



The presentation is accomplished with
the PHARE Program support



STATE AGENCY FOR REFUGEES

WITH THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BULGARIA

**WHAT DO WE KNOW AND WHAT DO
WE NOT KNOW ABOUT REFUGEES?**



WHO IS A REFUGEE?

In accordance with the Law on Asylum and Refugees of the Republic of Bulgaria

" A refugee is an alien who has a well-founded fear of being persecuted due to his/her:

- race;
- religion;
- nationality;
- membership of a specific social group;
- political opinion and/or belief;

who is outside of the country whose national he/she is or, if stateless, outside the country of his/her permanent residence, and who, for those reasons, cannot or does not want to avail himself/herself of the protection of that country or return thereto."

THESE IS A DIFFERENCE BETWEEN REFUGEES AND ECONOMIC MIGRANTS

- **Refugees** avail themselves of protection under international law due to a well-founded fear of persecution in their country of origin. Granting protection to refugees amounts to saving their life.
- **Economic migrants** voluntarily leave their country of origin in search of better employment and development opportunities. They can return to their homeland as they avail themselves of the protection of their national government and the rights laid down by law.

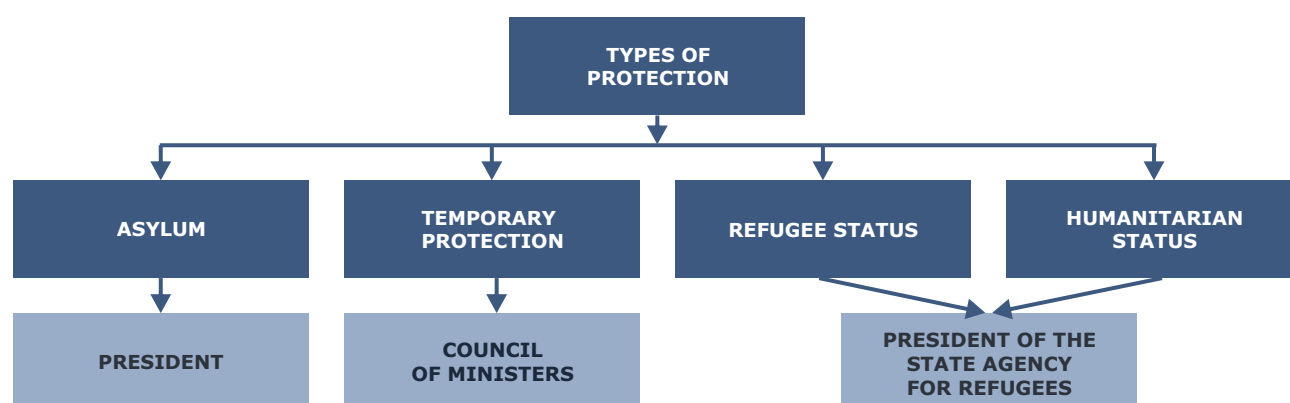


TYPES OF PROTECTION

The Bulgarian state grants four types of protection:

- **Asylum** granted by the President of the Republic of Bulgaria to aliens who have been persecuted due to their beliefs or activities in support of internationally recognized rights and freedoms;
- **Temporary protection** granted by virtue of an act issued by the Council of Ministers for a certain period, in the event of a mass influx of aliens who have been forced to leave their country of origin due to an armed conflict, foreign aggression, large-scale violence or violation of human rights;
- **Refugee status** granted by the President of the State Agency for Refugees in line with the criteria set out in the 1951 Geneva Convention and the Law on Asylum and Refugees;
- **Humanitarian status** granted by the President of the State Agency for Refugees to an alien whose life, security and freedom are threatened due to an armed conflict or danger of torture or other forms of inhuman and degrading treatment, as well as for other humanitarian reasons.

Asylum, refugee status and humanitarian status are granted on the basis of individual examination of the case, while temporary protection is determined on a group basis, each member of the group being considered *prima facie* (i.e. the benefit of the doubt) a refugee.





FUNDAMENTAL RIGHTS AND OBLIGATIONS OF REFUGEES IN THE REPUBLIC OF BULGARIA

Asylum-seekers must:

- Fulfil the orders and refrain from obstructing officials in the discharge of their duties;
- Submit all documents held by them, as well as the documents of their accompanying children under age, which may be used to establish their identity and nationality, as well as the manner of their travelling and entering the Republic of Bulgaria;
- Certify their identity, date and place of birth, and family status, and the same information for their accompanying children under age, by means of declaration made before an official for the accuracy of which they shall bear criminal responsibility under article 313 of the Criminal Code;
- Reside at addresses authorized by the State Agency for Refugees;
- Not enter the border area of the Republic of Bulgaria without due permission;
- Not leave the territory of the Republic of Bulgaria without the permission of the State Agency for Refugees;
- Assist with the certification of their case by providing the relevant competent officials with full and correct information.



FUNDAMENTAL RIGHTS AND OBLIGATIONS OF REFUGEES IN THE REPUBLIC OF BULGARIA

Refugees acquire the rights and obligations of Bulgarian nationals set forth in the Constitution and the laws of the Republic of Bulgaria, with the exception of:

- The right to participate in general and local elections;
- The right to participate in national and regional referendums;
- The right to be a member of political parties;
- The right to hold positions for which Bulgarian nationality is required by law;
- The right to be a member of the armed forces.

Social rights and obligations of refugees:

- The obligation to appear, within 14 days, at the municipality in the area where they will establish themselves, so that they could be entered into the register of population;
- Правото да поиска да се съберат със семействата си на територията на Република България;
- The opportunity to be provided with financial support for housing for a period of up to 6 months as from the date of coming into effect of the decision for status granting;
- The right to acquire Bulgarian citizenship under the conditions and the procedure laid down in the Law on Bulgarian Citizenship;
- The right to an identity document and a foreign travel certificate.



FUNDAMENTAL RIGHTS AND OBLIGATIONS OF REFUGEES IN THE REPUBLIC OF BULGARIA

- **Aliens who have been granted asylum or refugee status have the same rights and obligations.**
- **Aliens who have been granted humanitarian status have the same rights and obligations as aliens holding permanent residence permits in the Republic of Bulgaria.**
- **Aliens who have been granted temporary protection are entitled to: Residing in the country throughout the duration of the temporary protection; An identity document; Social security; Food, shelter, medical care and services.**



REFUGEE SITUATION IN THE REPUBLIC OF BULGARIA

In early 2004, the number of individuals assisted by UNHCR is **over 17 million** and ranks lowest for the last ten years. This number includes asylum-seekers, internally displaced persons, returnees and stateless persons.

In the Republic of Bulgaria, since the ratification of the Geneva Convention Relating to the Status of Refugees in 1992 till early 2005, the State Agency for Refugees and its predecessor The National Bureau for Territorial Asylum and Refugees have:

- granted **refugee status** to 1,392 people, including 333 children;
- issued reasoned **refusals for granting refugee** status to 3,658 people;
- granted **humanitarian protection** to 3,336 people, including 773 Children.

In 1993-2005, claims for granting protection in the Republic of Bulgaria have been lodged by 14,000 aliens.