Social Affairs**

A main problem is that refugees lack the basic language skills in Bulgarian that would give them proper access to services and allow them to begin integrating (register as jobseekers, receive job orientation and re-training). According to NGOs, asylum seekers are a vulnerable group as they cannot take advantage of their rights, because no-one can guide them or explain how to qualify for different social services. It has now been a year since a common "asylum, migration, integration" strategy was developed by combining the three previous national strategies.

A crucial step in labour integration is to identify the skills needs of local businesses. One example was three textile vacancies with a small local manufacturer, which suited three seamstresses who had recently arrived as refugees. Some opportunities for financing integration efforts are available under the EU Asylum, Migration and Integration Fund (AMIF). There is a national council for migration and integration, which aims to address the challenges of regular and irregular migration. It includes the Labour Ministry with its statistics agency and the Ministry of the Interior's agencies for refugees, migration, border police and national security. However, the social partners are not involved.

There is a clear need for the coordination of integration efforts. A new administrative body may have to be created to take account of the input of several ministries. There are discussions on the creation of a commission for integration, which would attempt to match the skills supply to labour market

demand. Regional authorities are of paramount importance since mayors know the situation in their regions or cities and the exact resources available.

e) **Meeting with the International Organization for Migration**

IOM draws attention to the information centres for migrants, which provide a wide spectrum of advice to migrants in areas such as access to the health system and vocational qualifications. They have made efforts, in line with a wide multi-cultural programme, to provide training on how the Bulgarian State and society function. IOM believes the country has sufficient capacity to integrate refugees. On the question of whether refugees return to their home country at the end of a conflict, IOM claims that 25-30% returned to the countries of former Yugoslavia once peace was restored in the 1990s. Only 200 of the 8 000 refugees that passed through Bulgaria to Germany have been returned. This means that the Dublin Regulation does not in fact pose a big risk that masses of refugees could be sent back to the country.

During the last months, IOM has observed a change in the type of refugees. The majority have no work experience and low levels of education. Integration has become very hard, since most are not willing to integrate and do not make any effort in this regard. They believe that it is up to the social system to take care of them. At present, most of them are not interested in learning Bulgarian and do little to empower themselves even though they do not seem to have enough resources. According to IOM, countries such as Bulgaria – which are on the EU's external borders – should be assigned clear rights and responsibilities and given adequate resources to protect those external borders: financial, human resources, etc. A new, active policy towards Turkey is also needed in order to manage migration flows into Europe.

f) **Meeting with the State Agency for Refugees at the Council of Ministers**

With regard the asylum procedure, only 30% of the 20 391 people who applied for protection in 2015 stayed in the country to receive a reply, and most left the country before the procedure was completed. The agency's current capacity for housing refugees across the country is 5 130 places: the centres in Sofia have 2 100, the centre in Harmanli has 2 710 and the transit centre in Pastrogor has 300. During the summer of 2015, the agency was housing 4 500 refugees, i.e. its centres were 80% full. Currently, the centre in Harmanli only houses 120 people. There is already financial pressure on the national budget. An increased influx will not be manageable. Within a week, the agency's capacity can be augmented to 6 000 places. The country can currently provide shelter for a maximum of 10 000 people. However, administrative capacity cannot operate efficiently at such numbers.

The agency has decentralised refugee registration and now has satellite registration points at the border centres and 13 EURODAC fingerprinting centres, which have significantly reduced registration times. The asylum procedure was shortened from 2.5 months to 2 months. An investment of EUR 9.8 million over two years in the reception of refugees in Bulgaria has allowed the agency to

hire 50 people for one year and extend its housing capacity by 400 places in mobile villages. Another camp is under construction, but has been put on hold due to discussions with the Commission.

Ninety percent of refugee flows into Bulgaria used to be at the 'green' border, whereas now it is only 50%, with the other 50% arriving through border checkpoints. The agency is struggling to find qualified – and trustworthy – interpreters, especially for Urdu, Pashtu, Farsi, and Kurdish. This is especially difficult in the centres outside the capital city. The agency has found out that smugglers charge EUR 3 000 to get a refugee through Bulgaria, and EUR 1 200 to get through Greece. The big challenge for integration is the need for a national action plan. In parallel, refugees need to be provided with Bulgarian language training, as well as social adaptation and cultural orientation.

g) **Meeting with non-governmental organisations**

Participants: Help the Needy Foundation; UNHCR; Caritas Sofia; Council of Refugee Women in Bulgaria; Foundation for Access to Rights (FAR); Legal Aid Centre 'Voice in Bulgaria'; Foundation Bulgarian Lawyers for Human Rights; Centre for European Refugee Migration and Ethnic Studies (CERMES) in the Department of Political Science of New Bulgarian University.

- An NGO has established a commission for donor liaison; organised programmes aimed at socialisation and integration in the local community; and launched caretaker programmes for unaccompanied minors. In partnership with educational organisations, it issued a booklet "Refugees – people in need of support and protection"; organised academic courses on "Refugee Law"; and held a regional seminar on "Social services in migration and refugee crises", attended by representatives of NGOs, local government and law enforcement.
- Caring for refugees cannot be guaranteed only by law and institutions. As a result, there is room for NGOs operating in the public interest to support the State by dealing with some of the problems relating to refugee flows. NGOs call for the creation of a situational crisis council on migration and refugee issues, which would provide centres for legal and social services. State institutions do not partner with NGOs to create a programme to provide language courses, combined with training and apprenticeships which lead to skills acquisition. An NGO has tried to provide news in the mother tongues of refugees in the centres, as well as a special broadcast on the rights and obligations of refugees.
- NGOs are concerned about safe access to Bulgaria's territory. These include concerns about the border fence etc. Human rights are closely monitored, as there is risk of pushbacks by the border authorities. Everyone who needs international protection should have access to the country's territory. If the flow of refugees on the route through Macedonia, Croatia and Slovenia continues in 2016, this might evolve into an emergency situation in Bulgaria. They are talking to the authorities in order to make sure that unaccompanied minors – the majority of whom are Afghan nationals – are treated appropriately. The authorities do not have an established procedure for dealing with minors who remain in the country. A main concern is that they are vulnerable to smugglers.

- Despite discussions on an integration strategy, no such programme exists for people granted refugee status. This is the reason why so many refugees leave; and this needs to change. There is no dialogue between the authorities and NGOs. The way forward would be an effective debate, which should result in concrete outcomes. NGOs stated that EU funding for integration would be available if the authorities asked for it. In 2015, neither State-funded language training nor vocational training was provided. International NGOs have been providing language training instead. Refugees only find informal work, without a signed contract, mostly within their community, or they rely on the help of friends.
- In 2013, when the crisis began, NGOs provided humanitarian aid in the Harmanli refugee centre, as well as integration activities and an advice bureau for those who have received refugee status. They call on the State to guarantee access to social services and legal protection for all asylum seekers, as they consider schools to be the key to the integration of children. To this end, they advocate a special programme to cater for refugee children in partnership with migration inspectorates.
- Seasoned refugees inform newcomers – who might otherwise want to stay in Bulgaria – that there is no support/integration programme in place (many have 3-5 kids, one family had 11) and that rental accommodation is hard to find, etc. As a result, they leave the country. One example is social housing: in order to qualify, one of the spouses needs to be a Bulgarian citizen and to have worked in the country already. Another is kindergartens, since refugees do not qualify for places and even citizens can find it difficult to get a place.
- Detention is not a good way to start an asylum seeker's integration in the host country. NGOs point to examples of the negative psychological effects of the fourteen-day detention period. The Bulgarian courts have not formally looked into any human rights violations. The process should allow time for their rights to be explained in their own language and they should have time to go through any documents and information brochures with their legal counsel. Very few asylum seekers appeal against asylum decisions, because they have no access to legal aid. The situation is even worse in border regions. As all legal aid provided to asylum seekers is pro-bono, financing it through the integration fund would be an effective solution.
- NGOs advocate a move from migration to mobility, through the more systematic use of approaches such as the Migrapass project under the EU's 'Lifelong learning' programme. The project would allow effective labour market integration as it takes into account the unique experience of migrants and helps determine their existing skills or gaps that can be addressed.