



Brussels, 1 February 2014

Report from the Committee on Civil Liberties, Justice and Home Affairs delegation to Bulgaria on the situation of asylum seekers and refugees, in particular from Syria
Head of delegation: Frank ENGEL

1. Introduction

A delegation of two MEPs (see list in Annex I) travelled to Bulgaria from 20 to 22 January 2014 in order to assess the situation of asylum seekers and refugees, in particular from Syria. The scope of the delegation was to understand the challenges Bulgaria is confronted with, especially in light of the political unrest in Syria and the subsequent influx of refugees in the neighbouring countries and in the EU. The delegation also aimed at assessing the conditions for asylum seekers and refugees on the ground.

The programme included visits to the Voenna Rampa reception centre located in the suburbs of Sofia, as well as the Harmanli reception centre and the Pastrogor transit centre.

In addition the delegation had in-depth discussions with the Bulgarian authorities, in particular with the Minister of Interior and the Director of the Migration Directorate of the Ministry of Interior, with the President of the State Agency for Refugees (SAR) and with representatives of the Bulgarian National Assembly.

Furthermore, meetings were held with International organisations and non-governmental organisations operating in Bulgaria, such as UNHCR, IOM, the Bulgarian Helsinki Committee, Médecins sans Frontières, the Council of Refugee Women in Bulgaria and the Bulgarian Red Cross.

A press conference was organised at the end of the visit and the delegation received broad media coverage.

2. The situation of asylum seekers and refugees in Bulgaria¹

According to UNHCR, the total number of people who applied for international protection from 1 January 2013 to January 2014 was 9386.

¹ Data and numbers are changing daily. All data reported refer to the time when the delegation took place, i.e. January 2014.

In 2013, 2279 people were granted international protection and 183 people were recognised as refugees.

Approximately only half of those applications are made by people coming from Syria (including non-Syrians who were living in Syria, such as Iraqi and Palestinians). The remaining applications mostly come from Afghanistan, but also from Iraq, Algeria, Somalia, Mali, and Morocco.

Generally, people coming from Syria receive what is called in Bulgaria humanitarian status, which corresponds to subsidiary protection.

The average daily number of people crossing the border has strongly decreased in the last months, passing from approximately 3000 people per day in October 2013 to some hundreds people per day in December, down to 30 people per day in January 2014. This decrease is due in particular to the deployment of 1500 policemen along the Bulgarian-Turkish border. The Bulgarian authorities are also planning the construction of a 30 km long wire fence at the Bulgarian-Turkish border.

At the time of the delegation, 4758 people were accommodated in SAR reception centres. In addition to this, 4567 people were accommodated at external addresses (at their own expenses). On average, the centres were filled by 114% of their capacity.

In total, 192 unaccompanied minors were present in all SAR managed centres. The intention of the Bulgarian authorities is to renovate a centre in Banya (which hosts already most unaccompanied minors) and to accommodate all unaccompanied minors there.

3. Visit of the reception centres

The delegation visited three centres: Voenna Rampa reception centre, Harmanli reception centre and Pastrogor transit centre.

3.1. Voenna Rampa reception centre

Voenna Rampa reception centre is located in Serdika, in the suburbs of Sofia. It hosts 840 people, including 162 families and 317 children.

The building was designed as a school and is therefore not particularly suitable for hosting refugees.

The main problems in this centre are the need for general renovation of the buildings, the lack of distribution of hot meals, the need for medical assistance, the lack of kitchens, dining rooms, facilities for children or recreational activities, insufficient heating. During the period of maximum influx all rooms were transformed into dormitories, and were massively overcrowded. However, the situation is improving slightly due to the decreasing numbers of people crossing the border. Another major problem is that children do not have the possibility to attend school.

The staff recruited by SAR in this centre is absolutely insufficient (just a few people). SAR is about to recruit 16-17 additional staff members.

All Syrians present in the centre receive a humanitarian status (subsidiary protection).

However, these people must leave the centre within a couple of days yet have no means of subsistence. Therefore most Syrians subsequently ask to stay or go back to the centre and the authorities accept this for humanitarian reasons.

3.2. Harmanli reception centre

Harmanli reception centre was hosting 450 people at the time when the delegation took place. Up to the end of November 2013, people were accommodated in tents. At the time of the delegation, accommodation was in the form of prefabricated containers and in buildings which were about to be renovated.

Even if it falls under the responsibility of SAR, Harmanli is a closed reception facility, where only recently registration started to take place.

The main concerns in Harmanli are linked to the reception capacity and conditions. Also in this centre, all rooms are used as dormitories. There is a strong lack of staff but SAR is about to recruit 50 new employees for this centre. There are no rooms for schooling, language classes or legal counselling and no medical facilities. Food is not provided by SAR in the centre and UNHCR was providing a hot meal per day (as of beginning of February, the authorities are supposed to take over the food distribution). The large concentration of people and the lack of privacy are among the major concerns. However, major improvements are evident compared to the previous months. Buildings are being renovated and the plan of the Bulgarian authorities is to enlarge Harmanli centre so that it can host 2000 more people, reaching a total capacity of 4000 people by the end of the renovation works.

3.3. Pastrogor transit centre

Pastrogor transit centre was built in 2009 but only became operational on 3 May 2012. It has a capacity of 300 people but hosted up to 495 people during the period of highest influx. At the time when the delegation took place, it was hosting 350 people, of whom 288 were Syrian. The population in Pastrogor centre includes 39 families and 133 children and no unaccompanied minors.

The Pastrogor centre is supposed to only operate registration for the so-called "Dublin procedure" (to decide whether the asylum application will be examined by Bulgaria or by another Member State), and the accelerated procedure (combined examination on both admissibility and manifestly unfounded grounds), but it is currently also operating registration for the regular procedure (status determination on the merits of the application), due to the emergency situation.

4. Meetings with the Bulgarian authorities

4.1. Ministry of Interior

The delegation met Mr. Tsvetlin Yovchev, Deputy Prime Minister and Minister of Interior, and Mr. Dragomir Petrov, Director of the Migration Directorate of the Ministry of Interior. Mr. Yovchev stressed that Bulgaria is now better managing the crisis due also to the decrease of arrivals and to measures taken by the government, such as the deployment of 1500 policemen at the border. He also stressed the plan to increase SAR capacity and staff, as well as the efforts which were put in place to ensure greater capacity and dignified reception conditions, in order to comply with the EU and International standards.

He also pointed out the fight of the authorities against the practice of some lawyers offering asylum seekers false external addresses in order to leave the centres. He addressed some major problems such as the registration backlog, food provision, medical assistance (ensured by MSF and Red Cross until end of April 2014) and security issues, both for the centre population and for Bulgarian citizens.

He informed the delegation that the National Integration Plan 2010-2013 expired and the new Plan (2014-2020) is supposed to be put in place by end of March.

4.2. State Agency for Refugees (SAR)

SAR was established twenty years ago and at that time only managed three centres. In 2012, under pressure due to the new inflow of people, it proved necessary to open a new centre and to make a further 12 buildings available for asylum seekers and refugees.

SAR's main objective is to respond to the minimum standards set by EU and International law in terms of reception conditions, and also to provide food and medical assistance. SAR engaged to use all funds provided by the EU until the end of April.

The main problems foreseen once the funds have been depleted will be:

- 1) providing appropriate food to all people hosted in the centres;
- 2) recruiting 11 new staff members by the end of April;
- 3) taking measures aimed at the integration of the people who received international protection.

SAR representatives stressed that the National integration plan requires financial resources to be put in place.

The issue of medical assistance was raised and the representatives of SAR stated that according to the Bulgarian law, refugees have the same right to medical assistance as the Bulgarian citizens. They stressed that there is an additional difficulty to find doctors and nurses who speak Arabic, due to the lack of interpreters.

4.3. Bulgarian National Assembly

The delegation met a number of representatives of the Bulgarian National Assembly, in particular the Chairpersons and some Members of the Internal Security and Public Order Committee and of the Human Rights and Citizens' Complaints Committee.

The representatives of the Bulgarian National Assembly explained that the issue of the inflow of asylum seekers is widely discussed in the National Assembly. They pointed out that many debates took place and also some declarations were adopted by the Bulgarian Parliament further to the xenophobic wave. Currently the law on asylum is being revised and the procedure is now between the first and second reading. The aim of the revision is to bring the law in conformity with EU law, especially with the Qualification Directive¹ and the Receptions Conditions Directive². As far as the Receptions Conditions Directive is concerned, for which the delay of transposition is July 2015, Bulgaria is trying to transpose already some provisions (such as those on detention and on minors), but progress has been slowed down due to a some criticisms by different organisations and the tentative to correct shortages.

The delegation participants suggested the creation of a working group. The representatives of the Bulgarian National Assembly indicated that indeed a working group had just been created to define various aspects of the law before the second reading. The Members of the BNA stressed that the opinions of various organisations, especially UNHCR, was taken into account in this context. It was decided to take more time before putting the draft law to

¹ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast) (OJ L 337, 20.12.2011, p. 9).

² Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p. 96).

Plenary in order to better define some aspects and to elaborate a draft which takes into account all opinions, also of NGOs.

For the National Integration Programme, a working group was also established, which shall deal amongst others with the social aspects of integration and access to work.

The Members of the BNA also stressed that the most urgent issue to deal with is to teach asylum seekers and refugees the Bulgarian language, which is crucial for integration.

They also pointed out that a number of parliamentary committees have dealt with the xenophobic phenomena. They finally stressed that there exists an excellent cooperation with local authorities and with the Turkish authorities for cross-border projects.

5. Meetings with EASO, International organisations and NGOs

The delegation met Mr. Claus Folden, Head of operational support in the European Asylum Support Office (EASO). He informed the Members that on 17/10/2013 EASO and Bulgaria signed an Operating Plan including 15 measures to support Bulgaria. Those measures fall under three categories, namely: operational support, institutional support and horizontal support.

Joint Asylum Support Teams made up of EASO experts, experts from Member States and Bulgarian officials have been set-up and deployed in Bulgaria.

At the beginning the plan was focused on the emergency, more than on long term investment but over time it's focus towards capacity-building, as well as reforming the asylum and reception system.

The delegation then met Mr. Roland-François Weil, representative of UNHCR in Bulgaria, who stressed that since July-August 2013 there is major concern for the number of arrivals in Bulgaria due to the crisis in Syria. As a consequence, UNHCR has warned the Bulgarian authorities of the shortages concerning staff, reception capacity, and of the risk of major delays in the registration and procedure for the determination of the status of refugee.

Nonetheless, the Bulgarian authorities didn't take the necessary measures and in October all centres in Bulgaria were completely overcrowded and there was a very strong backlog in the treatment of the applications and requests of protection.

Further to a visit of the UN High Commissioner for Refugees on 22 December 2013, UNHCR decided on an exceptional basis to provide direct assistance to the Bulgarian authorities and since then an emergency team is deployed in Bulgaria. This is the first case as far as an EU Member State is concerned.

Due to systemic deficiencies in the reception conditions and asylum procedures, UNHCR concluded on 2 January 2014 that asylum seekers in Bulgaria face a real risk of inhuman or degrading treatment and consequently called for a suspension of Dublin transfers to Bulgaria. Other organisations, such as ECRE, joined UNHCR in its call. UNHCR will reassess the situation as of 1 April 2014.

The delegation also met a number of International organisations and non-governmental organisations operating on the ground, namely IOM, the Bulgarian Helsinki Committee, Médecins sans Frontières, the Council of Refugee Women in Bulgaria and the Bulgarian Red Cross. In that meeting the organisations outlined the most common problems and difficulties they face in their activities. Some of the main concerns raised were related to integration and the need for a new Integration Plan targeted to the people it will concern, the situation of unaccompanied minors, the integration of legally residing third-country nationals, the lack of interpretation services, the identification of vulnerable persons, medical assistance, including psychological assistance, family reunification, education and schooling, racism and xenophobia, access to territory.

The organisations also raised big concerns regarding the amendment of the Bulgarian legislation on asylum, in particular about a proposed draft amendment by the Bulgarian government which would lead to a general detention regime, which would be contradictory to the EU standards and in particular the Reception Conditions Directive.

The organisations are coordinating their activities having regular meetings chaired by UNHCR and hosted by SAR. These meetings, aimed at exchanging information and avoiding duplication of efforts, are divided into 5 groups which correspond to: protection and procedure, sanitation, supply of emergency assistance, unaccompanied minors and integration.

6. Conclusions

The EP delegation:

1. Notes that Bulgaria, due to its geographic position, has been affected in a particularly prominent way by the phenomenon of refugees fleeing the Syrian war in large numbers, while these people do not necessarily want to reach Bulgaria specifically, but seek refuge in the European Union; stresses that the EU should increase its preparedness for an important influx of people seeking international protection from crisis situations in the immediate geographical neighbourhood of our continent;
2. Commends the efforts of the Bulgarian authorities in hosting and assisting refugees and asylum seekers, in particular from Syria.
3. Is deeply concerned, however, about the reception conditions for refugees and asylum seekers, in particular at the centre of Voenna Rampa, while at Harmanli conditions are improving in a tangible manner.
4. Joins UNHCR in its call for suspension of Dublin transfers to Bulgaria; will follow closely the future developments and the revision of UNHCR's assessment in April 2014.
5. Acknowledges the efforts deployed by the Bulgarian authorities to protect the EU external borders; stresses, however, that access to EU territory is crucial to ensure the right to asylum, and constitutes a legal obligation under EU and International law, especially as far as the principle of non refoulement is concerned.
6. Urges the Bulgarian authorities to keep up efforts to provide for interpreters, lacking whom also the identification of vulnerable persons, the provision of medical assistance and legal assistance encounter additional obstacles.
7. Encourages the Bulgarian authorities to take over from UNHCR and from MSF and the Red Cross respectively the provision of warm food and of medical assistance in all centres as soon as possible, so as to respond independently to the basic needs of asylum seekers and refugees.
8. Encourages the Bulgarian authorities to examine the merit of applications for international protection lodged by people who are transferred back to Bulgaria under the Dublin system, whose applications were rejected in absentia.

9. Stresses the urgent need for a new National Integration Plan, which is crucial in particular for the integration of the people who were granted international protection.

ANNEX I: FINAL PROGRAMME OF THE DELEGATION

Monday, 20 January 2014

Suggested flights from Brussels to Sofia on 20 January:

Brussels International Airport - Sofia 8:50 - 12:30 (Bulgaria Air)

- 12:40 - 13:15 Individual transfer from airport to Grand Hotel Sofia¹
- 13:15 - 14:15 Meeting with Claus Folden, Head of operational support, European Asylum Support Office²
- 14:15 - 15:15 Meeting with Mr. Roland-François Weil, representative of UNHCR³
- 15:30 - 15:50 Bus transfer
- 15:50 - 17:30 Visit of Voenna Rampa reception centre⁴
- 17:30 - 17:50 Bus transfer to meeting venue
- 17:50 - 19:00 Meeting with Mr. Zaharin Penov, Chief Directorate Border Police and visit of the National Coordination Centre in Chief Directorate Border Police⁵
- 19:00 - 19:10 Bus transfer to meeting venue
- 19:10 - 20:30 Meeting with International organisations and non-governmental organisations operating on the ground⁶:
- Mr. Radoslav Stamenkov, IOM
 - Ms. Iliana Savova, Bulgarian Helsinki Committee
 - Mr. Stuart Alexander Zimble, Head of Mission, Médecins sans Frontières
 - Ms. Linda Awanis, President of Council of Refugee Women in Bulgaria
 - Ms. Nadezhda Todorovska, Deputy General Director, and Ms. Mariana Stoyanova, Programme Manager of the Refugee Migrant Service, Bulgarian Red Cross
- 20:30 - 20:50 Bus transfer to the hotel
- 20:50 Individual dinner arrangements⁷

Tuesday, 21 January 2014

¹ 1, Gurko Street, 1000 Sofia, Bulgaria, Reception: +359 2 811 0811

² Room "Serdika", Grand Hotel Sofia.

³ Room "Serdika", Grand Hotel Sofia.

⁴ 11, Lokomotiv Str., Serdika, Sofia

⁵ 46, Maria Luiza blvd., Sofia

⁶ European Parliament Information Office, 124, Georgi S. Rakovski Str., Sofia 1000.

⁷ Suggested restaurants: Club of the architects, http://www.alakart.bg/restaurant.php?restaurant_id=798
Restaurant Pod lipite, <http://www.podlipitebg.com/aboutz.php?lang=2&rest=1>

7:30	Meeting in the lobby of the hotel
7:30 - 11:30	Bus transfer to Harmanli
11:30 - 13:00	Visit of Harmanli reception centre
13:00 - 13:30	Bus transfer to "Defileto" site in Harmanli
13:30 - 14:30	Lunch ¹
14:30 - 15:15	Bus transfer to Pastrogor
15:15 - 15:45	Meeting with Mr. Zhelyo Zhelev, Director of the Pastrogor transit centre and with Mr. Vassil Varbanov, SAR's Vice President
15:45 - 17:00	Visit of Pastrogor transit centre ²
17:00 - 20:00	Bus transfer to Sofia
20:00	Individual dinner arrangements ⁷

Wednesday, 22 January 2014

8:00	Meeting in the lobby of the hotel
8:00 – 8:30	Bus transfer to meeting venue
8:30 – 9:30	Meeting with the Bulgarian authorities ³ : <ul style="list-style-type: none"> • Mr. Tsvetlin Yovchev, Deputy Prime Minister and Minister of Interior • Mr. Dragomir Petrov, Director of the Migration Directorate of the Ministry of Interior
9:30 - 10:00	Bus transfer to meeting venue
10:00 - 10:45	Meeting with Mr. Nikolay Chirpanliev, President of the State Agency for Refugees (SAR) ⁴
10:45 - 11:00	Bus transfer to the Bulgaria National Assembly ⁵
11:00 - 12:00	Meeting with representatives of the Bulgaria National Assembly: <ul style="list-style-type: none"> • Mr. Atanas Merjanov, Chair of the Internal Security and Public Order Committee; • Mr. Dimitar Avramov – Deputy Chair of the Internal Security and Public Order Committee; • Mr. Krasimir Yankov – Deputy Chair of the Internal Security and Public Order Committee; • Mr. Rushen Riza – Deputy Chair of the Internal Security and Public Order Committee; • Mr. Veselin Vuchkov – Member of the Internal Security and Public Order Committee; • Mr. Tuncher Kardzhaliev – Chair of the Human Rights and Citizens' Complaints Committee;

¹ Complex "Prikazkite", "Defileto" site, town of Harmanli, <http://prikazkite.payner.bg/restaurant.php>

² 6519 Pastrogor village, Svilengrad Municipality

³ 29, Shesti Septemvri Str., Sofia 1000

⁴ Meeting venue: 1233 Sofia; Serdika District; 114-B, Maria Luiza Blvd.

⁵ "Iztok " Hall, "Narodno sabranie" sq. N2, Sofia ("North Entrance")

- Mr. Georgi Anastasov – Deputy Chair of the Human Rights and Citizens’ Complaints Committee
- Mr. Georgi Goranov – Deputy Chair of the Human Rights and Citizens’ Complaints Committee
- Mr. Radi Stoyanov – Deputy Chair of the Human Rights and Citizens’ Complaints Committee
- Mr. Nikolay Petkov – Member of the Human Rights and Citizens’ Complaints Committee
- Mrs. Yordanka Yordanova - Member of the Human Rights and Citizens’ Complaints Committee
- Mr. Tsvetan Tsvetanov

12:00 - 12:30 Bus transfer
 12:30 - 13:30 Lunch (individual arrangements)
 13:30 - 14:00 Bus transfer to the venue of the Press Conference¹
 14:00 - 15:00 Press Conference
 15:30 - 16:00 Individual arrangements for transfer to the airport

*Suggested flights from Sofia to Brussels (**via Munich, no direct flights available**):*

SOFIA - MUNICH
17:40 - 18:45

MUNICH - BRUSSELS
21:25 - 22:50

¹ European Parliament Information Office, 124, Georgi S. Rakovski Str., Sofia 1000.

ANNEX II: LIST OF PARTICIPANTS

Members

Frank ENGEL, EPP-LU, Head of delegation
Sylvie GUILLAUME, S&D-FR

Accompanying Members

Svetoslav Hristov MALINOV, EPP-BG
Mariya GABRIEL, EPP-BG
Iliana Malinova IOTOVA, S&D-BG
Stanimir ILCHEV, ALDE-BG

Political Groups Staff

Andris PETERSONS, EPP
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Maria LAZAROVA, Assistant

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