

2018 Age, Gender and Diversity Participatory Assessment Report

I. Overview of the Asylum Context

2018 marked the lowest number of asylum applications since the refugee influx to Bulgaria in 2013, with 2536 individuals seeking international protection in the country between January and December.¹ This number represents a decrease with 31.5% in comparison to 2017 (3700 applications) and is approximately eight times lower than the one in 2016 (19 418).

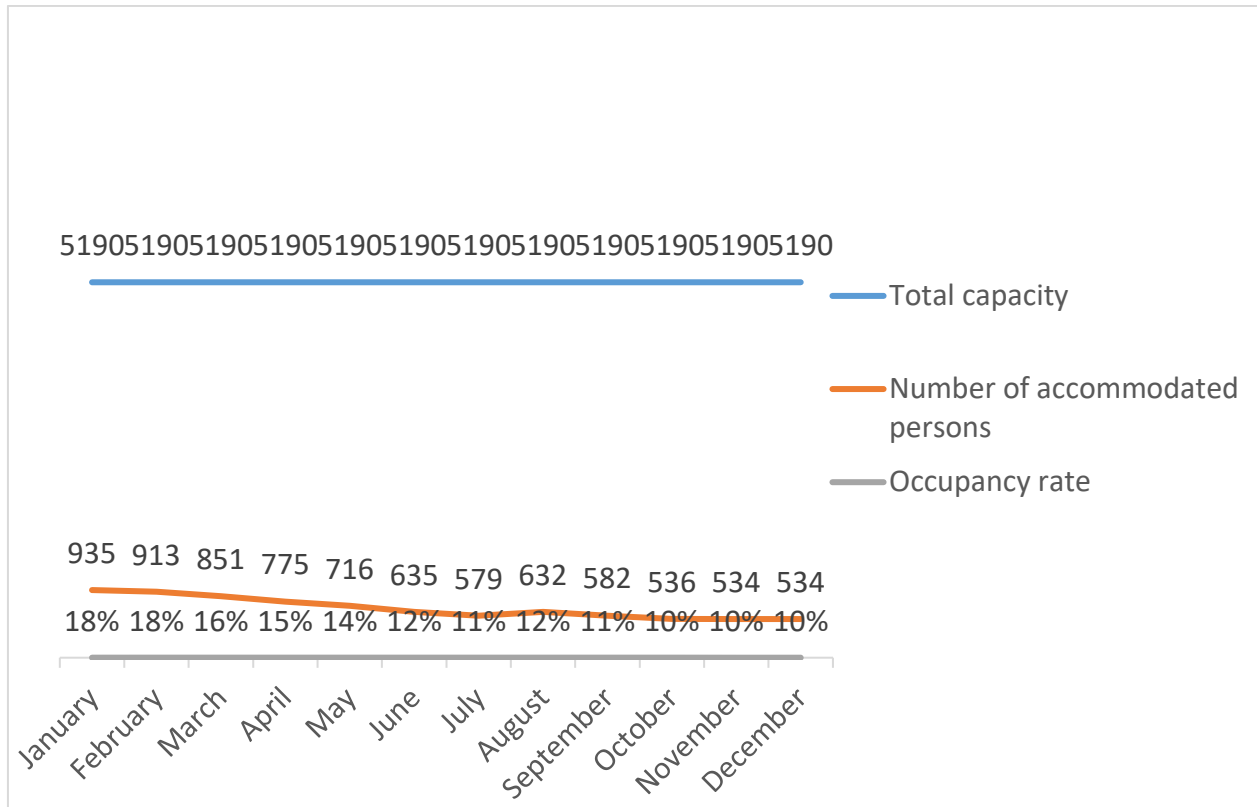
The top three countries of origin of asylum-seekers in 2018 remained similar to those already established as such in the beginning of 2016: Afghanistan (1101), Iraq (635) and Syria (503). The other two main countries of origin in 2018 were Pakistan (159) and Iran (43). As in the previous years, this composition remained relatively steady with slight variations throughout the year.

The State Agency of Refugees (SAR) maintained the number of its open centres at six (Registration and Reception Centre (RRC) Sofia with three centres in the districts of Ovcha Kupel, Vrazhdebna and Voenna Rampa; RRC Harmanli, RRC Banya and Transit Centre (TC) Pastrogor). Yet, as of the end of 2018 two of them – in Vrazhdebna district and Banya village, do not temporarily accommodate persons and are expected to be fully functional again in the beginning of 2019.

After in 2017 TC Pastrogor was refurbished into a closed-type facility, similar works were finalized in the spring of 2018 in one of the corpuses in the largest open centre – RRC Harmanli. Nevertheless, none of the two centres functions as closed-type, with TC Pastrogor still operating as an open-type facility (*as per* a Decision of the Council of Ministers of 20.06.2018), while Corpus 1 of RRC Harmanli not being operational since the end of its refurbishment. Thus, the only closed-type facility administered by SAR is in the Sofia district of Busmantsi with capacity of 60 persons.

The capacity of all SAR territorial units remains unchanged in the past few years – at 5190. The occupancy rate has been continuously falling throughout 2018, reaching 10% in December. The dynamics could be seen in the following graph:

¹ Data published by the State Agency for Refugees, available at: <https://aref.government.bg/bg/node/238>



Graph 1: Occupancy Rate of SAR Reception Facilities for 2018²

The rate of terminated and suspended refugee status determination procedures remains relatively high: 860 terminated procedures³ out of 2952 decisions taken by SAR in 2018, which represents 30% of all decisions; another 739 procedures were suspended in 2018.⁴ Yet, the percentage of terminated procedures is lower than the one in 2017, when it was 67% (9662 terminated procedures out of 14 414 decisions). The vast majority of individuals with terminated procedures in 2018 were from Iraq (534) and Afghanistan (198) due, among other reasons, to the low recognition rates of the two nationalities – 5% and 3% respectively. Similarly low remained the recognition rates for Pakistani nationals (5%) and for Iranians (9%). On the contrary, Syrian citizens kept enjoying a high recognition rate with only 11 cases of rejected applications for international protection against 503 applications in 2018. For the same period of time, 317 refugee status and 413 humanitarian status decisions were granted.

² Based on SAR data provided for the purposes of the current Report.

³ According to the Law on Asylum and Refugees (LAR), Art. 15(7) a procedure is terminated if the applicant fails to appear before the relevant SAR official within 3 months after the suspension of his/her procedure.

⁴ According to the Law on Asylum and Refugees, Art. 14 a procedure is suspended where the foreigner, without good reasons fails to appear for an interview within 10 working days, after having been duly invited to do so, changes his/her address without notifying the SAR thereof, refuses to assist the officials in clarifying the circumstances pertaining to his/her application, or fails to report to SAR official once in two weeks if required to do so.

The number of asylum applications of unaccompanied and separated children in 2018 increased by 9%: from 440 in 2017 to 481 in 2018. The majority of these claims were submitted by applicants from Afghanistan (363). The persistent lack of adequate accommodation and effective legal representation⁵ of unaccompanied minors; of correct identification and support of vulnerable asylum-seekers; of provision of adequate legal assistance; and the detention of asylum-seekers as well as of safeguards within the detention procedure resulted in Bulgaria receiving in November 2018 a formal notice by the European Commission concerning the implementation of the EU asylum legislation, namely the Asylum Procedures Directive and the Reception Conditions Directive, as well as the Charter of Fundamental Rights.⁶ The country was warned that if it does not act within the following two months, an infringement procedure as per Art. 258 of the TFEU⁷ would follow. As of 20 December, out of all 481 unaccompanied minors who applied for asylum in 2018, 47 unaccompanied and separated children were accommodated in SAR reception facilities.⁸ In 2018, 26 were accommodated in mainstream specialized services for children, and 20 were reunited with family members in other EU Member-States.⁹ The data presented point to a high level of secondary migration among these children and the inherent risks of exploitation and trafficking they face along their further route.

2018 saw a decrease in the number of inquiries for transfers under Dublin III Regulation: 3450 (in 2017 they were 7934) with 86 entry transfers and 52 exit ones.

2018 marked the first participation of Bulgaria in UNHCR Resettlement Programme under the 1:1 mechanism with Turkey. Three families, overall 21 individuals out of a resettlement pledge of 110 by end of October 2019, arrived in the country by the end of 2018.

II. Methodology of the 2018 AGD Participatory Assessment

In December 2018, the UN General Assembly adopted the UN Global Compact on Refugees (GCR).¹⁰ The GCR establishes the architecture for a stronger, more predictable

⁵ SAR notes that based on established case-law of the end of 2017, during all refugee status determination interviews of unaccompanied minors the following experts were present: representative pursuant to Art. 25 of the Law on Asylum and Refugees (LAR), social worker of the Child Protection Units of the Agency for Social Assistance and a lawyer of the National Bureau for Legal Aid within an agreement between SAR and the Bureau, under a project funded by the Asylum, Migration and Integration Fund until January 2020.

⁶ Migration: Commission calls on BULGARIA to comply with EU rules on asylum, EC, http://europa.eu/rapid/press-release_MEMO-18-6247_en.htm

⁷ Consolidated Version of the Treaty of the Functioning of the European Union, OJEU, C 326/47 of 26.10.2012, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN>

⁸ SAR data, 83th Coordination Meeting of 20 December 2018.

⁹ These 20 children were reunited to other EU Member-States pursuant to Art. 8 of Regulation No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), also known as Dublin III Regulation, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0604&from=EN>

¹⁰ UNGA, Report of the United Nations High Commissioner for Refugees. Part II. Global Compact on Refugees, A/73/12 (Part II), https://www.unhcr.org/gcr/GCR_English.pdf

and more equitable international response to large refugee situations.¹¹ It embodies the age, gender and diversity approach (AGD) as a key approach that furthers the achievement of the Programme of Action underpinning the GCR.¹²

In March 2018 the UNHCR updated its AGD policy aiming to reinforce the longstanding commitment to ensuring that people are at the centre of the UNHCR mandate.¹³ The AGD approach applies to all aspects of the UNHCR activities and aims to ensure that “persons of concern can enjoy their rights on an equal footing and participate meaningfully in the decisions that affect their lives, families, and communities”.¹⁴ The rationale behind this approach is that each person is unique and that differences between people, whether actual or perceived, can be defining characteristics that play a central role in determining individual’s opportunities, capacities, needs and vulnerability.

The AGD strategy promotes gender equality and human rights, particularly women’s and children’s rights, and protection of all refugees, regardless of their ethnic, social or religious background. It also advances the UNHCR commitments to Accountability to Affected Populations¹⁵ as well as the UNHCR’s Strategic Directions 2017-2021 which emphasize “putting people first” by: (i) drawing on the rich range of experiences, capacities, and aspirations of refugee, displaced, and stateless women, men, girls, and boys; and (ii) being accountable to the people we serve, listening and responding to their needs, perspectives, and priorities.¹⁶



Graph 2: Six Areas of Engagement for Achieving Accountability to Persons of Concern within an AGD Approach

In light of this guiding principle, the 2018 participatory assessment (PA) aimed at including as many and as varied persons of concern as possible in terms of the abovementioned categories and their locations. The data collection method uses structured focus group interviews, following standardized questionnaires for asylum-seekers, beneficiaries of

¹¹ UNHCR, *The Global Compact on Refugees. UNHCR Quick Guide*, p. 4-5, <https://www.unhcr.org/5b6d574a7>

¹² *Supra*, n. 10, Para. 12.

¹³ UNHCR, *UNHCR Policy on Age, Gender and Diversity*, March 2018, <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=5bb628ea4&skip=0&query=policy%20on%20age,%20gender%20and%20diversity>

¹⁴ *Ibid.*, p. 4.

¹⁵ For UNHCR, the terms “affected people” and “affected populations”, common in inter-agency settings, refer to persons of concern, in line with the Organization’s mandate for refugees, asylum-seekers, returnees, stateless people, and the internally displaced.

¹⁶ UNHCR, *UNHCR’s Strategic Directions 2017-2021*, June 2016, p. 13, <https://www.refworld.org/docid/590707104.html>

international protection and children, which were updated in 2013, and are additionally adapted to every year's operational context. The focus groups with children further followed the guidelines for conducting Participatory Assessment with Children and Adolescents developed by UNHCR.¹⁷

Focus group discussions were conducted not only at all accommodation (reception/transit) centres, but also with people of concern living at external addresses. The sampling method, deemed best reflecting the AGD approach, is stratification sampling, which ensures proportional representation of all categories of interest, such as age, gender, ethnicity, nationality and status.¹⁸

In 2018, the focus groups were organized in two periods of time: from April to July, and from October to November. The approach allows for the collection of data in two time frames thus providing for a comparative element between the first and second phases of the assessment.¹⁹ Due to the anonymity of participation, the number of repeat participants cannot be definitively ascertained, but their number varies between 5 and 10 individuals.

A concluding workshop on the AGD PA exercise took place on 6-7 November 2018. Members of the multi-functional teams participated in the event and shared their observations on the data collected throughout the participatory assessment, outlining the areas of improvement, prioritizing areas of concern and suggesting recommendations for further actions. This report is based on the data collected in the PA process and reflects the final discussions which took place during the concluding meeting. The recommendations have been consulted with the participants prior to their inclusion in the report.

Like any research, the methodology of the AGD PA has its limitations. Due to the fact that the main source of information are the asylum-seekers and beneficiaries of international protection, the identified positive developments, gaps and recommendations are limited to the information available to them as part of their lived experience. The PA does not fully reflect the development of procedural, policy or legislative changes unless these are experienced directly and in practice by the participants in the focus group discussions. At the same time, the results of the PA aim to improve the existing legal framework, procedures, policies and practices through active advocacy on the part of all members of the multi-functional teams that conducted the PA.

¹⁷ UNHCR, *Listen and Learn: Participatory Assessment with Children and Adolescents*, July 2012, <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=4ffe4af2&skip=0&query=listen%20and%20learn>

¹⁸ The sampling principle taking precedence in the formation of the focus groups is the language spoken (in view of the practical provision of interpretation from Arabic, Farsi, and English), followed by the legal status of the persons of concern (asylum-seekers or beneficiaries of international protection).

¹⁹ Taking into consideration that the average time period of stay in the SAR reception facilities is 4 months, a limited number of participants may have participated in both phases.

III. Overview of the 2018 AGD Participatory Assessment

In 2018, the total number of the focus group discussions conducted was 33, encompassing 297 persons of concern. They involved multi-functional teams, consisting of 51 representatives of 20 state and non-governmental entities, namely the State Agency for Refugees, Employment Agency, UNHCR, UNICEF, Confederation of Independent Trade Unions of Bulgaria, Bulgarian Red Cross, Bulgarian Helsinki Committee, Council of Refugee Women, Bulgarian Council on Refugees and Migrants, Foundation for Access to Rights, Centre for Legal Aid “Voice in Bulgaria”, Multi Kulti Collective, Centre for the Study of Democracy, Foundation Centre Nadja, Lumos, Sofia University St. Kliment Ohridski, New Bulgarian University, Plovdiv University “St. Paisij Hilendarski”, CATRO Bulgaria, and Translation Services Plus. The average number of respondents per focus group was 9.

24 focus groups with persons of concern in 5 of the 6 SAR accommodation centres (as in TC Pastrogor there were no accommodated individuals until end October) were conducted. 3 focus groups in the two Special Centres for Temporary Accommodation of Foreigners (SCTAFs) under the Ministry of Interior,²⁰ and 6 focus groups with asylum-seekers and beneficiaries of international protection living at external addresses in Sofia were conducted between 13 April and 2 November. By legal status, there were 13 group discussions with asylum-seekers and 10 groups with beneficiaries of international protection (the remaining 10 groups were mixed). By age and gender, 7 groups were with women only, 7 with men only, 6 with children, including unaccompanied and separated children (the remaining groups were mixed). By nationality, the participants were from Syria, Iraq, Afghanistan, Iran, Pakistan, Lebanon, Somalia, Yemen, Algeria, Kazakhstan and stateless. 9 focus groups were held with Farsi/Pashto-speakers.

By categories:

1. Asylum-seeking men (age group 18-60) – 77 persons interviewed in total;²¹
2. Asylum-seeking women (age group 18-60) – 94 persons interviewed in total;²²
3. Beneficiaries of international protection²³ men (age group 18-60) – 23 persons interviewed in total;²⁴
4. Beneficiaries of international protection women (age group 18-60) – 23 persons interviewed;²⁵
5. Elderly persons of concern (age group over 60) – 6 persons interviewed;

²⁰ Persons irregularly crossing the Bulgarian border who are not seeking or did not have a possibility to seek asylum at the Bulgarian border are detained at the SCTAFs, which are accommodation facilities of closed type. Once they apply for asylum, the respective persons are to be transferred to SAR accommodation centres of open type within 6 days from the application for international protection, where they are registered as asylum-seekers and their refugee status determination procedures are initiated.

²¹ Of them 25 in SCTAFs.

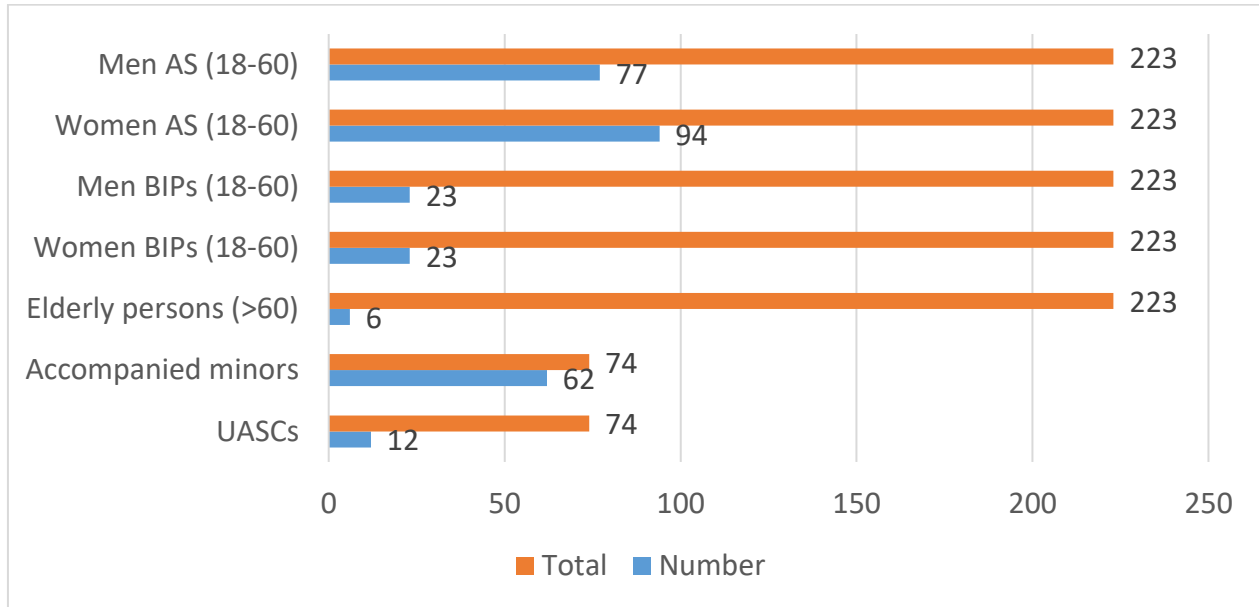
²² Of them 6 in SCTAFs.

²³ Beneficiaries of international protection include refugee and humanitarian status holders.

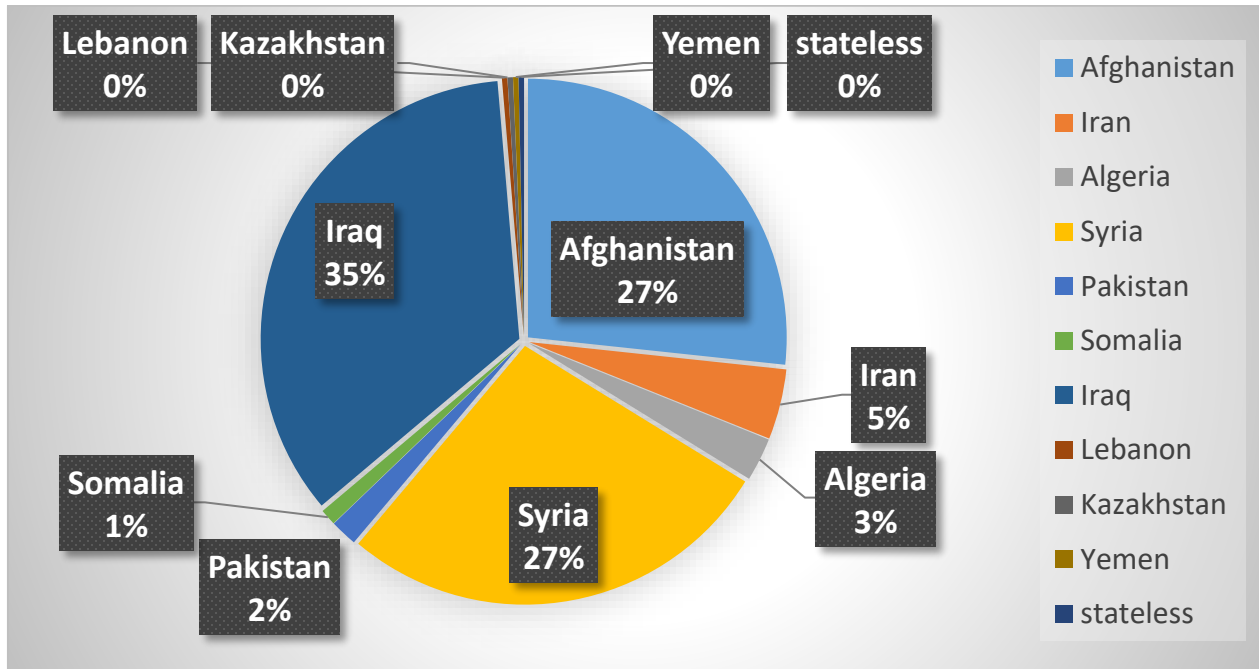
²⁴ Of them 13 living at external addresses.

²⁵ Of them 23 living at external addresses.

6. Accompanied children with families (asylum-seekers and recognized refugees) – 62 children interviewed;²⁶
7. Unaccompanied and separated children (UASCs) – 12 children interviewed.²⁷



Graph 3: Distribution of participants in the 2018 AGD PA by age, gender and legal status



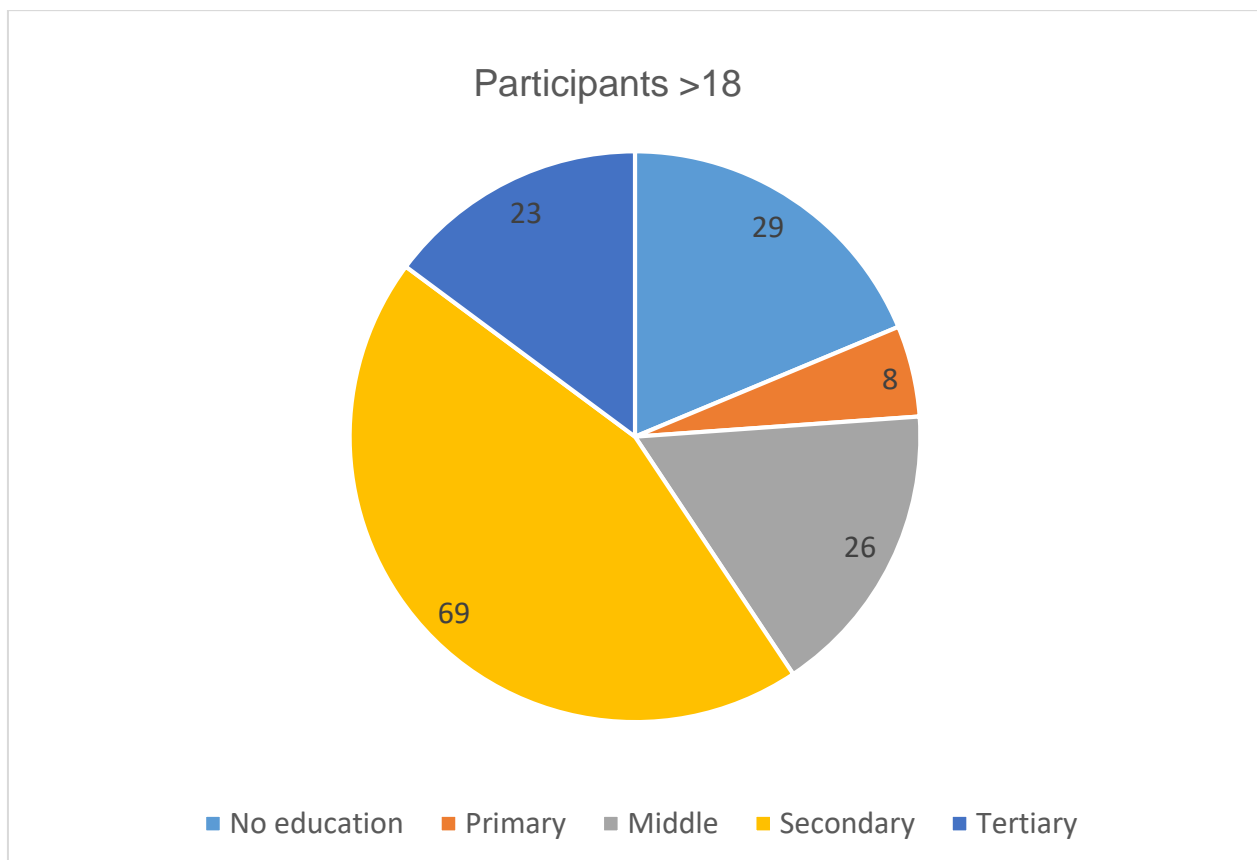
Graph 4: Distribution of participants in the 2018 AGD PA by nationality

²⁶ Of them 1 living at external address.

²⁷ Of them 1 in SCTAF.

Information on the level of education of the participants in the 2018 AGD PA is available for 155 of the 297 participants. Nearly 13% of the participants were without any educational background, 4% had completed primary school, 12% had completed basic school, 31% - high school, and 10% - university. 17 of the respondents had brought their original educational diplomas. Out of the 39 interviewed children of school age, 87% were enrolled in school (data for 23 children).

Information on the employment of the respondents is available for 108 of the interviewed participants.²⁸ 40% of them are working or are seeking employment. 10 of them have been employed or self-employed, 33 are looking for work and 65 do not express an interest in employment. The main professions of the respondents were tailors (12), teachers (9), barbers/hair-dressers (8), entrepreneurs (6), IT specialists (5), horeca workers (4), engineers (2), and housewives (17). 41 of the respondents do not have a profession.



Graph 5: Overview of the educational levels of the majority of respondents

²⁸ Pursuant to Art. 29(3) of the LAR, asylum-seekers are entitled to access to the labour market, including the right to be involved in programs and projects funded by the state budget or by international or European financial facilities, if proceedings are not completed within three months of filing the application for international protection due to reasons beyond their control.

IV. Key Findings

Compared to 2017, many positive trends have been observed. These can be attributed to a number of factors, including the capacity and expertise built at the SAR in the past years, characterized with high numbers of asylum-seekers, the lower number of asylum-seekers in 2018, and the ongoing presence and projects of non-governmental organizations (NGOs) present in the reception and detention facilities. SAR and NGO staff have built vast experience since the emergency situation in 2013 and 2014 (however, one needs to take into account the high turnover of staff throughout the years). SAR, including in cooperation with NGOs working on EU and other projects in the past years, has elaborated and adopted a number of rules and procedures improving the organization of the activities under the mandate of SAR. However, there is a risk that the identified positive trends may not be sustained to the same extent in case of increased influx; and reduced funding and respectively NGO staff present at the reception and detention facilities.

4.1. Areas of Progress

The main **areas of progress** identified during the 2018 AGD PA are:

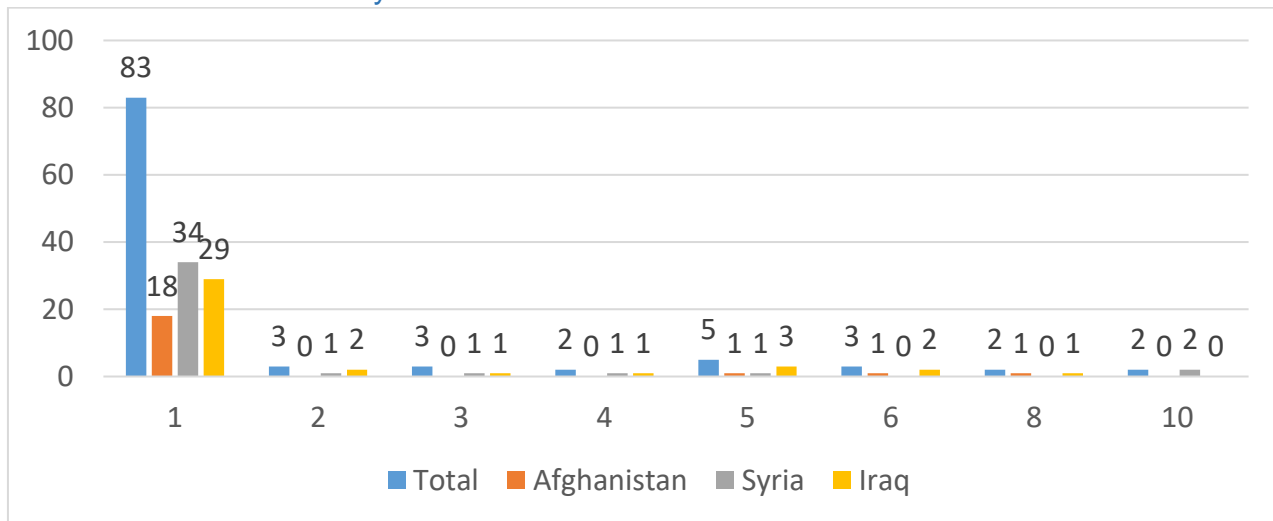
- **Access to territory** for those admitted – the number of persons of concern with more than one attempt to enter the country has decreased significantly. The pattern of entry, as shared by the majority of the respondents, is through established channels and interception in the territory of Bulgaria. Afghans remain the group with the lowest number of successful first attempts of entry. Among those with multiple entry attempts, many share that their entries have been prevented by Turkish border guards.
- While some **cases of abuse and mistreatment** on the part of Bulgarian border and national police authorities were identified, their number has decreased significantly. On the contrary, the reports regarding abuse and mistreatment by smugglers have increased.
- The **quality of the RSDP** has increased, with all RSD interviews being audio recorded and in almost all of the cases the interview protocol being read out to asylum-seekers. The levels of satisfaction with the interpretation and with the possibility to share their refugee stories have increased significantly. However, non-Syrians still complain of low recognition rates.
- The quality of the **reception conditions** has improved with regard to the development of an individual approach to meeting various reception-related needs, including of vulnerable individuals, and referral to available support services. No security concerns have been expressed either by women, or by children.
- The **access to education** of asylum-seeking and refugee children has been significantly improved due to the efforts of SAR and the Ministry of Education and Science (MES) to implement the relatively new legislation in the area of education, but also to the preparedness of the education system to include this new target group of children.
- First **integration agreements** for the resettled refugees were concluded.

4.2. Persisting Gaps

Despite the main positive developments described above, the 2018 AGD PA identified various mostly ongoing issues related to the protection of asylum-seekers and beneficiaries of international protection in Bulgaria. It should be noted that differences are observed on the basis of country of origin. In general, asylum-seekers from Syria face fewer problems in addressing their protection needs than those from Afghanistan, Iraq and other nationalities. It is also fair to note that some differences are observed among the different SCTAFs and SAR reception facilities, ensuing from the differentiated organizational structures and/or decentralized procedures and practices of the territorial units.

- **Lack of sustainable and adequate interpretation** and therefore a possibility for third-country nationals to seek asylum at the border or in the territory of the country upon their apprehension by the law enforcement authorities and in this way to avoid being detained. There are still a few cases of penalization of irregular entry for the purposes of seeking asylum. As a result, persons of concern lack basic information on asylum procedures upon entry.
- **Lack of interpretation** at detention facilities, resulting in lack of information on procedures and documents signed. Prevented access to legal aid in some cases, especially in SCTAF Lyubimets.
- **Substandard detention conditions** in SCTAFs, limited freedom resulting in excessive and disproportionate detention.
- Despite improvements, still **substandard reception conditions** in the reception facilities. Cases of complaints from the basic infrastructure and equipment of bathrooms and rooms and more concretely from infested mattresses and blankets have been reported.
- Unaccompanied and separated children still lack **a safe space** and around the clock care, their representation stills remains formal with most UASCs not being aware of the **role of their representatives**.
- Persistent gaps on **provision of information** on the available integration support for asylum-seekers and beneficiaries of international protection during RSDP and upon granting international protection.
- **Lack of integration support** and sufficient social mediation for beneficiaries of international protection living at external addresses.
- Serious issues with finding **housing, recognition of educational certificates**, and insufficient **contacts with the local population** as the main areas of concern for beneficiaries of international protection. These were participants in Bulgarian language classes, hence their provision is not an issue for the respondents, but it remains a serious gap for all other beneficiaries of international protection, due to the lack of an institution which offers such courses to beneficiaries of international protection.

4.3. Access to Territory



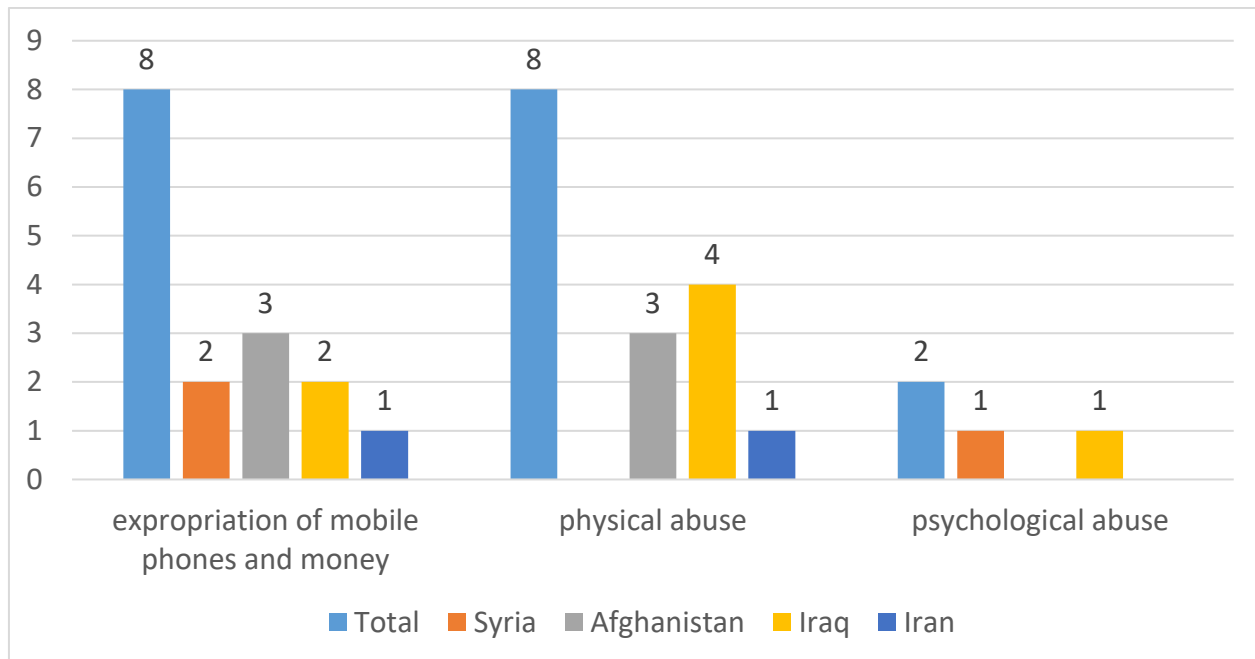
Graph 6: Number of entry attempts by nationality

Out of the 297 respondents, 22 reported having entered legally (either on visa, using family reunification procedures or resettlement). All others had no legal avenue to seek international protection in Bulgaria and had to enter irregularly.

„We crossed the fence using a ladder. There were 23 of us. After that we were taken by car to a house of Bulgarians in Sofia. I wanted to surrender to the police, but the policemen said they could not detain me as I had not committed any crime.“

Man, Afghanistan, 21, RRC Voenna Rampa

Unlike previous years, during 2018 the majority of respondents (83) reported that they managed to enter Bulgarian territory at their first attempt, and out of these many were intercepted inland and not at the border. At the same time, there were 4 cases of reported record number of 10 entry attempts (in 2017 the record number was 12, in 2016 - 13, while in 2015 - 23). However, the trend that Syrians face the lowest and Afghans the highest risk of being pushed back or of experiencing abuse during their access to territory is still persisting. Women and children traditionally tend to report fewer cases of abuse. Furthermore, it should be noted that there were several cases of persons being stopped from crossing by Turkish police on Turkish territory. They were taken back into Turkey and to centres inland. There were also cases when people decided on their own accord to abandon their attempt to enter Bulgaria due to exhaustion, bad meteorological conditions, etc. A higher number of reported abuse and maltreatment on the part of smugglers was indicated, too.



Graph 7: Reported abuse at entry by nationality and type

“After we crossed the border with Turkey, we were crammed into a car. There were 23 of us! I wished the police would find us. When we reached Sofia we were put into a house of Bulgarians where we had to confirm the payment. I was threatened by the trafficker and I managed to run away through the toilet. I was followed by a car while trying to find the police to surrender. I managed to hide between the blocks and after some time a Bulgarian helped me find a policeman to surrender.”

Man, 21, Afghanistan, RRC Voenna Rampa

A record low number of reported abuse (16) at entry was registered during the 2018 AGD PA. While this finding is very positive, it reflects the trend that the majority of entries were registered inland, sometimes directly in the SAR reception facilities. Still, the most prevalent type of abuse and maltreatment remain the unauthorized expropriation of mobile phones and money (8 cases) and the physical abuse (8 cases), with psychological abuse reported in in total 2 cases (related to using dogs against children). It is noteworthy that no Syrians have reported physical abuse, unlike asylum-seekers from other nationalities, thus confirming a discriminatory practice on the basis of nationality against non-Syrians. Like in previous years, none of these complaints from violence were officially reported and investigated due to fear of retaliation.

4.4. Reception Conditions in SCTAFs

“Sometimes they ask us to sign things and we do not have a translator and we just need to sign what is in front of us. In Busmantsi, there is no translator permanently. We cannot always say we want something to be translated. For example, when a court decision was out for me, I was asked to sign things without a translator.”

Man, 20, Afghanistan, SCTAF Busmantsi

Like in previous years, lack of interpretation services both in SCTAFs and at the border was brought up by a large part of the respondents. The lack of interpretation in detention facilities results in lack of information and general understanding of the asylum procedure in Bulgaria, as well as in the inability to access services – as legal aid, medical or psychosocial support. Many of the detainees were not aware of the reasons for their detention upon apprehension by police, their further legal options, the period they have to spend in the SCTAFs, the asylum system or the existing support, despite the introduction of an information video in 9 languages produced by UNHCR. No information sessions take place in the detention centres. Furthermore, respondents in SCTAF Lyubimets complained of restricted access to legal aid. The Bulgarian Helsinki Committee (BHC) has an agreement with Migration Directorate to provide counselling to all detainees in SCTAF, and assist them in submitting asylum applications. While BHC meets all newly accommodated individuals, no referral system is in place for those who have been accommodated for several months and who would like to receive additional legal counselling.

Their situation is further exacerbated by poor and substandard detention conditions characterized with reported lack of sufficient food and hygiene materials, clothes according to the season, the toilet access regime (toilets inaccessible from 22:30 to 7:30 in SCTAF Lyubimets), poor medical, incl. psychological assistance, limited sports activities, overpriced essential items sold in the local shop (both food and non-food) especially in SCTAF Lyubimets. Many respondents shared that policemen often refuse to have any communication with them, this behaviour sometimes being combined with abuse and maltreatment. Again, none of these complaints from violence were officially reported and investigated due to fear of retaliation. Most of these reports were shared by asylum-seekers who were already transferred from SCTAF to SAR reception facilities.

4.5. Refugee Status Determination Procedure and Reception Conditions in SAR Reception Facilities

The 2018 AGD PA identified a number of positive developments with regard to the refugee status determination procedure (RSDP) and the reception conditions at the SAR reception facilities. Most notably, the quality of the RSDP has improved, with all RSD interviews being audio recorded and in the majority of cases the protocol being read out to asylum-seekers.²⁹ The levels of satisfaction with the interpretation and with the possibility to share their refugee stories have also increased significantly in comparison to previous years.

²⁹ A few cases in which the protocol of the refugee status determination interview was not read out to the applicant as per their reports were identified only in the first phase of the Participatory Assessment.

Almost all respondents agreed that they had sufficient space to present their refugee history with the exception of a few Afghan asylum-seekers in accelerated procedure. However, non-Syrians still complain of the quality of the procedure which leads to low recognition rates, as evidenced by the annual statistics of SAR in part I. These discrepancies point to persisting cases where deficiencies in the quality of the RSDP have been identified. However, these deficiencies cannot be properly identified through the methodology of the AGD PA.

“If Bulgaria were granting status to Afghans, it would have been heaven for us.”

Man, 60, Afghanistan, RRC Voenna Rampa

Improvements in the material conditions of the registration and reception centres were registered, including through renovation works, but conditions, especially in RRC Voenna Rampa, Ovcha Kupel and Harmanli remain dissatisfactory. More specifically, the assessment registered complaints from the basic infrastructure and equipment of bathrooms and rooms, cases of lack of heating in the colder months. Additionally, asylum-seekers in RRC Voenna rampa and Harmanli reported infested mattresses and blankets despite regular disinsections. In the second phase of the assessment residents in RRC Ovcha Kupel and Harmanli complained from insufficient hygiene and cleaning materials. The most common concern of the asylum-seekers accommodated in the SAR reception facilities remained the quality and the quantity of the food provided. In 2018 SAR discontinued the practice of preparing meals in the kitchens donated by UNHCR, replacing it with catering services. However, residents complain from the change, requesting the provision of food packages or at least that the food ingredients are provided to them separately for them to cook. Like in previous years, residents reported problems with the provision of specialized food diets for children and adults with medical needs.

“In the past when the food was cooked here, it was much better. This food is not tasty and represents liquid with one spoonful of rice or another ingredient. We don’t like the combination of products either.”

Woman, 36, Iraq, RRC Harmanli

At the same time, the majority of respondents, especially those who had spent several months or years at the SAR reception facilities, expressed their satisfaction with an individual approach on the part of SAR staff to meeting their various reception-related needs, including of vulnerable individuals, and referral to available support services. Many commended the assistance they had received from SAR social workers or NGO staff with registration with GPs, accompanying to medical institutions, schools, employers, etc. They could name the staff member and the name of the institution/organization providing the assistance in contrast to previous years. Another positive development was the fact that

no security concerns have been expressed neither by women, nor by children during the 2018 assessment.

“The social workers know us by name. This makes us feel at ease.”

Woman, 34, Iraq, RRC Vrazhdebna

Access to medical services has improved due to systematic efforts on the part of SAR social workers and NGO staff.³⁰ Nevertheless, there are persisting problems, like instances when GPs refuse to register asylum-seekers, which compels SAR social workers to register only those in need of medical help, rather than registering all residents in the RRC. A good practice was introduced in RRC Harmanli, where a GP practices in the centre and services all accommodated individuals. After SAR discontinued the monthly financial assistance of 65 BGN in the beginning of 2015, in the end of October asylum-seekers started receiving again a very limited financial assistance of 20 BGN (approximately 10 EUR) per person per month to cover their basic needs, incl. medicines prescribed by the doctors in the reception facilities or their GPs.³¹

Another positive development was that SAR started providing Bulgarian language classes to asylum-seekers, both children and adults, and many NGOs kept organizing educational, cultural/social orientation and leisure activities in the reception facilities. Those also included occasional outings and visits to historical sights, sports and cultural festivals organized by SAR and NGOs.

Parents express their great satisfaction that their children have been enrolled at school. With the great breakthrough of ensuring access to school for asylum-seeking and refugee children at schools in 2017 with the adoption of a number of legislative acts of the Ministry of Education, there is a continuing positive trend of inclusion in the education system. In the beginning of the 2018/2019 school year the enrollment rate was around 60% with 9 children enrolled in kindergarten and 163 asylum-seeking and refugee children enrolled at school. SAR provide transportation for the children accommodated in its reception facilities in Sofia where necessary. NGOs assist the children with their homework and the necessary educational materials which their parents cannot afford to provide. This support is crucial for older children who face difficulties with their adaptation in the education system due to the need to master Bulgarian language at a higher level, including specialized terminology, despite the additional Bulgarian language training organized by the MES within the schools where they are enrolled.

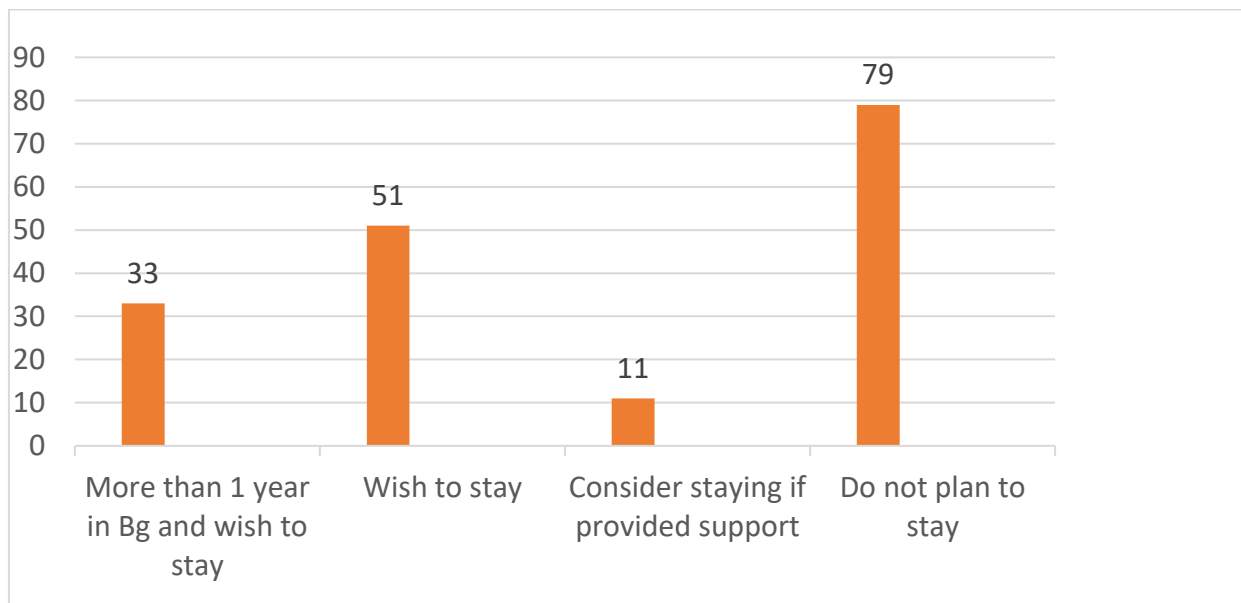
4.6. Issues Pertaining to Beneficiaries of International Protection

Since the end of 2013, there are no targeted refugee integration measures provided by the state, despite the adoption of a National Strategy in the area of Asylum, Migration and

³⁰ In 2018 with funds from the Asylum, Migration and Integration Fund, SAR has at its disposal 50 000 BGN for covering medical needs of asylum-seekers which are not covered by the National Health Insurance Fund. With these funds costs for DNA tests and bone density tests for the purposes of age assessment are being covered, too.

³¹ The accommodated persons receive 10 BGN extra (approximately 5 EUR) per month if they participate in maintenance activities in the RRCs.

Integration (2015-2020) and of the Ordinance on the Terms and Conditions for Concluding, Implementing, and Terminating an Integration Agreement for Foreigners Granted Asylum or International Protection of July 2017. The latter underlines the role of the municipalities in the integration process of the refugees and it also introduces a coordination body responsible for it. The coordination body as stipulated in the Ordinance is appointed by the Council of Ministers and should be one of the Deputy Prime Ministers. The particular designated official is not yet known. The Ordinance does not provide funding for the provision of integration support. Neither does the yearly Action Plan for the Integration of Beneficiaries of International Protection adopted under the above Strategy for the first time in 2018. Due to the above, and the general unwillingness of local authorities to engage in refugee matters, no integration agreements with *in situ* beneficiaries of international protection were concluded, despite 49 prepared integration profiles of asylum-seekers willing to integrate in Bulgaria.



Graph 8: Intentions of asylum-seekers and beneficiaries of international protection to remain in Bulgaria

The majority of the asylum-seekers and beneficiaries of international protection still perceive Bulgaria as a transit country for various reasons, one being the lack of existing support for integration. Only a small but growing number of people expressed their willingness to remain in the country. Others stated some prerequisites for settlement support as a condition for their stay in Bulgaria. Some suggested that if the state could provide them with housing support for several months, as well as employment assistance, they would consider staying in the country.

With regard to employment opportunities, there were few cases of status holders who had registered with the respective Labour Bureaux (29 in 2018, data of the Employment Agency) with the help of the NGO sector. Even if registered, beneficiaries of international protection shared that without the knowledge of the local language, finding a job becomes an almost impossible task. Most of those willing to work are able to find jobs on the local

market, but many report that their earnings are insufficient to cover their monthly expenses. Beneficiaries of international protection are usually hired in call centres with Arabic language or in the manufacturing industry, where they perform low-skilled labour. Without any financial means, most of them reportedly live on remittances sent by their relatives residing in other European countries.

The greatest problem beneficiaries of international protection face is the lack of housing and the continued discrimination they face on the real estate market in Bulgaria. Only Caritas Sofia provided limited housing support for 20 refugee families. However, all the other refugees had to find their own housing. The respondents reported that they find it difficult to find landlords willing to rent out to refugees. Additionally, this task becomes even harder for families of 4 or more. Refugees are often requested higher deposits amounting to 2 or 3 monthly rents. As an interim measure, SAR has been exceptionally allowing beneficiaries of international protection, especially those who are vulnerable, to remain at the Reception Centres for a period of up to 6 months after obtaining status. Upon leaving the centres, they face the same problems which led to the establishment of this palliative measure in the first place. Status holders who are returned under readmission agreements or under the Dublin III Regulation to Bulgaria from other European countries, once deported, are often at risk of becoming homeless, as they usually do not have funds, or Bulgarian identification documents needed for their placement in municipality-run temporary shelters. Their position is further exacerbated in case they have psychological issues requiring medical intervention and lack of family support.

Access to Bulgarian language classes is still limited, as it is only provided by NGOs to a very small number of beneficiaries of international protection.

“We have an internal feeling of a completely hospitable country despite the fact that we lack the language and we don’t know the history and traditions of Bulgaria.”

Man, 36, Syria, RRC Harmanli

Bulgaria has also pledged to resettle 110 Syrians from Turkey and received the first 21 of them. 3 families arrived in 2018 and two of them participated in the 2018 AGD PA. They shared that they received assistance from SAR and NGOs, but one of the families was not properly informed about the pending resettlement to Bulgaria prior to their departure. It was established that not all family members had expressed their wish to be resettled to Bulgaria. As a positive development, the first 2 integration agreements were signed with two of the resettled families with earmarked EU funding for their integration. As of the end of 2018, these two families have left Bulgaria to join family members abroad, and the third one is about to start its integration in Bulgaria.

“Real integration comes with family contacts with Bulgarians. When we go visit each other and see how Bulgarians live, what makes them happy, what makes them cry, how they celebrate.”

Woman, 38, Syria, St. Anna Integration Centre, Caritas Sofia

In addition, the following issues persist from previous years:

Access to medical services is problematic owing to various factors: beneficiaries of international protection are not very familiar with the health care system in Bulgaria and they often do not know that they have the obligation to cover their monthly medical insurance instalments. If not paid, refugees lose their access to the health care system and cannot register with a GP. Furthermore, GPs are reluctant to register status holders because of lack of interpretation services and medical history of the individual cases, the high mobility and regular no-show of the persons of concern, as well as the heavy administrative inter-institutional procedures (e.g. the lack of deregistration procedure).

Beneficiaries of international protection who do not possess any diploma or other qualification document find themselves in a very difficult situation in terms of having their skills and knowledge recognized. A procedure for the validation of skills for persons lacking educational and qualification certificates of adults has been introduced but has never functioned in practice.

Some of the respondents (17) were in possession of educational or vocational certificates. However, recognition of diplomas remains a very difficult procedure, due to the need to legalize the available certificates with the diplomatic representation of the country of origin of the beneficiary of international protection, especially when it comes to higher education certificates. Moreover, status holders, who possess documents for a completed medical or legal degree have to undergo very complex and lengthy administrative procedures, for them to be allowed to practice their profession in Bulgaria.

Socio-cultural activities were pointed out by the participants as something important for their integration and adaptation process. Yet, these activities are limited and unable to encompass all the beneficiaries of international protection, despite being provided by a couple of organizations.

“When I was granted status, I went to a Bulgarian church and lit a candle out of respect for the Bulgarian culture. In Iraq we are taught to live in peace with the different religions.”

Woman, 38, Iraq, St. Anna Integration Centre, Caritas Sofia

Albeit to a lesser extent, the negative attitudes towards the refugees persisted in 2018. The public opinion is largely shaped by the negative rhetoric in the media, as well as by the negative and misleading political discourse on the topic. The lack of welcoming

communities is another factor that hampers the successful integration and adaptation process of the beneficiaries of international protection in Bulgaria.

4.7. Gender-related Issues Concerning Women

In addition to the general problems relevant for all asylum-seekers and beneficiaries of international protection irrespective of their gender (described above), women seeking and granted international protection in Bulgaria who were interviewed during the 2018 AGD PA, shared a number of specific issues relating to them and their families. The main problems identified by women include insufficient at times distribution of diapers for babies and children (especially for children above 1 year of age), as well as poorly organized distribution of donations where some residents are not informed of upcoming distributions. This concern was voiced in RRC Harmanli in particular.

Another longstanding concern is the restricted access to specific health care services for children, such as vaccinations, due to the inability to provide evidence of previous treatment, and unwillingness of pediatricians to register asylum-seeking and refugee babies as patients. This hampers the enrollment of asylum-seeking and refugee children at kindergarten, thus negatively affecting the ability of women to work, if they wish to.

The above is related to a low interest on the part of asylum-seeking and refugee women to engage in employment. Many do not understand the specificities of gender roles in Bulgaria and the need for both men and women to work in order to sustain the family. They often do not have previous work experience combined with a low motivation and lack of language knowledge. Regardless of the above, NGOs are actively motivating women to start working helping some to find jobs.

Concerns were voiced and unofficial information was shared that domestic violence may be occurring in some asylum-seeking and refugee families. Women acknowledged the need for information sessions on prevention of sexual and gender-based violence (SGBV) for both men and women. Such are conducted by SAR and NGOs at the reception facilities, but need to encompass a larger number of persons, including men. Furthermore, in 2018 SAR adopted internal Standard Operating Procedures for Response to and Prevention of SGBV.

4.8. Age-related Issues Concerning Children

In addition to the positive developments and persisting gaps pertaining to children identified above (concerning access to health care and education³²) of particular concern remains the treatment of unaccompanied minors who still do not receive adequate protection and specialized care.

Some progress has been identified in the legal framework concerning migrant UASCs. They can no longer be (temporarily) detained in SCTAF, but should alternatively be accommodated in the mainstream child protection services. During this period of time they

³² Despite the facilitated access to the education system, unaccompanied minors face many difficulties related to their effective inclusion in the education process due to Bulgarian language deficiencies and their higher age (16-17 years), and often lower motivation for education (some of the unaccompanied minors express a preference for work).

shall be appointed a representative from the social services to guarantee their best interest and ensure access to services.

Like in the previous years, an assessment of children's needs and their best interests is done only in exceptional cases before taking decisions which affect the wellbeing of children. The lack of a functioning coordination mechanism for the protection of this group of children is an additional problem posing real threats to UASC's wellbeing and safety.

Two worrying trends from previous years continued to be reported: some UASCs were assigned to unrelated adults or registered as adults. This likely finds its cause in the difficulties of the respective field staff to ensure the application of the special safeguards for UASCs stipulated by law, such as the provision of special protection and care in accordance with the child's best interests (lack of interpretation and incurred transportation costs, among others). Various representatives of state institutions (border guards, police officers, child protection social workers and on rare occasions SAR staff) reportedly contest the age of some minors, despite the principle of giving the UASCs the benefit of the doubt with regard to age, unless solid evidence to the contrary is presented (e.g. an ID document from the country of origin). Children do not understand the role of representatives from the municipalities, and most of them have never spoken to them. Continuous support, guidance, supervision and counseling is not provided to most of the interviewed UASCs by their representatives.

In order to tackle some of the above issues, the SAR has developed procedures and guidance on risk assessment when working with UASCs, age assessment guidelines, and jointly with UNHCR, information materials on procedures and roles of representatives and other staff working with the children in the reception facilities.

Despite the above good practices, a persistent problem remains the fact that no safe spaces for accommodation of UASCs exist in the centres, nor dedicated SAR staff to cater for their needs.³³ Renovation works were planned in some of the centres, including the creation of a safe area where those children would be accommodated, but these did not materialize in 2018.³⁴

Furthermore, after being granted protection or rejected, UASCs are rarely accommodated in appropriate social services, due to lack of sufficient capacity on the part of the child protection system. UASCs granted international protection are unable to obtain personal documents due to lack of permanent address. They usually remain in the RRCs. As a result of those problems, most UASCs abscond.

³³ Despite the fact that SAR has designated some floors or wings in the RRCs Sofia-Voenna Rampa, Ovcha Kupel and RRC Harmanli for accommodation of UASCs seeking asylum, they are not physically separated from the other accommodated persons.

³⁴ Under a project of the International Organization for Migration in cooperation with SAR, 2 safe zones for unaccompanied minors in RRC Sofia, territorial units of Voenna Rampa and Ovcha Kupel are planned to open in 2019.

4.9. Age-related Issues Concerning Elderly Persons

The relatively low number of elderly persons of concern included in the focus groups – 6 only – renders the specific issues of this group to a large extent invisible. However, the main identified problem was the inappropriate infrastructure of the RRCs, which hinders the free movement of elderly persons with limited mobility (e.g. lack of elevators, revolving door in RRC Ovcha Kupel). A few cases where age was not taken into consideration in the accommodation of elderly people in RRCs were observed, with elderly individuals offered rooms on upper floors.

There is lack of information on the application procedure for social pension (for persons aged 70 and above). Elderly people are provided for by their accompanying family members. No unattended elderly persons of concern were identified.

V. Recommendations

The following recommendations have been proposed by both respondents and representatives of the multi-functional teams. They were discussed and consolidated as an outcome of the 2018 AGD PA final seminar. They are divided by types of recommended activity and include the main responsible stakeholders for the implementation of the recommendation in brackets.

5.1. Conduct of the 2019 AGD PA

- Continue the inclusion of a wide range of participants from various institutions and local authorities (UNHCR).
- Provide feedback to asylum-seekers and refugees participating in the AGD PA (UNHCR).

5.2. Improvement of the Legislative Framework

- Plan for a coordinated process of amending legislative acts such as the Law on Asylum and Refugees and the Law on the Foreigners in Bulgaria with the involvement of all relevant institutions from the start of the discussions (Council of Ministers, Ministry of Interior (Mol), SAR, and where concerns children, the State Agency for Child Protection (SACP), Agency for Social Assistance (ASA)).
- Regularize the legal status of the migrant UASCs in view of guaranteeing the rights of the child (Mol, National Assembly).
- Clarify the scope of representation of UASCs seeking and granted international protection (Mol, SAR, municipalities, SACP, ASA).
- Adopt a legal act/provision regulating the establishment and sustainability of a centre for the accommodation of UASCs as a delegated state service, administered by an NGO; It should have sufficient human resources to provide adequate support, such as interpretation, legal and psycho-social assistance (Ministry of Labour and Social Policy (MLSP), SAR, SACP, NGOs).
- Provide a legal avenue for access of persons of concern survivors of violence and abuse to social services of residential type providing specialized assistance (MLSP, National Assembly).

- Advocate for the adoption of functioning national refugee integration policies and mechanism (Council of Ministers, SAR, municipalities, UNHCR, NGOs).

5.3. Interaction between Institutions

- Ensure timely communication and identification of vulnerable individuals between the SCTAFs and SAR (Migration Directorate, SAR, concerning children SACP, ASA).
- Organize team meetings on concrete individual cases of vulnerable individuals between SAR and NGOs (SAR, NGOs, UNHCR, concerning children SACP, ASA).
- Ensure access to SACP teams for crisis intervention in the SAR territorial units following a plan and organization of the process agreed upon by SAR and SACP (SACP, SAR, ASA).
- Adopt and implement a National Coordination Mechanism for Cooperation on Working with UASCs (SACP, ASA, SAR, MoI).
- Organize preliminary meetings between UASCs and the social workers of the Directorates for Social Assistance, as well as with the representative from the municipality before the beginning of the formal representation procedures (ASA-territorial structures, SACP, municipalities, Migration Directorate, SAR).
- Improve the coordination and cooperation with local authorities for the accommodation of UASCs in residential-type social services (ASA-territorial structures, SACP, municipalities, Migration Directorate, SAR).
- Improve the coordination and cooperation with local authorities for the integration of beneficiaries of international protection, especially for the vulnerable among them (SAR, municipalities, NGOs).
- Appoint a Deputy Prime-Minister responsible for the implementation of the Ordinance on the Terms and Conditions for Concluding, Implementing, and Terminating an Integration Agreement for Foreigners Granted Asylum or International Protection (Council of Ministers).
- Continue the existing coordination mechanisms (SAR, UNHCR, NGOs).

5.4. Capacity Building and Awareness Raising

- Continue the capacity building meetings for Border Police, National Police and Migration Directorate staff on the dealing with traumatic experiences and cultural specificities of asylum-seekers (UNHCR, NGOs).
- Continue capacity building meetings for staff of the Child Protection System on working with migrant children (ASA, UNHCR, NGOs).
- Work with financial institutions to create opportunities for micro-crediting for refugees (UNHCR, Bulgarian Small and Medium Enterprises Promotion Agency).
- Build capacity in municipalities to apply for projects on refugee integration (Erasmus +, ESF, ERDF, etc.) (UNHCR, municipalities).
- Exchange experiences between external experts and local authorities on refugee integration-related issues (UNHCR, municipalities).

- Organize meetings with employers and employers' organizations to raise awareness of the needs of refugees, e.g. on flexibility in pay (UNHCR, NGOs, employers and employers' organizations).
- Promote the recruitment of educational mediators from the refugee community in the education system (MES, UNHCR, NGOs).
- Increase the capacity of educational professionals to work with asylum-seeking and refugee children in the education system (MES, UNHCR, NGOs).
- Organize events and meetings between asylum-seekers and beneficiaries of international protection and the local population, e.g. visits to homes for the elderly in order to overcome resistance to diversity (SAR, NGOs).

5.5. Ensuring Adequate Reception and Direct Assistance

- Ensure respect for family integrity when accommodating families in SCTAFs (Migration Directorate, UNHCR, NGOs).
- Ensure adequate access to qualified legal aid for asylum-seekers and beneficiaries of international protection (SAR, National Bureau for Legal Aid, NGOs).
- Ensure the presence of social workers and tutors in SCTAFs (Migration Directorate).
- Provide sufficient amount of healthy and varied meals, including for persons with special dietary needs (Migration Directorate, SAR).
- Regularly provide hygiene and cleaning materials to all persons accommodated in SCTAFs and SAR reception facilities (Migration Directorate, SAR).
- Provide interpretation and access to information to asylum-seekers and beneficiaries of protection before, during and after receiving international protection (Migration Directorate, SAR, UNHCR).
- Provide consistent and constant psychological assistance (Migration Directorate, SAR, NGOs).
- Set up a women's/ youth gathering area in the registration-reception centers, with appropriate financial support for activities (SAR, NGOs).
- Women/ girls to be included in empowerment activities, which also includes advocacy for access to kindergartens (SAR, NGOs, UNHCR, municipalities).
- Continue the educational support of asylum-seeking and refugee children accommodated at the registration-reception centers and living at external addresses (SAR, UNHCR, NGOs).
- Provide transport to all schools for asylum-seeking and refugee children at the registration-reception centers (SAR, MES).
- Provide quality and sufficient number of Bulgarian language courses for adult asylum-seekers and beneficiaries of international protection (SAR, Employment Agency, NGOs).

5.6. Working with the Refugee Community

- Organize SGBV prevention sessions with both women and men, ensuring the involvement of the community (e.g. the Arab-Bulgarian law firm) (SAR, UNHCR, NGOs).
- When working on cases of UASCs initiate actions to get in touch with their parents with the aim to establish a relationship of trust with the children (SAR, ASA-territorial structures, NGOs).
- Identify community leaders among refugees as well as positive examples of integration (SAR, UNHCR, NGOs).

The UNHCR Representation in Bulgaria would like to express its gratitude to all asylum-seekers and beneficiaries of international protection for their participation in the 2018 AGD Participatory Assessment, as well as to the experts from various state institutions, and SAR in particular, NGOs and volunteers who supported and contributed to its implementation.

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