



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

.01 – Migration Management Coordination

Mission Report

Technical mission to Bulgaria 27-28 March 2023

Between 27 and 28 March 2023, DG HOME representatives, participated in a technical mission to Bulgaria to discuss the measures agreed on 20 March 2023 between the Commission and the Bulgarian authorities for a pilot project on targeted tools in the area of asylum, return, border management and international cooperation. The representatives also visited the closed pre-removal detention facility in Lyubimets and the open accommodation facility in Pastrogor, near the Bulgarian-Turkish border.

Meeting with experts from General Directorate for Border Police, Migration Directorate of the Ministry of Interior, the State Agency for Refugees, International Cooperation Directorate, International Projects Directorate

Bulgaria provided an overview of the situational picture at the external borders. BG has 5 border police units along the BG-TR border; **Svilengrad, Elhovo, Malko Tarnovo, Sredets, Rezovo**; and 3 border crossing points: **Kapitan Andreevo** (biggest land crossing point in EU); **Lesovo, Malko Tarnovo**.

An overview of the procedures undertaken upon the apprehension of persons at the external borders was provided. As per national legislation, persons requesting international protection are referred to one of the reception centres managed by **SAR**. According to the information provided, the procedure takes a maximum of 6 days for the registration of the transfer of the request to **SAR**, then 1-3 days until the transfer of the person(s) concerned to an open accommodation centre (see **Pastrogor**). If a person does not request international protection, a return decision is issued and the person is transferred to a closed centre (in the case of arrivals through **Elhovo**, the centre would be **Lyubimets**). Registration under databases such as **AFIS** and **Eurodac** is mandatory

HOME enquired on further needs with regards to additional support, in particular from Frontex.

As soon as TCNs are received in an open centre, managed by **SAR**, they are registered on the same day and biometric checks are implemented with the use of an automated system. The interviewing body determines the applicable procedure on the basis of an interview and the application of the relevant grounds set out in national law: in **Pastrogor** reception centre it mostly applies the accelerated procedure and a decision is taken within 14 days from registration. Other procedures are the Dublin procedure and the regular procedure (4 months).

Geographical restrictions on the basis of Art. 7 RCD are applied in administrative regions around the **SAR** Reception centres where the asylum applicants are referred to (for **Pastrogor** it would be **Haskovo Region**, but in practice it is 1 km around the centre since the latter is located in a border zone where free movement is not authorised). Access to the neighbouring region is only upon authorisation for e.g. visiting family or medical appointments. If the geographic restriction is violated twice, an order for detention will be issued.

*These points were further confirmed and clarified during the field visit the next day and the meeting held in **Pastrogor**.*

HOME noted the need to ensure that activities implemented under the pilot need to be in line with EU law, including the implementation of the accelerated procedure as well as The possibility for BG to consider additional EU support via EUAA (including through interpreters), taking into consideration that the national asylum procedures are conducted in Bulgarian. The question was raised regarding support with digitalisation.

BG noted that the situation on returns has changed in the past years, rendering forced returns to countries of origin extremely difficult. The significant majority of persons arriving are undocumented thus making it difficult to enforce return to the third countries where the authorities are not cooperating on forced returns. An outline of the administrative steps and the interplay between the Bulgarian authorities involved (State Agency for Refugees and Migration Directorate).

On the implementation of return procedures:

- The majority of returns are implemented using AMIF (forced and voluntary returns) rather than Frontex, however overall implementation of forced returns is hampered due to lack of travel documents cooperation by third countries and high number of absconding during the asylum procedure. The main challenge is the issuing of travel

documents. BG underlined the need for support on third country cooperation by the Commission.

HOME noted:

- That EU case law can support the practice of the joint issuing of a rejection decision with a return decision.
- The positive developments following the deployment of return counsellors in Cyprus, which saw the increase of numbers of people opting for voluntary returns
- The potential for an updated AVRR programme, coupled with the deployment of additional return counsellors. COM offered to provide technical assistance for developing the AVRR programme.
- The benefits of the provision of return counselling at a very early stage of the procedure;
- COM informed about the possibility to use the HLN if some needs to share best practice from other MS related to return counselling or cooperation on readmission with third countries.

Meeting with the BG Managing Authority for Home Affairs Funds and Border Police Directorate

DG HOME noted that:

- In order to manage the limited additional funding resources, a needs assessment should take place, focused on prioritising between actions aimed at border surveillance.
- The following headings were discussed:
 - A) Vehicles,
 - B) Surveillance systems,
 - C) Other (surveillance) devices and
 - D) Additional staff to be deployed at BG-TR border.

In closing,

- DG HOME E2 reminded the BG authorities to prioritise the absorption of current BMVI allocations and highlighted the SA call to be open to MSs for the purchase of technological surveillance systems at the land borders. Frontex additionally flagged and encouraged the BG authorities to consider their participation in calls on technology for technological pilot projects in view to increase their knowledge and experience for future procurements.
- BG MA informed that:
 - 1) [REDACTED] financial interest [REDACTED]

Visit to ‘Special Home for Temporary Accommodation of Foreigners’ (SHTAF) – Lyubimets

Lyubimets is comprised of a building and container complex that can house families and single men amounting to a total capacity of 1892 places.

294 TCNs are currently accommodated in **Lyubimets** and reside in the building complex (Block 2). Containers are used often in the summer, when the number of persons increases.

All TCNs residing in **Lyubimets** have been issued with a return order. In the SHTAF, they have access to information on AVRR, the possibility to apply for asylum and legal assistance by NGOs/IOs, medical and psychosocial support.

Once in **Lyubimets**, TCNs are informed on their options. If they apply for international protection, they are then transferred to **Pastrogor** (open accommodation). The average stay of TCNs in **Lyubimets** is 14-19 days.

With regards to access to international protection, newly arriving TCNs in **Lyubimets** are informed upon arrival through their initial arrival interview, multi-language leaflets and brochures by UNHCR and the **Helsinki Committee** and video messages.

There is presence of interpreters available for screening and debriefing.

Very few people arriving have any kind of identification documents (estimated by management to be between 10-20 out of the total of 294 residents)

Staff members in **Lyubimets** are working on information provision including on voluntary return and reintegration programmes. The Migration Directorate has a special Directorate for Combatting Illegal Migration and deploys experts in **Lyubimets** for identification, escorting, and execution of return orders. **Frontex** is present in the SHTAF with debriefers and interpreters since 2011.

IOM is performing regular visits at the centre, however AVRR is not a common option as people wish to move further.

Visit to Reception Centre in Pastrogor

TCNs residing in **Pastrogor** are mainly from North African countries and Iraq. After the registration, the applicants are issued with an asylum card and can visit the immediate surrounding area and visit nearby villages. The geographical limitation can be lifted in case of need of specialised care or other justified cases upon approval by the **Pastrogor** Director. They have access to Wi-Fi.

Applicants benefit from access to legal aid (supported by the **Bulgarian Helsinki Committee**) and interviews are conducted in a language they understand.

Following a negative decision, TCNs can appeal within 7 days. In case of no appeal, the TCN is transferred under the remit of the **Migration Directorate**. In case of appeal, the applicant may continue residing in **Pastrogor**.

SAR informed that **IOM** information provision on AVRR possibilities takes place once a week in **Pastrogor**.

On possible additional support by EUAA, SAR noted the additional needs concerning interpreters and videoconferencing equipment and the upgrading of facilities (dormitories).