

**EUROPEAN MIGRATION NETWORK
ANNUAL NATIONAL REPORT ON MIGRATION AND ASYLUM
PART 2**

BULGARIA

SUMMARY

This report provides an overview of the most important debates, legal and policy initiatives in the field of migration, integration and asylum in Bulgaria for the past 2016. The report was prepared by the National Contact Point of the European Migration Network (EMN) pursuant to Article 9 (1) of the Council Decision of 14 May 2008 establishing a European Migration Network (2008/381/EC).

The report contains a brief overview of the general structure of the institutional and law-enforcement system in Bulgaria in the field of migration, asylum and integration and gives an explanation for the major changes that occurred in 2016.

During the past year, key discussions on migration, integration of immigrants and the provision of international protection relate to the balance between security and respect for human rights within the asylum system and the successful countering of irregular migration, at the background of the growing forms of terrorism and radicalization within the European Union. The implementation of the Republic of Bulgaria's commitments on relocation and resettlement and the finding of an appropriate mechanism for the durable integration of persons with international protection in Bulgaria was also the focus of attention of the institutions and society.

Among the most important topics in 2016 was the protection of national borders of the Republic of Bulgaria as EU external borders in terms of increasing migration pressures.

In response to the challenges in the field of migration, asylum and integration, as well as to improve and refine the legal framework of Bulgaria, in 2016 amendments were made to the following laws:

Law for the Foreigners in the Republic of Bulgaria - amended several times in 2016, the most important amendments being related to the introduction of the status of "stateless person" under the 1954 Convention on the Status of Stateless Persons and the Convention on the Reduction of the cases of stateless persons, which the Republic of Bulgaria has ratified. The legal possibility to extend the residence period of a foreigner who is already on the territory of the country but can not leave it for reasons beyond his control is also restored.

Law on Asylum and Refugees - amendments aimed at improving the administrative control of asylum seekers, as well as for reasons of public interest and public order. The change in the law is in line with the provisions of *Directive 2013/33 / EC of the European Parliament and of the Council of 26 June 2013 laying down standards for the admission of applicants for international protection* which has been transposed into national law by amendments to the Act on Asylum and Refugees of the Republic of Bulgaria on 16 October 2015. In order to

comply with the amendments to the law, amendments were made to the Rules of Procedure of the State Agency for Refugees with the Council of Ministers.□

Law on Defense and Armed Forces – the change regulates the obligation of the army of armed guards at the state border in case of crisis.

Law on Labor Migration and Labor Mobility - the adoption of this law in Bulgarian legislation introduced the provisions of Directive 2014/54/EC of the European Parliament and of the Council of 16 April 2014 on measures to facilitate the exercise of the rights conferred on free movement of employees in Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and residence of third-country nationals for the purposes of employment as seasonal workers and the Directive 2014/66/EC of the European Parliament and of the Council of 15 May 2014 on conditionality of entry and residence of third-country nationals within the framework of an intra-corporate transfer.

Ordinance on the terms and procedure for the conclusion, implementation and termination of an integration agreement with a person received international protection - the ordinance sets out a detailed mechanism for the integration of refugees in Bulgaria.

1. INTRODUCTION

This report is prepared in accordance with the requirements of Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network and requiring annual reports from the national contact points reflecting the migration situation and Asylum in the Member States to include both political changes and statistics. The report contains up-to-date, objective, reliable and comparable information on these phenomena and is prepared to meet the information needs of Community institutions of specialised institutions of the member states:

The eighth report on Bulgaria prepared in accordance with the guidelines of the European Migration Network regarding the structure of these reports. The report provides an overview of the most important political activities and debates, as well as the legislative changes and specific measures in the field of migration, asylum and integration in Bulgaria in the period 1 January - 31 December 2016. The report was prepared by the National Contact Point of The European Migration Network of the Bulgarian Ministry of the Interior.

Methodology

The report is based on data from a wide range of sources, aiming to provide up-to-date, objective, reliable and comparable information on migration and asylum. Its content has been consulted with all specialised state bodies. They are mostly consulted by government documents, strategies, action plans, annual reports, unpublished reports, and more. In some cases, opinions and publications on non-governmental or international organisations have also been used.

Information on the legal aspects of the report is based on free access and subscription to the legal information systems as well as on the websites of the National Assembly and the institutions and organisations whose opinions are quoted.

The analysis of political and legal debates is based primarily on internet sources, printed and electronic newspapers, as well as public statements by ministers and other representatives of the government.

Terms and definitions

The terminology used in the report is based on the European Migration Network Dictionary. The individual terms that refer in particular to the legal framework in Bulgaria are usually supplemented by explanations in the text or footnote itself.

2. OVERVIEW OF THE DEVELOPMENT OF ASYLUM AND MIGRATION POLICIES

2.1. Institutional framework

In 2016, the structure of the state institutions responsible for the implementation of migration and asylum policies was not changed compared to the previous year.

The National Council on Migration and Integration (NCMI) was established in February 2015 and is a collective consultative body for formulating and coordinating the implementation of state policies in the field of migration and integration of foreigners seeking or having received protection in the Republic of Bulgaria. Its chairpersons are the Minister of the Interior and the Minister of Labor and Social Policy, and the members are: the Deputy Ministers of Labor and Social Policy, Interior Affairs, Justice and Foreign Affairs, as well as the Chairperson of the State Agency for Refugees, The State Agency for Child Protection, the representative of the Managing Board of the National Association of Municipalities in the Republic of Bulgaria, the Deputy Chairperson of the State Agency National Security, the Directors of the General Directorate "Border Police" and the Migration Directorate of the Ministry of Interior and the secretary of the National Commission for Combating Trafficking in Human Beings.

The Ministry of Interior (MoI) has two main structures with competencies on migration issues. **The Migration Directorate (MD)** is a specialised structure within the Ministry of Interior, responsible for coordinating migration processes and developing migration policy as well as regulating and controlling the migration of third-country nationals residing in Bulgaria. It also provides administrative services to EU citizens and the European Economic Area and deals with foreign nationals who are to be expelled or forcibly taken to the state border. Within the regional directorates of the Ministry of Interior, there are also detached migration units. **General Directorate Border Police (GDBP)** is responsible for border control, protection of state borders and for countering illegal migration and trafficking in human beings. The **GDBP** has regional units - Regional Directorates of the Border Police (RDBP), which are headed by the Director of the GDBP.

In 2016, the **General Directorate "National Police"** created a sector "Offences related to the illegal stay and passage of foreigners in the country". From the end of 2016 with amendments

to the Law on the Ministry of the Interior, powers to investigate organised crime related to the crossing of the country's borders to individuals or groups of people, as well as assistance to foreigners to reside or pass through the country, are also given to the **General Directorate "Combating Organized Crime"**. From the summer of 2016, the MoI established the **"Coordination Center for Counteracting Illegal Migration"**, in which operational information is circulated in a timely manner between all MoI structures as well as international partner services dealing with the fight against illegal migration.

The **"Consular Relations" Directorate** is working within the **Ministry of Foreign Affairs (MFA)**. Bulgarian officials abroad are responsible for issuing visas and for interacting with the competent Bulgarian institutions and visa offices of the Member States in the implementation of the visa regime, the issuance of national visas and the issuance of Schengen visas when Bulgaria joins the Schengen area. The "Consular Relations" Directorate maintains a National Visa Information System serviced by the National Visa Center. It is maintained in line with EU and Schengen requirements and with a view to setting up and maintaining a Visa Control Center. Within this system, visa applications are deposited at consular offices, but decisions to issue them are made by the "Consular Relations" Directorate and by the State Agency National Security.

The Ministry of Labor and Social Policy (MLSP) is responsible for formulating and implementing policies for the admission of third-country nationals to the labor market in the country, for the signing of bilateral labor and social security agreements with third countries, as well as for assisting Bulgarian citizens in other member states and citizens of other member states in Bulgaria in realizing their labor and social security rights as EU citizens. With the adoption of the Labor Migration and Labor Mobility Law, a Council on Labor Migration and Employment Mobility was established at the Minister of Labor and Social Policy. The Council consists of an equal number of representatives of representative employers 'and workers' organisations at national level, representatives of ministries, agencies, committees and local government bodies. Representatives of international organisations and non-profit legal entities carrying out activities in the field of labour migration, labour mobility and the integration of foreigners may also be invited to participate in the council.

The Employment Agency (EA) is an implementing agency under the Ministry of Labor and Social Policy, responsible for the implementation of the labour market protection policy and the regulated admission to the labour market of third-country nationals. Labour offices are registered with EU citizens seeking employment in Bulgaria. **EA** assists Bulgarian citizens in finding work abroad within the framework of the international agreements and labour agreements to which Bulgaria is a party and the information and labour mediation network of the European Employment Services EURES.

The Directorate "Bulgarian Citizenship" at the Ministry of Justice has the competence to accept and verify applications and proposals for granting Bulgarian citizenship. It organises the coordination of procedures for granting citizenship at interinstitutional level.

The State Agency for Refugees (SAR) to the Council of Ministers is a legal entity, subordinate to the Council of Ministers and financed by the state budget. The State Agency for Refugees at the Council of Ministers manages, coordinates and controls the implementation of state policies related to the granting of refugee status and humanitarian status to foreigners in the Republic of Bulgaria. **SAR** has territorial units in the country.

The National Commission for Combating Trafficking in Human Beings (NCCTHB) at the Council of Ministers organises and coordinates the interaction between the different agencies and organisations implementing the provisions of the Law for Combating Trafficking in Human Beings. The Commission sets guidelines and guides national policies to counteract human trafficking. An important part of the Commission's functions is to organise information, education and awareness campaigns for this phenomenon among risk groups and the public at large.

State Agency National Security (SANS) is among the institutions that counteract the migratory pressure on Bulgaria resulting from the possible entrance of the national territory by persons associated with international terrorist organisations or with organised criminal groups operating on Bulgarian territory.

Committees to the President of the Republic of Bulgaria

The Asylum Committee is a unit to the Vice-President of the Republic of Bulgaria, to whom the President assigns the functions in accordance with Article 98, paragraph 10 of the Constitution of the Republic of Bulgaria (on Asylum). The Commission has consultative functions which are carried out through regular discussions. The Commission shall make substantiated proposals regarding the decision on any asylum application sent to the President of the Republic of Bulgaria. The Commission may invite representatives of NGOs to their meetings, the latter not having the right to vote.

The Commission on Bulgarian Citizenship and Bulgarians Abroad is a permanent unit to the Presidential Administration, which has consultative functions. The Commission serves the Vice President of the Republic, whom the president has appointed a special solution fulfilling its function under Article 98 para 9 of the Constitution of the country. The Commission assists the Vice President in implementing the policy towards Bulgarians abroad.

The Ministry of Economy, the Ministry of Education and Science, the Ministry of Health, the State Agency for Child Protection and the State Agency for the Bulgarians Abroad have also partial competencies in the field of migration and asylum in accordance with their specific mandates.

2.2. Structure of the legal system in the field of migration and asylum

The main laws related to the implementation of the asylum and migration policy in Bulgaria are:

Asylum and Refugees Law, Bulgarian Citizenship Law, Law on Bulgarian Personal Documents, Law on Bulgarians living outside the Republic of Bulgaria, Law on Combating

Trafficking in Human Beings, Employment Promotion Law, Law on the Entry, Residence and Departure of the Republic of Bulgaria the citizens of the European Union and members of their families, the Law on Foreign Nationals in the Republic of Bulgaria, the Penal Code (regarding the penalties for illegal migration and trafficking in human beings), the Law on the Recognition of Professional Qualifications, Regulations, organizational regulations of the competent institutions and laws on health, education and other areas that have specific provisions to migrants. The legal framework for foreign investment is also relevant.

2.3. Political development - general picture

Politically, 2016 was very dynamic, especially in the second half. The domestic policy context of the country in 2016 was heavily influenced by international events. The beginning of the year began with the terrorist act in Istanbul following an explosion killed 13 people, most of them German tourists. Throughout 2016 a major international theme was precisely terrorism in Europe, and it amid the unstable situation in Turkey after the attempted coup and subsequent events. In this regard, the country had conducted training preparedness of the competent authorities to respond to terrorist threats, as part of authorities' efforts to effectively prepare and respond if necessary. Bulgaria's foreign policy focus its efforts to preserve the Bulgarian interest in full compliance with the European commitments and maintaining good neighbourly relations with Turkey. After signing the Agreement between the EU and Turkey on the readmission of irregular migrants, Bulgaria signed with the Republic of Turkey the protocol on its implementation, an action which was strongly marked by both sides as a sign of the highly effective cooperation between them. In addition, the three-party contact centre for police and customs cooperation between Bulgaria, Turkey and Greece has been agreed to achieve optimal functionality of the three countries' representatives, more effective and close cooperation in real-time exchange of information on migration, organised crime and terrorism. The centre is financed and developed within the framework of the Action Plan for Implementation of Emergency Measures in Connection with the Accession of Bulgaria to the Schengen Area.

Undoubtedly, Brexit and Britain's decision to leave the European Union was one of the major events on the European scene, which reflected nationally since the European presidency of Bulgaria of the EU was withdrawn six months earlier. This intensifies the efforts and actions of our country for faster and more effective preparation.

In 2016, elections were held for President and Vice President of the Republic of Bulgaria. This choice has proved to be the cornerstone of the country's government, as, during the election campaign, the largest ruling coalition party and the winner of the mandate clearly stated that the government would resign when the election was lost. With the newly-elected president, backed by the opposition "Bulgarian Socialist Party" (BSP), our country has fallen into a kind of political crisis with its resignation and the scheduling of new parliamentary elections for the autumn of 2016. The rise of populist sentiment in many countries in the European Union, primarily on the basis of the unwillingness to accept and integrate refugees, has not passed our country. In the period 2013-2015, Bulgaria slowly became a country subject to strong migration pressure, with only two years - 2014 and 2015 asylum seekers in our country having increased by seven times the average for the years 2000 to 2010. This pressure created and despite the fact that in 2016 the efforts of the authorities and the

absorption of migratory flows to Europe stabilized the system, the issue of refugees and the decision to permanently remain in Bulgarian society was used in the political debate on the of populism and winning electoral support from political actors across the political spectrum.

The National Council on Migration and Integration continued to develop its policy on migration, asylum and integration. By May 2016, co-chairs of the council were respectively the Deputy Prime Minister and Minister of Interior and the Labor and Social Policy Minister. In May, the Deputy Prime Minister and Minister of Labor and Social Policy resigned, probably due to the fact that he appeared as a presidential candidate in the autumn elections. This also necessitated a change in the Decree setting up the National Council on Migration and Integration, which co-chairs of the Council became the Minister of Labor and Social Policy and the Minister of Interior. Throughout the year, the activities of the National Council on Migration and Integration were active and devoted to two themes - the commitment of our country to relocation and resettlement and the elaboration of an effective mechanism for the integration of the beneficiaries of international protection in our country. The Council held six meetings within which the National Resettlement Mechanism of the Republic of Bulgaria was approved, the preferences of our country on the profile of the persons, which our country will re-establish and an inter-ministerial working group and the preparation of an Ordinance on Integration Agreement with persons granted refugee or humanitarian status in Bulgaria.

In April, the State Agency for Refugees was headed by a new chairman and in May a new chairman of the State Agency for Child Protection was appointed. In August, the General Directorate "Border Police" was also headed by a new person.

2.4. Overview of key debates on migration and asylum

The main debates in the field of migration and asylum in Bulgaria last year were related to maintaining the balance between national security and respect for human rights and our basic commitments as a member state, with an indisputable focus on the provision of international protection in Bulgaria and the conditions, which the state creates for the integration of persons with international protection.

With the launch of the relocation process, unquestionably linked to the host country's commitment to lasting integration to prevent secondary migration, and in the absence of recent refugee integration plans, the responsible institutions have made efforts to fill this vacuum.

In August 2016, the Ministry of Finance published an analysis on "Refugees in Bulgaria: labour market and budget expenditures". Analysing the **SAR** statistics, the analysis concluded that in the period 2013-2015 the number of persons with granted international protection increased significantly compared to previous years, but there was also an increase of the cases of cessation of procedure, which shows the unwillingness of the seekers to establish permanently in Bulgaria. Only about 1% of beneficiaries of international protection in Bulgaria receive social benefits, they are not registered with the labour offices and do not participate in educational programs. Between 2011 and 2013, 256 newly recognised refugees participated in the National Refugee Integration Program and 163 were subsequently dropped out of it. For the period around 9% of beneficiaries of international protection participate in

the program. Since 2013, there is no Program for the Integration of Refugees in the country with concrete implementation measures.

In pursuance of Art. 37 of the Law on Asylum and Foreigners and for the purpose of creating an effective integration mechanism, in view of the increased migratory pressures since 2013 and the commitments of our country to relocate and resettle persons seeking international protection, commenced an Ordinance on the Terms and Procedure for Concluding, implementing and terminating an agreement for the integration of a person who has been granted international protection in Bulgaria. The work on drafting the Ordinance was attended by a wide range of experts, both from state institutions and from municipalities and the non-governmental sector. The understanding in the preparation of the document was that the main actor in the integration were the municipalities where integration is actually taking place. There remains an unresolved question about the lack of a coordinating body monitoring the implementation of integration processes.

The increased migratory pressures in the recent years and mainly the terrorist attacks in Europe have led to expressions of xenophobia and intolerance towards refugees. In the autumn of 2016, a rebellion broke out at the refugee centre in Harmanli, with more than 1,000 migrants attacking the administrative building of the centre, carrying out destruction, bursting, and fire. The probable cause for the dissatisfaction of the people staying there is the closure of the camp, restoring the peace of the locals, taking into account the medical examination of the persons placed in the center and the concern of the citizens of Harmanli that the center could be a threat of epidemic contamination and the insistence of the persons accommodated there, our border with Serbia to be open for passage. The risk of an epidemic was denied by the medics who carried out the reviews, but the tensions among the population remained. Along with the rebellion in the centre, more than 500 local residents protest against migrants. The situation was handled by the Ministry of Interior, reportedly there were 29 lightly injured policemen and about 20 hospitalised migrants. The Bulgarian prosecutor's office accused 19 migrants of violating the order in the centre, with 18 of them accused of hooliganism. In connection with the case in Harmanli, a procedure for the voluntary return of 50 Afghans who entered illegally our country, commenced a meeting of the Council of Ministers.

A sociological survey in April 2016 shows the attitude towards the migration problems in Bulgaria. According to the survey, the attitude of migrants is not unambiguous and is strongly influenced by public messages. About 47% of people believe that the EU should not help refugees, arguing that together with refugees in Europe come the terrorists, and "Bulgaria is not so rich and can not allocate funding to refugees", "refugees have a different mentality and religion, and many of them can not perceive European values and patterns of behavior". For their part, 28% believe that the EU should help refugees, arguing that this is a manifestation of humanity.

The data show that the proportion of people who approve the reception and assistance of refugees in Europe is significant, but at the same time share the view that the EU must pursue a rigorous migration policy. The majority of the country's population - 57% of the adult population share the view that the solution to the refugee problem should be common to all countries within the EU. Thus, 79% of the people share the attitude that the EU has to help

refugees seeking asylum in its territory, and 54% are those who do not approve it. On the contrary, there are about 22% of the people, according to which each EU member state should solve the problem on its own.

The scale of the refugee wave has turned the quota system for the distribution of refugees across the EU into a dysfunctional state, and the countries of Central and Eastern Europe tend to even boycott the program. It is no coincidence that survey data show a predominant share of sceptical views on Bulgaria's commitment to accept a specific quota of refugees. The overwhelming majority (nearly 54%) of the country's adult population does not agree that our country will show solidarity with the EU decision and accept its quota of refugees. About 77% of the people who share this view do not believe that the EU should give asylum to refugees. For their part, about 23% believe that our country must solidly accept the EU decision and accept its quota of refugees. Two-thirds of them share the view that the EU should help refugees seeking asylum on its territory. The attitude is that there is a need for strict controls, new rules and clear conditions for the entry of migrants across the EU's external borders. Nearly 81% of the country's adult citizens agree with the claim that a system should be put in place to be made a refugee selection outside the EU borders to obtain a permit in a specific order. On the opposite pole, there are approximately 3% of adult Bulgarian citizens who share the view that every refugee who has sought asylum in the EU should be admitted. About 78% of the country's adult population think refugees will be a burden on the country's economy. The opposite view is shared by about 3% of people, according to whom refugees could help to develop our economy. According to 60% of the country's adult population, refugees pose a threat to Bulgaria's national security.

Taking into account the results of this study, wide media coverage received different civilian groups for the protection of the Bulgarian border. Internet clips have become more popular regarding a group of men who have seized migrants crossing Bulgarian-Turkish border illegally. These actions also gained an international response after the authorities were late in reacting to the perpetrators of illegal border detention. However, the main perpetrators have been charged with illegal actions. According to a publication in "Guardian", quoted by Bulgarian media, "Despite the fence built on part of the border, there are more than 30,000 attempts to cross the country and perhaps more have gone unnoticed. In response, groups of civilian Bulgarians organised raids for refugees along the border, keeping and robbing those they find". Human rights organisations in the country, such as the Bulgarian Helsinki Committee, reacted sharply to the authorities' late reaction, as well as to the initial responses of the competent people, interpreted as a kind of support for the actions of the voluntary civilian groups.

3 LEGAL MIGRATION

3.1. Overview of the situation

Due to the persistent negative trends in the labour market, from 2013 onwards the labour migration policy of the country is a priority for the protection of the labour market. This policy is implemented through appropriate mechanisms, taking into account the commitments

made by Bulgaria to the EU and the European trends and practices in this field. This priority is to be without prejudice to EU/EEA/Swiss nationals, as well as to third-country nationals with the same rights (long-term and permanent residence) as well as to beneficiaries of international protection.

The flow of third-country nationals for labour migration to Bulgaria is moderate. One of the main factors for this trend is the unfavourable economic situation in the country. Since 2009, when Bulgaria was hit by the global economic crisis, GDP and labour market security in the country are falling and unemployment is rising. The employment rate drops from 70.7% in 2008 to 63.6% in 2013 and 67.1% in 2015. In 2016, the employment rate for the 20-64 age group is 67, 7%. □

Unemployment rises from 5.6% in 2008 to 13.2% in 2013 (14% for men and 12.2% for women) and 9.2% in 2015 (as men reach 9,9%, and for women -8.5%.) In 2016, the unemployment rate dropped by 1-5 percentage points compared to 2015 and reached 7.6%.

In 2016, the implementation of the policies for the management of legal migration in Bulgaria is subject to the priorities of the National Strategy on Asylum Migration and Integration (2015-2020), where the priority is to promote the principles of good governance in regulating legal migration for supporting the economic development of the country.

During the period under review, the tendency for changes to legal migration in the field of legal migration remained rather than in the policies in this field.

3.2. Policy development and regulatory changes

Economic Migration

With the Labor Migration and Labor Mobility Law (**LMLML**) (and the Implementation Regulations), the Bulgarian legislation introduced the provisions of three directives:

Directive 2014/54 /EU of the European Parliament and of the Council of 16 April 2014 on measures to facilitate the implementation of the rights conferred on workers in the context of the free movement of workers, Directive 2014/36/EU of the European Parliament and of the Council of 26 April 2014 February 2014 on the conditions of entry and stay of third-country nationals for the purposes of employment as seasonal workers and Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals within an intra-corporate transfer.

The adoption of the law made a codification of the current legislation in the field of labour migration and labour mobility, which is fragmented in different legislative acts. Until the adoption of **LMLML** as the main legal instrument for the implementation of the *acquis* in this field, the Employment Promotion Law (EPL) and its secondary legislation, which introduced provisions of two more directives - Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment and Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for the minimum standards of sanctions and measures against employers of illegally staying third-country nationals.

Key moments of Labor Migration and Labor Mobility Law (LMLML):

- Article 1 of the LMLML General Terms defines its scope, and Article 2 expressly prohibits the privileges or restrictions and direct or indirect discrimination against foreigners seeking employment in Bulgaria. A National Council on Labor Migration and Labor Mobility is established under the Minister of Labor and Social Policy (Article 4).
- Chapter Two "Labor Migration from Third Countries" draws on and extends the provisions of Chapter 8 of the **EPL** and introduces special procedures for granting access to the Bulgarian labor market to foreign nationals – third-country nationals who have a labor contract with a local employer, or have been moved by intra-corporate transfer or are self-employed, in full compliance with the requirements of the EU Directives referred to above (Article 5 (1)). In addition, the general provisions of this chapter clarify the rights and obligations of third-country nationals in Bulgaria and the procedure for applying for and obtaining access to the labour market at the Employment Agency (Article 7 (3)).
- Section 2 of this chapter is devoted to the single residence and work permit applicable to third-country nationals who have applied for a residence permit for work in Bulgaria and for those who have a valid residence permit under the Law of Foreigners in the Republic of Bulgaria (LFRB) for purposes other than employment. Section 3 sets out the conditions for issuing an EU Blue Card to third-country nationals who are highly qualified workers and hold a long-stay visa in accordance with the provisions of Art. 33 (k) of the LFRB. Clarification of the procedure for obtaining a work permit of this type and a positive step that will facilitate the recruitment of highly qualified foreigners from non-EU countries in order to overcome the shortage of specialists in certain sectors.
- The next section of Chapter 2 on seasonal employment regulates the conditions for issuing a seasonal worker permit valid for at least 90 days and appoints the Minister of Labor and Social Policy to approve a list of economic sectors that need seasonal workers (Art. 24-25).
- The next section deals with third-country nationals' residence issues for intra-corporate transfer. A long-term residence permit for intra-corporate transferees is foreseen for a foreigner from a third country to be issued to persons who have the right of access to the labour market under the general provisions of the **LMLML** and hold a long-stay visa. The residence permit for intra-corporate transferees is issued by the Ministry of Labor and Social Policy for a period of one year (for employees and trainees) or for a period of three years (for those working as specialists and managers) and, if there are sufficient grounds, it can be renewed (Art. 32, para. 2).
- Section 6 of Chapter Two sets out the terms and conditions of employment of third-country nationals who are researchers, students and trainees. According to Art. 36 (1) third-country nationals who are admitted as researchers for the purpose of conducting a research project under an admission agreement with a particular organisation may engage in employment for the duration of the project without a work permit. Such cases, however, should be registered at the Employment Agency (Art. 36, para. 2). There will also be an opportunity for short-term employment for students and trainees.

- Sections 7 and 8 refer respectively to the procedure and the regulation for issuing work permits and the status of self-employed persons.
- A separate chapter, Chapter Three, of the bill is devoted to the equal treatment of foreign workers - EU citizens and third countries. According to Art. 49 (1) the foreign citizens who have exercised their right to the free movement have the same rights as the Bulgarian citizens with the exception of those for which Bulgarian citizenship is required by law. Article 49 (2) regulates the equal treatment of foreign workers - third-country nationals or holders of a single residence and work permit, an EU Blue Card and a seasonal worker permit in respect of: access to vacancy information, (Including pay, working time and breaks, termination of employment, minimum starting age, participation in collective agreements), recognition of diplomas for completion of education and certificates of professional qualification. The addition of these provisions to the idea of improving awareness of the modalities and conditions of legal migration and ensuring equal treatment for all foreign workers is defined as one of the main objectives of the **LMLML**, especially in view of the growing importance of access to social rights as a means of attracting workers from third countries across the EU who have a shortage of the European labor market.
- Chapter Four of the **LMLML** regulates the free movement of workers in the EU. The provisions are in line with Regulation (EU) No 2011/492 on the free movement of workers in the Union and Directive 2014/54/EC and introduce separate norms, the main purpose being to provide sufficient guarantees for the protection of workers' rights in Bulgaria EU and EEA citizens and the Swiss Confederation, as well as members of their families.
- Chapter Five deals with the legal protection of Bulgarian nationals working in the territory of third countries and regulates the procedure for concluding agreements with third countries in the field of employment, which provides an additional opportunity to meet the needs of the labor market and opportunities for professional realization of Bulgarian citizens in third countries (Article 62).
- In addition, Chapter Six on public authorities abroad in the field of labour and social security relations was also established. In order to improve and promote cooperation with the Ministry of Labor and Social Policy with the public authorities and institutions of other countries responsible for labor migration and labor mobility, the **LMLML** further develops the existing legislation concerning the maintenance and development of a network of labor and social services in the relevant overseas representations of the Republic of Bulgaria (Article 64).

The Minister of Labor and Social Policy has been assigned the leading role in the implementation of the control over the observance of the law and the other normative acts in the field of labour migration and labour mobility. The specialised control activity is carried out by the Executive Agency "General Labor Inspectorate" to it (Article 67 and the next). In general, the law won the wide support of trade unions such as the Confederation of Employers and Industrialists in Bulgaria, the Bulgarian Industrial Association and the Industrial Capital Association in Bulgaria.

The **LMLML** found its place and the simplified procedure for issuing an EU Blue Card was introduced with the amendment to the Ordinance on the Terms and Procedure for Issuing, Rejection and Withdrawal of Work Permits for Foreigners in the Republic of Bulgaria. The requirement of the so-called "Market test" drops out, which is a check whether there is no suitable local market employee for the post. The deadlines for the issuance of an EU Blue Card by the Migration Directorate after a highly qualified third country national has already entered the territory of the Republic of Bulgaria with a D visa are respectively 30 days for a regular service, 10 days for a fast service and 3 days for express service. Employers must submit documents to the Employment Agency, after which the Executive Director of the Employment Agency must provide a written decision to the Migration Directorate on an administrative order for the exercise of highly qualified employment. This is necessary because, when hiring highly qualified foreigners, they have to obtain a uniform EU residence permit and residence permit from the Migration Directorate of the Ministry of Interior.

The Employment Agency (EA) will introduce a new software system to facilitate and accelerate the issuance of work permits to foreigners (known as "blue cards") outside the EU in Bulgaria. Its task is to automate the processes of issuing such documents as much as possible by providing links to additional existing databases and to maximise the administration's handling of applications. The new system only includes processing, but not accepting blue card requests. So applications for such permits will be made by hand at the relevant labour office. However, system upgrading is a step forward and is part of the state's efforts to reduce barriers to hiring highly qualified staff from abroad, especially in sectors where there is a shortage of such as the IT industry. The main role of the upgraded software is to significantly expand the capabilities of the software. Registers for employers, foreigners, applications, a module for their digital processing and others are added. The new system must be compatible with the Employment Agency's databases and external institutions such as the Ministry of the Interior, the Ministry of Foreign Affairs and others. By accessing this information, the idea is that the entire processing of applications after their submission to institutions is digital and as fast as possible. One of the factors behind slow card issuance is the lack of administrative capacity. According to the Employment Agency, over 600 applications for work permits for foreigners in the country are processed annually. According to the data of the Ministry of Labor and Social Policy, 37 people with similar documents have been working last year.

The professions for which a Blue Card can be issued are 10, all in the IT sector, for which there is a shortage of highly qualified staff and was drawn up at the end of January 2016, following the suggestions from all nationally represented employers' organisations. The list will be updated every year by January 31.

In order to ensure longer and equal employment, Art. 18 of LMLML initiates a requirement that the employment contract should be at least 12 months and the amount of the remuneration should be at least 2 times higher than the average salary in the Republic of Bulgaria, according to the available data for the last 12 months before signing the employment contract. This solution is in line with the wishes of the employers' organisations in Bulgaria.

Family reunification

The amendments to the Law on Foreigners in the Republic of Bulgaria, adopted in April 2016, create explicit legal provisions regarding the documents produced abroad and certifying

family ties to the foreign control services. The requirement for them to be recognised or admitted for execution under Bulgarian law is introduced. This proposal is motivated by the contradictory practice and aims to create basic requirements in this area to be further developed in the next legislative changes. Thus, the border control authorities will not allow the entry into Bulgaria of a person who refers to his personality as a member of the family of a Bulgarian citizen but has not certified this within a reasonable time with any of the documents required by law or other appropriate documents. The refusal shall be motivated and subject to appeal under the Administrative Procedure Code (Article 8a (4)).

A foreigner who has been granted refugee status has the rights and obligations of a Bulgarian citizen with the exception of the right to participate in elections to state and local authorities, in national and local referendums, and to participate in the formation and membership of political parties; to occupy positions for which Bulgarian citizenship is required by law; to be a soldier; other restrictions expressly provided by law. A foreigner with a granted humanitarian status has the rights and obligations of a foreigner with a permanent residence permit in the Republic of Bulgaria.

The State Agency for Refugees facilitates the collection of separated families by assisting foreigners to issue travel documents, visas and admission to the territory of the country. After the chairperson of the SAR has allowed the foreigner's family to be reunited, the Bulgarian diplomatic or consular representations issue visas to his family members.

Students and researchers

Section VI of the Law deals with the employment of researchers, students and trainees. Third-country nationals who are admitted as researchers for the purpose of conducting a research project under a research agreement with a research organisation may engage in work on the territory of the Republic of Bulgaria without a work permit - for the duration of the project. In these cases, the Employment Agency is registered with the host research organisation. The law entitles family members of a third-country national - a researcher to work on an employment basis and to practice freelancing on the territory of the Republic of Bulgaria for the period of residence of the researcher by a decision of the Executive Director of the Employment Agency.

Other aspects of legal migration

An important change in the Law on Foreigners in the Republic of Bulgaria introduces a procedure for the granting of status as a "stateless person" under the 1954 Convention on the Status of Stateless Persons and the Convention on the Reduction of Stateless Persons, adopted on 30 August 1961 in New York, which the Republic of Bulgaria has ratified, by a law promulgated in State Gazette, issue 11 of 07.02.2012. The United Nations Conventions on the Status of Stateless Persons are fundamental international instruments governing the situation to stateless persons and ensure that they enjoy fundamental rights and freedoms without discrimination. Problems with stateless persons are an integral part of the big issue of human rights. Too often, deprivation of nationality is linked to forced evictions from native places, refugee appearance, forced displacement, and other humanitarian issues. Lack of citizenship is an undesirable condition, both from the point of view of the interests of separate individuals and of the countries concerned. It can often cause instability and a threat to national interests.

Of particular interest is the policy of the United Nations, the Council of Europe, and the European Union regarding Asylum, Migration, Refugees and Citizenship. The pursuit of consistency, as well as the subsequent harmonisation of national policies, laws and practices with a tendency to build a common „European policy on citizenship and stateless persons”, has been widely pronounced in recent years. The European Union attaches great importance to the development of the area of freedom, security and justice for citizens across the European Union. There are significant differences between national regulations and their application. It is assumed that common principles and rules will reduce secondary mobility in the Schengen area and increase trust between the Member States. The importance of the external dimension of the European Union's policy towards third countries and international organisations in the area of freedom, security and justice and the need to better integrate these policies into the common policies of the European Union is underlined. In view of this, and given that national legislation does not regulate this issue, the necessary steps have been taken to introduce a status determination procedure for stateless persons. To this end, an analysis of good European practices has been carried out, and a working group has supported the view that it is appropriate to adopt the practice of Hungary. In this sense, the necessary normative amendments and supplements were prepared to establish the conditions and procedures for issuing a travel document to the stateless persons to which Bulgaria has granted a status of a statelessness as well as those to which another state has granted status of a stateless person, permanent or long-term residents in the Republic of Bulgaria, and for compelling reasons they can not renew their travel document from the state that originally issued it. The term "stateless person" is regulated as a person who is not considered as a national of any country in accordance with its legislation. The legal status of statelessness is settled. Status of a stateless person will be provided by the Migration Directorate of the Ministry of Interior. It is envisaged that the person who has acquired the status of stateless person in the Republic of Bulgaria who holds a permanent or long-term residence permit on the territory of the country shall be issued an identity document "cross-border certificate of a stateless person" with a term of validity of five years in which it is noted that it was issued in accordance with the Convention on the Status of Stateless Persons, adopted on 28 September 1954 in New York by the United Nations. The title page of the document will also contain the designation "Convention of September 28, 1954".

It is envisaged that in 2017 a draft law will be prepared to amend the Labor Migration and Labor Mobility Law and its Implementing Regulations, which will introduce into the national legislation the provisions of the European Union Directive (EU) 2016/801 of the European Parliament and the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of conducting research, study, traineeship, volunteering, pupil exchange programs or educational projects and work on a programs "au pair".

Migration management, including visa policy and management of the Schengen area

Visa policy

The Republic of Bulgaria applies the Common European Union Visa Policy under the terms of the Accession Treaty as of 1 January 2007.

Regarding the visa regime in a country with amendments to the Foreigners Law in the Republic of Bulgaria, new and amended old provisions on visa regime were introduced. It is envisaged with the amendment in Art. 9b, par. 1 within the Bulgarian legislation, and in line with the recent judgment of the Court of Justice of the European Union in Case C-575/12, according to which third-country nationals may enter the territory of the European Union with a valid travel document and a valid visa placed in an invalid passport. The order for issuance of visas, including short-term residence, as well as the taking of biometric data, has been changed. An appeal against refusals to issue a visa may be brought under the terms of the Administrative Procedure Code before a court regarding its legality. This has created clarity as regards the jurisdiction of the courts to appeal against refusals to issue visas. This amendment is also expected to contribute to preventing the use of the territory of Bulgaria as a transit point for persons intending to participate in terrorist groups. It also introduces a requirement for those doing business in the country and applying for long-stay visas on this basis to disclose 10 full-time jobs. Thus, such type of visas will be issued only to persons actually doing business. More stringent requirements are also introduced with regard to visa applicants as representatives of foreign commercial companies. They provide for a preliminary check on the actual activity of the company abroad and the origin of the capital. With the adoption of the law, the legal option, abolished in 2013, to extend the period of residence of a foreigner who is already on the territory of the country but can not leave it for reasons for which he is not responsible is restored.

Governance of the Schengen Area

The accession of the Republic of Bulgaria to the Schengen area is a top priority for our country. In 2016, the efforts of the Bulgarian authorities continued to achieve high Schengen standards and secure reliable external borders. Bulgaria's technical readiness for Schengen membership has long been confirmed, but our country is not yet a full member of the Schengen area. Nevertheless, at the European level, the negotiations and promises of Bulgaria's access to different information systems within Schengen are becoming more and more intense. For example, in early 2017, the Interior Minister of Malta, who is also the rotating EU president at the time, said his country is looking for opportunities for early access by Bulgaria and Romania to the Schengen visa information system.

The issue of our country's access to EU border police information systems was discussed at a meeting of EU Home Affairs Ministers in Brussels in December 2016.

In July 2016, Bulgaria asked Frontex agency for additional support for our country. In August, a decision was taken to support Frontex by increasing the Agency's contingent in Bulgaria in order to support the maintenance of efficient border management on the Balkan Route. Support for Bulgaria is expressed in additional staff and technical means, including equipment for effective surveillance of the land and air border. The additional forces support the protection of Bulgarian-Turkish and Bulgarian-Serbian borders.

The Republic of Bulgaria requested EUR 160 million of assistance from the European Commission for protection and surveillance of the state border. In August 2016, the European

Commission announced that it would allocate EUR 72.2 million to the state border within the Internal Frontiers Fund for a period of five years. At the end of September, the European Commission has announced that it will provide our country with an additional €108 million emergency aid to Bulgaria for border management and refugee flow management.

During the year Bulgaria participated in joint operations of Frontex with the admission of guest officers from the EU Member States.

In 2016, the new European Border and Coast Guard Agency was officially launched. The official ceremony was held at Kapitan Andreevo border checkpoint. 192 officers of the Agency will be on duty at the Bulgarian-Turkish border, with thermo-vision cameras, dog and airplane teams equipped with a CCTV camera.

4. INTERNATIONAL PROTECTION

4.1 Overview of the situation

Over the past year, Bulgaria has successfully tackled the challenge it faced in relation to the continuing trend of changing foreigners' profile in 2016. While the Agency for Refugees registered and processed applications for protection mainly for Syrian citizens in 2015, for which the internal and consequently international military conflict in their home country largely predetermined the granting of international protection. In 2016, the number of applications made by Afghan citizens would increase, which mainly motivate their refugee history with socio-economic factors.

Statistics show that Afghan citizens account for 45% of all 19,418 asylum seekers in 2016, followed by Iraqi citizens with 5345 requests (28%) and Syria with 260 requests (14%). Throughout the year, except in January, February and December, most requests per month were resubmitted by citizens of Afghanistan. The highest number of foreigners seeking protection is registered in the months January, August, September and October, compared with 2015 when the highest number of asylum applications was filed in October.

Compared to the previous year, applications for protection in 2016 (19 418) are 5% less than those registered in 2015 (20 391).

In August, September and October 2016, the largest number of foreigners seeking international protection were registered and accommodated, so that the accommodation capacity in the territorial units of SAR was over 100%.

The judgments handed down for the period amounted to a total of 12 015. After a procedure for granting international protection, refugee status was granted to 764 persons during the year, a humanitarian status of 587 persons and the refusal to grant international protection to 1 732 foreigners. The procedures of 8 932 persons were terminated.

Depending on the country of origin, asylum seekers are mainly from Afghanistan, Iraq and Syria, with citizens in the three countries accounting for a total of 87%.

In the course of the year, the number of Syrian asylum-seekers has dropped considerably, with two times less than in 2015, representing 14% of all foreigners seeking protection in the

Republic of Bulgaria in 2016 (compared with 29% in the previous year). The number of Afghan citizens seeking protection has increased, accounting for 45% of all those seeking protection in 2016.

In recent years, the distribution by gender remains unchanged - 79% are male and 21% female.

Depending on age, the percentage of those aged 18 to 34 years is the highest - 56% and the lowest among those aged 65 and over. Total working-age people are 66%. Figures for the past five years in terms of educational attainment show a significant change in the percentage ratio between individual degrees. More than twice the number of people with higher or college education has fallen relative to the rest of the categories for the years since the start of the refugee wave in the country. According to the statistics for the last two years, people without education are 23%, and the low-educated, with elementary or primary education, is 54%.

In 2016, those seeking protection who have indicated their higher or college education at their level of education are 6%, with very few of them having a document to certify it.

In 2016, nearly 42% of all children seeking protection were unaccompanied. The largest share in this vulnerable category is children from Afghanistan - 74%, of which 310 are minors and 1738 are underage, with more than half of them aged between 16 and 17 years. Compared to the previous year, in 2016 the number of underage unaccompanied asylum seekers increased by over 60%.

Although the Bulgarian system for protection and reception was pressed in 2016, as in the previous three years, Bulgaria continued to provide almost constantly, on a rotational basis, experts for participation in the EASO activities for hotspot support in Italy and Greece. The total number of missions involving Bulgarian experts was 16, including 13 experts' missions from SAR to the Council of Ministers and 3 missions of MoI experts.

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4.2. Policy development and regulatory changes

The Law on Asylum and Refugees (LAR) is the normative act which defines the terms and procedures for granting international protection to persons from third countries located on the territory of the Republic of Bulgaria. With the amendments made to it by the end of 2015, *which transposed Directive 2011/95/EU on the standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, in their national legislation, on the single status of refugees or persons eligible for subsidiary protection and on the content of the protection granted, Directive 2013/32/EU on common procedures for granting and withdrawing international protection and European Union Directive 2013/33/EU of the European Parliament and the Council on the setting of standards for the admission of applicants for international protection*, it fully complies with European and international standards in the area of asylum, which in turn guarantees the conduct in 2016 of fair and lawful international protection.

In 2016, in order to improve the administrative control over the persons seeking protection, as well as on grounds of public interest and public order, legislative amendments were made in accordance with the provisions of Directive 2013/33/EU of the European Parliament and of

the Council of 26 June 2013 laying down standards for the admission of applicants for international protection transposed into national law with amendments to the LAR of 16 October 2015. Under the new legal provisions in the Refugee Act Victims and refugees (LAR) persons seeking protection have the right to move only within the defined area on the territory of the Republic of Bulgaria. The "zone" is defined by an act of the Council of Ministers on a proposal by the chairperson of the State Agency for Refugees and administrative area, which the foreigner seeking international protection can not leave and which provides sufficient opportunity for movement to guarantee the exercise of rights under the LAR. In connection with the obligation not to leave the designated area during the proceedings, an administrative sanction is already foreseen, namely, in the case of a repeated violation of this obligation, the foreigner is accommodated in a closed centre or premises until the end of the LAR proceedings with effect decision.

The Law amending and supplementing the Law on Asylum and Refugees, adopted in October 2015, transposing into our national legislation the provisions of Directive 2013/33/EU and Directive 2011/95/EU introduced the existence of both centres to the State Agency for Refugees of open type, as well as to the closed-type refugee's centres.

"Closed-type centre" is a territorial unit of SAR or a separate part of it, where the right of free movement of foreigners seeking international protection is limited. The amendment of the LAR in this part came into force on 01.01.2016.

After an assessment of the circumstances in each particular case, a foreigner seeking international protection may be temporarily and as soon as possible settled within a closed-type centre, subject to the preconditions lay down in the Law and by a decision of the SAR chairperson.

Procedures for granting international protection

The main competencies of SAR with the Council of Ministers are related to the reception and accommodation of persons seeking international protection in the Republic of Bulgaria and to the conduct of the international protection proceedings.

As it stands, national asylum legislation is in line with EU legislation, with all the minimum standards in place and a fair procedure for handling applications for international protection is guaranteed.

Requests for protection shall be made personally and on their own initiative. Every foreigner has the right to apply for international protection, in person, in each of the territorial units of SAR with the Council of Ministers. There is a possibility for the request to be filed with another state body, most often these are the border and migration control authorities.

Applications for international protection are considered by the SAR with the Council of Ministers individually, objectively and impartially, with the first assessment of refugee status. In case that refugee status can not be granted, consideration shall be given to the granting of humanitarian status.

The application for international protection is registered with SAR within the Council of Ministers within three days of filing it, opening a personal case. If the application is filed with another state authority, it is obliged to forward it immediately to SAR with the Council of Ministers, which registers the foreigner within 6 days of the initial filing of the application.

The asylum seekers shall be accommodated in the territorial divisions of SAR with the Council of Ministers after assessing the state of health, the family and material situation of the foreigner, under conditions and by the order established by the chairperson of the Agency.

According to the LAR, asylum-seekers have the right to food and shelter of social assistance in accordance with the procedure and in the amount determined for the Bulgarian citizens for health insurance and the right to accessible medical care under the terms and conditions for the Bulgarian citizens, the right to psychological assistance, the right to receive a registration card, and the right to an interpreter. As regards persons seeking protection, social adaptation and cultural orientation activities are carried out.

In 2016, the conditions in the Registration and Reception Center in Harmanli were improved: a building for initial admission was built; a waggon settlement for foreigners seeking international protection; combined sports playground (outdoor sports ground for volleyball, outdoor multifunctional basketball court and mini football and an open-air gym);

Of the activities to be implemented under the project "Improving living conditions and increasing the accommodation capacity" under the Asylum, Migration and Integration Fund, in 2016, in the regional center Sofia were repaired 2 gyms in the hostels in "Vrazhdebna" and "Voenna Rampa"; reconstruction of a cinema hall in a reception centre located in "Voenna Rampa"; repair of a part of roofs in "Vrazhdebna" and "Voenna Rampa".

With the registration of the persons seeking the protection, there are initiated proceedings in general order. In the course of this procedure with applicants for international protection, the necessary number of interviews is conducted to fully clarify personal refugee history. For each applicant for protection, a written statement from the State Agency National Security is required, which is taken into account when deciding on the application for international protection. The current account of the situation in the country of origin of the foreigner is also taken into account.

Within a period of 6 months from the initiation of the procedure for granting protection, a decision is taken to grant international protection (refugee or humanitarian status) or a refusal to grant international protection. Refusal to grant international protection is subject to double-party judicial review.

Within the framework of the ordinary procedure and subject to the grounds provided for in the LAR, an accelerated procedure may be applied to applicants for protection, in which case it may be decided to reject the application for international protection as manifestly unfounded.

Likewise, in the framework of the proceedings initiated by a general order of the persons seeking protection, a procedure for determining the state responsible for examining the application under Chapter Six, Section I(a) of the LAR may be initiated. The Republic of

Bulgaria makes inquiries about taking responsibility and taking back persons to the other Member States and receives such inquiries under the terms and conditions of Regulation (EU) 604/2013 (the Dublin Regulation). According to the above-mentioned Regulation, the persons for whom another Member State is responsible are sent to the respective country and the persons for whom the Republic of Bulgaria is responsible are accepted.

In our national legislation, there is only the possibility of applying for international protection at the border, but not a procedure for examining it there. In such cases, asylum applications are forwarded to SAR, with foreigners being housed in the centres of the Agency.

The LAR provides for the possibility of dismissing the application as manifestly unfounded by applying an accelerated procedure in a general procedure. Such a procedure shall not apply to an unaccompanied minor or foreigner who has applied for international protection and to foreigners enjoying temporary protection. If the grounds provided for in the LAR are available within 10 working days of the foreigner's registration, the interviewing authority may apply an accelerated procedure in the ordinary procedure by deciding to reject the application as manifestly unfounded.

With the amendments to the Asylum and Refugees Law, made at the end of 2015, a further procedure for preliminary examination of a subsequent application was introduced. In this respect, its eligibility is assessed according to certain legal criteria. Within 14 days of the filing of the subsequent application for international protection, the interviewing authority shall, on the basis of written evidence submitted by the foreign national without a personal interview, take a decision authorising or not allowing the subsequent application to a procedure for the provision of an international protection. If no decision is taken within that time limit, the application shall be deemed to have been admitted to proceedings for the grant of international protection. In such cases, the registration shall take place within three working days of admission to a procedure for granting international protection.

Procedures at first instance

After the foreigner's registration, an interview date is set. An invitation is given to him, explaining his rights and obligations, as well as the consequences of non-attendance or non-participation of officials.

Interviews with individuals from a vulnerable group are conducted by specially trained employees.

During the proceedings, the foreigner is obliged to submit documents certifying his/her identity as well as the accompanying minors seeking protection. When deciding on the application for international protection, all relevant facts, statements or documents relating to the applicant's personal situation, his or her country of origin or the possibility of enjoying the protection of another state whose nationality he or she could have acquired, including whether the applicant has been pursuing activities whose sole purpose is to obtain international protection. Failure to interview is taken into account when deciding on the application unless the foreigner has objective obstacles to that.

Where the claimant's allegations are not supported by evidence, they are considered to be credible if he has endeavoured to substantiate his claim, has provided a satisfactory explanation for the lack of evidence and his statements have been judged to be non-contradictory and credible.

Within a period of 4 months from the commencement of proceedings, the interviewing authority shall make an objective and impartial opinion, which together with the personal case shall be submitted to the chairman of the State Agency for Refugees for decision. Within a period of 6 months from the initiation of a procedure under the general procedure, the chairman of the State Agency for Refugees shall take a decision granting or refusing to grant the refugee status or humanitarian status to the applicant.

In a case of complicated factual and/or substantive issues, the chairperson of the State Agency for Refugees may extend this period for a further 9 months, with the foreigner being informed of this personally or with a notice with a return receipt. The maximum period for pronouncing an application for international protection is 21 months from the date of filing.

Proceedings

Decisions in a procedure determining the state competent to hear the application for international protection of a foreigner and decisions by which the interviewing authority does not allow a subsequent application to a procedure for granting international protection may be appealed within 7 days of their service before the Administrative Court - the city of Sofia, through the authority that issued the decision.

The decisions for accommodation at the SAR transit and registration-reception centres are taken by the directors of the respective territorial units, except for the decisions for accommodation in closed-type centres. Such decisions, as well as decisions rejecting the application as manifestly unfounded in an accelerated procedure in a general procedure, may be appealed within 7 days of service to the administrative court at the present address of the foreigner's registration card. The complaint shall be filed by the authority which issued the decision. The appeal stops the execution of the decision rejecting the application as manifestly unfounded.

Within three days of receipt of the appeal, the court shall institute the case.

The Administrative Court shall examine the appeal in open session by summoning the parties and shall deliver a decision within one month of the commencement of the proceedings.

Where the court overturns the decision rejecting the application as manifestly unfounded and returns the case with mandatory instructions for resolving an accelerated procedure in ordinary proceedings, the interviewing authority shall issue a new decision within 10 working days of receipt of the judgment. When the court upheld the contested decision, it was enforced. The decision of the administrative court is not subject to cassation appeal.

Decisions to suspend the proceedings, decisions to initiate proceedings in the presence of data on jurisdiction to handle an application for international protection from another Member State of the European Union, decisions granting refugee status or humanitarian status, decisions to be taken the subsequent application to a procedure for granting international

protection, as well as the decisions initiating proceedings for the revocation or termination of international protection, shall not be subject to appeal.

Decisions refusing the foreigner's family reunification, decisions to refuse refugee status or humanitarian status decisions to terminate the procedure for granting international protection, decisions to withdraw or terminate international protection may be appealed by the order of the Administrative Procedure Code within 14 days from their delivery.

The appeal is filed through the chairman of the State Agency for Refugees and stops the execution of the decision. The Administrative Court shall examine the appeal within one month in open session with the summons of the parties. When the administrative court revokes the contested decision and returns the personal case with binding instructions for a new solution, the chairman of the State Agency for Refugees is obliged to take a new decision within 14 days. The court's decision is subject to a cassation appeal.

Integration of persons granted international protection in the Republic of Bulgaria

By Decree of the Council of Ministers of August 2016, an Ordinance on the conditions and procedure for concluding, implementing and terminating an agreement for the integration of foreigners with granted asylum or international protection was adopted. The document is in compliance with Article 37a of the Law on Asylum and Refugees, according to which foreigners with granted asylum or international protection in the Republic of Bulgaria are offered the conclusion of an inter-migration agreement, which defines their rights and obligations as well as the rights and obligations of the relevant state or municipal authorities. The law states that the conditions and procedure for concluding, implementing and terminating the agreement shall be determined by an Ordinance adopted by the Council of Ministers.

By its very nature, the Ordinance is based on voluntary wishes of municipalities and foreigners with international protection granted in the country. The initiative for the implementation of the Ordinance is a major commitment of the mayors of municipalities in the Republic of Bulgaria and of the local self-government bodies.

Each municipality wishing to receive internationally protected persons to be integrated into it applies to SAR (Council of Ministers) for the number of refugees with whom it wishes to conclude an integration agreement and informs the application of the integration measures envisaged in the municipality.

For its part, SAR (Council of Ministers) has the obligation to prepare integration profiles of the beneficiaries of international protection in the country during the asylum or international protection procedure and to inform the persons about the possibility of concluding an integration agreement. The State Agency for Refugees should keep a register of the municipalities that have declared an interest in integration and the number of persons with whom agreements can be concluded. SAR (Council of Ministers) provides information on the register of the National Association of Municipalities in the Republic of Bulgaria.

Chapter Five of the Ordinance outlines the possible sources of funding for integration as follows:

1. European funds such as the Asylum, Migration and Integration Fund, the operational programs under the European Social Fund and the European Regional Development Fund, the Cohesion Fund, the European Assistance Fund for the most deprived persons, etc.;
2. International and foreign financial instruments such as the Norwegian Financial Mechanism, etc.;
3. International institutions and organisations;
4. National funding.

Art. 1, paragraph 2 of Chapter Five mentions the source of funding for the integration measures of relocated or resettled persons in fulfilment of our country's commitments under the two national mechanisms - relocation and resettlement. The EU grants financial assistance to each relocated and resettled person under the Asylum, Migration and Integration Fund.

The transitional and final provisions of the Convention explicitly state that foreigners with asylum or international protection granted in the Republic of Bulgaria after 1 January 2014 may request the conclusion of an integration agreement under this Ordinance but not later than three years after obtaining the decision granting asylum or international protection.

The Ordinance was drafted by an inter-ministerial working group with the participation of legal experts from all the departments with competence in the field. The drafting of the Ordinance also involved the participation of international organisations working in the field of integration of migrants as well as representatives from the National Association of Municipalities.

The integration of persons with international protection in our country is a topic not very popular in our society, especially in the context of the migrant crisis and terrorist acts in Europe. In this regard, within the framework of the National Council on Migration and Integration, in February 2016 a seminar was held in two consecutive weeks with the municipalities of South and Northern Bulgaria. The purpose of the seminar was to get the local authorities familiar with the draft Ordinance, to raise their problems and to provide guidance for refining the text of the Ordinance. The seminar was attended by representatives from all institutions at the central level working in the field of refugee integration as well and representatives of United Nations High Commissioner for Refugees (UNHCR) and the Red Cross. Extensive presentations were made on the possibilities of exempting funds for integration measures from all available EU funds.

Several months later, another seminar on the integration of refugees was held. It was funded by UNHCR and its partners were the National Council on Migration and Integration and the National Association of Municipalities in Bulgaria. The lecture was attended by lecturers from the EU Member States as well as a representative from Canada who presented the foreign experience with the integration of persons with international protection.

Since the adoption of the Ordinance and the introduction of a functioning Integration Mechanism no applications have been received from mayors of municipalities for the number of foreigners with whom an integration agreement can be concluded, which in practice means that there is no initiative for its implementation at that moment.

Resettlement, relocation and humanitarian reception

Relocation

In September 2015, two Council Decisions have been adopted for the establishment of temporary measures in the field of international protection in favor of Italy and Greece, for the relief of the two countries subject to extraordinary pressure by the relocation of persons manifestly in need of international protection by Italy and Greece in other EU Member States. The Republic of Bulgaria on a voluntary basis assumed responsibility for 1302 of the candidates for transfer, for whom, under the Dublin III Regulation, Italy and Greece would be responsible.

In order to start the implementation of our country's commitments within the National Council on Migration and Integration, a National Mechanism for the fulfilment of the Republic of Bulgaria's commitments under Decision 2015/1523/EU and Decision 2015/1601/EU was established.

The mechanism identifies the functions and tasks of the responsible institutions for the entire relocation process, as well as describes the funding for the relocation and subsequent integration of the relocated persons. Bulgaria's preferences for what people will move are outlined.

The mechanism was adopted by a decision of the National Council on Migration and Integration of 30 October 2015 and approved by the Council of Ministers by Decision No 858/04.11.2015. The same decision defines the distribution of the number of persons to be relocated in Bulgaria as follows:

- (A) Up to 100 persons in 2015;**
- (B) Up to 500 persons in 2016;**
- (C) Up to 702 persons in 2017.**

The National Relocation Contact Point is the State Agency for Refugees (SAR) Council of Ministers. SAR is the national contact point for relocation and resettlement and a responsible authority for the implementation of the relocation and resettlement mechanisms, for coordination between the various actors and for the overall management of the processes. It is also the responsibility of the national point to regularly report on the progress of implementation of the relocation commitments to the National Council on Migration and Integration.

1. Relocated from Greece

SAR regularly sends applications for the transfer of applicants for international protection to Italy and Greece. Some of the persons envisaged to move from the Hellenic Republic to the Republic of Bulgaria withdraw their asylum applications and therefore the transfers can not be made. The complete monthly schedule for persons to be relocated is regularly updated. By 31 December 2016, 260 applications have been sent from Greece, and 29 have been accepted in our country. 140 applications have been sent to Italy, no arrivals have been received and no accepted candidates have been received.

Resettlement

By Resolution No. 263 of 12 April 2016 the Council of Ministers of the Republic of Bulgaria approved the framework of a National Mechanism for the fulfilment of the Republic of Bulgaria's resettlement commitments and the number of persons to be resettled in Bulgaria as follows:

(A) According to the Conclusions of the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the resettlement of 20 000 persons manifestly in need of international protection by 20 July 2015 through multilateral and national schemes, 20 persons in 2016 and 30 persons in 2017;

(B) Under the Agreement between the European Union and the Republic of Turkey of 18 March 2016 - 20 persons in 2016 and 20 persons in 2017;

(C) 2014-2020 multiannual program of the Asylum, Migration and Integration Fund - 20 persons after 31 December 2017.

The State Agency for Refugees at the Council of Ministers is the national contact point for relocation and resettlement and the responsible authority for implementing these mechanisms, coordination between the various actors and the overall management of the processes.

A resettlement selection team has been set up. The team includes representatives from the State Agency for Refugees, the State Agency National Security (SANS), the Ministry of Interior (MoI) and translators. Representatives of the Ministry of Interior and the Ministry of Foreign Affairs (Consular Relations Directorate) in Turkey provide the necessary assistance to the on-site selection team.

The application for resettlement of 40 Syrians from Turkey was sent on 20 May 2016. On 29 June, 1 July and 8 July, the first UNHCR proposals were received. About 41 people, Syrian citizens: about 7 families were proposed for resettlement. However, there are still no resettled persons in the country as the selection team will visit Turkey for interviews with the persons proposed for resettlement when an agreement is signed between the International Projects Directorate of the Ministry of Interior (the responsible body for the Fund "Asylum, Migration and Integration" in Bulgaria), the International Organization for Migration and SAR with the Council of Ministers for the implementation of the resettlement activities.

Residents approved for resettlement will be transferred to the Bulgarian territory and will be accommodated in a territorial unit of the State Agency for Refugees. They will be registered as asylum seekers and will be prosecuted under the Asylum and Refugees Law. Social adaptation activities are carried out as part of the process.

5. UNACCOMPANIED MINORS AND UNDERAGE CHILDREN AND OTHER VULNERABLE GROUPS

5.1. Overview of the situation

The ongoing military conflicts and the unstable socio-economic and political situation in the Middle East countries as well as in North and Central Africa continue to generate migratory

flows to Europe, some of which pass through the territory of the Republic of Bulgaria. A significant part of the refugee and migrant flows through our country is made up of children, including those who move as unaccompanied or separated from their families. While children travelling with their parents or other close relatives are under their responsibility and care, unaccompanied foreign children are an independent target group of „children at risk" category within the meaning of the Child Protection Law, who need special protection and care by the state. The Bulgarian state is committed to creating appropriate conditions and guarantees for the realisation of the rights of these children, regulated both by national and international law. The children in this target group have the same rights as the Bulgarian children left without parental care.

5.2 Policy development and legal changes

Two are the main groups of unaccompanied foreign children depending on their legal status - children who have applied for international protection under the Asylum and Refugees Law and those who do not wish to apply for international protection.

Unaccompanied minors and underage children-foreigners seeking or receiving international protection

The State Agency for Refugees at the Council of Ministers is a leading institution in ensuring the rights of unaccompanied children who apply for international protection under the Asylum and Refugees Law.

Pursuant to the Asylum and Refugees Law, SAR with the Council of Ministers provides access to procedures for children separated from their families, seeking international protection. In the territorial units of the Agency, the identity of the children is registered according to the original documents submitted by them. Most of the children do not have documents, and in these cases, their age is established on the basis of a completed declaration under the Asylum and Refugees Law. On behalf of SAR, the Council of Ministers takes action to ensure the child's best interest, tailored to his specific needs.

A practical challenge is the settlement of the procedure for the appointment of a representative of unaccompanied minor foreigners, seeking protection and the creation of suitable conditions for the accommodation of persons belonging to vulnerable groups.

Amendments to the Asylum and Refugees Law of 2015 introduce a mechanism for the representation of unaccompanied minors. The municipal administration appoints a representative, the representative being appointed by the mayor of the municipality or a person authorised by him. Given the specific situation of unaccompanied children who are deprived of the opportunity to receive care and protection from their parents or close relatives, the efforts of the representatives are aimed at informing children about their rights during their stay in the SAR centres at Council of Ministers and during the procedure for granting protection. Representatives ensure that the dignity of children is not compromised. A challenge is a large number of unaccompanied minors compared to a small number of designated representatives. In our national legislation, the procedure is regulated in a way that

creates significant practical difficulties due to the limited administrative capacity of the municipalities and the lack of sufficient staff with the necessary qualities and appropriate qualifications for competent performance of the functions of protection of the interests of the unaccompanied persons. After the registration of an unaccompanied minor or underage child, a letter is written to the mayor of the municipality of the place of residence of the unaccompanied minors, for the appointment of a representative from the municipal administration, such letter being sent to the Social Assistance Directorate in the municipality of the foreigner's domicile, and the State Agency for Child Protection to designate a social worker to attend a hearing in the procedure for granting international protection. If the person is accompanied by an adult who is responsible for him/her by law or custom, this adult is appointed by the mayor of the municipality as his/her representative.

The total number of unaccompanied children seeking international protection in 2016 in the SAR with the Council of Ministers is 2772.

Unaccompanied minors or underage children-foreigners not seeking international protection

Unaccompanied children are children at risk and protection measures should be taken against them. As children at risk, the Social Assistance Agency (SAA) through Child Protection Departments in the country is responsible for ensuring the protection and rights of any unaccompanied child. According to the Law on Foreign Nationals in the Republic of Bulgaria and the Law on Asylum and Refugees, unaccompanied children, foreign citizens and refugee children should be taken under protection, and namely accommodated in:

- A family of relatives and relatives;
- Foster family;
- Resident type social services;
- Specialised institutions.

The placement of children is carried out under the terms and conditions of the Child Protection Law by the Social Assistance Directorate.

The legal framework for child protection, asylum and migration guarantee the right of protection for these children under the terms and conditions of the Child Protection Law.

The main and especially serious issue is when these children are located either at the border or inside the country where they are to be transported and accommodated. The guiding principle that institutions should govern under the international and national law is that unaccompanied children, foreign citizens are children at risk and then children who are illegally resident in the country and refugee children.

Ensuring an adequate protection measure that guarantees the rights and best interests of unaccompanied children in the short and long term is a difficult and responsible process that requires cooperation and interaction between all involved institutions and organisations at national, regional and local levels. In addition to good partnership and interaction between child protection authorities, a targeted government policy is needed to provide the necessary

resources and conditions to best ensure the rights and interests of children, foreign citizens and refugee children.

Ensuring children's rights is one of the key priorities in the work of the Social Assistance Agency (SAA) and territorial structures. In view of the timeliness of the refugee and migrant children's problem and their referral to an appropriate resident-type institution and/or social service in which to accommodate, access to these services should not be restricted under current legislation. Indeed, given the specific social needs of unaccompanied children, there are a number of difficulties in providing access to a social service that satisfies and responds to the needs of child protection and care for refugee children. It is important to note that in practice there are cases of unaccompanied children-foreign citizens who have taken a measure of protection under the provisions of the Child Protection Law, who have been unable to adapt and accept the new way of life in social services. An example is the case of foreign children residing in resident-type social services in the Pazardzhik region. Often, unaccompanied children find it difficult to accept the fact that they are separated from their relatives and acquaintances and therefore escape or do other actions that are not in their interests and endanger their lives, health and safety.

There is no problem with regard to the understanding of the Agency for Social Protection in the country, about taking a measure to protect and place these children (such as children at risk) in a suitable service for children. The Social Assistance Agency (SAA) implements a number of thematic training of SAA staff on unaccompanied children.

Some of the problems identified in the work with unaccompanied children - foreign citizens, including unaccompanied refugee children are due to the specific peculiarities and needs of this target group such as the language barrier, which makes it difficult to communicate directly with children; their often unidentified status and identity; untimely provision of medical assistance and services, ensuring the right to education and training in Bulgarian language; providing legal aid and others. The concern is also the fact that specialised institutions for children and functioning social services do not have the necessary and sufficient resources, including professional ones, to satisfy all the specific needs of the children of the target group, as well as opportunities to ensure their maximum security and safety. In this respect, it is important to note that the main priority of the child protection policy in the country is the implementation of the deinstitutionalisation process of childcare, which in turn is related to the reduction of the capacity of the specialised institutions, the restriction of the placements, as well as their gradual closure.

According to data of the Agency for Social Assistance in 2016, protection measures have been taken in accordance with the provisions of the Law of Child Protection as follows: 8 children are accommodated in family type centers; 6 children are housed in Crisis Centers; 4 children are accommodated in specialized institutions; one child is placed in a shelter and 1 child is placed with a foster family.

Other vulnerable groups

The State Agency for Refugees at the Council of Ministers works with vulnerable persons with specific needs (children, unaccompanied minors, disabled people, elderly people, pregnant women, single parents, victims of trafficking, people with serious illnesses, persons with mental disorders and persons who have suffered torture, rape or other serious forms of psychological, physical or sexual violence as victims of female genital mutilation). Professional help, individual work and specialised intercultural training are offered. A register has been set up in the Agency to promptly register persons with special needs, vulnerable persons and unaccompanied minors seeking protection. The aim is to facilitate targeting and access to appropriate care.

6. INTEGRATION

6.1. Overview of the situation

Integration policy for immigrants legally residing in the country is conducted in accordance with the common basic principles on Integration of Immigrants into the EU. The balance between rights and obligations of migrants in the Republic of Bulgaria is guaranteed. Integration policy is an integral part of the state policy of our country in the field of legal migration. The Republic of Bulgaria has modern, well developed and effective legislation in the field of equal opportunities, social inclusion and non-discrimination, which is fully in line with European standards. The Law on Protection against Discrimination fully implements the provisions of the European Equality Directives by regulating the protection of all individuals on the territory of the Republic of Bulgaria against all forms of discrimination and at the same time assists in its prevention and establishes measures for equality of opportunity.

According to the current legislation (Art. 3 of the LMLML), the policy on free movement of workers, labor migration and the integration of foreigners is carried out in cooperation and after consultation with the representative organizations at national level of the employers and employees, as well as with representatives and other non-profit legal entities registered under the procedure of Chapter Three of the Non-Profit Legal Entities Law.

This cooperation and consultations are carried out by the National Council for Labor Migration and Labor Mobility (NCLMLM). This council is established by the Minister of Labor and Social Policy. The NCLMLM consists of an equal number of representatives of representative employers and workers' organisations at national level, representatives of ministries, agencies, committees and local authorities. Representatives of international organisations and non-profit legal entities carrying out activities in the field of labour migration, labour mobility and the integration of foreigners may also be invited to participate in the council. The chairman of NCLMLM is the Minister of Labor and Social Policy.

The Minister of Labor and Social Policy can, after consultation with the National Council on Labor Migration and Labor Mobility, impose restrictions on the access of third-country workers to the labor market, including the highly qualified and the persons working in the labor market freelance, according to the state, development and social interests of the labor market.

6.2. Policy development and regulatory changes

Promoting integration through socio-economic participation

In paragraph 2 of Article 49 of the Law on Labor Migration and Labor Mobility provides that third-country nationals, holders of a Single Residence and Work Permit, European Union Blue Card and Seasonal Worker Permit are on an equal footing with Bulgarian citizens in respect of:

1. Access to information on vacancies declared;
2. The use of information and employment mediation;
3. Working conditions, including pay, working time and breaks, termination of the employment contract, minimum starting age, participation in collective bargaining;
4. Safety and health at work;
5. Conditions for access, obligations and the exercise of social security rights in the framework of European Union Law;
6. Access to goods and services, including public services;
7. Education and vocational training;
8. The recognition of education diplomas;
9. The recognition of certificates and other evidence of professional qualification in accordance with the Law for the recognition of professional qualifications;
10. payments of statutory old-age, invalidity and death-related pensions relating to income and previous employment at the rate applicable under the law of the Member State or the debtor Member States when moving to a third country, without prejudice to the provisions of Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending the scope of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries, which are not yet covered by these Regulations only on (OJ L 344/1 of 29 December 2010), as well as existing bilateral agreements with third countries; The same applies to payments to surviving spouses;
11. Freedom of association, membership and membership of workers 'or employers' organizations or employers, as well as in professional and professional organizations, including with regard to the privileges of such membership, unless, by virtue of a law, statute or other statutory instrument, Bulgarian citizenship, without prejudice to public order and public security;
12. The right to use tax relief under the terms and conditions of the Personal Income Tax Law.

(3) Within the scope of paragraph 2, point 5 does not include family allowances and unemployment benefits when the permit is issued for employment with duration of up to 9 months.

(4) The conditions under paragraph 2 shall not prevent the imposition of administrative enforcement measures under Chapter Five of the Law on Foreigners in the Republic of Bulgaria.

According to Article 50, paragraph 1 of the rights under Article 49, paragraph 2 shall also be used for the citizens of third countries with long-term or permanent residence permit in the Republic of Bulgaria under the Law on Foreigners in the Republic of Bulgaria. In exercising the right under Article 49, paragraph 2, point 7 shall also include access to scholarships for the Bulgarian citizens.

According to Article 51, paragraph 1 of the rights under Article 49, paragraph 2 shall also benefit the members of the families of holders of the European Union Blue Card who are habitually resident in the territory of the Republic of Bulgaria. Upon transfer to another

Member State of the European Union, the use of the rights under Article 49, paragraph 2, points 1 - 5 shall be discontinued upon receipt of a European Union Blue Card or other residence permit issued by the next Member State or upon expiry of the period of residence in Bulgaria.

Seasonal worker benefits from his/her right under Article 49, paragraph 2, point 7 only in respect of seasonal work for which it has been authorised under Section IV. The tax relief under Article 49, paragraph 2, point 12 shall not apply in cases where the registered or habitual residence of the members of the family of a seasonal worker for whom he makes the respective declaration of relief application is outside the territory of the Republic of Bulgaria.

As regards the conditions and procedure for employment in the Republic of Bulgaria, third-country nationals transferred to an intra-corporate transfer benefit from the right to equal treatment with posted workers in the framework of the provision of services. Third-country nationals under paragraph 1 shall be equal to the Bulgarian citizens in respect of the rights under Article 49, paragraph 2, points 4 to 10.

From the rights under Article 49, paragraph 2, points 3 - 9 shall also be used for foreigners who have been granted a permit for long-term residence as researchers under Article 24b of the Law on Foreigners in the Republic of Bulgaria. From the rights under Article 49, paragraph 2, points 3 - 9 shall also be used for foreigners who have been granted a work permit or a permission to work as a freelancer.

Promoting integration through participation, including access to rights and obligations, to achieve equal treatment and belonging

According to Article (2) of the LLMLM, in the exercise of the rights and obligations under this law, direct or indirect discrimination, privileges or restrictions based on nationality, origin, ethnicity, personal situation, sex, sexual orientation, race, age, political and religious beliefs, membership in trade unions and other public organizations and movements, family, social and material situation and the presence of mental and physical disabilities. According to Article 3, paragraph 1 of the LLMLM policy on free movement of workers, labor migration and the integration of foreigners shall be carried out in cooperation and after consultation with the representative organizations at national level of the employers and employees, as well as with representatives of other non-profit legal entities, registered under the procedure of Chapter Three of the Non-Profit Legal Entities Law.

7. RETURN

7.1. Overview of the situation

The return policy is an important element in the management of migration processes. It is based on two principal approaches: voluntary and forced return, giving priority to voluntary return. The return and readmission mechanisms are based on the following laws and documents: The common standards for the return of EU Member States as set out in Directive 2008/115/EC 19 (Return Directive) introduced in 2009 with Amendment of the Law on Foreigners in the Republic of Bulgaria; “Twenty Guidelines for Forced Returns” of the Council of Europe in 2005 and Agreements on the Readmission of Illegal Residents. The

effective implementation of readmission agreements is a regulatory factor in the fight against irregular migration within the EU and a tool for implementing an effective return policy in the countries of origin. The analysis of the implementation of the readmission agreements concluded shows that they contribute to the development of more effective cooperation in the fight against irregular migration, facilitate the admission and surrender of persons who illegally enter and/or reside in the territory of the State of one of the contracting parties.

Following the migration crisis of the summer and autumn of 2013, it is of the utmost importance to step up the return policy, with a focus on the voluntary return as a successful European tool to tackle illegal migration, contributing to the good management of migration processes as a whole. Since 2013, there has been a significant increase in the implementation of return procedures, with competent institutions cooperating successfully with their European partners and relevant international organisations. Bulgaria continues its participation in joint flights organised by the other EU Member States and coordinated and co-funded by the Frontex Agency for the return of illegally staying third-country nationals. Bulgaria's cooperation with the International Organization for Migration has been strongly intensified, with successful voluntary returns.

In 2016, 1410 illegally staying third-country nationals were returned from the country, an increase of 77% compared to 2015 when 797 people were removed.

Since mid-October 2016, the capacity to forcibly accommodate foreigners in the centres of the Migration Directorate has been increased to 1200 seats. The measure aims to optimise the process of accommodating foreigners for return purposes, given the long-term accommodation over capacity (averaging 45-60% on average). At the end of the year, the construction of a waggon settlement in the Special Home for temporary accommodation of foreigners in the town of Lyubimets with Migration Directorate started the construction of additional 350 foreigners.

Policy development and regulatory changes

Amendments to the Law on Foreigners in the Republic of Bulgaria since December 2016 have achieved a complete harmonisation of terminology in the field of return with the *acquis communautaire*, with the words "forced removal" being replaced by "return". As a further step towards the consistent application of the return rules, new grounds for return are explicitly introduced: to a foreigner for whom a decision to refuse, terminate or withdraw international protection or asylum, or to whom the proceedings under the Law For Asylum and Refugees, has been terminated by a judgment which has entered into force unless the termination has been given to a foreigner for whom a readmission decision has been taken; And of a foreigner who is found to have entered the border of the country in accordance with the law but tries to leave it not through the designated places or with a false, redrafted travel document or a substitute document (Art. 41).

Measures to promote voluntary return

In 2016, the Migration Directorate continued to develop its priority in promoting and assisting third-country nationals in making voluntary return decisions in their countries of origin, in close cooperation with the Mission of the International Organization for Migration in Bulgaria. An opportunity for IOM to consult the persons accommodated in a Special Home for the temporary accommodation of foreigners as well as those who appear at the counters in the salon for administrative servicing of foreigners regarding the possibilities of a return to the country of origin. The activity produces good results, with 639 foreigners being returned during the implementation of programs for assisted voluntary return to their country of origin. The data show a significant increase in the number of foreigners returned by the country under IOM programs compared to previous years (2015 - 89 persons, 2014 - 330 persons, 2013 - 149 persons and 2012 - 51 persons).

In order to improve cooperation in the identification process, the identity of illegally staying third-country nationals and the issue of travel documents in 2016 had regular meetings of the competent Bulgarian authorities with the consular and diplomatic departments of Algeria, Afghanistan, Palestine, Iran, Iraq, Pakistan and other countries. At the same time, representatives of the diplomatic divisions of Afghanistan, Iraq and Pakistan regularly visit the Migration Directorates, which aim to encourage illegally staying foreigners to return to their country of origin voluntarily.

Measures to improve return conditions

With the amendments to the Law on Foreigners in the Republic of Bulgaria, a new temporary measure was introduced, namely "short-term accommodation" in a special unit of a special home for foreigners (Article 44, Paragraph 13). Thus, a clear distinction is made with regard to the purposes for which foreigners are accommodated in the special homes of the Migration Directorate and that a special home unit will be able to accommodate foreigners for carrying out initial identification and identification assessment of the subsequent administrative measures to be imposed or taken, and in a special home for return. Short-term accommodation is within 30 days and foreigners suspected of being minors are accommodated in special rooms apart from adults. Unaccompanied minors and underage children can only be accommodated as a last circumstance and after assessing the best interest of the child. The order for short-term accommodation is subject to appeal under the Administrative Procedure Code. In order to implement the new measure, two centres for a short-term accommodation of foreigners will be established in 2017 in the Special Departments of the Migration Directorate in Sofia and Lyubimets. Since mid-October 2016, the capacity for forced accommodation of foreigners in the centres of the Migration Directorate has been increased to 1200 seats. The measure aims to optimise the process of accommodating foreigners for return purposes, given the long-term accommodation over capacity (averaging 45-60% on average).

Forced return, ban on re-entry and detention

The forced return of illegally staying foreigners in the country is carried out with European funds, in the implementation of the readmission agreements concluded as well as in the implementation of joint return flights organised by the other EU Member States coordinated and co-financed by the Frontex Agency. In 2016, the Migration Directorate took part in 4 joint fields organised by the EU Member States and coordinated and co-funded by the Frontex Agency. As a result of the operations in the country of origin, 8 illegally staying third-country

nationals - 5 citizens of Pakistan and one national of Albania, Armenia and the Russian Federation - were returned.

In 2016, 1410 illegally staying third-country nationals were returned from the country, an increase of 77% compared to 2015 when 797 people were removed. In 2016, the Migration Directorate continues to strictly adhere to the recommendations of the United Nations High Commissioner for Refugees and does not force the return of illegally staying Syrian citizens to their country of origin. Syrian citizens voluntarily leave the Republic of Bulgaria by returning to a safe third country, mostly in the Republic of Turkey.

In order to strengthen the national monitoring capacity for forced return, an implementation of a project under the Asylum, Migration and Integration Fund was launched in August 2016, focusing on the development of the System of Monitoring of Forced Return. Beneficiaries of the grant are the Center for the Study of Democracy and CVS Association. The initiative is at the request of the Ministry of Interior and is scheduled to take place between August 2016 and February 2018. The implementation of the project will contribute to the improvement of the national regulatory framework in the field of forced return by developing uniform standards for monitoring; to develop and improve specific mechanisms for monitoring, respecting and guaranteeing respect for the fundamental rights and freedoms of third-country nationals subject to forced return procedures; to build and strengthen the capacity of stakeholders involved in forced return operations.

On 5 May 2016, a Protocol on the implementation of the readmission agreement on persons crossing the border illegally was signed between the Republic of Bulgaria and the Republic of Turkey. The protocol was approved by the Council of Ministers of the Republic of Bulgaria on 22 June at a regular government meeting. In order to increase administrative capacity in return, in 2016 the Republic of Bulgaria is sending 8 teams of police officers to participate in the mission of the Frontex Agency in Greece to assist local authorities in implementing the EU-Turkey Return Agreement. Bulgarian police officers actively participated in operations conducted by sea and air.

Detention

Amendments to the Law on Foreigners in the Republic of Bulgaria introduce several groups of amendments concerning the detention.

Firstly, additional measures are in place to ensure the return of third-country nationals in accordance with Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008. Pursuant to the provisions of the Directive (paragraph 16 of the preamble), the use of detention for deportation should be limited and subject to the principle of proportionality in relation to the measure taken and the purposes pursued, and detention is justified only in order to prepare the return or process removal, and where less coercive measures would not be enough.

Article 7 (3) of the Directive states that for the entire duration of the period for voluntary departure of foreigners to be returned, certain requirements may be imposed in order to avoid the risk of abscondings, such as regular appearance before the authorities, submission of an appropriate financial guarantee, the provision of documents or an obligation to stay in a particular place. In the present national legislation, a single precautionary measure is arranged on a weekly basis at the Police Headquarters in accordance with Article 44, paragraph 5 of the

Law on Foreigners in the Republic of Bulgaria. This precautionary measure is not sufficient to respond to the diversity of cases and hypotheses whereby the other measures envisaged under the Directive could provide for more effective administrative control over foreigners issued with an order for forced border removal or expulsion. Such a need is established in view of the significant increase over the last few years of the number of migrants crossing Bulgaria's national borders in an unregulated manner and the need for more legal means of managing and regulating migratory flows, including with a view to safeguarding national security and public order.

In addition, the execution of the forced removal to the border (return) is practically possible in a minority of cases due to an unidentified identity, lack of travel documents and the main countries of origin, to most of which the return is difficult or legally and factually impossible.

In 2015 in Bulgaria, 24 684 foreigners were issued with orders for forced return to the border (return) according to the national legislation and the measures were implemented in practice by only 3% (736) of the illegally staying foreigners. This necessitates a limitation of the scope of forced accommodation mainly due to its high cost, due to the need to provide a large number of foreigners with food, medical care, security and other administrative staff in the special temporary accommodation facilities of the Migration Directorate of the Ministry of Interior.

The proposed amendments introduce additional safeguards such as a monetary guarantee, a documentary pledge and an obligation to comply with the regime for crossing state borders and protecting the public order. The introduction of the monetary guarantee will have an additional positive effect, as in the case of confiscation the funds from the submitted guarantees will be paid to the budget and thus will support the financing of the compulsory administrative measures for control of the foreigners in the Republic of Bulgaria.

Secondly, amendments are proposed concerning the time limits for the exercise of official judicial control over the administrative detention of foreigners - third country nationals and the rules for carrying out such controls. So far, the current regulation does not guarantee the legal standard for rapid judicial control according to the provision of Article 15 (2) (a) of the Directive, to be carried out as soon as possible after the beginning of the detention.

According to the old provision of Article 46a of the Law on Foreigners in the Republic of Bulgaria, the official judicial control is carried out after the expiration of 6 months from the placement in a special home for temporary accommodation of foreigners. With the proposed amendment, judicial control of forced accommodation is organised within one month of being accommodated in order to comply with both the provisions of Community law and the standard established under Article 5 (3) of the European Convention on Human Rights and Fundamental Freedoms.

Finally, with the amendments made, the powers of the police authorities are increased in the case of the establishment of illegal unaccompanied minors and underage children in accordance with the ban on forced accommodation and the unification of the regime of measures under the Child Protection Law. This provides a legal opportunity to comply with

the statutory ban on forced accommodation in special homes for the temporary accommodation of unaccompanied minors and underage children and to specify the rules for interacting with child protection departments at the Social Assistance Directorates of the Agency for Social Assistance Of the Ministry of Labor and Social Policy. This would reduce the scope for different interpretations of the legislation by the authorities applying them.

Expected results are that, with the adoption of the law, the costs of enforcement of administrative measures and legal expenses will be reduced, including the provision of translation and official defense attorneys, increased means of exercising effective administrative control of foreigners, the prerequisites for conviction of the Republic of Bulgaria for non-observance of the standards of administrative detention and the right to freedom of movement and facilitation of the actions for execution of the forced eviction to the border (return) and expulsion of third country nationals illegally staying in the Republic of Bulgaria.

8. IRREGULAR MIGRATION AND TRAFFICKING

8.1. Overview of the situation

Migration pressures continue to be a major risk to the country's security. In 2016, the process entered a new phase of development in intensity, tension, structure and direction, as part of the refugee stream transformed into an immigrant. The situation on the so-called Balkan route, passing through Greece, Macedonia and Serbia as a transit for migrants trying to evade registration procedures in the European Union's information systems, is considerably complicated. Migrants from Afghanistan and Iraq are significantly rising. As a result, measures to curb migration pressure on Bulgaria, countering irregular migration and illegal border crossings continued in 2016. In connection with the complicated situation in 2016, the work of the National Operational Headquarters to overcome the risks and threats of increased migratory pressure at the borders, which held regular meetings and which has the possibility of taking emergency measures depending on the situation on the borders of Bulgaria. The specialised police operations continued on the Bulgarian-Turkish and Bulgarian-Greek borders, and corresponding plans were developed to respond to the complexity of the situation. The active participation and support of the Frontex Agency have been effective in counteracting the permanently established illegal migration at the Bulgarian-Turkish border outside the European Union.

8.2. Policy development and regulatory changes

National measures to reduce irregular migration

Because of the increasing migration flow and the specific challenges in border management, steps were taken in 2015 to determine the order of the army's involvement in the protection of the Bulgarian borders. In February 2015 an amendment to the Instruction on Cooperation between the Ministry of Defense and the Ministry of Interior was introduced. Under the new Article 5a, the armed forces, if necessary, support border police authorities in the surveillance and control of the state border against the trafficking of illicit weapons and armed provocations. In peacetime, the armed forces can provide logistical support to police

authorities in guarding the state border. These tasks may include transporting people, storing and transporting material resources, providing specialized technical assistance with personnel in service and repair of equipment; extraction and evacuation of equipment and property; exchange of experience and training of repair specialists and guides of specialized equipment; free allocation in the management of movables and other tasks in accordance with the legislation in force. For these joint actions, the Ministry of Interior and the Ministry of Defense are developing a joint plan for operations, but the military forces can not have the authority of the authorities under the Ministry of the Interior Law. Amendments to the Defense and Armed Forces Law were made in 2016. With them, it is planned to send an armed army to guard the state border in the event of a crisis situation. Until the adoption of the amendments to the law, the protection of the land border is the competence of the Ministry of Interior and the air border - by the Air Force. Army access to the border was only for training and logistical support. In addition to the amendments to the law, the use of the border guard army in a crisis situation is also enshrined in the new National Defense Strategy. Changes have also been made in the Council of Ministers' Decree on defining strategic sites and activities that are relevant to national security. With the amendments, state border security is defined as strategic activity and is part of the critical infrastructure. According to Article 57, point 2 of the Law on Defense, the Armed Forces in peacetime may perform tasks related to participation in the security of strategic objects, objects and systems from the critical infrastructure.

To strengthen border management and control, Bulgaria, Greece and Turkey signed an agreement on the establishment of a tripartite police cooperation centre at the Captain Andreevo checkpoint.

The integrated Maritime Space Monitoring System of the Republic of Bulgaria provides continuous control over the protection of the maritime state border. There is good interaction with the Maritime Administration Executive Agency, the State Enterprise "Port Infrastructure", the Executive Agency "Fisheries and Aquaculture" and the Navy. The Black Sea Cooperation Forum between border services - coastal guards of the Black Sea countries is exchanging real-time information on ship traffic and the movement of small vessels with a destination or course to and through Bulgarian territorial waters. The capacity of the border police for the protection of the state border with newly recruited employees is also strengthened.

During the year, 2 national and total 415 specialised police operations were conducted to detect illegally staying third-country nationals. Action plans have been adopted in the event of an emergency situation at the Bulgarian-Turkish and Bulgarian-Greek borders, as a result of an increased migration flow.

By the end of 2015, the main structure dealing with the operational countering of illegal migration is the General Directorate Border Police. In 2016, the General Directorate National Police created a sector "Offences related to the illegal stay and passage of foreigners in the country". From the end of 2016, with amendments to the Law on the Ministry of the Interior, powers to investigate organised crime related to the crossing of the country's borders to individuals or groups of people, as well as assistance to foreigners to reside or pass through the country, are also given to the General Directorate Combating Organized Crime. From the summer of 2016, the MoI established the "Coordination Center for Counteracting Illegal Migration", in which operational information is circulated in a timely manner between all MoI

structures as well as international partner services dealing with the fight against illegal migration.

The counteraction of irregular migration was also very active inside the country. The efforts of the competent authorities were aimed at strengthening the control of the residence of foreigners and the strict observance of the established rules applicable to the return and removal procedures set out in Article 5 of the Schengen Borders Code or other conditions for entry. A lot of specialised police operations were carried out. 9 of them were carried out in Sofia, two specialised police operations and 6 joint operations with the State Agency National Security have been conducted for the purpose of detecting illegal residents on the territory of the capital.

During the year, 42 466 attempts of third country nationals have been registered to cross the territory of the Republic of Bulgaria across the border, a decrease of 56% compared to the same period in 2015 (95 641). A 40% reduction in the number of persons detained for an unlawful crossing of the state border and illegal stay on the territory of the country was reported (a total of 18,844 detainees from third countries on entry, exit without registration and inland, compared to 31,281 in 2015). Inside the country, 9267 people, illegally resident in the Republic of Bulgaria, were identified, compared to 11,900 in the same period in 2015, with a decrease of 22%. People from Afghanistan, Syria, Iraq and Pakistan predominate. Two national and more than 400 police operations to detect illegally staying third-country nationals were conducted to counter illegal migration.

In 2016, 507 pre-trial proceedings were initiated by the MoI authorities for the illegal transfer of persons across the border and for facilitating illegal residence in the country (Articles 280-281 of the Penal Code). There are 431 persons accused of criminal liability.

A key point in terms of irregular migration, especially in 2015 and 2016, is the inclusion in migratory flows of persons involved in the activities of extremist structures, which complicates the problem of so-called foreign fighters. Upon their arrival in countries of final destination or their return from conflict zones, these persons increase the risk of committing a terrorist act and radicalization of local communities. By Decision No 1039 of the Council of Ministers of 30.12.2015, a Strategy for Counteraction to Radicalization and Terrorism (2015-2020) and a plan for its implementation were adopted. These documents were made available for wide public discussion and reflect the Bulgarian Government's will to counteract some of the most serious asymmetric risks and threats, with a stronger focus on prevention, without underestimating the importance and role of reactive measures. The Security Council of the Council of Ministers also adopted a plan to implement the strategy in 2016.

By Decision No 1 of the Council of Ministers dated 05.01.2016 a National Counter-Terrorism Plan was adopted establishing an organization for the response and management of the forces and resources of the competent ministries and agencies, the districts, the municipalities, the legal persons and the sole traders, operating in buildings with mass residence, in the prevention and neutralization of terrorist threats, as well as in the control of the consequences of a terrorist act.

Living conditions for illegally staying third-country nationals

The Ministry of Interior currently heads two Special Homes for Temporary Accommodation of Foreigners in Sofia and Lyubimets. In 2011, the “Open Society” Institute carried out a total of 21 visits to both centres and concluded that improvements were needed, especially with regard to translations. It has been established that the language barrier is the main reason for gaps in the provision of various services. In 2014, in order to improve the conditions in this respect, video conferencing equipment was provided and installed in the two Special Homes for Temporary Accommodation of Foreigners.

In 2015, resources from the Asylum, Migration and Integration Fund are allocated to the Migration Directorate to ensure the adequate provision of translation services to migrants who are subject to coercive return measures. The Ministry of Interior also works on reducing the length of stay of immigrants in these facilities, which is considered a serious problem. The average length of stay is reduced to 69 days, compared to 21 months in 2009. In 2014 the sanitary facilities of Block 2 of Special Home for Temporary Accommodation of Foreigners Sofia were renovated with funds from the national budget.

Coordination and cooperation between key actors

Effective counteraction to irregular migration is the result of active cooperation between the institutions involved and the continuous cooperation between them. Cooperation and coordination with neighbouring countries, countries of origin and with European partners are of utmost importance.

In our country, the successful interaction at a national level with regard to policy-making in the field of migration is carried out by the National Council on Migration and Integration, involving political representatives of all competent institutions in the field of migration, integration and asylum.

Operational cooperation takes place within the framework of the National Operational Headquarters to contain the risks and threats of increased migratory pressure at the borders.

The National Counterterrorism Center, established in SANS, is attended by representatives of the Ministry of Interior, the State Agency for Intelligence, the Military Information Service and the Military Police Service at the Ministry of Defense. The Center operates in a non-stop mode by collecting and analysing data coming from different sources, performing ongoing interaction between competent government structures and foreign partners, and providing timely information needed to make quick and coordinated decisions on actions against individuals, groups and organisations involved in the terrorist activity. Procedures for the monitoring of migration flows are held. Screening asylum seekers and detained illegal migrants for evidence of involvement in terrorist or other criminal activity, and conducting events to obtain forward-looking information on the situation in the regions related to the migration flow.

Migration is a common problem and a workable solution can only be found through joint efforts, including the active involvement of the EU and NATO. Bulgaria is part of the common security space of the EU and NATO and at the same time, it is the external border of the European Union. Our country has an active international cooperation with key European

partners, such as the Frontex Agency, for joint actions in managing irregular migration. Interaction with foreign police services through the channels of Europol and Interpol for the exchange of information on participants in built-up illegal migration channels, their routes, cars and techniques to overcome border control, as well as other good practices in counteracting illegal migration. Joint international operations to counter illegal migration take place.

Supervising the activities of trafficking and traffic victims

The discovery of trafficking activity remained among the priorities of the institutions' work in 2016. With amendments to the Penal Code (Articles 280 and 281) made in 2015, penalties for perpetrators of trafficking activity are more stringent, with higher fines and state benefits for vehicles being used.

9. COUNTERACTING TRAFFICKING IN HUMAN BEINGS

9.1. Overview of the situation

The National Government Commission for Combating Trafficking in Human Beings is the main governmental body responsible for defining and implementing the national policy and strategy in the field of countering trafficking in human beings. On an annual basis, the Commission is developing a National Anti-Trafficking Program, which is submitted to the government. In the last few years, the focus of its work has been on a number of key areas, including institutional and organisational action and development; prevention and awareness-raising; training and qualification of staff; protection, rehabilitation and reintegration of victims of trafficking; research and statistical analysis; and international cooperation. In addition, two separate targeting mechanisms are developed - a national mechanism for targeting victims of trafficking in human beings and coordination mechanisms for targeting and assisting unaccompanied minors and children, victims of trafficking returning from abroad, in order to direct and synchronise the work of the national actors responsible for the return, support, reintegration and assistance to victims. The organisational structure of the National Government Commission for Combating Trafficking in Human Beings is complemented by the permanent expert working group composed of leading experts from state, international and non-governmental organisations dealing with the fight against trafficking in human beings. One of the important tasks of this particular body is to serve as a tool for external monitoring and evaluation of the work of the Commission and the results achieved by its policies at national level.

9.2. Policy review and regulatory changes

Amendments to the Law on Support and Financial Compensation for Victims of Crime were finally adopted in June 2016 and aligned with Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 laying down minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA. The amendments state that all victims of a crime of a general nature are subject to aid, and financial compensation is limited to the group of offences outlined by the law, among which is the trafficking in human beings. All survivors of the victims can receive

assistance and financial compensation if the victim has died as a result of the crime. Information about victims should be given "without undue delay". The volume of information and the circle of bodies obliged to provide it is expanded, including the diplomatic services of Bulgaria for the victims abroad and the legal representatives in all cases. Victims should be informed of the authorities they can complain about if their rights are violated. Compliance with the individual characteristics of the victim is already required when he/she is given information. The information is provided orally or in writing in the form of a language available to victims.

In the case of death, a victim of trafficking, psychological and practical assistance may also be provided to members of the victim's family or to the person with whom he/she resides on the basis of an individual assessment. If necessary, psychological assistance can be provided after receiving financial compensation.

Practical assistance is extended to providing information on secondary or re-victimization and ways to prevent it. Victims support organisations can provide shelter or other safe homes for victims.

In the light of the new migration security and the refugee crisis in Europe, there is a general trend towards an increase in the number of victims of trafficking in human beings.

The National Program for Counteracting Trafficking in Human Beings and Protection of Victims for 2016 aims to prepare and adopt a National Anti-Trafficking Strategy, 2017-2021. The goal that will be achieved with the elaboration and implementation of the strategy is the formation of a long-term policy of our country on prevention and counteraction of human trafficking and protection of its victims.

In 2016 there are no such cases, yet the third country nationals entering the territory of Bulgaria is considered to be vulnerable and exposed to a greater risk of a trafficking group. For the reporting period in the National Government Commission for Combating Trafficking in Human Beings, no official signals were received for third country nationals' victims of trafficking in human beings on the territory of the Republic of Bulgaria.

10. MIGRATION AND DEVELOPMENT

10.1. Overview of the situation

In view of the negative net migration of Bulgaria and the significant volume of Bulgarian citizens emigrated since 1989, the potential for development in the migration policy is mainly concerned with the potential of Bulgarian emigrants abroad in this respect. Similar priorities are set out in the National Strategy on Migration, Asylum and Integration (2015-2020) and in the National Strategy for Bulgarian Citizens and Bulgarian Historical Communities around the World. The strategy aims at creating a policy framework for the development of a long-term and integrated state policy for Bulgarian citizens and Bulgarian historical communities abroad. The strategic objectives are aimed at the inclusion of Bulgarian citizens who live temporarily or permanently abroad in the state and public life in Bulgaria; preserving Bulgarian ethnic and cultural spaces abroad; improving the migratory balance in the country;

disseminating a positive image of Bulgaria in the world and supporting the Bulgarian lobbies abroad.

Since 2006, the Ministry of Labor and Social Policy has established a network of labour and social services in some embassies of the Republic of Bulgaria abroad. At present, eight such offices operate in the Bulgarian embassies in Athens, Berlin, Bern, Dublin, London, Nicosia, Madrid and Vienna. The main functions of the services include assistance in the implementation of the states' policies in the area of free movement of workers and in compliance with the social security systems in the EU and in defence of the rights of Bulgarian citizens in these spheres.

No new policies or legal changes have been adopted for the reporting period in the area of migration and development.