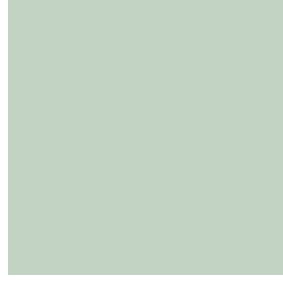


2024 UPDATE

BULGARIA



COUNTRY REPORT

Acknowledgements & Methodology

This report was written by Iliana Savova, Director, Refugee and Migrant Legal Programme, Bulgarian Helsinki Committee and was edited by ECRE.

This report draws on information provided by monthly immigration and asylum statistical analyses published by the national authorities, regular information sharing utilised by the National Coordination Mechanism in the area of asylum and international protection, established since 2013 and chaired by the State Agency for Refugees (SAR), as well as monthly border, detention and refugee status determination (RSD) monitoring implemented by the refugee assisting non-governmental organisations.

The 2024 update to the AIDA country report on Bulgaria was shared with the State Agency for Refugees to provide an opportunity for comments. Any feedback received was reviewed by the author and, where appropriate, incorporated into the final version of the report.

The information in this report is up-to-date as of 31 December 2024, unless otherwise stated.

The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website www.asylumineurope.org. It covers 24 countries, including 19 EU Member States (AT, BE, BG, CY, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, and SI) and 5 non-EU countries (Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.



This report is part of the Asylum Information Database (AIDA), funded by the European Union's Asylum, Migration and Integration Fund (AMIF) and ECRE. The contents of this report are the sole responsibility of ECRE and can in no way be taken to reflect the views of the European Commission.



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Glossary & List of Abbreviations

Closed reception centre	Detention centre for asylum seekers managed by the SAR
Humanitarian status	Subsidiary protection under the recast Qualification Directive
Zero integration	Period during which all beneficiaries of international protection have been left without any integration support in Bulgaria
ACET	Assistance Centre for Torture Survivors
AMIF	Asylum, Migration and Integration Fund
ASA	Agency for Social Assistance Агенция за социално подпомагане
BHC	Bulgarian Helsinki Committee
CERD	Committee on Elimination of Racial Discrimination
CoM	Council of Ministers Министерски съвет
CRF	Closed reception facilities
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
EASO	European Asylum Support Office
EC	European Commission
ЕСГРАОН	Civil national database
ЕГН	Unique identification number Единен граждански номер
ЛНЧ	Unique identification number for short-term or long-term residents, including asylum seekers Личен номер на чужденец
EUAA	European Union Agency for Asylum
Eurodac	European fingerprint database
Frontex	European Border and Coast Guard Agency
LAR	Law on Asylum and Refugees
LARB	Law on Aliens in the Republic of Bulgaria Закон за чужденците в Република България
MOI	Ministry of Interior
NLAB	National Legal Aid Bureau
NPIR	National Programme for the Integration of Refugees
RRC	Registration-and-reception centre
RSD	Refugee status determination
SGBV	Sexual and Gender based Violence
SOP	Standard Operating Procedures
SANS	State Agency for National Security Държавна агенция "Национална сигурност"
SAR	State Agency for Refugees Държавната агенция за бежанците
SIS	Schengen Information System

TCN	Third country national
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Refugees

Statistics

Overview of statistical practice

The State Agency for Refugees (SAR) publishes monthly statistical reports on asylum applicants and main nationalities, as well as overall first instance decisions.¹ Further information is shared with non-governmental organisations in the context of the National Coordination Mechanism. The Ministry of Interior also publishes monthly reports on the migration situation, which include figures on apprehension, capacity, and occupancy of reception centres.²

Applications and granting of protection status at first instance: 2024

	Applicants in 2024 (1)	Pending at end of 2024	Total decisions in 2024 (2)	Total substantive decisions (3)	Refugee status	Subsidiary protection	Humanitarian protection (4)	Rejection (5)
Total	12,250	6,051	15,390	8,091	56	4,894	N/A	3,141
Breakdown by countries of origin of the total numbers								
Syria	7,646	4,036	10,254	5,887	24	4,738	N/A	1,125
Afghanistan	1,980	1,295	2,296	327	1	32	N/A	294
Morocco	871	71	935	815	1	3	N/A	811
Egypt	654	185	582	143	0	2	N/A	141
Iraq	541	92	607	402	1	18	N/A	383
Stateless	99	50	124	86	5	65	N/A	16
Pakistan	91	23	110	67	0	0	N/A	67
Algeria	84	10	92	84	0	0	N/A	84
Iran	43	26	57	23	2	13	N/A	8
Russia	42	97	79	76	18	2	N/A	56

Source: State Agency for Refugees.

(1) “Applicants in year” refers to the total number of applicants, not only to first-time applicants.

(2) Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.

¹ SAR, Statistics and reports, available at: <https://bit.ly/2ur0Y1a>.

² Ministry of Interior, Migration statistics, available at: <https://bit.ly/48C57wC>.

(3) The total 15,390 decisions issued include 8,091 substantive decisions (status granting, status refusals, inadmissibility and manifestly unfounded decisions) and 7,299 decisions terminating asylum procedures due to absconding.

(4) The national law does not provide for any other form of additional protection except the humanitarian statuses, which is based on article 15 QD, i.e. it is a term used to transpose this article of the Qualification Directive into national law.

(5) “Rejection” only covers negative decisions on the merit of the application, regardless of whether issued in accelerated or regular procedure.

Applications and granting of protection status at first instance: 2024

	Substantive rejection rate	Substantive protection rate	Refugee rate	Subsidiary protection rate
Total	39%	61%	0.7%	61.3%
Breakdown by countries of origin of the total numbers				
Syria	19%	81%	0.5%	80%
Afghanistan	90%	10%	0.3%	9.7%
Morocco	99.5%	0.5%	0.1%	0.4%
Egypt	98.6%	1.4%	0%	1.4%
Iraq	95.3%	4.7%	0.2%	4.5%
Stateless	19%	81%	6%	75%
Pakistan	100%	0%	0%	0%
Algeria	100%	0%	0%	0%
Iran	35%	65%	9%	56%
Russia	73%	27%	24%	3%

Source: State Agency for Refugees. Calculations made by the author based on official data on asylum decisions.

Note: These rates are calculated based on substantive decisions only (including inadmissibility), excluding terminations of procedure due to absconding.

Gender/age breakdown of the total number of applicants: 2024

	Men	Women
Number	10,652	1,598
Percentage	87%	13%

Source: State Agency for Refugees.

	Adults	Children	
		Accompanied	Unaccompanied
Number	8,229	1,420	2,601
Percentage	67%	12%	21%

First instance and appeal decision rates: 2024

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

	First instance		Appeal	
	Number	Percentage	Number	Percentage
Total number of decisions	8,292	100%	1018	12%
Positive decisions	4,951	60%	0	0%
• <i>Refugee status</i>	57	1%	0	0%
• <i>Subsidiary protection</i>	4,894	99%	0	0%
Negative decisions	3,341	40%	1018	30%

Source: State Agency for Refugees.

Court revocation rates: 2024

	First court instance (regional adm. court)		Final instance (Supreme adm. court)	
	Number	Percentage	Number	Percentage
Total court decisions	737	100%	136	100%
Revoked negative	132	18%	35*	26%
Sustained refusals	605	82%	101	74%

Source: State Agency for Refugees.

* The Supreme administrative court issued 8 decisions, which revoked the ones of the lower courts due to procedural violations and reverted cases back to them for a retrial.

Overview of the legal framework

Main legislative acts relevant to asylum procedures, reception conditions, detention and content of protection

Title in English	Original Title (BG)	Abbreviation	Web Link
Law on Asylum and Refugees	Закон за убежището и бежанците	LAR	https://lex.bg/laws/ldoc/2135453184 (BG)
Law on Aliens in the Republic of Bulgaria	Закон за чужденците в Република България	LARB	https://bit.ly/2Z7e4ee (BG)

Main implementing decrees and administrative guidelines and regulations relevant to asylum procedures, reception conditions, detention and content of protection

Title in English	Original Title (BG)	Abbreviation	Web Link
Regulations on the implementation of the Law on Aliens in the Republic of Bulgaria <i>Amended by: CoM № 129 of 5 July 2018</i>	Правилник за приложение на Закона за чужденците в Република България (ППЗЧРБ)	LARB Regulations	https://bit.ly/3Tdqtfr (BG)
Ordinance № 332 of 28 December 2008 for the responsibilities and coordination among the state agencies, implementing Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003, Council Regulation No 2725/2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention and Council Regulation (EC) No	Наредба приета с ПМС №332 от 28.12.2008 за отговорността и координацията на държавните органи, осъществяващи действия по прилагането на Регламент (ЕО) № 343/2003 на Съвета от 18 февруари 2003 г. за установяване на критерии и механизми за определяне на държава членка, компетентна за разглеждането на молба за убежище, която е подадена в една от държавите членки от гражданин на трета страна, Регламент (ЕО) № 1560/2003 на Комисията от 2 септември 2003г. за определяне условията за прилагане на Регламент (ЕО) № 343/2003 на Съвета за установяване на критерии и механизми за определяне на държавата членка, която е компетентна за разглеждането на молба за убежище, която е подадена в една от държавите членки от гражданин на трета страна,	ORD 332/08	http://bit.ly/1IJ1Cl5 (BG)

407/2002 of 28 February 2002 laying down certain rules to implement Regulation (EC) No 2725/2000	Регламент (ЕО) № 2725/2000 на Съвета от 11 декември 2000г. за създаване на система "ЕВРОДАК" за сравняване на дактилоскопични отпечатащи с оглед ефективното прилагане на Дъблинската конвенция и Регламент (ЕО) № 407/2002 на Съвета от 28 февруари 2002 г. за определяне на някои условия за прилагането на Регламент (ЕО) № 2725/2000 относно създаването на системата "ЕВРОДАК" за сравняване на дактилоскопични отпечатащи с оглед ефективното прилагане на Дъблинската конвенция		
Ordinance № I-13 of 29 January 2004 on the rules for administrative detention of aliens and the functioning of the premises for aliens' temporary accommodation	Наредба № I-13 от 29 януари 2004 за реда за временно настаняване на чужденци, за организацията и дейността на специалните домове за временно настаняване на чужденци	ORD I-13/04	https://bit.ly/4bPwXs6 (BG)
Internal Rules of Procedure in immigration detention centers under the Migration Directorate of the Ministry of Interior, adopted on 16 June 2016 (№5364p-20628)	Правилник за вътрешния ред в специалните домове за временно настаняване на чужденци при Дирекция "Миграция" при Министерството на вътрешните работи, утвърден с № 5364p-20628 от 16.06.2016 г. от директора на дирекция "Миграция" - МВР	Detention Rules	https://bit.ly/2RnPVxr (BG)
Ordinance № 208 of 12 August 2016 on rules and conditions to conclude, implement and cease integration agreements with foreigners granted asylum or international protection	Постановление № 144 от 19 юли 2017 г. за приемане на Наредба за условията и реда за сключване, изпълнение и прекратяване на споразумение за интеграция на чужденци с предоставено убежище или международна закрила	Integration Ordinance	https://bit.ly/3P0tayl (BG)

Overview of the main changes since the previous report update

The report was previously updated in **April 2024**.

National context

In 2024, Bulgaria registered an unprecedented political and constitutional crisis, which has seen the country facing seven parliamentary elections over four years – respectively on 4 April 2021, 11 July 2021, 14 November 2021, 2 October 2022, 2 April 2023, 9 June 2024 and the latest on 27 October 2024.³ What started in July 2020 as a civil protest of young citizens living in urban areas against the overwhelming corruption, shattered economy, politically subdued judiciary and suffocated media, gradually turned into a political deadlock. It was a result from the power struggle among several main opposing political circles, the first formed around the GERB party which ruled the country for more than twelve years (2009-2013 / 2014-2020) allied with the former communist BSP party and its far right derivatives ITN, Vazrazhdane, Mech, Velichie, etc.; the DPS party – formally registered as representing the Turkish minority in the country - which recently split into two separate entities; the political project-in the-making around the pro-Russian, anti-EU and anti-refugee president Rumen Radev⁴ serving his second term (2017-2022 / 2022-2027); and the recently formed and self-proclaimed as liberal party PP in loose coalition with the leaderless smaller political collaboration Democratic Bulgaria. As a result, six caretaker cabinets governed the country in the past years, thus making impossible the adoption of any major executive decisions, institutional reforms or legal amendments with several strategic exceptions, e.g. measures to meet the conditions set by Austria to unblock the country's full Schengen accession. The national asylum system remained particularly affected, firstly for being left outside mainstream political objectives and agenda; and secondly, for having its management largely seen as a merely technical one,⁵ without any political endorsement or support, and therefore severely underfunded with its policy and institutional initiatives overwhelmingly neglected.⁶

Asylum procedure

- ❖ **Access to the territory:** In 2024, the European Border and Coast Guard Agency (FRONTEX) re-instated its presence in the country by deploying 230 new members of its staff in March. The majority was deployed to participate in mixed border patrols along the main entry border⁷ with Türkiye. In contrast with previous deployments, in this case the mixed patrols were positioned not only around key roads⁸ towards Serbia (I-8) or Romania (I-9), but along the land (green) border. The operation coincided with measures of intensified external control applied by the Turkish authorities on their side of the border, following extensive bilateral meetings that took place between the end of 2023 and the beginning of 2024. Between December 2023 and April 2024, Turkish border guards were deployed along the entire border with Bulgaria, utilizing surveillance equipment and conducting physical checks on vehicles and travellers along both main and secondary roads leading to Bulgaria. Cross-border cooperation with the border agencies of Türkiye and Greece was also visibly intensified, particularly through the operation of the tri-partite contact center - established in 2016 on Bulgarian territory at the Kapitan Andreevo border crossing point (BCP) - and through weekly meetings at regional directorates' level. Against this

³ Central Elections Commission, Archive of the held parliamentary elections, available at: <https://www.cik.bg/bg/37>

⁴ Politico, Republic of Radev: Bulgaria's impasse empowers its elusive president, 31 March 2023, available at: <https://bit.ly/3uPEir2>. See also: BIRN, Bulgaria's Pro-Russian President Eyes Opportunity in Political Chaos, 2 December 2024, available [here](#).

⁵ Bulgarian National Television, Newsfeed, Мариана Тошева е новият председател на държавната агенция за бежанците, 23 March 2022, available [here](#).

⁶ SAR, Response under Article 25 of the Law on Access to Public Information, reg. №АД-07-47 from 9 December 2024.

⁷ MOI statistics, December 2024 report: 2,543 individuals apprehended at entry borders in 2024, of whom 96% or 2,432 individuals apprehended at the border with Türkiye, published on 16 January 2025, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

⁸ See [here](#).

backdrop, in 2024 the overall number of the so called prevented entries, reported by the authorities, dropped significantly. Thus, in 2024 the authorities reported to have prevented the entry of 52,534 persons.⁹ It represented a 70% decrease in comparison with the 178,698 prevented entries registered in 2023.¹⁰ Although officially referred to as irregular migrants, who before entering the border with Bulgaria independently decided to return to the territory of neighbouring countries (i.e. Türkiye),¹¹ monitoring shows¹² that these numbers represent to a great extent those who attempted to enter the country, but were pushed back either at the border or apprehended while already on Bulgarian territory after an irregular border crossing. At the same time, the percentage of irregular migrants officially apprehended at the border with Türkiye increased by 41%.¹³ Since 2014, for ten consecutive years, the percentage of irregular migrants successfully entering from Türkiye has remained notoriously low compared to those apprehended at exit borders or within the territory. This is largely due to the widespread practice of pushbacks at this border (see, Asylum procedure, [1. Access to the territory and push backs](#)). This increase is seen as a result of the involvement of Frontex staff in mixed border patrols along the land border with Türkiye. Once officially arrested, irregular migrants are provided with information on available legal procedures and can apply for international protection either at 24-hour border detention facilities or after their transfer to pre-removal (detention) centres inland. The overall decline in new arrivals from Türkiye has also led to a significant 45% drop in registered asylum applications, with just 12,250 applicants in 2024 compared to 22,518 in the previous year. 27,775 Ukrainians¹⁴ were registered under the temporary protection scheme during the year. At the end of 2024, a total of 60,864 temporary protection holders¹⁵ were reported as remaining in the country. Thus, in 2024 the national asylum system was engaged with 73,114 persons, seeking or enjoying some of the available types of protection in Bulgaria.

On 12 December 2024 the EU Council endorsed the full Schengen accession of Bulgaria and Romania from 1 January 2025. Prior to it, the government announced¹⁶ more measures for tightened control at the Bulgarian-Turkish border after the accession. The measures included the deployment of 1,200 national border police officers, along with 240 Frontex officials and international teams. Initially, these teams comprised a total of 100 officers from various countries, including 40 Romanian, 15 Austrian, 20 Hungarian, and 25 Bulgarian border guards. Additionally, new echolocation equipment and high passable vehicles were introduced to enhance border surveillance. The international teams began to operate on 3 February 2025.¹⁷

- ❖ **Access to the procedure:** Asylum applicants continued to be deprived of direct access to the asylum procedure when apprehended at the border. Just 2% of those who were apprehended on the entry border with Türkiye and within the so called Kapikule-Ormenion-Svilengrad border triangle received direct access to registration and accommodation in a SAR reception centre without first being sent and detained in a MOI deportation centre.¹⁸ On the contrary, since 2022, the SAR started to grant immediate and unhindered access to the asylum procedure to 'self-

⁹ MOI statistics, December 2024 Report, Tables on page 2, Migrants, who independently returned to the territory of neighboring countries, published on 16 January 2025, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹⁰ Ibid.

¹¹ MOI statistics, December 2024 Report, Migrants, who independently returned to the territory of neighboring countries, Tables on page 2, published on 16 January 2025, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹² GDBP-UNHCR-BHC, 2023 Annual Border Monitoring Report, page 5, published on 31 March 2024, available at: <https://bit.ly/4bU9INC>

¹³ MOI statistics: 2,543 individuals apprehended at entry borders in 2024, of whom 2,432 individuals at the border with Türkiye (2023: 1,803 individuals, of whom 1,729 at the border with Türkiye), available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹⁴ State Agency for Refugees, 135th Coordination meeting, held on 30 January 2025.

¹⁵ See: <https://ukraine.gov.bg/>.

¹⁶ Euractive, 'Чужди полицаи ще помагат на границата с Турция след влизането в Шенген', 23 November 2024, available in Bulgarian [here](#).

¹⁷ Mediapool, 'Шенген: Границата с Турция вече се пази от служители на четири държави', 3 February 2025, available in Bulgarian [here](#).

¹⁸ Monthly Situation Report for December 2024: 55 asylum seekers; according to MOI statistics another 75 unaccompanied children referred to Agency for Social Assistance by the Border police, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

reported' asylum seekers (see, Asylum Procedure, [Registration of asylum application](#)). 'Self-reported' asylum seekers are those who managed to enter and reach SAR registration centres independently, without being apprehended by the police and detained. In the past, the asylum agency consistently refused to register them directly, instead alerting the police, which then arrested and detained them in deportation centres of the Ministry of the Interior. In some cases, this malpractice was affecting families with minor children and pregnant women. This trend changed from 2022, when this practice affected a total of 94 persons (0.5%) out of 20,407 asylum seekers registered in the country. In 2023, only 48 asylum seekers (0.2%) out of 22,518 suffered from this practice, where in 2024 it affected 83 asylum seekers (0.4%) out of 12,250 persons who had lodged an asylum application.¹⁹ No irregularities regarding access to the asylum procedures were registered in MOI deportation centres²⁰ in Lyubimets or Busmantsi.²¹ Following these improvements, some smugglers adapted quickly and began to deliver smuggled persons directly to open SAR reception centres in Harmanli, Banya and Sofia with many among them with settled representation by private practitioners and false proof of registration at an external address. In January 2025, the head of the Sofia Migration Directorate was arrested for alleged corruption and, among other charges, for alleged registration of false addresses of third country nationals.²²

- ❖ **Absconding and secondary movements:** The absconding rate decreased in 2024. 39% (7,299 persons) out of 18,301 asylum seekers with pending cases abandoned their asylum procedure in Bulgaria.²³ This represented a decrease of nearly 10% compared to 48% of the total registered in 2023, on the background of 46% in 2022, 26% in 2021, 39% in 2020, and 83% in 2019. The main reasons motivating asylum seekers to abandon their asylum procedures in Bulgaria and abscond were the poor reception conditions, low recognition rates for some nationalities, as well as the lack of any integration support or programs provided by the State (see, [Reception Conditions](#)).
- ❖ **Length and quality of the procedure:** In 2024, the SAR issued decisions for 18,301 asylum applicants. Out of this number, 12,250 asylum seekers applied in 2024, while 6,051 asylum seekers had pending cases from 2023.²⁴ Out of the total number of decisions,²⁵ 56 granted refugee status, 4,894 humanitarian status (subsidiary protection under the QD), 3,141 were rejections (of which 1,525 taken in an accelerated procedure). 7,299 were decisions discontinuing the procedure, mainly due to absconding. It represented, on average, 675 monthly decisions, issued by 27 case workers. The average length of the procedure remained from 4 to 6 months.²⁶ Several improvements in the standards and quality of the asylum procedure were also observed,²⁷ which provided for better safeguards for asylum applicants pending the status determination.
- ❖ **Recognition and refusal rates:** In 2024, the overall recognition rate decreased to 61%, from 66% in 2023 and 91% in 2022 of all decisions on the merits. Both refugee recognition and subsidiary protection rates continued to decrease. Refugee recognition decreased to 0.7%²⁸ and

¹⁹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/4bU9INC>.

²⁰ §5 Additional Clauses, LAR: SAR can implement asylum procedures outside its premises at places designated for this purpose by an order of the SAR Chairperson prior the establishment of its transit centers; the Pastrogor transit center was open on 3 May 2012. Source: Citybuild, available in Bulgarian [here](#).

²¹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/4bU9INC>.

²² Bulgarian National Television, 'Началникът на отдел "Миграция" в СДВР е задържан с подкуп', 20 January 2025, available in Bulgarian [here](#).

²³ SAR, reg. №АД-07-7 from 14 January 2025: 12,250 asylum seekers who applied in 2024 and 6,051 asylum seekers pending determination from 2023.

²⁴ Ibid.

²⁵ SAR, Annual statistics for 2024, available in Bulgarian at: <https://bit.ly/3wDKXoU>.

²⁶ SAR, reg. №АД-07-7 from 14 January 2025.

²⁷ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/4bU9INC>.

²⁸ Previous refugee recognition rates: 1% in 2023; 2% in 2022; 4% in 2021; 13% in 2020; 13% in 2019; 15% in 2018; 14% in 2017; 25% in 2016; 76% in 2015; 69% in 2014.

subsidiary protection (defined as 'humanitarian status' under national law) rates fell to 60% in 2024.²⁹ The rejection rate reached 39%,³⁰ when considering only decisions issued on the substance of asylum claims. Among the top 5 countries of origin of asylum seekers entering Bulgaria in 2024 remained Syria and Afghanistan. These two nationalities together represented 79% of the total arrivals, - 62% from Syria and 16% from Afghanistan. Except for Syrian nationals, over an extended period before 2022, recognition rates for other nationalities remained low. Applicants from Afghanistan and Türkiye faced discriminatory treatment, with their cases overwhelmingly classified as manifestly unfounded, leading to extremely low recognition rates.³¹ After more than a decade of being deemed non-credible applicants—briefly interrupted by a significant improvement in recognition rates in 2022—Afghan nationals once again faced reduced recognition in 2024, as in 2023, with an overall recognition rate of just 10% (0.3% refugee status and 9.7% subsidiary protection) and a 90% rejection rate.³² The majority (86%) of Afghan applicants³³ continued to abscond before receiving a first instance decision, which was issued on the merits in 14% of the caseload.³⁴ The recognition of Turkish applicants improved with 14% overall recognition rate (0% refugee recognition rate and 14% subsidiary protection rate), in comparison to the 100% rejection rate in 2023. The most radical change in recognition rates related to Syrian applicants. Since 2014, Syrian applicants have been treated as *prima facie* refugees with the majority of them granted subsidiary protection based on the understanding that they flee from internal armed conflict³⁵ (see, [Differential treatment of specific nationalities in the procedure](#)). Starting from mid-2024 the SAR initiated individual assessment of Syrian applications, which resulted in a 19% rejection and 81% recognition rate (0.5% refugee recognition rate and 80% subsidiary protection). After the fall of Bashar Assad's regime on 8 December 2024, the SAR halted the interviewing and status determination of Syrian applicants until 31 January 2025, when these were resumed on an individual assessment basis.³⁶

- ❖ **Relocation and resettlement:** Since 2015, Bulgaria relocated 187 people, of whom 76 from Greece, 10 from Italy and 101 from Cyprus. Since the EU-Türkiye deal, out of the agreed number of 110 individuals, in total 116 Syrian refugees have been resettled. In 2024, 11 Syrian nationals were resettled from Türkiye, while 7 Syrian nationals were relocated from Cyprus.

Reception conditions

- ❖ **Reception centres:** Since 2015, the conditions in all national reception centres have been gradually deteriorating, with support limited to accommodation, nutrition and rudimentary medical help without provision of psychological care or assistance.³⁷ In 2022, a SAR internal revision of the reception centres' capacity revealed it³⁸ to be far below long-time declared 5,160 places, mainly because the designated premises were unfit for living. In 2024, SAR reported just 3,225 places available for accommodation in all of its reception centres.³⁹ The asylum agency continued to be severely underfunded in general. The SAR annual budgets were,⁴⁰ respectively, in 2021: 10,689,700 BGN; in 2022: 14,095,300 BGN; in 2023: 12,038,218 BGN and in 2024: 11,717,200

²⁹ Previous subsidiary protection rates: 65% in 2023; 89% in 2022; 57% in 2021; 47% in 2020; 15% in 2019; 20% in 2018; 18% in 2017; 19% in 2016; 14% in 2015; 25% in 2014.

³⁰ Previous rejection rates: 39% in 2023; 9% in 2022; 39% in 2021; 39% in 2020; 71% in 2019; 65% in 2018; 68% in 2017; 56% in 2016; 10% in 2015; 6% in 2014.

³¹ AIDA update on Bulgaria, April 2024, [Differential treatment of specific nationalities in the procedure](#).

³² 2023 AIDA update: 14% overall recognition with 5% refugee recognition rate and 9% subsidiary protection rate vs 65% rejection / 2022 AIDA update: 49% overall recognition with 14% refugee recognition rate and 35% subsidiary protection rate vs 51% rejection rate.

³³ 1,969 discontinued procedures out of all 2,296 decisions taken in 2024 with respect to Afghan nationals.

³⁴ See, Table Statistics, page 9 of this report: 327 Afghan decisions on the merits.

³⁵ Article 15(c) of 2011/95/EC Directive.

³⁶ SAR, reg. №АД-07-7 from 14 January 2025.

³⁷ See, AIDA Country Updates on Bulgaria: Forth Update from October 2015, 2016 Update from February 2017, 2017 Update from February 2018, 2018 Update from January 2019, 2019 Update from February 2020, 2020 Update from February 2021 and 2021 Update from February 2022.

³⁸ 118th Coordination meeting held on 22 December 2022.

³⁹ SAR reg. №АД-07-7 from 14 January 2025.

⁴⁰ SAR reg. №АД-07-47 from 9 December 2024.

BGN. The only budget allocated for repairs or refurbishment⁴¹ of the reception centers was of 145,000 BGN in 2022 with no such means allocated in the 2020, 2021, 2023 or 2024 annual budgets of the asylum agency.

As a result, reception centres accommodating applicants during their asylum procedure continued to face persistent issues related to infrastructure and living conditions, often falling below basic standards. In many cases, they failed to provide even the most essential services, including adequate nutrition and sanitation in both personal and communal spaces. Access to regular and hot water, as well as maintenance and repairs in bathrooms, rooms, and common areas, remained highly problematic due to the absence of a dedicated budget for upkeep. Long-standing issues such as infestations of bedbugs, lice, cockroaches, and rats persisted across facilities. The Ovcha Kupel shelter in Sofia, the oldest reception centre, deteriorated to such an extent that at one point, SAR management considered its complete closure.⁴² By the end of 2024, the only remaining functional space within the facility was the safe zone for unaccompanied children, managed by the IOM. Residents across all reception centres, except for the Pastrogor transit center, continued to express concerns about poor living conditions, particularly the persistent issue of bedbug infestations, which frequently led to health problems such as chronic skin inflammations and allergic reactions. Despite monthly and ad hoc disinfection efforts throughout 2024, the issue, which first emerged in 2013 and was largely neglected until 2023, remained a serious and ongoing concern.⁴³

Food in reception centres was provided through catering arrangements to deliver three meals per day. As catering providers are selected regionally based on the lowest price offer,⁴⁴ these vary among the different reception centres. Thus, in the Ovcha Kupel, Voenna Rampa and Vrazhdebna shelters and in the Sofia reception centre these three meals per day were delivered at the price of BGN 5.38, equal to EUR 2.75; in the Harmanli reception center - at the price of BGN 6.54, equal to EUR 3.35; in the Banya reception centre – at the price of BGN 6.24, equal to EUR 3.20; and in the Pastrogor transit centre – at the price of BGN 6.01, equal to EUR 3.08 daily. The individual monthly allowance provided for in the law is not translated into practice as it is not provided since 2015.⁴⁵ For this reason, in 2024 asylum seekers continued to complain not only about food quality, but also about its insufficient quantity. The main factor that helped avoiding a point of critical malnutrition for asylum seekers was still high rate of absconding and abandonment of the procedure, which in 2024 was 47% of all caseload.

Asylum seekers continued to face significant barriers in accessing consistent and specialized healthcare due to the country's chronic shortage of general practitioners. The medical care of asylum seekers was mainly carried out in the surgeries organised in Sofia and Harmanli reception centres, with a total of 18,189 initial medical examinations and 7,038 outpatient examinations in 2024,⁴⁶ provided in reception centres by 4 doctors, 1 paramedic and 4 nurses. Even though asylum seekers are health insured, due to its budget restraints SAR fail to meet the medical expenses, which are not covered by the National Health Insurance Fund (NHIF). These costs as well as those for prescribed medicines, lab tests or other medical interventions which are not covered in the health care package, as well as for purchase of baby formula, diapers and other personal hygiene products were provided by UNHCR, UNICEF and the Red Cross.⁴⁷

Throughout 2024, the most serious concern relating national reception conditions remained the lack safety and security for asylum seekers accommodated in reception centres. These continued

⁴¹ SAR reg. №ЦУ-РД05-123/27.02.2024.

⁴² 129th Coordination meeting, 9 May 2024.

⁴³ SAR reg. №АД-07-7 from 14 January 2025: 91 disinfections in total, of which 12 in Ovcha Kupel, 13 in Voenna Rampa, 29 in Vrazhdebna, 12 in Harmanli, 13 in Banya and 12 in Pastrogor.

⁴⁴ National Statistical Institute, Annual inflation rates: +2.2% in 2024; +9.5% in 2023; and +17% in 2022, available in Bulgarian [here](#).

⁴⁵ SAR, Order No 31-310, 31 March 2015, issued by the Chairperson Nikola Kazakov.

⁴⁶ SAR reg. №АД-07-7 from 14 January 2025.

⁴⁷ Ibid.

to be seriously compromised due to the presence of smugglers, drug dealers and sex workers who had access to all reception centres during the night hours without any interference from the private security guards. The SAR received many public disorder complaints during 2024 both in Sofia and Harmanli, which escalated in public demonstrations and committees requesting the reception facilities to be either closed, or turned to closed-type centres.⁴⁸ In 2022⁴⁹ and 2023,⁵⁰ a non-governmental organisation continued raising concerns regarding safety of reception centres. Starting from mid-2022, the SAR submitted several requests to the Ministry of Interior,⁵¹ to engage the police in guarding of the reception centres, but the MOI initiated a procedure in this sense only by the end of 2023,⁵² to investigate the possibility for SAR reception centres to be guarded by the national police and gendarmerie. In April 2024, additional amendments to the law were made,⁵³ but only from 31 January 2025 did the MOI take over the guarding of the reception centres of the SAR, starting with Sofia and Harmanli ones.⁵⁴ This major change is expected to seriously improve the safety and security of asylum seekers who are accommodated in the reception centres.

- ❖ **Safe zone for unaccompanied children:** The two safe zones for unaccompanied children at the Sofia reception centre continued to be maintained under an IOM project, funded by AMIF until the end of 2024. In May 2024, a third safe zone with a capacity for 98 children was opened⁵⁵ in the biggest reception centre in Harmanli, following a collaboration with UNICEF and IOM, funded by the Swiss State Secretariat for Migration (SEM). Overall, the conditions in the safe zones were better compared to all other SAR accommodation premises. The abovementioned serious security problems existing in reception centres and their surroundings in 2024 however also affected the overall safety of unaccompanied children. However, improvements in this respect are expected following the security being handed over to the police (see, the paragraph above). In 2024, the number of unaccompanied children who sought protection in Bulgaria decreased by 48%.⁵⁶ Nonetheless, the capacity of the three safe zones, totalling 386 places,⁵⁷ would be insufficient to accommodate all newcomers if not for the exceptionally high absconding rate of 92%. Starting in 2022, SAR began to invest systematic efforts in providing unaccompanied children with accommodation in specialized child care facilities. By 2024, the number of children benefiting from this most suitable form of care continued to gradually increase.⁵⁸
- ❖ **Access to benefits:** Asylum seekers who decide to live outside reception centres at their own expenses are not entitled to social benefits.⁵⁹ Asylum seekers who are not self-sufficient are entitled to accommodation in the available reception centres, three meals per day, basic medical assistance and psychological support,⁶⁰ even though the latter is not secured in practice. Monthly cash allowance is not provided since 2015.⁶¹ Access to any other social benefits under the EU *acquis* is not guaranteed by law, nor provided in practice, still raising concerns about compliance

⁴⁸ DW, 'След побоя в София: спусъкът с "Мигранти вълн!", 11 March 2024, available in Bulgarian [here](#); 24 Hours, 'Рехав протест против бежанците се проведе в София, 31 March 2024, available in Bulgarian [here](#); BTV, Протест срещу бежанците в Харманли: Хората настояват те да бъдат преместени извън града, 22 March 2024, available in Bulgarian [here](#); BNR, Жители на Харманли отново протестираха срещу бежанския център, 6 April 2024, available in Bulgarian [here](#).

⁴⁹ Bulgarian Helsinki Committee, reg.No.Б-67 from 4 August 2022.

⁵⁰ Bulgarian Helsinki Committee, reg.No.Б-88 from 18 September 2023.

⁵¹ SAR, reg. No. №РД05-31 from 15 January 2024; SAR reg. №АД-07-7 from 14 January 2025.

⁵² 127th Coordination meeting, held on 28 December 2023.

⁵³ Article 14, para 5 of the Law on Ministry of Interior, St.G. №33 from 12 April 2024.

⁵⁴ Bulgarian national television, 'МВР ще охранява центровете за бежанци, решиха депутатите', available in Bulgarian [here](#).

⁵⁵ SAR, Откриване на сигурна зона за непридружени деца-бежанци в РПЦ-Харманли, 16 May 2024, available in Bulgarian [here](#).

⁵⁶ 2024: 2,601 unaccompanied children; 2023: 3,843 unaccompanied children / 2022: 3,348 unaccompanied children / 2021: 3,172 unaccompanied children.

⁵⁷ SAR reg. №АД-07-7 from 14 January 2025.

⁵⁸ Ibid., 2022: 26 children (2 asylum seeking and 24 granted protection); 2023: 43 children (2 asylum seeking and 41 granted protection); 2024: 62 children (4 asylum seeking and 58 granted protection).

⁵⁹ Article 29 (9) LAR.

⁶⁰ Article 29 (1) LAR.

⁶¹ SAR, Order No 31-310, 31 March 2015, issued by the Chairperson Nikola Kazakov.

with Articles 17, 18 and 25 of the Reception Conditions Directive.

- ❖ **Access to the labour market:** During the asylum procedure, asylum seekers have unconditional access to the labour market after a period of three months from their registration.⁶² In 2024, the State Refugee Agency issued 1,074 work permits to asylum seekers who were looking to support themselves while their asylum claims were being processed.⁶³ Out of them, only 3 asylum seekers and 10 persons granted international protection were employed through employment programs, while the rest found work independently and on their own initiative.⁶⁴ At the same time, a total of 272 persons with temporary protection were employed through employment programs.⁶⁵

Detention of asylum seekers

- ❖ **Detention in pre-removal centres:** In 2024, the average duration of detention was of 4 working days or 6 calendar days,⁶⁶ in full conformity with the law,⁶⁷ on the background of 45% decrease⁶⁸ in the number of asylum seekers in the country compared to previous year. As a result, of all third-country nationals who applied for protection in a police detention centre, 99%⁶⁹ were released on average 1 day before the statutory deadline, and no one was unlawfully detained for more than 6 months.
First introduced in 2015, the SAR practice of registering asylum seekers in police pre-removal (detention) centres to meet the registration deadline,⁷⁰ as well as conducting proceedings and delivering decisions in these detention centres, was not sanctioned by national courts,⁷¹ which in most cases regarded it as an infringement of the procedure of limited importance. Starting in 2022, the SAR took significant steps to address this malpractice, ultimately achieving its complete elimination by 2024, with no registrations or determinations conducted in a police pre-removal detention centre.⁷²
- ❖ **Detention in closed reception centres:** National legislation allows detention pending the asylum procedure, although on limited grounds and for the shortest period possible.⁷³ Since the introduction of the provision,⁷⁴ in total 216 asylum seekers have been detained in closed reception centre⁷⁵ pending their status determination situation, mainly based on national security grounds, of whom 68 asylum seekers in 2024.⁷⁶ The average duration of detention in closed reception centres increased, reaching 86 days on average in 2024.⁷⁷

Content of international protection

- ❖ **Civil registration:** To be registered in the national database, any beneficiary of international

⁶² Law on Asylum and Refugees (LAR), Article 29 (3).

⁶³ SAR reg. №АД-07-7 from 14 January 2025.

⁶⁴ Employment Agency, reg. No. РД-08-1915 from 27 December 2024.

⁶⁵ Ibid.

⁶⁶ 2023: 5 working/7 calendar days; 2022: 6 calendar/4 working days; 2021: 7 calendar/5 working days; 2020: 8 calendar/6 working days; 2019: 11 calendar/9 working days; 2018: 9 calendar/7 working days; 2017: 19 calendar/15 working days; 2016: 9 calendar/7 working days; 2015: 10 calendar/8 working days; 2014: 11 calendar/9 working days; 2013: 45 days/32 working days.

⁶⁷ Article 58(4) LAR, Article 6(2) APD: 6 working days.

⁶⁸ 2023: 22,518; 2022: 20,407 asylum seekers / 2023: 22,518 asylum seekers.

⁶⁹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/4bU9INC>.

⁷⁰ 6 working or 8 calendar days as per Article 58(4) LAR in conjunction with Article 6(1) APD.

⁷¹ See, AIDA updates on Bulgaria in 2019 to 2021.

⁷² BHC 2024 Annual RSD Monitoring report, 1.1.2. Procedure at the police detention centers, page 8, available at: <https://bit.ly/3Y3WzJJ>.

⁷³ Article 45b LAR.

⁷⁴ State Gazette No.80 from 16 October 2015, enforced on 1 January 2016.

⁷⁵ A special compartment allocated in Busmantsi detention center's premises.

⁷⁶ SAR reg. №АД-07-7 from 14 January 2025.

⁷⁷ 2023: 78 days; 2022: 56 days; 2021: 86 days; 2020: 91 days; 2019: 252 days; 2018: 192 days, 2017: 202 days.

protection has to indicate, *inter alia*, a domicile.⁷⁸ Following the peak of arrivals and recognitions in 2014-2016 the newly recognised beneficiaries who have lived in reception centres were no longer permitted by the SAR to state the address of the respective reception centre as domicile. Therefore, since the end of 2016 beneficiaries of international protection could not provide a valid address or domicile in order to be registered in national civil registrations database and obtain national ID number, which is a prerequisite to be issued a valid identity document. This legal 'catch 22' has led to continuous malpractice, including false renting and address registrations for the sake of enabling beneficiaries to obtain identity documents, as the valid identity document is a pre-condition to exercising their rights. Following extensive advocacy efforts from civil society organisations, the law was amended in October 2024,⁷⁹ to enable⁸⁰ the newly recognised refugees and subsidiary protection holders who cannot state a domicile address when registering for the first time in the population register, or applying for a permanent or current address, to be registered at an officially prescribed service address by the municipality where they have established their habitual residence. This provision entered into force on 8 December 2024, with all municipalities obliged until 8 January 2025 to assign service address or addresses to be able to implement the new arrangement.

- ❖ **Integration:** In 2024, the Vitoshka and Oborishte districts of the metropolitan municipality remained the only ones to sign integration agreements with newly recognized refugees in Bulgaria. In 2024, 2 integration agreements were concluded with respect to family members.⁸¹ No other integration measures or activities were planned, funded or available to individuals granted international protection – refugee or humanitarian status. No program for the integration of displaced persons from Ukraine under temporary protection was adopted throughout 2024. Thus, Bulgaria marked its 11th year of the national “zero integration” policy.
- ❖ **Special measures for unaccompanied children:** The asylum authority, SAR, continued to actively search opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛНСТ). During the asylum procedure such efforts were undertaken mainly regarding minor asylum-seeking children,⁸² children with special needs or such identified as being at increased risk of trafficking or harm. After recognition, these efforts targeted all unaccompanied children, excluding those in family reunification procedures, who were allowed to wait for the reunification with their parents or other family members in SAR reception centres.⁸³ As a result of this positive practice, a total of 62 unaccompanied children were accommodated during the course of the year in specialized childcare centres, of whom 4 were asylum seeking children and 58 children granted international protection. At the same time, it is important to acknowledge and consider the lack of specialized training among the childcare centre's staff for working with unaccompanied children seeking or granted protection, as well as the absence of secure interpretation services, at least during the initial period of accommodation and adjustment.
- ❖ **Cessation and withdrawal:** National law envisaged an additional cessation clause compared to the 1951 Refugee Convention.⁸⁴ The law permitted cessation or revocation of the international protection if the status holders fail, in a period of thirty days, to renew their expired Bulgarian identity documents or to replace them if they have been lost, stolen or destroyed. The undue cessation of international protection has affected 4,405 status holders in total since then, respectively – 770 persons in 2018; 2,608 persons in 2019; 886 persons in 2020 and 100 persons in 2021 and 41 persons in 2022. In 2024, this malpractice was fully abandoned by SAR, with 0

⁷⁸ Article 90 (1) Law on Civil Registration.

⁷⁹ State Gazette No.85 from 8 October 2024.

⁸⁰ Article 93 (6), as well as §1 Additional Clauses Law on Civil Registration.

⁸¹ Statistics provided by the SAR Deputy Chair on Social Matters on 3 February 2025; 2023: 22 beneficiaries of international protection; 2022: 20 beneficiaries; 2021: 83 beneficiaries.

⁸² Articles 3 and 4 Law on Persons and Entities: 0-13 minors / 14-17 adolescents.

⁸³ SAR, Rules and procedures on the accommodation of unaccompanied children granted international protection in foster families, social or integrated socio-medical care facilities for children of a residential type, adopted in October 2022.

⁸⁴ Article 42(5) LAR, State Gazette No. 89 from 16 October 2020.

cessations made on this additional ground.

Temporary protection (see [Temporary Protection Annex](#))

Content of temporary protection

- ❖ **Housing:** On 16 November 2022, the caretaker cabinet of the pro-Russian president Rumen Radev adopted a decision amending the Humanitarian Aid Programme for displaced persons from Ukraine,⁸⁵ allowing the TP holders already accommodated in hotels and licensed guest houses to remain there until the end of the temporary protection regime, but allowing the provision of government-funded accommodation to newly arriving Ukrainian refugees, although only in the government/municipal resort facilities with available places. From 16 November 2022 onwards however, the government revoked all measures on food assistance to TP beneficiaries. None of the following amendments of the HAP Programme changed this situation. None either provided for any additional integration measures or other tailored support.

Another highly criticized measure was the decision of the TP Task Force of the caretaker cabinet to dedicate the detention centre of Elhovo, built with EU funding and designed for detention of irregular migrants entering from Türkiye, to be used as an initial reception and internal relocation hub for all arrivals from Ukraine that took place after the end of October 2022. This centre consists of containers, man and women have to share common bathrooms with no other services, amenities or utilities and food or healthcare assistance are not provided. On 4 November 2022, a group of 25 newly arrived Ukrainian refugees were accommodated in the Elhovo centre with no food, medical aid, social assistance or information provided.⁸⁶ The group grew to count 31 individuals who, after spending in three weeks without undergoing any identification process or receiving information about their future relocation and more permanent accommodation, opted to leave Bulgaria and seek refuge in Romania. Since then,⁸⁷ 1,482 displaced persons from Ukraine passed through the Elhovo center for an average period of 3 to 5 days.⁸⁸

⁸⁵ COM №909 from 16 November 2022.

⁸⁶ Bulgarian Helsinki Committee, Who accommodated Ukrainian refugees in Elhovo detention center?, available in Bulgarian at: <https://bit.ly/3VslOUu>.

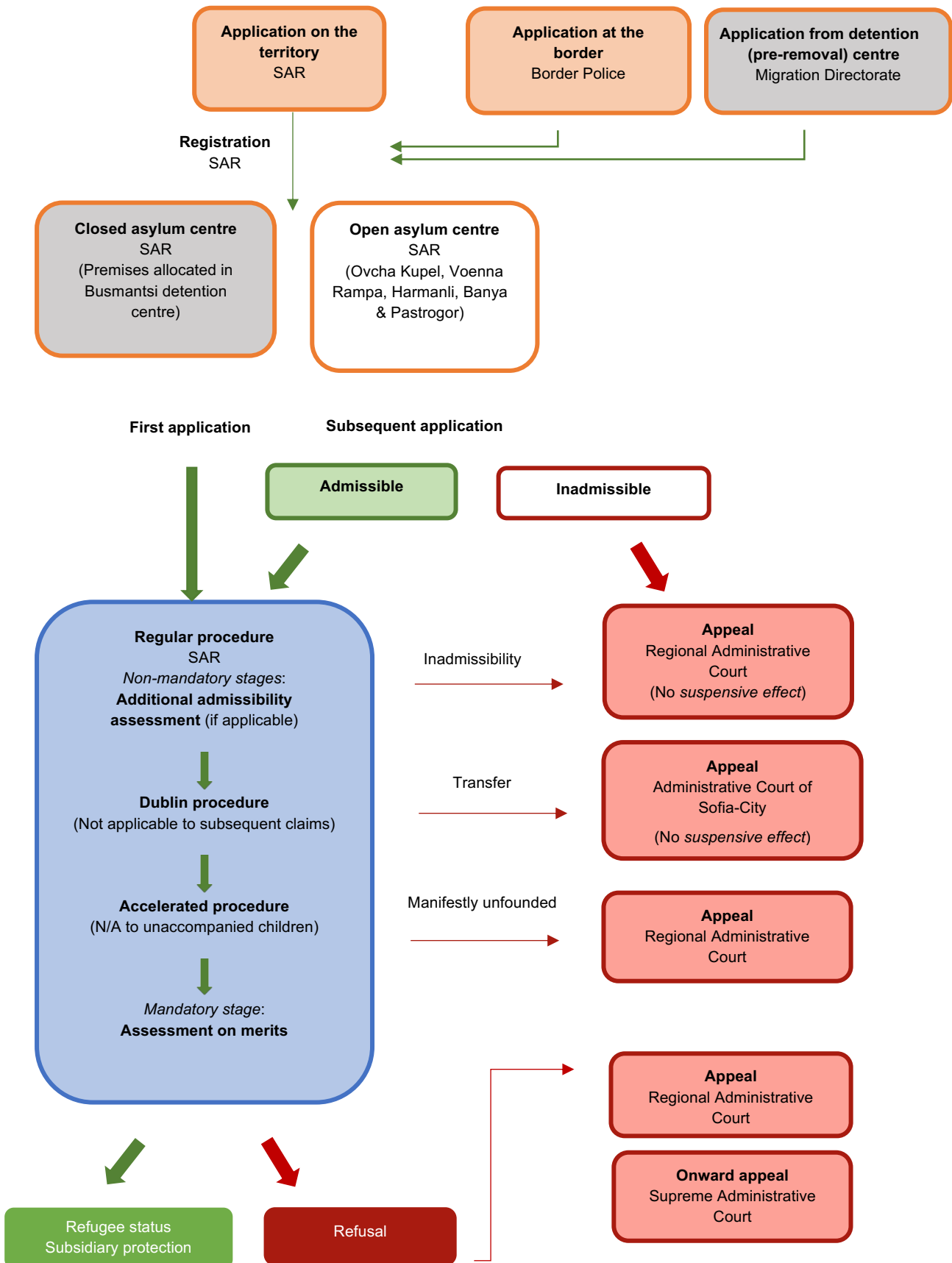
⁸⁷ From 4 November 2022 until 1 March 2024.

⁸⁸ Source: Elhovo Regional Security Police Directorate, Migration department.

Asylum Procedure

A. General

1. Flow chart



2. Types of procedures

Indicators: Types of Procedures

1. Which types of procedures exist in your country?
- ❖ Regular procedure:
 - Prioritised examination:⁸⁹ Yes No
 - Fast-track processing:⁹⁰ Yes No
 - ❖ Dublin procedure: Yes No
 - ❖ Admissibility procedure: Yes No
 - ❖ Border procedure: Yes No
 - ❖ Accelerated procedure:⁹¹ Yes No
 - ❖ Other: Yes No
2. Are any of the procedures that are foreseen in the law, not being applied in practice?
 Yes No

3. List of the authorities intervening in each stage of the procedure

Stage of the procedure	Competent authority (EN)	Competent authority (BG)
Application	State Agency for Refugees (SAR) & any state authority	Държавна агенция за бежанците (ДАБ) и друг държавен орган
National security clearance	State Agency for National Security (SANS)	Държавна агенция "Национална сигурност"
Dublin procedure	State Agency for Refugees (SAR)	Държавна агенция за бежанците (ДАБ)
Admissibility procedure	State Agency for Refugees (SAR)	Държавна агенция за бежанците (ДАБ)
Accelerated procedure	State Agency for Refugees (SAR)	Държавна агенция за бежанците (ДАБ)
Refugee status determination	State Agency for Refugees (SAR)	Държавна агенция за бежанците (ДАБ)
First appeal	Regional Administrative Court	регионален административен съд по местоживееене
Onward appeal	Supreme Administrative Court	Върховен административен съд
Revocation / Withdrawal	State Agency for Refugees (SAR)	Държавна агенция за бежанците (ДАБ)

4. Determining authority

Name in English	Number of staff as of 31 December 2024	Ministry responsible	Is there any political interference possible by the responsible Minister with the decision making in individual cases by the determining authority?
State Agency for Refugees (SAR)	401 ⁹²	Council of Ministers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Source: SAR.

⁸⁹ For applications likely to be well-founded or made by vulnerable applicants. See Article 31(7) recast Asylum Procedures Directive.

⁹⁰ Accelerating the processing of specific caseloads as part of the regular procedure.

⁹¹ Labelled as "accelerated procedure" in national law. See Article 31(8) recast Asylum Procedures Directive.

⁹² Of whom 27 case workers, SAR, reg. №АД-07-7 from 14 January 2025.

The SAR is competent for examining and deciding on applications for international protection. It is thus the authority competent for granting or not the two existing types of international protection; namely the refugee status or the subsidiary protection (“humanitarian status”).⁹³ The SAR has different Units composed of caseworkers dealing with specific procedures, such as the Dublin Unit handling Dublin procedures, and specialised caseworkers dealing with accelerated procedures.

In case of mass arrivals where individual asylum applications cannot be processed, a temporary protection status is granted by the government following a collective decision made by the EU Council.⁹⁴ The SAR has an advisory role to the government in this respect when it decides whether to communicate to the EU Council a request for temporary protection decisions to be taken on a group basis in cases of a mass influx of asylum seekers who flee from a war-like situation, gross abuse of human rights or indiscriminate violence. These forms of individual or collective protection can be applied without prejudice to the authority of the Bulgarian President to grant asylum to any foreigner based on the national constitution if he or she is persecuted for convictions or activities undertaken to protect internationally recognised rights or freedoms.⁹⁵

Moreover, the chairperson of the SAR who is responsible for taking the first instance decision on the asylum claim is also in charge of the appointment of the SAR officials responsible for taking decisions in the Dublin procedure⁹⁶ and in the accelerated procedure.⁹⁷

Internal guidelines provide an extensive description of each procedural step and activity to be undertaken by all SAR staff involved in processing applications for international protection (e.g. registrars, social workers, caseworkers, officials of the legal department etc.) They do not regulate, however, how to conduct interviews, instead they refer to EASO interviewing guidelines.⁹⁸ For the first time in 2023, the SAR Internal guidelines were published and made available to third parties.⁹⁹

Regarding the decision-making process, the SAR has an *ex-ante* review mechanism in place whereby the caseworker, the head of the respective reception centre and the legal department of the SAR must agree on a draft decision that is then transferred to the SAR’s chairperson for the final decision. In the upcoming amendment of the national asylum law,¹⁰⁰ the SAR included the proposal to establish a legal department responsible for the revision of draft decisions, as a response to UNHCR and NGO’s critiques regarding the quality of the eligibility decisions.¹⁰¹

In terms of quality assurance and control, UNHCR is authorized by law to monitor every stage of the asylum procedure. The Agency’s implementing partner, the Bulgarian Helsinki Committee, also exercises this right on behalf of UNHCR. The quality monitoring activities carried out by the Bulgarian Helsinki Committee on behalf of UNHCR involve evaluation of the following stages of the procedure: eligibility interviews, first instance decisions, and appeal hearings in court.

The SAR has further established a Quality of Procedure Directorate which controls the quality of the procedure through regular and random sampling of decisions. Based on its findings, the Quality of Procedure Department issues guidance on the interpretation of legal provisions and the improvement of different stages of the procedure. The issued guidance remains internal; it is neither shared nor made public.

⁹³ Article 2(3) LAR.

⁹⁴ Article 2(2) LAR.

⁹⁵ Article 27(1) in conjunction with Article 98(10) Bulgarian Constitution.

⁹⁶ Chapter VI, Section Ia. LAR.

⁹⁷ Article 70 LAR.

⁹⁸ Article 47 (4) SAR Internal Guidelines.

⁹⁹ State Agency for Refugees, available in Bulgarian at: <https://bit.ly/49Titpr>.

¹⁰⁰ Law on Asylum and Refugees draft amendments, published for public consultations on 5 January 2024, available in Bulgarian at: <https://bit.ly/3TbGP8m>.

¹⁰¹ Bulgarian Helsinki Committee, 2023 Annual Refugee Status Determination Monitoring Report, 31 January 2024, available at: <https://bit.ly/3SX3ST7>.

In September 2022, four years after the end of the previous operating plan, the EUAA and Bulgaria signed a new operating plan with regard to support for temporary protection and implementation of the Common European Asylum System.¹⁰² In view of the persisting pressure on the Bulgarian asylum and reception systems, the operational plan was amended and extended in December 2022.¹⁰³ In July 2023, the EUAA and Bulgaria agreed on a new operational plan covering the period 2023-2024.¹⁰⁴ In December 2024, the EUAA and Bulgaria signed an amendment, extending the operational plan into 2025 and 2026, for provision of support on asylum procedures and reception.¹⁰⁵

In 2024, the EUAA deployed 23 experts to Bulgaria,¹⁰⁶ mainly external experts (17). They were deployed as 7 junior reception experts, 3 intermediate reception experts, 3 junior Dublin regulation experts, and other asylum and reception experts.¹⁰⁷

As of 11 December 2024, there were 18 EUAA experts deployed in Bulgaria, notably 6 junior reception experts, 3 intermediate reception experts, 2 junior asylum and/or reception operations experts and 2 junior Dublin regulation experts.¹⁰⁸ In 2024, the EUAA delivered 25 training sessions to a total of 92 local staff members.¹⁰⁹

5. Short overview of the asylum procedure

It is possible to claim international protection on the territory, at borders before the Border Police staff, or in detention centres before the Migration Directorate staff, either of which are obligated to refer it immediately to the SAR.¹¹⁰ The SAR is required to formally register the referred applications no later than 6 working days from their initial submission before another authority. The asylum application should be made within a reasonable time after entering the country, except in the case of irregular entry / residence when it ought to be made immediately,¹¹¹ otherwise it could be ruled out as manifestly unfounded.¹¹² The law does not foresee a maximum time limit for lodging the asylum application. If the asylum application is made before a state authority other than the SAR, status determination procedures cannot legally start until the asylum seeker is physically transferred from the border or detention centre to any of the SAR's reception centres for the so-called registration "in person" or "personal registration".¹¹³

The asylum procedure stages are unified in one, single regular procedure. Dublin and accelerated procedures are now considered as non-mandatory phases of the status determination, applied only by a decision of the respective caseworker, if and when information or indications are available to either engage the responsibility of another Member State to determine the asylum application in question,¹¹⁴ or to consider the asylum application as manifestly unfounded respectively.¹¹⁵

Admissibility procedure: An application can be deemed inadmissible if the applicant has been granted protection or a permanent residence permit in another EU Member State or "safe third country".¹¹⁶ An

¹⁰² EUAA, 'EUAA deploys to Bulgaria as over 530,000 Ukrainians enter the country', 6 September 2022, available at: <http://bit.ly/3kXMaBK>.

¹⁰³ EUAA, *Operational Plan 2022-2023 agreed with the European Union Agency for Asylum and Bulgaria*, December 2022, available at: <https://bit.ly/46wdfyf>.

¹⁰⁴ EUAA, *Operational Plan 2022-2023 agreed with the European Union Agency for Asylum and Bulgaria*, July 2023, available at: <https://bit.ly/3le14fb>.

¹⁰⁵ EUAA, *Operational Plan 2023-2026 agreed with the European Union Agency for Asylum and Bulgaria*, December 2024, available [here](#).

¹⁰⁶ EUAA personnel numbers do not include deployed interpreters by the EUAA in support of asylum and reception activities.

¹⁰⁷ Information provided by the EUAA, 14 March 2025.

¹⁰⁸ Information provided by the EUAA, 14 March 2025.

¹⁰⁹ Information provided by the EUAA, 14 March 2025.

¹¹⁰ Article 58(4) Law on Asylum and Refugees (LAR).

¹¹¹ Article 4(5) LAR.

¹¹² Article 13(1), items 11-12 LAR.

¹¹³ Article 61a(1) in conjunction with Article 68(1) item 1 LAR.

¹¹⁴ Article 67c(2) LAR.

¹¹⁵ Article 70(1) LAR.

¹¹⁶ Article 15 LAR.

admissibility assessment is also conducted with respect to subsequent applications which provides the opportunity to consider their admissibility based on a preliminary examination whether new elements or findings have arisen or been presented by the applicant relating to his personal situation or country of origin.¹¹⁷ An amendment of the national asylum law¹¹⁸ was presented following the recommendations provided by the Commission during the negotiations and implementation¹¹⁹ of the EC-Bulgaria pilot project on accelerated procedure. Based on the amendment, both admissibility and accelerated procedure's grounds were re-worded and reorganized in the text of the law to fully correspond to the respective provisions of the APD.

Accelerated procedure: The accelerated procedure is presently applied based on the decision of the caseworker assigned to the file, if and when there are information or indications to consider the application as manifestly unfounded based on a number of different grounds.¹²⁰ A decision should be taken within 14 working days from lodging, otherwise the application has to be examined under the regular procedure. The accelerated procedure is not applicable to unaccompanied children. In the upcoming amendment of the national asylum law¹²¹ following the recommendations from the European Commission both admissibility and accelerated procedure's grounds were re-worded and re-structured to correspond to the respective provisions of the APD.

Regular procedure: The regular procedure (titled under the law as a "Procedure for granting of an international protection") requires detailed examination of the asylum application on its merits. A decision should be taken within 4 months from the lodging of the asylum application but this deadline is indicative, not mandatory. The deadline can be extended by 9 additional months with an explicit decision in this respect by the Head of the SAR,¹²² but in any case, the SAR must conclude the examination procedure within a maximum time limit of 21 months from the lodging of the application.¹²³

Appeal: The appeal procedure mirrors the non-mandatory stages of administrative status determination:

- ❖ Dublin / Subsequent application: A non-suspensive appeal must be submitted within 7 days to the Administrative Court of Sofia, which has exclusive competence, in one instance;¹²⁴
- ❖ Accelerated procedure: A suspensive appeal must be submitted within 7 days to the territorially competent Regional Administrative Court, in one instance.
- ❖ Inadmissibility / Regular procedure: A suspensive appeal must be submitted within 14 days to the territorially competent Regional Administrative Court.

An onward appeal to the Supreme Administrative Court is possible for inadmissibility decisions and negative decisions taken in the regular procedure. In Dublin cases, subsequent applications and decisions taken under the accelerated procedure, only one appeal instance is applicable.

Legal aid can be granted by the court, if requested. All courts in all types of appeal procedures can revoke entirely the appealed administrative decisions and give mandatory instructions as to how the case must be decided at the first instance by the SAR. However, the courts do not have powers to grant protection directly or to sanction the SAR, if their instructions are not observed while reverted asylum applications

¹¹⁷ Articles 76a to 76c LAR; Article 76d in conjunction with Article 13(2)-(4) LAR.

¹¹⁸ Law on Asylum and Refugees draft amendments, published for public consultations on 5 January 2024, available in Bulgarian at: <https://bit.ly/3TbGP8m>.

¹¹⁹ SAR, Annual report on procedures for international protection in 2023, available in Bulgarian at: <https://bit.ly/3lgTCjm>.

¹²⁰ Article 70(1) LAR. The 14 applicable grounds are set out in Article 13(1) LAR.

¹²¹ Law on Asylum and Refugees draft amendments, published for public consultations on 5 January 2024, available in Bulgarian at: <https://bit.ly/3TbGP8m>.

¹²² The State Agency for Refugees is managed by a chairperson: Article 46 et seq. LAR.

¹²³ Article 75(5) LAR.

¹²⁴ Article 84(4) LAR.

are re-considered. The courts can only proclaim the re-issued decision as null and void after a new appeal procedure, if it ignores the previous instructions of the court.

Return decision: Bulgaria's approach regarding return decisions after rejection of an international protection application is that police authorities are obliged to automatically issue a return order to all irregular third country nationals (hereafter referred to as TCNs) apprehended at the border or inside the country's territory.¹²⁵ If the TCN applies for international protection, the implementation of the return order is suspended until the decision of the asylum authority becomes final.¹²⁶ If the asylum applicant is granted a positive decision, the return order is cancelled, and if in case of a negative decision, the return can be implemented immediately.

B. Access to the procedure and registration

1. Access to the territory and push backs

Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs? Yes No
2. Is there a border monitoring system in place? Yes No
3. Who is responsible for border monitoring? National authorities NGOs Other
4. How often is border monitoring carried out? Frequently Rarely Never

No institutional or practical arrangements or measures exist to ensure a differentiated approach to border control that gives access to the territory and protection for those who flee from war or persecution.

1.1 Push backs at land borders

Access of asylum seekers to the territory remained constrained in 2024.

Back in 2018, the government banned access to the 234 km border fence¹²⁷ built along the Bulgarian-Turkish border, as well as the possibility to take pictures or filming it by introducing a 300-meters security zone similar to border arrangements during the communist regime.¹²⁸ In 2021, the caretaker cabinet¹²⁹ transferred the responsibility for the management of the border fence from the district governors to the Ministry of Interior,¹³⁰ with repairs by specialised army units realised sporadically, as was the case also in 2024.¹³¹ In 2022, the European Border and Coast Guard Agency (Frontex) launched a Joint Operation Terra with standing corps officers, patrol cars and thermo-vision vehicles at EU's external land borders,¹³² taking place across 12 EU Member States, including Bulgaria. In 2024, FRONTEX deployed new personnel in the country with 240 new staff present. The majority were set to participate in mixed border

¹²⁵ Article 41 LARB.

¹²⁶ Article 67 LAR.

¹²⁷ Darik News, 'Забраняват заснемането на оградата по границата с Турция', 30 May 2018, available in Bulgarian at: <https://bit.ly/3K8bgFR>.

¹²⁸ From 9 September 1944 to 10 November 1989.

¹²⁹ dir.bg, 'Назначиха проверка за разрушената ограда на границата с Турция', 20 May 2021, available in Bulgarian at: <https://bit.ly/3FohyO2>.

¹³⁰ Darik News, 'МВР поема управлението върху оградата по българо-турската граница', 23 September 2021, available in Bulgarian at: <https://bit.ly/3A8K8Cd>.

¹³¹ Kompassbg.com, 'Спешен ремонт на оградата по границата ни с Турция разпореди Министерският съвет', 7 June 2024, available in Bulgarian [here](#).

¹³² FRONTEX, Frontex launches new land operation, 2 April 2022, available at: <https://bit.ly/3Yx2A1W>.

patrols along the main entry border¹³³ with Türkiye. In distinction with previous Frontex deployments, this time the mixed patrols¹³⁴ were positioned not only at key roads towards Serbia (I-8)¹³⁵ or Romania (I-9)¹³⁶, but also along the actual land border. It coincided with measures of intensified external control applied by the Turkish authorities on their side of the border, following extensive bilateral meetings at the end of 2023 and the beginning of 2024. During the period December 2023 to April 2024, Turkish border guards were present along the whole borderline with Bulgaria, with surveillance equipment installed and physical checks applied to vehicles and travellers on all main and secondary roads to Bulgaria. The cross-border cooperation with the border agencies of Türkiye and Greece also visibly intensified both through the operation of the tri-partite contact centre, opened in 2016 on Bulgarian territory at Kapitan Andreevo BCP,¹³⁷ as well as by weekly meetings at regional directorates' level.

Irregular migrants apprehended in Bulgaria: 2016-2024									
Apprehension	2016	2017	2018	2019	2020	2021	2022	2023	2024
Irregular entry	4,600	743	689	489	510	1,386	2,298	1,803	2,543
Irregular exit	4,977	2,413	353	494	924	1,097	2,337	1,990	2,207
Irregular stay on the territory	9,267	1,801	1,809	1,201	2,053	8,316	12,092	14,761	4,458
Total apprehensions	18,844	4,957	2,851	2,184	3,487	10,799	16,767	18,554	9,208

Source: Ministry of Interior, Migration Statistics, December 2016: <http://bit.ly/2Fx9h1Y>; December 2017: <http://bit.ly/2ntEXaR>; December 2018: <https://bit.ly/2sBEJ4z>; December 2019: <https://bit.ly/372jvz7>; December 2020: <https://bit.ly/3i01bgF>; December 2021: <https://bit.ly/3fhMfK>, December 2022: <https://bit.ly/3kRy7xE>, December 2023: <https://bit.ly/49u1JVY>, December 2024: <https://bit.ly/49u1JVY>.

In 2024 the overall number of the so-called 'prevented entries' reported by the authorities dropped significantly. For seven years since 1 January 2017 the Ministry of Interior stopped to disclose their number in its publicly available statistics. However, starting from January 2024, the Ministry of Interior resumed to publicly report these numbers and did so for the entirety of the year, thus making data available for both 2023 and 2024. In 2024, the authorities reported to have prevented the irregular entry of 52,534 persons.¹³⁸ It represented a 70% decrease in 2024 in comparison with 178,698 persons¹³⁹ in 2023. This decrease reflected also on alleged pushbacks, monitored and reported through the existing national border monitoring mechanism (see, Asylum procedure, 1.2. Border monitoring). The data were collected through a regular - weekly and daily - border monitoring, implemented by observers from the Bulgarian Helsinki Committee, a non-governmental organisation whose access to the border was arranged firstly in the 2004 Bi-lateral border monitoring agreement,¹⁴⁰ replaced in 2010 by the Tri-Partite Memorandum of Understanding.¹⁴¹ The BHC observers monitored two main geographically designated border areas along the Bulgarian-Turkish border: the green border area starting from Kapikule-Svilengrad-Ormenion border triangle to Hamzabeyli-Lesovo border crossing point (in the area of Svilengrad border police precinct) as well as the Sakar and Strandzha mountains' area, stretching from Elhovo to the Black Sea coast (in the area of Elhovo, Bolyarovo, Sredets, Malko Tarnovo and Rezovo border police precincts). In 2024, this

¹³³ MOI statistics, December 2024 report: 2,543 individuals apprehended at entry borders in 2024, of whom 96% or 2,432 individuals apprehended at the border with Türkiye, 16 January 2025, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹³⁴ Bulgarian-Frontex teams.

¹³⁵ See [here](#).

¹³⁶ See [here](#).

¹³⁷ Greek Embassy in Bulgaria, Откриване на граничния Контактен център Гърция – България – Турция, published on 2 December 2016, available in Bulgarian [here](#).

¹³⁸ MOI statistics, December 2024 Report, Tables on page 2, Migrants who independently returned to the territory of neighboring countries, published on 16 January 2025, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹³⁹ Ibid.

¹⁴⁰ Bi-lateral Memorandum between National Border Police Service with the Ministry of Interior and Bulgarian Helsinki Committee, signed on 15 December 2004.

¹⁴¹ Tripartite Memorandum of Understanding (MoU) among Border Police, UNHCR and Bulgarian Helsinki Committee, signed on 14 April 2010.

mechanism¹⁴² registered 3,548 alleged pushbacks affecting 43,282 persons, i.e. 75% decrease in comparison with the previous year.¹⁴³ The Ministry of Interior officially referred to the reported 52,534 persons 'prevented from entering' as 'irregular migrants, who before entering Bulgaria decided themselves to return back into the interior of neighbouring countries',¹⁴⁴ i.e. Türkiye. The number of cases of 'prevented entries' coincided to a great extent with those identified under the national monitoring mechanism as pushed back, either from the actual border or from the areas close to the border and already on Bulgarian territory. Reported since 2015,¹⁴⁵ pushback practices such as verbal abuse and physical violence, as well as the humiliating practices of unlawful detention, strip searches and illegal confiscation of footwear, clothing and other belongings, continued to be widely applied despite the presence of Frontex mixed teams along the land border with Türkiye. As in previous years,¹⁴⁶ the most tragic consequence of the lack of safe legal entry channels¹⁴⁷ to the European Union's territory at this external border, was the death toll among the migrants who attempted to enter irregularly through Strandzha or Sakar mountains, predominantly in the area of responsibility of Sredets and Bolyarovo border police precincts along the Bulgarian-Turkish border. At the end of 2024, the widely publicized deaths by frostbite of three allegedly Egyptian adolescents, aged between 17 and 25, sparked outrage. Non-governmental organizations¹⁴⁸ and international volunteer groups¹⁴⁹ accused the local Border police precinct of passivity, intentional obstruction to search and rescue operations and harassment of their team members. The MOI's internal investigation¹⁵⁰ found no wrongdoing on behalf of their staff, and the Prosecutor's office did not raise any formal charges. The MOI also claimed¹⁵¹ to have provided medical assistance to 515 migrants in distress at the Bulgarian-Turkish border during 2024, and to 53 migrants in January 2025 alone. In 2024, 16 out of a total of reported 17 people who died trying to cross the border found their death in Strandzha and Sakar mountains at the border with Türkiye. According to the medical examiners,¹⁵² the main causes of death identified were frostbite in winter months, as well as exhaustion, dehydration and malnutrition, at many instances in combination with energy drink or opioid use or overdose, the latter also forced by smugglers and traffickers to accelerate the walking pace of smuggled groups and individuals. In January 2025, civil society organizations¹⁵³ re-iterated their plea for the establishment of safe and legal entry channels for those who seek asylum and international protection, including by the creation of a special humanitarian visa for this purpose alone.

At the same time, and against the backdrop of a significantly decreased number of entries, the percentage of irregular migrants officially apprehended at the border with Türkiye increased by 41%.¹⁵⁴ Since 2014, for ten consecutive years these percentages were notoriously low compared to the number of irregular migrants apprehended on exit borders or inside the territory, as the majority of those trying to enter from Türkiye were pushed back. This increase is attributed¹⁵⁵ to the involvement of Frontex staff in mixed border patrols along the land borderline with Türkiye. Once officially arrested instead of pushed back, the

¹⁴² Tripartite Memorandum of Understanding (MoU) among Border Police, UNHCR and Bulgarian Helsinki Committee, signed on 14 April 2010.

¹⁴³ See, AIDA, Twelfth Update on Bulgaria, April 2024, page 30.

¹⁴⁴ MOI statistics, December 2024 Report, Migrants, who independently returned to the territory of neighboring countries, Tables on page 2, published on 16 January 2025, available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹⁴⁵ See, AIDA, Fourth Update on Bulgaria, 30 September 2015, page 20-21.

¹⁴⁶ Bulgaria On Air, Бразда с трупове: Трафиканти оставят мигранти да умрат на границата между България и Турция, 1 December 2023, available in Bulgarian at: <https://bit.ly/3PIJom3>.

¹⁴⁷ Bulgarian Helsinki Committee, Търсещите убежище стават жертва на липсата на легални способи за достъп до България, published on 29 January 2025, available in Bulgarian [here](#).

¹⁴⁸ Free Europe, Как три момчета загинаха в Странджа, а полицията 24 часа не допусна спасители до тях, published on 31 December 2024, available in Bulgarian [here](#).

¹⁴⁹ The Guardian, Bulgarian police 'blocked rescue' of teenage migrants who froze to death, published on 27 January 2025, available [here](#).

¹⁵⁰ MOI, reg. №328200-2905 from 5 February 2025.

¹⁵¹ Ibid.

¹⁵² Bulgarian National Television, МВР: Намерените в Странджа мигранти са починали от преумора, 6 January 2025, available in Bulgarian [here](#); Telegraph, Странджа-Сакар осеяни с трупове на бежанци, 17 September 2023, available in Bulgarian at: <https://bit.ly/3OXFpLX>.

¹⁵³ Bulgarian Helsinki Committee, Търсещите убежище стават жертва на липсата на легални способи за достъп до България, published on 29 January 2025, available in Bulgarian [here](#).

¹⁵⁴ MOI statistics: 2,543 individuals apprehended at entry borders in 2024, of whom 2,432 individuals at the border with Türkiye (2023: 1,803 individuals, of whom 1,729 at the border with Türkiye), available in Bulgarian at: <https://bit.ly/49x8Dd3>.

¹⁵⁵ Bulgarian Helsinki Committee, Monthly situation report, August 2024.

irregular migrants can obtain information on available legal procedures and to apply for international protection as soon as at the 24hrs border police facilities, or after their following transfer to pre-removal (detention) centres in Lyubimets or Busmantsi (see, [Detention of Asylum Seekers](#)). On 12 December 2024 the EU Council endorsed the full Schengen accession of Bulgaria and Romania from 1 January 2025. Prior to it, the government announced¹⁵⁶ more measures for strengthened control at the Bulgarian-Turkish border after the accession. The measures included allocating of 1200 national border policemen, constant 240 Frontex deployment and international teams of initially 100 staff, comprising 40 Romanian, 15 Austrian, 20 Hungarian and 25 Bulgarian border guards, as well as new echolocation equipment and high passable vehicles. The international teams began to operate¹⁵⁷ on 3 February 2025.

The overall decrease of new arrivals from Türkiye in 2024 was reflected also in terms of the number of individuals accessing the national asylum system. There was a significant decrease (- 45%) of registered asylum applicants compared to 2023, with just 12,250 registered applicants vis-à-vis the 22,518 applicants in 2023. Out of 2,543 migrants apprehended at the entry border in 2024 (2023: 1,803 migrants), 55 (2%) were able to apply for international protection at the national entry borders, but only 50% of them (i.e. 28 entry border applicants) had direct access to the asylum procedure without being detained. The remaining 50% (i.e. 27 entry border applicants) were sent to the pre-removal (detention) centres. These numbers remained similar to those registered in 2023, when 2% (i.e. 61 individuals) had direct access to the asylum procedure without being detained. Out of the total number, 57% (35 border applicants) were unaccompanied children referred to social services by the Border police.¹⁵⁸ For comparison, 1% (49 out of 4,233 border applicants) in 2022 had such direct access to procedure, while in 2021 3% (34 out of 1,065 entry border applicants) enjoyed access. In total, 75 unaccompanied children avoided detention as they were referred to social services by the police¹⁵⁹ under the referral arrangements introduced in 2018.¹⁶⁰ Out of them, 70 unaccompanied children were apprehended and referred by the Border Police, while 5 unaccompanied children were apprehended and referred by the Migration police after being apprehended within the country's territory.

1.2 Border monitoring

Under the 2010 tripartite Memorandum of Understanding between the Border Police, UNHCR and the Bulgarian Helsinki Committee (BHC),¹⁶¹ with funding provided by UNHCR, all three parties have access to any national border or detention facility at land and air borders, including airport transit zones, without limitations on the number of monitoring visits. Access to these facilities is unannounced and granted without prior permission or conditions on time, frequency or circumstances of the persons detained. Border monitoring visits along the Bulgarian-Turkish border are implemented minimum once a week in Kapitan Andreevo, Elhovo, Bolyarovo, Sredets, Malko Tarnovo and Rezovo BCPs as well as at the Bulgarian-Greek border at Novo Selo BCP. The BHC lawyers can interview the detainees and check the border registers. Monthly reports are prepared and shared internally. On this basis, the parties prepare and publish an annual border monitoring report.¹⁶²

In 2024, the Bulgarian Helsinki Committee under its UNHCR-funded project carried out regular border monitoring visits on a weekly (or daily, depending on the situation) basis, at the border with Greece and Türkiye, as well as Romania vis-a-vis Dunav Most BCP at Ruse Border Police Precinct as well as ad hoc visits at the Sofia Airport transit hall. During these visits, the Bulgarian Helsinki Committee can also obtain information from police records when needed to cross-check individual statements, but has access only to border detention facilities, not to border-crossing points *per se*.

¹⁵⁶ Euractive, 'Чужди полицаи ще помагат на границата с Турция след влизането в Шенген', 23 November 2024, available in Bulgarian [here](#).

¹⁵⁷ Mediapool, 'Шенген: Границата с Турция вече се пази от служители на четири държави', 3 February 2025, available in Bulgarian [here](#).

¹⁵⁸ MOI statistics, December 2023, available in Bulgarian at: <https://bit.ly/49u1JVY>.

¹⁵⁹ MOI statistics, December 2024, available in Bulgarian at: <https://bit.ly/49u1JVY>.

¹⁶⁰ Article 63k-63l LARB Regulations.

¹⁶¹ The Bulgarian Helsinki Committee had a bilateral agreement with the Border Police from 2004 to 2010.

¹⁶² The border monitoring reports are available at: <https://bit.ly/3mjDhNz>.

1.3 Legal access to the territory

National legislation and arrangements in principle do not envisage humanitarian visas or humanitarian reasons as legal grounds for permitting entry to or the right to stay in the country's territory.¹⁶³ There are several exclusions in the law, when humanitarian reasons can be taken into account during the visa procedure, but all of them relate to an alleviation of requirements to submit some of the documents, supporting the visa application or proving the grounds for its granting. The law allows the visa application on humanitarian or emergency grounds to be submitted outside the country of origin of the visa applicant.¹⁶⁴ The visa application can also be submitted on humanitarian or emergency grounds at the border crossing points (BCPs).¹⁶⁵ However, in these cases the border police can issue only transit visas with a 3-days validity, or a short-term visa stay with a 15-days validity.

In 2022, no new relocations were implemented mainly due to mass arrivals from Ukraine. In 2023, 94 Syrians were relocated from Cyprus, while 76 applicants from Greece and 10 from Italy. In 2024, another 7 Syrian nationals were relocated from Cyprus. Thus, the number of relocated persons reached a total of 187, including 70 evacuees from Afghanistan. The countries of origin varied from Syria and Afghanistan to Iraq, Eritrea, Pakistan, Egypt, while some of the relocated persons were stateless. No new relocations were carried out in 2024.¹⁶⁶ Out of all the relocated persons, except those relocated from Afghanistan, 78 individuals have been recognised as refugees so far, 97 individuals have been granted subsidiary protection ("humanitarian status"), 2 individuals were rejected, 1 individual accepted a voluntary return to his country of origin, 1 procedure was terminated, and 1 procedure is still pending.

Regarding resettlement, the government decided to resettle 100 Syrians from Türkiye on 29 March 2017, based on the arrangements outlined in the 2016 EU-Türkiye deal.¹⁶⁷ Up until 31 December 2024, Bulgaria resettled a total of 110 Syrian nationals from Türkiye, with 11 new resettlements implemented in 2024. All of them were granted international protection.

There is no official list of criteria applied in relocation or resettlement procedures in Bulgaria, but families with children are prioritized as a matter of practice. The SAR does not conduct security interviews with relocation candidates on site in Italy or Greece, but these are conducted with resettlement candidates in Türkiye. The SAR liaison officer examines the relevant files together with the Italian and Greek authorities. A document check of the relocated and resettled persons is performed by the State Agency for National Security (SANS) in Bulgaria and Türkiye, after which clearance is given for the relocation or resettlement to be carried out.

All relocated and resettled persons are being admitted directly to a regular procedure. All of them are accommodated in the refugee reception centre (RRC) in Sofia, **Vrazhdebna** shelter, which is considered as a model reception centre with material conditions above the minimum standards. Food, health care, initial orientation and social mediation is provided on site. However, no one receives monthly payment or other financial allowance nor pocket money, which is the treatment of all asylum seekers in Bulgaria since the abolition of the social financial assistance in February 2015 (see section on [Forms and Levels of Material Reception Conditions](#)).

2. Preliminary checks of third country nationals upon arrival

Indicators: Preliminary checks at the arrival point

1. Are there any checks that are applied systematically or regularly at the point of entry when a person enters the territory? Yes No
2. Is the person considered under law to have entered the territory during these checks? Yes No

¹⁶³ Article 5 Ordinance for Rules and Criteria for Visa Issuing and Visa Regime.

¹⁶⁴ Article 11 (6) Ordinance for Rules and Criteria for Visa Issuing and Visa Regime.

¹⁶⁵ Article 10 (2) Ordinance for Rules and Criteria for Visa Issuing and Visa Regime.

¹⁶⁶ SAR, reg. №АД-07-7 from 14 January 2025.

¹⁶⁷ Council of Ministers, Decision №750 from 30 November 2017.

Under the law,¹⁶⁸ the SAR must inform the State Agency for National Security (SANS - Държавна агенция “Национална сигурност”) of the registration of every asylum application. The SANS then conducts security assessments based on interviews with applicants, which are often held as soon as they are arrested by police, border and immigration officers (see, [3. Registration of the asylum application](#)).

In 2020, amendments to the law introduced a mandatory vulnerability assessment implemented by the SAR social experts with their vulnerability reports and recommendations referred to the case workers in order these circumstances to be taken into account in the decision-taking process. The SAR internal rules foresee that these two documents have to be added to the personal file to enable case worker to take them into account when examining the application. These activities have to be implemented also in the cases when the vulnerability or the special needs are established at a later stage of the asylum procedure. Additionally, an early identification questionnaire was created for applicants who experienced traumatising experiences in order to determine their special needs and to facilitate the referral to adequate psychological or medical care¹⁶⁹ (see, [1.1. Screening of Vulnerability](#)).

3. Registration of the asylum application

Indicators: Registration

1. Are specific time limits laid down in law for making an application? Yes No
❖ If so, what is the time limit for lodging an application?
2. Are specific time limits laid down in law for lodging an application? Yes No
❖ If so, what is the time limit for lodging an application?
3. Are registration and lodging distinct stages in the law or in practice? Yes No
4. Is the authority with which the application is lodged also the authority responsible for its examination? Yes No
5. Can an application be lodged at embassies, consulates or other external representations? Yes No

An asylum application can be made either before the specialised asylum administration, the SAR, or before any other state authority, which will be obligated to refer it immediately to the SAR.¹⁷⁰ Thus, asylum can be requested on the territory, at the borders before the Border Police staff, or in detention centres before the Migration Directorate staff of the Ministry of Interior. The asylum application should be made within a reasonable time after entering the country, except in cases of irregular entry or residence when it ought to be made immediately.¹⁷¹ Failure to make an application within a reasonable time or immediately in those cases can be a ground for rejecting it as manifestly unfounded under the [Accelerated Procedure](#).¹⁷²

If the asylum application is made before an authority different than the SAR, then status determination procedures cannot legally start until the asylum seeker is transferred from the border / detention centre and accommodated in any of the SAR's premises for registration to lodge the claim in person.¹⁷³ Under the law, this personal registration is to be implemented in any of the territorial units (see [Types of Accommodation](#)) of the SAR and within 3 working days after the making of the asylum application. Exceptions to this deadline are allowed only in cases where the asylum application is lodged before a different government authority or institution, in which case the deadline is set at 6 working days.¹⁷⁴

¹⁶⁸ Article 58 (10) LAR.

¹⁶⁹ Early Identification and Needs Assessment form (ФИОН), Individual Support and Referral Plan form (ФИПП) and Social Consultation form (ФСК).

¹⁷⁰ Article 58(4) LAR.

¹⁷¹ Article 4(5) LAR.

¹⁷² Article 13(1), items 11-12 LAR.

¹⁷³ Article 61a(1) LAR.

¹⁷⁴ Article 61a(1) LAR in conjunction with Article 58(4) LAR.

No significant delays were noted with respect to the release and registration of asylum seekers who applied while in immigration detention centres. In 2024, the average duration of detention was of 6 calendar / 4 working days, within the statutory time-limit.¹⁷⁵ For comparison, in 2023 the average detention duration was of 7 calendar / 5 working days. Registration took place without any delay compared to the established EU minimum standard.¹⁷⁶

An important improvement, firstly monitored in 2022¹⁷⁷ was maintained in 2024. It relates to the access to procedure of the so called ‘self-reported asylum seekers’, i.e. those who managed to enter and travel in Bulgaria undetected by the police to turn up on their own directly at a SAR reception centre (Sofia, Banya, Harmanli or Pastrogor) and seek protection. Since 2016 the SAR has been refusing to register the self-reported asylum seekers, instead it has been alerting the local police departments. As a result, the asylum seekers subjected to this practice have been arrested and detained in MOI pre-removal centres. For example, in 2021 this affected 196 newly arrived asylum seekers, among whom families with minor children and pregnant women. Since 2022, the practice was implemented in a more limited number of instances,¹⁷⁸ as was the case also in 2024¹⁷⁹ when it affected 83 out of 12,250 persons (0.4%) who had lodged an asylum application.¹⁸⁰ The cases in which SAR refused to register self-reported asylum seekers were reported regarding the reception centres in Ovcha Kupel (Sofia) and Vrazhdebna (Sofia).

Another improvement made in 2022 and maintained throughout 2023 and 2024 relates to registrations and status determinations carried out - in violation of the law - by SAR in MOI immigration detention centres. Under existing legal provisions,¹⁸¹ while SAR can in fact detain asylum seekers pending the asylum procedure, it has the power to do so only in closed SAR reception centres. Since 2015, SAR began to carry out registrations and asylum procedures in MOI immigration detention centres instead. In 2023, SAR reduced to a minimum this unlawful practice, carrying out only 1 procedure in a MOI immigration detention centre in Lyubimets, while in 2024 no such procedures were carried.¹⁸²

At the end of the process, the asylum seeker receives a registration card (регистрационна карта) in paper format. It should be noted, however, that the registration card is not issued to subsequent applicants.¹⁸³

Under the law,¹⁸⁴ the SAR must inform the State Agency for National Security (SANS - Държавна агенция “Национална сигурност”) of the registration of every asylum application. The SANS then conducts security assessments based on interviews with applicants, which are often held as soon as they are arrested by police, border and immigration officers. In practice, the SAR follows these assessments without conducting further investigations and rejects applications accordingly, even when the information is classified. National courts notoriously refuse to check or verify the facts raised by the SANS as security concerns in individual cases. As a result, in the past the European Court on Human Rights (ECtHR) repeatedly ruled that Bulgaria has been regularly violating the right to an effective remedy.¹⁸⁵ In 2023, a

¹⁷⁵ Article 6(1) recast Asylum Procedures Directive.

¹⁷⁶ Article 6(1) recast Asylum Procedures Directive.

¹⁷⁷ Bulgarian Helsinki Committee, 2022 Annual RSD Monitoring Report, published on 1 March 2023, available at: <https://bit.ly/3Jkd3t0>.

¹⁷⁸ Ibid.

¹⁷⁹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3OTqvGv>.

¹⁸⁰ Ibid.

¹⁸¹ Article 45(b) etc. LAR.

¹⁸² Bulgarian Helsinki Committee, 2024 Annual RSD Monitoring Report, 31 January 2025, available at: <https://bit.ly/3Jkd3t0>.

¹⁸³ Article 76c(3) LAR.

¹⁸⁴ Article 58 (10) LAR.

¹⁸⁵ ECtHR, *Al-Nashif and other v. Bulgaria*, Case N50963/99, 20 September 2002; *Musa and other v. Bulgaria*, Case N61259/00, 11 January 2007; *Hassan v. Bulgaria*, Case 54323/00, 14 June 2007; *Bashir and other v. Bulgaria*, Case N65028/01, 14 June 2007; *C.G. and other v. Bulgaria*, Case N1365/07, 24 April 2008.; *Raza v. Bulgaria*, Case N31465/2008, 11 February 2010; *Kaushal and other v. Bulgaria*, Case N1537/08, September 2010; *GC and other v. Bulgaria*, Case N1365/07, 24 June 2008; *O.D. v. Bulgaria*, Case N34016/18, 10 October 2019 ; *M.A. and other v. Bulgaria*, Case N5115/18, 20 June 2020.

decision¹⁸⁶ of the Supreme Administrative Court referring to CJEU jurisprudence (*Országos Idegenrendészeti Főigazgatóság and Others*, C-159/21, 22 September 2022) upheld that the result of the SANS written opinion considering a certain person a threat to national security should not be mandatorily taken into account in SAR decisions. The court found that the asylum agency not only had the jurisdiction but also the obligation to assess whether the evidence for it was sufficient and satisfactory, and that SAR cannot automatically uphold the SANS opinion, and exclude asylum-seekers from international protection only on this basis.

C. Procedures

1. Regular procedure

1.1 General (scope, time limits)

Indicators: Regular Procedure: General

- | | |
|---|---|
| 1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance: | 6 months |
| 2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Backlog of pending cases at first instance of 31 December 2024: | 6,051 |
| 4. Average length of the first instance procedure in 2024: | 4 to 6 months |

The LAR sets a 6-month time limit for deciding on an asylum application admitted to the regular procedure.¹⁸⁷ The LAR requires that, within 4 months of the beginning of the procedure,¹⁸⁸ caseworkers draft a proposal for a decision on the asylum application concerned. The asylum application should firstly be assessed on its eligibility for refugee status. If the answer is negative, the need for subsidiary protection on the account of a general risk to the applicant's human rights should also be considered and decided upon. The interviewer's position is reported to the decision-maker, who has another 2 months for consideration and decision. If evidence is insufficient for taking a decision within 6 months, the law allows for the deadline to be extended for another 9 months, but it requires the whole procedure to be limited to a maximum duration of 21 months. Determination deadlines are not mandatory, but only indicative. Therefore, even if these deadlines are exceeded, this does not affect the validity of the decision.

In 2024, the general 6 months deadline for issuing an asylum decision was observed in all cases.¹⁸⁹ According to the SAR, the average duration of asylum procedures on the merits ranges from 4 to 6 months,¹⁹⁰ although according to the available independent reports¹⁹¹ a four-month duration of the procedure was observed in 98% of the monitored cases.

In 2024, the number of new arrivals decreased to a total of 12,250 (-45%) in comparison with 22,518 asylum seekers in 2023 (+10%), 20,407 asylum seekers in 2022 (+85%), 10,999 asylum seekers (+212% increase) in 2021 and 3,525 asylum seekers in 2020.

In 2024, SAR issued 15,390 decisions in total. Out of these, 57 were decisions granting refugee status,

¹⁸⁶ Supreme administrative court, Decision №11467 from 22 November 2023, available in Bulgarian at: <https://bit.ly/3T9EZER>.

¹⁸⁷ Article 75 (1) LAR.

¹⁸⁸ Article 74 LAR.

¹⁸⁹ SAR, Annual report on procedures for international protection in 2024, available in Bulgarian [here](#); SAR, reg. №АД-07-7 from 14 January 2025.

¹⁹⁰ SAR, reg. No. №РД05-31 from 15 January 2024.

¹⁹¹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

4,951 decisions granting humanitarian status (i.e. subsidiary protection under the QD), 3,141 rejections and 7,299 decisions discontinuing the procedure, mainly due to absconding.¹⁹² Despite this, at the end of 2024 6,051 asylum cases were still pending.¹⁹³ This was likely due to the fact that the backlog of pending cases increased in previous years, going from 2,021 cases in 2020, 7,556 cases in 2021, 8,000 cases at the beginning of 2022¹⁹⁴ and 11,951 pending cases at the end of 2023. SAR staff competent to issue eligibility decisions counted 27 case-workers,¹⁹⁵ of whom 24 case-workers with competence to issue decisions on the substance of the asylum application and 3 case-workers with competence to issue decisions in Dublin procedure.

30% (7,299 persons) of the 24,201 asylum seekers with pending applications in 2024¹⁹⁶ abandoned their procedures in Bulgaria. This represented a decrease (-16%) compared to the 46% (16,211 persons) in 2023. For comparison, the rate of absconding was 45% in 2022, 26% in 2021, 39% in 2020, and 83% in 2019. The usual reasons motivating asylum seekers to abandon the asylum procedure in Bulgaria and abscond were the low recognition rate for certain nationalities, poor reception conditions, lack of integration opportunities, but most importantly their plans to reach other EU countries as a final destination from the onset of their flight. While in 2022 the Afghan applicants for the first time in a decade enjoyed a significantly higher recognition rate than in previous years, with 49% overall recognition (14% refugee recognition / 35% subsidiary protection rate), in the following years recognition rates lowered once again, going in 2024 to 10% (0.3% refugee recognition / 9.7% subsidiary protection) with the rejection rate standing at 90%. This likely motivated (32%)¹⁹⁷ of them, though less than in 2023 (68%) and 2022 (95%),¹⁹⁸ to abscond before their first instance decision, issued on the merits in 16%¹⁹⁹ of the caseload.

Out of the 15, 390 decisions taken, 47% of asylum procedures were terminated (discontinued) *in absentia*:

First instance SAR decisions on asylum applications: 2024		
In-merit decisions		
Refugee status	56	8,091
Subsidiary protection	4,894	
Unfounded	1,616	
Manifestly unfounded	1,466	
Inadmissible	59	
Abandoned applications		
Terminated	7,299	
Total	15,390	

Source: SAR.

1.2 Prioritised examination and fast-track processing

Prioritised examination is applied neither in law nor in practice in Bulgaria, although a specific procedure is applied with respect to [Subsequent Applications](#).

¹⁹² SAR, reg. №АД-07-7 from 14 January 2025; SAR, Annual report on procedures for international protection in 2024, available in Bulgarian at: <https://bit.ly/3lgTCjm>.

¹⁹³ SAR, reg. №АД-07-7 from 14 January 2025: 24,201 applications pending decision in 2024, of which 12,250 submitted in 2024 and 11,951 pending from 2023.

¹⁹⁴ Teleconference with SAR Deputy on Procedure from 20 January 2023.

¹⁹⁵ SAR, reg. №АД-07-7 from 14 January 2025.

¹⁹⁶ Ibid.

¹⁹⁷ SAR, reg. No. №РД05-31 from 15 January 2024: 1,969 discontinued procedures out of all 6,159 Afghan applicants pending in 2023, of whom 1,980 applied in 2024 and 4,179 were pending from 2023.

¹⁹⁸ See, AIDA 2023 and 2022 Updates on Bulgaria.

¹⁹⁹ See, Table Statistics, page 9 of this report: 360 Afghan decisions on the merits.

1.3 Personal interview

Indicators: Regular Procedure: Personal Interview

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the regular procedure? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. In the regular procedure, is the interview conducted by the authority responsible for taking the decision? Yes No
3. Are interviews conducted through video conferencing? Frequently Rarely Never
4. Can the asylum seeker request the interviewer and interpreter to be of a specific gender? Yes No
 - ❖ If so, is this applied in practice during interviews? Yes No

After registration is completed, a date for an interview is set. The law requires that asylum seekers whose applications were admitted to the regular procedure be interviewed at least once regarding the facts and circumstances of their applications.²⁰⁰ The law requires that the applicant be notified in due time of the date of any subsequent interviews. If the interview is omitted, decisions cannot be considered in accordance with the law, unless it concerns a medically established case of insanity or other mental disorder.²⁰¹ In practice, all asylum seekers are interviewed at least once to determine their eligibility for refugee or subsidiary protection (“humanitarian status”). Further interviews are usually only conducted if there are contradictions in the statements or if some facts need to be clarified.²⁰² In 2020, amendments to the LAR extended the opportunity to gather expert opinions, including on age, gender, medical, religious, and cultural issues as well as such specific to children.²⁰³ The law also introduced instructions on COI sources and information gathering.²⁰⁴

The SAR uses the standard set of questions used during eligibility interviews and relied entirely on caseworkers’ decision regarding whether to ask open questions. However, such type of questions are rarely, if ever, asked during the interview. The standardized interview form is applied to all, including unaccompanied children, without any adaptation or account to children’s level of maturity. This has resulted in a poor quality of examination of asylum claims; i.e. little investigation of the individuals’ statements and refugee stories. At the beginning of 2023, the new SAR management introduced an interview set of questions adapted for asylum seeking children, including unaccompanied ones.²⁰⁵ In 2024 these adapted questions were applied in practice only in 55% cases²⁰⁶ of interviewed children, while the interviews with the rest 45% of them were conducted using questions prepared for adult applicants. The monitoring demonstrated²⁰⁷ that in the majority of the cases the use of interviewing template was counterproductive, as case-workers not only limited the investigation of the case to the pre-set list of questions, but also did not in general provided applicants an opportunity to present their accounts freely and without interruptions.

There are no guidelines or a code of conduct for asylum caseworkers to elaborate on the methodology for conducting interviews specifically. Similarly, there are currently no age or gender-sensitive mechanisms in place in relation to the conduct of interviews, except for the asylum seekers’ right to ask

²⁰⁰ Article 63a (3) LAR.

²⁰¹ Article 63a (7) LAR in conjunction with Article 61a (5) LAR.

²⁰² Article 63a (5) LAR.

²⁰³ Article 61a (2)-(4) and (6) LAR.

²⁰⁴ Article 63(3) LAR.

²⁰⁵ SAR, reg. №ПД05-40 from 16 January 2023.

²⁰⁶ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

²⁰⁷ Ibid.

for an interpreter of the same gender.²⁰⁸ In 2024,²⁰⁹ considering all the cases in which the case-worker and the asylum seeker were of different gender, in 13% (9% in 2023) the asylum seeker was informed about the possibility to request that the interview be conducted by an interviewer of the same gender, and in 45% (20% in 2023) about the possibility to request an interpreter of the same gender. Although gradually improving, these percentages are far from the required standard of all asylum seekers being informed that they can request an interviewer and interpreted from the same gender.

1.3.1. Interpretation

The presence of an interpreter ensuring interpretation into a language that the asylum seeker understands is mandatory according to the LAR. The law provides for a gender-sensitive approach as interviews can be conducted by an interviewer and interpreter of the same sex as the asylum seeker interviewed upon request.²¹⁰ In practice, all asylum seekers are asked explicitly whether they would like to have an interviewer or interpreter of the same sex in the beginning of each interview, although cases when this obligation is omitted by the caseworker still occur in many cases (see above 1.3. Personal interview).

In 2024,²¹¹ considering all the cases in which the interpreter and the asylum seeker were of different gender, in 45% (20% in 2023) the asylum seeker was informed about the possibility to request an interpreter of the same gender, where in the remaining 55% of the cases this information was not provided. As a result, in 48% of the cases where the SAR failed to provide this required information, the female applicants were interviewed with the assistance of male interpreters.²¹²

For many years since 2014, the low fees paid for interpretation by the asylum agency SAR remained one of main reasons for the lack of proper interpretation during the eligibility interviews at first instance. In 2023, the SAR attempted to solve this problem by using shared interpretation services with the Ministry of Foreign Affairs.²¹³ However, this approach proved inadequate due to significant delays in interpreters' appointment in asylum procedures due to their workload and other MFA related commitments.²¹⁴ Following the beginning of EC-Bulgaria pilot project on accelerated procedure in mid-2023,²¹⁵ the Commission deployed additional interpreters to be used by SAR through the duration of the project. This support for interpretation was extended until the end of 2024 under the EUAA and Bulgaria operational plan, signed in July 2023,²¹⁶ amended and extended in December 2024 until the end of 2026.²¹⁷ Thus, in 2024, the SAR continued to be supported by the EUAA in securing the interpretation in asylum procedures at the first instance. In total, 24 interpreters from all major languages were selected and financed by the EUAA in 2024. However, this support exhibited certain problems mainly related to the selection being applied without any specific requirements other than proficiency in the language in question. According to the Bulgarian Helsinki Committee's evaluation, most of them were not properly instructed on national asylum procedures or appropriate and impartial behaviour. In several anecdotal cases in 2023²¹⁸ and 2024²¹⁹ asylum seekers hosted in the Pastrogor Transit Centre and Sofia reception centre complained that their assigned interpreters had been either providing misleading information, resulting in failure to appeal on time negative first instance decisions, or making inappropriate or abusive comments after the

²⁰⁸ Article 63a (6) LAR.

²⁰⁹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

²¹⁰ Article 63a(6) LAR.

²¹¹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

²¹² Ibid.

²¹³ SAR, reg. No. №PД05-31 from 15 January 2024.

²¹⁴ 126th Coordination Meeting, held on 5 October 2023.

²¹⁵ See, AIDA 2023 Update on Bulgaria.

²¹⁶ EUAA, Operational Plan 2022-2023 agreed with the European Union Agency for Asylum and Bulgaria, July 2023, available at: <https://bit.ly/3le14fb>.

²¹⁷ EUAA, Operational Plan 2024-2026 agreed with the European Union Agency for Asylum and Bulgaria, as amended in December 2024, available [here](#).

²¹⁸ Bulgarian Helsinki Committee, 2023 Annual Report on Human Rights, available in Bulgarian at: <https://bit.ly/3SX3ST7>.

²¹⁹ Bulgarian Helsinki Committee, reg. №Б-29 from 2 October 2024.

end of the interview. Following the submission of formal complaints to SAR, and subsequent communication to EUAA the contracts of the interpreters in question were terminated.²²⁰

Interpretation is secured mainly from English, French, Russian, Farsi, Dari, Pashto, Urdu and Arabic languages. Interpreters from other key languages such as Kurdish (Sorani or Pehlewani), Tamil, Ethiopian and Swahili are scarce and largely unavailable. In such cases, as well as in cases when an interpreter from the spoken language is available in another reception centre, the asylum administration organises videoconference interpretation. Communication interruptions and other technical problems are the most common obstacles during interpretation via videoconference. It often creates an environment which does not allow the applicant to present properly his accounts in a detailed and systematic way, thus preventing the case worker from clarifying the relevant facts and circumstances for the decision-making process.

100% of the monitored court hearings were assisted by interpreters in 2024.²²¹ In appeal proceedings before the national courts, in 90% of the monitored cases where the applicant attended the hearing the interpreter was present and assisting the appellant.²²²

The lack of adequate budget for interpretation also affects the translation of written evidence, in cases where written evidence is submitted by applicants. In view of making savings and accelerating the procedure, caseworkers are told to advise the applicants to pay for translation fees of their documents themselves so as to be taken into consideration during the status determination or to accelerate the decision-making process.

1.1.1. Recording and report

The law provides for mandatory audio or audio-video tape-recording of all eligibility interviews as the best safeguard against corruption and for unbiased claim assessment.²²³ The positive practice in this regard persisted in 2021, 2022, 2023 and 2024, as 100% of the monitored interviews were tape-recorded. This being said, the benefits of such a procedure are hindered by the fact that, in practice, caseworkers take a decision based on their own notes rather than the actual audio recording.

Videoconference interpretation during registration and eligibility interviews is also used, usually in **Pastrogor**, **Harmanli** and **Banya** (the reception centres outside the capital **Sofia**), where interpreters are harder to find and employ, in which case interviews are conducted with the assistance of the interpreters who work in **Ovcha Kupel**, **Vrazhdebna** and **Voenna Rampa**, the reception centres and shelters in Sofia. This type of interpretation creates additional difficulties for the applicants, as video communication significantly delays the process of statements' collecting.

All interviews are conducted by staff members of the SAR, whose competences include interviewing, case assessment and preparing a draft decision on the claim. In practice, almost all interviews continue to be recorded also in writing by interviewers by summarising and typing questions / answers in the official protocol. A report of the interview is prepared and it shall be read to, and then signed by the applicant, the interpreter and by the caseworker.

In 2024,²²⁴ in 9% of the monitored procedures the registration forms or the records from the interviews were not read out to asylum seekers, which was a progress in comparison to 2023, when this obligation was not respected in 22% of the monitored cases, on the background of 18% in 2022, and 24% in 2021.

²²⁰ SAR, reg. №ЛJY-16-446-3 from 28.06.2024.

²²¹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

²²² Ibid.

²²³ Article 63a(3) LAR.

²²⁴ Bulgarian Helsinki Committee, 2024 Annual Report on Human Rights, available in Bulgarian at: <https://bit.ly/3SX3ST7>.

Compliance with EU standards²²⁵ in this respect is of paramount importance considering that, under such circumstances, the information recorded in the report of the interview could be prone to potential manipulation, and the applicant would require a phonetic expertise requested in eventual appeal proceedings to validly contest the content of the report in case of inaccuracies. Court expertise expenses in asylum cases have instead to be met by the appellants.²²⁶

Notwithstanding the small number of asylum seekers who presented any evidence to support their claims, in a small percentage of cases, caseworkers continued to omit at some instances their obligation to collect these pieces of evidence with a separate protocol, a copy of which should be served to the applicant. In 98% of monitored cases,²²⁷ asylum seekers were informed about their obligation to submit all the available evidence to support their statements. In the remaining 2% this was not done. In 31% of monitored cases, asylum seekers submitted evidence in support of their asylum claim; in 45% of them the evidence was properly protocolled. Hence, the important safeguard that the submitted evidence would be taken into consideration in the decision-making was not observed in 55% of the monitored cases. This marked a regress when compared to 2023, when this omission was made in 38% of the cases (51% in 2022; 16% in 2021 and 12% in 2020).

1.4 Appeal

Indicators: Regular Procedure: Appeal

1. Does the law provide for an appeal against the first instance decision in the regular procedure?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Judicial	<input type="checkbox"/> Administrative
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Some grounds <input type="checkbox"/> No

 - ❖ If yes, is it
 - ❖ If yes, is it suspensive

2. Average processing time for the appeal body to make a decision: Up to 3 months

A negative decision taken in the regular procedure on the merits of the asylum application can be appealed within 14 days from its notification. In general, this time limit has proven sufficient for rejected asylum seekers to get legal advice, prepare and submit the appeal within the deadline. The SAR has to provide information - in the form of a list - to rejected asylum seekers as to where and how they can receive legal aid when serving a negative decision, an obligation that is respected in practice (see [Regular Procedure: Legal Assistance](#)).

Two levels of appeal are accessible in the regular procedure,²²⁸ in contrast to appeal procedures for contesting decisions taken in [Dublin: Appeal](#), [Accelerated Procedure: Appeal](#) and inadmissibility of [Subsequent Applications](#) procedures, where first instance decisions are reviewed in only one court appeal instance.²²⁹

Appeal procedures are only judicial; the law does not envisage an administrative review of asylum determination decisions. Since a 2014 reform, competence for appeals in the regular procedure is distributed among all Regional Administrative Courts, designated as per the residence of the asylum seeker who has submitted the appeal.²³⁰ Up to the present moment, however, the reform failed in significantly redistributing the caseload among the national courts, as the majority of asylum seekers reside predominantly in reception centres or in private accommodation in **Sofia** and **Harmanli**. Therefore, the **Sofia** and **Haskovo** Regional Administrative Courts continue to be the ones with the highest caseload, dealing with the appeals against negative first-instance decisions.

²²⁵ See Court of Justice of the European Union (CJEU), Case C-348/16 Sacko, Judgment of 26 July 2017, para 35; Case C-249/13 Boudjlida, Judgment of 11 December 2014, para 37; Case C-166/13 Mukarubega, Judgment of 5 November 2014, para 47.

²²⁶ Article 92 LAR.

²²⁷ Bulgarian Helsinki Committee, 2024 Annual Report on Human Rights, available in Bulgarian at: <https://bit.ly/3SX3ST7>.

²²⁸ Article 85(4) LAR

²²⁹ Article 85(3) LAR in conjunction with Article 84(1)-(2) LAR.

²³⁰ Article 84(2)-(4) LAR in conjunction with Article 133 Administrative Procedure Code.

Both appeals before the first and second-instance appeal courts have automatic suspensive effect.

The first appeal instance conducts a full review of the case, both on the facts and the points of law. Asylum seekers are summoned and questioned in a public hearing as to the reasons they applied for asylum. Decisions are published,²³¹ but also served personally to the appellant.

If the first instance appeal decision is negative, asylum seekers can bring their case to the second (final) appeal court, the Supreme Administrative Court (SAC); in this case, the appeal can only regard, points of law, and does not entail an in-merit examination of the case. At the end of 2019, the Chairperson of the Supreme administrative court took the controversial decision to move the asylum cases from the 3rd to 4th department. While the 3rd department of the SAC had been dealing with asylum cases for more than twenty-two years since the establishment of the Supreme Administrative Court in 1997, the 4th department had never been assigned such cases prior to the decision. The arrangement led to a deterioration of the quality of the decisions issued on asylum cases at this highest court instance, whose jurisprudence sets the standards for all lower national administrative courts. However, starting from the beginning of 2024 the SAC's 3rd department resumed to deal with the asylum cases. In 2024, the SAC issued negative decisions in 74% of the examined asylum cases,²³² which still represents the majority of the asylum cases brought before the court. However, this still represents an improvement, as in 2023 this percentage was 86% of the caseload.

First instance appeal courts must issue their decisions within one month. The Cassation Court is not bound by such deadline. However, even for the first instance court this deadline is indicative and therefore in the past it was not respected, with an average duration of an appeal procedure before the court at both judicial instances up to 12 months. In 2024, regional courts issued their decisions in a period of one month on average, while the Supreme administrative courts did it in a period between 1 to 3 months on average. If the court reverts the first instance decision back, the SAR has 3 months to issue a new decision,²³³ complying with the court's instructions on the application of the law. As in previous years, SAR did not fully observe these deadlines, although in 2024 it did not issue any repeated refusals going against the court's instructions.²³⁴ In the past, repeated appeal procedures against the second SAR negative decisions issued in breach of the court instructions, caused some asylum procedures to extend for over 2-3 years. Therefore, the fact that, in 2024, as in 2023 and 2022, SAR observed court instructions, significantly improved the effectiveness of the judicial control in particular, and in general the length of the asylum procedure.

1.5 Legal assistance

Indicators: Regular Procedure: Legal Assistance

1. Do asylum seekers have access to free legal assistance at first instance in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in interview
 Legal advice
2. Do asylum seekers have access to free legal assistance on appeal against a negative decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in courts
 Legal advice

The general legal aid system was introduced in Bulgaria in 2005, extending it to court representation in all types of cases beyond its mandatory provision in criminal, child protection and tort disputes. In 2017

²³¹ The Court decisions are available at: <https://bit.ly/2OZU62r> (Sofia court), <https://bit.ly/39nuVjv> (Haskovo court), <https://bit.ly/2MOgihu> (Sliven court) and <https://bit.ly/2XxkioP> (Supreme administrative court).

²³² SAR, Annual report on procedures for international protection in 2024, available in Bulgarian [here](#).

²³³ Article 85(5) LAR.

²³⁴ SAR, reg. №АД-07-7 from 14 January 2025.

the scope of the legal aid was extended²³⁵ to include oral consultations at the national help line²³⁶ or in regional legal aid centres. The condition for the legal aid to be provided is for the person in need of support to lack means and resources to engage a lawyer privately against remuneration.

Since 2013, the Law on Legal Aid provides mandatory legal aid for asylum seekers at all stages of the status determination procedure, funded through the state budget.²³⁷ In practice, due to insufficient funding, free legal aid is only provided to vulnerable persons²³⁸ upon their explicit request. Amendments to the law in 2020 also entrusted to registered legal aid lawyers²³⁹ the representation of unaccompanied asylum seeking and refugee children both during the procedure, but also after their recognition. Prior to 2022, the law did not explicitly provide that legal aid should be available for beneficiaries of international or temporary protection. The National Legal Aid Bureau in October 2022 put forward a draft proposal to amend the law and include these categories in the scope of the legal aid.²⁴⁰ The amendment was adopted in December 2022 and entered into force on 26 December 2022.²⁴¹ Together with these amendments, the law included in the scope of the legal aid the legal counselling and the preparation of documents for initiating or conducting administrative proceedings, or to appeal the decisions, issued in such proceedings.²⁴²

1.5.1 Legal assistance at first instance

Asylum seekers have the right to ask for the appointment of a legal aid lawyer from the moment of the registration of their asylum application.

After the end of its 2017-mid-2021 AMIF funded project on provision of legal aid to asylum seekers during the administrative phase of the procedure,²⁴³ the National Legal Aid Bureau agreed to continue representing vulnerable applicants under its general rules, which would require the asylum seekers to fill in and submit complicated legal aid applications. The NGO Bulgarian Helsinki Committee, funded by UNHCR, assisted the NLAB with the adaptation and translation of the legal aid forms in English, French, Russian, Arabic, Farsi, Dari, Pashto, Urdu, Kurdish and Turkish languages to facilitate the access to legal aid to vulnerable applicants. A problem persists, however, for those who are illiterate and where the assistance of case workers is the only way to get access to legal aid. Yet, some of them are reluctant to grant access to legal aid as it would mean that their role in and quality of the procedure would be assessed. Therefore, although 55 asylum seekers were identified as vulnerable or with specific needs by SAR in 2024, none of them, or any other applicants, was assisted to get free legal aid at the first instance,²⁴⁴ with the only exclusion of the statutory representation of unaccompanied asylum-seeking children based on Article 25 LAR provision (see next paragraph). Over the last two years, this continued to be the most significant deterioration of national practices in this respect, vis-a-vis 50 vulnerable adult applicants assisted with state provided legal aid at first instance in 2021, and 818 vulnerable adult applicants in 2020.²⁴⁵

²³⁵ Articles 30d to 30o Law on Legal Aid, as amended St.G. №13 from 7 February 2017.

²³⁶ National Legal Aid Bureau, tel. 0700 18 250.

²³⁷ Article 22(8) Law on Legal Aid.

²³⁸ §1(17) from Additional Clauses LAR, namely: children, unaccompanied children, disabled, elderly, pregnant, single parents taking care of underage children, victims of trafficking, persons with serious health issues, psychological disorders or persons who suffered torture, rape or other forms of psychological, physical or sexual violence.

²³⁹ National Legal Aid Register, available in Bulgarian at: <https://bit.ly/42Syzxe>.

²⁴⁰ National parliament, Draft amendment of the Law on Legal Aid, reg.No. 48-202-01-19 from 28 October 2022, available in Bulgarian at: <https://bit.ly/3ygoCei>.

²⁴¹ State Gazette No.102 from 23 December 2022.

²⁴² Article 21 (1) Law on Legal Aid, as amended St.G. №102 from 2022.

²⁴³ National Legal Aid Bureau, 'Обява за конкурс за адвокати за работа по проект', 29 January 2018, available in Bulgarian at: <http://bit.ly/2DP376C>.

²⁴⁴ SAR, reg. №АД-07-7 from 14 January 2025.

²⁴⁵ SAR, reg. №РД05-40 from 16 January 2023.

Amendments to the law introduced at the end of 2020 brought a major change in the legal representation of unaccompanied asylum seeking and refugee children.²⁴⁶ The obligation to represent these children not only in the procedure, but also after the recognition and before all agencies and institutions with regard to their rights and entitlements, was shifted from the municipalities to the National Legal Aid Bureau.²⁴⁷ The law also introduced conditions for the qualification of the appointed legal aid lawyers and requirements for a representation in the child's best interest. Starting from July 2021, 16 lawyers from the Sofia Bar, 8 lawyers from Haskovo Bar and 3 lawyers from Sliven Bar began implementing the representation of unaccompanied asylum seeking and refugee children. In February 2024, NLAB recruited 20 additional lawyers (18 in Sofia and 2 in Haskovo), vis-à-vis its planned expansion of the Article 25 selected list of representatives.²⁴⁸ In September 2023, the non-governmental organisation Bulgarian Helsinki Committee communicated its first annual report assessing the quality of the representation provided by Article 25 legal aid lawyers. The general feedback from children remained predominantly positive with respect to legal aid lawyers acting in Sofia reception centres and predominantly reserved to negative with respect to legal aid lawyers acting in Harmanli reception centre.²⁴⁹ The monitoring was extended in 2024, based on a formal agreement²⁵⁰ between the Ministry of Justice and UNICEF. The next report, due in March 2025 has to provide both general findings about the overall quality of the legal representation as well as individual assessment of acting legal aid lawyers. On 14 March 2024, the NLAB Executive Committee decided that quality assessments of legal aid providers ought to be introduced in the law in order to allow striking of underperforming representatives out of the limited Article 25 list. Such amendments had been already proposed and included in the draft law, submitted by SAR in February 2024,²⁵¹ however the draft never made to the Parliament due to the continued constitutional crisis experienced by the country since mid-2022 (see, [Overview](#)).

Other asylum seekers, who were not recognised as having specific vulnerabilities, did not enjoy access to legal aid at the first instance of the asylum procedure even in previous or following years.

1.5.2 Legal assistance in appeals

The aforementioned AMIF-funded pilot project on legal aid, which was carried out up until 31 January 2021, also covered assistance in the preparation of appeals before the court. As mentioned above, it ended on 31 July 2021.

Otherwise, for regular applicants on appeal, national legal aid arrangements only provide for state-funded legal assistance and representation after a court case has been initiated, i.e. after the appeal has been drafted and lodged. As a result, asylum seekers rely entirely on NGOs or private practitioners for their access to the court, namely for drafting and lodging the appeal.

²⁴⁶ National Parliament, Amendments on the Law on Asylum and Refugees (LAR), State Gazette No.89 from 16 October 2020, available at: <https://bit.ly/2LoUMiG>.

²⁴⁷ Article 25 LAR.

²⁴⁸ It is important to note that not all listed legal aid lawyers can serve as representatives of unaccompanied children. Only those who meet certain additional criteria, when recruitment is announced by NLAB, can be listed among the limited number of those selected as fit to represent unaccompanied children.

²⁴⁹ Bulgarian Helsinki Committee/UNICEF, Monthly Progress Report on child protection, 10 January 2024.

²⁵⁰ Memorandum of Understanding and Cooperation between Ministry of Justice of the Republic of Bulgaria and the United Nations Children's Fund (UNICEF), signed on 19 September 2024.

²⁵¹ SAR, reg.NoLJY-04-408 from 14 February 2024.

2. Dublin

2.1 General

Dublin statistics: 1 January – 31 December of 2024

Outgoing procedure			Incoming procedure		
	Requests	Transfers		Requests	Transfers
Total	118	45	Total	10,691	589
Take charge	54	44	Take charge	598	29
Austria	4	1	Austria	17	6
Belgium	3	4	Belgium	17	0
Switzerland	1	1	Cyprus	1	1
Germany	23	21	Czech Republic	2	0
Spain	3	0	Finland	5	0
Greece	1	1	France	58	0
Italy	3	1	Germany	384	12
Luxembourg	1	0	Greece	33	0
Malta	3	6	Italy	13	0
Netherlands	6	1	Latvia	1	0
Norway	4	2	Netherlands	16	1
Sweden	2	2	Norway	10	4
Finland	0	2	Poland	5	0
France	0	2	Romania	7	1
			Slovenia	1	0
			Sweden	14	2
			Switzerland	14	2
Take back:	64	1	Take back:	10,093	560
Austria	9	0	Austria	886	120
Belgium	3	0	Belgium	372	26
Switzerland	1	0	Croatia	225	1
Cyprus	1	0	Czech Republic	15	3
Germany	22	0	Denmark	4	2
Denmark	1	0	Finland	8	3
Spain	2	1	France	789	46
France	3	0	Germany	5,533	275
Greece	2	0	Greece	7	0
Croatia	1	0	Iceland	1	0
Hungary	2	0	Ireland	62	0
Latvia	1	0	Italy	101	0
Luxembourg	2	0	Luxembourg	2	0
Netherlands	6	0	Malta	15	0
Norway	1	0	Netherlands	345	45
Romania	2	0	Norway	18	5
Sweden	4	0	Poland	2	0

Slovenia	1	0	Romania	155	1
			Slovakia	9	5
			Slovenia	1261	2
			Sweden	21	6
			Switzerland	262	20

Source: SAR.

Outgoing Dublin requests by criterion: 2024		
Dublin III Regulation criterion	Requests sent	Requests accepted
“Take charge”: Articles 8 to 17		
Article 8 (minors)	54	28
Article 9 (family members granted protection)	35	19
Article 10 (family members pending determination)	9	4
Article 11 (family procedure)	1	1
Article 12 (visas and residence permits)	0	0
Article 13 (entry and/or remain)	3	2
Article 14 (visa free entry)	1	1
“Take charge”: Article 16	0	0
“Take charge” humanitarian clause: Article 17(2)	0	0
“Take back”:	5	1
Article 18 (1) (b)	64	2
Article 18 (1) (c)	63	2
Article 18 (1) (d)	0	0
Article 20(5)	1	0
	0	0

Source: SAR.

Incoming Dublin requests by criterion: 2024		
Dublin III Regulation criterion	Requests received	Requests accepted
“Take charge”: Articles 8	598	29
Article 8 (minors)	6	1
Article 9 (family members granted protection)	92	0
Article 10 (family members pending determination)	34	0
Article 11 (family procedure)	50	0
Article 12 (visas and residence permits)	354	28
Article 13 (entry and/or remain)	40	0
Article 14 (visa free entry)	0	0
“Take charge”: Article 16	2	0
“Take charge” humanitarian clause: Article 17(2)	20	0
“Take back”: Articles 18 and 20(5)	10,093	466
Article 18 (1) (b)	10,079	0
Article 18 (1) (c)	9	404

Article 18 (1) (d)	4	62
Article 20(5)	1	0

Source: SAR.

The LAR does not establish criteria to determine the state responsible, but simply refers to the criteria listed in the Dublin Regulation.

2.1.1 Application of the Dublin criteria

Family unity criteria are applied fully, though in practice the prevailing type of cases relate to joining family members outside Bulgaria, not the opposite. If the family link cannot be established or substantiated through relevant documents, some EU Member States (**Netherlands**) require DNA tests in cases of unaccompanied children to prove their origin. In such cases the parent or parents are usually advised to travel to Bulgaria and provide blood samples to be matched, tested, and compared with the unaccompanied child or children’s DNA. Considering that the majority of asylum seekers arrive in Bulgaria via **Türkiye** and **Greece**, cases when the responsibility of another EU Member State can be established under any other of the Dublin criteria, except the family provisions, are scarce.

The most common criteria that continue to be applied in incoming cases are previously issued documents and first Member State of entry, as well as “take back” cases. Bulgaria accepts responsibility for the examination of asylum applications based on the humanitarian clause, and mostly vis-à-vis document and entry reasons. In 2024, Bulgaria received 10,691 incoming requests and made 118 outgoing requests, compared to 17,899 incoming and 136 outgoing requests in 2023; 20,014 incoming and 175 outgoing requests in 2022; 7,811 incoming and 190 outgoing requests in 2021; 1,904 incoming requests and 116 outgoing requests in 2020; and 3,088 incoming and 80 outgoing requests in 2019.

Incoming / Outgoing Dublin requests ratio: 2019 - 2024		
Year	Incoming requests	Outgoing requests
2019	3,088	80
2020	1,904	116
2021	7,811	190
2022	20,014	175
2023	17,889	136
2024	10,691	118

2.1.2 The dependent persons and discretionary clauses

In the past, the sovereignty clause under Article 17(1) of the Regulation was used in few cases, mainly for family or health condition reasons. The sovereignty clause has never been applied for reasons different than humanitarian ones. Since 2017 and including in 2021, Bulgaria did not apply the sovereignty clause. In 2022, Bulgaria applied the humanitarian clause of Article 17(2) in 1 case, but none in 2023 and 2024.

2.2 Procedure

Indicators: Dublin: Procedure

1. Is the Dublin procedure applied by the authority responsible for examining asylum applications?
 Yes No
2. On average, how long does a transfer take after the Dublin Unit has sent a request?
3 and a half months²⁵²

The LAR establishes the Dublin procedure as a non-mandatory stage, which is applied only following a decision from the caseworker assigned to the specific case, only if there are indications regarding the possibility to establish that another Member State is responsible to examine the asylum application in question.²⁵³ In June 2022 the government adopted amendments²⁵⁴ to the ordinance²⁵⁵ regulating the coordination between the asylum and police (border and immigration) administrations while implementing Dublin III Regulation. The amendments updated and clarified the division of responsibilities among these authorities, but did not bring any noticeable change as they only formalised the already existing practical arrangements. The national plan for the EU Migration and Asylum Pact's Implementation²⁵⁶ adopted on 19 December 2024 envisaged a revision of the ordinance's provisions to make them corresponding to the Pact's rules and procedures with a deadline for these amendments set for December 2025.

Eurodac has been used as an instrument for checking the status records of all irregular migrants. Fingerprints taken by the Border or Immigration Police are uploaded automatically in the Schengen Information System (SIS) and can be used to implement the Dublin Regulation. Nonetheless, all asylum seekers are systematically fingerprinted again by the Dublin Unit of the SAR for technical reasons. The national plan for the EU Migration and Asylum Pact's Implementation²⁵⁷ envisaged revision and amendments of series of national rules and procedures, which safeguard the functioning of Eurodac at national level.

In 2020, the law was amended to optimise the decision-making in Dublin procedures by obliging the asylum agency to issue formal decisions only if another Member State has taken charge of or taken back the responsibility to examine the case. If this is not the case, asylum applications are automatically referred for eligibility determination without any written referral decision required, which has been the rule before the amendment. However, many problems are still created by the fact that the decision-making process remains centralised as far as the Dublin decisions are concerned, as such decisions can be issued only by the SAR's Dublin Unit, which is located in the headquarters of the SAR in **Sofia**.²⁵⁸ It used to create problems with meeting the 3-month deadline under the Dublin Regulation for issuing a request to another Member State, due to the congested communications between the Dublin Unit and the local reception centre outside Sofia. Presently, problems in this respect still occur due to the fact that the paperwork has to be prepared by the respective case-workers, who are already overburdened with their status determination caseload, which can cause delays in the preparation of the relevant documentation and its referral to the Dublin Unit in the headquarters in order to make a proper Dublin request.

2.2.1 Individualised guarantees

In practice, Bulgaria does not seek individualised guarantees to ensuring that asylum seekers will have adequate reception conditions upon transfer. The overwhelming part of outgoing transfers relating to vulnerable groups were carried out with respect to unaccompanied children since 2016 and up until the

²⁵² SAR, reg. No. №РД05-31 from 15 January 2024.

²⁵³ Article 67a(2) LAR.

²⁵⁴ State Gazette No.46 from 21 June 2022.

²⁵⁵ COM No.332/2007: Наредба за отговорността и координацията на държавните органи, осъществяващи действия по административно сътрудничество при прилагането на регламент Дъблин и регламент Евродак.

²⁵⁶ COM №883 from 19 December 2024, available in Bulgarian [here](#).

²⁵⁷ Ibid.

²⁵⁸ SAR, Annual report on procedures for international protection in 2023, available in Bulgarian at: <https://bit.ly/3lgTCjm>.

end of 2024.²⁵⁹ Since all transfers were based on family reunification and consent from the children and family members, the Dublin Unit did not request guarantees from receiving countries.

It is also a general understanding among national stakeholders that the reception conditions in the countries of transfer, e.g. such as Germany, Norway, The Netherlands and Sweden in 2024, are better in most aspects than those in Bulgaria.

2.2.2 Transfers

In cases where another Member State accepts the responsibility to examine the application of an asylum seeker who is in Bulgaria, the outgoing transfer was usually implemented within 3 months on average, while the take back requests were usually implemented within one and a half months.²⁶⁰

Asylum seekers are usually not detained upon notification of the transfer. However, in certain cases, transferred asylum seekers can be detained for up to 7 days before the transfer as a precautionary measure to ensure their timely boarding of the plane. In all cases the transfer is carried out without an escort. It should be noted that in the past asylum seekers sometimes agreed to be detained for a couple of days before the flight to the responsible Member State as this was the only way for them to avoid any procedural problems that can delay their exit. No cases of detention based on this ground were reported in 2024.²⁶¹

Asylum seekers due to be transferred under the Dublin Regulation to another Member State are given a written decision stating the grounds for applying the Dublin III and the right to appeal the transfer to the other Member State before the court. However, asylum seekers are not informed of the fact that requests have been made for “take back” or “take charge” requests to the Member State deemed responsible, nor of any progress made with regard to such requests, unless the applicants actively require information on the progress, when the information is provided by SAR in due course.

In 2024, 45 outgoing transfers were carried out compared to 118 requests, indicating a 38% outgoing transfer rate. In the same time period, out of 10,691 incoming requests, just 589 transfers were carried out in practice, thus marking 6% incoming transfer rate. The majority of outgoing Dublin transfers were of unaccompanied children or other family members.

2.3 Personal interview

Indicators: Dublin: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the Dublin procedure? Yes No

❖ If so, are interpreters available in practice, for interviews? Yes No

2. Are interviews conducted through video conferencing? Frequently Rarely Never

The law does not require to conduct a personal interview in the Dublin procedure. Instead, it gives the interviewer an opportunity to decide whether an interview is necessary in light of all other relevant circumstances and evidence.²⁶² If an interview is conducted, it is mostly follows the same rules and practices as eligibility interviews in the [Regular Procedure](#), except relating to the type of questions asked in order to verify and apply Dublin criteria. Similar to the regular procedure, an audio or audio-video recording is now mandatory and applied in the majority of cases.²⁶³

²⁵⁹ SAR, reg. №АД-07-7 from 14 January 2025: 35 out of 54 outgoing requests in total.

²⁶⁰ Ibid.

²⁶¹ Ibid.

²⁶² Article 67b(2) LAR.

²⁶³ Article 63a(3) LAR.

2.4 Appeal

Indicators: Dublin: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the Dublin procedure?
- | | | |
|----------------------------|--|---|
| ❖ If yes, is it | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it suspensive | <input checked="" type="checkbox"/> Judicial | <input type="checkbox"/> Administrative |
| | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Contrary to appeal against other decisions, appeals against decisions in the Dublin procedure are heard only before the Administrative Court of **Sofia** and only at one instance. Dublin appeals do not have automatic suspensive effect, but it can be awarded by the court upon an explicit request from the asylum seeker.

The time limit for lodging the appeal is 7 calendar days, which is equal to the time limit for appeal in the [Accelerated Procedure: Appeal](#). Appeal procedures are held in an open hearing, and legal aid can also be awarded.

In practice, the court accepts all kinds of evidence in support of the appeal, including on the level of reception conditions and procedural guarantees to substantiate its decision. The court's practice however is quite poor, as very few Dublin decisions on transfers to other Member States are challenged and even fewer overturned. For this reason, no clear conclusions can be made as to whether the Administrative Court of **Sofia** takes into account the reception conditions, procedural guarantees and recognition rates in the responsible Member State when reviewing the Dublin decision.

2.5 Legal assistance

Indicators: Dublin: Legal Assistance

Same as regular procedure

1. Do asylum seekers have access to free legal assistance at first instance in practice?
- | | | | |
|-------------------------------------|--|--|--|
| ❖ Does free legal assistance cover: | <input type="checkbox"/> Yes | <input type="checkbox"/> With difficulty | <input checked="" type="checkbox"/> No |
| | <input type="checkbox"/> Representation in interview | | |
| | <input type="checkbox"/> Legal advice | | |
2. Do asylum seekers have access to free legal assistance on appeal against a Dublin decision in practice?
- | | | | |
|------------------------------------|--|---|-----------------------------|
| ❖ Does free legal assistance cover | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> With difficulty | <input type="checkbox"/> No |
| | <input checked="" type="checkbox"/> Representation in courts | | |
| | <input type="checkbox"/> Legal advice | | |

The Law on Legal Aid provides for state-funded representation at first instance and appeal. As a result, legal aid financed by the state budget should have become available to asylum seekers during the Dublin procedure since 2013, in addition to the already available legal aid during an appeal procedure before the court. However, in practice in 2024, legal aid to initiate and undergo a Dublin procedure was only provided to unaccompanied asylum-seeking children in order to assist their reunion with parents, relatives or family members in other European countries. This special legal aid was provided under the adopted 2020 amendment to the law, when the obligation to represent unaccompanied children was shifted from the municipalities to the National Legal Aid Bureau (see section [Regular Procedure: Legal Assistance](#)).²⁶⁴ The statutory legal aid lawyers who represented unaccompanied children were assisted with training, interpretation and support to make sure that they are able to provide adequate and child-friendly information, and to manage their Dublin cases in accordance with the *ad-hoc* arrangements established jointly by NGO BHC and SAR's Dublin Unit since August 2019. These *ad-hoc* arrangements were funded by UNICEF, and ended on 31 December 2023. In 2024, BHC lawyers and paralegals in all SAR reception centres, whose activity was funded by UNHCR, were assisted the interaction and communication of

²⁶⁴ Article 25 LAR.

unaccompanied children in Dublin procedures with their appointed legal aid representatives as neither the asylum agency, nor the NLAB were able to provide for such communication or interpretation. The presence of BHC lawyers or paralegals in SAR reception centres however ended on 31 December 2024 as the UNHCR funding for these activities was not extended.

2.6 Suspension of transfers

Indicators: Dublin: Suspension of Transfers

1. Are Dublin transfers systematically suspended as a matter of policy or jurisprudence to one or more countries? Yes No
 ❖ If yes, to which country or countries?

Bulgaria had suspended all Dublin transfers to **Greece** in 2011, based on the European Commission Fourth Recommendation,²⁶⁵ thereby assuming responsibility for examining the asylum applications of the asylum seekers concerned.

In 2023, Bulgaria resumed take back request to Greece with 2 requests sent, however, no transfers were implemented. In 2024, Bulgaria made 1 take charge request and transfer to Greece, and 2 take back request with no transfers.

Suspensions of transfers are not automatic, as there might be cases of “take charge” requests where applicants have family members in other EU Member States or other circumstances that engage the responsibility of another state. Due to the level of material reception conditions in Bulgaria, there have just several appeals against Dublin transfer decisions to other EU Member States.

2.7 The situation of Dublin returnees

In 2024, Bulgaria received 10,691 incoming requests under the Dublin Regulation and 589 incoming transfers.²⁶⁶ In 2024, the number of Dublin returns actually implemented to Bulgaria decreased by 0.1% while during the previous year these increased, respectively by 192% compared to 2022, 158% compared to 2021 and 1,342% compared to 2020 (see table below). Overall, the percentage of actual transfers remains moderate compared to the number of incoming requests.

Incoming Dublin requests and transfers: 2015-2024										
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Requests	8,131	10,377	7,934	3,448	3,097	1,904	7,811	20,014	17,899	10,691
Transfers	262	624	446	86	73	14	78	202	590	589

Source: Eurostat, migr_dubro and migr_dubto; SAR.

Asylum seekers who are returned from other Member States in principle do not face any obstacles in accessing the territory of Bulgaria upon return. Prior to the arrival of Dublin returnees, the SAR informs the Border Police of the expected arrival and indicates whether the returnee should be transferred to a reception centre or to immigration pre-removal detention facility. This decision depends on the **phase of the Bulgarian asylum procedure of the Dublin returnee** as outlined below:

- ❖ If the returnee has a pending asylum application in Bulgaria, or the procedure was terminated because of the returnee’s absconding, he or she is transferred to a SAR reception centre. In the past, the SAR usually suspended asylum procedures when asylum seekers had left Bulgaria before their procedures were completed. After the amendments of the law in 2020, the SAR

²⁶⁵ Commission Recommendation on the resumption of transfers to Greece under Regulation (EU) No. 604/2013, C(2016) 8525, 8 December 2016.

²⁶⁶ SAR, reg. №АД-07-7 from 14 January 2025.

obtained the right to directly terminate (discontinue) the asylum procedure in such cases without passing through a stage of suspension. In both cases, no decision on the merits is issued, therefore the procedure can be reopened.²⁶⁷

- ❖ If, however, the returnee's asylum application was rejected with a final decision on the merits before, or after, leaving Bulgaria, and the decision was served *in absentia* and therefore became final,²⁶⁸ the returnee is transferred to one of the immigration pre-removal facilities, usually to the **Busmantsi** detention centre in Sofia, but also to the **Lyubimets** detention centre near the Turkish border. Such refusal and serving of the refusal's decision *in absentia* is legally possible,²⁶⁹ if an interview has been conducted²⁷⁰ with the returnee prior their absconding from Bulgaria and if based on the information gathered from the interview the case worker could form an opinion about the credibility of the asylum claim. In the case of families, when returned, parents whose application was finally rejected are usually detained together with their children. In exceptional cases children may be placed in child care social institutions while their parents are detained in immigration facilities, however it is applied only when an expulsion order on account of threat to national security is issued to any of the parents.

Since 2020, the LAR explicitly provides for the mandatory reopening²⁷¹ of an asylum procedure with respect to an applicant who is returned to Bulgaria under the Dublin Regulation, provided that s/he has **not** been issued a decision on merits while *in absentia*.²⁷² The SAR's practice following this particular amendment has been so far in line with the law, and returnees whose asylum procedures had been only terminated (discontinued) after their absconding do not face obstacles in principle to have their determination procedures reopened. However, it does not secure their access to state provided food and accommodation in reception centres as these are guaranteed only to vulnerable applicants.²⁷³

For any other Dublin returnees, who are not considered vulnerable, food and accommodation are contingent to the limited national reception capacity and availability. If there is no available place for accommodation in reception centres of the asylum agency SAR, Dublin returnees will have to secure accommodation and nutrition at their own expenses. In 2024, SAR continued to report²⁷⁴ a lack of capacity to accommodate in its reception centres the Dublin returnees who were not identified as vulnerable, despite the decreasing number of new arrivals (-45% in 2024, +10% in 2023, +55% in 2022; +205% in 2021),²⁷⁵ on account of the continuously shrinking reception capacity due to multiannual lack of funding for repairs and refurbishment, which is why in practice only 3,225 out of 5,160 official accommodation places were assessed as fit for living (3,592 in 2023; 3,932 in 2022).²⁷⁶ (see [Overview of the main changes since the previous report update, Reception capacity](#)).

Although the access to the national health care system is automatically reinstated after the Dublin return,²⁷⁷ the national health care package is generally scarce and does not provide for any tailored medical or psychological treatment or support, nor for the treatment of many chronic diseases or surgical interventions, prosthetics, implants or other necessary medications or supplies.²⁷⁸ Therefore the patients need to pay for them at their own expense.

Access to the labour market is guaranteed to asylum seekers after a period of three months from their

²⁶⁷ Article 77(3) LAR.

²⁶⁸ Articles 18(1)(d) and (2) Dublin III Regulation.

²⁶⁹ Article 76(4) LAR.

²⁷⁰ Article 63a(1), (5) and (7) LAR.

²⁷¹ Article 77(3) LAR.

²⁷² Article 18(2) Dublin III Regulation.

²⁷³ Article 29(7) LAR.

²⁷⁴ SAR, reg. №АД-07-7 from 14 January 2025.

²⁷⁵ MOI statistics, December 2023, available in Bulgarian at: <https://bit.ly/48C57wC>.

²⁷⁶ See, AIDA Updates on 2023 and 2022.

²⁷⁷ Article 29(8) LAR.

²⁷⁸ National Health Insurance Office, statutory health care package, available in Bulgarian at: <https://bit.ly/3nDcrU1>.

personal registration and for the duration of the procedure.²⁷⁹ However, the national economic situation remains challenging. Any improvements which finally started to occur after the end of COVID-19 pandemic were reverted in the beginning of 2022 by the war in Ukraine and the following economic recess across Europe. It further complicated asylum seekers and refugees' employment and self-sufficiency. In 2024, the State Refugee Agency issued 1,074 work permits to asylum seekers who were looking to support themselves while their asylum claims were being processed.²⁸⁰ Out of them, only 3 asylum seekers and 10 persons granted international protection were employed through employment programs, while the rest found work independently and on their own initiative.²⁸¹

If, however, the Dublin returnee is among those, whose asylum procedures ended prior their return to Bulgaria with a refusal *in absentia* on the merits (substance), they are treated as irregular migrants with no access to the labour market, health care system or any other services that require legal residence and an identity document. In the majority of cases, these returnees are arrested upon return and detained in **Busmantsi** or **Lyubimets** pre-removal immigration centres to further enable their removal. In the few cases when the returnees are not detained after their arrival, usually – due to administrative or institutional entanglements, they may face homelessness and destitution because of their irregular status in Bulgaria and the lack of valid residence and/or identity documents. This means that even, if the returnees do have financial means, their access to the labour market and most of the basic public services (health care, social support, bank services, etc.) is nearly impossible.

In principle, no “take back” requests have been made so far under the Dublin Regulation regarding individuals with special needs. In the few cases in the past where the return of families with minor children, the requesting Member states usually asked the assurances of SAR for accommodation, adequate reception conditions as well as the nature of the services that will be provided. Usually, these individual guarantees are not made via DubliNet, but by using the available diplomatic channels, in most cases by the respective Member State's embassy in Bulgaria.

Several courts in other European countries ruled on cases of transfer decisions towards Bulgaria.

The Swiss Federal Administrative Court ruled several times in 2024 that Dublin returnees could be sent back to Bulgaria.²⁸² The court considered that the applicants would not face obstacles related to poor treatment by the authorities and difficulties in accessing reception conditions as they were returning as Dublin transfers rather than arriving by crossing the border irregularly, and that, if they were temporarily denied access to reception, it was up the applicants to appeal to the Bulgarian authorities and claim their rights before the courts if necessary, also with assistance from NGOs, but without any reasoning what could happen if their services are no longer available due to lack of funding, for example. The court also considered the medical infrastructure in Bulgaria to be sufficient.

In a few occasions, Courts in Germany evaluated there are no systemic deficiencies in the Bulgarian asylum procedure, but only for cases in which the applicants that were not identified as having particular vulnerabilities.²⁸³ The asylum procedure is considered to be based on the rule of law, reception conditions are deemed reasonable for young, single, physically healthy men, and given the shortages in the labour force in several areas of unskilled work, it 'can be assumed a young, single, healthy man can find a job opportunity on the primary labour market in Bulgaria if he makes a reasonable effort'.²⁸⁴ The Higher Administrative Court of Mecklenburg-Vorpommern instead cancelled a Dublin transfer in the case of an with significant mental health issues, taking into account risks of detention upon return, limited reception conditions, the insufficiencies of the state health care system and high costs associated especially for medication, the lack of special precautions for torture victims and people with mental health problems,

²⁷⁹ Article 29 (3) LAR.

²⁸⁰ SAR, reg. №АД-07-7 from 14 January 2025.

²⁸¹ Employment Agency, reg. No. ПД-08-1915 from 27 December 2024.

²⁸² Swiss Federal Administrative Court, D-6675/2024, 30 October 2024, available [here](#); D-3810/2024, 21 June 2024, available [here](#); F-3048/2024, 25 June 2024, available [here](#); E-328/2024, 25 January 2024, available [here](#).

²⁸³ Higher Administrative Court of Nordrhein-Westfalen, 11 A 1460/23. A, 10 September 2024, available [here](#).

²⁸⁴ Administrative Court of Darmstadt, 7 L 97/24. DA.A, 25 January 2024, available [here](#).

and difficulties in practice for Dublin returnees to access the healthcare system. The court thus ruled that severely mentally ill Dublin returnees faced systemic challenges upon return in Bulgaria, given their dependency on public support.²⁸⁵

The Refugee Appeals Board in Denmark found that the recognised shortcomings in the Bulgarian asylum system did not meet the threshold of systemic deficiencies preventing transfers, highlighting that the Bulgarian authorities were taking initiatives to address special needs of vulnerable applicants, the fact that the deficiencies related to healthcare were not specific to asylum seekers but also faced by Bulgarian nationals. It did, however, require that Denmark seek individual guarantees for reception and accommodation due to the vulnerability of the applicant.²⁸⁶

Caselaw varied in the Netherlands. In several occasions in 2024, and notably in a landmark judgment of 27 June 2024, the Dutch Council of State ruled that the conditions in Bulgaria did not meet the threshold of systemic deficiencies. Notably, the court highlighted that there is an appeal available against potential exclusion of non-vulnerable Dublin claimants from care and facilities after their transfer.²⁸⁷ This reasoning was followed by regional courts throughout the year.²⁸⁸ However, it was disputed by the Court of Rotterdam in December 2024, which questioned the effectivity of the available legal remedy to challenge exclusion from reception conditions, notably highlighting the fact that asylum seekers are, in practice, only informed orally of their exclusion from reception, making it difficult to appeal.²⁸⁹ Moreover, in two separate judgments, the courts of Utrecht and Haarlem considered that there were systemic errors in the Bulgarian asylum procedure for Turkish asylum seekers specifically, relying on the extremely low recognition rates, violations of national law by not releasing Turkish asylum applicants from detention after lodging their application, public statements, unofficial use of the safe country of origin concept re. Türkiye despite the lack of official list, reports regarding the inadequacies of the accelerated and admissibility procedures.²⁹⁰

Additional information on the access of Dublin returnees to reception and healthcare can be found under the sections on [Access and forms of reception conditions](#) and [Health care](#).

3. Admissibility procedure

3.1 General (scope, criteria, time limits)

The admissibility assessment is no longer part of the [Accelerated Procedure](#), but a separate procedure that can be applied prior or during the status determination.²⁹¹

The examination can result in finding the asylum application inadmissible, where the applicant:²⁹²

1. Following a proper invitation, the applicant does not appear for an interview and, in 30 days thereof, does not present any objective reasons for his omission;
2. The applicant failed twice to be found at the permitted address of residence or at another address indicated by him/her;
3. The applicant changes the address of residence without notifying the State Agency for Refugees and within 30 days does not indicate any objective reasons for doing that
4. The applicant refuses on three or more occasions to cooperate the staff of the State Agency for Refugees to clarify the circumstances related to his application;

²⁸⁵ Higher Administrative Court of Mecklenburg-Vorpommern, 4 LB 653/22 OVG, 2 February 2024, available [here](#).

²⁸⁶ Danish Refugee Appeals Board, Dub-Bulg/2024/1/sme, April 2024.

²⁸⁷ Council of State, 202403145/1/V3, 27 June 2024, available [here](#); 202403896/1/V3 and 202403896/2/V3, 11 July 2024, available [here](#); 202405876/1/V3 and 202405876/2/V3, 30 September 2024, available [here](#); 202406476/1/V3 en 202406476/2/V3, 29 October 2024, available [here](#).

²⁸⁸ See for example Court of Utrecht, NL24.40544, 11 November 2024, available [here](#); Court of Middelburg, NL24.39235, 14 November 2024, available [here](#).

²⁸⁹ Court of Rotterdam, NL24.47452, 23 December 2024, available [here](#).

²⁹⁰ Court of Utrecht, NL24.24213, 15 July 2024, available [here](#); Court of Haarlem, NL24.36498, 12 November 2024, available [here](#).

²⁹¹ Article 15 LAR.

²⁹² Article 13(2)(1)-(5) LAR.

5. The applicant withdraws the application for international protection;
6. Has been granted international protection in another EU Member State;
7. Is granted asylum by the President of the Republic;
8. Is deceased;
9. Is issued a decision Article 67c, para. 1, item 1²⁹³, which allows his transfer to another EU Member State.

In the hypotheses from 1 to 5, the application can be rejected under the [Accelerated Procedure](#), if sufficient evidence has been gathered to consider the application as manifestly unfounded.²⁹⁴

Out of all inadmissibility grounds set out in the LAR and mirroring the recast Asylum Procedures Directive, Bulgaria applies solely the ground relating to [Subsequent Applications](#). It provides the opportunity to consider them based on a preliminary examination whether new elements or findings have arisen or been presented by the applicants relating to their personal situation or country of origin.²⁹⁵ The admissibility assessment of subsequent applications differs in many aspects from the rules, deadlines and guarantees applicable when an inadmissibility decision is taken on the basis of the other admissibility grounds. The provisions listed above which refer to grounds for terminating asylum procedure could be re-open once on the applicant's request within 9 months from the date of termination.²⁹⁶ Whenever the admissibility procedure is applied in the case of a subsequent application, said application can be deemed inadmissible unless new circumstances are presented.²⁹⁷ In such cases, the asylum authority refuses to open a new subsequent procedure to review the case once more after the first final refusal on its merits.

In 2024, 114 applicants submitted subsequent asylum claim and were dealt with in an admissibility procedure. Of these, 59 (52%) were declared inadmissible and 55 (48%) were granted access to a new procedure for a subsequent determination.²⁹⁸

3.2 Personal interview

The same rules and guarantees apply as in the [Regular Procedure: Personal Interview](#). In particular, if the interview is omitted, decisions cannot be considered in accordance with the law, unless it concerns a medically established case of insanity or other mental disorder.²⁹⁹ In practice, all asylum seekers are interviewed at least once to determine their eligibility for refugee or subsidiary protection ("humanitarian status"). Further interviews are usually only conducted if there are contradictions in the statements or if some facts need to be clarified.³⁰⁰

3.3 Appeal

The same rules and guarantees apply as in the [Regular Procedure: Appeal](#). Applicants can access one instance appeal within 7 days since serving the termination of procedure³⁰¹ or the refusal to open a subsequent procedure based on a submitted subsequent application³⁰² before the respective regional administrative court.

3.4 Legal assistance

The same rules and guarantees apply as in the [Regular Procedure: Legal Assistance](#), namely that legal aid for asylum seekers at all stages of the status determination procedure is provided under the national

²⁹³ Dublin transfers.

²⁹⁴ Article 15(2) LAR.

²⁹⁵ Articles 75a to 76c-76d LAR.

²⁹⁶ Article 77(2) LAR.

²⁹⁷ Article 13(2) LAR.

²⁹⁸ SAR, reg. №АД-07-7 from 14 January 2025.

²⁹⁹ Article 63a (7) LAR in conjunction with Article 61a (5) LAR.

³⁰⁰ Article 63a (5) LAR.

³⁰¹ Article 15 LAR.

³⁰² Article 84(2) LAR.

legislation, funded through the state budget.³⁰³ In practice, due to insufficient funding, free legal aid at the administrative stage of the asylum procedure is only provided to vulnerable persons³⁰⁴ upon their explicit request. Access to legal aid at the court stage is provided to all applicants who do not have sufficient means to cover their legal fees.

3.5 Suspension of returns for beneficiaries of protection

3.5.1 Suspended returns to another EU Member State

No returns to another EU member state were ever suspended. This was the case also in 2024.³⁰⁵

3.5.2 Relevant national jurisprudence

There is no national jurisprudence suspending returns of beneficiaries of international protection following inadmissibility decisions or finding applications admissible due to the impossibility to return beneficiaries of international protection to another EU member state or any other country, which granted the protection.

4. Border procedure (border and transit zones)

There is no border procedure in Bulgaria and Article 43 of the recast Asylum Procedures Directive has not been implemented at national level.

5. Accelerated procedure

5.1 General (scope, grounds for accelerated procedures, time limits)

The accelerated procedure is designed to examine the credibility of the asylum application, but also the likelihood of the application being fraudulent or manifestly unfounded.³⁰⁶ The asylum application can also be found manifestly unfounded if the applicant did not state any reasons for applying for asylum related to grounds of persecution at all, or, if his or her statements were unspecified, implausible or highly unlikely. In the upcoming amendment of the national asylum law³⁰⁷ following recommendations by the Commission, provided during the negotiations and implementation³⁰⁸ of the EC-Bulgaria pilot project on accelerated procedure, both admissibility and accelerated procedure's grounds were re-worded³⁰⁹ and reorganized in the text of the relevant national law to fully correspond to the respective provisions of the APD.

In accordance with the transposition of Article 31(8) and 39 of the recast Asylum Procedures Directive, the asylum application can be found manifestly unfounded, if:

1. The applicant raised issues that are not relevant to the examination of whether he or she qualifies as a beneficiary of international protection;³¹⁰

³⁰³ Article 22(8) Law on Legal Aid.

³⁰⁴ §1(17) from Additional Clauses LAR, namely: children, unaccompanied children, disabled, elderly, pregnant, single parents taking care of underage children, victims of trafficking, persons with serious health issues, psychological disorders or persons who suffered torture, rape or other forms of psychological, physical or sexual violence.

³⁰⁵ SAR, reg. №АД-07-7 from 14 January 2025.

³⁰⁶ Article 13(1) LAR.

³⁰⁷ Law on Asylum and Refugees draft amendments, published for public consultations on 5 January 2024, available in Bulgarian at: <https://bit.ly/3TbGP8m>.

³⁰⁸ SAR, Annual report on procedures for international protection in 2023, available in Bulgarian at: <https://bit.ly/3IgTCjm>.

³⁰⁹ Articles 13 and 4 LAR.

³¹⁰ Article 13(1)(1)-(2) LAR.

2. The applicant has made clearly inconsistent and contradictory, clearly false or obviously improbable representations which contradict country-of-origin information, thus making his or her claim clearly unconvincing;³¹¹
3. The applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents or destroying documents with respect to his or her identity and/or nationality;³¹²
4. The applicant refuses to comply with an obligation to have his or her fingerprints taken;³¹³
5. The applicant entered or resides the territory or stays lawfully and, without good reason, has not presented himself or herself within a reasonable time to the authorities to submit an application for international protection;³¹⁴
6. The applicant entered the territory or stays unlawfully and, without good reason, has not presented himself or herself immediately to the authorities to submit an application for international protection as soon as possible;³¹⁵
7. The applicant comes from a safe country of origin;³¹⁶
8. The applicant arrives from a safe third country, provided that s/he will be accepted back to its territory³¹⁷; which cannot be used as a sole ground for considering the application manifestly unfounded unless:
 - a. there is a connection between the applicant and the third country concerned on the basis of which it would be reasonable for that person to go to that country and, a case-by-case consideration is implemented of the safety of the country for a particular applicant; and,
 - b. the applicant is provided with a document informing the authorities of the third country, in the language of that country, that the application has not been examined in substance, or
9. The applicant is making an application merely in order to delay or frustrate the enforcement of an earlier or imminent decision which would result in his or her removal.³¹⁸

The authority responsible for taking decisions at first instance on asylum applications in the accelerated procedure is the SAR, through caseworkers specially appointed for taking decisions in this procedure. The accelerated procedure is a non-mandatory phase of the status determination, applied only by a decision of the respective caseworker, if and when information or indications are available to consider the asylum application as manifestly unfounded.³¹⁹

This decision should be taken within 14 working days from applicants' formal registration by the SAR. If the decision is not taken within this deadline the application has to be examined fully following the rules and criteria of the [Regular Procedure](#), with all respective safeguards and deadlines applied.

The law provides that, upon receiving the asylum application, caseworkers are obliged to request a written opinion from the State Agency for National Security (SANS) which, however, is to be taken into consideration if and when a decision on the substance of the claim is taken within the regular ("general") procedure.³²⁰ The law explicitly provides that such an opinion should not be requested in the accelerated procedure.

All grounds are applied in practice. In 2024, the top 5 nationalities dealt under the accelerated procedure as manifestly unfounded applicants were Morocco (798 cases), Iraq (366 cases), Egypt (138 cases), Algeria (83 cases) and Pakistan (64 cases).³²¹

³¹¹ Article 13(1)(3)-(4) LAR.

³¹² Article 13(1)(6)-(9) LAR.

³¹³ Article 13(1)(10) LAR.

³¹⁴ Article 13(1)(11) LAR.

³¹⁵ Article 13(1)(12) LAR.

³¹⁶ Article 13(1)(13) LAR.

³¹⁷ Article 13(1)(14) LAR.

³¹⁸ Article 13(1)(15) LAR.

³¹⁹ Article 70(1) LAR.

³²⁰ Article 58(10) LAR.

³²¹ SAR, reg. №АД-07-7 from 14 January 2025

In 2023 a pilot project, initially funded by Austria and subsequently by the European Commission,³²² was implemented at SAR Pastrogor Transit centre near Bulgarian-Turkish border. Although the pilot project ended on 31 August 2023³²³ the SAR continued³²⁴ to process applicants mainly from Morocco, Tunisia and Algeria, adding Egypt in 2024 among others, in this transit centre with their applications for international protection continued to be deemed manifestly unfounded by presumption. (see [Applications and granting of protection status at first instance: 2024](#)).

5.2 Personal interview

Indicators: Accelerated Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the accelerated procedure? Yes No
 - ❖ If so, are questions limited to nationality, identity, travel route? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

The questions asked during interviews in the accelerated procedure aim at establishing facts relating to the individual story of the applicant, although in less detail in comparison with the interviews conducted during the regular procedure. Facts such as travel routes, identity and nationality are in principle exhaustively addressed prior to the accelerated procedure at the stages of registration and/or the Dublin procedure.

5.3 Appeal

Indicators: Accelerated Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the accelerated procedure?
 - Yes No
 - ❖ If yes, is it Judicial Administrative
 - ❖ If yes, is it suspensive Yes Some grounds No

Appeals in the accelerated procedure have to be submitted within 7 calendar days (excluding public holidays) after notification of the negative decision, as opposed to the 14-calendar-day deadline in the [Regular Procedure: Appeal](#). Another major difference with the regular asylum procedure is related to the number of judicial appeal instances. In the accelerated procedure, there is only one judicial appeal possible, whereas in the regular procedure there are two appeal instances.

Lodging an appeal has automatic suspensive effect *vis-à-vis* the removal of the asylum seeker. The court competent to review first instance decisions in the accelerated procedure is the Regional Administrative Court of the county in which the appellant resides. The court has the obligation to ascertain whether the assessment of the credibility or the manifestly unfounded character of the claim is correct in view of the facts, evidence and legal provisions applicable. Asylum seekers have to be summoned for a public hearing and are asked to shortly present their reasons for fleeing their country of origin and seek protection elsewhere.

³²² European Commission, Press corner, The European Commission launches a pilot project with Bulgaria, 20 March 2023, available at: <https://bit.ly/3x3sPER>.

³²³ See, AIDA Update on 2023.

³²⁴ SAR, Periodic report on asylum procedure for the first trimester of 2024, available in Bulgarian [here](#).

In general, asylum seekers do not face significant obstacles to lodging an appeal in the accelerated asylum procedure within the 7-day deadline. The obstacles referred to under the regular procedure appeal apply, e.g. lack of legal aid and interpretation issues.

5.4 Legal assistance

The same rules and guarantees apply as in the [Regular Procedure: Legal Assistance](#).

6. National protection statuses and return procedure

6.1. National forms of protection

The only other existing form of national protection status different from asylum, international and temporary protection is the possibility for regularization of unaccompanied children. Following a proposal by the non-governmental organisation Bulgarian Helsinki Committee³²⁵ as a member of the expert working group convened for a revision of the national Law on Foreigners,³²⁶ the latter was amended in April 2019 and entered into force in October of the same year to introduce a regularization ground for unaccompanied migrant children who have not claimed asylum or who have been finally rejected asylum, and therefore residing irregularly. The law envisages³²⁷ that if the irregular unaccompanied migrant children entered the country alone, or was abandoned after entering the country's territory, they can apply for a long-term residence until reaching the age of majority. Once granted, the long-term residence can be extended³²⁸ indefinitely after the age of majority on humanitarian grounds. Such grounds can be reasons which require in their best interest the child to be admitted to, or left to remain in the territory of the country.³²⁹ The law however prohibits³³⁰ family reunification to unaccompanied migrant children who have been granted such legal residence in both cases – prior or after reaching adulthood. In November 2019³³¹ the rules of this regularization procedure were also adopted and enforced. In immigration procedures unaccompanied migrant children are legally represented by an appointed social worker³³² from the local child protection services of the Agency for Social Assistance. This regularization procedure aimed to provide additional legal safeguards mainly to unaccompanied children whose asylum application were finally rejected in order to secure their access to rights and services, e.g. accommodation, health care, access to education, etc., which otherwise would be either seriously compromised or fully inaccessible. However, this regularization procedure has not been applied in practice since its adoption with just one unsuccessful attempt in Svilengrad region. Among other, the main reason is the high absconding rate of unaccompanied children (see, [4. Legal representation of unaccompanied children](#)).

6.2. Return procedure

Under the general immigration law LARB return orders are issued automatically to any migrant at the very moment of their identification as irregular.³³³ Therefore, the overwhelming majority of the asylum seekers in Bulgaria apply for asylum after they have been apprehended by the police³³⁴ upon entry, exit or inside the country's territory, and served a return order. The LARB envisages³³⁵ that a return or expulsion order can be issued by the police authorities – border, immigration or regular police -, or the State Agency for the National Security (SANS). Presently, the asylum agency SAR does not have competence to issue

³²⁵ Council of Ministers, Draft Proposal for Amendment of the Law on Foreigners in the Republic of Bulgaria, 21 December 2018, available in Bulgarian [here](#).

³²⁶ National Parliament, reg. № 902-01-5 from 19 February 2019, Law on Foreigners in the Republic of Bulgaria, St.G.№34 from 23 April 2019, enforced on 24 October 2019.

³²⁷ Article 28a(1) LARB.

³²⁸ Article 28a(2) LARB.

³²⁹ §1(16) LARB.

³³⁰ Article 28a(6) LARB.

³³¹ Article 63l of the LARB Regulations.

³³² Article 7a LARB.

³³³ Article 41 LARB.

³³⁴ Bulgarian Helsinki Committee, 2024 Annual RSD Monitoring report, 31 January 2025, available in Bulgarian at: <https://bit.ly/3SX3ST7>: 12,250 asylum seekers vs. 10,182 persons (83%) apprehended by the MOI.

³³⁵ Article 44(1) LARB.

return orders. If a return order is issued prior to an applicant prior the submission of his asylum application or during the asylum procedure, its implementation is automatically suspended by virtue of the law (ex lege) until the asylum procedure is completed with a final decision.³³⁶ If this decision is granting asylum the return order is again automatically considered revoked by the virtue of the law.³³⁷ The asylum law LAR explicitly envisage³³⁸ that when applicants whose decision for a refusal, cessation or exclusion from asylum, or termination of the procedure has become final should be considered falling within the scope of the general immigration law, rules and procedures. The asylum agency (SAR) has an obligation to inform police authorities that a certain applicant is no longer under the protection of the asylum law.

In general, the national return rates are not significant. In 2024, the MOI returned 1,015 migrants while during the previous years the implemented returns were, respectively: 565 returned migrants in 2023, 582 returned migrants in 2022, 770 returned migrants in 2021 and 428 returned migrants in 2020.³³⁹

D. Guarantees for vulnerable groups

1. Identification

Indicators: Identification

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum seekers? Yes For certain categories No
2. Does the law provide for an identification mechanism for unaccompanied children? Yes No

Applicants who are children, unaccompanied children, disabled, elderly, pregnant, single parents taking care of underage children, victims of trafficking, persons with serious health issues, psychological disorders or persons who suffered torture, rape, or other forms of psychological, physical or sexual violence are considered as individuals belonging to a vulnerable group.³⁴⁰

1.1 Screening of vulnerability

Several initiatives on vulnerability were undertaken in previous years. In 2008, the SAR and UNHCR agreed on standard operating procedures (SOPs) to be followed with respect to treatment of victims of Sexual and Gender-based Violence (SGBV).³⁴¹ The SOPs were never applied in practice. A process for the revision of the SOPs has been pending since the end of 2013, which also aims to include new categories or vulnerable groups.³⁴² The revision of SGBV SOPs ended in December 2021 with their formal adoption by the SAR.³⁴³ However, they were neither communicated to SAR staff working on the field, nor implemented in practice.³⁴⁴

EUAA, formerly – EASO, also cooperated with Bulgaria in order to improve the capacity to identify and refer vulnerable applicants and to improve exchange between relevant institutions. EASO's Special Support Plan to Bulgaria was originally in place from December 2014 until June 2016, but was extended

³³⁶ Article 67(1) LAR

³³⁷ Article 67(2) LAR.

³³⁸ Article 66 LAR.

³³⁹ MOI statistics, available in Bulgarian [here](#).

³⁴⁰ §1(17) Additional Provisions, LAR.

³⁴¹ Standard Operating Procedures on sexual and gender-based violence, Exh. No 630, 27 February 2008.

³⁴² UNHCR, SGBV Task Force, established on 15 February 2014.

³⁴³ Exh. No.СД-172/и/23.12.2021 approved with resolution by SAR Chairperson.

³⁴⁴ Bulgarian Helsinki Committee, 2022 Annual RSD Monitoring Report, published on 1 March 2023, available at: <https://bit.ly/3Jkd3t0>.

until 31 October 2018.³⁴⁵ The identification and referral mechanism was set to build on the Quality tool for the Identification of Persons with Special Needs (IPSN).

In 2020, amendments to the law introduced a mandatory vulnerability assessment implemented by the SAR social experts with their vulnerability reports and recommendations referred to the case workers in order these circumstances to be taken into account in the decision-taking process. The SAR internal rules foresee that these two documents have to be added to the personal file to enable case worker to take them into account when examining the application. These activities have to be implemented also in the cases when the vulnerability or the special needs are established at a later stage of the asylum procedure. Additionally, an early identification questionnaire was created for applicants who experienced traumatising experiences in order to determine their special needs and to facilitate the referral to adequate psychological or medical care.³⁴⁶

In 2024, both vulnerability assessment and identification, but most of all follow-ups on identified cases, remained substandard, to the point this represented the most significant violation of existing obligation in the context of the asylum procedure.³⁴⁷ SAR social workers conducted a total of 1,054 vulnerability assessments and identified 55 applicants³⁴⁸ with vulnerabilities or specific needs. SAR acknowledged³⁴⁹ to have dealt with 4,136 applicants with vulnerabilities as defined by the law in 2024 (see, the Table [Asylum seekers identified as vulnerable in Bulgaria: 2018-2024](#)). These figures obtained through monitoring indicated that just 25% of all asylum applicants with vulnerabilities received proper assessments of their needs. Moreover, SAR affirms³⁵⁰ that the social experts who carry out the vulnerability assessment do file their assessments and support plans in the case management registry for the case worker to be able to review and collect them into the respective individual file, while copies of these documents remain with the social experts for subsequent work with the vulnerable person, according to the planned activities. However, the monitoring of these processes established³⁵¹ that only in 50% of the cases, an initial assessment form and the required subsequent plan were present in the file of asylum seekers who were falling within the vulnerability definition under national law.³⁵² Thus, in practice the vulnerability assessment and support plans were still missing in 50% of the monitored cases of asylum seekers, who otherwise should have been assessed and supported as persons with specific needs or vulnerabilities. It also means that, due to the missing or misplaced vulnerability assessment documents, the responsible case workers were unable to properly account their specific situation when determining the asylum application. Therefore, in 2024 needs assessment as well as planning and provision of support measures with respect to applicants with identified vulnerabilities were still carried out more sporadically than systematically.

The most serious violation in this respect continued to affect unaccompanied children's files continue in many cases to lack the mandatory BID reports³⁵³. Under the law,³⁵⁴ their best interest assessment and individual social report ought to be implemented by the statutory social workers from child protection services of the Agency for Social Assistance (ASA). The mandatory social reports with needs assessment were present in just 41% of the monitored children's files in 2024.³⁵⁵ At the same, whenever submitted, these reports continue to be entirely generic and formal, without any real risk or best interest assessment

³⁴⁵ EASO, Special support plan to Bulgaria – Amendment No.3, 27 October 2017, available at: <https://bit.ly/2U58pCF>; 'EASO successfully completes its special support in Bulgaria', 27 November 2018, available at: <https://bit.ly/2S9FwUJ>.

³⁴⁶ Early Identification and Needs Assessment form (ФИОН), Individual Support and Referral Plan form (ФИПП) and Social Consultation form (ФСК).

³⁴⁷ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

³⁴⁸ SAR, reg. №АД-07-7 from 14 January 2025.

³⁴⁹ Ibid.to

³⁵⁰ Ibid.

³⁵¹ Bulgarian Helsinki Committee, 2024 Annual RSD Monitoring Report, 31 January 2024, available at: <https://bit.ly/3Jkd3t0>.

³⁵² §1(17) Additional Provisions, LAR.

³⁵³ Articles 16-18 Law on Social Support's Regulations.

³⁵⁴ Article 15(6) Law on Child Protection.

³⁵⁵ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

for the child concerned. In addition, the mandatory plan for necessary measures to adopt in the specific case was not established in any (0%) of the monitored cases. In 9% of the cases a notification by the ASA indicating that a support plan for the child has been prepared was included, but the plan in question could not be found in the file, which indicated that either it had not been communicated, or was not properly enclosed in case file of the child. If properly prepared and communicated, these social reports could play a vital role not only in the asylum procedure, but also after it to outline the measures which need to be taken with respect to the child depending on the outcome of the procedure – rejection or recognition. The failure of the statutory child protection services to implement this basic safeguard vis-à-vis unaccompanied asylum seeking and refugee children have continued for over a decade.³⁵⁶

Although moderate, the efforts made for the vulnerability identification resulted in a notable increase in the absolute number of asylum seekers formally recognised to have special needs or vulnerabilities. While this concerned 797 asylum seekers in 2019; 1,259 in 2020, 3,928 asylum seekers in 2021 and 5,482 asylum seekers in 2022, and 6,155 asylum seekers in 2023. In 2024, this number dropped to 4,136 asylum seekers, or 34% of asylum applicants on the backdrop of a 45% decrease in the overall number of new applicants throughout the year.³⁵⁷ However, it has to be noted that 97% of them were children (2,601 unaccompanied children and 1,420 accompanied children), i.e. cases where the vulnerability identification is straightforward and almost automatic as it derives from the child’s statement about his or her age, or from the identity documents, if available.

The SAR collects statistics on the number of asylum seekers identified as vulnerable at the end of any given month rather than cumulative data on the number of vulnerable persons applying for asylum in a given year. At the end of December 2024, the following vulnerable groups were identified among asylum seekers:

Asylum seekers identified as vulnerable in Bulgaria: 2018-2024							
Category of vulnerable group	2018	2019	2020	2021	2022	2023	2024
Unaccompanied children	52	524	799	3,172	3,483	3,843	2,601
Accompanied children	n.a.	207	326	561	1,793	1,877	1,420
Single parents	16	20	28	57	69	130	35
Pregnant women	0	8	18	34	24	34	5
Elderly persons	3	4	0	15	108	30	25
Disabled persons	3	10	20	21	42	54	13
Persons with chronic or serious illnesses	19	13	42	52	72	147	26
Persons with serious psychiatric issues	0	8	24	12	15	31	2
Victims of physical, psychological or sexual violence	6	3	2	3	5	3	1
Other (LGTBI)	n.a.	n.a.	n.a.	1	2	6	8
Total	99	797	1,259	3,928	5,482	6,155	4,136

Source: SAR.

³⁵⁶ Bulgarian Helsinki Committee, 2012 Annual Refugee Status Determination Monitoring Report, 31 January 2013, available at: <https://bit.ly/49TvJdp>.

³⁵⁷ SAR, reg. №АД-07-7 from 14 January 2025.

NGOs continue to play key role in early identification and assessment of applicants' vulnerability and their referral and according treatment. Organisations specialise in specific groups and issues, namely: poverty, destitution and social inequality (Red Cross; Council of Refugee Women, Caritas Sofia); health issues and disabilities (Red Cross); mental and psychological problems (Animus, Nadya Centre, replacing ACET which ceased activities at the end of 2016), domestic abuse (Bulgarian Gender Research Foundation, Mission Wings) and unaccompanied children (Bulgarian Helsinki Committee).

1.2 Age assessment of unaccompanied children

The caseworker is not obliged to request an age assessment unless there are doubts as to whether the person is a child.³⁵⁸ In practice, age assessment is used only to disprove asylum seekers declaring being underage.

The law does not state the method of the age assessment which should be applied. As a rule, the wrist X-rays method is applied systematically in all cases, based on the assumption that this method is more accurate than a psycho-social inquiry. The Supreme Administrative Court, however, considers this test as non-binding and applies the benefit of the doubt principle,³⁵⁹ which is also explicitly laid down in the LAR.³⁶⁰

The age assessment cannot be contested by means of a separate appeal to the one lodged against a potential negative decision. Therefore, if a positive decision is issued, but the age is wrongly indicated to be 18 years or above, the decision cannot be appealed on that account as a part of the status determination process and the child granted the protection will be treated as an adult. The sole legally available option in such case is to initiate lengthy and usually costly civil proceedings to establish the actual age, but unless documentary or other irrefutable evidence is provided these proceedings generally have negative results.

In December 2023 a bilateral Age Assessment Instruction,³⁶¹ was formally adopted by SAR and State Agency for Child Protection (SACP) and published in December 2023. The instruction, entered into force on 1 March 2024, introduced a structured multi-disciplinary age assessment rules and procedures and is the first ever formally adopted one in the European context. The Age Assessment Instruction was widely endorsed by all national stakeholders, including UNHCR and UNICEF.³⁶²

However, in 2024, the SAR continued to use predominantly X-ray medical age assessment, which was conducted in 34 cases, in 1 of them (3%) concluding that the applicant was an adult. Under the Age Assessment Instruction,³⁶³ the medical assessment ought to be conducted only if and when the non-medical ones failed to reach a conclusion about the age of the applicant. Just 3 non-medical assessments were conducted by the SACP's age assessment teams in 2024, all of them concluding applicants to be underage. Thus, despite the adoption of the instruction, the SAR overwhelmingly continued to conduct the age assessment by means of X-ray expertise of the wrist bone structure and without any evidence of prior consent by the children's representatives.³⁶⁴ Reports from medical organisations consider the X-ray as invasive but, more importantly, inaccurate with an approximate margin of error of 2 years.³⁶⁵

2. Special procedural guarantees

³⁵⁸ Article 61(2) LAR.

³⁵⁹ Supreme Administrative Court, Decision No 13298, 9 November 2009.

³⁶⁰ Article 75(3) LAR.

³⁶¹ State Agency for Refugees, Instruction on the Rules and Conditions on Age Assessment, published on 1 December 2023, available in Bulgarian [here](#).

³⁶² State Agency for Refugees, ДАБ при МС и ДАЗД въвеждат първата инструкция за определяне възрастта на непридружените деца-бежанци в България, published on 22 December 2023, available in Bulgarian at: <https://bit.ly/3OZmqAF>.

³⁶³ Article 9(1) of the Age Assessment Instruction.

³⁶⁴ SAR, reg. №АД-07-7 from 14 January 2025.

³⁶⁵ Doctors of the World, Age assessment for unaccompanied minors, 28 August 2015. See also UNHCR, UNICEF and International Rescue Committee, The way forward to strengthened policies and practices for unaccompanied and separated children in Europe, July 2017, available at: <http://bit.ly/2BHGxLo>.

Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people? Yes For certain categories No
❖ If for certain categories, specify which: Unaccompanied children

Although in 2024 a needs assessment was carried out in 50% of the monitored vulnerable cases, such assessment was missing for the other remaining half (50%) of the monitored cases of asylum seekers, who were falling within the definition of the law.³⁶⁶ Thus, in practice the vulnerability assessment and support plans were missing in half of the monitored cases. It also means that due to the missing or misplaced vulnerability assessment documents the case workers were unable to properly account their specific situation when determining the asylum application. Therefore, these circumstances could be easily omitted and not taken into consideration by caseworkers in their decision-making process.

The law excludes the application of the [Accelerated Procedure](#) to unaccompanied asylum-seeking children, but not to torture victims.³⁶⁷

Despite the 2015 reform of the law which stripped the statutory social workers of the child protection services from the responsibility to represent unaccompanied children in asylum procedures (see [Legal Representation of Unaccompanied Children](#)), their obligation to provide a social report with an opinion on the best interests of the child concerned in every individual case remains nonetheless under the provisions of general child care legislation.³⁶⁸ In 59% of the cases monitored in 2024, these reports were either not produced, or not communicated to the SAR's caseworkers for further consideration.³⁶⁹ In addition, in 55% of the monitored cases the statutory social workers of the ASA have carried out any intervention during the interview they attended, while in the remaining 45% of the cases their presence has been without any actions, participation or intervention carried out to clarify the case or support the child.³⁷⁰

At the end of 2017, the National Legal Aid Bureau - the national body assigned to provide state sponsored legal aid, - received funding under the AMIF national programme to commence for the first time ever in Bulgaria the provision of legal aid to asylum seekers during the administrative phase of the asylum procedure.³⁷¹ Legal aid under this 80,000 € pilot project was implemented until 31 January 2021 and was limited to the vulnerable applicants for international protection.³⁷² The project was extended until 31 July 2021 (see [Regular Procedure: Legal Assistance](#)). After the end of the project, the National Legal Aid Bureau agreed to continue representing vulnerable applicants under its general rules, which would require the asylum seekers to fill in and submit complicated legal aid applications. The non-governmental organisation Bulgarian Helsinki Committee funded by UNHCR assisted the NLAB with the adaptation and translation of the legal aid forms in English, French, Russian, Arabic, Farsi, Dari, Pashto, Urdu, Kurdish and Turkish languages in order to enable the access to legal aid of vulnerable applicants. A problem persists, however, for those who are illiterate and where the assistance of case workers is the only way to get access to legal aid. Yet, some of them are reluctant to grant access to legal aid as it would mean that their role in and quality of the procedure would be assessed. Similar to 2022 and 2023, in 2024, beyond unaccompanied children, legal aid was not provided to any other vulnerable asylum seekers at first instance.³⁷³ This represents a deterioration in comparison to 2021, when 50 asylum seekers were provided legal aid, and 2020, when 818 asylum seekers were provided aid.³⁷⁴ Other asylum seekers, i.e. who are not considered as vulnerable, did not enjoy access to legal aid at the first instance of the asylum procedure.

³⁶⁶ §1(17) Additional Provisions, LAR.

³⁶⁷ Article 71(1) LAR.

³⁶⁸ Article 15(4) and (6) Law on Child Protection.

³⁶⁹ Bulgarian Helsinki Committee, 2024 Annual RSD Monitoring Report, 31 January 2025, available at: <https://bit.ly/3Jkd3t0>.

³⁷⁰ Ibid.

³⁷¹ National Legal Aid Bureau, 'Обява за конкурс за адвокати за работа по проект', 29 January 2018, available in Bulgarian at: <http://bit.ly/2DP376C>.

³⁷² Ibid.

³⁷³ SAR, reg. №АД-07-7 from 14 January 2025.

³⁷⁴ SAR, reg. №РД05-40 from 16 January 2023.

In 2022, the Minister of Labour and Social Policy approved³⁷⁵ a coordination mechanism for interaction between the authorities and organisations working on cases of unaccompanied migrant children separated from their families in Bulgaria, including children seeking and/or receiving international or temporary protection.³⁷⁶ However, this coordination mechanism was neither endorsed, nor signed by any other ministry or government agency, including SAR, therefore it is not formally binding or applied in practice, except by SAR, which indicated³⁷⁷ to be applying in practice some of the Coordination mechanism's provisions when registering unaccompanied children.

3. Use of medical reports

Indicators: Use of Medical Reports

1. Does the law provide for the possibility of a medical report in support of the applicant's statements regarding past persecution or serious harm? Yes No In some cases
2. Are medical reports taken into account when assessing the credibility of the applicant's statements? Yes No

The LAR includes a provision, according to which the caseworker, with the consent of the asylum seeker, can order a medical examination to establish evidentiary statements of past persecution or serious harm.³⁷⁸ If consent is refused by the asylum seeker, this should not be an impediment to issuing the first instance decision. The law also envisages that the medical examination can be initiated by the asylum seeker, but in this case he or she should bear the medical expert's cost.

However, such reports are only exceptionally commissioned by SAR caseworkers. In most cases where medical reports were provided - if not all - this was at the initiative of the asylum seeker or his or her legal representative. The costs of such medical reports are covered by legal aid, which is awarded in the majority of cases which concern vulnerable applicants. If no legal aid is awarded, the costs of the medical report are borne by the asylum seeker.

The law only requires the caseworker to order a medical examination in one particular case, which is when there are indications that the asylum seeker might be mentally ill.³⁷⁹ In this case, if the result of the medical examination report shows that the asylum seeker suffers from a disease or mental illness, the caseworker approaches the SAR's Chairperson, who refers the case to the court for appointment of a legal guardian to the asylum seeker which is required to be able to continue with the examination of the asylum application.

4. Legal representation of unaccompanied children

Indicators: Unaccompanied Children

1. Does the law provide for the appointment of a representative to all unaccompanied children? Yes No

Since 2015, local municipalities are mandated to act as legal representatives of unaccompanied children.³⁸⁰ Highly criticised when adopted, this approach proved to be more inadequate than previous arrangements. The municipalities lacked not only qualified staff, but also basic experience and expertise in child protection.³⁸¹ In addition to that, the number of legal representatives appointed – one or two per reception facility – was insufficient to meet the need of the population of unaccompanied children who, remained considerable in number.

³⁷⁵ Ministry of Labor and Social Policy (MLSP), Order №ПД-06-6 from 18 April 2022.

³⁷⁶ MLSP, Order No. RD-06-6 of 18 April 2022.

³⁷⁷ SAR 123rd Coordination meeting, held on 1 June 2023.

³⁷⁸ Article 61a(7) LAR.

³⁷⁹ Article 61a(5) LAR.

³⁸⁰ Former Article 25(1) LAR.

³⁸¹ Bulgarian Helsinki Committee, 2012, 2013, 2015 and 2016 Annual Refugee Status Determination Monitoring Reports, available at: <https://bit.ly/49TvJdp>.

At the end of 2020, amendments to the law introduced a major change in the legal representation of unaccompanied asylum seeking and refugee children.³⁸² The obligation to represent these children not only in the procedure, but also after the recognition and before all agencies and institutions regarding their rights and entitlements, was shifted from the municipalities to the National Legal Aid Bureau. It includes requirements related to the qualification of the appointed legal aid lawyers and representation implemented in the child's best interest.³⁸³ It aimed at addressing the absence of guardians, and ensure proper legal representation and care for the best interests of unaccompanied children in asylum procedures to mitigate high rates of absconding and related protection and safety risks.

Starting from July 2021, 16 lawyers from the Sofia Bar, 8 lawyers from Haskovo Bar and 3 lawyers from Sliven Bar began implementing the representation of unaccompanied asylum seeking and refugee children. In December 2023, UNHCR supported NLAB with training for legal aid lawyers vis-à-vis the planned expansion of the limited list of Article 25 representatives. In February 2024, NLAB recruited 20 additional lawyers (18 in Sofia and 2 in Haskovo). A follow-up training, also organized and funded by UNHCR, was held in December 2024. In September 2023, the non-governmental organisation Bulgarian Helsinki Committee communicated its first annual report assessing the quality of the representation provided by Article 25 legal aid lawyers. The general feedback from children remained predominantly positive with respect to legal aid lawyers acting in Sofia reception centres, while it was mainly negative with respect to legal aid lawyers acting in Harmanli reception centre.³⁸⁴ The monitoring was extended in 2024, based on a formal agreement³⁸⁵ between the Ministry of Justice and UNICEF. The next report, due in March 2025 has to provide both general findings about the overall quality of the legal representation as well as individual assessment of acting legal aid lawyers. On 14 March 2024 the NLAB Executive Committee decided that quality assessments of legal aid providers ought to be introduced in the law in order to allow striking of underperforming representatives out of the limited Article 25 list. Such amendments had been already proposed and included in the draft law, submitted by SAR in February 2024,³⁸⁶ however the draft never made to the Parliament due to the continued constitutional crisis experienced by the country since mid-2022 (see, [Overview](#)).

In the past, the SAR used to significantly delay the notification to the National Legal Aid Bureau of the necessity to appoint a representative, reaching a period longer than 1 month in certain cases.³⁸⁷ As a result, unaccompanied children left without a representative had no access to credible information on the asylum procedure and their rights, especially the right to be legally transferred under the Dublin III Regulation to other EU countries to reunite with their family members. In 2022 however, the practice in this respect improved significantly. NLAB agreed³⁸⁸ with SAR to provide the latter with access to its automated individual database, which could be used not only to send an immediate notification by SAR to NLAB about requested new representative's appointments, but also allowing the SAR to obtain immediately and directly information about the appointed representative. However, in 2024 the timely appointment of a representative to unaccompanied children was again delayed, this time by SAR which communicated to NLAB its appointment requests up to 15 days³⁸⁹ following the registration of the children. In total, NLAB appointed a legal aid representative for 91% (2,392 out of all 2,601) of the unaccompanied children who applied for asylum in that year. This was improvement in comparison to 2023, when a legal aid representative has been appointed for 72%³⁹⁰ of the children. However, the representation of 2,458 of these children was discontinued due to their abandonment of the procedure and absconding the country. Therefore, in reality just 214 unaccompanied asylum-seeking children were represented by NLAB legal aid lawyers from start to end of their status determination.

³⁸² National Parliament, Amendments on the Law on Asylum and Refugees (LAR), State Gazette No.89 from 16 October 2020, available at: <https://bit.ly/2LoUMiG>.

³⁸³ Article 25 LAR.

³⁸⁴ Bulgarian Helsinki Committee/UNICEF, Monthly Progress Report on child protection, 10 January 2024.

³⁸⁵ Memorandum of Understanding and Cooperation between Ministry of Justice of the Republic of Bulgaria and the United Nations Children's Fund (UNICEF), signed on 19 September 2024.

³⁸⁶ SAR, reg. №ЛЈУ-04-408 from 14 February 2024.

³⁸⁷ Bulgarian Helsinki Committee, 2021 Annual RSD Monitoring Report, available at: <https://bit.ly/3Ad4wlt>.

³⁸⁸ Teleconference with NLAB Chair Natalia Ilieva on 22 December 2022.

³⁸⁹ SAR, reg. №АД-07-7 from 14 January 2025.

³⁹⁰ Teleconference with NLAB Chair Natalia Ilieva on 22 December 2022: 3,348 children in 2022 and 34 children pending from 2021, of whom to 3,103 children the appointed legal aid was abolished due to absconding.

The immediate and written provision of information to unaccompanied children regarding the appointment of the respective representative and their contact details is a legal obligation of the SAR.³⁹¹ Fully omitted until the very end of 2021, when such information began to be partially provided in Ovcha Kupel and Voenna Rampa safe-zones, in 2024 in 89% of the relevant cases monitored, children were duly and timely informed about the appointment of their representative.³⁹² This represented an improvement in comparison to the 2023 practice, when 81% of unaccompanied children were duly provided this information, but still worse than 2022 with 96% of the children duly informed about their legal aid appointment.³⁹³

Since mid-2022 the SAR has been actively searching for opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛНСТ). During the procedure such efforts were undertaken with regard mainly to minor asylum-seeking children, children with special needs or such identified as being at increased risk of trafficking or harm. After the recognition, these efforts targeted all unaccompanied children, excluding those in family reunification procedures, whom were allowed to wait the reunification with their parents or other family members in SAR reception centres.³⁹⁴ As a result of this positive practice, throughout 2024 62 unaccompanied children were accommodated in specialized childcare centres. Out of the total, 4 were asylum seeking children and 58 children who had been granted international protection.³⁹⁵ In this respect, it can be noted that the children positively impacted by these measures continued to gradually increase³⁹⁶ with more of them able to benefit by this most appropriate type of accommodation compared to previous years. Altogether thirteen licensed childcare centres have engaged in this practice in localities across the country, namely in Sofia, Burgas, Vidin, Ruse, Kardzhali, Novo Selo and Zvanichevo. At the same time the lack of specialized training of the childcare centre's staff to work with unaccompanied children seeking or granted protection should be acknowledged and taken into account as well as the lack of secured interpretation at least for the initial period of accommodation and adjustment.

The number of unaccompanied child applicants decreased to 2,601 in 2024, compared to 3,843 in 2023; 3,483 in 2022; 3,127 in 2021; 799 in 2020; 524 in 2019; 481 in 2018; 440 in 2017 and 2,772 in 2016:

Unaccompanied asylum-seeking children: 2024	
Country of origin	Number
Algeria	3
Afghanistan	549
Stateless	5
Egypt	483
Iraq	48
Iran	3
Congo	1
Libya	1
Morocco	45
Pakistan	10
Syria	1,448
Sudan	1
Tunisia	1

³⁹¹ Article 25(5) LAR.

³⁹² Bulgarian Helsinki Committee, 2024 Annual RSD Report, 31 January 2025, available in Bulgarian at: <https://bit.ly/3SX3ST7>.

³⁹³ Bulgarian Helsinki Committee, 2023 and 2022 annual RSD reports, available at: <https://bit.ly/3SX3ST7>.

³⁹⁴ SAR, Rules and procedures on the accommodation of unaccompanied children granted international protection in foster families, social or integrated socio-medical care facilities for children of a residential type, adopted in October 2022.

³⁹⁵ SAR, reg. №АД-07-7 from 14 January 2025.

³⁹⁶ Ibid., 2022: 26 children (2 asylum seeking and 24 granted protection); 2023: 43 children (2 asylum seeking and 41 granted protection); 2024: 62 children (4 asylum seeking and 58 granted protection).

Source: SAR.

Out of all unaccompanied children whose asylum claims were assessed on the merits in 2024, 1 child was recognised as a refugee, 77 were granted subsidiary protection, 136 received reject decisions and 2,458 children absconded prior to being notified the decision, and therefore their procedures were terminated.

Despite unaccompanied children being better informed about their rights and the asylum procedure, the vast majority (94%) still abandoned the asylum procedure and moved irregularly to the countries of their final destination.³⁹⁷

E. Subsequent applications

Indicators: Subsequent Applications

1. Does the law provide for a specific procedure for subsequent applications? Yes No
2. Is a removal order suspended during the examination of a first subsequent application?
 - ❖ At first instance Yes No
 - ❖ At the appeal stage Yes No
3. Is a removal order suspended during the examination of a second, third, subsequent application?
 - ❖ At first instance Yes No
 - ❖ At the appeal stage Yes No

The law provides, in line with the opportunity laid out by the recast Asylum Procedures Directive, to consider subsequent applications as inadmissible based on a preliminary examination of whether new elements or findings have arisen or been presented by the applicant relating to their personal situation or country of origin.³⁹⁸ The inadmissibility assessment can be conducted on the sole basis of written submissions without a personal interview. The national arrangements, however, do not envisage exceptions to this rule as established in the recast Asylum Procedures Directive.³⁹⁹

Within the hypotheses adopted in national legislation, subsequent applications are not examined and the applicants are stripped from the right to remain when it is considered that the first subsequent application was submitted merely in order to delay or frustrate the enforcement of a removal decision; or where it concerns another subsequent application, following a final inadmissibility / unfounded decision considering a first subsequent application.

If the subsequent application is declared inadmissible within the preclusive 14 days deadline, this decision can be appealed within a deadline of 7 days. The appeal has no suspensive effect; however, the court is obligated *ex lege* to consider whether the appellant should remain in the country until the judgement is delivered.⁴⁰⁰ The competent court is the territorially competent regional administrative court,⁴⁰¹ which hears the appeal case in one instance. If the court rules the admission of the subsequent application, the SAR has to register the applicant within 3 working days from the date the admission has taken place (entered into force).

In 2024, 114 asylum seekers in total submitted subsequent applications. Out of them, 59 (52%) were declared inadmissible and 55 (48%) were granted access to further determination. A breakdown per country of origin is as follows:

³⁹⁷ SAR, reg. №АД-07-7 from 14 January 2025.

³⁹⁸ Articles 75a to 76c LAR; Article 76d in conjunction with Article 13 (2) LAR.

³⁹⁹ Article 42(2)(b) recast Asylum Procedures Directive.

⁴⁰⁰ Article 84(6) LAR.

⁴⁰¹ Article 84(2) LAR.

Subsequent applications: 2024	
Country of origin	Number
Afghanistan	13
Bangladesh	4
Stateless	3
Egypt	1
Ecuador	2
Iraq	13
Iran	2
Kazakhstan	2
Cameroon	1
Lebanon	2
Morocco	3
Myanmar-Burma	1
Nigeria	1
Russian Federation	8
Syria	55
Somalia	1
Türkiye	1
Uzbekistan	1

Source: SAR.

Subsequent applications supported by individualised evidence have been admitted to determination at the first instance. Albeit encouraging, this approach of the SAR can still not be considered as a common practice.

F. The safe country concepts

Indicators: Safe Country Concepts

1. Does national legislation allow for the use of “safe country of origin” concept? Yes No
 - ❖ Is there a national list of safe countries of origin? Yes No
 - ❖ Is the safe country of origin concept used in practice? Yes No
2. Does national legislation allow for the use of “safe third country” concept? Yes No
 - ❖ Is the safe third country concept used in practice? Yes No
3. Does national legislation allow for the use of “first country of asylum” concept? Yes No

Prior to EU accession, national lists of safe countries of origin and third safe countries were adopted annually by the SAR and applied extensively to substantiate negative first instance decisions. The national courts adopted a practice that the concepts can only be applied as a rebuttable presumption that could be contested by the asylum seeker in every individual case.⁴⁰² In 2007, the national law was amended to regulate the adoption of national lists on the basis of EU common lists under Article 29 of the 2005 Asylum Procedures Directive. As a result, since the adoption of this amendment safe countries’ lists were not

⁴⁰² See e.g. Supreme Administrative Court, Decision No 4854, 21 May 2002.

adopted for a period of nineteen years from 2005⁴⁰³ until 2024. As a part of different institutional re-arrangements in effort to support the country's full Schengen accession, on 3 April 2024 the government adopted⁴⁰⁴ safe country of origin and safe third countries' lists.

1. Safe country of origin

The LAR defines “safe country of origin” as a “state where the established rule of law and compliance therewith within the framework of a democratic system of public order do not allow any persecution or acts of persecution, and there is no danger of violence in a situation of domestic or international armed conflict.”⁴⁰⁵ This concept is a ground for rejecting an application as manifestly unfounded in the [Accelerated Procedure](#).⁴⁰⁶

National legislation allows for the use of a safe country of origin and safe third country concept in the asylum procedure.⁴⁰⁷

The law allows the SAR to propose to the government national lists of safe countries of origin and third safe countries, which are considered to establish a rebuttable presumption.⁴⁰⁸ When approving the lists, the government has to consider information sources from other Member States, the EUAA, UNHCR, the Council of Europe and other international organisations in order to take into account the degree of protection against persecution and ill-treatment ensured by the relevant state by means of:

- ❖ The respective laws and regulations adopted in this field and the way they are enforced;
- ❖ The observance of the rights and freedoms laid down in the ECHR or the International Covenant on Civil and Political Rights, or the Convention against Torture;
- ❖ The observance of the non-*refoulement* principle in accordance with the Refugee Convention;
- ❖ The existence of a system of effective remedies against violations of these rights and freedoms.

Safe Countries of Origin: 2024
America
Cuba
Asia
Bangladesh
Pakistan
India
Africa and Middle East
Algeria
Morocco
Tunisia
Tanzania
Ghana
Senegal
Jordan
Eastern Europe and Central Asia
Kazakhstan

⁴⁰³ The last national annual lists were adopted with Decision №329/2005 of the Council of Ministers, in which Türkiye was not enlisted as a safe country of origin nor as a third safe country.

⁴⁰⁴ COM №247 from 3 April 2024.

⁴⁰⁵ Additional Provision §1(8) LAR.

⁴⁰⁶ Article 13(1)(13) LAR.

⁴⁰⁷ Article 13(1)(13)(14) LAR.

⁴⁰⁸ Articles 98-99 LAR.

Azerbaijan
Armenia
Georgia
South Eastern Europe
Türkiye
Western Balkans
Albania
Bosnia and Herzegovina
Kosovo
Serbia
Montenegro
North Macedonia

2. Safe third country

A “safe third country” is defined in the LAR as “a country other than the country of origin where the alien who has applied for international protection has resided and:

- (a) There are no grounds for the alien to fear for his/her life or freedom due to race, religion, nationality, belonging to a particular social group or political opinions or belief;
- (b) The alien is protected against the refoulement to the territory of a country where there are prerequisites for persecution and risk to his/her rights;
- (c) The alien is not at risk persecution or serious harm, such as torture, inhuman or degrading treatment or punishment;
- (d) The alien has the opportunity to request refugee status and, when such status is granted, to benefit from protection as a refugee;
- (e) There are sufficient reasons to believe that aliens will be allowed access to the territory of such state.”⁴⁰⁹

Firstly adopted as a ground for inadmissibility in 2020 the “safe third country” concept was re-arranged as a ground to refuse the application as manifestly unfounded in [Accelerated Procedure](#).⁴¹⁰ The law presently requires more detailed investigation in order a country to be considered as a “safe third country” including findings that the applicants will be accepted back to its territory.⁴¹¹ The “safe third country” concept cannot be used as a sole ground for considering the application manifestly unfounded unless there is a connection between the applicant and the third country concerned on the basis of which it would be reasonable for that person to go to that country and, a case-by-case consideration is implemented of the safety of the country for a particular applicant.

In 2020, the law transposed the requirement in Article 38(3)(b) of the recast Asylum Procedures Directive for an applicant to be granted a document in the language of the safe third country, stating that his or her claim was not examined on the merits.

As detailed in the section on [Safe Country of Origin](#), Article 98 LAR provides for the possibility of safe third country lists as well as safe country of origin lists.

Since the concept has not been applied in recent years in practice, implementation setting standards in this respect, both administrative and judicial, are limited to non-existent. In principle, refusals based on the “safe third country” concept relate to countries where the applicant lived or resided for prolonged

⁴⁰⁹ Additional Provision §1(9) LAR.

⁴¹⁰ Article 13(1)(14) LAR.

⁴¹¹ Article 13(1)(14) LAR.

period of time before departure. Transit or short stay in countries are not considered as sufficient for safe third countries.

Safe Third Countries: 2024
Asia
Bangladesh
Iran
South Eastern Europe
Türkiye

3. First country of asylum

In 2020, an amendment to the law re-arranged the approach towards the first country of asylum concept.⁴¹² Presently, an application can be dismissed as inadmissible where the asylum seeker has been granted and can still enjoy refugee status or other effective protection in another EU Member State.

National asylum legislation does not envisage the first country of asylum concept separately from, or, in addition to, the “safe third country” lists.

G. Information for asylum seekers and access to NGOs and UNHCR

1. Provision of information on the procedure

Indicators: Information on the Procedure

1. Is sufficient information provided to asylum seekers on the procedures, their rights and obligations in practice? Yes With difficulty No
- ❖ Is tailored information provided to unaccompanied children? Yes No

The law explicitly mentions the obligation of the SAR to provide information to asylum seekers within 15 days from the submission of the application.⁴¹³ The SAR must provide the information orally, if necessary, in cases where the applicant is illiterate.

The information should cover both rights and obligations of asylum seekers and the procedures that will follow in general. Information on existing organisations that provide social and legal assistance has to be given as well. Information has to be provided in a language the asylum seeker declared that he or she understands or, when it is impossible, in a language the asylum seeker may be reasonably supposed to understand.

In practice, the information is always provided to asylum seekers in writing, in the form of a leaflet translated in the languages spoken by the main nationalities seeking asylum in Bulgaria, such as Arabic, Farsi, Dari, Urdu, Pashto, Kurdish, English and French. Information by leaflets or, where needed, in other ways (UNHCR or NGO info boards) is usually provided from the initial application (e.g. at the border) until the registration process is finished.⁴¹⁴ Since the end of 2017, information boards are placed in all reception centres, indicating the respective movement zones applicable for the asylum seekers there accommodated, to reflect the needs following the 2015 reform of the LAR (see [Freedom of Movement](#)).⁴¹⁵ SAR centres also display information boards which indicate the place and time where applicants can obtain information from the agency’s staff about the development of their status determination procedures.

⁴¹² Article 15(1)(6) LAR.

⁴¹³ Article 58(8) LAR.

⁴¹⁴ EASO, Stock taking report on the asylum situation in Bulgaria, March 2014, 3.2. Asylum Determination Procedure.

⁴¹⁵ Article 29(1)(2) LAR.

In 2016, it was reported by NGOs working on legal aid⁴¹⁶ that the written information, was complicated and not easy to understand. No further reports have been published since then, as the matter is not considered a priority given the high rate of absconding for applicants registered in the country. The common leaflet and the specific leaflet for unaccompanied children drafted by the Commission as part of the Dublin Implementing Regulation are not being used in Bulgaria or being provided to asylum seekers.⁴¹⁷ The same applies to the information provided on the SAR's website, which is also available only in Bulgarian.

Since 2018, several animated videos provided by UNHCR are made available in the reception centres. This includes a video targeting children, which provides information on their daily routine and the importance of school attendance. The video is 1 hour and 40 minutes long and is available in Urdu, Pashto and Dari. Another video of 7 minutes, available in English, Arabic, Dari, Pashto and Kurdish Kurmanji, provides introductory information relating to the asylum procedure as well as rights and obligations during the procedure. Four other videos are dedicated to information on human trafficking and sexual exploitation. They are available in English with Pashto subtitles and address targeted messages to unaccompanied children. However, practice indicates that these videos are not screened on a regular basis. This considered, the obligation to deliver written introductory information is fulfilled in 99.7% of monitored cases.⁴¹⁸

The applicants who are placed in closed centres should further receive information about the internal rules applicable to the respective centre as well as about their rights and obligations. Under national law, information should be provided in a language they understand.⁴¹⁹ This obligation was not met in 2020 and 2021. In 2022, UNICEF developed for SAR special videos in Arabic and Farsi/Dari/Pashto languages targeting as audience the unaccompanied asylum seeking and refugee children. The videos aim to promote the specialized childcare facilities (ЛҲСТ) where the children should be accommodated after the recognition, but also can be accommodated during the asylum procedure. Since mid-2022, the SAR began to actively search for opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛҲСТ). During the procedure such efforts were undertaken mainly with regard to children below age of 14, children with specific needs or such identified as being at increased risk of trafficking or harm. Following the recognition and status granting these efforts targeted all unaccompanied children, excluding those in family reunification procedures, allowed to wait the reunification with their parents or other family members in SAR reception centres.⁴²⁰ However, the majority of the children hesitate to leave the familiar conditions of the reception centres. Therefore, the videos show-case other children who have been already accommodated in specialized childcare facilities who share their positive experience thus assisting to mitigate the existing prejudice among the children in reception centres and their anxiety of the unknown.

NGOs, in particular UNHCR's implementing partners, develop and distribute other leaflets and information boards that are simpler and easier to read and some do operate reception desks where this kind of information is also provided orally to the asylum seekers by BHC or the Red Cross. In 2018, the information on asylum.bg – the online accessible tool, whose development was funded in 2014 by UNHCR – was revised and made available in audio version for illiterate users. In 2022, an additional [section on temporary protection](#) in Ukrainian was added. In 2024, asylum.bg was visited by 41,870 individual users.⁴²¹

⁴¹⁶ Information provided by the Protection Working Group, 29 November 2016.

⁴¹⁷ Commission Implementing Regulation (EU) No 118/2014 of 30 January 2014 amending Regulation (EC) No 1560/2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

⁴¹⁸ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/49TvJdp>.

⁴¹⁹ Art. 45d (3) LAR.

⁴²⁰ SAR, Rules and procedures on the accommodation of unaccompanied children granted international protection in foster families, social or integrated socio-medical care facilities for children of a residential type, adopted in October 2022.

⁴²¹ Bulgarian Helsinki Committee, 2024 Annual activity and financial reports, available in Bulgarian [here](#).

2. Access to NGOs and UNHCR

Indicators: Access to NGOs and UNHCR

1. Do asylum seekers located at the border have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
2. Do asylum seekers in detention centres have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
3. Do asylum seekers accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No

NGOs, lawyers and UNHCR staff have unhindered access to all border and inland detention centres and try to provide as much information as possible related to detention grounds and conditions.⁴²² Despite that, the subject remains difficult to explain, and an extremely high percentage of asylum seekers claim not to understand the reasons for being detained.

The LAR provides that, where there are indications that the individuals in detention facilities or at border crossing points may wish to make an asylum application, the government shall provide them with information on the possibility to do so.⁴²³ The information should at least include how to apply for asylum and the procedures to follow, including in immigration detention centres, and interpreted in the respective language to assist asylum seekers' access to procedure. This obligation is not fulfilled in practice, as no one among SAR staff is visiting or consulting potential asylum seekers who are apprehended at the border or in immigration detention centres, where the provision of information depends entirely on legal aid NGOs' efforts and activity.

In those detention facilities and crossing points, Bulgaria is also legally bound to make arrangements for interpretation to the extent necessary to facilitate individual access to the asylum procedure. In practice, however, interpretation services are not secured by the authorities, and the only services in this respect are provided by the Bulgarian Helsinki Committee under UNHCR funding. Although Article 8(2) of the recast Asylum Procedures Directive, allowing organisations and persons providing advice and counselling to asylum applicants to have effective access to applicants present at border crossing points, including transit zones at external borders, is transposed in the national law,⁴²⁴ in practice there are no other NGOs besides the Bulgarian Helsinki Committee which provide regular legal assistance in these areas. Other NGOs such as Centre for Legal Aid – Voice in Bulgaria, Bulgarian Lawyers for Human Rights and Foundation for Access to Rights provide project-based and targeted legal assistance in the **Busmantsi** pre-removal detention centre. At the end of 2016 the International Organisation for Migration (IOM) Bulgaria received the first of many AMIF funding cycles to also provide legal counselling on status determination procedure to asylum seekers in reception centres and to irregular migrants in detention centres regarding assisted voluntary return. This assistance however is not conditioned by requirements about the qualifications of assistance providers and is ensured through shifting mobile teams on a weekly schedule. During the period 2020-2021 IOM restricted its visits to detention centres in Busmantsi and Lyubimets, while during 2022, 2023 and 2024 its reception rooms remained locked with no services provided.

Concerning urban asylum seekers and refugees living in the **Sofia** region, UNHCR has funded an Information Centre, run by the Red Cross along with an Information Bureau for Third Country Nationals, co-funded by Sofia Municipality, both located in Sofia. In 2024, in these two centres, the Red Cross

⁴²² For more information, see General Directorate Border Police, UNHCR and BHC, 2021 Annual Border Monitoring Report: Access to territory and international protection, May 2022, available at: <http://bit.ly/2jsyglh>, para 1.1.3.

⁴²³ Article 58(6) LAR; Article 8(1) recast Asylum Procedures Directive.

⁴²⁴ Article 23(3) LAR.

provided 2,991 consultations and different types of information, while in SAR reception centres the organization provided 11,757 social consultations and services.⁴²⁵

In 2022, UNHCR and UNICEF opened and operated “Blue Dot” services at two main border entry points in Ruse and Durankulak as well as in the rest of the major hot-spots in Sofia, Varna, Dobrich and Burgas, which after the beginning of the war in Ukraine received and hosted large number of Ukrainian refugees.⁴²⁶ These services were managed by the regional branches of the Red Cross, and assisted by the Helsinki Committee, the Council of Refugee Women and representatives from the refugee community. The Blue Dots were closed on 1 January 2024 and from mid-March replaced by the so-called Compass network of protection and inclusion centres, funded by UNHCR. These centres are run by different NGO partners of UNHCR such as Red Cross, Ukraine Support and Renovation Foundation, Energy Association Varna, Caritas Bulgaria, and Foundation for Access to Rights in Sofia, Plovdiv, Burgas, Varna, Dobrich, and Ruse. These centres were aimed to serve as protection and inclusion community hubs to promote collective empowerment, integration, and social cohesion for refugees of all nationalities and vulnerable people among the local host communities alike, through comprehensive support tailored to their diverse needs⁴²⁷. In 2024, the Compass centres provided assisted 17,879 individuals received support to access social services, 6,413 children and caregivers received child services, 1,256 individuals benefitted from livelihoods and economic inclusion interventions and 1,092 individuals received support for access to employment.

Starting from 1 January 2025 the UNHCR ceased to support any legal or social counselling or assistance directly provided to asylum seekers in SAR reception centers through its NGO partners Red Cross, Helsinki Committee, Council of Refugee Women and Caritas, and left these kinds of services to be provided exclusively in its Compass centers. Therefore, in 2025 no direct services or assistance by NGOs or UNHCR will be provided to asylum seekers in the SAR reception centers, except in Harmanli, where the NGO Helsinki Committee has its regional office situated within the center’s compound.

H. Differential treatment of specific nationalities in the procedure

Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? Yes No
❖ If yes, specify which:
2. Are applications from specific nationalities considered manifestly unfounded?⁴²⁸ Yes No
❖ If yes, specify which: Algeria, Bangladesh, Morocco, Pakistan, Egypt and Tunisia

In 2024, the overall recognition rate decreased to 61% from 66% in 2023 (and 91% in 2022) of all decisions on the merits. Both refugee recognition and subsidiary protection rates continued to decrease. Refugee recognition decreased to 0.7%⁴²⁹ as well as subsidiary protection (humanitarian status) granting, which fell to 60% in 2024.⁴³⁰ The rejection rate reached 39%,⁴³¹ when considering only decisions issued on the substance of asylum claims. Among the top 5 countries of origin of asylum seekers entering Bulgaria in 2024 remained Syria and Afghanistan. These two nationalities together represented 79% of the total arrivals (62% from Syria and 16% from Afghanistan). Except for Syrian nationals, over an extended period before 2022, recognition rates for other nationalities remained low. Applicants from Afghanistan and Türkiye were treated discriminatorily and their cases overwhelmingly considered as

⁴²⁵ Teleconference with the Red Cross, Refugee service director Alexandra Vassileva on 7 February 2025.

⁴²⁶ UNHCR Bulgaria, UNHCR and UNICEF open Blue Dot support hubs for Ukrainian refugees in Bulgaria, 9 May 2022, available at: <https://bit.ly/3eCAxgq>.

⁴²⁷ UNHCR Bulgaria, Compass Bulgaria Network of Protection and Inclusion Centres, available [here](#).

⁴²⁸ Whether under the “safe country of origin” concept or otherwise.

⁴²⁹ Previous refugee recognition rates: 1% in 2023; 2% in 2022; 4% in 2021; 13% in 2020; 13% in 2019; 15% in 2018; 14% in 2017; 25% in 2016; 76% in 2015; 69% in 2014.

⁴³⁰ Previous subsidiary protection rates: 65% in 2023; 89% in 2022; 57% in 2021; 47% in 2020; 15% in 2019; 20% in 2018; 18% in 2017; 19% in 2016; 14% in 2015; 25% in 2014.

⁴³¹ Previous rejection rates: 39% in 2023; 9% in 2022; 39% in 2021; 39% in 2020; 71% in 2019; 65% in 2018; 68% in 2017; 56% in 2016; 10% in 2015; 6% in 2014.

manifestly unfounded, which resulted in extremely low recognition rates.⁴³² The most radical change in recognition rates related to Syrian applicants. Since 2014 Syrian applicants have been treated as *prima facie* refugees with the majority of them granted subsidiary protection based on the understanding that they flee from internal armed conflict.⁴³³ Starting from mid-2024 the SAR initiated individual assessment of Syrian applications, which resulted in a 19% rejection rate and 81% recognition (0.5% refugee recognition rate and 80% subsidiary protection). After the fall of Bashar Assad's regime on 8 December 2024, the SAR halted interviewing and status determination of Syrian applicants until 31 January 2025, when these were resumed on an individual assessment basis.⁴³⁴

1. Afghanistan

Between 2016 and 2021, Afghanistan has been the top country of origin of asylum applicants in Bulgaria. This changed in 2022, when the top country of origin became Syria. Yet, during this period of time, or arguably because of it, applications from Afghan nationals were arbitrarily considered as manifestly unfounded. They were predominantly channelled in the [Accelerated Procedure](#) and successively rejected, to the point that Bulgaria registered the lowest recognition rates for Afghans in Europe – 2.5% in 2016, 1.5% in 2017, 4% in 2019, and 1.8% in 2020. In the majority of cases, protection was granted following court decisions overturning the refusals of the asylum administration. The “striking discrepancy between the Bulgarian and the EU average recognition rate for Afghans” has been mentioned by the European Commission,⁴³⁵ as well as jurisdictions in other Member States, as a matter of concern.⁴³⁶

Since mid- 2021, decisions on Afghan cases began to gradually change, also possibly due to the presence of some high-profile cases and increased claims regarding personal risk of persecution. As a result, the annual recognition rate of Afghan applicants reached a national record of 10%, although still far below the average EU recognition rate.

In 2022 for the first time in a decade the Afghan applicants were treated in a non-discriminatory way, with 49% overall recognition rate (14% refugee recognition rate and 35% subsidiary protection rate) and 51% rejection rate. However, in both 2023 and 2024, recognition rates for Afghan nationals dropped significantly once again, with only 10% receiving protection (0.3% refugee recognition rate and 9.7% subsidiary protection rate), while the rejection rate surged to 90%.⁴³⁷ The majority (86%) of Afghan applicants⁴³⁸ continued to abscond before receiving a first instance decision, which was issued on the merits in 14% of cases.⁴³⁹

2. Türkiye

Similar to the situation of Afghan asylum seekers, the applications for protection lodged by Turkish nationals were treated as manifestly unfounded and considered as originating from a “safe country of origin” for many years (from 2014 to 2021), notwithstanding the fact that the Bulgarian asylum system presently does not officially apply any of the safe country concepts.⁴⁴⁰ Prior to 2024, Bulgaria had not

⁴³² AIDA update on Bulgaria, April 2024, [Differential treatment of specific nationalities in the procedure](#).

⁴³³ Article 15(c) of 2011/95/EC Directive.

⁴³⁴ SAR, reg. №АД-07-7 from 14 January 2025.

⁴³⁵ European Commission, Measures for improvement of the Bulgarian asylum system, 6 July 2017, available at: <http://bit.ly/2EudWMH>, 7.

⁴³⁶ See e.g. (Switzerland) Federal Administrative Court, Decision E-3356/2018, 27 June 2018; (Belgium) Council of Alien Law Litigation, Decision No 185 279, 11 April 2017.

⁴³⁷ 2023 AIDA update: 14% overall recognition with 5% refugee recognition rate and 9% subsidiary protection rate vs 65% rejection / 2022 AIDA update: 49% overall recognition with 14% refugee recognition rate and 35% subsidiary protection rate vs 51% rejection rate.

⁴³⁸ 1,969 discontinued procedures out of all 2,296 decisions taken in 2024 with respect to Afghan nationals.

⁴³⁹ See, Table Statistics, page 9 of this report: 327 Afghan decisions on the merits.

⁴⁴⁰ Bulgaria has not adopted a list of “safe countries or origin” since 2001; the last national annual lists were adopted with Decision №205/19.04.2000 of the Council of Ministers, in which Türkiye was not enlisted as a safe country of origin nor as a third safe country.

adopted a list of “safe countries or origin” since 2005.⁴⁴¹ Following the adoption⁴⁴² in April 2024 of the safe country of origin and safe third countries’ national lists, Türkiye is considered both a safe country of origin and a safe third country.

Moreover, despite settled case-law whereby the lodging of an application for international protection entitles the asylum seeker to apply for an immediate release from detention, many Turkish asylum seekers were kept in immigration detention centres for the entire duration of their asylum procedure, in violation of national law. They were subsequently subject to negative decisions and deported back to Türkiye. In such cases, the immigration police made every effort to prevent Turkish detainees from accessing lawyers and legal advice. This practice has been publicly recognised and acknowledged by the former Prime Minister,⁴⁴³ and seemed to be the result of an informal political agreement between the Bulgarian and Turkish governments.⁴⁴⁴ It was a long-standing practice of the Bulgarian authorities to prevent the Turkish nationals from access to procedure and international protection, as well as to expedite their return to the country of origin including, in several cases, in violation of the *non-refoulement* principle. In return, the Turkish authorities divert to a large extent the migratory pressure from the Bulgarian border to the Greek one.⁴⁴⁵ It was presumed that similar arrangements were reached mid-2023, since after the summer peak of 5,025 individuals who entered Bulgaria during August alone,⁴⁴⁶ the number of the new arrivals gradually decreased to only 546 individuals (-88%) in December 2023.⁴⁴⁷

The rejection rate of Turkish asylum seekers increased over the years, to reach 100% both in 2018 and 2019. In 2020, just one Turkish national was granted protection in Bulgaria. In 2021, there were little changes for Turkish applicants despite the altered political situation. If not immediately readmitted, Turkish asylum seekers still faced a 92% rejection rate.

In July 2021, the European Court of Human Rights (ECtHR) ruled that Bulgarian authorities had violated European human rights law by summarily returning a man to Türkiye, thus condemning the longstanding practice of denying Turkish refugees protection from persecution and handing them straight back to Türkiye.⁴⁴⁸ On 8 July 2021 the MOI’s General Border Police Directorate, UNHCR and the Bulgarian Helsinki Committee signed an annex to 2010 Tripartite Memorandum of Understanding including the readmission procedures in the scope of the national monitoring. The aim was to assist the third country nationals who wish to apply for asylum in Bulgaria to be safeguarded from refoulement perpetrated by the means of readmission, among whom the Turkish nationals were designated as a special target group.

In 2022, a gradual improvement in Turkish applicants’ treatment was registered. Just 33% of cases were dealt as manifestly unfounded in accelerated procedure, while in 2021 these were 83% of the decided cases. Even so, the overall recognition rate they enjoyed was quite modest, representing 16% of the total decisions (5% refugee status and 11% subsidiary protection), while the rejection rate remained significantly high (84% of the total). In 2023, their treatment once more deteriorated – a 100% rejection rate was registered, with 58% of Turkish applicants receiving a rejection in accelerated procedures after their claim was considered as manifestly unfounded.⁴⁴⁹ This might be related to the renewed assistance by the Turkish authorities to prevent the migratory pressure on the Bulgarian border in the second half of the year (see above in this paragraph). In 2024, the recognition of Turkish applicants again improved,

⁴⁴¹ The last national annual lists were adopted with Decision №329/2005 of the Council of Ministers, in which Türkiye was not enlisted as a safe country of origin nor as a third safe country.

⁴⁴² COM №247 from 3 April 2024.

⁴⁴³ Businessinsider, ‘Strasbourg Court Quizzes Bulgaria over Gullenists Extradition’, 25 April 2018, available at: <https://bit.ly/2S0ZPGU>.

⁴⁴⁴ Businessinsider, ‘Turkey’s plan to flood Europe with millions of refugees is a real and dangerous threat, officials warn’, 11 October 2019, available at: <https://bit.ly/31szogj>.

⁴⁴⁵ Offnews, The Turkish Ambassador promised to sustain the migrant pressure towards Bulgaria at a zero level, 3 May 2020, available in Bulgarian at: <https://bit.ly/397W2Ph>.

⁴⁴⁶ MOI statistics, December 2023, available in Bulgarian at: <https://bit.ly/48C57wC>.

⁴⁴⁷ Ibid.

⁴⁴⁸ ECtHR, D v. Bulgaria (application №29447/17), Judgement of 20 July 2021. See also: ecchr.eu, ‘European Court of Human Rights: Bulgaria’s pushback practice violates human rights’, 20 July 2021, available at: <https://bit.ly/3niDVyf>.

⁴⁴⁹ SAR, reg. No. №PД05-31 from 15 January 2024.

with a 14% overall recognition rate (0% refugee recognition rate and 14% subsidiary protection rate) and an 86% rejection rate. Presumably high rejection rates were among the reason for the high absconding rate of Turkish applicants, which in 2024 was 50%.

3. Iraq

For many years, Iraqi applicants enjoyed relatively fair assessments and an overall recognition rate ranging from 40% to 55%.⁴⁵⁰ However, in 2017 their recognition drastically dropped. After some fluctuations in the following years, in 2021 the situation further deteriorated, as their overall recognition rate dropped to 13% (8% refugee status, 5% subsidiary protection), corresponding to an 87% rejection rate. In general, the arguments in the negative decisions of both the SAR and the Courts refer to the defeat of ISIS and to improvements in the safety and security across the country's conflict areas and war zones. Claims by applicants from Central and Southern Iraq are considered manifestly unfounded in general. In 2022, the situation changed and Iraqi applicants enjoyed 45% overall recognition (13% refugee recognition and 32% subsidiary protection rates) with a 54% rejection rate. In 2023, the recognition rates dropped to 10% (2% refugee recognition and 8% subsidiary protection rates) with a 90% rejection rate. Moreover, it was publicly recognised that Bulgaria has been exploring possible diplomatic avenues to increase the possibility of both forced and voluntary returns and is in a process of consultation for concluding a Memorandum of Understanding with Iraq.⁴⁵¹ No information is available as to whether the memorandum was indeed agreed. Despite that, Iraq was not included⁴⁵² neither in the safe countries of origin list, nor in the list of safe third countries (see, F. The safe countries concepts) adopted in April. In 2024, Iraqi applications continued to be treated as manifestly unfounded in most cases. The recognition rate for these cases was of just 4.7% (0.2% refugee recognition and 4.5% subsidiary protection rates), with a 95.3% rejection rate.

4. Syria

Between 2014 to mid-2015, the SAR applied the so-called *prima facie* approach to assessing Syrian applications for protection as "manifestly well-founded". This approach is no longer applied.

In 2023, Syrians continued to be the nationality with the highest recognition rate in the country, reaching 97% overall - out of which 1% concerned the granting of refugee status and 96% the granting of the subsidiary protection, with just 3% rate of rejection. In 2023, out of 12,416 Syrian applicants, who submitted asylum claims in Bulgaria, nearly 46% (5,759 individuals) had their decisions issued within the duration of the year. 31%⁴⁵³ absconded prior their first instance decision to be issued.

This situation changed radically in October-December 2024 when the SAR announced⁴⁵⁴ to have started applying an individual approach when assessing and determining Syrian asylum applications. During this period alone, the SAR issued in total 1,125 refusals to Syrian asylum seekers. After the fall of Bashar Assad's regime on 8 December 2024 the SAR suspended⁴⁵⁵ until 31 January 2025 both to conduct interviews and issue decisions to Syrian nationals, however these were resumed in February 2025. In 2024, out of 7,646 Syrian applicants, who submitted asylum claims in Bulgaria, 81% (4,762 individuals) were granted protection, of whom 0,5% (24 individuals) were recognised as refugees, 80% (4,738 individuals) were granted subsidiary protection and 19% (1,125 individuals) were refused asylum.

5. Other nationalities

⁴⁵⁰ For example, in 2015: 22% refugee status, 20% subsidiary protection; 2016: 33% refugee status, 10% subsidiary protection.

⁴⁵¹ European Commission, Reporting on progress made on the Pilot Project for fast asylum and return procedures with Bulgaria, available at: <https://bit.ly/4bTun4k>.

⁴⁵² COM №247 from 3 April 2024.

⁴⁵³ Out of 23,601 Syrian applicants dealt in 2023 (12,416 applied in 2023; 11,185 pending from 2022) the procedure was terminated with respect to 7,408 applicants due to absconding.

⁴⁵⁴ 134th Coordination Meeting, held on 19 December 2024.

⁴⁵⁵ Ibid.

Applications of nationals from certain countries are treated as manifestly unfounded with low to zero recognition rates and overwhelming rejection rates, such as **Algeria, Tunisia and Pakistan** (100% rejection rate), **Morocco** (99.5%) and **Egypt** (98.6%). In the majority of the cases for these nationalities, the status determination is conducted under an [Accelerated Procedure](#).

Reception Conditions

Short overview of the reception system

- **Access to reception:** The national asylum agency SAR is the authority responsible for the reception of asylum seekers.⁴⁵⁶ Their access to reception is guaranteed under the law, though not from the application's submission, but from the moment of their registration as asylum applicants by the SAR.⁴⁵⁷ The right to accommodation applies to asylum seekers subject to Dublin, accelerated and general procedures.⁴⁵⁸ Asylum seekers who submitted a subsequent application, and which were admitted to the determination procedure, are excluded from access to reception centres, food, accommodation and social support unless they are considered to be vulnerable.⁴⁵⁹
- ❖ **Reception centres:** SAR operates two types of collective reception facilities - transit centres and reception-and-registration centres.⁴⁶⁰ Both types can be used for registration, accommodation, medical examination and implementation of asylum procedure. They can also both operate as open or closed type centres. Originally, the transit centres were designed to operate in border areas and to accommodate only the asylum seekers subject to the accelerated procedure, while the reception-and-registration centres had to accommodate those who have been admitted to a general procedure.⁴⁶¹ This difference was gradually erased with series of amendments from 2002 to 2015. Moreover, safe zones for unaccompanied children were recently opened, the first one in mid-2019, and then the second one in early-2020.⁴⁶² Both are located in the reception-and-registration centre (RRC) in Sofia at the Voenna Rampa and Ovcha Kupel shelters, where children were provided round-the-clock care and support tailored to their specific and individual needs. These two safe-zones in Sofia, with an initial total capacity of 288 places, are operated by the International Organisation for Migration (IOM) - Bulgaria and funded by the EC's financial instruments. In July 2022 a report by the national Ombudsperson recommended to SAR to establish a new safe-zone in Harmanli reception center as well.⁴⁶³ In May 2024 a third safe zone with a capacity for 98 children was open⁴⁶⁴ in the biggest reception center in Harmanli, following a collaboration with UNICEF and IOM, funded by the Swiss State Secretariat for Migration (SEM). Thus, the total capacity of the safe-zone reached 346 places. Despite the decreased numbers of arrivals of unaccompanied children (-48% in 2024),⁴⁶⁵ and even at increased capacity, the three safe zones would still be insufficient to shelter all newcomers if it was not for the extremely high 92% absconding rate. Starting from 2022, SAR begun some systematic efforts to accommodate unaccompanied children to specialized child care facilities, and in 2024 the number of the children who were able to benefit by this more appropriate type of accommodation continued to gradually increase.⁴⁶⁶

In 2022, an internal revision of the reception centres' capacity conducted by SAR revealed it⁴⁶⁷ was far below the 5,160 places available that had been indicated for a long time, mainly because the designated premises were unfit for living. In 2024, SAR reported just 3,225 places available for

⁴⁵⁶ Article 47(2) in conjunction with Article 48(1)(11) LAR.

⁴⁵⁷ Article 68(1)(1) LAR.

⁴⁵⁸ Article 29(2) LAR.

⁴⁵⁹ Article 29(7) LAR.

⁴⁶⁰ Article 47(2) LAR.

⁴⁶¹ Law on Asylum and Refugee, as adopted St.G. №54 from 31 May 2002.

⁴⁶² IOM, 'Official opening of the first Safety Zone for unaccompanied asylum-seeking children in Bulgaria', 29 May 2019, available at: <https://bit.ly/2RnAG7N>.

⁴⁶³ Ombudsperson of the Republic of Bulgaria, Доклад на Националния превантивен механизъм за извършени проверки в структури на Дирекция „Миграция“ към Министерство на вътрешните работи и Държавна агенция за бежанците към Министерски съвет, available at: <https://bit.ly/3leBgzJ>.

⁴⁶⁴ SAR, Откриване на сигурна зона за непридружени деца-бежанци в РПЦ-Харманли, 16 May 2024, available in Bulgarian [here](#).

⁴⁶⁵ 2024: 2,601 unaccompanied children; 2023: 3,843 unaccompanied children / 2022: 3,348 unaccompanied children / 2021: 3,172 unaccompanied children.

⁴⁶⁶ Ibid., 2022: 26 children (2 asylum seeking and 24 granted protection); 2023: 43 children (2 asylum seeking and 41 granted protection); 2024: 62 children (4 asylum seeking and 58 granted protection).

⁴⁶⁷ 118th Coordination meeting held on 22 December 2022.

accommodation⁴⁶⁸ in all of its reception centres.

Accommodation outside the reception centres in individual dwellings is permitted, but accessible only to asylum seekers who can financially afford to meet their rent/utilities costs and under the condition to have alleviated their right to receive any other material or social support during the procedure.⁴⁶⁹

In 2018 the UN Human Right Committee raised concerns relating the identified need to further improve conditions for persons seeking international protection by ensuring that reception centres provide basic services, protecting asylum seekers and migrants from attacks and abuse, and by ensuring adequate access to social, psychological, rehabilitation and health-care services and benefits in practice.⁴⁷⁰ These concerns had not been entirely addressed as of the end of 2024, mainly due to the SAR being severely underfunded during the course of the last four years. The SAR annual budgets were,⁴⁷¹ respectively, in 2021: 10,689,700 BGN; in 2022:14,095,300 BGN; in 2023: 12,038,218 BGN and in 2024: 11,717,200 BGN. The only budget allocated for repairs or refurbishment⁴⁷² of the reception centres was of 145,000 BGN in 2022, with no such means allocated in the 2020, 2021, 2023 or 2024 annual budgets of the asylum agency.

❖ **Reception capacity:** In 2024, the number of new arrivals in Bulgaria decreased by 45%, which also decreased the occupancy rate to 49%⁴⁷³ as of the end of the year, when the country usually experiences the lowest numbers of the new arrivals due to winter weather conditions. Notwithstanding, the constantly decreasing reception capacity of the SAR (see, [Overview of the main changes, Reception centers](#)) would be raising serious concerns due to the high likelihood of over-crowding throughout spring to autumn months, if it was not for the high (99%)⁴⁷⁴ absconding rate of Afghan applicants and the rising (57%)⁴⁷⁵ absconding rates registered for Syrian applicants at the end of 2024. The absconding rate for Syrians increased significantly after the SAR shifted its policy, from treating these applications as manifestly founded to conducting individual assessment and determination, which resulted in higher refusal rates (see, [H. Differential treatment of specific nationalities in the procedure](#)). The main reason for Afghan absconding can be likely found in the low recognition rates for these nationalities, which varied from 0.1% to 14% over a ten-years period. As a consequence, many Afghan applicants do not wish to continue their asylum process in Bulgaria (see [Differential treatment of specific nationalities in the procedure](#)).

A. Access and forms of reception conditions

1. Criteria and restrictions to access reception conditions

Indicators: Criteria and Restrictions to Reception Conditions

1. Does the law allow access to material reception conditions for asylum seekers in the following stages of the asylum procedure?
- | | | | |
|--------------------------|---|--|--|
| ❖ Regular procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Dublin procedure | <input type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input checked="" type="checkbox"/> No |
| ❖ Accelerated procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ First appeal | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Onward appeal | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Subsequent application | <input type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input checked="" type="checkbox"/> No |
2. Is there a requirement in the law that only asylum seekers who lack resources are entitled to material reception conditions? Yes No

⁴⁶⁸ SAR reg. №АД-07-7 from 14 January 2025.

⁴⁶⁹ Article 29(9) LAR.

⁴⁷⁰ Human Right Committee, Concluding observations on the fourth periodic report of Bulgaria, CCPR/C/BGR/CO/4, 15 November 2018, available at: <https://bit.ly/39rxz7T>.

⁴⁷¹ SAR reg. №АД-07-47 from 9 December 2024.

⁴⁷² SAR reg.№ЦУ-РД05-123/27.02.2024.

⁴⁷³ 134th Coordination meeting held on 19 December 2024.

⁴⁷⁴ 1,969 terminated procedures out of all 1,980 Afghan applicants.

⁴⁷⁵ 4,357 terminated procedures out of all 7,646 Syrian applicants.

Asylum seekers are entitled to material reception conditions according to national legislation during all types of asylum procedures, except in those implemented to admit or assess subsequent applications.⁴⁷⁶ Although there is no explicit provision in the law, asylum seekers without resources are accommodated with priority in the reception centres in case of restricted capacity to accommodate all new arrivals. Circumstances such as specific needs and risk of destitution are assessed in each case. The criteria to assess whether a risk of destitution exists⁴⁷⁷ are set to take into account the individual situation of the asylum seeker of concern, such as resources and means of self-support, profession and employment opportunities if work is formally permitted, and the number and vulnerabilities of dependent family members. Nevertheless, asylum seekers have the right to withdraw from these benefits if their application is pending in the regular procedure and they declare that they have the means and resources to support themselves and chose to live outside reception centres. In practice, SAR provides for accommodation and access to the benefits provided therein, to all asylum seekers without a formal assessment procedure and applies such assessment only in the cases of Dublin returnees vis-à-vis their access to accommodation and nutrition at SAR reception centres (see 2.7. [The situation of Dublin returnees](#)).

The law provides that every applicant shall be entitled to receive a registration card in the course of the procedure.⁴⁷⁸ In addition, the law implies a legal fiction, according to which the registration card does not certify the foreigner's identity due to its temporary nature and the specific characteristics of establishing the facts and circumstances during the refugee status determination (RSD) procedures which are based, for the most part, on circumstantial evidence.⁴⁷⁹ Hence, the registration card serves the sole purpose of certifying the identity declared by the asylum seeker and the right to remain in the territory of the country during the procedure.⁴⁸⁰

Nevertheless, this document is a key prerequisite for access to the rights enjoyed by asylum seekers during the asylum procedure, namely remaining on the territory, receiving shelter and subsistence, social assistance (under the same conditions as Bulgarian nationals and receiving the same amount), health insurance, access to health care, psychological support and education. Since the end of 2015, during the procedure asylum seekers enjoy only shelter, food and basic health care, as none of the other entitlements is secured or provided by the government in practice.

In 2017, the Committee against Torture raised concerns around substandard material conditions in reception centres, the absence of an adequate identification mechanism for persons in vulnerable situations, the removal of their monthly financial allowance, and insufficient procedural safeguards regarding the assessment of claims and the granting of international protection.⁴⁸¹ Despite the period of time which has passed since the CAT report, there have been only moderate improvements to limit the continued deterioration of reception centres' infrastructure,⁴⁸² due to lack of budget to implement any refurbishment for the period 2019 to 2023. Therefore, all the findings remain valid to a great extent as of the end of 2024 (see [Conditions in reception facilities](#)).

Dublin procedure: Certain asylum seekers channelled in an outgoing Dublin procedure are not automatically entitled to material reception conditions, as they only enjoy limited rights, namely the right to remain in the country's territory, the right to interpretation and the right to be issued a registration card. The LAR distinguishes between persons applying for asylum in Bulgaria, who have access to full reception conditions,⁴⁸³ and persons found irregularly on the territory in Bulgaria and who have not claimed asylum,

⁴⁷⁶ Article 29(1) and (7) LAR.

⁴⁷⁷ Article 29(4) LAR, assessed according the specific guidelines, issued by the SAR Chairperson.

⁴⁷⁸ Article 29(1)(7) LAR.

⁴⁷⁹ Article 40(3) LAR.

⁴⁸⁰ National Commission for Consumers Protection, Payment Disputes Committee, Ref. №ЛJ-03-5033 from 1 September 2020.

⁴⁸¹ Committee against Torture, Concluding observations on the sixth periodic report of Bulgaria, CAT/C/BGR/CO/6, 15 December 2017, available at: <http://bit.ly/2rV4mzR>.

⁴⁸² See, Overview of the main changes since the previous report update, Reception conditions.

⁴⁸³ Article 67a(2)(1) LAR.

but to whom the Dublin procedure might be applied following a formal request submitted by the arresting police department or security services.⁴⁸⁴

Regarding Dublin returnees, the treatment depends on how their individual case has developed in Bulgaria while they were not present in the country:

- In cases where the asylum claim under the Dublin procedure has been rejected *in absentia*, the applicant is treated as an irregular migrant upon return to Bulgaria. This means that access to accommodation and medical assistance is unavailable, but also that the Dublin returnee faces a risk of being detained to secure their return. Only in few cases, applicants manage to restore their appeal deadlines and to bring the negative decisions before the court, but in such cases the chances of success remain extremely limited given the low recognition rates in Bulgaria (except for Syrian nationals).
- In cases where the Dublin returnee's procedure in Bulgaria has only been discontinued during their stay abroad, the asylum procedure is re-opened and continues after they are transferred back to the country. Dublin returnees for whom the procedure can be reopened and continued are usually accommodated in an asylum reception centre upon request, although this depends on the occupancy in reception centres.

For more information on Dublin returnees' accommodation - see [2.7. The situation of Dublin returnees](#).

Subsequent applications: Subsequent applicants pending an admissibility assessment are excluded not only from all material conditions, but also from the right to receive a registration card. They only have a right to interpretation during the fast-track processing of the admissibility assessment prior to their registration, documentation and determination on the substance.⁴⁸⁵ In cases where the first subsequent application is considered to be submitted merely in order to delay or complicate the enforcement of a removal decision, or where it concerns another subsequent application following a final inadmissibility / unfounded decision considering a first subsequent application, the applicants are also stripped from the right to remain on the territory. In 2024, this affected a total of 59 subsequent applicants, who received an inadmissibility decision. The law has set a 14-day time limit for the admissibility determination. If the subsequent application is considered inadmissible, the determining authority should not open a determination procedure and the applicant is not registered and documented (see section on [Subsequent Applications](#)).

2. Forms and levels of material reception conditions

Indicators: Forms and Levels of Material Reception Conditions

- | | |
|---|------|
| 1. Amount of the monthly financial allowance/vouchers granted to asylum seekers as of 31 December 2024 (in original currency and in €): | None |
|---|------|

According to the law, reception conditions include accommodation, food, social assistance, health insurance and health care and psychological assistance. These rights, however, can be enjoyed only by asylum seekers accommodated in the reception centres. Asylum seekers who have either opted on their own will to live outside reception centres or to whom the accommodation is refused (see [Reduction or Withdrawal of Reception Conditions](#)) do not have access to food or psychological assistance. Access to the basic health care is otherwise ensured as health insurance is in principle covered by the state budget to all asylum seekers regardless of their place of residence.

From February 2015, the SAR ceased the provision of the monthly financial allowance to asylum seekers accommodated in reception centres, based on the argument that food was to be provided in reception centres three times a day.⁴⁸⁶ In 2024, three meals per day were thus distributed to all asylum seekers

⁴⁸⁴ Article 67a(2)(2) LAR.

⁴⁸⁵ Article 76b LAR.

⁴⁸⁶ SAR, Order No 31-310, 31 March 2015, issued by the Chairperson Nikola Kazakov.

accommodated in reception centres. The food distribution to adults is provided once a day, while for unaccompanied children the food is distributed three times a day in order to prevent the excess meals to be taken from them by the adults. Since 2017, the food has been delivered by catering services and the quality, but also quantity of the food became one of the most common complaints from asylum seekers, accommodated in reception centres, along with poor hygiene and dismal living conditions (see [Conditions in reception facilities](#)).

The cessation of the monthly financial allowance is in contradiction with the law, as the LAR does not condition its provision depending on whether food is provided or not. These two material rights are regulated separately under the law. The cessation of the monthly financial allowance was appealed by several NGOs before the court.⁴⁸⁷ However, the Supreme administrative court rejected the appeal on the basis of a lack of legitimate interest in the case and suggested that appeals on an individual basis could be admissible. Notwithstanding, the appeals against the cessation of the financial allowance cannot be validly submitted, since the 14-day time limit for appealing the decision by any asylum seeker would be long expired, as it is counted from its issue date of the SAR's order.

3. Reduction or withdrawal of reception conditions

Indicators: Reduction or Withdrawal of Reception Conditions

1. Does the law provide for the possibility to reduce material reception conditions?
 Yes No
2. Does the legislation provide for the possibility to withdraw material reception conditions?
 Yes No

The reduction of material reception conditions is not possible under the law. Withdrawal is admissible under the law in cases of disappearance of the asylum seeker when the procedure is discontinued.⁴⁸⁸

The SAR applies this ground of withdrawal in practice to persons returned under the Dublin Regulation. In their majority, they are refused accommodation in the reception centres, although this approach is usually not applied to families with children, unaccompanied children and other vulnerable applicants, who are provided shelter and food.

Under the law, the directors of transit / reception centres are competent to decide on whether an asylum applicant should be provided accommodation.⁴⁸⁹ These decisions should be issued in writing as all other acts of administration,⁴⁹⁰ but in practice asylum seekers are informed orally. Nonetheless, the refusal to provide accommodation can be appealed before the relevant Regional Administrative Court within 7 days from the notification. Legal aid is available for representation before the court once the appeal is submitted. In this case, however, asylum seekers face difficulties proving before the court when they have been informed about the accommodation refusal, which may result in cessation of the court proceedings.

Destitution is defined based on the monetary indicator of the national poverty threshold. From 1 January of 31 December 2024,⁴⁹¹ this threshold is at BGN 526, equivalent to 269.74€ monthly. From 1 January 2025, the threshold is set at BGN 638, equivalent to 327.17€ monthly.⁴⁹² The law defines as “basic needs” sufficient food, clothing and housing provided according to the national socio-economic development.⁴⁹³ The risk of destitution is not formally assessed but the SAR takes it into account in the majority of cases.

Bulgaria does not apply sanctions for serious breaches of the rules of accommodation centres and violent behaviour, except for destruction of a reception centre's property, which is sanctioned with a fine between

⁴⁸⁷ Bulgarian Helsinki Committee, Bulgarian Council on Refugees and Migrants, and Council of Refugee Women.

⁴⁸⁸ Article 29(8) LAR.

⁴⁸⁹ Article 51(2) LAR.

⁴⁹⁰ Article 59(2) Administrative Procedure Code.

⁴⁹¹ COM No 212 of 2 November 2023.

⁴⁹² COM No 328 of 30 September 2024.

⁴⁹³ Article 1(1) Law on Social Assistance.

50 to 200 BGN (25.50-102 €) plus the value of the destroyed property.⁴⁹⁴ The grounds laid down in Article 20(2) and (3) of the Recast Reception Conditions Directive are not transposed into national legislation.

Relating to subsequent applicants, see [Criteria and Restrictions to Access Reception Conditions](#).

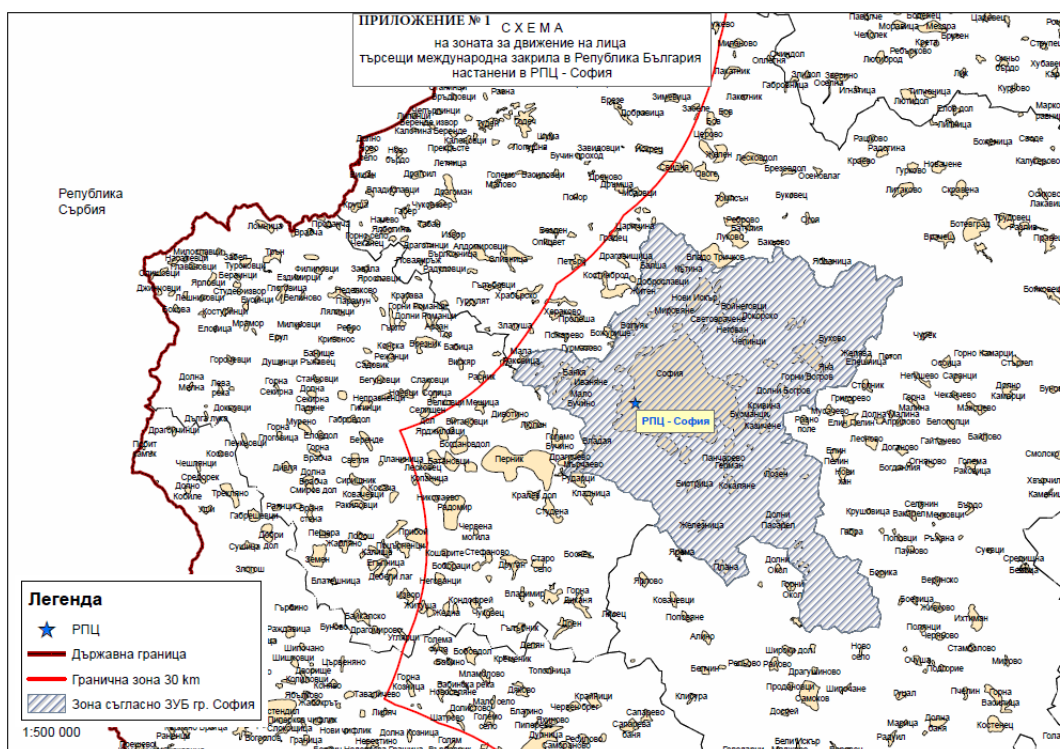
4. Freedom of movement

Indicators: Freedom of Movement

1. Is there a mechanism for the dispersal of applicants across the territory of the country? Yes No
2. Does the law provide for restrictions on freedom of movement? Yes No

Asylum seekers' freedom of movement can be restricted to a particular area or administrative zone within Bulgaria, if such limitations are deemed necessary by the asylum authority, without any other conditions or legal prerequisites.⁴⁹⁵ The asylum seeker can apply for a permission to leave the allocated zone and if the request is refused, it must be motivated. Such a permission is not required when the asylum seeker has to leave the allocated zone in order to appear before a court, a public body or administration or if he is in need of emergency medical assistance. The permitted zones of free movement should be indicated in each individual asylum identification card.⁴⁹⁶

Consecutive failure to observe the zone limitation can result in placement in a closed centre until the asylum procedure ends with a final decision.⁴⁹⁷ From September 2017, the government formally designated the "movement zones".⁴⁹⁸ These consist of zones covering designated geographical areas around the respective reception centres. The following map illustrates the zone around **Sofia**:



At the end of 2017, information boards were placed in all reception centres indicating the respective movement zones applicable for the asylum seekers accommodated therein. However, since then, the SAR has not applied this as a ground for detention in a closed centre. In 2024, the SAR did not apply

494 Article 93 LAR.
 495 Article 30(2) and (3) LAR.
 496 Article 44(1)(11) LAR.
 497 Article 95a LAR.
 498 Council of Ministers, Decision No 550 of 27 September 2017.

asylum detention based solely on the person's attempts to leave Bulgaria (0 cases were registered throughout the year).

B. Housing

1. Types of accommodation

Indicators: Types of Accommodation	
1. Number of reception centres:	4 ⁴⁹⁹
2. Total number of places in the reception centres:	3,225 ⁵⁰⁰
3. Total number of places in private accommodation:	1,005 ⁵⁰¹
4. Type of accommodation most frequently used in a regular procedure:	<input checked="" type="checkbox"/> Reception centre <input type="checkbox"/> Hotel or hostel <input type="checkbox"/> Emergency shelter <input type="checkbox"/> Private housing <input type="checkbox"/> Other
5. Type of accommodation most frequently used in an accelerated procedure:	<input checked="" type="checkbox"/> Reception centre <input type="checkbox"/> Hotel or hostel <input type="checkbox"/> Emergency shelter <input type="checkbox"/> Private housing <input type="checkbox"/> Other

Reception centres are managed by the SAR. As of the end of 2024, there were 4 reception centres in Bulgaria. The total capacity as of 31 December 2024 was as follows:

Reception centre	Location	Capacity	Occupancy at the end of 2022	Occupancy at the end of 2023	Occupancy at the end of 2024
Sofia	Sofia	1,526	1,047	1,154	592
<i>Ovcha Kupel shelter</i>		560	615	568	158
<i>Vrazhdebna shelter</i>		N/a	184	307	269
<i>Voenna Rampa shelter</i>		N/a	236	270	142
<i>Closed reception ward in Busmantsi</i>		N/a	12	9	23
Banya	Central Bulgaria	N/a	53	64	54
Pastrogor	South-Eastern Bulgaria	N/a	134	108	35
Harmanli	South-Eastern Bulgaria	N/a	1,178	1,410	898
Total		3,225	2,412	2,736	1,579

Source: SAR.⁵⁰² Note that the occupancy rate includes asylum seekers accommodated in the closed reception ward within the premises of Busmantsi immigration detention centre - a closed type asylum facility under SAR jurisdiction.

⁴⁹⁹ Both permanent and for first arrivals. Note that the Refugee Reception Centre Sofia has 3 reception shelters, namely Ovcha Kupel, Vrazhdebna and Voenna Rampa.

⁵⁰⁰ SAR, reg. №АД-07-7 from 14 January 2025.

⁵⁰¹ SAR, reg. No. №РД05-31 from 15 January 2024. The government does not provide accommodation for asylum seekers in private lodgings. This figure refers to the number of asylum seekers who opted to live outside reception centers in private lodgings paying rent at their own expenses. In 2023, MOI discontinued the provision of this figure in its publicly available statistics, at: <https://bit.ly/48C57wC>.

⁵⁰² SAR, reg. №АД-07-7 from 14 January 2025.

For many years, SAR has been claiming that the maximum capacity of its reception centres was of 5,160 individuals.⁵⁰³ However, in December 2022 the appointed earlier during that year new SAR management shared⁵⁰⁴ that the actual reception capacity was up to 3,932 individuals maximum, since the remaining 1,228 places were located in premises unfit for living. In 2024, the national reception capacity continued to decrease to 3,225 places in all SAR reception centres⁵⁰⁵ despite the country having registered 12,250 asylum applicants in 2024 alone. This situation is mostly due to the fact that the SAR did not receive any of the funding requested for repairs or refurbishment⁵⁰⁶ in its 2020, 2021, 2023 or 2024 annual budgets. Just BGN 120,000 including VAT were provided in 2022, and no additional funding was provided in 2023, while SAR estimated at the end of 2023⁵⁰⁷ to be in need of at least BGN 10,953,746 in order to be able to conduct the most necessary refurbishment, while its entire 2024 budget was of BGN 11,717,200.⁵⁰⁸ Temporary protection holders were not accommodated in SAR reception centres as due to the large number of arrivals their housing in the spring of 2022 was secured outside them under a Humanitarian Aid Program⁵⁰⁹ adopted in March by the regular government (see [Temporary Protection](#)). In 2024, the number of new arrivals in Bulgaria decreased by 45%, which also decreased the occupancy rate to 49%⁵¹⁰ as of the end of the year, when the country usually registers the lowest numbers of the new arrivals due to winter weather conditions. Notwithstanding, the constantly decreasing reception capacity of the SAR (see, [Overview of the main changes, Reception centers](#)) would be raising serious concerns due to the high likelihood of over-crowding throughout spring to autumn months, if it was not for the high (99%)⁵¹¹ absconding rate of Afghan applicants and the rising (57%)⁵¹² absconding rates registered for Syrian applicants at the end of 2024. The absconding rate for Syrians increased significantly after the SAR shifted its policy, from treating these applications as manifestly founded to conducting individual assessment and status determination, which resulted in higher refusal rates (see, [H. Differential treatment of specific nationalities in the procedure](#)). The main reason for Afghan absconding can be likely found in the low recognition rates for these nationalities, which varied from 0.1% to 14% over a ten-year period. As a consequence, many Afghan applicants do not wish to continue their asylum process in Bulgaria (see [Differential treatment of specific nationalities in the procedure](#)).

1,579 asylum seekers resided in reception centres as of the end of 2024, thereby marking an occupancy rate of 49%.

Wherever possible, there is a genuine effort to accommodate nuclear families together and in separate rooms. Single asylum seekers are accommodated together with others, although conditions vary considerably from one centre to another. Some of the shelters are used for accommodation predominantly of a certain nationality or nationalities. For example, **Vrazhdebna** shelter in Sofia accommodated predominantly Syrians and Iraqis, **Voenna Rampa** shelter in Sofia accommodates predominantly Afghan and Pakistani asylum seekers, while the other reception centres accommodate mixed nationalities, such as in **Harmanli** reception centre, **Banya** reception centre and **Ovcha Kupel** shelter in Sofia. In the end of 2024, the oldest reception facility of Ovcha Kupel shelter in Sofia which is at a state of complete dilapidation remained to be used as accommodation solely for unaccompanied children in the safe-zone area, managed by IOM.⁵¹³

Alternative accommodation outside the reception centres is allowed under the law, but only if it is paid by asylum seekers themselves and if they have consented to waive their right to social and material support.⁵¹⁴ They must submit a formal waiver from their right to accommodation and social assistance, as

⁵⁰³ 110th Coordination meeting held on 10 January 2022.

⁵⁰⁴ 118th Coordination meeting held on 22 December 2022.

⁵⁰⁵ 134th Coordination Meeting held on 19 December 2024.

⁵⁰⁶ SAR, reg. №АД-07-7 from 14 January 2025.

⁵⁰⁷ SAR reg.№ЦУ-РД05-123/27.02.2024.

⁵⁰⁸ SAR, reg. №АД-07-7 from 14 January 2025.

⁵⁰⁹ COM No.145 from 10 March 2022.

⁵¹⁰ 134th Coordination meeting held on 19 December 2024.

⁵¹¹ 1,969 terminated procedures out of all 1,980 Afghan applicants.

⁵¹² 4,357 terminated procedures out of all 7,646 Syrian applicants.

⁵¹³ 129th Coordination meeting, 9 May 2024.

⁵¹⁴ Article 29(9) LAR.

warranted by law, and declare to cover rent and other related costs at their own expenses.⁵¹⁵ Except for the few asylum seekers who are able to finance private accommodation on their own, another group of individuals living at external addresses is that of Dublin returnees, to whom the SAR applies the exclusion from social benefits, including accommodation, as a measure of sanction in accordance with the law (see [Withdrawal of Reception Conditions](#)).⁵¹⁶

2. Conditions in reception facilities

Indicators: Conditions in Reception Facilities

1. Are there instances of asylum seekers not having access to reception accommodation because of a shortage of places? Yes No
2. What is the average length of stay of asylum seekers in the reception centres? 1 to 18 months
3. Are unaccompanied children ever accommodated with adults in practice? Yes No
4. Are single women and men accommodated separately? Yes No

State of the facilities

Since 2015 conditions in national reception centres in general have been deteriorating and as a whole, substandard, with support limited to accommodation, nutrition and rudimentary medical help without provision of psychological care or assistance.⁵¹⁷ In 2022 an SAR internal revision of the reception centres' capacity revealed it⁵¹⁸ to be far below long-time stated 5,160 places, mainly because the designated premises were unfit for living. In 2024, SAR reported just 3,225 places available for accommodation⁵¹⁹ in all of its reception centres. The asylum agency continued to be severely underfunded in general. The SAR annual budgets were,⁵²⁰ respectively, in 2021: 10,689,700 BGN; in 2022:14,095,300 BGN; in 2023: 12,038,218 BGN and in 2024: 11,717,200 BGN. The only budget allocated for repairs or refurbishment⁵²¹ of the reception centers was of 145,000 BGN in 2022 with no such means allocated in 2020, 2021, 2023 or 2024 annual budgets of the asylum agency.

As a consequence, reception centers where applicants are accommodated pending their asylum procedure continued to present recurring problems regarding infrastructure and material conditions, which in many instances were substandard and did not ensure even the most basic services relating nutrition and sanitation of personal and communal spaces. Regular water, hot water, repair of utilities and equipment in bathrooms, rooms and common areas remained extremely problematic due to the lack of budget. Vermin infestation, such as bedbugs, lice, cockroaches and rats also remain among the most persisting problems in reception centres for many years. The oldest reception facility of Ovcha Kupel shelter in Sofia is found to be at a state of complete dilapidation to the extent that at a certain point the SAR management considered its full closure.⁵²² At the end of 2024, the only space in it which continued to be used for accommodation was the safe-zone for the unaccompanied children, managed by IOM. Occupants from all reception centres, except **Pastrogor** transit center, continued to complain about the living conditions, especially regarding bedbugs which regularly cause health issues, i.e. perpetual skin inflammations and allergic reactions. This problem arose after 2013, was continuously neglected until 2023 and remains a very serious issue to this day, despite the regular monthly and ad hoc disinfections

⁵¹⁵ Ibid.

⁵¹⁶ Article 29(4) LAR.

⁵¹⁷ See, AIDA Country Updates on Bulgaria: Forth Update from October 2015, 2016 Update from February 2017, 2017 Update from February 2018, 2018 Update from January 2019, 2019 Update from February 2020, 2020 Update from February 2021 and 2021 Update from February 2022.

⁵¹⁸ 118th Coordination meeting held on 22 December 2022.

⁵¹⁹ SAR reg. №АД-07-7 from 14 January 2025.

⁵²⁰ SAR reg. №АД-07-47 from 9 December 2024.

⁵²¹ SAR reg.№ЛҮ-РД05-123/27.02.2024.

⁵²² 129th Coordination meeting, 9 May 2024.

made throughout 2024.⁵²³

Food in reception centres was provided through catering arrangements to deliver three meals per day. As catering providers are selected regionally based on the lowest price offer⁵²⁴ these vary among the different reception centres. Thus, in Ovcha Kupel, Voenna Rampa and Vrazhdebna shelters in Sofia reception centre these three meals per day were delivered at the price of BGN 5.38, equal to EUR 2.75; in Harmanli reception centre - at the price of BGN 6.54, equal to EUR 3.35; in Banya reception centre – at the price of BGN 6.24, equal to EUR 3.20; and in Pastrogor transit centre – at the price of BGN 6.01, equal to EUR 3.08 daily. The individual monthly allowance provided for in the law is not translated into practice as it is not provided since 2015.⁵²⁵ For this reason, in 2024 asylum seekers continued to complain not only about food quality, but also about its insufficient quantity. The main factor that helped avoiding a point of critical malnutrition for asylum seekers remained the high rate of absconding and abandonment of the procedure, which in 2024 was 47% of all cases.

The access of asylum seekers to repeated and specialized healthcare and medical treatment remained impeded due to the country's fundamental shortage of general practitioners. Therefore, medical care of asylum seekers was mainly carried out in the surgeries organised in Sofia and Harmanli reception centres, with a total of 18,189 initial medical examinations and 7,038 outpatient examinations conducted in 2024,⁵²⁶ provided in reception centres by 4 doctors, 1 paramedic and 4 nurses. Even though asylum seekers are health insured, due to its budget restraints SAR fail to meet the medical expenses, which are not covered by the National Health Insurance Fund (NHIF). These costs as well as those for prescribed medicines, lab tests or other medical interventions which are not covered in the health care package, as well as for purchase of baby formula, diapers and other personal hygiene products were provided by UNHCR, UNICEF and the Red Cross.⁵²⁷

Throughout the whole 2024 the most serious concern relating national reception conditions remained the safety and security of asylum seekers accommodated in reception centres. They continued to be seriously compromised due to the presence of smugglers, drug dealers and sex workers who had access to all reception centres during the night hours without any interference from the private security guards. The SAR received many public disorder complaints during 2024 both in Sofia and Harmanli, which escalated in public demonstrations and committees requesting the reception facilities to be either closed, or turned to closed-type centres.⁵²⁸ In 2022⁵²⁹ and 2023⁵³⁰, a non-governmental organisation continued raising concerns regarding safety of reception centres and asylum seekers accommodated in. Starting from mid-2022, the SAR submitted several requests to the Ministry of Interior^{531, 532} to engage the police in guarding of the reception centres, but it was not before the end of 2023 when MOI initiated a procedure,⁵³³ to investigate the possibility for SAR reception centres to be guarded by the national police and gendarmerie. In April 2024 additional amendments to the law were made⁵³⁴, but it was not before 31 January 2025 when the MOI finally took over the guarding of the reception centres of the SAR, starting with Sofia and Harmanli ones. This major change is expected to seriously improve the safety and security of asylum seekers who are accommodated in the reception centres during their procedure.

⁵²³ SAR reg. №АД-07-7 from 14 January 2025: 91 disinfections in total, of which 12 in Ovcha Kupel, 13 in Voenna Rampa, 29 in Vrazhdebna, 12 in Harmanli, 13 in Banya and 12 in Pastrogor.

⁵²⁴ National Statistical Institute, Annual inflation rates: +2.2% in 2024; +9.5% in 2023; and +17% in 2022, available in Bulgarian [here](#).

⁵²⁵ SAR, Order No 31-310, 31 March 2015, issued by the Chairperson Nikola Kazakov.

⁵²⁶ SAR reg. №АД-07-7 from 14 January 2025.

⁵²⁷ Ibid.

⁵²⁸ DW, 'След побоя в София: спусъкът с "Мигранти вълн!", 11 March 2024, available in Bulgarian [here](#); 24 Hours, 'Рехав протест против бежанците се проведе в София, 31 March 2024, available in Bulgarian [here](#); BTV, Протест срещу бежанците в Харманли: Хората настояват те да бъдат преместени извън града, 22 March 2024, available in Bulgarian [here](#); BNR, Жители на Харманли отново протестираха срещу бежанския център, 6 April 2024, available in Bulgarian [here](#).

⁵²⁹ Bulgarian Helsinki Committee, reg.No.Б-67 from 4 August 2022.

⁵³⁰ Bulgarian Helsinki Committee, reg.No.Б-88 from 18 September 2023.

⁵³¹ SAR, reg. No. №РД05-31 from 15 January 2024.

⁵³² SAR reg. №АД-07-7 from 14 January 2025.

⁵³³ 127th Coordination meeting, held on 28 December 2023.

⁵³⁴ Article 14, para 5 of the Law on Ministry of Interior, St.G. №33 from 12 April 2024.

Some level of standardisation has taken place in the intake and registration procedure in reception centres. There is a basic database of residents in place, which is updated daily. However, there is an ongoing competition among asylum seekers to be accommodated in premises/rooms found to be in a better condition than others, thus corruption among SAR staff, who deals with accommodation issues, is widespread. For example, throughout 2023 and 2024 the BHC office in Harmanli and Sofia reception centres received accounts from asylum seekers that SAR employees continued to collect money from asylum seekers for different 'services', e.g. changing the room with one in better condition, accelerating the decision-making, etc.

The law does not limit the length of asylum seekers' stay in a reception centre. Asylum seekers can remain in reception centres pending the appeal procedure against a negative decision.⁵³⁵ In December 2024, the SAR reported to have its reception occupancy at 49%, i.e. 1,579 occupants out of 3,225 available places,⁵³⁶ compared to 2,736 at the end of 2023; 2,412 occupants at the end of 2022; 2,447 occupants at the end of 2021; 1,032 occupants at the end of 2020, and 461 occupants at the end of 2019.

C. Employment and education

1. Access to the labour market

Indicators: Access to the Labour Market

- | | |
|--|---|
| 1. Does the law allow for access to the labour market for asylum seekers?
❖ If yes, when do asylum seekers have access the labour market? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3 months |
| 2. Does the law allow access to employment only following a labour market test? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Does the law only allow asylum seekers to work in specific sectors?
❖ If yes, specify which sectors | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Does the law limit asylum seekers' employment to a maximum working time?
❖ If yes, specify the number of days per year | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. Are there restrictions to accessing employment in practice? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Currently, the LAR allows for access to the labour market for asylum seekers, if the determination procedure takes longer than 3 months from the lodging of the asylum application.⁵³⁷ The permit is issued by the SAR itself in a simple procedure that verifies only the duration of the status determination procedure and whether it is still pending.

In January 2018, the Ministry of Labour and Social Policy attempted to amend the law and condition the asylum seekers' access to the labour market on numerous additional and unfeasible requirements,⁵³⁸ but the joint lobbying of the SAR, UNHCR and non-governmental organisations prevented the amendment from being voted, and preserved the status quo.

Once issued, the permit allows access to all types of employment and social benefits, including assistance when unemployed. Under the law, asylum seekers also have access to vocational training.⁵³⁹

In 2024, the SAR issued 1,074 work permits to asylum seekers who were looking to support themselves while their asylum claims were being processed.⁵⁴⁰ Out of them, only 3 asylum seekers and 10 persons

⁵³⁵ Article 29(4)-(9) LAR.

⁵³⁶ 134th Coordination meeting held on 19 December 2024.

⁵³⁷ Article 29(3) LAR.

⁵³⁸ National Parliament, Law on Amendment of the Law on Labour Migration and Labour Policy, 802-01-1, 2 January 2018, available in Bulgarian at: <https://bit.ly/2FGQ0sK>.

⁵³⁹ Article 39(1)(2) LAR.

⁵⁴⁰ SAR reg. №АД-07-7 from 14 January 2025.

granted international protection were employed through employment programs, while the rest found work independently and on their own initiative.⁵⁴¹ At the same time, a total of 272 persons with temporary protection were employed through employment programs.⁵⁴²

In practice, it is still difficult for asylum seekers to find a job, due to the general difficulties resulting from language barriers, the recession and high national rates of unemployment. Comprehensive statistics on the number of asylum seekers in employment is not collected, except for those officially registered as seeking employment. In 2024, only 10 status holders, 3 asylum seekers and 272 temporary protection holders were employed through government job seeking programmes of the Employment Agency.⁵⁴³

2. Access to education

Indicators: Access to Education

1. Does the law provide for access to education for asylum-seeking children? Yes No
2. Are children able to access education in practice? Yes No

Access to education for asylum-seeking children is provided explicitly in national legislation without an age limit.⁵⁴⁴ The provision not only guarantees full access to free of charge education in regular schools, but also to vocational training under the rules and conditions applicable to Bulgarian children.

In practice, there are some obstacles related to the methodology used to identify the school grade the child should be directed to, but this problem should be solved by the appointment of special commissions by the Educational Inspectorate with the Ministry of Education and Science. The increasing number of applicant children prompted more focus on their education. Overall, 55 asylum-seeking children started the school year in Bulgaria in 2024.⁵⁴⁵

In 2021 all children accommodated in reception centres were provided access to laptops, purchased by the Red Cross with AMIF co-funding, to secure children's online access to primary and secondary education. However, the management of the SAR, appointed in 2022, was not able to locate any of these laptops.⁵⁴⁶

Asylum-seeking children with special needs do not enjoy alternative arrangements other than those provided for Bulgarian children.⁵⁴⁷

Moreover, asylum-seeking children may be detained in closed reception centres or facilities following the detention of their parents.⁵⁴⁸ This could deprive children of their right to education as accommodation in closed centres would effectively prevent them from accessing education, unless arrangements are put in place to secure their transportation to the public schools. No practice is yet applied in this respect.

Adult refugees and asylum seekers have the right to access vocational training. Practical obstacles may be encountered by asylum seekers in relation to access to universities as they have difficulties to provide proof regarding diplomas already acquired in their respective countries of origin. This is due to a lack of relevant information on diplomas. The academic autonomy of Bulgarian universities largely prevented the adoption of common government rules that would allow facilitated access for beneficiaries of international protection, taking into account their special circumstances and limited possibility to obtain official documents from their countries of origin.

⁵⁴¹ Employment Agency, reg. No. PД-08-1915 from 27 December 2024.

⁵⁴² Ibid.

⁵⁴³ Employment Agency, reg. No. PД08-1915 from 27 December 2024.

⁵⁴⁴ Article 26(1) LAR.

⁵⁴⁵ SAR, reg. №АД-07-7 from 14 January 2025.

⁵⁴⁶ SAR, reg. No. PД05-72 from 26 February 2023 / SAR, reg. No. №PД05-31 from 15 January 2024.

⁵⁴⁷ National Integration Plan for Children with Special Needs and/or Chronic Illness, adopted with Council of Ministers Ordinance No 6, 19 August 2002.

⁵⁴⁸ Article 45e LAR.

D. Health care

Indicators: Health Care

1. Is access to emergency healthcare for asylum seekers guaranteed in national legislation?
 Yes No
2. Do asylum seekers have adequate access to health care in practice?
 Yes Limited No
3. Is specialised treatment for victims of torture or traumatised asylum seekers available in practice?
 Yes Limited No
4. If material conditions are reduced or withdrawn, are asylum seekers still given access to health care?
 Yes Limited No

Asylum seekers are entitled to the same level of health care as nationals.⁵⁴⁹ Under the law, the SAR has the obligation to cover from its budget the health insurance fees of asylum seekers.

In practice, asylum seekers have access to available health care services, but do face the same difficulties as Bulgarian nationals due to the general state of deterioration in the national health care system, that suffers from great material and financial deficiencies. In this situation, special conditions for treatment of torture victims and persons suffering mental health problems are not available. According to the law, medical assistance cannot be accessed if reception conditions are reduced or withdrawn.

Until 31 December 2018, Dublin returnees faced significant obstacles in accessing medical care upon return, mainly resulting from the delay for the asylum and health care administration to restore their insurance coverage in the national health care database. Since 1 January 2019 the health care database has been re-organised to automatically restore the Dublin returnees' health care status and register them as individuals with uninterrupted medical insurance as soon as their asylum procedures is being reopened at the SAR. However, this has not applied to those who left Bulgaria prior 1 January 2019, and who have been returned under Dublin III. In order for them to access medical care, the SAR must issue a written notification to the national IRS. Only then can the access to the medical care be restored, which takes couple of days in the majority of the cases, although there have been cases in which it took longer periods of time. To solve the issue, in 2020 the law was amended to explicitly provide uninterrupted health care rights for asylum seekers whose procedures were re-opened after being previously discontinued - a situation that typically applies to Dublin cases.⁵⁵⁰ This arrangement, however, is not applicable to the Dublin returnees whose applications have been decided on the substance *in absentia* before their return to Bulgaria. In practice, Dublin returnees whose procedures were reopen experience delays of a couple of weeks before being able to re-access the health care system. The problem stems from the old system for electronic data sharing between SAR's and MOI's database, the latter used by all the rest government agencies to check current legal statuses of third country nationals, i.e. migrants, asylum seekers and beneficiaries of international protection.

Presently, all reception centres are equipped with consulting rooms and provide basic medical services, but their scope varies depending on the availability of medical service providers in the particular location. Bulgaria's fundamental shortage of general practitioners is the main reason the medical care of asylum seekers is mainly carried out in the surgeries organised in Sofia and Harmanli reception centres.

Basic medical care in reception centres is provided either through own medical staff or by referral to emergency care units in local hospitals. Also, in the framework of an AMIF project supported by Caritas in partnership with UNICEF, a new mobile ambulance unit operated in Sofia with a nurse providing health counselling and basic medical care, and an ambulance available to transport patients to health facilities.⁵⁵¹

⁵⁴⁹ Article 29(1)(5) LAR.

⁵⁵⁰ Article 29(8) LAR.

⁵⁵¹ EUAA, Annual Asylum Report (2023), available at: <https://bit.ly/3JbdHYK>.

A total of 7,038 outpatient examinations were implemented in the reception centres' surgeries throughout 2024.⁵⁵² However the access of asylum seekers to following and specialized medical treatment remained impeded.

E. Special reception needs of vulnerable persons

Indicators: Special Reception Needs

1. Is there an assessment of special reception needs of vulnerable persons in practice?
 Yes No

The law provides a definition of vulnerability. According to the provision “applicant in need of special procedural guarantees” means an applicant from a vulnerable group who needs special guarantees to be able to benefit from the rights and comply with the obligations provided for in the law.⁵⁵³ Applicants who are children, unaccompanied children, disabled, elderly, pregnant, single parents taking care of underage children, victims of trafficking, persons with serious health issues, psychological disorders or persons who suffered torture, rape or other forms of psychological, physical or sexual violence are considered as individuals belonging to a vulnerable group.⁵⁵⁴

There are no specific measures either in law or in practice to address the needs of these vulnerable categories, except for some additional practical arrangements in place to ensure the provision of medication or nutrition necessary for certain serious chronic illnesses, e.g. diabetes, epilepsy, etc. The law only requires that vulnerability has to be taken into account when deciding on accommodation, but this is applied discretionally, and no guidelines on the application of such a criterion are provided by the SAR. In 2018, the SAR adopted new internal rules of procedure whereby social experts provide assistance to its staff during the initial medical examination so as to enable the early identification of vulnerable applicants and their special needs.⁵⁵⁵ If an applicant is identified as vulnerable, the new rules foresee that the vulnerability will be added to the registration form, including a detailed explanation and a follow-up assessment to be described in an appendix. Additionally, an early identification questionnaire was established for applicants who experienced traumatising experiences in order to determine their special needs and to facilitate the referral to adequate psychological or medical care.⁵⁵⁶

Monitoring in 2024

In 2024, a needs assessment was carried out only in 50% of the monitored vulnerable cases, while the assessment was missing in the remaining 50% of cases of asylum seekers, who were falling within the definition of vulnerability under national law.⁵⁵⁷ Despite the 2015 reform of the law which stripped the statutory social workers of the child protection services from the responsibility to represent unaccompanied children in asylum procedures (see [Legal Representation of Unaccompanied Children](#)), their obligation to provide a social report with an opinion on the best interests of the child concerned in every individual case remains nonetheless under the provisions of general child care legislation.⁵⁵⁸ In 2024, these reports were either not produced or not communicated to the SAR’s caseworkers for further consideration in 59% of the monitored cases.⁵⁵⁹ In addition, in 55% of the monitored cases the statutory social workers of the ASA carried out an intervention during the interview they attended, while in the remaining 45% of the cases they were present but did not take any action, nor did they participate or intervene to clarify the case or support the child.⁵⁶⁰ Therefore in 2024, needs assessment as well as

⁵⁵² SAR, reg. №АД-07-7 from 14 January 2025.

⁵⁵³ Additional Provision 1(16) LAR.

⁵⁵⁴ Additional Provision 1(17) LAR.

⁵⁵⁵ Article 29 SAR Internal Rules of Procedure; SAR, Internal Rules of Procedure for assessing and granting international protection, adopted on 17 December 2018.

⁵⁵⁶ Early Identification and Needs Assessment form (ФИОН), Individual Support and Referral Plan form (ФИПП) and Social Consultation form (ФСК).

⁵⁵⁷ §1(17) Additional Provisions, LAR.

⁵⁵⁸ Article 15(4) and (6) Law on Child Protection.

⁵⁵⁹ Bulgarian Helsinki Committee, 2024 Annual RSD Monitoring Report, 31 January 2025, available at: <https://bit.ly/3Jkd3t0>.

⁵⁶⁰ Ibid.

planning and provision of support measures with respect to applicants with identified vulnerabilities were carried out only sporadically, rather than in a systematic way.

An applicant's belonging to a vulnerable group has to be taken into account by the authorities when deciding on accommodation.⁵⁶¹ In practice, except the two safe-zones for unaccompanied children other separate facilities for vulnerable applicants, families, single women or traumatised asylum seekers do not exist in the reception centres.

Families, single women and traumatised asylum seekers are not accommodated in separated facilities, but in separate floors in the reception centres' facilities, mainly due to the overall lack of SAR reception capacity.⁵⁶² There is no formal policy to prevent mixed-sex accommodation, however in practice the single women and the families are accommodated in separate floors in Sofia centres and separate buildings in Harmanli reception centre. These floors are equipped with separate toilets and bathrooms. No specific measures are put in place in reception centres to prevent gender-based violence, except separate accommodation of single women, families and safe-zone for the unaccompanied children. All SAR social workers are female; however, the interviewers and the interpreters often are not from the same sex as the asylum seeker, and the information about the right to have an interpreter or interviewer from the same sex is not provided in all cases. In just 13% of the cases the applicant was informed about the possibility to request an interviewer of the same gender, and only in 45% about the possibility to request an interpreter of the same gender.

1. Reception of unaccompanied children

In July 2017, the State Agency for Child Protection and national stakeholders developed SOPs to safeguard unaccompanied migrant and refugee children identified to be present in Bulgaria. Although the SOPs for unaccompanied children were endorsed by the National Child Protection Council,⁵⁶³ the final formal endorsement by the government has not been formally given up to the moment, which makes the developed SOPs for unaccompanied children inapplicable in practice. In 2024, due to the ongoing constitutional crisis (see, [Overview of the main changes](#)) it was in practice impossible to put forward any legal or institutional arrangements beyond areas pertaining the key national priorities (e.g., full Schengen accession). As of 31 December 2024, no progress was achieved in this regard (see section on [Identification](#)).

The two safe zones for unaccompanied children at the Sofia reception centre continued to be maintained under an IOM project, funded by AMIF until the end of 2024. In May 2024, a third safe zone dedicated to hosting children with a capacity for 98 places was open⁵⁶⁴ in the biggest reception centre in Harmanli, following a collaboration with UNICEF and IOM, funded by the Swiss State Secretariat for Migration (SEM). Overall, the conditions in the safe zones were better compared to all other SAR accommodation premises. The abovementioned serious security problems existing in reception centres and their surroundings in 2024 however affected the overall safety of unaccompanied children as well, although improvement in this respect is expected following the security being handed over to the police (see above). In 2024, the number of unaccompanied children who sought protection in Bulgaria decreased by 48%,⁵⁶⁵ though the capacity of the three safe zones (a total of 386 places⁵⁶⁶) would still be insufficient to shelter all newcomers if it was not for the extremely high (92%) absconding rate for this group of asylum seekers.

The LAR provides that unaccompanied children are accommodated in families of relatives, foster families,

⁵⁶¹ Article 29(4) LAR.

⁵⁶² See [Overview of the main changes since the previous report update](#).

⁵⁶³ State Agency for Child Protection, 'Тридесет и шестото редовно заседание на Националния съвет за закрила на детето се проведе в зала „Гранитна“ на Министерски съвет', 11 July 2017, available in Bulgarian at: <http://bit.ly/2FzwLxk>.

⁵⁶⁴ SAR, Откриване на сигурна зона за непридружени деца-бежанци в РПЦ-Харманли, 16 May 2024, available in Bulgarian [here](#).

⁵⁶⁵ 2024: 2,601 unaccompanied children; 2023: 3,843 unaccompanied children / 2022: 3,348 unaccompanied children / 2021: 3,172 unaccompanied children.

⁵⁶⁶ SAR reg. №АД-07-7 from 14 January 2025.

child shelters of residential type, specialised orphanages or other facilities with special conditions for unaccompanied children.⁵⁶⁷ In practice, none of these opportunities was used or applied until 2022, when the SAR began to actively search for opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛНСТ). During the procedure such efforts were undertaken with regard mainly to minor asylum-seeking children, children with special needs or such identified as being at increased risk of trafficking or harm. After the recognition these efforts targeted all unaccompanied children, excluding those in family reunification procedures, who were allowed to wait the reunification with their parents or other family members in SAR reception centres.⁵⁶⁸ Starting from 2022, SAR has finally begun investing systematic efforts to accommodate unaccompanied children to specialized child care facilities, and in 2024 continued to gradually increase⁵⁶⁹ the number of the children who were able to benefit by this most appropriate type of accommodation. As a result of this positive practice, in 2024 62 unaccompanied children were accommodated in specialized childcare centres. Out of this number, 4 were asylum seeking children and 58 children granted international protection. Altogether eleven licensed childcare centres have engaged in this practice in localities across the country, namely in Sofia, Burgas, Vidin, Ruse, Kardzhali, Novo Selo and Zvanichevo. At the same time, some challenges emerge in practice: first of all, the staff of the childcare centre lacks of specialized training to work with unaccompanied children seeking or granted protection; secondly, the provision of interpretation services is not always ensured, at least for the initial period of accommodation and adjustment. Altogether ten licensed childcare centres have engaged in this practice in localities across the country, namely in Sofia, Burgas, Vidin, Ruse, Kardzhali, Novo Selo and Zvanichevo. At the same time the lack of specialized training of the childcare centre's staff to work with unaccompanied children seeking or granted protection should be acknowledged and taken into account.

At the end of 2017, the EEA Grants secured considerable funding for the State Agency for Child Protection as well as for the Bulgarian Red Cross to jointly establish and run an Interim Care Centre for unaccompanied children, proposed and endorsed by UNICEF and UNHCR. Given that by 31 December 2021 the centre had not been established, the donor withdrew the funding and the project was abandoned.

In 2021, following the incidents and fire at the Greek Moria Camp, Bulgaria pledged to relocate unaccompanied children. Out of 32 children who initially consented to be relocated to Bulgaria, only 17 arrived by the end of 2021 and were accommodated in a specially prepared unit in Harmanli reception centre.

2. Reception of victims of violence

Back in 2008, the SAR and UNHCR adopted standard operating procedures (SOPs) with respect to treatment of victims of Sexual and Gender-based Violence (SGBV).⁵⁷⁰ In 2014, both agencies agreed that the SOPs need to be updated,⁵⁷¹ as they have never been applied in practice, but also to include other categories applicants with special needs. At the end of 2021, SAR endorsed the revisions, but the NGOs monitoring could not confirm any implementation of the SGBV SOPs in practice until the end of 2023.⁵⁷²

⁵⁶⁷ Article 29(10) LAR.

⁵⁶⁸ SAR, Rules and procedures on the accommodation of unaccompanied children granted international protection in foster families, social or integrated socio-medical care facilities for children of a residential type, adopted in October 2022.

⁵⁶⁹ Ibid., 2022: 26 children (2 asylum seeking and 24 granted protection); 2023: 43 children (2 asylum seeking and 41 granted protection); 2024: 62 children (4 asylum seeking and 58 granted protection).

⁵⁷⁰ Standard Operating Procedures on sexual and gender-based violence, Exh. No 630, 27 February 2008.

⁵⁷¹ UNHCR, SGBV Task Force, established on 15 February 2014.

⁵⁷² Bulgarian Helsinki Committee, 2023 Annual Refugee Status Determination Monitoring Report, 31 January 2024, available at: <https://bit.ly/3SX3ST7>.

F. Information for asylum seekers and access to reception centres

1. Provision of information on reception

There are no specific rules for information provided on rights and obligations relating to reception conditions. Asylum seekers obtain the necessary information on their legal status and access to the labour market through the information sources with regard to their rights and obligations in general (see section on [Information on the Procedure](#)).

The SAR has an obligation to provide information in a language the asylum applicant can understand within 15 days from filing their application, which has to include information on the terms and procedures and rights and obligations of asylum seekers during procedures, as well as the organisations providing legal and social assistance.⁵⁷³ However, in reality this is not provided within the 15-day time period laid down in Article 5 of the recast Reception Conditions Directive. In practice, prior to the increased number of asylum seekers, this information was given upon the registration of the asylum seeker in SAR territorial units by way of a brochure. Monitoring from the Bulgarian Helsinki Committee in 2024 established that oral guidance on determination procedures is provided by caseworkers in the majority of the cases (94%) with written instruction are also served in 99.7% of the cases. It represented a significant progress in meeting legal requirements related to provision of information.⁵⁷⁴

Since 2018, some animated video information is available at the reception centres of the SAR to provide introductory information relating the rights and obligations during determination procedures. The animated videos are available in Arabic, Pashto, Dari and Kurdish Kurmanji. The law also envisages that additional information relating to the internal regulations applied in the closed centres have to be provided to asylum seekers detained therein, but this has not been delivered in practice (see [Conditions in Detention Facilities](#)).⁵⁷⁵ The web platform [asylum.bg](#), which provides legal and practical information on national determination procedures is available also in audio format to ensure the access to credible information to illiterate asylum seekers.

In 2022, UNICEF developed for SAR special videos in Arabic and Farsi/Dari/Pashto languages targeting as audience the unaccompanied asylum seeking and refugee children. The videos aim to promote the specialized childcare facilities (ЛЧТ) where the children should be accommodated after the recognition, but also can be accommodated during the asylum procedure. Since mid-2022, the SAR began to actively search for opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛЧТ). However, the majority of the children do hesitate to leave the familiar conditions of the reception centres. That is why the videos show-case other children who have been already accommodated in specialized childcare facilities who share their positive experience thus assisting to mitigate the existing prejudice among the children in reception centres and their anxiety in view of facing an unknown situation. This approach paid off and over three years since these videos started to be shown to children along other efforts invested to increase their knowledge and understanding, the number of those who actually found accommodation in national child-care facilities has been gradually increasing, namely - 26 children (2 asylum seeking and 24 granted protection) in 2022; 43 children (2 asylum seeking and 41 granted protection) in 2023; and 62 children (4 asylum seeking and 58 granted protection) in 2024.

2. Access to reception centres by third parties

Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?
 Yes With limitations No

⁵⁷³ Article 58(8) LAR.

⁵⁷⁴ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

⁵⁷⁵ Article 45e(1)(5) LAR.

The law does not expressly provide for access to reception centres for family members, legal advisers, UNHCR and NGOs. The law provides, however, that asylum seekers have the right to seek assistance from UNHCR and other government or non-governmental organisations.⁵⁷⁶ Until the beginning of 2015, no limitations were applied in practice.

Presently, NGOs and social mediators from refugee community organisations who have signed cooperation agreements with the SAR are allowed to operate within the premises of all reception centres. Access to reception centres for other organisations and individuals requires a formal authorisation and is formally prohibited during the night. For many years, asylum seekers regularly reported that traffickers and smugglers as well as drug dealers and sex workers have almost unlimited access to reception centres, except for the **Vrazhdebna** shelter in **Sofia** (see [Conditions in Reception Facilities](#)). Starting from mid-2022, the SAR submitted several requests to the Ministry of Interior⁵⁷⁷ to engage the police in guarding of the reception centres, but it was not before the end of 2023 when MOI initiated a procedure,⁵⁷⁸ to investigate the possibility for SAR reception centres to be guarded by the national police and gendarmerie. In April 2024 additional amendments to the law were made,⁵⁷⁹ but only from 31 January 2025 did the MOI take over the guarding of the reception centres of the SAR, starting with Sofia and Harmanli ones. This major change is expected to seriously improve the safety and security of asylum seekers who are accommodated in the reception centres during their procedure.

Starting from 1 January 2025, the UNHCR ceased to support any legal or social counselling or assistance directly provided to asylum seekers in SAR reception centres through its NGO partners Red Cross, Bulgarian Helsinki Committee and Council of Refugee Women and left these kinds of services to be provided exclusively in its Compass centres. Therefore, in 2025 no direct services or assistance by NGOs or UNHCR will be provided to asylum seekers in the SAR reception centres, except in Harmanli, where the Bulgarian Helsinki Committee has its regional office situated within the centre's compound.

G. Differential treatment of specific nationalities in reception

Up to the moment, no cases of discrimination based on nationality was reported concerning the reception system. However, until 2024 some of the reception centres are used for accommodation predominantly of a certain nationality or nationalities. Thus, **Vrazhdebna** shelter in Sofia accommodated predominantly Syrians and Iraqis, **Voenna Rampa** shelter in Sofia accommodates almost exclusively Afghan and Pakistani asylum seekers, while the other reception centres accommodate mixed nationalities, such as in **Harmanli** reception centre, **Banya** reception centre and **Ovcha Kupel** shelter in Sofia. The government had also assigned **Vrazhdebna** shelter in Sofia to host applicants coming through the relocation scheme in 2015-2017 as well as for those resettled from Türkiye. However, due to the SAR's budget constraints and decreasing reception capacity (see, [Overview of the main changes](#)) in 2024 all reception centres were accommodating mixed ethnicities and population without any specific distribution, thus creating higher risks of conflicts.

⁵⁷⁶ Article 23(1) LAR.

⁵⁷⁷ SAR, reg. No. №PD05-31 from 15 January 2024; SAR reg. №АД-07-7 from 14 January 2025.

⁵⁷⁸ 127th Coordination meeting, held on 28 December 2023.

⁵⁷⁹ Article 14, para 5 of the Law on Ministry of Interior, St.G. №33 from 12 April 2024.

Detention of Asylum Seekers

A. General

Indicators: General Information on Detention

1. Total number of asylum seekers detained in 2024: ⁵⁸⁰	7,896
2. Number of asylum seekers in detention at the end of 2024:	13
3. Number of detention centres:	3
❖ Pre-removal detention centres	2
❖ Asylum detention centres	1
4. Total capacity of detention centres:	760

There are two pre-removal detention centres in operation: **Busmantsi** and **Lyubimets**. An additional container-type detention centre with capacity for 1,750 individuals was built in **Elhovo** Regional Border Police Directorate premises with the objective to serve as a buffer in a situation of mass arrivals from the global South. In 2022 the regular government first tried to use it as a transit centre for Ukrainian refugees.⁵⁸¹ This attempt was abandoned following widespread protests from the public and non-governmental organisations. On 16 November 2022, the caretaker government⁵⁸² officially designated Elhovo detention centre to serve as a transit centre for re-distribution of newly arrived Ukrainian refugees despite its utterly unsuitable conditions, including due to its remote location, and the repeated protests that such decision sparked.⁵⁸³

Asylum seekers can also be placed in closed reception centres i.e. detained under the jurisdiction of the SAR for the purposes of the asylum procedure. Throughout 2024, 68 asylum seekers were detained in the asylum closed facility, situated in the premises of the **closed reception ward (помещение от закрит тип, ПЗТ)** in the **Busmantsi** pre-removal centre, the only closed centre for that purpose. 9 asylum seekers were held there at the end of the year 2024.⁵⁸⁴

Not all persons who apply for international protection when apprehended at the border or inland are directly detained. For example, an exception is applied to unaccompanied children from July 2018, when a referral mechanism was included in the law,⁵⁸⁵ although in practice the police apply it only with respect to unaccompanied children who are visibly minor and below 14 years of age.⁵⁸⁶ In 2024, the Border police referred 70 children to childcare services, while children referred by the Migration Police were just 5 children.⁵⁸⁷ The UN CAT Committee in its 2021 report⁵⁸⁸ pointed an amendment in Internal Instruction 8121з-78 which provided that the child protection services with the Agency for Social Assistance (ASA) should be notified when an unaccompanied child has been identified by the immigration police in the detention centre. In practice, however, this rule is not implemented, and in 2024⁵⁸⁹ as during previous years the staff of detention centres still opted for the quicker solution to assist unaccompanied children to apply for asylum in order to be able to transport them to and hand them over to SAR reception centres.⁵⁹⁰

⁵⁸⁰ This figure includes both applicants detained in the course of the asylum procedure and persons lodging an application from detention; source: Bulgarian Helsinki Committee's monthly situation reports January-December 2024.

⁵⁸¹ dnes.bg, Временният център в Елхово е готов за бежанците, ето как изглежда, available in Bulgarian at: <https://bit.ly/3l0ck73>.

⁵⁸² COM No. 980 from 16 November 2022.

⁵⁸³ Bulgarian Helsinki Committee, Кой настанява украинските бежанци в лагера за задържане на мигранти в Елхово?, published on 4 November 2022, available in Bulgarian at: <https://bit.ly/3YACdYW>.

⁵⁸⁴ Bulgarian Helsinki Committee, Monthly Situation report on December 2024.

⁵⁸⁵ LARB Regulations, amended with State Gazette No.57 from 10 July 2028, Articles 63k-63l.

⁵⁸⁶ Bulgarian Helsinki Committee, 2024 Annual Progress report to UNICEF, 15 January 2025.

⁵⁸⁷ Ministry of Interior, Migration statistics, December 2024, available in Bulgarian at: <https://bit.ly/49xELgr/>.

⁵⁸⁸ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>.

⁵⁸⁹ Bulgarian Helsinki Committee, 2023 December 2023 UNICEF Progress report, 10 January 2024.

⁵⁹⁰ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the

The discriminatory approach of national ASA child protection services to assist and take care of unaccompanied migrant, asylum seeking or refugee children has been reported repeatedly by the refugee assisting non-governmental organisations.⁵⁹¹

Other exceptions from detention are arbitrarily applied by police authorities in cases where the border applicants have family members who are already in Bulgaria, when applicants provide valid documents, as well as when applicants have specific needs such as disabilities or infants.

Out of a total of 12,250 applicants registered in 2024, 7,828 individuals applied for asylum at border and immigration detention; while 50% had a direct access to asylum procedure at the border without being detained.⁵⁹² Firstly noticed in 2022, the SAR practice to render unhindered access to procedure of the predominant part of the so called 'self-reported' asylum seekers continued (see, Asylum Procedure, 3. [Registration of asylum application](#)). Asylum seekers considered 'self-reported' are those who managed to enter and reach SAR registration centres independently, without being apprehended by the police and detained. For many years, the asylum agency consistently refused to register them directly, instead alerting the police, which was arresting and detaining the self-reported asylum seekers in deportation centres of the Ministry of the Interior. In some cases, this malpractice was affecting families with minor children and pregnant women. This trend changed from 2022, when this practice affected a total of 94 persons (0.5%) out of 20,407 asylum seekers registered in the country. In 2023, only 48 asylum seekers (0.2%) out of 22,518 suffered from this practice, while in 2024 it affected 83 asylum seekers (0.4%) out of 12,250 persons who had lodged an asylum application.⁵⁹³ No irregularities in how the asylum procedures were conducted were registered in MOI deportation centres⁵⁹⁴ in Lyubimets or Busmantsi.⁵⁹⁵ Following these improvements, however, some smugglers adapted quickly and began to deliver smuggled persons directly to open SAR reception centres in Harmanli, Banya and Sofia with many among them with settled representation by private practitioners and provided with registration at a false or irregular external address. In January 2025, the head of the Sofia Migration Directorate was arrested⁵⁹⁶ for alleged corruption and among other, for alleged sanctioning of false address registrations to third country nationals.

There are several reasons for detention to be applied in most cases with respect to third country nationals apprehended at the borders or inside the country's territory. Instructions are given by the State Agency for National Security (Държавна агенция "Национална сигурност", ДАНС/SANS) to all police authorities not to transfer anyone to open reception centres before a screening and all security checks have been conducted. Another reason is the situation at the border with Türkiye. Along this main entry border, those who are apprehended are either pushed back, or they are allowed to continue with their smugglers, board on different vehicles, transit the country and exit without being stopped.⁵⁹⁷ The direct access to asylum procedure is additionally hindered by the congested coordination between the police and the SAR to enable registration and accommodation of asylum seekers after 17:00 or during the weekends. From September 2015, the SAR began to operate shift schemes and on-call duty during the weekends in order to assist with the reception of asylum seekers referred by the police. This on-call scheme however was fully cancelled by the SAR from 2019 to mid-2022, when it was re-established and put into operation once again.

Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>.

⁵⁹¹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/3SX3ST7>.

⁵⁹² Bulgarian Helsinki Committee, Monthly Situation Report for December 2024: 28 out of all 55 applicants at entry borders.

⁵⁹³ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/4bU9INC>.

⁵⁹⁴ §5 Additional Clauses, LAR: SAR can implement asylum procedures outside its premises at places designated for this purpose by an order of the SAR Chairperson prior the establishment of its transit centers; the Pastrogor transit center was open on 3 May 2012. Source: Citybuild, available in Bulgarian [here](#).

⁵⁹⁵ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/4bU9INC>.

⁵⁹⁶ Bulgarian National Television, 'Началникът на отдел "Миграция" в СДВР е задържан с подкуп', 20 January 2025, available in Bulgarian [here](#).

⁵⁹⁷ See, [Access to the territory and push-backs](#).

Detention of first-time applicants from the making of their application until their personal registration is systematically applied in Bulgaria and most asylum seekers apply from pre-removal detention centres for irregular migrants.⁵⁹⁸

Immigration detention in Bulgaria: 2016-2024									
Year	2016	2017	2018	2019	2020	2021	2022	2023	2024
Total detention orders	11,314	2,989	2,456	2,184	3,487	10,799	16,767	18,554	9,208

B. Legal framework for detention

1. Grounds for detention

Indicators: Grounds for Detention

1. In practice, are most asylum seekers detained

❖ on the territory:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
❖ at the border:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

2. Are asylum seekers detained in practice during the Dublin procedure?

<input type="checkbox"/> Frequently	<input checked="" type="checkbox"/> Rarely	<input type="checkbox"/> Never
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3. Are asylum seekers detained during a regular procedure in practice?

<input type="checkbox"/> Frequently	<input checked="" type="checkbox"/> Rarely	<input type="checkbox"/> Never
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1.1 Pre-removal detention upon arrival

Under Article 44(6) of the Law on Aliens in the Republic of Bulgaria (LARB), a third-country national may be detained where:

- a. Their identity is uncertain;
- b. They are preventing the execution of the removal order; or
- c. There is a possibility of absconding.

The different grounds are often used in combination to substantiate detention orders in practice. In practice, detention of third-country nationals is ordered by the Border or Immigration Police on account of their unauthorised entry, irregular residence or lack of valid identity documents.

1.2 Short-term detention

At the end of 2016, the LARB introduced “short-term detention” to be used for security checks, profiling and identification.⁵⁹⁹ The law entered into force on 6 June 2018.⁶⁰⁰ After the amendments, police authorities can initially issue a detention order lasting for 30 calendar days within which period the Immigration Police can decide whether further detention grounds should be applied – determining the extension of the detention period - or if the individual should be referred to an open reception centre, if he or she has applied for asylum.

Short-term detention orders were frequently issued by the police until the summer of 2022 when, in attempt to give proof to EU institutions of the readiness of Bulgaria to join the Schengen zone, the caretaker cabinet’s MOI management instructed on direct application of long-term detention orders - with

⁵⁹⁸ CERD, Concluding observations on the combined twentieth to twenty-second periodic reports to Bulgaria, CERD/C/BGR/CO/20-22, 31 May 2017, available at: <http://bit.ly/2wSzlpq>, para 21(e).

⁵⁹⁹ Article 44(13) LARB.

⁶⁰⁰ Law amending the Law on Aliens in the republic of Bulgaria, No 97/2016, 2 December 2016, available in Bulgarian at: <http://bit.ly/2kJoYpi>.

initial period of 6 months – without any prior consideration of personal circumstances or submitted asylum claim.

In general, the immigration police implement very few removals of detained third country nationals on an annual basis. In 2024, out of 9,208 third country nationals issued a detention order, the MOI carried out 1,015 removals, which represented an 11% implementation rate.⁶⁰¹ For comparison, 582 third country nationals were returned in 2022, 770 in 2021 and 428 in 2020.⁶⁰² The rest of the detainees had to be released either on account of submitted first asylum applications, or because the ordered initial 6 months detention duration has expired. The inability of MOI to implement the removals is attributed to the fact that the overwhelming majority of the third country nationals originate from Syria (until 8 December 2024) or Afghanistan,⁶⁰³ to which removal or return are legally and/or practically impossible. These circumstances made the majority of the detention orders not only issued without a legitimate purpose, but also pointless from a practical point of view.

In May 2022, the European Court on Human Rights issued a judgment which found the Bulgarian authorities in violation of Article 5(1) of the ECHR relating the length of the detention as it did not appear that the authorities took any active steps to check the realistic prospects of the removal; and that the reasons which initially justified the detention were no longer valid throughout the period of the applicant's deprivation of liberty in light of the authorities' failure to exercise sufficient diligence in carrying out that measure, therefore giving rise to a violation of Article 5(1).⁶⁰⁴

1.3 Registration and determination of asylum seekers in immigration detention

The law does not allow the SAR to conduct any determination procedures in the pre-removal detention centres.⁶⁰⁵

However, as of 2018 the SAR began to register, fingerprint, and determine asylum seekers in pre-removal detention centres and to keep them there after issuing them asylum registration cards. The applicants release and access to asylum procedure was usually secured only by an appeal against detention and a court order for their release. In principle, this practice affected individuals who could more easily be returned, due to having valid passports or other original national identity documents. With the exception of subsequent applicants who are excluded by law from the right to remain in Bulgaria pending the admissibility assessment of their subsequent claims,⁶⁰⁶ the asylum seekers processed in pre-removal detention centres were being determined by the SAR in an **Accelerated Procedure**, which stripped them of the right to an onward appeal and thereby prevents them from challenging the practice further before the Supreme Administrative Court. This malpractice was mostly supported by the courts, which found asylum procedures in pre-removal centres in violation of procedural standards, though this violation was considered insignificant one as the rights of asylum seekers were not severely affected.⁶⁰⁷ In some limited cases, courts have ruled that the conduct of the personal interview in an immigration detention centre amounts to a serious breach of procedural rules.⁶⁰⁸

⁶⁰¹ MOI statistics, December 2024, available in Bulgarian at: <https://bit.ly/48C57wC>.

⁶⁰² MOI statistics, available in Bulgarian [here](#).

⁶⁰³ Ibid.

⁶⁰⁴ European Court on Human Rights and Fundamental Freedoms, application No.35422/16 Ali Reza v. Bulgaria, Judgement from 17 May 2022, available at: <https://bit.ly/3kYRu8a>.

⁶⁰⁵ Additional Provision 5 LAR; Article 45b LAR.

⁶⁰⁶ Article 76c(2) LAR.

⁶⁰⁷ Administrative Court of Sofia, Decision No 5378, 17 September 2017; Decision No 4740, 14 July 2017; Decision No 5105, 2 August 2017, Decision No 193, 14 March 2017; Administrative Court of Haskovo, Decision No 187, 16 March 2017; Administrative Court of Haskovo, Decision No 93, Case No 1322/2017, 29 January 2018; Administrative Court of Sofia, 21st Division, Decision No 806, Case No 4161/2017, 12 February 2018; Administrative Court of Haskovo, Decision No 996, Case No 14229/2017, 19 February 2018; Administrative Court of Sofia, 57th Division, Decision No 7499, Case No 11273/2018, 11 December 2018.

⁶⁰⁸ Administrative Court of Sofia, Decision No 977, 16 February 2018.

The detention of asylum seekers and failure to observe procedural safeguards form part of the concerns expressed by the European Commission in the letter of formal notice sent to Bulgaria on 8 November 2018 relating to non-compliance with the EU asylum *acquis*.⁶⁰⁹

In 2022, SAR management reversed and almost completely abandoned this malpractice,⁶¹⁰ with only 1 registration and only 1 determination conducted in Busmantsi detention centre. This approach was maintained in 2023, with just 1 procedure conducted in Lyubimets detention centre and 0 registrations and procedures in 2024.⁶¹¹

1.4 Asylum detention

Asylum seekers can also be placed in closed reception facilities i.e. detention centres under the jurisdiction of the SAR during the determination of their claim. The national grounds transpose Article 8(3)(a), (b), (d) and (f) of the recast Reception Conditions Directive, according to which an applicant may be detained:⁶¹²

- (a) In order to determine or verify his or her identity or nationality;
- (b) In order to determine those elements on which the application for international protection is based which could not be obtained in the absence of detention, in particular when there is a risk of absconding of the applicant;
- (c) When protection of national security or public order so requires;
- (d) For determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

In 2024, 68 asylum seekers were detained in the asylum closed facility, situated at the premises of the **closed reception ward (П3Т)** in the **Busmantsi** pre-removal detention centre, the only closed reception facility for that purpose. 13 asylum seekers were held there at the end of the year 2024. The grounds of detention applied in these cases were verification of identity or nationality, and protection of national security or public order.

2. Alternatives to detention

Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law?
 Reporting duties
 Surrendering documents
 Financial guarantee
 Residence restrictions
2. Are alternatives to detention used in practice?
 Yes No

Alternatives to pre-removal detention in the general *immigration law* (LARB) do not specifically target asylum seekers, rather all third-country nationals. The LARB was amended in 2017 to introduce new alternatives, namely:

- ❖ Surrendering documents,⁶¹³
- ❖ Financial guarantee;⁶¹⁴
- ❖ Weekly reporting, already existing prior to the reform.⁶¹⁵

⁶⁰⁹ European Commission, 'November infringements package: key decisions', MEMO/18/6247, 8 November 2018, available at: <https://bit.ly/2RETZfR>.

⁶¹⁰ Bulgarian Helsinki Committee, 2022 Annual RSD Monitoring report, 1.1.2. Procedure at the police detention centers, page 6, available at: <https://bit.ly/3Y3WzJJ>.

⁶¹¹ Bulgarian Helsinki Committee, 2024 Annual Refugee Status Determination Monitoring Report, 31 January 2025, available at: <https://bit.ly/48C57wC>.

⁶¹² Article 45b(1) LAR.

⁶¹³ Article 44(5)(3) LARB.

⁶¹⁴ Article 44(5)(2) LARB.

⁶¹⁵ Article 44(5)(1) LARB.

The latter, however, may not be appropriate for new arrivals who do not have a place of residence.

In practice, in the overwhelming majority of cases, alternatives to detention are not considered by the Migration Directorate (MOI) prior to imposing detention.⁶¹⁶ The necessity to develop in practice alternatives to immigration detention, which are already included in national law, was raised in the report⁶¹⁷ of the CoE Special Representative of the Secretary General on Migration and Refugees, following a fact-finding mission conducted in September 2023. Regardless, the situation did not change in 2024.

The *asylum law* (LAR), for its part, envisages bi-weekly reporting to the SAR as a measure to ensure “the timely examination of the application” or to ensure “the participation” of the asylum seeker.⁶¹⁸ The LAR also envisages a limitation of freedom of movement in certain areas in the territory of the state by a decision of the SAR’s Chairperson, where asylum seekers can be obligated not to leave and reside in other administrative regions (district or municipality) than the prescribed one (see [Freedom of Movement](#)).

3. Detention of vulnerable applicants

Indicators: Detention of Vulnerable Applicants

1. Are unaccompanied asylum-seeking children detained in practice?
 Frequently Rarely Never
- ❖ If frequently or rarely, are they only detained in border/transit zones? Yes No
2. Are asylum seeking children in families detained in practice?
 Frequently Rarely Never

The general immigration law, LARB, prohibits the detention of unaccompanied children in general and imposes a maximum period of 3 months for the detention of accompanied children who are detained with their parents.⁶¹⁹

The asylum law, LAR, provides for the possibility to detain accompanied children for asylum purposes as a measure of last resort, in view of ensuring family unity or ensuring their protection and safety, for the shortest period of time.⁶²⁰ The position of UNHCR is that the respective provisions do not expressly refer to the primacy of the best interests of the child when ordering detention. They also do not incorporate sufficient guarantees to ensure speedy judicial review of the initial decision to detain and a regular review thereafter. Although presently expanded with additional alternative arrangements,⁶²¹ the law still does not envisage specific alternatives to detention appropriate for children such as alternative reception / care arrangements for unaccompanied children and families with children.

In practice, both asylum-seeking and other migrant unaccompanied children continue to be detained in pre-removal detention centres, managed by the Ministry of Interior. Unaccompanied children arrested by the Border or Immigration Police are assigned (“attached”) to any of the adults present in the group with which the children travelled, which has been a steady practice ongoing for last couple of years. Thus, the arrested unaccompanied children are not issued a separate detention order, but instead listed as an “accompanying child” in the detention order of the adult to whom they have been assigned. The same treatment is applied by the regular police services to those unaccompanied children who are captured inside the Bulgarian territory and considered to be irregular due to the lack of identity documents. All of them without exception are transferred to the pre-removal detention centres in **Busmantsi** or **Lyubimets**. To do this, identical to the approach of the Border Police, the regular police authorities assigned

⁶¹⁶ Bulgarian Helsinki Committee, Detention Mapping report Bulgaria, October 2016, available at: <http://bit.ly/2jluOxS>, 21.

⁶¹⁷ Council of Europe, Report of the fact-finding mission to Bulgaria by Ms. Leyla Kayacik, Special Representative of the Secretary General on Migration and Refugees (11-14 September 2023), published on 30 January 2024, available at: <https://bit.ly/3TIA2TD>.

⁶¹⁸ Article 45a LAR.

⁶¹⁹ Article 44(9) LARB.

⁶²⁰ Article 45f(1) LAR.

⁶²¹ Article 44(5) LARB.

(“attached”) the children to adults without collecting any evidence or statements for a family link or relation between them. In 2024, the Border and Migration Police only referred 75 children to respective child protection services with the Agency for Social Assistance, while in the same period 809 children were identified as unaccompanied in both national detention centre.⁶²²

The so-called “attachment” is implemented on the basis of a legal definition on extended relatives’ circle, who could be considered as “accompanying adults”; this definition is presently applicable only in immigration procedures.⁶²³ National jurisprudence has however proved inconsistent in this regard.⁶²⁴ Accordingly, at the end of 2017 the Ombudsperson assisted by the Bulgarian Helsinki Committee requested the Supreme Administrative Court to deliver mandatory interpretation of the law on this matter.⁶²⁵ The Court started the examination of the case in 2019, and a decision was issued on 29 March 2021. In its decision, the Supreme Administrative Court noted that children detained as a result of the detention of their accompanying adult have their own right to appeal against the detention decision. The court also clarified that the information provided by the police on the relationship between children and accompanying adults is not binding, and that the authorities ordering the detention can further assess the relationship.⁶²⁶

In 2021, the UN CAT Subcommittee expressed concerns about the detention of children highlighting the need to ensure humane conditions for detained migrants, especially children, and that detention should only be used when strictly necessary.⁶²⁷

An amendment to the LARB Regulations entered into force on 10 July 2018 to introduce rules and procedures for immediate and direct referral of unaccompanied migrant children from the police to the child protection services in order to avoid their detention.⁶²⁸ The reform resulted in almost immediate change in the national police practices on detention of unaccompanied minor children below 14 years of age. In 2024, 70 unaccompanied children⁶²⁹ were referred to child protection services without detention, all by the Border Police and 5 by the Migration Police. Children are assisted by the police and child care services to apply for asylum, thus ensuring their free and direct access to asylum procedure. This was also acknowledged by the UN CAT Subcommittee’s report in 2021.⁶³⁰

In the cases of undocumented children from 14 to 18 years, whose age cannot be evidently established just through their appearance, the police continue to employ detention through “attachment” to unrelated adults or registration as adults. The child protection services have refused to credit their statements about their age and commenced implementation of age assessment based solely on X-ray wrist expertise prior to any referral to child care services. Therefore, in 2019, amendments of the primary and secondary immigration legislation were adopted creating additional safeguards for a legally binding referral mechanism⁶³¹ New procedures allowing regularisation of rejected and migrant unaccompanied children were also introduced with the possibility to extend their ‘leave to remain’ (i.e. their residence permit) on humanitarian grounds beyond adulthood.⁶³² The amendments are thus expected to put an end to detention of unaccompanied children, but it remains to be seen how and whether these new provision will

⁶²² Bulgarian Helsinki Committee, December 2024 UNICEF report.

⁶²³ Additional clauses § 2 LARB Regulations.

⁶²⁴ See e.g. Supreme Administrative Court, 7th Department, Decision No 12271, 14 November 2016; Decision No 2842, 8 March 2017; Decision No 10789, 4 September 2017; Decision No 12116, 11 October 2017.

⁶²⁵ Ombudsperson, Request No 11-78, 8 December 2017, available in Bulgarian at: <http://bit.ly/2DSfIva>.

⁶²⁶ Supreme Administrative Court, General Assembly, Case No.1/2019, 29 March 2021, available in Bulgarian at: <https://bit.ly/3FMWPUm>.

⁶²⁷ OHCHR, Bulgaria torture prevention: UN experts concerned about migrant children in detention, published on 5 November 2021, available at: <https://bit.ly/423qKUI>.

⁶²⁸ Council of Ministers, Decision No 129 of 5 July 2018, available in Bulgarian at: <https://bit.ly/2DpJHHK>.

⁶²⁹ MOI statistics, December 2024, available in Bulgarian at: <https://bit.ly/48C57wC>.

⁶³⁰ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>, § 99.

⁶³¹ Article 28a LARB, St.G. №34/2019, enforced on 24 October 2019.

⁶³² Article 63k and 63l Regulations for Implementation of the Law on Aliens in the Republic of Bulgaria (LARB Regulations), St.G. №23/2019, enforced on 26 November 2019.

be applied in practice. At the end of 2019 an expert group representing both governmental and non-governmental organisations was established to create a national age assessment procedure based on a multidisciplinary approach. Some of these legal safeguards were thus included by the SAR to its LAR amendments.⁶³³ The draft methodology on age assessments was finalised and referred for adoption to the government. However, due to the political instability and repeated general elections during 2021 to 2023 the national legislative agenda was significantly congested, which prevented the endorsement of the draft. In 2023, the age assessment methodology was finally adopted in as a formal Age Assessment Instruction.⁶³⁴ However, it is applicable only to children in asylum procedures as the MOI opted out and was not included in the age assessment procedure or arrangements.

In 2024, 1,187 children were detained in pre-removal detention centres. Among them, the Bulgarian Helsinki Committee identified 809 unaccompanied children, including children detained as “attached” to an adult or wrongly registered as adults. However, another 1,792 unaccompanied children were safeguarded from detention. Thus, 69% of all unaccompanied children, who arrived in the country, were safeguarded from detention vs. 31% who unduly suffered it (2023: 22% detained vs. 78% who avoided detention; 2022: 24% detained vs. 76% who avoided detention; 2021: 28% detained vs. 72% who avoided detention; 2020: 37% detained vs. 63% who avoided detention).⁶³⁵

Unlawful detention of unaccompanied children: 2020-2024					
	2020	2021	2022	2023	2024
Unaccompanied children subjected to detention	37%	28%	24%	22%	809
Unaccompanied children who avoided detention	63%	72%	76%	78%	1,792

4. Duration of detention

Indicators: Duration of Detention

- What is the maximum detention period set in the law (incl. extensions):
 - ❖ Short-term detention 30 days
 - ❖ Pre-removal detention 18 months
 - ❖ Asylum detention Indefinite⁶³⁶
- In practice, how long in average are asylum seekers detained?
 - ❖ Short-term detention 6 days⁶³⁷
 - ❖ Asylum detention 86 days⁶³⁸

4.1 Duration of pre-removal detention and short-term detention

The maximum immigration detention period is 18 months, including extensions. Initial detention order is in principle issued for a period of 6 months. Following an amendment to the LARB in 2017, extensions can be ordered by the Immigration Police instead of the court after the expiry of the initial or consecutive detention order.⁶³⁹ Each consecutive extension is also issued for a minimum of 6 months until the 18-month limit is reached.

⁶³³ LAR amendments, State Gazette No.89 from 16 October 2020, available in Bulgarian at: <https://bit.ly/2M5pyh6>.

⁶³⁴ State Agency for Refugees and State Agency for Child Protection, Age Assessment Instruction, published on 1 December 2023, enforced on 1 March 2024, available in Bulgarian at: <https://bit.ly/4ctn0AN>.

⁶³⁵ Bulgarian Helsinki Committee, December 2024 UNICEF report, 10 January 2024.

⁶³⁶ Article 45d(1) LAR.

⁶³⁷ Bulgarian Helsinki Committee, 2024 Annual RSD Monitoring report, 31 January 2025, available in Bulgarian at: <https://bit.ly/3SX3ST7>.

⁶³⁸ SAR, reg. №АД-07-7 from 14 January 2025.

⁶³⁹ Article 46a(3) and (4) LARB, repealed by Law amending the LARB, State Gazette No 97, 5 December 2017.

Short-term detention can be ordered for a maximum of 30 days.⁶⁴⁰ Short-term detention orders were frequently issued by the police until the summer of 2022 when, in attempt to give proof to EU institutions of the readiness of Bulgaria to join the Schengen zone, the caretaker cabinet's MOI management instructed on direct application of long-term detention orders - with initial period of 6 months - without any prior consideration of personal circumstances or submitted asylum claim.

The LAR safeguards the registration of asylum applications and the release of the asylum applicants from pre-removal detention centres within 6 working days, in line with the recast Asylum Procedures Directive.⁶⁴¹ In 2018, the Supreme Administrative Court acknowledged the illegality of pre-removal detention after the submission of an asylum application.⁶⁴² The average duration of detention was of 7 calendar days in 2021, and 6 calendar days in 2022 and 7 calendar days in 2023 on average. In 2024 the average detention duration maintained minimal to 6 calendar days.

Average period of pre-removal detention pending registration (days)									
Year	2016	2017	2018	2019	2020	2021	2022	2023	2024
Average detention period	9	19	9	12	8	7	6	7	6

Source: SAR, MOI, Bulgarian Helsinki Committee.

Out of the 7,828 persons applying for asylum from pre-removal detention, no asylum seeker (0%) was detained for more than 6 months.

The average duration of detention of wrongly detained unaccompanied children decreased to 12 days in 2024. It should be noted, however, that 14-days of medical quarantine, if such is applied, are excluded from the detention duration.

4.2 Duration of asylum detention

Detention during the status determination procedure in closed reception facilities is limited by the law to the shortest period possible.⁶⁴³ However, in practice the SAR kept asylum seekers in closed centres until the decision on their asylum applications became final, which for some of the detained asylum seekers extended to 6-7 months. The regular review of necessity as per the law is so far applied formally,⁶⁴⁴ resulting in detained asylum seekers being released only following the engagement of legal assistance and representation.⁶⁴⁵

The average duration of detention for asylum seekers in 2024 increased again to 86 days on average, in comparison to 64 days in 2023. It remains far from the legal standard set in the law, according to which detention should last for the "shortest period possible", but it should be noted that it still constitutes an improvement compared to some of the previous years (64 days in 2023; 56 days in 2022; 50 days in 2021; 252 days in 2019; 192 days in 2018).

⁶⁴⁰ Article 44(13) LARB.

⁶⁴¹ Article 58(4) LAR.

⁶⁴² Supreme Administrative Court, Decision No 77, 4 January 2018, available in Bulgarian at: <http://bit.ly/2rTKmO4>. The Court refers to CJEU, Case C-537/11 M.A.

⁶⁴³ Article 45e LAR.

⁶⁴⁴ Article 45d (2) LAR.

⁶⁴⁵ Bulgarian Helsinki Committee, Monthly Situation Report: December 2017, 10 January 2018.

C. Detention conditions

1. Place of detention

Indicators: Place of Detention

1. Does the law allow for asylum seekers to be detained in prisons for the purpose of the asylum procedure (i.e. not as a result of criminal charges)? Yes No
2. If so, are asylum seekers ever detained in practice in prisons for the purpose of the asylum procedure? Yes No

Asylum seekers are never detained in prisons unless they have been convicted for committing a crime. Detention is implemented both in pre-removal immigration detention centres and, more recently, in “closed reception centres” where asylum seekers are detained for the purpose of the status determination procedure.

1.1 Pre-removal detention centres

There are 2 detention centres for irregular migrants in the country, with a total capacity of 1,060 places. Due to the increased number of the new arrivals from 25 August to 19 November 2021, the Ministry of Interior reopened as auxiliary the former Elhovo Triage centre with a capacity 240 places, therefore in that time period, the detention capacity had increased to 1,300 places.

Pre-removal detention centres in Bulgaria			
Detention centre	Location	Capacity	Occupancy end 2024
Busmantsi	Sofia	400	119
Lyubimets	South-Eastern Bulgaria	660 ⁶⁴⁶	124
Total		1,060	243

Source: MOI.

Although designed for the return of irregular migrants as pre-removal centres, these are also used for the detention of undocumented asylum seekers who have crossed the border irregularly but were unable to apply for asylum before the Border Police officers and therefore apply for asylum only when they are already in the detention centres. The most common reason for these late asylum applications was the lack of 24-hour interpretation services for all languages at national borders.

Initially designated for the pre-registration of asylum seekers,⁶⁴⁷ **Elhovo** was thereupon used as an “allocation centre” or “triage centre” to detain asylum seekers apprehended at the land borders outside the official border checkpoint until its closure in February 2017. In 2021, due to the increased number of new arrivals the Ministry of Interior reopened as auxiliary the former Elhovo Triage centre with capacity of 240 places from 25 August to 19 November 2021, after which the centre was closed again. In May 2022, the MOI finished working on the creation of a new detention facility in the town of Elhovo, which consists of 221 container compartments fit for 1,768 individuals. In 2022, the regular government first tried to use it as a transit centre for Ukrainian refugees.⁶⁴⁸ The project was abandoned following widespread protests from the general public and non-governmental organisations. On 16 November 2022, the caretaker government⁶⁴⁹ officially designated Elhovo detention center to serve as a transit centre for re-

⁶⁴⁶ 360 containers installed in Lyubimets detention centre.

⁶⁴⁷ EASO, Stock taking report on the asylum situation in Bulgaria, March 2014, 3.2. Asylum Determination Procedure.

⁶⁴⁸ dnes.bg, Временният център в Елхово е готов за бежанците, ето как изглежда, published on 31 May 2022, available in Bulgarian at: <https://bit.ly/3l0ck73>.

⁶⁴⁹ COM No. 980 from 16 November 2022.

distribution of newly arrived Ukrainian refugees despite its utterly unsuitable conditions, including due to its remote location, and the repeated protests.⁶⁵⁰ Since November 2022, just 1,482 Ukrainian refugees (0.7%) passed through Elhovo center in order to be assigned accommodation, out of all 201,484 Ukrainians registered in Bulgaria under the temporary protection from the beginning of the war in Ukraine.

Regarding short-term detention, which entered into force on 6 June 2018, the LARB foresees separate detention facilities for the purpose of this form of detention.⁶⁵¹ However, since 2021 no short-term detention orders were issued or implemented.

1.2 Asylum detention centres (“closed reception centres”)

The law foresees the asylum detention under the responsibility of the SAR (see [Grounds for Detention](#)). The only operational centre at the moment is **the closed reception ward (ПЗТ)** in Busmantsi detention centre, with 16 places.

The SAR **Pastrogor** transit centre, situated on the Bulgarian-Turkish border can also be used as a closed facility, if necessary. Presently, it operates as an open reception facility with a capacity of 300 places.

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

- | | | |
|---|---|-----------------------------|
| 1. Do detainees have access to health care in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it limited to emergency health care? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

2.1 Overall living conditions

In previous years, the detention centres were frequently overcrowded due to the increased number of new arrivals. The overall number of persons in detention gradually increase from 119 persons at the end of 2019, to 337 at the end of 2020, 728 at the end of 2021, 704 at the end of 2022 out of 16,767 detainees; 387 out of 18,554 detainees at the end of 2023, and to 243 out of 9,208 detainees at the end of 2024 in total placed in both national detention centres throughout the year.⁶⁵²

Overall conditions with respect to means to maintain personal hygiene as well as general level of cleanliness remain unsatisfactory. In 2017, it was reported that the number of showers and toilets available was not sufficient to meet the needs of the detained population, especially when premises are overcrowded.⁶⁵³ Detainees are allowed to clean the premises themselves. However, they are not provided with means or detergents, which they have to buy at their own expenses. Clothing is provided only if supplied by NGOs. Bed linen is not washed on a regular basis, but usually once a month.

Nutrition is poor, no special diets are provided to children or pregnant women. Health care is a major issue as not all detention centres have medical staff appointed on a daily basis. A nurse and/or a doctor visits detention centres on a weekly basis, but the language barrier and lack of proper medication make these visits almost a formality and without any practical use for the detainees.

The UN Subcommittee on Prevention of Torture 2021 report established⁶⁵⁴ that: “Varied food is delivered daily on site, in compliance with the requirements of a healthy diet, including meat and dairy products with

⁶⁵⁰ Bulgarian Helsinki Committee, Кой настанява украинските бежанци в лагера за задържане на мигранти в Елхово?, published on 4 November 2022, available in Bulgarian at: <https://bit.ly/3YACdYW>.

⁶⁵¹ Article 44(13) LARB.

⁶⁵² MOI statistics, December 2024, available in Bulgarian at: <https://bit.ly/48C57wC>.

⁶⁵³ CERD, Concluding observations on the combined twentieth to twenty-second periodic reports to Bulgaria, CERD/C/BGR/CO/20-22, 31 May 2017, available at: <http://bit.ly/2wSzlpq>, para 21(e); Centre for Legal Aid – Voice in Bulgaria, Who Gets Detained, September 2016, 25.

⁶⁵⁴ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the

a reduced content of fat and salt. Fresh fruits and vegetables are delivered daily. The food is packaged in portions in single-use boxes, with the corresponding. In 2022 the Ombudsperson⁶⁵⁵ reported that cutlery placed in isothermal containers, ensuring the preservation of the original temperature. If there is a medical prescription, diet food is provided.”⁶⁵⁶

Access to open-air spaces is provided twice a day for a period of one hour each, the spaces in all detention centres are of adequate size. Children in detention centres are using the common outdoor recreational facilities, but not many possibilities for physical exercise exist except the usual ball sports. Reading and leisure materials are provided if only supplied by donations. Computer / internet access is not available in any of the detention centres.⁶⁵⁷

Similar to **Busmantsi**, communal toilets in **Lyubimets** were reported to be locked and inaccessible at night. Toilets and showers for women and families with children, though freely accessible, have been found to be dilapidated, dirty and flooded. The collective showers for men, recently refurbished and located in the basement, were accessible in groups twice a day.

Staff interpreters are not required by law, nor provided in practice. Verbal abuse, both by staff and other detainees, is reported often by the detainees. In 2021, as in previous years, detainees have complained about the lack of tailored and translated information and uncertainty on their situation.⁶⁵⁸ This has led to risks of re-traumatisation for persons with vulnerabilities.⁶⁵⁹ In 2022, the Ombudsperson⁶⁶⁰ reported that no staff translators were assigned in both national detention centres, but some of the employees working there were enrolled in language courses in order to have better communication with the residents, and if necessary the services of contracted translators were used. Similar findings were stated in UN CAT Subcommittee report from its 2021 visit.⁶⁶¹

With regard to material conditions, the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) focusing on immigration detention facilities in Bulgaria, published in July 2019, stressed that some improvements were observed by the delegation at **Busmantsi** and **Lyubimets** centres since the CPT’s previous visit in 2018, but this is mainly due to the fact that both establishments were operating well below their official capacities.⁶⁶² Moreover, the CPT did not find any improvement in the provision of healthcare to detained foreign nationals at the **Busmantsi** and **Lyubimets** detention centres, where the only positive changes were the 24/7 staff presence and the clean infirmary in Lyubimets (as opposed to the infirmary in Busmantsi). The medical equipment was found to be very scarce and often out of order, while the range of free-of-charge medication was also very limited, with expired medicine and restricted access to specialist care. The CPT was particularly concerned by the lack of access to psychiatric care, which is limited to emergencies. The CPT thus urged

Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>.

⁶⁵⁵ Ombudsperson of the Republic of Bulgaria, Доклад на Националния превантивен механизъм за извършени проверки в структури на Дирекция „Миграция“ към Министерство на вътрешните работи и Държавна агенция за бежанците към Министерски съвет, published in September 2022, available at: <https://bit.ly/3leBgzJ>.

⁶⁵⁶ Ibid, § 100-102.

⁶⁵⁷ Bulgarian Helsinki Committee, based on organization’s regular observations from its weekly detention monitoring, implemented in Busmantsi detention center since 2006 and since 2011 in Lyubimets detention center.

⁶⁵⁸ CPT, 2019 Bulgaria report, July 2019, available at: <https://rm.coe.int/1680966286>; Centre for Legal Aid – Voice in Bulgaria, Who Gets Detained?, September 2016, 25.

⁶⁵⁹ CPT, 2019 Bulgaria report, July 2019, available at: <https://rm.coe.int/1680966286>; Cordelia Foundation et al., From Torture to Detention, January 2016, 19.

⁶⁶⁰ Ombudsperson of the Republic of Bulgaria, Доклад на Националния превантивен механизъм за извършени проверки в структури на Дирекция „Миграция“ към Министерство на вътрешните работи и Държавна агенция за бежанците към Министерски съвет, published in September 2022, available at: <https://bit.ly/3leBgzJ>.

⁶⁶¹ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>, § 107.

⁶⁶² CPT, 2019 Bulgaria report, July 2019, available at: <https://rm.coe.int/1680966286>.

for measures to address these deficiencies.⁶⁶³ A delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out an ad hoc visit to Bulgaria from 16 to 23 September 2024,⁶⁶⁴ but its report is not yet published.

In 2021, the report of the UN Subcommittee on Prevention of Torture established⁶⁶⁵ ongoing efforts to improve conditions in the detention centers, including through activities funded under the emergency AMIF assistance mechanism. The report found that the bed bug problem was limited to a tolerable level, all existing problems related to the heating systems solved and a so-called “preliminary filter” applied with respect to every new detainee, including the opportunity to take a shower, provision of clean and disinfected clothes, with personal clothes washed at high temperature and a possibility to freeze the personal luggage of the newcomers for 24 hours for the purpose of sanitizing.

However, in 2022 the Ombudsperson⁶⁶⁶ reported that: “In the course of the inspection, it was established that from 2020 health inspectors have not visited the centres to check and control the sanitary conditions despite a previous Ombudsperson’s recommendations. Presently, detainees with chronic skin problems, such as scabies and pyoderma were established once again, along bed bug bites, and travel injuries with secondary infections.” In addition, the report noted the “unsuccessful struggle of the detention administrations” with pests, such as woodworms, cockroaches and fleas.

In 2022, the Ombudsperson⁶⁶⁷ reported that many of the detainees in Busmantsi detention centres expressed complaints regarding the food, and others that they are asked to pay for the medicines they need with their own funds.

2.2 Vulnerable groups in detention

There are no mechanisms established to identify vulnerable persons in detention centres. Although the law⁶⁶⁸ provides that authorities should conduct an assessment whether an individual belongs to a vulnerable group before issuing detention orders, such as detention, such assessment is not carried out in practice.⁶⁶⁹ The lack of mechanisms for identification and support of vulnerable asylum seekers was also indicated by the European Commission a letter of formal notice from 8 November 2018.⁶⁷⁰ According to the last research on the topic made by the Assistance Centre for Torture Survivors (ACET), mental health professionals in Busmantsi have observed that persons who are socially inhibited or depressed are not being identified by the police as persons in need of assistance as far as they do not cause problems.⁶⁷¹ If identified, there are no provisions in the law for vulnerable persons’ release on that account, unless before the court.

⁶⁶³ CPT, ‘Report to the Bulgarian Government on the visit to Bulgaria carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 17 December 2018, Executive Summary, available at: <https://bit.ly/2uFmEXu>.

⁶⁶⁴ Council of Europe, Council of Europe anti-torture Committee (CPT) carries out an ad hoc visit to Bulgaria, 29 September 2024, available [here](#).

⁶⁶⁵ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>.

⁶⁶⁶ Ombudsperson of the Republic of Bulgaria, Доклад на Националния превантивен механизъм за извършени проверки в структури на Дирекция „Миграция“ към Министерство на вътрешните работи и Държавна агенция за бежанците към Министерски съвет, published in September 2022, available at: <https://bit.ly/3leBgzJ>.

⁶⁶⁷ Ombudsperson of the Republic of Bulgaria, Доклад на Националния превантивен механизъм за извършени проверки в структури на Дирекция „Миграция“ към Министерство на вътрешните работи и Държавна агенция за бежанците към Министерски съвет, published in September 2022, available at: <https://bit.ly/3leBgzJ>.

⁶⁶⁸ Article 44(2) LARB.

⁶⁶⁹ Migrant Life, Позиция на Център за правна помощ – Глас в България и Фондация за достъп до права ФАР относно смъртен случай в СДВНЧ – София, в. „Бусманци“, published on 31 June 2021, available in Bulgarian at: <https://bit.ly/42WknTS>.

⁶⁷⁰ European Commission, ‘November infringements package: key decisions’, MEMO/18/6247, 8 November 2018, available at: <https://bit.ly/2RETZfR>.

⁶⁷¹ Cordelia Foundation et al., From Torture to Detention, January 2016, 18.

In its July 2019 report, the CPT found insufficient access to health care and communication problems with medical staff due to the language barrier. The report highlighted the lack of access to psychiatric care, which is limited to emergencies but which also results from the lack of interpretation and the lack of health insurance of the concerned persons.⁶⁷² The CPT underlined that communication problems between detained foreign nationals and psychologists severely limited the possibilities to provide any psychological assistance.⁶⁷³ In 2021, the report of the UN Subcommittee on Prevention of Torture established⁶⁷⁴ that since 2019, the MOI Medical Institute requests information on regular basis about the number of seriously sick migrants, including rare diseases as malaria, leishmaniosis, tuberculosis and other, the number and health status of the children up to 18 years and the number and status of pregnant women. The report found that the MOI Medical Institute have contracts with hospitals in the country for providing emergency care and basic treatment of detainees; therefore, it is considered that the medical assistance is provided in a timely manner without any delay with the cost of the medical treatment paid within a project, funded by the European Union.

Article 45e(3) LAR envisages that vulnerable groups shall be provided with appropriate assistance depending on their special situation. Separate wings are provided for families, single women and unaccompanied children, in line with the law.⁶⁷⁵ Single men are separated from single women. Other vulnerable persons are detained together with all other detainees. The LAR provides for access to education and leisure activities for children in closed asylum facilities,⁶⁷⁶ but there is no relevant practice yet, as children have not been placed in closed reception centres in 2024.

3. Access to detention facilities

Indicators: Access to Detention Facilities

1. Is access to detention centres allowed to

❖ Lawyers:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Limited	<input type="checkbox"/> No
❖ NGOs:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Limited	<input type="checkbox"/> No
❖ UNHCR:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Limited	<input type="checkbox"/> No
❖ Family members:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Limited	<input type="checkbox"/> No

Lawyers as well as representatives of NGOs and UNHCR have access under the law and in practice to the detention centres during visiting hours but also *ad hoc* without prior permission when necessary or requested by asylum seekers.⁶⁷⁷ Some NGOs have signed official agreements with the Migration Directorate and do visit detention centres for monitoring and assistance once a week.⁶⁷⁸ In practice, the Bulgarian Helsinki Committee is the only NGO visiting both detention centres regularly on a weekly basis, without exclusions. Other NGOs do random visits to Busmantsi detention centre, but none except BHC visits regularly the centre in Lyubimets. Media and politicians also have access to detention centres, which is authorised upon written request.

NGOs' and legal aid providers' right to access to asylum seekers is explicitly regulated and expanded to also include border-crossing points and transit zones.⁶⁷⁹ However, the Bulgarian Helsinki Committee was the only NGO in 2020 and 2021 visiting border and detention centres regularly as well as the SAR closed facility as all the rest refrained from visitations due to COVID-19. In 2023, other NGOs such as Centre for

⁶⁷² CPT, 2019 Bulgaria report, July 2018, Executive summary, available at: <https://rm.coe.int/1680966287>.

⁶⁷³ Ibid. para 35

⁶⁷⁴ UN Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Comments of Bulgaria on the recommendations and observations addressed to it in connection with the Subcommittee visit undertaken from 24 to 30 October 2021, published on 25 October 2022, available at: <https://bit.ly/3uMsZ2T>.

⁶⁷⁵ Article 45f(4) LAR.

⁶⁷⁶ Article 45f(2) LAR.

⁶⁷⁷ This has been a systematic concern. See JRS Europe, *Becoming Vulnerable in Detention* (Detention of Vulnerable Asylum Seekers - DEVAS Project), 2010, National Chapter on Bulgaria, 147 - points. 3.1 and 3.2.

⁶⁷⁸ Bulgarian Helsinki Committee, Bulgarian Red Cross, Nadya Centre, Centre for Legal Aid-Voice in Bulgaria, Foundation for Access to Rights, etc.

⁶⁷⁹ Article 23(3) LAR.

Legal Aid and FAR restarted realising visits to the Busmantsi detention centre near Sofia,⁶⁸⁰ and continued to do so throughout 2024.

D. Procedural safeguards

1. Judicial review of the detention order

Indicators: Judicial Review of Detention

1. Is there an automatic review of the lawfulness of detention? Yes No
2. If yes, at what interval is the detention order reviewed? 6 months

Detained asylum seekers are treated in the same manner as the rest of the detained population; hence they are informed orally by the detention staff of the reasons of their detention and the possibility to challenge it in court, but not about the possibility and the methods of applying for legal aid. However, asylum seekers are generally not informed in a language they understand as none of the existing detention centres has interpreters among its staff. A copy of the detention order is usually provided to the individual.

Detention is also not subject to a prompt judicial review of the initial decision to detain and to a regular review thereafter. The law no longer provides for automatic judicial review of detention orders, following the abolition of judicial review upon prolongation of detention.⁶⁸¹ This reform took place against the backdrop of the impossibility to access legal aid for detainees wishing to challenge detention orders.

As a result, judicial review may only be triggered at the initiative of the applicant. Detention orders can be appealed within 14 calendar days of the actual detention before the Administrative Court in the area of the headquarters of the authority which has issued the contested administrative act.⁶⁸² The appeal does not suspend the execution of the detention order.⁶⁸³ The submission of the appeal is additionally hindered by the fact that the detention orders are not interpreted. The short deadline for lodging an appeal has proved to be highly disproportionate and usually not complied with by detained individuals, including asylum seekers.⁶⁸⁴

2. Legal assistance for review of detention

Indicators: Legal Assistance for Review of Detention

1. Does the law provide for access to free legal assistance for the review of detention? Yes No
2. Do asylum seekers have effective access to free legal assistance in practice? Yes No

Detained applicants have the right to legal aid.⁶⁸⁵ However, legal aid has not been provided by the state to detainees, including asylum seekers in detention centres - since the end of 2019, due to National Legal Aid Bureau's budget constraints, despite a pilot project financed by AMIF which provided legal aid to vulnerable asylum seekers for the first time in Bulgaria (see [Regular Procedure: Legal Assistance](#)).

In its 2019 report, the CPT highlighted that the provision of legal assistance was left entirely to the responsibility of various NGOs, whose representatives visited both detention centres and assisted detained individuals *pro bono* in their immigration and asylum procedures, including for access to courts.

⁶⁸⁰ Center for Legal Aid-Voice in Bulgaria, available at: <https://bit.ly/3ntNoW9>; Foundation for Access to Rights, available at: <https://www.farbg.eu/>.

⁶⁸¹ Article 46a(3)-(4) LARB, repealed by Law amending the LARB, State Gazette No 97, 5 December 2017.

⁶⁸² Article 46 LARB.

⁶⁸³ Article 46a LARB.

⁶⁸⁴ Bulgarian Helsinki Committee, Detention Mapping report Bulgaria, October 2016, para 23.

⁶⁸⁵ Article 22(9) Law on Legal Aid.

In this context, the CPT reiterated its recommendation that the system of legal aid run by the National Legal Aid Bureau should be extended to detained foreign nationals in all phases of the detention procedure; whereas for destitute foreign nationals these services should be provided free of charge.⁶⁸⁶ However, as of the end of 2024, no actions in this respect had been undertaken by the NLAB, mainly due to overall restrictions related to state budgeted legal aid.

Whilst legal aid is provided for appeals under the state budget, access to the courts to lodge such an appeal turns heavily on the provision of legal assistance by NGO providers in the absence of legal aid outside court procedures. Consequently, effective access to legal assistance during the procedure for these applicants is completely negated.

There is also a lack of state-funded legal assistance for children detained in closed facilities to challenge the detention order, despite the general child protection legislation which envisaging the right of all children to such an assistance.⁶⁸⁷ As the LARB does not envisage the appointment of guardians to unaccompanied or separated children - and since according to Bulgarian law children can only undertake legal actions through or with the consent of their guardians -, they cannot challenge their detention order unless provided tailored legal support to submit an appeal without it.

E. Differential treatment of specific nationalities in detention

In 2024, no cases of discrimination against specific nationalities were reported concerning detention. In the past, when this malpractice was more widely applied, asylum seekers who had their registrations in the pre-removal facilities ranged from all nationalities without exclusion. The reasons provided previously by the national asylum agency SAR to implement registrations in pre-removal centres was the inability to fulfil otherwise the obligation to meet the short 6-working days deadline under the national and community law,⁶⁸⁸ if the release from detention and the transfer of detained applicants to open asylum centres was delayed by the immigration police or national security services. In 2024, as in 2023 and 2022, the SAR completely abandoned this malpractice,⁶⁸⁹ with no determinations conducted in a police pre-removal detention centre.

⁶⁸⁶ CPT, 2019 Bulgaria report, July 2019, para 41.

⁶⁸⁷ Article 15(8) Law on Child Protection.

⁶⁸⁸ Article 58(4) LAR, Article 6(1) APD.

⁶⁸⁹ Bulgarian Helsinki Committee, 2023 Annual Refugee Status Determination Monitoring Report, 31 January 2024, available at: <https://bit.ly/3SX3ST7>.

Recognised **refugees** are explicitly entitled to equal treatment in rights to Bulgarian nationals with just a few exclusions, such as: participation in general and municipal elections, in national and regional referenda; participation in the establishment of political parties and membership of such parties; holding positions for which Bulgarian citizenship is required by law; serving in the army and, other restrictions explicitly provided for by law.⁶⁹⁰ Individuals granted **subsidiary protection** (“humanitarian status”) have the same rights as third-country nationals with permanent residence.⁶⁹¹

2024 as the eleventh “zero integration year”

Since 2013 and up to 2024, Bulgaria followed a “zero integration policy”. The first National Programme for the Integration of Refugees (NPIR) was adopted and applied until the end of 2013, but since then all beneficiaries of international protection have been left without any integration support. This resulted in extremely limited access or ability by these individuals to enjoy even the most basic social, labour and health rights, while their willingness to permanently settle in Bulgaria was reported to have decreased to a minimum.⁶⁹² In 2024, 47% of asylum applicants abandoned their status determination procedures - which were subsequently terminated - in Bulgaria.⁶⁹³ In comparison, this percentage was 46% in 2023, 45% in 2022 and 26% in 2021.

The necessary integration legal framework, the Integration Decree, was finally adopted in 2016,⁶⁹⁴ but it remained unused throughout 2016 and 2017, as none of the 265 local municipalities had applied for funding to launch an integration process with any of the individuals granted international protection in Bulgaria. On 31 March 2017, on the last day of its mandate, the caretaker Cabinet fulfilled the election promise of the newly elected Bulgarian President and repealed the Decree without any reasonable justification.⁶⁹⁵ A new Decree was adopted on 19 July 2017, which in its essence repeated the provisions of its predecessor.⁶⁹⁶ Since its adoption, only 133 status holders benefitted from integration support,⁶⁹⁷ however all of them were **relocated with integration funding provided under the EU relocation scheme**, not by the general national integration mechanism. Following relentless advocacy efforts by UNHCR, the Refugee Council and the Red Cross with the support of the SAR, in 2021 and 2022 the **Vitosha** and **Oborishte** Districts (Sofia municipality) provided this integration support. The support itself consisted of rent expenses covered by the municipalities and the fee for the Bulgarian language courses, covered by the Red Cross. In 2023, just 22 individuals benefitted from these integration agreements, while in 2024 this number was even lower, with just 8 individuals from two families benefitting from the agreements.⁶⁹⁸ In 2021, the Oborishte District received funding from the Norwegian financial mechanism to refurbish municipal flats which later to be used as transitional accommodation of unaccompanied children granted protection,⁶⁹⁹ and who traditionally are the most difficult age group to find accommodation in the regular child care facilities. No other integration measures or activities were planned, funded or available to individuals granted international protection – refugee or humanitarian status. The program for

⁶⁹⁰ Article 32(1) LAR.

⁶⁹¹ Article 32(2) LAR.

⁶⁹² CERD, Concluding observations on the combined twentieth to twenty-second periodic reports to Bulgaria, CERD/C/BGR/CO/20-22, 31 May 2017, available at: <http://bit.ly/2wSzlpq>, para 21(f); Bulgarian Council on Refugees and Migrants, Annual Monitoring Report on Integration of Beneficiaries of international protection in Bulgaria, Sofia, December 2014.

⁶⁹³ Ibid.

⁶⁹⁴ Ordinance No 208 of 12 August 2016 on rules and conditions to conclude, implement and cease integration agreements with foreigners granted asylum or international protection (hereafter “Integration Decree”), State Gazette No 65/19.08.2016, available in Bulgarian at: <http://bit.ly/2jJwnEi>.

⁶⁹⁵ Liberties.eu, ‘Bulgarian caretaker government repealed regulation on refugee integration’, 13 April 2017, available at: <http://bit.ly/2BLqhsS>.

⁶⁹⁶ Ordinance No 144 of 19 July 2017 State Gazette No 60/25.08.2017, available in Bulgarian at: <http://bit.ly/2Ec2uHL>.

⁶⁹⁷ SAR statistics, 2021: 83 beneficiaries, 2022: 20 beneficiaries, 2023: 22 beneficiaries and 2024: 8 beneficiaries.

⁶⁹⁸ Statistics provided by the Bulgarian Council for Refugees and Migrants on 13 January 2025.

⁶⁹⁹ Teleconference on 14 January 2022 with Nadezhda Bobcheva, Deputy Mayor, Oborishte District, Sofia Municipality.

the integration of displaced persons from Ukraine under temporary protection drafted by the regular government was not adopted as this government was ousted by a vote of no confidence on 22 June 2022. Therefore, Bulgaria marked the eleventh consecutive year of the national “zero integration” policy.

In his report issued in April 2018, the Council of Europe Special Representative on migration and refugees also underlined that, while the decentralisation of integration responsibilities from the government to municipalities would in principle be a sensible step forward, the fact that the discharge of such responsibilities was not mandatory but left to the discretion of municipalities raised questions about the effectiveness of integration measures in Bulgaria. This was illustrated by fact that no municipality has volunteered to conclude Integration Agreements, although funds would be allocated to them for every refugee participating in such agreements.⁷⁰⁰

Courts and human rights monitoring bodies have taken into account the treatment of beneficiaries of international protection in Bulgaria when assessing the legality of readmissions.

National courts in some European countries have also halted transfers of beneficiaries of protection to Bulgaria on account of substandard conditions.⁷⁰¹ For example, the German Administrative Court of Köln, for example, found that risks of inhuman and degrading treatment existed for both for asylum seekers and BIPs in the country, through a decision issued on 15 November 2022.⁷⁰² In the case of BIPs, the Court concluded that there was a lack of almost any state support to ensure minimum subsistence and fulfilment of basic needs, as well as widespread racism and intolerance, at the very least ignored by the police.

Moreover, the Committee on the Rights of the Child (CRC) issued its decision in the case of *MKAH v Switzerland* on 6 October 2021, which was brought by the Centre Suisse pour la défense des droits des migrants (CDSM) with the intervention from the AIRE Centre, ECRE and the Dutch Council for Refugees.⁷⁰³ The CRC found that, although the applicants were granted subsidiary protection status in Bulgaria, they had to live for eight months in a camp with inadequate material conditions and no access to education nor the labour market. This forced them to leave Bulgaria and seek the support of relatives. The CRC thus recommended Switzerland to: reconsider the decision to return MKAH to Bulgaria; urgently re-examine the applicant and his mother’s asylum application ensuring the best interests of the child are a primary consideration, the applicant is duly heard and taking into account the particular circumstances of the case; take in to account that MKAH may remain stateless in Bulgaria, ensure MKAH receives qualified psychological assistance to facilitate his rehabilitation and to take all necessary measures to ensure violations don’t recur.⁷⁰⁴

The National Strategy on Migration was adopted in Bulgaria for the period 2021-2025, including a chapter on integration, which mentions that policies are implemented with AMIF funding but no specific areas for improvement are listed. In 2021 and 2022, civil society organizations, led by Bulgarian Council on Refugees and Migrants and Multi-Kulti Collective, and funded by UNHCR consolidated its expertise to developed a Manifesto on Refugee Integration as a programme document and an advocacy tool covering the key areas of refugee integration. The manifesto proposed setting up a new institutional structure and developing a comprehensive integration process with two stages, namely adaptation and initial integration for asylum seekers, and a national integration programme for beneficiaries of international protection. However, this document has not been considered by any Bulgarian government so far.⁷⁰⁵

⁷⁰⁰ Council of Europe, Report of the fact-finding mission by Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees to Bulgaria, SG/Inf(2018)18, 19 April 2018, available at: <https://bit.ly/2HtHSgv>, 17.

⁷⁰¹ See AIDA Country Report on Bulgaria – 2021 Update.

⁷⁰² (Germany) Administrative Court of Köln, 20 K 3733/22.A, 15 November 2022, available at: <https://bit.ly/3zdPDQp>.

⁷⁰³ UN Committee on the Rights of the Child (CRC), A.M. (au nom de M.K.A.H.) c. Suisse, No 95/2019, 6 October 2021, available at: <https://bit.ly/3rv6iur>.

⁷⁰⁴ See also: EDAL summary, CRC: Declares Switzerland did not consider the best interests of the child in a removal decision to Bulgaria, 6 October 2021, available at: <https://bit.ly/3GguTIQ>.

⁷⁰⁵ European Commission, European website on integration, Bulgaria: A decade without national refugee integration support, 20 June 2024, available [here](#).

A. Status and residence

1. Residence permit

Indicators: Residence Permit

- | | |
|--|------------|
| 1. What is the duration of residence permits granted to beneficiaries of protection? | |
| ❖ Refugee status | Indefinite |
| ❖ Subsidiary protection | Indefinite |

Both refugee and subsidiary protection (“humanitarian”) statuses granted are indefinitely and are not limited in duration, but differ in the duration of validity of identity documents issued to holders. The duration of validity is 5 years for **refugee status** holders,⁷⁰⁶ and 3 years for **subsidiary protection** holders.⁷⁰⁷ The different validity of the documents derives from the different scope of rights attributed to each of them. However, in 2020 an amendment to the law introduced a new illegal ground to cease or withdraw international protection (see [Cessation and review of protection status](#)).⁷⁰⁸

The relevant identity documents are issued by the police on the basis of decisions of the SAR to grant either of the international protection statuses. However, difficulties are encountered by beneficiaries in obtaining identity documents in practice, due to the pre-condition of [Civil Registration](#) prior the submission of an application for identity documents; the latter preconditioned by a chosen place of domicile.

During the period 1 January 2014 to 31 December 2024, the Ministry of Interior issued 10,192 refugee identity cards and 21,539 humanitarian identity cards.⁷⁰⁹

2. Civil registration

No identity documents can be issued unless the individual is registered in the civil national database (ЕЦПАОН). Documents issued to asylum seekers⁷¹⁰ and temporary protection holders⁷¹¹ are not considered to be identity documents⁷¹². Identification on the basis of a valid document is a pre-condition for exercising almost any personal right envisaged, especially relating to housing, social support or assistance, health insurance and care, access to employment etc.

The registration in ЕЦПАОН is mandatory to the beneficiaries of international protection.⁷¹³ Based on it, they are given a unique identification number (единен граждански номер, ЕГН). Only after registration can beneficiaries apply for the issuance of identity documents.

To be registered in the national database, any individual has to indicate, *inter alia*, a domicile.⁷¹⁴ Following the peak of arrivals and recognitions in 2014-2015 the newly recognised beneficiaries who have lived in reception centres were no longer permitted by the SAR to state the address of the respective reception centre as domicile. Therefore, since the end of 2016 beneficiaries could not provide a valid address or domicile, as they cannot rent a place of residence without a valid identity document. This legal ‘catch 22’ has led to continuous malpractice, including false renting and address registrations for the sake of enabling beneficiaries to obtain identity documents, as the valid identity document is a pre-condition to exercising their rights. Following extensive advocacy efforts from civil society organisations in October 2024 the law was amended⁷¹⁵ to enable⁷¹⁶ the newly recognised refugees and subsidiary protection holders who cannot state a domicile address when registering for the first time in the population register,

⁷⁰⁶ Article 59(1)(2) Law on Bulgarian Identity Documents.

⁷⁰⁷ Article 59(1)(3) Law on Bulgarian Identity Documents.

⁷⁰⁸ Article 42(5) LAR, enforced on 20 October 2020.

⁷⁰⁹ MOI, Identity Documents Department, reg. No.DBDS-int.151 from 6 January 2025.

⁷¹⁰ Article 41(1), item 4 LAR.

⁷¹¹ Article 41(1) item 5 LAR

⁷¹² Article 40 (3) LAR.

⁷¹³ Articles 100-115 Law on Civil Registration.

⁷¹⁴ Article 90 (1) Law on Civil Registration.

⁷¹⁵ State Gazette No.58 from 8 October 2024.

⁷¹⁶ Article 93 (6), as well as §1 Additional Clauses Law on Civil Registration.

or submitting an application for a permanent or current address, to be registered at an officially prescribed service address by the municipality where they have established their habitual residence. This provision entered into force on 8 December 2024 with all municipalities being obliged to assign service address or addresses to be able to commence implementing this new arrangement as of 8 January 2025.

2.1 Child birth registration

The same rules as for nationals apply to the civil registration of birth of a descendent of an asylum seeker or beneficiary of international protection. Residency requirements do not apply with respect to birth registration. The registration of a new-born child is made within 7 days following the day of the delivery.⁷¹⁷

The registration is made on the basis of a written notification of birth issued by the maternity hospital or clinic where the mother delivered the baby. The father declares the birth at the local municipality administration either in person or by a person authorised by him. In cases when the father is deceased, unknown or unable to appear in person for various other reasons, the statement can be made either by somebody present at the time of birth or by the mother. The required documents for birth registration and issue of the child's birth certificate are proof of identity of both parents and the notification of birth issued by the maternity hospital.

The registration of birth is free of charge.

2.2 Marriage registration

Marriages in Bulgaria are subject to a residency requirement.⁷¹⁸ Therefore at least one of the spouses must be either a Bulgarian citizen or a long-term or temporary resident of Bulgaria.

Foreigners need to prove that they do not have another marriage registered in their country of origin. Only beneficiaries of international protection are exempted from this requirement, which is substituted by a civil status certificate issued by the SAR based on prior notarised statement by the beneficiary. This means that marriages cannot be registered by asylum seekers due to the lack of identity documents necessary to make notarised statements.⁷¹⁹

According to general legislation relating to family arrangements, only civil marriages are legally valid in Bulgaria.⁷²⁰ The religious ceremony is optional and can be performed only after a civil ceremony has taken place. The religious ceremony itself has no legal effect.

The legal age for getting married in Bulgaria is 18 years. People under that age, but who have already turned 16, may get married with the permission of the Chair of the Regional Court. An application for a permit to marry must be submitted at the Regional Court where the couple resides; if they do not both reside in the same region, they may choose which court to apply to.

3. Long-term residence

Long-term residence is not applicable for refugees and subsidiary protection holders at all, as they get their identity cards issued automatically by the police on the basis of the SAR's decision granting status. Therefore, refugees and subsidiary protection holders are not issued additional residence permits at all. Recognised refugees are *ex lege* considered equal in rights with Bulgarian nationals,⁷²¹ subject to a few

⁷¹⁷ Article 42(1) Law on Civil Registration.

⁷¹⁸ Article 76(2) Code on Private International Law.

⁷¹⁹ Article 40(3) LAR, since the asylum registration card does not certify the identity of the applicant. This follows Article 6(3) recast Reception Conditions Directive.

⁷²⁰ Article 4 Family Code.

⁷²¹ Article 32 LAR.

exceptions,⁷²² whereas individuals granted subsidiary protection enjoy the same rights as the permanent residents.

Refugees and subsidiary protection holders can apply and receive long-term residence in 5 years after their recognition.⁷²³ However, in practice, this opportunity is useful only for subsidiary protection holders to whom the long-term residence card guarantees visa-free travel within the EU.

4. Naturalisation

Indicators: Naturalisation

- | | |
|---|---------|
| 1. What is the waiting period for obtaining citizenship? | |
| ❖ Refugee status | 3 years |
| ❖ Subsidiary protection | 5 years |
| 2. Number of citizenship grants to beneficiaries in 2024: | 94 |

Refugees may obtain Bulgarian citizenship if they are of over 18 years old and have been recognised for 3 or more years. **Subsidiary protection** (“humanitarian status”) holders obtain Bulgarian citizenship if over 18 and if they have been granted protection for 5 or more years.

Besides this, and regardless of the status or residence, everybody has to have a clear criminal record in Bulgaria, an income or occupation which allows to self-subsistence and to have knowledge of Bulgarian language – speaking, reading and writing in Bulgarian language, proven either by a local school or university diploma or by passing an exam tailored for naturalisation applicants. Applicants are interviewed in Bulgarian language on their motive to obtain citizenship.

The application is examined within 18 months.⁷²⁴ Citizenship is granted by the president, who issues a decree following a proposal in this respect of the Minister of Justice, the latter based on a positive opinion by the Citizenship Committee at the Ministry of Justice.

From 2014 to 2024, Bulgaria granted citizenship to 715 beneficiaries of international protection, namely 279 refugee status holders and 436 subsidiary protection holders.⁷²⁵

5. Cessation and review of protection status

Indicators: Cessation

- | | | | |
|---|---|--|--|
| 1. Is a personal interview of the asylum seeker in most cases conducted in practice in the cessation procedure? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 2. Does the law provide for an appeal against the first instance decision in the cessation procedure? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 3. Do beneficiaries have access to free legal assistance at first instance in practice? | <input type="checkbox"/> Yes | <input type="checkbox"/> With difficulty | <input checked="" type="checkbox"/> No |

According to Article 17(1) LAR, international protection may be ceased if the protection holder:

- Can no longer refuse to avail him or herself of the protection of his or her country of origin, as the circumstances that had given rise to fears of persecution have ceased to exist and the transformation in said circumstances is substantial enough and of a non-temporary nature;
- Voluntarily avails him or herself of the protection of his or her country of origin;

⁷²² To vote and be elected in local and/or general elections, to serve in the military or as a government official, if citizenship is required to occupy the position of the latter, as well as other exceptions if such have been explicitly promulgated.

⁷²³ Article 24r(4) LARB.

⁷²⁴ Article 35(1)(1) Law on Bulgarian Citizenship.

⁷²⁵ Ministry of Justice, reg. No.95-00-135 from 27 December 2025.

- (c) Voluntarily re-acquires citizenship after having lost it, or acquires new citizenship in another country;
- (d) Acquires Bulgarian citizenship;
- (e) Voluntarily settles in the country where he or she was previously persecuted;
- (f) Has been granted refugee status by the President; or
- (g) Explicitly declares to no longer wish to enjoy international protection granted in Bulgaria.
- (h) Is deceased.

Following the decision of the SAR's Chairperson to initiate a cessation procedure, a caseworker may suggest to cease protection based on available data indicating that one of the above legal grounds applies. The beneficiary of protection is to be notified by a letter with recorded delivery that such a procedure has been initiated, the reasons thereof and the date and place for a mandatory interview in which he or she will have the opportunity to raise any objections against the cessation of the protection status. As of the date of notification, the SAR has 3 months to issue a decision. Such decision can also be taken in the absence of opinion or objections by the protection status holder if they have not been made on his own failure. When the SAR has not established the grounds for cessation, the initiated procedure must be discontinued.

The cessation can be appealed within 14 days after being notified to the individual before the respective Regional Administrative Court. The appeal can be heard at two court instances where the decision of the second instance, the Supreme Administrative Court, is final. Legal aid can be appointed by the court on a request of the appellant (see section [Regular Procedure: Legal Assistance](#)).

Although there is no systematic review of protection status in practice, cessation procedures are initiated by the SAR when the MOI provides information indicating that status holders have either returned to their country of origin, obtained residence or citizenship in a third country, or have not renewed their Bulgarian identification documents for a period exceeding 3 years.

In 2024, a total of 142 cessations were made. The cessations affected individuals from the following countries of origin: ⁷²⁶

Cessation of refugee status: 2024	
Country of origin	Number
Syria	24
Stateless	1
Iraq	3
Afghanistan	4

Cessation of subsidiary protection: 2024	
Country of origin	Number
Afghanistan	106
Stateless	2
Egypt	2

Source: SAR.

In 2020, an amendment to the law introduced an additional clause, which allows cessation or revocation of international protection where the status holders fail to renew their expired Bulgarian identity

⁷²⁶ SAR, reg. №АД-07-7 from 14 January 2025.

documents, or to replace them if they have been lost, stolen or destroyed, in a period of 30 days.⁷²⁷ Despite being contrary to 1951 Refugee Convention, the amendment was aimed at legalising a malpractice applied by the SAR since 2018. This broadened interpretation of the recast Qualification Directive introduces *de facto* an additional cessation ground in violation of national and EU legislation. The undue cessation of international protection has affected 4,264 status holders in total, respectively – 770 persons in 2018; 2,608 persons in 2019; 886 persons in 2020, 105 in 2021, and 41 in 2022, 0 in 2023 and 0 in 2024.⁷²⁸

The introduction of said additional clause led national courts in some European countries to halt transfers of beneficiaries of protection to Bulgaria in 2022.⁷²⁹ In 2024 however, several courts found that beneficiaries of protection could be sent back to Bulgaria.

The administrative tribunal of Luxembourg found that the issues reported regarding access to healthcare, the labour market, social welfare, and the zero-integration policy were insufficient to demonstrate that BIPs systematically risk violations of their most fundamental rights due to systemic deficiencies in Bulgaria. Difficulties in accessing housing or finding a job were issues that could also be faced by Bulgarian nationals.⁷³⁰

Similarly, different local courts in Germany rejected appeals against BIP transfers to Bulgaria, ruling that applicants who are not particularly vulnerable do not seriously risk inhuman and degrading treatment by virtue of the living conditions of beneficiaries of protection in Bulgaria, despite the recognised issues: while there are issues in finding housing, there is no particular evidence of general homelessness of BIPs, realistic employment opportunities are deemed to exist, and language and integration courses, while not foreseen by the State, are offered by NGOs.⁷³¹ Generally, non-vulnerable, healthy and able-bodied, single young adults are not considered at risk of destitution, notably thanks to NGO assistance in finding work, for interpretation, administrative processes, financial aid, etc, despite major challenges in gaining access to housing and the labour market.⁷³²

Courts in the Netherlands also issued similar rulings. The courts highlighted that while reports do indeed show that living conditions for beneficiaries of protection in Bulgaria remain poor and that the authorities do not offer any integration assistance, there are NGOs offering help.⁷³³

6. Withdrawal of protection status

Refugee status ought to be withdrawn where:⁷³⁴

- (a) There are serious grounds to assume to have committed an act defined as a war crime or a crime against peace and humanity under the national legislation and under the international treaties;
- (b) There are serious grounds to assume that he or she has committed a serious non-political crime outside the territory of Bulgaria;
- (c) There are serious grounds to assume that he or she commits or incites towards acts contrary to the goals and principles of the United Nations;
- (d) The refugee benefits from the protection or assistance provided by bodies or organisations of the United Nations other than the United Nations High Commissioner for Refugees;

⁷²⁷ Article 42(5) LAR, enforced on 20 October 2020.

⁷²⁸ SAR, reg. №АД-07-7 from 14 January 2025.

⁷²⁹ (Germany) Administrative Court of Düsseldorf, 12 L 1073/22.A, 25 May 2022. District Court of the Hague, NL22.2064 en NL22.2066 T, 8 July 2022, available at: <https://bit.ly/42POziX>; District Court of the Hague, NL22.2064 en NL22.2066, 26 October 2022, available at: <https://bit.ly/3nmnxiz>.

⁷³⁰ Administrative tribunal of Luxembourg, Decision 50048, 27 March 2024, available [here](#).

⁷³¹ See administrative court of Düsseldorf, Decision 29 L 2026/24. A, 5 November 2024, available [here](#); Higher Administrative Court of Nordrhein-Westfalen, Decision 11 A 1460/23. A, 10 September 2024, available [here](#).

⁷³² Administrative Court of Baden-Württemberg, Decision A 4 S 257/24, 19 July 2024, available [here](#).

⁷³³ Court of the Hague, NL24.18113 and NL24.18114, 13 June 2024, available [here](#); Court of Middelburg, NL24.23908, 13 August 2024, available [here](#); Court of Groningen, NL24.43754, 5 December 2024, available [here](#).

⁷³⁴ Article 12(1) LAR.

- (e) The competent authorities of his or her state of permanent residence have recognized the rights and obligations resulting from the citizenship in that country;
- (f) There is serious proof for regarding him or her as a danger to national security, or, having been convicted by an enforceable sentence of a serious crime, as a danger to the society

Refugee status shall also be ceased if the refugee used a false identity or produced a non-authentic, forged document or a document with false contents, while continuing to insist on their authenticity, or, intentionally gave, in an oral or written form, false information or withheld essential information concerning his or her case.

Subsidiary protection (“humanitarian status”) ought to be withdrawn if:

- (a) The same grounds applicable for the withdrawal of a refugee status are met;
- (b) A protection holder for whom there are serious reasons to assume that he or she has committed a serious crime;
- (c) The holder committed a crime outside the territory of Bulgaria for which the national law provides for a criminal sanction such as deprivation of liberty;
- (d) The holder left his/her country of origin solely in order to avoid criminal prosecution, unless the said prosecution endangers his or her life or is inhuman or degrading;

There are serious reasons to assume that he or she constitutes a serious danger to the host society or to the national security.

The procedure for withdrawing status in the law is the same as for [Cessation](#) of status. In 2024, a total of 57 withdrawals were made. The withdrawals affected individuals from the following countries of origin:⁷³⁵

Withdrawal of refugee status: 2024	
Country of origin	Number
Syria	7

Withdrawal of subsidiary protection: 2024	
Country of origin	Number
Stateless	2
Iraq	4
Syria	43
Türkiye	1

Source: SAR.

⁷³⁵ SAR, reg. №АД-07-7 from 14 January 2025.

B. Family reunification

1. Criteria and conditions

Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification?
 Yes No
❖ If yes, what is the waiting period?
2. Does the law set a maximum time limit for submitting a family reunification application?
 Yes No
❖ If yes, what is the time limit?
3. Does the law set a minimum income requirement?
 Yes No

The law does not request any waiting period before a beneficiary can apply for a family reunification, nor sets a maximum time limit for submitting a family reunification application.⁷³⁶ Both recognised **refugees** and **subsidiary protection** holders are entitled to ask to be reunited with their families in Bulgaria without any distinction in the scope of their rights or procedures applicable. The family reunification permit is issued by the SAR.

1.1 Eligible family members

Under the law, family reunification can be granted to the members of the extended family circle, namely:

- ❖ Spouses;
- ❖ Children under the age of 18;
- ❖ Cohabitants with whom the status holder has an evidenced stable long-term relationship and their unmarried underage children;
- ❖ Unmarried children who have come of age, and who are unable to provide for themselves due to grave health conditions;
- ❖ Parents of either one of the spouses who are unable to take care of themselves due to old age or a serious health condition, and who have to share the household of their children; and
- ❖ Parents or another adult member of the family who is responsible, by law or custom, for the underage unmarried status holder who has been granted international protection in Bulgaria.

Unaccompanied children who have been granted international protection also have the right to reunite with their parents, but also with another adult member of their family or with a person who is responsible for them by law or custom when the parents are deceased or missing.⁷³⁷

Family reunification can be refused on the basis of an exclusion clause or with respect to a spouse in cases of polygamy when the status holder already has a spouse in Bulgaria.⁷³⁸

If the status holder is unable to provide official documents or papers certifying marriage or kinship, the latter can be established by a declaration on his behalf.⁷³⁹

1.2 Issuance of documents for family reunification

The family members issued a family reunification permit can obtain visas by the diplomatic or consular representations. The SAR has an obligation to facilitate the reunification of separated families by assisting the issuance of travel documents, visas as well as for their admission into the territory of the country.⁷⁴⁰ However, in practice, Bulgarian consular departments have stopped issuing travel documents to minor

⁷³⁶ Article 34(1) LAR.

⁷³⁷ Article 34(4) LAR.

⁷³⁸ Article 34(3) LAR.

⁷³⁹ Article 34(5) LAR.

⁷⁴⁰ Article 34(7)-(8) LAR.

children who have not been issued national documents after their birth, under the pretext of avoiding eventual child smuggling or trafficking.

Family members without national identity documents however experienced serious difficulties and delays as their right to be issued Bulgarian laissez-passers to replace the lacking passports was not respected uniformly by all consulate services and some needed further intervention to, and by the Consulate Directorate of the Ministry of Foreign Affairs (MFA). The MFA itself however continued to request in all of these cases the usual supporting documents, e.g. documents proving sufficient financial means or secured housing, which should have not been the case in visa applications based on family reunification procedure due to the previous vetting and special exclusions with regard to these requirements, envisaged and implemented by the asylum agency SAR when issuing the family reunification permit.⁷⁴¹

Since 2022, beneficiaries of international protection, mainly from Syria began reporting that their family members experienced serious problems to even approach the Bulgarian consulate services in Istanbul, Ankara and Bursa in Türkiye in order to apply for reunification visas or laissez-passers. A joint NGO communication to MFA raised concerns⁷⁴² and requested transparent rules of work to be adopted by these services, however no answer or measures were undertaken in this respect until the end of 2024. In attempt to support the family members in February 2024 the SAR issued a leaflet with useful information on visa application in most common Bulgarian consulates where the family members of refugees and humanitarian status holders apply for their entry visas. The leaflet was prepared and translated in Arabic, Farsi, Dari and Pashto languages by the non-governmental organisation Bulgarian Helsinki Committee, funded by UNHCR.

In 2024, a total of 1,118 family reunification applications were submitted to the SAR, out of which 1,148 were approved and 70 rejected.⁷⁴³

2. Status and rights of family members

Family members are granted the same status as their sponsors. The procedure is almost automatic and it includes registration and, in some cases, an interview to cross-establish the family link, if documents to prove it are unavailable, expired or not original.

C. Movement and mobility

1. Freedom of movement

There are no limitations on the freedom of movement of the beneficiaries of international protection. There is no difference between the rights of refugees and subsidiary protection holders in this respect.

Beneficiaries are not dispersed according to a distribution scheme. If applied, the integration scheme foreseen under the 2017 Integration Decree would disperse those who opt to be enrolled according to the area of the municipality which provides the integration support and which was chosen by the beneficiary. The 2017 Integration Decree, however, has not been put into operation so far, although for the first time since its adoption **Vitosha** and **Oborishte** Districts (Sofia municipality) starting from 2021 provided only 131 status holders integration support,⁷⁴⁴ all with integration funding provided under the EU relocation scheme, not by the general national integration mechanism.⁷⁴⁵

⁷⁴¹ Ministry of Foreign Affairs, Consulate Department, reg. N KOB-25-00-1 from 25 August 2021.

⁷⁴² Bulgarian Helsinki Committee, Foundation Access to Rights, communication to MFA from 28 April 2023.

⁷⁴³ SAR, reg. №АД-07-7 from 14 January 2025.

⁷⁴⁴ SAR statistics, 2021: 83 beneficiaries, 2022: 20 beneficiaries, 2023: 22 beneficiaries and 2024: 8 beneficiaries.

⁷⁴⁵ Statistics provided by the Bulgarian Council for Refugees and Migrants on 13 January 2025.

Based on the two types of international protection in Bulgaria, refugee status and subsidiary protection (“humanitarian status”), the travel documents issued are also two types: (a) travel document for refugees and (b) travel document of foreigners granted humanitarian status.⁷⁴⁶

The validity of the **refugee** travel document is up to 5 years, but it cannot have a different validity from the national refugee identity card, which can be valid for up to 5 years. The travel document of individuals granted **humanitarian status** is up to 3 years and mirrors the validity of the national identity card.

National law does not apply any geographical limitations or areas of permitted travel. However, travel to the country of origin may be considered as a ground for [Cessation](#) of the status granted.

Bulgaria also issues two other types of travel documents related to asylum and family reunification. Individuals granted asylum by the President of the Republic are issued travel documents with validity up to 5 years. Family members of refugee or humanitarian status holders granted a family reunification permit who do not have a valid national passport or other replacing documents can be issued a temporary travel document to enter Bulgaria to join the status holder (see [Family Reunification: Criteria and Conditions](#)). The law does not envisage any specific duration or validity of these travel documents and in practice their duration is decided *ad hoc* according to the individual circumstances of each case.

All identity documents in Bulgaria are issued by the Ministry of Interior, Bulgarian Identity Documents Directorate. The usual time limit for issuance is 30 calendar days, but the beneficiary can pay for a speedy delivery within 10 calendar days.

During the period between 1 January 2014 and 31 December 2024, the Ministry of Interior issued 12,693 refugee travel documents and 26,164 travel documents for subsidiary protection holders.⁷⁴⁷

2. Travel documents

Based on the two types of international protection in Bulgaria, refugee status and subsidiary protection (“humanitarian status”), the travel documents issued are also two types: (a) travel document for refugees and (b) travel document of foreigners granted humanitarian status.⁷⁴⁸

The validity of the refugee travel document is up to 5 years, but it cannot have a different validity from the national refugee identity card, which can be valid for up to 5 years. The travel document of individuals granted humanitarian status is up to 3 years and also mirrors the validity of the national identity card.

National law does not apply any geographical limitations or areas of permitted travel. However, travel to the country of origin may be considered as a ground for [Cessation](#) of the status granted.

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⁷⁴⁶ Article 59(1)(5) and (7) Law on Bulgarian Identity Documents.

⁷⁴⁷ MOI, Identity Documents Department, reg. No.DBDS-int.151 from 6 January 2025.

⁷⁴⁸ Article 59(1)(5) and (7) Law on Bulgarian Identity Documents.

D. Housing

Indicators: Housing

- | | |
|---|----------|
| 1. For how long are beneficiaries entitled to stay in reception centres? | 0 months |
| 2. Number of beneficiaries staying in reception centres as of 31 December 2024: | 43 |

At the end of 2020, the law was amended to abolish the provision which foresaw financial support for housing for a period of up to 6 months as from the date of entry into force of the decision for granting international protection.⁷⁴⁹ In practice, however, some more vulnerable beneficiaries of international protection are still allowed to remain in the reception centres for couple of months due to lack of any integration support (see [General Remark on Integration](#)), unless in situations of mass influx or increased new arrivals. At the end of 2024, the number of beneficiaries staying in reception centres was 43.⁷⁵⁰

E. Employment and education

1. Access to the labour market

Access to the labour market is automatic and unconditional. There is no difference between refugees and subsidiary protection beneficiaries in this respect. No labour market test is applied and access is not limited to certain sectors. Beneficiaries of international protection face the usual obstacles related to lack of language knowledge and related lack of adequate state support for vocational training, if necessary or offered.

Professional qualifications obtained in the country of origin are not recognised in general. The law does not provide for a solution with respect to refugees and subsidiary protection beneficiaries except the general rules and conditions for legalization of diplomas. On its own, the latter constitutes a complicated procedure which in most of the cases requires re-taking of exams and educational levels.

In 2024, the SAR issued 1,074 work permits to asylum seekers who were looking to support themselves while their asylum claims were being processed.⁷⁵¹ Out of them, only 3 asylum seekers and 10 persons granted international protection were employed through employment programs, while the rest found work independently and on their own initiative.⁷⁵² At the same time a total of 272 persons with temporary protection were employed through employment programs.⁷⁵³

2. Access to education

Access to education for refugees or beneficiaries of subsidiary status occurs under the same rules as for asylum seekers (see [Reception Conditions: Access to Education](#)).

⁷⁴⁹ Para 4 of Article 32 LAR, State Gazette, N89 from 16 October 2020.

⁷⁵⁰ 134th Coordination Meeting, held on 19 December 2024.

⁷⁵¹ SAR reg. №АД-07-7 from 14 January 2025.

⁷⁵² Employment Agency, reg. No. ПД-08-1915 from 27 December 2024.

⁷⁵³ Ibid.

F. Social welfare

Beneficiaries of international protection have access to all types of social assistance envisaged by the law.⁷⁵⁴ The law foresees the same conditions for nationals, recognised refugees or subsidiary protection holders.

In practice, however, some types of the social assistance cannot be enjoyed by beneficiaries of international protection without additional special arrangements (e.g. interpretation, social mediation), which are not envisaged or secured to them by law or institutionally.

The Agency for Social Assistance (Агенция за социално подпомагане, ASA) of the Ministry of Labour and Social Policy is the authority responsible for the provision of all types of social assistance available nationally.⁷⁵⁵ The ASA has territorial units in every district and municipality in Bulgaria.

The provision of social welfare is not tied to a requirement to reside in a specific place or region. However, social assistance can be requested only from the ASA territorial unit where the beneficiary has his or her registered residence and formal address registration.

In practice, the residence requirement creates great obstacle for beneficiaries who had their domicile registered in the location of the reception centre where they were accommodated during the status determination in order to speed up issue of identity documents, until this was no longer allowed by the SAR (see [Civil Registration](#)). If beneficiaries opt to move and settle in another location, they must not only re-register their new permanent domicile – and on that basis re-issue their identity documents – but they still will not be able to immediately access social assistance services or available support, as many are also conditioned on residence in the respective municipality for certain period of time.

In addition, the lengthy and complex procedures related to the submission of social assistance applications are difficult to overcome even for nationals and almost impossible for beneficiaries of international protection, unless supported by tailored mediation or assistance. Such kind of assistance, however, is provided entirely by NGOs or grassroots support groups, but it is not always available due to capacity and funding limitations.

Since 2018, the Bulgarian Helsinki Committee has been litigating against the unlawful refusal of child care support to the beneficiaries of subsidiary protection. In 2022, the ASA applied same approach toward the child support to the beneficiaries of temporary protection. Despite the unanimous jurisprudence of the national courts proclaiming the practice unlawful and discriminatory⁷⁵⁶ in more than 400 positive court decisions⁷⁵⁷ ever since, the Agency for Social Assistance continued to maintain it until the date of publication of this report.

G. Health care

With respect to health care, the same rules that apply for asylum seekers are also applicable for beneficiaries of international protection (see [Reception Conditions: Health Care](#)). In general, from the first day after recognition, health insurance paid until then by the SAR ceases with respect to beneficiaries of international protection and they have to cover on their own the monthly health insurance payment. This minimum fee is 37.32 BGN / 19.13 € for unemployed persons who do not receive indemnities.⁷⁵⁸

⁷⁵⁴ Article 2(1) Law on Social Assistance.

⁷⁵⁵ Article 5 Law on Social Assistance.

⁷⁵⁶ First decision №6608 from 13 November 2018, Administrative Court Sofia-City, 61st chamber, case №5349/2018.

⁷⁵⁷ Bulgarian Helsinki Committee, 'БХК настоява МТСП да прекрати институционалната дискриминация срещу украинските бежанци у нас', published on 25 October 2024, available in Bulgarian [here](#).

⁷⁵⁸ Article 40(5)(1) Law on Health Insurance. 8% deducted from ½ of the minimum wage.

In 2024, both beneficiaries for international protection and asylum seekers had unrestricted access to vaccination against COVID-19.

ANNEX I - Transposition of the CEAS in national legislation

Directives and other CEAS measures transposed into national legislation

Directive	Deadline for transposition	Date of transposition	Official title of corresponding act	Web Link
Directive 2011/95/EU Recast Qualification Directive	21 December 2013	16 October 2015	Law on Amendment of the Law on Asylum and Refugees, State Gazette No.80/16 October 2015	https://bit.ly/3xbI52v
Directive 2013/32/EU Recast Asylum Procedures Directive	20 July 2015	25 December 2015	Law on Amendment of the Law on Asylum and Refugees, State Gazette No.101/22 December 2015	https://bit.ly/43smCOZ
		19 October 2020	Law on Amendment of the Law on Asylum and Refugees, State Gazette No.89/16 October 2020	https://bit.ly/494u9VB
Directive 2013/33/EU Recast Reception Conditions Directive	20 July 2015	19 October 2020	Law on Amendment of the Law on Asylum and Refugees, State Gazette No.89/16 October 2020	https://bit.ly/494u9VB
Regulation (EU) No 604/2013 Dublin III Regulation	Directly applicable 20 July 2013			

On 8 November 2018 the European Commission sent a letter of formal notice to the **Bulgarian** government concerning the incorrect implementation of EU asylum legislation.⁷⁵⁹ The Commission found that shortcomings in the Bulgarian asylum system and related support services were in breach with provisions of the recast Asylum Procedures Directive, the recast Reception Conditions Directive and the Charter of Fundamental Rights. Concerns related in particular to: the accommodation and legal

⁷⁵⁹ European Commission, 'November infringements package: key decisions', MEMO/18/6247, 8 November 2018, available at: <https://bit.ly/2RETZfR>.

representation of unaccompanied children; the correct identification and support of vulnerable asylum seekers; provision of adequate legal assistance; and the detention of asylum seekers as well as safeguards within the detention procedure. The Commission indicated that if Bulgaria would not act within the next two months, the Commission would proceed with sending a reasoned opinion on this matter. In January 2019 the EC delegation made a follow-up visit to Bulgaria to inquire the post-notification developments, but further information on this was not made publicly available. In 2020, Bulgaria adopted amendments to its national law which re-arranged the mandatory legal representation of unaccompanied asylum seeking and refugee children.⁷⁶⁰ The responsibility for legal representation has been shifted from the local municipalities to selected legal aid lawyers from the National Legal Aid Bureau (NLAB), with requirements for qualification and clearly outlined responsibility and liability.

In 2020, an amendment to the law introduced an additional clause, which allows cessation or revocation of international protection where the status holder fails to renew expired Bulgarian identity documents, or to replace them if they have been lost, stolen or destroyed, in a period of 30 days.⁷⁶¹ Despite being contrary to 1951 Refugee Convention, the amendment was aimed at legalising a malpractice applied by the SAR since 2018. This broadened interpretation of the recast Qualification Directive introduces *de facto* an additional cessation ground in violation of national and EU legislation.

⁷⁶⁰ National Parliament, Law on Amendment of the Law on Asylum and Refugees, State Gazette №89 from 16 October 2020, available at: <https://bit.ly/37eFDJ9>.

⁷⁶¹ Article 42(5) LAR, enforced on 20 October 2020.