

Country Operations Plan 2007

BULGARIA

COUNTRY OPERATIONS PLAN

Part I: OVERVIEW

Protection and socio-economic operational environment

The operational environment of UNHCR in Bulgaria is governed by a major question: will the country join the EU in January 2007? At the time of preparing the plan, the European Commission experts report for Bulgaria contained a proposal for enforcement of a safeguard clause for Bulgaria in the justice and home affairs field. Economic growth in 2007 will be affected by accession (or lack of accession) to the EU. Presidential elections are scheduled for 2006 and the coalition government, negotiated in the summer of 2005, is expected to serve for three years. Political stability is crucial for the accession process. Reconstruction after torrential flooding, in mid-2005, has been estimated to take at least two years. Following the elections, the State Agency for Refugees (SAR) remained under the Council of Ministers, reporting to the Minister of Interior on financial issues and to the Minister for Natural Disasters and Emergencies on other issues.

At the time of writing, much of the activity in the country was undertaken to meet deadlines of EU monitoring reports. Combating organized crime remains a major concern for the EU and for UNHCR as asylum seekers and refugees are often smuggled or trafficked. The importance of this issue is heightened by the fact that Bulgaria will become an external EU border. In 2007, whether or not accession takes place, UNHCR will continue to work with border police to keep borders open while the country will be under pressure to prove to the rest of Europe that it can monitor activity effectively at the borders. Enhanced border monitoring in co-operation with the National Service Border Police (NSBP), the SAR, the Bulgarian Helsinki Committee (BHC) and the Bulgarian Red Cross (BRC) was expected to continue with the help of the BHC network of lawyers and the BRC network of volunteers throughout the country. The borders are not only critical to EU accession and political pressure, but also subject to natural disasters. At the time of writing, flooding in border areas had led to breakdowns of existing infrastructure.

EU monitoring reports have highlighted the need for Bulgaria to set aside adequate resources for integration of refugees and to extend reception capacity. The government had foreseen funds for integration in 2006 that were made available in mid-year, but no mechanism for implementation through NGOs was agreed. A similar level of funding should be planned in 2007, unless a low number of recognized refugees (continuing the trend in 2005) leads the authorities to budget for less funding. UNHCR will advocate for the same level or a larger amount to help those returned under Dublin II to integrate, as well as to begin the process of government funding of the NGOs, with a view to making UNHCR gradual phase-out possible. Although two transit centres, partially funded by PHARE money, have been planned for several years, construction was delayed. If they were to be completed, it would help the SAR to be more active throughout Bulgaria as is stipulated in the Law on Asylum and Refugees (LAR).

Pressure to carry out a Dublin/EURODAC implementation plan currently being placed on the Bulgarian authorities will also be affected by accession. SAR established a Dublin II and EURODAC unit, at the end of 2005, to develop capacity to meet requirements for EU accession. A twinning project with the Dutch authorities in this field started in mid-2006. The SAR's capacity to effectively handle Dublin II cases should be fully developed by the end of 2006. To improve practical application of the LAR, improve the quality of decision-making and develop a targeted training plan, SAR, BHC and UNHCR undertook a gaps analysis of RSDP in 2005. Yearly follow-up activities are foreseen.

At the time of writing, the process of amending the LAR was taking place. UNHCR and BHC were given a chance to influence the process through their inputs in a working group on the amendments. SAR envisaged passage of the amendments through parliament in the course of 2006. Every effort was being made to ensure that international rather than minimal EU standards

were being considered in this process. UNHCR expects to have continued concerns in 2007 about access to territory and RSDP, some standards of the LAR lowered by inflexible transposition of EU Directives, as well as incomplete implementation of the LAR.

In 2007, UNHCR will continue to work with IOM and ICMPD on questions related to mixed flows of asylum seekers and migrants. UNHCR plans to take part in training of national and local commissions for combating trafficking in human beings, as well as to continue with joint training of judiciary in this context. The Ministry of Justice has been under considerable pressure to deal with backlogs and corruption issues in preparation for EU accession. As a result, signing of the UN conventions on statelessness has not been a priority. If no progress is made in this connection in 2006, lobbying will continue in 2007.

In the context of strengthening the asylum system and its credibility, more efforts are to be placed on finding solutions for finally rejected asylum seekers. At the moment there is no state mechanism for return or granting toleration status in the country when return is not possible. Closer co-operation with the government and IOM in this field is foreseen in 2007. Such efforts are planned as a part of the overall strategy to improve access to territory, quality of RSDP and reduce abuse of asylum through multiple applications and repeated abandoning of the procedures and territory.

In the elections in mid-2005, a new political coalition called Ataka used radical, populist, nationalistic, xenophobic phraseology and garnered a surprising number of votes. Public statements showed Ataka was anti-Semitic, anti-Roma, anti-Catholic and against minorities (including homosexuals) in general. The party appeals to people who feel they have been marginalized and blame their misery on political parties and ethnic groups. Various ambassadors saw this development as very negative and felt it would seriously affect the work of UNHCR. Some Bulgarians welcomed the fact that the party raised issues that other politicians were failing to address, while others saw the statements of the party more as a protest against the status quo. The party has been taken to court by a group of Bulgarian intellectuals and the BHC (supported by over 80 NGOs working on human rights issues) called "Citizens Against Hatred". Ataka members have made statements such as: "Gypsy terror over Bulgarians"; "Gypsy killers"; "It is time to return Bulgaria to the hands of the Bulgarians"; "US niggers against the Bulgarian law"; and "Bulgaria will not become a Turkish province". As Ataka has put forward a candidate for the presidency, the platform of this party will continue to be of concern in 2007.

The cumulative inflation during 2005 rose to 6.5 %, while during January and February 2006 it was 3 %, according to official statistics. As a whole, the cost of living is high compared to, for example, the extremely low GDP per capita about 2,500 EUR for 2004 (the lowest among the 25 EU members and Romania). Bulgaria is almost a net importer of energy sources, which makes its economy extremely vulnerable to world petrol and gas prices. Recent high increases in these resulted in sharp increases in the cost of utilities such as heating, electricity and all energy-consuming industries.

The security environment for UNHCR personnel and asylum seekers and refugees in Bulgaria was stable in 2005. In August 2005, however, a group of 13 asylum seekers and refugees were arrested by the police, allegedly beaten and then released the same day having shown their identify cards and after the intervention of refugee-assisting NGOs. Feedback from the authorities on the incident was delayed for several months and was not conclusive. UNHCR partners agreed on emergency procedures to follow to avoid repetition of such incidents.

Following a trend of recent years, in 2007 UNHCR will continue pursuing a media and PA policy of using key refugee protection messages for advocacy. Particular attention will be paid to building a positive image, the "good news" about refugees through mass media. Limited funding, however, has a negative effect on this. In the first half of 2006, UNHCR renewed its academic

work/teaching with students of Journalism at the Sofia University, and the plans are to continue this on a wider base, and more systematically, in the 2006-2007 academic year.

Operational goals and potential for durable solutions

UNHCR's goals in the country will continue to be achieving the following objectives in 2007: ensuring effective access to the territory and RSDP for those in need of international protection; making asylum procedures fair and efficient, with special attention to refugee women and children; monitoring implementation of the government refugee integration programme; reducing misuse of the asylum system and irregular movements of refugees and asylum seekers, particularly separated children; and enhancing informed public debate and public information to make public opinion more receptive to protection and integration of refugees.

Further developed and consolidated regular border monitoring mechanisms, reinforced by targeted training for the NSBP remains a priority in 2007 to meet the regional objective of access to the territory. UNHCR will focus on refugee protection in the context of trafficking and smuggling human beings to ensure consistency and meeting EU accession priorities for the NSBP. EU accession will affect on-going UNHCR training on refugee protection and human rights (smuggling and trafficking in persons) for the NSBP. Training sessions and support provided aim at developing a team of trainers at the NSBP training centre. Training focuses on access to territory and RSDP, and applications for protection under the 1951 Convention for victims of trafficking and smuggling. Training provided by SAR, IOM, BHC, BRC and UNHCR is complimented by social/psychological training from the Nadya Center (a Bulgarian NGO focusing on psycho-social support to vulnerable groups and victims of trafficking). In 2006, the national and local commissions to follow up legislation for preventing and combating trafficking in human beings are expected to become operational and training is planned for new staff. Although USAID is planning to phase out activities in Bulgaria gradually, it is expected to continue to be active in this field in 2007 (providing funding for training). In 2007, UNHCR will continue to work with IOM and others in the network combating smuggling and trafficking in human beings. Furthermore, finding a solution for finally rejected asylum seekers and attempts to avoid misuse of the asylum system through multiple applications for protection is a strategic goal to be achieved in close co-operation with government and IOM.

Initial contacts, established with the Bulgarian Orthodox church will be further developed and training for priests covering the biggest cities with refugees and border regions is planned. Efforts will continue to involve and train representatives of other major religious communities (Moslem, Jewish and Catholic).

To strengthen the asylum system of Bulgaria, UNHCR will focus on making the RSDP fair and efficient by paying special attention to first instance decisions. Training will be provided to officials of the SAR, in particular interviewers and interpreters. The presence of BHC lawyers at the premises of the SAR, and during interviews of asylum seekers in particular, will continue.

To implement a systemwide approach to including stakeholders and ensuring refugee participation in operational planning, UNHCR plans to undertake a yearly participatory assessment exercise as a mandatory part of planning. UNHCR plans to build on the experience of multi-functional teams in mainstreaming age, gender and diversity and facilitate participatory assessments during 2006. A systematic participatory assessment with refugee women, girls, boys and men of all ages from all backgrounds will be conducted from mid-September to end October each year. Empowerment is a focus of the work of the Council for Refugee Women and the Association of the Ethiopian Community in Bulgaria. These refugee associations will continue to intervene daily to help those seeking or granted asylum in Bulgaria. Empowerment of refugee and migrant women will continue through exchanges with Arab women migrants in Bulgaria. The latter support refugees, through the BRC, with clothes, food and organizing charity dinners during Moslem holidays. UNHCR will provide for community-oriented

advocacy, training, advice, guidance and PI activities (as well as for an office for the Ethiopian Association) for these groups which continue to intervene daily to help those seeking or granted asylum in Bulgaria. Networking will continue with business associations, as well.

In 2005, UNHCR participated in a working group, initiated by UNICEF and the State Agency for Child Protection, to elaborate an integrated plan for protection of children in Bulgaria 2006-2009, which relates to UNHCR's priorities, especially for separated refugee children and asylum seekers. These priorities include: co-ordination with government and NGOs for protection of refugee children; encouraging government to initiate and maintain statistics reflecting age categories; disseminating guidelines on separated children in the context of the programme on separated children in Europe. It is hoped that some of these measures will help to reverse the trend of the disappearance of separated asylum seeking children from Bulgaria, as in 2005 most of them left the country.

Priority will be given to the implementation of the national strategy on children, as elaborated in an integrated plan for protection of children in Bulgaria and the national legislation on combating trafficking of human beings. Resources will be allocated to focus action on prevention. UNHCR will have a coordinating role in relation to activities such as systematic network development, dissemination of knowledge and documentation, as well as training of police, the judiciary, the State Agency for Child Protection and relevant municipalities. Measures will be taken to prevent SGBV, such as establishing procedures to identify, report and refer cases of suspected violence and putting in place follow-up procedures. Involvement of community structures, refugee women and men, as well as empowerment and participatory strategies for the people concerned, will be taken into account as a crucial component of the strategy to prevent SGBV. More emphasis will be placed on a multi-functional team approach in particular in the process of treating survivors of power and sexual abuse. Information on SGBV cases will be shared to sensitize officials working with refugees about the problem and the importance of setting up a prevention and monitoring system.

UNHCR will continue to lobby for the Code of Conduct to be adopted by all institutions and organizations working with persons in need of international protection. Implementing agreements will cover relevant aspects such as effective reporting mechanisms, regular interdisciplinary staff meetings in all facilities, more in-depth training on the issues, fine-tuned referral mechanisms, hotlines and priority access for certain groups at risk.

BHC lawyers will continue to be trained as their network is expanded. Newly recruited lawyers at the Bulgarian/Turkish border will be paid special attention. Under the amended Law on the Ministry of Interior (MoI), all police structures will be under one structure namely the National Service Police. UNHCR will train through the Academy of MoI to cover all the relevant structures, focusing on the Directorate for Migration, in charge of administrative control of aliens in Bulgaria.

In 2007, judges will need further training as the amended LAR is planned to be in force. Co-operation and support of judges from EU Member States will be sought through TAIEX and other relevant EU budget lines.

UNHCR will further contribute to developing more systematic academic awareness and understanding of refugee and humanitarian issues amongst professors and students. Students from the Refugee Law Clinic, the Department of Social Pedagogy and Department of Journalism and Mass Communications at Sofia University will receive further support, as well as students from New Bulgarian University, Plovdiv and Burgas universities.

The National Programme for Integration of Refugees, adopted by the Council of Ministers in 2005 with an annual budget of approximately 153 400 EURO for 2006 is expected to continue in

2007. It aims to ensure that all individuals who have been granted refugee or humanitarian status are provided with shelter, social assistance, health insurance, Bulgarian language training, social and cultural counseling during the year after their recognition. The Integration Center of the SAR plans to provide these services in 2006. While continuing to lobby for the inclusion of BRC and Caritas Bulgaria as co-implementers of the programme in 2007, UNHCR will provide for additional care for vulnerable categories after the end of the 12 month limit of the programme. For 6-12 months after the end of the Integration Programme, the BRC will continue to support separated children, elderly, single-parent households, victims of violence and refugees with chronic diseases following a case-by-case assessment and elaboration of individual integration plans. Efforts will be made to promote their self-sufficiency and inclusion in state welfare and civil society networks to ensure their primary and secondary education, employment, access to government job-training and social security. In pursuing these objectives, co-operation with the Regional Directorates for Social Assistance and Regional Employment Bureaux within the Ministry of Labor and Social Policy will continue. Implementation of this programme will be closely monitored.

In 2007, UNHCR will continue to support the National Integration Programme as an important element for consolidation of the national system of refugee protection. Asylum seekers will also benefit from certain types of assistance that would normally be associated with integration. The transition from the assistance provided to asylum seekers to that provided for refugees will continue to pose problems, as keeping people in the SAR reception center provides them with extra protection and support but slows down their integration. The integration programme was drafted, however, to help reduce stress for refugees who are evicted from the reception center once they are recognized and expected to find housing, employment and learn the language all at the same time. Many landlords and employers in Bulgaria are reluctant to have official leases and contracts with foreigners because of discrimination as well as to avoid paying taxes. Systematic interventions will have to be undertaken to ensure refugees have the necessary paperwork. The integration programme is currently designed to help newly recognized refugees. There are, however, some fifty refugees (including their family members) with a medium to high level of vulnerability who may need integration help, as there are limited numbers of free places in centers for homeless people. The terms of reference of the programme may, therefore, be expanded to include them. State-subsidized housing might be a solution to this problem, but once again if refugees were concentrated in certain buildings their integration in Bulgarian society would be slowed down.

Contacts made in 2006 with the National Association of Municipalities in Bulgaria (NAMB) will be further developed. As the NAMB is a potential resource for finding refugees housing and jobs outside the capital (especially if there are new arrivals (returnees) after the Dublin II treaty comes into force) regular exchanges of information with IPs and using NAMB's bimonthly newsletter (distributed to mayors, administrators and municipal councils) will be promoted. The existing draft Plan of Action will be reviewed to include closer co-operation between the NAMB Women's Commission and the CRW. NAMB community centers (supported by UNDP) will be used to spread information about asylum seekers and refugees. Planned activities are based on a survey done by the NGO several years ago, asking municipalities if they would be open to accepting refugees; apparently some said they would be willing to take three or four families.

According to implementing partners, refugee and asylum seeking children have access (and will continue to do so in 2007) to Bulgarian schooling. Special needs will, however, be addressed of children who are reluctant to attend school because they fear discrimination (a case raised recently by the Ethiopian Association) and children who have behaviour disorders and are evicted from schools (a case raised by the Council of Refugee Women). It is planned to

negotiate arrangements with the Ministry of Education for special payments to be made to teachers who work after hours to help refugee children improve their language skills.

Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP

1. Outcomes of joint planning and management of identified gaps

Government plans to reduce the civil service by 10% may motivate the SAR to undertake a management review in the current year or in 2007 to refocus staff to work on issues related to integration of refugees as there are fewer new asylum seekers to process.

UN agency programmes will continue to focus on employment generation, health and young people, minority (primarily Roma) integration and local government capacity-building. The UN Country Team aims to improve the impact of the UN through mapping agencies projects and activities in two ways: geographically to increase the impact of UN work at the district and municipal levels; and to map sectors and issues worked on, to increase impact in those sectors and on those issues where UN agencies are working. In 2006, the UN family plans to begin a process of joint briefing of the donor community that will continue in 2007. Joint planning, and coordinated implementation of work is foreseen (addressing global strategic objective 6). UNHCR sees this as an opportunity to reach out to refugees throughout the country and contact municipalities where there might be housing and job opportunities for refugees. It was agreed that all UN agencies should consider ways their programmes could be relevant to helping assist refugees. It would be good if a human rights-based approach to UN co-operation (like that adopted in Turkey) could be agreed in the team.

It is possible that the incidence of HIV/AIDS in Bulgaria is under-reported as there is a high rate of other sexually transmitted diseases. So far it has not been a problem for refugees, but UNHCR has shared the Strategic Plan 2005-2007, Refugees, HIV and AIDS with other UN team members.

In March 2006, a UN Communications Group of the UN team (including IOM) in Bulgaria was set up to make UN work in the country more effective and more cost-effective. In future, it will hold regular coordination meetings. The communication officers agreed on the following workplan for 2006: to redesign and launch of the UN website; to widen the scope of the UNDP newsletter to include other articles about other UN agencies; and preparation of UN system information kit.

Better coordination of observance of international days will help to convey clear messages from the entire UN team. The following dates will be observed: 8 March Women's Day - 21 March Anti-Discrimination Day - 8 April Roma Day - 7 April World Health Day - 28 April Commemoration of the Victims of Labour Accidents Day - 1 June Children's Day - 12 June Elimination of the Worst Forms of Child Labour Day - 20 June World Refugee Day - 26 June International Day against Drug Abuse and Illicit Trafficking - 11 July World Population Day - 21 September International Day of Peace - 24 October UN Day - 1 December World AIDS Day - 9 December Anti-corruption Day - 10 December Human Rights Day - 18 December International Migrants Day

Fund raising opportunities will be explored, but it will take some years to develop a culture of giving to charity in Bulgaria where salaries and pensions are generally low. Apparently 'modern' fund raising for children in need of urgent medical care has been successfully undertaken, sometimes with the support of politicians, by asking all those with mobile phones to send money through text messages. The refugee caseload in Bulgaria is small and it is difficult to seek support for their suffering when thousands of Bulgarians have been displaced by flooding or thousands of Roma do not have access to the basics of everyday life. Public

information and fund raising efforts, therefore, should be seen in this context. Proceeding with a relatively 'low profile' approach, may be more effective than launching countrywide campaigns

In early 2006, there was a scandal involving the Chairman of the BRC which has still not been resolved. Opinion polls indicated that some Bulgarians had lost confidence in the NGO community and declared they would hesitate to contribute to charity in future. Efforts will be made in 2006 to try to ensure that this trend does not continue into 2007.

The refugee-assisting NGOs are still dependant on UNHCR funding for both operational and core costs, and this situation is likely to continue even after Bulgaria accedes to the EU - until the government puts in place bodies, administering EU funds. The draft amendments of the LAR stipulate that the SAR will be responsible for the administration of the European Refugee Fund. EU funding, however, often requires partnerships and initial funds to start implementation of programmes, which refugee-assisting Bulgarian NGOs do not have. In addition, community funds do not cover operational costs, while the administration at national level of decentralized funds is often influenced by political or other factors. This is why UNHCR staff and NGOs will need to develop fund raising skills. The plan is to try to persuade the government to finance the work of Caritas in 2007 and that of the BHC and BRC in subsequent years. After EU accession there will be a critical transition period during which it will be important to ensure that funding is available for NGOs with experience and does not go to 'opportunists posing as refugee experts'.

Support for the newly formed Bulgarian Refugee Council (BRefC) will continue in 2007. The founding members were the BHC, the BRC and Caritas. It is anticipated that other partners from the refugee community will join. The Council will act as a coordinating body strengthening the voice of Bulgarian refugee-assisting NGOs, enabling them to undertake more successful advocacy; work with the media more effectively; and share good practices across the region. It will try to ensure the financial sustainability of Bulgarian refugee-assisting NGOs, after accession to the EU, and to strengthen partnerships and co-operation amongst Bulgarian NGOs and their EU counterparts. It will need initial administrative support and assistance in capacity-building, and negotiations for co-operation with a member of ECRE have begun. If it is successful, the Council should facilitate UNHCR withdrawal from Bulgaria. In recognition of the efforts, made by its members to make the transition from UNHCR to EU funding smoother and more efficient, UNHCR is planning to support part of the PI/PA activities of the BRefC by providing for four publications targeting different audiences: legal and social practitioners, donor communities and refugees.

As the majority of NGO staff has worked in the field of refugee protection for over ten years without receiving stress management support and training, a stress management workshop is envisaged in 2006. Follow-up activities and further efforts will be planned in 2007.

In 2005, a network of professors interested in developing curricula for social work with refugees was formed, including several universities and several different faculties. If funding can be identified in 2006, it would be good to expand this network to include legal and journalism professors in this network. If no funding is forthcoming, this could be a proposal for potential EU funding in 2007.

Co-operation with the UN Association for Bulgaria (UNA) on raising awareness on refugee issues and human rights through lessons in Bulgarian, English, Greek, Turkish languages and Bulgarian literature, Geography, History, Music and Computer technology in several schools in Sofia will be a continuation of the project "For a Better Future", which started in 2003. In 2007, some 200, 14 to 18 year old students will be involved in the project. Each year new lessons are uploaded on a special internet page created with the support of UNHCR. This gives opportunities to others to get to know and engage in the project. In addition, UNHCR will promote co-operation between UNA and the BRC for continuing peer-to-peer education on refugees, which started in 2005, and will support involvement of UNA clubs throughout the country.

Comprehensive needs and contributions

a) Contributions by the host government, refugee and/or local communities

The government, through the SAR, with funding under the general budget for 2006 of the Council of Ministers, will contribute approximately 2,607 million BGN (equivalent to about 1,333,504 EUROS) for staff costs, RSDP related costs, running costs for two registration/reception centers and one integration center in Sofia, assistance to asylum seekers (medical insurance, monthly allowances and material assistance) and integration assistance for refugees and humanitarian status holders for the year after their recognition.

b) Financial contributions of partners

It is expected that the following projects will be implemented in 2006-2007.

1/ *Strengthening the accommodation capacity of the Bulgarian SAR* – total budget of 3,750 M EUROS Phare. National co-funding amounting to 1,25 M EUROS. The project provides for building two transit centres near Sofia airport and at the Bulgarian/Turkish land border. The tender documentation has been presented to the EC delegation. Construction at the Bulgarian/Turkish border will start in 2006. Construction of the centre near Sofia, however, may not happen as administrative deadlines were not met. The project was expected to end in 2006, but will have to be prolonged into 2007.

If the transit centers were to be operational in 2007, an additional budget for their operation, management and running costs would be required by the SAR (approximately US\$ 750,000). NGO partners have projected that their contributions could reach some US\$ 32,000 for relevant activities. Assuming that this total estimate figure will be the limit of the resources available for the Bulgarian refugee programme in 2007, a significant part of the needs would remain unmet.

2/ *Implementation of the EU Aquis in the field of asylum – Dublin II and EURODAC regulations* – twinning project between the SAR and the National Immigration and Naturalization Service of the Netherlands. 2,200 M EUROS total budget, 1,850 – Phare contribution, 350 000 EUROS – Bulgarian contribution. The project is expected to start in May 2006 with 18 months duration and will enhance capacity for implementation of the Dublin II regulation, under the overall coordination of the Ministry of the Interior.

Needs-based budget for the country operation	Total (all figures in US \$)	8,540 504
of which, estimated 7 283 504	UNHCR	360 000
	WFP (where applicable)	-
	State Agency for Refugees	7,283 504
	Operational partners (available only MLSP)	25,000
	Implementing partners	32,000
	Unmet needs	840,000

UNHCR strategy has been to cover existing needs of asylum seekers and refugees, while ensuring that the government gradually takes over responsibility for direct assistance. This strategy is pertinent for the up-coming period until EU accession and/or immediately after it in 2007, when project preparing expertise and skills within the refugee-assisting NGOs in Bulgaria should help to obtain funds through the EU Refugee Fund.

The funding situation from 2003 to 2006 indicates a clear tendency of decreasing UNHCR funds.