

## 2.2. COUNTRY REPORT: BULGARIA

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### 1. METHODOLOGICAL INTRODUCTION

The present situation analysis of the educational integration of RASC in Bulgaria is based upon a combination of data collection methods, accorded to the refugee inflow trends in the country, the existing institutional frameworks with regard to their treatment and the statistical observation of their integration. The choice of research methods was guided by the following key factors:

- lack of systematic observation and monitoring with regard to RASC integration in general and educational integration in particular;
- lack of available studies dealing with the subject of educational integration of RASC in the country;
- well developed institutional framework, both governmental and non-governmental, with regard to reception and integration of refugee applicants and refugees in Bulgaria;
- moderate refugee inflow in the country with small number of RASC who are scattered in various schools throughout the capital of Sofia.

Taking into consideration these factors, the study was developed relying prevalently on qualitative methods and where possible involving analysis of quantitative data. The methods employed include:

- collection and analysis of statistical data, regarding refugee inflows, refugee demographic profiles and recognition rates;
- collection and analysis of institutional reports and secondary literature, dealing with refugee reception and integration;
- collection and analysis of related Laws and Regulations;
- in-depth interviews with experts in relevant

- institutions (both governmental and non-governmental) dealing with issues of RASC reception, integration and education. Interviews were conducted along semi-standardised questionnaire with the following institutions: State Agency for Refugees, Integration Center (two expert interviews); Ministry of Education, Department Access to Education (one interview); State Agency for Child Protection, Department State Policy with regard to the Child (two interviews); UNHCR (one interview); Bulgarian Red Cross, Refugee and Migration Service (two interviews); Council of the Refugee Women (one interview); Legal Clinic for Refugees and Migrants (one interview);
- additional information, regarding internal reports and unpublished data was collected following the interviews by means of targeted questionnaires sent to the following institutions: State Agency for Refugees, Integration Center; State Agency for Child Protection; Bulgarian Red Cross, Refugee and Migration Service; UNHCR;
  - three study visits.

One study visit was conducted at the Integration Center at the State Agency for Refugees. The CSD researchers attended an afternoon class at SAR Study Room taking interviews with both the language teacher (1 interview) and some of the children at place (5 interviews).

Two study visits were conducted at two state public schools, where RASC pupils are enrolled. In the course of the visits to school "Ivan Hadjiski", N 149 and to school "Philip Stanislavov" N 66, both nearing the State Agency of Refugees, semi-standardised interviews with teachers (five interviews) and school-masters (two interviews) were carried out; group conversations with RASC students (group of seven and group of three pupils respectively) and participant observation were conducted.

## 2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

Since Bulgaria's ratification of the UN Convention Relating to the Status of Refugees and the attendant Protocol from 1967 in 1993, the country faces a relatively low refugee inflow with a total of 18,790 refugee applicants. The flow has fluctuated throughout the years with moderate numbers until 1998, followed by sharp increase in 1999 with a peak of 2,888 applications in 2002. Since 2003 the inflow has decreased with the country facing between 800 to 1,000 applicants annually (Figure 10).

The recognition rate in the country is rather low with eight per cent recognised refugees and 23.6 per cent humanitarian status holders.

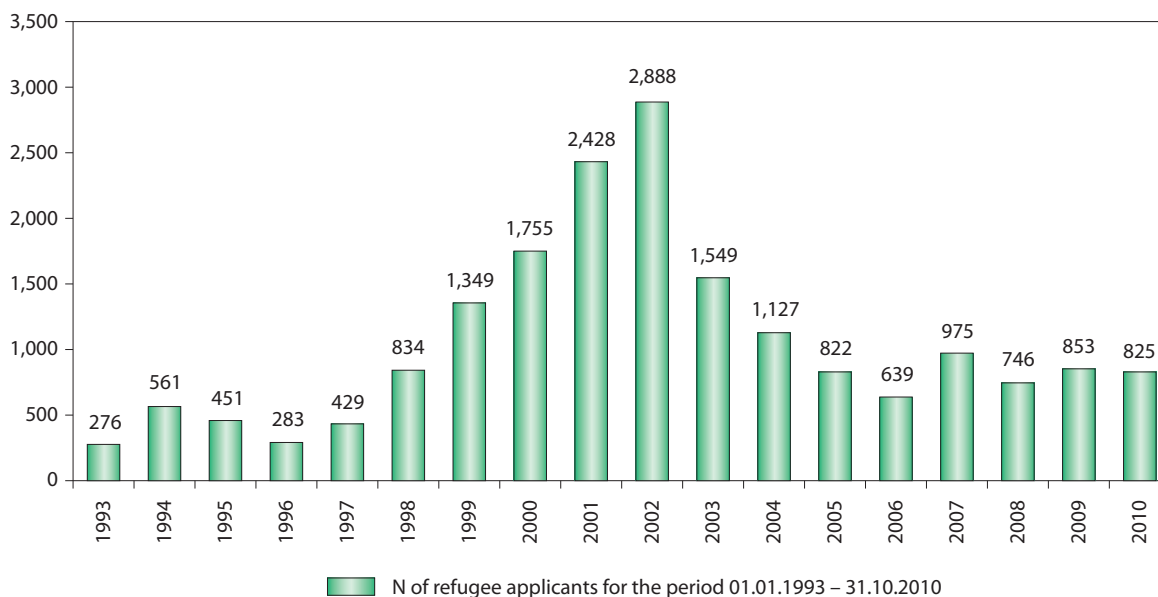
The national profile of refugees is rather diverse with applications being filed by persons from 90 different countries. More than half of the refugee inflow however, originates from two main countries Afghanistan (thirty per cent) and Iraq (twenty four

per cent), followed by Armenia (9.6 per cent), Iran (4.8 per cent) and the group of stateless people (4.4 per cent).

The dominating national profile of refugees in Bulgaria could be explained with the presence of traditional immigrant communities from the countries of the Near and the Far East that serve as point of orientation and assistance for newcomers.<sup>1</sup> The low numbers of refugee applicants and the low recognition rate indicate that there are no big refugee communities in Bulgaria. The majority of refugee applicants, refugee and humanitarian status holders live in the capital of Sofia as the refugee reception and integration institutions are located there. Refugees form no compact settlements by nationality and live scattered in Bulgarian dominated neighborhoods throughout various quarters of the city.

Refugee applicants follow two major paths that are also used by irregular migrants: the so called Southern route through Turkey used by refugees from Iraq, Afghanistan, Turkey (Figure 11) and the so called Northern route through Romania used by refugees from the former USSR, such as those from

**FIGURE 10. NUMBER OF REFUGEE APPLICANTS FOR THE PERIOD 1.1. 1993 – 31.10. 2010**



Source: State Agency for Refugees.

<sup>1</sup> Кръстева, А. (2006) Бежанците в България. В – Кръстева, А. (съст.) Фигурите на бежанеца. Нов български университет. София, 181. [Krasteva, A. 2006: Refugees in Bulgaria. In – Krasteva, A. (ed.) Profiles of Refugees. New Bulgarian University. Sofia, p. 181].

**TABLE 9. TERMINATED PROCEDURES, 1993 – 31 OCTOBER 2010**

Category	Number	%
Refugee Applicants	18,790	100.0
Recognised refugee status	1,510	8.0
Granted Humanitarian status	4,442	23.6
Ceased Procedure	1,372	7.3
Discontinued procedure	3,821	20.3
Discontinued procedure ex officio	3,007	16.0
Discontinued procedure total	6,828	36.3

Source: State Agency for Refugees.

**TABLE 10. REFUGEE WAVES IN BULGARIA, 1993 – 31 OCTOBER 2010**

Category	Number	%
<b>Refugee Applicants</b>	<b>18,790</b>	<b>100.0</b>
Of them men	13,127	70.0
Of them women	2,534	13.5
Of them children	3,129	16.7
<b>Recognised refugee status</b>	<b>1,510</b>	<b>100.0</b>
Of them children	352	23.3
<b>Granted Humanitarian status</b>	<b>4,442</b>	<b>100.0</b>
Of them children	875	19.7
<b>Rejected Refugee status</b>	<b>5,583</b>	<b>100.0</b>
Of them children	623	11.2
<b>Ceased Procedure</b>	<b>1,372</b>	<b>100.0</b>
Of them children	385	28.0
<b>Discontinued procedure</b>	<b>3,821</b>	<b>100.0</b>
Of them children	740	19.4
<b>Discontinued procedure ex officio</b>	<b>3,007</b>	<b>100.0</b>
Of them children	29	9.6

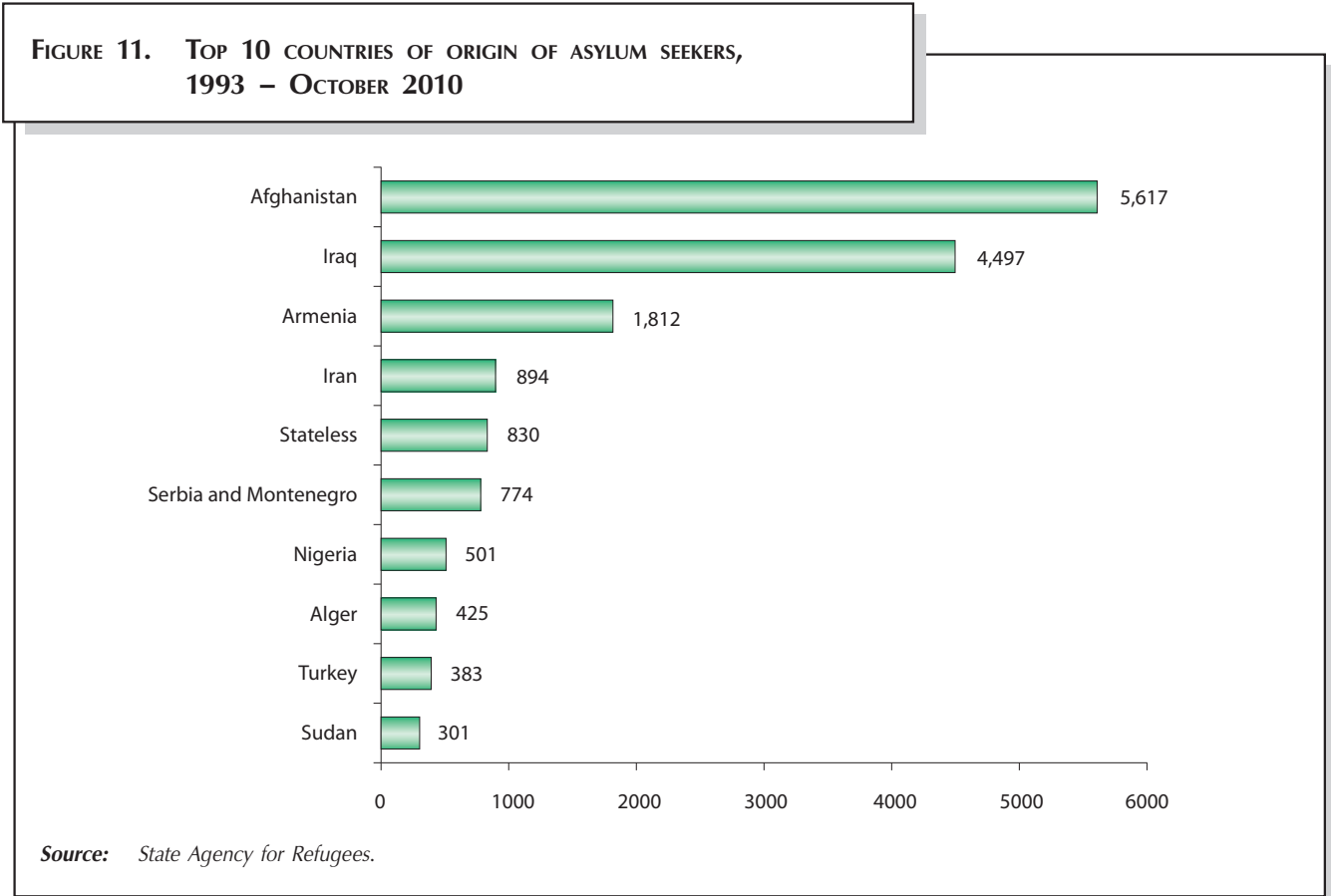
Source: State Agency for Refugees.

Moldova. Refugees from countries of the African continent arrive by blue border or using the Southern channel – their share however is low as they number

up to several hundred persons per origin country (Nigeria, Ethiopia, Sudan, Algeria, Somalia, Egypt) for the whole 18 years long period.

The demographic profile of the group is marked by a predominance of men (70 per cent) and a small share of women (13.5 per cent). The share of children (16.7 per cent) is lower if compared with that of the

Bulgarian population (18.75 per cent in the age of 0-19)<sup>2</sup>. A look at the breakdown by year however, shows that the share of children varies between 20 per cent to 27 per cent in particular years.



**TABLE 11. REFUGEE APPLICANTS IN BULGARIA BY YEAR AND THE SHARE OF CHILDREN**

Year	N of refugee applicants	Unaccompanied Minors <sup>3</sup>	Children	Children %
1993	276	NA	72	26.0
1994	561	NA	143 <sup>4</sup>	25.5
1995	451	NA	121	26.8
1996	283	NA	31	11.0
1997	429	NA	34	8.0

<sup>2</sup> National Statistical Institute: <http://www.nsi.bg/otrasal.php?otr=19&a1=376&a2=387&a3=388#cont>

<sup>3</sup> Data on unaccompanied minors is being gathered by the State Agency for Refugees since 2004. Between 1993-2003 statistics made no distinction between accompanied and unaccompanied children.

<sup>4</sup> UNHCR data shows 217 children for the years 1993 – 1994.

**TABLE 11. REFUGEE APPLICANTS IN BULGARIA BY YEAR AND THE SHARE OF CHILDREN (CONTINUED)**

Year	N of refugee applicants	Unaccompanied Minors	Children	Children %
1998	834	NA	157	18.8
1999	1,349	NA	308	22.8
2000	1,755	NA	289	16.5
2001	2,428	NA	460	19.0
2002	2,888	NA	289	10.0
2003	1,549	NA	193	12.5
2004	1,127	233	286	25.4
2005	822	159	201	24.5
2006	639	73	102	16.0
2007	975	23	122	12.5
2008	746	109 <sup>5</sup>	122	16.4
2009	853	8	100	11.7
2010	825	68 <sup>6</sup>	114	13.8

Source: SAR, UNHCR, Кръстева 2006 [Krsteva 2006], pp. 182-183.

**TABLE 12. UNACCOMPANIED/SEPARATED CHILDREN, 01.01.1993 – 30.11.2010**

Category	Number	%
Refugee Applications	501	100.00
Of them girls	11	2.20
Age group: 0-13	20	4.00
Of them girls	1	0.50
Age group: 14-15	136	27.00
Of them girls	3	0.02
Age group: 16-17	356	71.00
Of them girls	7	1.90

Source: State Agency for Refugees.

<sup>5</sup> UNHCR data reports 13 unaccompanied minors.

<sup>6</sup> UNHCR data reports 22 unaccompanied minors.

The recognition level among RASC is higher than that of adults by 6 per cent for refugee holders and by 3 per cent for humanitarian status holders. The group of unaccompanied/ separated children (2.6 per cent of the overall group) is dominated by children in the age 16-17 (71 per cent) and by boys (98 per cent).

Most of these children come from Afghanistan (76 per cent), followed by Nigeria (7.8 per cent), Iraq (4.2 per cent), India (2.4 per cent) and Iran (2.4 per cent) (Table 13).

The refugee migration to Bulgaria reveals a number of specific trends. The inflow is moderate in number with considerable fluctuations in different years.<sup>7</sup> In addition, refugee applicants seem to follow transit migration trajectories as they tend to use the country as transit destination further west. The majority of applicants are being rejected and either continue their way further by irregular channels or return to their home countries. In addition, recognised refugees or humanitarian status holders often leave the country to other EU countries

where they believe will find better employment opportunities and economic prospects. There is no available data to reveal how many of the 1,510 recognised refugees and how many of the 4,442 humanitarian status holders are indeed in the country – experts in both state institutions and NGOs verify that the group is highly mobile with many of its members leaving the country. The high degree of mobility of the group is demonstrated by the data displayed in Table 9. It shows that 36.3 per cent of the refugee applicants in the country had their procedures terminated – a move usually taken if applicants cease to appear for interviews and other required application procedures.

Until recently significant delays and inconsistencies have been registered with regard to refugee applications registration and procedures. Those included long periods of apprehension at border (up to one month); unspecified periods of detention (up to several months) of refugee applicants at the Lubimets Transit Center and the Home for Temporary Accommodation of Foreigners in Busmanci (including detention of children); belated registration of refugee

**TABLE 13. UNACCOMPANIED/SEPARATED CHILDREN BY COUNTRY OF ORIGIN, 01.01.1993 – 30.11.2010**

Country	N of applications	Country	N of applications
Total	501	Afghanistan	381
Africa	54	Bangladesh	4
Algeria	6	Georgia	1
Congo	1	India	12
DR Congo	1	Iran	12
Eritrea	1	Iraq	21
Nigeria	39	Lebanon	1
Somalia	4	Pakistan	3
Togo	1	Syria	1
Tunisia	1	Stateless	11
Asia	436		

*Source:* State Agency for Refugees.

<sup>7</sup> Кръстева, А. 2006: Бежанците в България. В – Кръстева, А. (съст.) Фигурите на бежанеца. Нов български университет. София, 179-80. [Krasteva, A. 2006: Refugees in Bulgaria. In – Krasteva, A. (ed.) Profiles of Refugees. New Bulgarian University. Sofia, 179-80].

applications.<sup>8</sup> These delays are possible in the context of particular legal provisions such as the lack of legally specified period for registration of refugee application, a maximum period of detention at the Busmanci Center for Temporary Accommodation of Foreigners – of six months with the possibility of extension. According to the latest UNHCR report on the situation of refugees in Central Europe improvements in the system in Bulgaria have been achieved such as: border apprehension of up to twenty four hours; up to two weeks apprehension of single mothers and families with children at the Home for Temporary Accommodation of Foreigners at Busnamtci; accelerated registration procedures of up to fifteen days.<sup>9</sup> In the 1990s application procedures were lengthy lasting up to several years while at present, some experts claim, they are significantly accelerated to last up to six months. However, refugee lawyers at human rights organisations report that delays in registration (up to 2 months) and procedure (surpassing six months) continue to be the practice.<sup>10</sup> Detention at the Busmanci Center continues to be a problem with foreigners who declared intention to file refugee application being detained there for periods of two weeks to two months.

The social assistance package to refugee applicants and refugees is as follows: refugee applicants, including children, are entitled to 65 BGN (32.5 EUR) per person per month that is insufficient to cover basic living needs.<sup>11</sup> In addition, they have the right of free of charge accommodation at the SAR Registration Reception Center. Refugee and humanitarian status holders are entitled to take part in the National Program for Integration of Refugees (2008 – 2010). The conditions of the program

are as follows: refugee and humanitarian status holders are entitled to free of charge Bulgarian Language course and professional training courses (such as hairdressing, sewing or other). For each day of attendance Program participants receive 4 BGN (2 EUR) which amount to monthly stipend of 88 BGN (44 EUR). Program participants get free monthly public transport passes and assistance in accommodation search and 1-year coverage of their apartment rent and medical insurance.<sup>12</sup> This social assistance package however, is conditional on course attendance. Refugee children are not included in the Program and are not entitled to any particular assistance.

The First National Program for Integration of Refugees (2008 – 2010) is a sign of significant improvement of the refugee integration system in Bulgaria and more importantly a sign of the increased financial responsibilities on the part of the Bulgarian government. However, it suffers from a number of deficiencies. It is designed for hundred participants only and is operational only in the capital of Sofia. Many refugees cannot attend the Program for a number of reasons. As the stipend, tied to course attendance, is very low many refugee and humanitarian status holders cannot afford attending the course as they need to work. In addition, mothers with small children cannot attend the courses as there is no day care organised for the children of course participants.

Refugee and humanitarian status holders who are not enrolled in the National Program for Integration of Refugees have the right to social assistance under the terms and procedures applicable to Bulgarian nationals. These include monthly social assistance

<sup>8</sup> Bulgarian Helsinki Committee, 2006: Изследване на правата на мигрантите в България. Финален доклад. [Study of the Rights of Migrants. Final Report] <http://www.bghelsinki.org/upload/resources/MigrantsRightsReportBG-1.doc>; Lewis, T. and Daskalova, D. 2008: Legal Dimensions of Immigrant Access to Employment in Bulgaria: A Context Analysis. In: The Implication of EU Membership on Immigration Trends and immigrant Integration Policies for the Bulgarian Labor Market. Spassova, P. (ed.). Economic Policy Institute. Sofia, 77-100; DEVAS, 2010: Задържани, вместо защитени. Доклад на гражданското общество за задържането на уязвими търсещи закрила и нелегални мигранти в Европейския съюз. [DEVAS, 2010: Detained instead of Protected. Civil Society Report on the Detention of Vulnerable Asylum Seekers and Irregular Migrants in the European Union]. [http://www.bghelsinki.org/upload/resources/DEVAS-BG%20National%20Report\\_Bulgaria\\_SHORT%20PUBLIC%20version.pdf](http://www.bghelsinki.org/upload/resources/DEVAS-BG%20National%20Report_Bulgaria_SHORT%20PUBLIC%20version.pdf)

<sup>9</sup> ВКБООН (2010) Да бъдеш бежанец. Как живеят бежанците и търсещи убежище в Централна Европа. AGDM Доклад 2009. ВКБООН – Будапеща, 9-12. [UNHCR (2010) Being a Refugee. How do Refugees and Asylum Seekers Live in Central Europe. ADGM Report 2009. UNHCR – Budapest, pp. 9-12].

<sup>10</sup> Ilareva, V. (2007) Bulgaria's Treatment of Asylum Seekers. – Forced Migration Review, 29, 60-61; Interview with Valeria Ilareva, expert at the Legal Clinic with Refugees and Migrants, 7 Dec. 2010.

<sup>11</sup> ВКБООН, (2010) Да бъдеш бежанец. Как живеят бежанците и търсещи убежище в Централна Европа. AGDM Доклад 2009. ВКБООН – Будапеща, 15. [UNHCR, 2010: Being a Refugee. How do Refugees and Asylum Seekers Live in Central Europe. ADGM Report 2009. UNHCR – Budapest, p. 15].

<sup>12</sup> National Program for Integration of Refugees in the Republic of Bulgaria: <http://www.oref.government.bg/docs/NPI%202008-2010.doc>



benefits, targeted allowance for identity card issue, free travel for mothers of many children, targeted heating allowance, one-off allowance in the event of emergency health, educational, utility and other vital needs. Child related allowances include: one-off pregnancy allowance, one-off child-birth allowance, monthly allowance for a child until graduation from secondary school, monthly allowance for raising a child younger than one year old.<sup>13</sup>

### 3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK<sup>14</sup>

#### 3.1. National level

**Major institutions and their responsibilities:** The institutional set-up with regard to asylum seekers and refugees in Bulgaria is organised mainly along the *Law on Asylum and Refugees* (promulgated in 2002) and the two National Programs for Integration of Refugees in the Republic of Bulgaria for the periods 2008 – 2010 and 2011 – 2013 respectively. Other legal instruments that regulate some aspects of the treatment and integration of asylum seekers and refugees include: *Law for the Foreigners in the Republic of Bulgaria* (promulgated in 1998, last amended in April 2007); *Law for the Protection of the Child* (promulgated in 2000); *National Education Act*.

In accordance with this legislation the major institution responsible for asylum seeker and refugee reception and treatment in Bulgaria is the **State Agency for Refugees at the Council of Ministers (SAR)**, followed by the Ministry of Interior, the Ministry of Labor and Social Policy, the Ministry of Education Youth and Science and the State Agency for Child protection. The **Agency for Refugees at the Council of Ministers** acts as the leader in the policy formation process with regard to asylum seeker and refugee reception and integration in the country and is responsible for the processing and implementation of registration,

reception and application procedures of asylum seekers. The Agency operates **two reception and accommodation centers** for asylum seekers in the country – the one in the capital of Sofia and the other in the small village of Banya in the Nova Zagora district, south-east part of Bulgaria. This set-up to a large extent predetermines the location of recognised refugees in the country, as well as the geographical aspects of the institutional, legal and policy frameworks at place. The two reception centres are open ones where asylum seekers enjoy freedom of movement.

At present the **Ministry of the Interior** plays a role in the reception and treatment of asylum seekers and refugees in the country through its Home for Temporary Accommodation of Foreigners, located near the capital of Sofia in the quarter of Bousmantci. The home has a closed regime with no freedom of movement and in fact serves as immigration detention centre. Since its opening in 2006, the Bousmantci detention centre has been extensively used for reception of asylum seekers who are being accommodated there for the period between reception and registration of their asylum applications as well as in the period of examination of their applications under the accelerated procedure. The Bousmantci detention centre is used to accommodate men, women and children together. The law explicitly prohibits only the detention of unaccompanied minor asylum seekers whose applications for asylum have already been registered. This guarantee follows from Article 71 (1) of the *Law on Asylum and Refugees* that prohibits application of the accelerated refugee status determination procedure to unaccompanied minor asylum seekers. That is, since the person is admitted to the common refugee status determination procedure, he/she should be released from the immigration detention centre. According to Article 29, Paragraph 7 and Article 33 of the *Law on Asylum and Refugees*, unaccompanied minor asylum seekers and recognised refugees are to be accommodated either with relatives or with a foster family or in a 'specialised institution' or 'in other accommodation places with special conditions for minors'. It should be noted that the lawfulness of

<sup>13</sup> Радева, М., Жасмина Донкова (2010) Кратък наръчник за правата и задълженията на чужденците с предоставен статут на бежанец или хуманитарен статут в Република България. ВБКООН – България, pp. 28-35. [Radeva, M. Jasmina Donkova, 2010: Concise Handbook on the Rights and Duties of Foreigners with Recognized Refugee Status or Humanitarian Status in the Republic of Bulgaria. UNHCR – Bulgaria, pp. 28-35].

<sup>14</sup> This section of the report has been developed in collaboration with Valeria Ilareva.



the detention of asylum seekers in the Bousmantci immigration centre on the basis of deportation orders for entering the country irregularly is highly questionable following the adoption of the *Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals* and the judgment of the European Court of Justice in the *Kadzoev Case C-357/09*. Since 2006 human rights activists and refugee assistant organisations in Bulgaria have energetically criticised the detention practices exercised through the Bousmantci immigration centre on the part of the Ministry of the Interior and in cooperation with the State Agency for Refugees.

The national *Law for the Protection of the Child* equally applies to minor asylum seekers and refugees. Article 33 (2) of the *Law on Asylum and Refugees* explicitly refers to it regarding accommodation of children until coming of age. While application procedures of unaccompanied asylum seeking and refugee children are implemented by the State Agency for Refugees, the competent institution responsible for their legal guardianship is the Mayor of the City Municipality.

The process of reception and integration of asylum seekers and refugees is actively aided by a number **inter-governmental and non-governmental organisations** involved in policy assistance and monitoring (UNHCR), social support programs (Bulgarian Red Cross; Association for Integration of Refugees and Migrants; Council of the Refugee Women) and in monitoring of reception and detention centers and legal assistance to clients (Bulgarian Helsinki Committee; Legal Clinic for Refugees and Migrants).

**Formal policy framework:** Two major types of documents are being adopted by the Bulgarian government to set the policy framework for asylum seekers and refugees in the country. These are the National Programmes for Integration of Refugees in the Republic of Bulgaria and the National Migration Strategies. So far two active Programs for Integration

of Refugees (covering the periods 2008 – 2010 and 2011 – 2013), and two National Migration Strategies (covering the periods 2008 – 2015 and 2011 – 2020) have been adopted.<sup>15</sup>

Chapter V of the *National Program for Integration of Refugees in the Republic of Bulgaria (2008 – 2010)* adopted by the Council of Ministers on 17 April 2008, was focused on “Education” but it concentrates primarily on the educational needs of adult beneficiaries. It stated as a strategic aim “the improvement of refugee access to the state educational system”. The activities envisaged in the Programme were as follows: 1) legal regulation of the access by adult refugees without education to the state educational system; 2) research on the difficulties encountered by refugees in their integration at school and setting measures for overcoming those difficulties; 3) assistance to refugees who due to reasons outside their control have not been able to provide the documents that certify the levels of their education and vocational training; and 4) training of teachers working with refugee children. The indicated provisions however, were not enacted in practice. On 05 January 2011 the Bulgarian Government approved *the New National Program for Integration of Refugees by 2013 (NPIR)*. It envisages that the State will support financially 90 (ninety) newly arrived protection status holders per year. Thirty of these will be children, including twenty at school age and ten at preschool age. For the first time NPIR provides for direct support to refugee children. The Program however, retains the principle of the previous one of tying the monthly subsistence of the newly-recognised (adult) refugees to enrollment in Bulgarian language and social integration courses. The programme is supported financially through the budget of the State Agency for Refugees, the European Refugee Fund and project implementation. The measures in the program include updating the criteria for applying the package of measures for integration of newly recognised refugees; drafting and application of mediation programs at the exercise of fundamental rights and opportunities for refugees; initiation of legislative revisions for providing trustees/guardians

<sup>15</sup> Национална програма за интеграция на бежанците в Република България /2008 – 2010/ [National Program for the Integration of Refugees in the Republic of Bulgaria 2008 – 2010]; Национална програма за интеграция на бежанците в Република България /2011 – 2013/ [National Program for the Integration of Refugees in the Republic of Bulgaria, 2011 – 2013].; Национална стратегия на Република България по миграция и интеграция /2008 – 2015/ [National Strategy of the Republic of Bulgaria in Migration and Integration, 2008 – 2015].; Национална стратегия в областта на миграцията, убежището и интеграцията /2011 – 2020/ [National Strategy on Migration, Asylum and Integration, 2011 – 2020].

of unaccompanied refugee children; application of measures for acquainting and supporting refugees for preparation and application for Bulgarian citizenship; provision of services for accommodation of refugees – information, assistance in dealing with address registration, legal aid and consultations. The new NPIR is the first to list provisions in the sphere of education for refugee and asylum seeking children. Those include conduct of research to identify gaps in the system, development of standardised tests for assessment of knowledge and class allocation, fostering and mediation of contacts between parents and teachers as well as between RASC and Bulgarian pupils.<sup>16</sup>

In its section on “Balanced admission of foreigners and achievement of successful integration of admitted foreigners” the *National Strategy of the Republic of Bulgaria on Migration and Integration (2008 – 2015)* only refers to implementation of the priorities set in the National Program and the Multi-annual and Annual Programs of the European Refugee Fund. The subsequent *National Strategy in the Area of Migration, Asylum and Integration (2011 – 2020)* refers to the implementation of the Stockholm Program, the implementation of projects under the newly established European Asylum Support Office, the maximising of the EU funds absorption available under ERF, and the establishment of Monitoring Committee to oversee the implementation of its respective programs. In addition, the document refers to the development of National Refugee resettlement program and the launch of Resource centre for information on origin countries.

**The Legal Framework in EU perspective:** Formally Bulgaria has transposed all relevant EU directives into national legislation. Paragraph 1a of the Additional Provisions of the *Law on Asylum and Refugees* provides that the law transposes *inter alia* the *Reception Conditions Directive 2003/9/EC* of 27 January 2003, the *Qualification Directive 2004/83/EC* of 29 April 2004 and the *Procedures Directive 2005/85/EC* of 1

December 2005. However, the latest update of the law dates back as far as from 2007 and there are a number of problematic issues of compliance with EU law that need to be addressed by legislative amendments.<sup>17</sup>

The *Return Directive 2008/115/EC* has partially been transposed in the *Law on Foreigners in the Republic of Bulgaria*, which concerns the current study as far as asylum seekers are detained under this law.

Bulgaria is also a party to the main international treaties (CRC, ICCPR, ICESCR, ICERD, the Refugee Convention), except for the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*. Article 5(4) of the Constitution of the Republic of Bulgaria provides that international law to which Bulgaria has acceded has primacy over contradicting national provisions.

### 3.2. Regional and local level

The institutional, legal and policy framework regarding asylum seekers and refugees in Bulgaria has hardly any regional or local dimension. Both governmental and non-governmental institutions dealing with asylum seekers and refugees in the country are concentrated in the capital of Sofia. Asylum seekers are dealt with regionally only as far as border apprehension centers (for any kind of foreigners) and the reception center in the village of Banya are concerned. The systems of accommodation and integration of asylum seekers and refugees are exclusively concentrated in the capital of Sofia with inter-institutional experience of referral being accumulated only at central level. The existing National Program for Integration of Refugees is operational only in the capital of Sofia. In this context it is no surprise that cases, especially of unaccompanied RASC, that are referred to regional or local institutions are handled with much more difficulties.

<sup>16</sup> Национална програма за интеграция на бежанците в Република България (2011 – 2013), Раздел V. [National Program for the Integration of Refugees in the Republic of Bulgaria, 2011 – 2013, Chapter V].

<sup>17</sup> See, e.g. Report from the Commission to the European Parliament and the Council, 16.6.2010, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0314:FIN:EN:PDF>; *Bulgaria's Treatment of Asylum Seekers*, Forced Migration Review, issue 29, 2007, available at: <http://www.fmreview.org/FMRpdfs/FMR29/60-61.pdf>

## 4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

### 4.1. National specifics of the education system

The legal framework in the field of *education* in Bulgaria is composed of *National Education Act (Закон за народната просвета)*.<sup>18</sup> The *Law on Asylum and Refugees* also includes specific provisions in this regard: Article 26<sup>19</sup> addresses the right to education and vocational training and Article 54 (4) provides for the recognition of foreign documents regarding completed education and qualification.

The public education system in the country includes three general stages of training: elementary, basic and secondary. There is also pre-school education for children from 3 to 6 years old which is not

compulsory. According to a recent change in the Law, pre-school education is compulsory for kids at the age of 5. However, the education system is still not ready to apply this change. Children enter public school at the age of 7 but school entry at the age of 6 is also allowed by the Law upon parents' decision. Children finish school at the age of eighteen if they are enrolled in a common secondary school or at the age of nineteen if they are enrolled in a specialised secondary school. Schooling is compulsory for children between seven and sixteen with public schooling being free of charge for Bulgarian citizens. In addition to the regular form of schooling, the Bulgarian education system provides three alternative forms of public schooling: evening schools, individual and self-sufficient schooling. In addition, specialised schools exist for children with special needs.

The major stakeholders involved in the education of RASC are the Ministry of Education, Youth and Science, the State Agency for the Refugees. The Agency for Social Assistance and the State Agency for Child Protection become involved in cases of unaccompanied RASC. Since most of the schools in Bulgaria are municipal, municipalities are important stakeholders too.

TABLE 14. STRUCTURE OF THE PUBLIC SCHOOL SYSTEM IN BULGARIA

Stage of education	Age of entry	Period of schooling	Type of Certificate
Primary – Elementary	7 (or 6)	4 years	Grade IV leaving certificate
Primary – Basic	10	4 years	Basic education completion certificate
Secondary (common high schools)	14	4 years	Diploma of completed secondary education
Secondary (specialised high schools)	14	5 years	Diploma of completed secondary education
Secondary (professional/technical high schools)	15	4 years	Diploma of completed secondary education and Certificate of professional qualification

Source: <http://www.euroeducation.net/prof/bulgaco.htm>

<sup>18</sup> Other relevant laws include: *Law on the Level of Schooling, the General Education Minimum and the School Curricula*; *Law on Professional Education and Training*; *Law on High Education*.

<sup>19</sup> It supersedes a previously existing *Ordinance No 3 of 27 July 2000 on the procedure for admitting refugees in the state and municipal schools in the Republic of Bulgaria*.

It should be noted that the Bulgarian educational system accommodates private schools as well. They are privately funded, request annual enrolment tuition and have different curricula and education certificate agreements with the Bulgarian Ministry of Education Youth and Science. Three such schools provide education in Arabic language (the Iraqi, the Lebanese and the Palestinian private schools) and follow the educational curricula of respectively Iraq, Lebanon and Palestine – a small number of RASC are reported to enroll in these schools.

#### 4.2. Characteristics of RASC and their parents

The majority of RASC in Bulgaria come from Afghanistan, Iraq, Armenia and Iran. With the exception of children from Armenia who master Russian language, the rest of RASC have linguistic culture very different from that of the host country. For a number of reasons the study of the Bulgarian language is even more difficult for their parents, which makes them practically incapable to help them out with school work. This makes the task of RASC accommodation in Bulgarian schools particularly challenging.

#### 4.3. Status of RASC in the national education system

At this stage it is not possible to provide figures on school enrollment, gender ratios, attendance and quality of education of RASC in the Bulgarian public schools. This is the result of the way refugee-related statistics are collected and maintained. The State Agency for Refugees (SAR) statistics on refugees children are not disaggregated by gender. In addition, the Ministry of Education has no system and practice of monitoring school attendance and performance of RASC. Only a general statistic on the number of foreign nationals, attending public schools is being maintained. A provisional picture of the proportions of RASC at school could be presented on the basis of the statistics for 2010 provided by SAR. In 2010, a total of sixty three RASC have entered Bulgaria, of them thirty eight were in school age but only three had documents certifying level of education completed in their home countries. While many of the children who had no official documents, actually visited school

in their home countries, they were unable to prove any educational proficiency.

#### 4.4. Provision of education for various legal categories

Children who are refugee and humanitarian status holders together with asylum seekers and those with subsidiary and temporary protection status, enjoy the same right of access to education granted to Bulgarian nationals. Education is free of charge both for RASC and children – Bulgarian nationals. A number of problems pertain to the existing procedures for school enrolment of RASC as well as to the existing practices of (no) schooling for unaccompanied RASC. They will be explained in detail in section 5 of the present report. Detailed explanation and analysis of the different stages of school enrolment and integration of RASC with the related problems will be provided in sections 5 and 6 of the report.

### 5. GOOD PRACTICES DESCRIPTION AND ANALYSIS (SITUATION ANALYSIS)

The educational integration of RASC in Bulgaria is organised in two stages: Preparation for school enrollment and integration into the public school system. The present situation analysis will be organised following these two stages of educational integration of RASC by discussing the respective legal provisions and practices associated with them. The situation, regarding unaccompanied/ separated RASC will be discussed separately as children of this group follow a somewhat different path with regard to integration in general and educational integration in particular. The summary of the areas in need of change is based on evaluation of the expertise shared by officers in the major RASC responsible institutions and on CSD qualitative analysis.

Prior to introducing the analysis of the RASC educational integration system a number of general trends need to be indicated:

- The absence of systematic observation and consistent data collection with regard to RASC



presence and performance in the public school system of Bulgaria presents a certain limitation to the present study. Data on school attendance, drop-out rates and school performance of RASC is unavailable and qualitative studies are not being conducted either. In this context the discussion of the effectiveness of the present educational provisions for RASC and the identification of good practices appears limited to analysis of qualitative testimony on the part of experts and beneficiaries.

- The group of RASC is of small numbers. Refugees and foreigners in Bulgaria form no compact national communities and are instead dispersed in different city quarters among Bulgarians. Refugee children are being enrolled at school according to their place of residence and appear scattered in small numbers in different schools throughout the city of Sofia.
- A major feature of the group of RASC is that like the overall refugee flow they are highly mobile and tend to stay in the country temporarily, following their parents further West by various channels. Hence, RASC often tend to intercept prematurely the educational integration process (both preparation for school enrollment and public school attendance) as they follow their parents who leave the country.

Three groups of RASC, those in application procedure, refugee and humanitarian status holders enjoy the same rights for access to education. The Bulgarian Law on Asylum and Refugees provides these three groups of children with the right to study in Bulgarian public schools (primary and secondary) following the procedures at place for Bulgarian citizens. In addition, refugee holders are granted access to Bulgarian Universities following the procedures at place for Bulgarian citizens.<sup>20</sup>

### Stage 1: Preparation of RASC for School Enrollment

Responsible Institutions: State Agency for Refugees; Bulgarian Red Cross.

The educational integration of RASC in Bulgaria is considered to start from the moment of refugee

application registration and their accommodation in the Registration and Reception Centre of SAR. The preparatory phase of the educational integration of RASC in Bulgaria concerns exclusively the study of Bulgarian language and is assured by SAR and the Refugee-Migration Service at the Bulgarian Red Cross. The two institutions provide different systems of Bulgarian language training. While SAR is responsible for the process of school enrollment, including provision of Bulgarian language training, school enrollment test application and assistance for school registration, the Bulgarian Red Cross serves to motivate children and their parents to enroll their children in school.

**A:** SAR serves as major point of integration prior to RASC enrollment in the public school system. According to the Law on Asylum and Refugees (LAR), children with registered applications who are in procedure are entitled to a compulsory three months Bulgarian language training at the Integration Centre of SAR. In certain cases if considered necessary some children might be referred for additional two to three months of Bulgarian language training at SAR prior to taking school enrollment test. The small number of RASC in school age and the lack of funding dictate a number of particularities of the pre-school enrollment setting at SAR:

- The training course has two functions – it serves as a Bulgarian language course for newcomer RASC and as a study room for RASC already enrolled at school. On the average it is attended by ten to fifteen children at a time. While small, the group is very dynamic.
- The language course is ongoing and accommodates children of different ages and different educational level. Children can join the course at any point of the year, according to the time they arrived in the country. Some of those who attend leave before the three-months expire for reasons related to their procedures.
- The study-room is designed to help RASC attending school with their school work and homework. Like newcomer RASC, school pupils who visit the SAR course after school are of different age and school grade.

<sup>20</sup> Топалова, М. (2009) Интеграция на бежанците в България: образование. Вътрешен доклад на Български Червен Кръст, подготвен в рамките на проучване на Българския съвет за бежанци и мигранти по проект на Датския съвет за бежанци, 3. [Topalova, M. (2009) Integration of the Refugees in Bulgaria: Education. Internal Report of the Bulgarian Red Cross prepared in the framework of a study by the Bulgarian Council for Refugees and Migrants under a project of the Danish Council of Refugees, p. 3].

- Bulgarian language training is provided following a textbook designed especially for the needs of refugees. However, the textbook is designed for adults (not kids), it is printed in black/white and is at hand only for the teacher (children are not being provided with the textbook). There are no additional training materials (such as additional appliances, audio-visual materials or any relevant language training equipment) apart from the textbook to ease the process of language training and make it more attractive for the children.
- Following from the above, it is the task of one single teacher, a specialist in Bulgarian philology, to teach children of different age, different educational level and of different period of attendance of the language course. In addition to this, the same teacher is responsible for providing help with different school subjects to RASC school pupils who are again of different age and different school grade.
- The language course (and study room) of SAR are not accessible to all RASC. The course takes place at SAR's Integration Center neighboring the SAR's Registration and Reception Center where refugee applicants are accommodated. Being located in a distant city quarter however, the language course and the study room are attended by children who live in SAR's Registration and Reception Center or by children whose parents find housing in the vicinity. The distance from other city quarters along with transportation costs prevent refugee applicants as well as refugee and humanitarian status holders living far from the Reception Center from sending their children to attend the course. There are no options for other pre-school enrollment language course for RASC in Sofia.

It should be noted however, that the pre-school enrollment and study room setting at SAR has a number of positive aspects. It provides language training and school support services to RASC living in the Reception Center within or near by their living space. This and the possibility to attend language course or study room in a familiar group of children of the same nationality, the same mother tongue or the same (refugee) situation can serve to provide a source of calm in the complex process of ones initial accommodation into a new country. The mixed study group allows the more advanced children to help out newcomers in the training process. We believe that the possibility of

well informed and balanced use of peer orientation and training in the SAR language course and study room should be seriously considered on the part of pedagogues who will work on the methodological refinement of this setting.

It should be noted that RASC who arrive in the country with official school certificates from their countries of origin get their documents translated and legalised by SAR officers. These documents are afterwards submitted to the Ministry of Education, Youth and Science (MEYS) where they are compared to Bulgarian school programs and respective grade allocation is decided upon. Such cases, however, are few. For example, of all the thirty eight RASC kids in school age who arrived in Bulgaria in 2009 only 3 (7.9 per cent) had brought their school certificates with them. The majority of RASC, 92 per cent in 2009 are without school certificates, and are referred for school enrollment test at the Regional Inspectorate on Education (RIE) at the MEYS.

**B:** The Summer Camp for RASC organised by the Bulgarian Red Cross (Refugee and Migration Service) serves three major goals: to provide intensive Bulgarian language training for newcomer refugee applicant children in a stimulating environment; to facilitate communication with the host society by mixing together refugee applicant children and children who are Bulgarian nationals; to motivate newcomer refugee applicant children (and their parents) to enroll in Bulgarian public schools. These goals are met by the following Summer Camp setting. The Summer Camp is organised annually in the month of August, which precedes the start of the school year (15 September). It lasts two weeks and takes place in a sea or mountain resort. The camp program involves four morning classes in Bulgarian language and free afternoons with extra-curricula activities. The group of children is mixed, including newcomer refugee applicant pupils from various countries of origin and children, Bulgarian nationals, who study and play together. This particular mix helps achieve two important goals: it improves the proficiency of spoken Bulgarian of the refugee applicant children and serves as an experience in inter-cultural communication and tolerance for the Bulgarian pupils. Children who are refugee status holders take part in the Camp as volunteers providing assistance in the extra curricula activities. The positive outcome of



this practice has been verified during our two school visits in the group conversations with RASC pupils. All of the children, without being particularly probed on their impressions of the summer camp, referred to it as a very positive and memorable experience. On average thirty to forty refugee applicant children are enrolled in the Summer Camp annually (2006 – thirty seven; 2007 – thirty; 2008 – twenty seven; 2009 – twenty seven; 2010 – thirty four).<sup>21</sup> Enrollment takes place at the SAR Registration and Reception Center and is open to all children whose parents agree on participation. The Red Cross Summer Camp has been taking place for the past twelve years.

## Stage 2: RASC Integration into the Public School System

### Stage 2a: School Enrollment of RASC

Responsible Institutions: Ministry of Education, Youth and Science; State Agency for Refugees.

After completion of the pre-school enrollment Bulgarian language course at SAR, RASC receive Bulgarian Language certificate which allows them to file a request for school enrollment test at the Regional Inspectorate on Education (RIE). The school enrollment test serves to check RASC Bulgarian language proficiency (for those children who are in first – third grade age group) and their knowledge of basic subjects (for those children who are above third grade). The Test Committee includes RIE experts on Bulgarian and respective subjects and the SAR Integration Center expert on Bulgarian language. The Test Committee refers RASC to school grades, reflecting their test results. The subsequent choice of school is taken in consultation with RASC parents whereas the school is usually located in the quarter of residence of the family. A number of particularities should be noted with regard to the procedure for school enrollment.

- The present practice has no valid legal basis. It follows a MEYS Regulation (*Regulation N 3 of 27 July 2000*)<sup>22</sup> which was effectively replaced in 2007 by amendment of article 26, paragraph

1 of the *Law on Asylum and Refugees* (LAR). The amendment replaced a previous regulation: “Children of age under 18 have the right to study in public schools of the Republic of Bulgaria by regulation set by the Chairman of SAR and the Minister of Education and Science”<sup>23</sup> and substituted it with a simple provision according to which RASC are given the right of access to education identical to those of Bulgarian citizens.<sup>24</sup> While the new amendment had good intentions – allowing RASC equal access to schooling, it did not take into consideration the fact that RASC have no equal start to that of Bulgarian nationals due to the lack of knowledge of the Bulgarian language, the different school programs they attend in their countries of origin, periods of school interception during times of conflict and strife in their countries of origin, and last but not least – the absence of official documents, certifying completion of school level in their home countries. In the context of the new amendment RASC, with the exception of the minority who bring their school certificates, could be enrolled in the very first grades of schooling (first to third) as there is no official proof of school attendance in the country of origin and no system of validation of knowledge at the Bulgarian MEYS. In this context experts from SAR and MEYS who are directly involved in school enrollment of RASC follow the old Regulation N 3 from 2000 although it is formally abolished.

- The school enrollment test at RIE of MEYS involves examination of Bulgarian language proficiency (for kids in the age of first to third grade) and in Bulgarian language and basic school subjects (for kids in the age above 3<sup>rd</sup> grade). The preparatory training that RASC receive at SAR however, involves Bulgarian language only. At SAR they are provided with no additional courses on math, geography and other subjects and more importantly are not trained in the Bulgarian terminology, regarding these subjects. Experts in almost all involved institutions verify that very often the low results shown at the school enrollment test are due to the lack of

<sup>21</sup> Data provided by the Bulgarian Red Cross, Refugees and Migration Service.

<sup>22</sup> State Newspaper, issue N 74, 8 September 2000, <http://im.cablebg.net/clients/n3mon-00.htm>

<sup>23</sup> [http://www.airm-bg.org/dokumenti/07\\_Zakon\\_UbejishteBejanci\\_BG.pdf](http://www.airm-bg.org/dokumenti/07_Zakon_UbejishteBejanci_BG.pdf)

<sup>24</sup> “the minor foreigners applying for asylum have the right to education and professional education following the conditions and procedures valid for Bulgarian citizens”, <http://lex.bg/laws/ldoc/2135453184>

knowledge of subject terminology in Bulgarian on the part of RASC.

- A frequent outcome at the school enrolment test is the achievement of results lower than the corresponding school level of a child's particular age. The outcome is that the child is being referred by the Test Committee to a grade level two to four years lower than his or her actual school age. The present study reveals that the practice of allocating children at school grade lower than their age is in fact the rule. This was demonstrated during our school visits. Seven out of the ten children who were interviewed in the two schools were of age higher than the school grade they were attending. Most of them were placed in classes of three and four grades lower to their corresponding age with the most severe case involving a boy of the age of fifteen who was just transferred from first to second grade, while the grade corresponding to his age was the ninth. Lower school grade allocation turns problematic for older children at the age of thirteen and above who refuse to attend school together with much smaller children and in most of the cases effectively cease attending school.
- Teachers who take older RASC pupils in their classes receive no prior information about the real level of knowledge on particular subjects they master. Thus teachers are not able to work with them accordingly. More often than not older kids in the lowest school grades appear to demonstrate good knowledge of math and the natural subjects with Bulgarian language being a serious obstacle to a more smooth training process. While they advance in Bulgarian slowly, they appear bored and disinterested in classes of other subjects.
- It should be noted that the practice of not communicating preliminary information about newcomer RASC to the schools of their enrollment is the general rule. Although RASC pass a preliminary test, no test results or official assessment of the level of their knowledge is being communicated with the school or the teachers. Furthermore no information about the family and psychological profile of the child is being established and respectively communicated with the school.

- The Bulgarian public school system provides three alternative forms of training: individual, self-dependent training and evening school. Individual and self-dependent training take place individually in pupil's homes and involve exam taking at the end of each school semester. Application and agreement for entry into individual or self-dependent school program is taken at the level of the school by request on the part of parents and approval by the school administration. We encountered only two cases of older-aged RASC resorting to this form of training. Evening school is usually taken by older pupils and adults who need to work in parallel to finishing their secondary education. It needs to be explored whether these alternative forms of training provide some working solution to the educational integration of RASC (including unaccompanied minors) of older age who are referred to lower grades.

## Stage 2b: RASC at School

Responsible institutions: Ministry of Education, Youth and Science.

### RASC at Bulgarian public schools

The majority of RASC in school age get enrolled in Bulgarian public schools and – in line with Bulgarian law – are freed from any school tuition. The choice of school is taken by the parents after consultation with the Enrollment Test Committee. Families usually prefer public schools in the vicinity of their residence. There are no compact settlements of foreign nationals and refugees in Sofia. They reside in different parts of the city and live among Bulgarian neighbors. Therefore, RASC are scattered in different public schools throughout the city. They rarely gather in larger number in a particular school. According to the RASC school distribution list for the school year 2010 – 2011 provided by the Bulgarian Red Cross, the number of RASC pupils per school varies from one to four with only one school hosting twelve RASC.<sup>25</sup> The largest concentration of RASC pupils for the 2010 – 2011 school year appears to be in the public school N 149 where a total of sixteen RASC were enrolled in February 2011.

<sup>25</sup> The list of schools, provided by the Bulgarian Red Cross is based on RASC pupils whom the Red Cross provides with free textbooks. While the list does not include all RASC attending Bulgarian schools in the 2010 – 2011 school year, it is representative of the pattern at place.

Once at school RASC follow the general school curricula with their Bulgarian classmates with no additional supporting programs tailored to their particular needs. The only supporting program at place ensures the supply of free textbooks to RASC on the part of the Bulgarian Red Cross. The general tendencies to be noted with regard to the present integration of RASC in Bulgarian public schools will be discussed in three separate rubrics: RASC; Parents; Teachers.

- Although there is no statistic at place, the drop out rate of children of older age who are allocated to lower classes is reported to be very high by most consulted experts. The main reason for this is the discomfort and displacement children experience in such classes and the subsequent lack of motivation to attend school.
- RASC at school receive no additional support apart from the one foreseen by the general curricula. At the same time interviewed RASC teachers stated that those kids require individual work in class in order to be integrated into the school process. RASC need after school individual support in the sphere of Bulgarian language training to address the specific difficulties they encounter in learning writing and reading Bulgarian.
- RASC enrolled at school suffer from chronic lack of school appliances and working materials (the average annual cost of school appliances and materials amounts to 100-120 BGN or 50-60 EUR per pupil). Those include training notebooks attached to textbooks, personal notebooks, pens, pencils, etc. Refugee families in Bulgaria are entitled to modest assistance and have very small incomes that make parents unable to cover the costs for school materials. The lack of school materials in class however, puts RASC pupils in a disadvantaged situation regarding the training process.
- No mother tongue training is provided for RASC enrolled in public schools. The Bulgarian Public Education Law provides for mother tongue training in schools where more than thirteen pupils declare desire for the study of particular mother language. In the case of RASC pupils however, kids of the same mother tongue do not reach the number of thirteen in any school in Sofia. Opportunity for mother tongue training is provided only in two schools located in the capital of Sofia. Public School N 18 is a specialised primary and secondary school for the study of rare languages, including Arabic, Farsi, Chinese and Japanese. Therefore, the school is being attended by foreigners of the respective nationalities, some of them being RASC. Another school – N 76 provides training in the Arabic language as free-elective – the initiative is private with parents paying for the Arabic language classes attended by their kids.
- Occasions of xenophobia and racism towards RASC in public schools are not widespread but are reported to occur once in a while, particularly towards children of darker complexion. They can vary from verbal bullying (using pejorative form of address such as “Gypsy” or “negro”) to various forms of harassment (such as verbal threats or expulsion from class because of ones “smell”). Such cases are reported to occur in the first one to two years of school attendance when RASC have a poor language proficiency. Some RASC avoid sharing these occasions with their parents to avoid bothering them and they do not report them in school either. In the occasions when parents are informed, they are unable to talk to school authorities as they lack sufficient knowledge of Bulgarian. So far, one program aiming to address such problems has been conducted by the Bulgarian Red Cross. The program aimed at “teaching tolerance” in school. It involved lectures by trained Red Cross volunteers at some public schools in the capital of Sofia with class discussions including talks by refugee pupils.
- Schools do not systematically take into consideration the overall psychological condition of RASC pupils. For example, some RASC pupils (girls) appear to be heavily burdened with domestic work at home (probably part of cultural practices in their home countries), others appear to experience considerable social deterioration compared to the situation of their families in their home countries. These, combined with the stress encountered during their flight and during the accommodation in the new country, need to be taken into consideration on the part of professionals who work with them in the environment of the school.
- RASC at school are disadvantaged with respect to their Bulgarian classmates in yet another respect. Their parents are not in the position to help them out with the school material and with their homework due to the lack of knowledge of Bulgarian. There are no additional classes in

Bulgarian, no consultation periods on the basic subjects to help RASC compensate the lack of adult assistance at home. These are especially needed in view of the fact that existing public schools study rooms (available for pupils of first to third grade) do not provide good solution for the after-school needs of RASC pupils. Common public schools study rooms usually accommodate up to thirty children together and provide self-study training of two hours. At present RASC pupils who have the right, like all other Bulgarian pupils, to attend them avoid it and prefer the study room organised at SAR.

### The role and involvement of RASC parents

- Due to lack of knowledge of Bulgarian, parents of RASC pupils are in disadvantaged position to inquire about the situation of their children with school teachers. School teachers in return are not able to communicate the difficulties or problems their children might be facing at school.
- It should be noted that refugee children (who attend school) appear translators and important mediators for their parents in the Bulgarian environment. Some children in fact appear to provide translation between their parents and teachers, teach their siblings and parents Bulgarian at home and speak for them on the market place and other public places. While this is a very particular situation of certain empowerment of children, steps need to be taken on the part of refugee integration authorities to support RASC parents with translation and mediation when they need contacting teachers or attending parent conferences.

The present practice aimed to address this situation is tailored to schools No. 149 and No. 66, which are placed in the vicinity of SAR. The communication between the parents and teachers/ or the school administration is assisted by the Bulgarian language expert at SAR, who occasionally communicates problems encountered at school by the phone or provides information about absent students. Parents who need to contact the school go to SAR with the SAR expert inquiring and resolving a particular matter for them. However, this practice appears hampered by the fact that the Integration Center at SAR has no translators and none of its integration experts has knowledge of any of the languages of the RASC groups. For this reason, communication

between the two schools, parents and SAR is often associated with delays and sometimes leads to insufficient results.

### Teachers

- There is no practice of social and psychological profiling of RASC pupils at school. Neither is there a practice of preparing individual background reports for kids upon their entry into school. The lack of such practices obstructs the work of teachers who are not informed adequately about their pupils' cultural, family and personal background and situation. In the context of the absence of such information, school masters and school administration may also appear less capable in addressing problems in attendance, behavior or school advancement.
- Teachers receive no particular support with regard to teaching RASC. They are not provided with specialised training – such as intercultural education, work with children under stress, or teaching Bulgarian as a second language. They have no access to funding for extra work with RASC pupils. They are expected to achieve results only in the frame of the general school curricula and to rely only on their professional experience and personal communication skills in order to meet the study needs of RASC in the best possible way.
- At present RASC teachers receive no targeted support for communicating with newcomer RASC pupils whose Bulgarian language proficiency is at a very insufficient level. At present this situation is partially resolved by the help of RASC pupils, who had been attending the school longer and who are capable of translating for their teachers and classmates.

### RASC at Private Schools

A minority of RASC, whose mother tongue is Arabic, enroll in the three private Arabic schools located in Sofia – the Iraqi (established before 1989), the Palestinian (established 2006) and the Lebanese (established 1999) schools. Their programs follow the national curricula of respectively Iraq, the Palestine autonomy and Lebanon. Training is provided in Arabic with classes in Bulgarian language also being offered. It is normally older pupils, who were assigned to lower grades, who tend to enroll in the private Arabic schools. In



some occasions, girls whose parents are unwilling to send them to gender mixed schools are enrolled in private schools.<sup>26</sup> These cases however, are rather isolated not least because refugee parents can hardly afford paying the annual private school fees that vary from 1,300 to several thousand EUR. In general enrolment of RASC in these schools is possible only by means of tuition wavier which the schools practice in cases of available places in their classes. The attendance of private Arabic schools, while ensuring the study of RASC mother tongue and training in a familiar environment, is unfavorable as long as attainment of good Bulgarian language skills is concerned.

### Unaccompanied/Separated RASC and their Educational Integration

Responsible Institutions: State Agency for Refugees, Agency for Social Assistance at the Ministry of Labor and Social Policy, State Agency for Child Protection, Specialised Child Care Institutions.

Unaccompanied/separated RASC have greater protection by the Bulgarian state in the application procedure<sup>27</sup> and share the same rights with accompanied minors with regard to integration and education. However, the situation of the two groups appears different in a number of respects. The situation of unaccompanied/separated RASC will be discussed in two sections, which are closely interrelated: general integration and educational integration.

General Integration of Unaccompanied/Separated RASC: The reception and integration of unaccompanied/separated RASC is influenced by three major developments. The *Law on Asylum and Refugees* (article 25, para. 5) provides a lower

protection standard for unaccompanied RASC by allowing the substitution of guardianship with representation by a specialised institution (Дрюке, Антонов [Druke, Antonov] 2005, 48). This legal solution has been decided and agreed upon in 2005 due to the absence of a working system for allocation of guardians to unaccompanied RASC in Bulgaria.<sup>28</sup> In practice, this legal provision allows a situation where unaccompanied RASC have no-one (a guardian) to take important decisions in their lives and to assure protection throughout the integration process. Instead they are provided with “representatives” who can only represent the child throughout the application procedure, accompany them in the process of identity documents issuance and oversee that their rights are observed in the process.

The second important factor is related to the fact that once unaccompanied RASC get status recognition (refugee or humanitarian) they are allocated to specialised child care institutions.<sup>29</sup> Child care institutions in Bulgaria are in the process of reform and are severely criticised for their bad living conditions, substandard child treatment methods and generally low quality of child care. Once sent to a child care institution, the situation of the unaccompanied RASC is not necessarily monitored by the State Agency for Child Protection. It has been reported that most unaccompanied RASC who are accommodated in child care institutions report different abuses and most often run away. Some of the reported abuses include stealing of personal property, being forced to work to make pocket money, inappropriate attitude on the part of employees and caregivers.

The question of protection by means of guardianship remains unresolved at the child care institution.

<sup>26</sup> It is often the tradition in some Arabic speaking countries, such as Iraq, of providing gender separate education. The gender mixed schools of Bulgaria thus appear novelty for some refugee applicants and refugee and humanitarian status holders. Uncertainties with regard to child's development and well being at a gender mixed school are being observed among some parents with female children.

<sup>27</sup> Like accompanied children, unaccompanied children are not subject to speeded (three days) procedures and are entitled to general procedure. Unaccompanied children are entitled to particular protection at the stage of Dublin 2 and Eurodac investigation. If the country of entry is not identified beyond certain period they are entitled to stay in the country and enter application procedure.

<sup>28</sup> According to the *Bulgarian Family Code* – a guardian should be an adult person who is a relative to the child. The *Law for the Protection of the Child* provides the alternative solution of foster care for children without parental care – as the system is very young and in the making, there are no foster families willing to take unaccompanied RASC.

<sup>29</sup> Four Child Care institutions have been identified to accommodate unaccompanied RASC: Home “Maria Roza” for Children with no Parental Care in the village of Assenovets, nearing the Lubimets Registration and Reception Center; Home “Asen Zlatarov” for Children with no Parental Care in Sofia; Home “Christo Botev” for Children with no Parental Care in Sofia, Private Home for Children “Concordia”.

Once sent there, unaccompanied RASC have their representatives substituted by the Director of the Home who takes the functions of “substitute care”.<sup>30</sup> The third situation concerns a significant share of unaccompanied RASC who leave the country, either legally (once their identity documents and foreign travel passports are issued) or by irregular channels. There is a contradictory reading of the *Law on Bulgarian Identity Documents* on the part of the State Agency for Child Protection and the Bulgarian Border Police. According to the law minors can leave the country if they are accompanied by parents or guardians, or if they have a written notarised agreement by their parents. While unaccompanied RASC have none of these, they are allowed to leave the country by the Border police officers who believe these rules apply to Bulgarian citizens only. On the part of the State Agency for Child Protection however, this practice is based on an incorrect reading of the law and puts unaccompanied RASC at risk.

**Educational Integration of Unaccompanied/Separated RASC:** While unaccompanied RASC enjoy the same right to education as accompanied RASC, their access to school in fact appears hampered. In the period of application procedure, when they are accommodated at the Registration and Reception Center of SAR, unaccompanied RASC can attend the preparatory Bulgarian language course. However, once they are placed in a child care institution, they receive no further training in the Bulgarian language, and are not enrolled in school. Procedures of school enrollment test and school assignment are not applied to them. The situation appears the outcome of two realities: no legal basis for the implementation of these procedures and no working inter-institutional mechanism between MES, SAR and the child care institutions with regard to the educational integration of unaccompanied RASC. It is reported that in general unaccompanied RASC stay isolated in the child care institutions due to their lack of knowledge of Bulgarian.

To summarise, the situation of unaccompanied RASC in Bulgaria is marked by a number of paradoxes that shape the vulnerable condition they face in Bulgaria. In many cases unaccompanied RASC have

parents and/or relatives, who, however, do not reside in Bulgaria. Therefore, they are in the position of children with no parental care and the Bulgarian state takes over the responsibility for protecting them. However, because unaccompanied RASC do have parents and relatives somewhere, Bulgarian authorities allocate no guardians to them, thus providing only partial protection. Unaccompanied RASC are protected along the Bulgarian legislation, but they are not Bulgarian citizens, therefore in certain occasions Bulgarian laws, protecting children are not considered applicable to them. It is obvious that the question of the educational integration of unaccompanied RASC is one among the many unresolved issues, regarding their general safety and well-being in the country.

### Kindergartens

At present RASC in pre-school age (one to six) do not attend municipal kindergartens although they are entitled to this right. The impossibility of enrolling RASC in kindergartens is a result of the insufficient number of kindergartens in the town of Sofia and the very restrictive rules of entry, that involve a competitive point system based on social, professional and other criteria. These criteria<sup>31</sup> are often difficult to meet by Bulgarian nationals and obviously impossible to meet by RASC parents who arrive in the country at any point in the calendar year (places in kindergartens are fully booked in September, the beginning of kindergarten year, with registration taking place as early as January). It is needless to say that attendance of kindergartens is of crucial importance for RASC with view of their overall integration into the host society and not less important with view of their subsequent educational integration, which can be built upon only on the basis of good Bulgarian language skills.

### Good Practices?

In the context of the educational integration setting for RASC analysed above it is difficult to identify a clear cut good practice. Most of the policies and programs in place do have positive aspects but also display imperfections. Current practices such

<sup>30</sup> They have the right to take legal action in accordance with the rights of the child (related to his/her health, education and civic needs) and are not considered and recognized as guardians.

<sup>31</sup> Правила за приемане на деца в общинските обединени детски заведения и целодневни детски градини на територията на Столична община, Столичен общински съвет (12.03.2009). [Rules for the Enrollment of Children in Child Facilities and Kindergartens on the Territory of Sofia Municipality], Sofia Municipal Council (12.03.2009).



as the SAR pre-school enrollment language course and study room or the SAR informal mediation between parents and school administration in two public schools certainly display strong positive aspects. These two practices however, could be developed into good practices only if they are further elaborated methodologically, logistically and structurally to take into account fully the needs of RASC and the capacities of all respective institutions involved. The good practice identified so far regards the Summer Camp organised by the Bulgarian Red Cross. The Camp is based on coherent goals and means for their achievement. In addition, it offers a combination of services with intensive Bulgarian language training being provided in parallel to acquaintance with the host society and its culture and communication with children Bulgarian nationals. According to the data on Camp attendance for the period 2006 – 2010,<sup>32</sup> camp services are provided for most of the refugee applicant children in school age each year.

## 6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

According to the recently published Migration Policy Index 2011, Bulgaria scores second worst among 31 assessed countries in the sphere of migrant education. The assessment, which is based upon evaluation of policies dealing with access to kindergartens and schools, professional evaluation of knowledge upon arrival, support for language training and general school integration (Huddleston 2011, 16), reveals that the country reaches an average of 15 % of internationally recognised standards in these spheres. The Index results can be used as a general framework of reference with regard to the standard of education provided to migrant children (including refugee and asylum seeking children) in Bulgaria. MIPEX conclusions point that special attention and efforts need be placed to enact or improve policies related to assuring access, targeting specific needs and providing new opportunities

in the sphere of education of migrant children (Huddleston 2011, 41). While the findings of the present study confirm the general assessment frame of MIPEX, they allow detailed and nuanced analysis of the reasons and aspects of the shortcomings of the system of educational integration of RASC at this stage.

Refugee reception and integration systems in Bulgaria are young and in the making. The achievements to date include the establishment of refugee reception centers, the promulgation of national Law on Asylum and Refugees, the development of institutional cooperation between governmental and non-governmental institutions, the establishment of well-informed expert community, promotion of two successive National Programs for Integration of Refugees (2008 – 2010; 2011 – 2013), the launch of a number of monitoring and assistance programs by NGOs. Important development involves the increasing financial responsibilities on the part of the Bulgarian government. From 1997 to 1998 the Bulgarian government covered 25 per cent of the expenditures on refugee protection care. Since 1999 the Bulgarian government increased its responsibility to 50 per cent with UNHCR covering the rest.<sup>33</sup> Since 2007 Bulgarian government has assumed the responsibility of covering 100 per cent of the costs for refugee reception, protection and integration.

Three general observations should be pointed out prior to the discussion of the possible policy and program improvements at the various stages of the educational integration process.

- Key focus in the process of educational integration of RASC in Bulgaria is placed on school access and enrollment. RASC integration and performance in the public schools once enrollment takes place seems to be taken for granted by respective institutions. Correspondingly, the regulations and programs at place tailored to the needs of RASC are concentrated in the initial stage of the educational integration process. While this preparatory phase, ensuring access to schooling, is very important – the true educational integration of RASC takes place once

<sup>32</sup> 2006 – thirty seven children; 2007 – thirty children; 2008 – twenty eight children; 2009 – twenty eight children; 2010 – thirty four children.

<sup>33</sup> Дрюке, Л., Антонов, Б. (съст.) (2005) Закрила и интеграция на бежанците в България 2004 – 2005. ВКБООН – София, 250-251 [Druke, L., Antonov, B. (eds.) (2005) Protection and Integration of Refugees in Bulgaria 2004 – 2005. UNHCR – Sofia, pp. 250-251].

they enter school.

- The cornerstone of the educational integration of RASC is considered to be the learning of the Bulgarian language. While this is indeed the major precondition to make possible the educational integration so RASC in a foreign country, other aspects should also be taken into serious consideration on the part of respective authorities. The involvement of parents in the education process, refreshment subjects' training before enrollment, mother tongue training, targeted financial assistance to pupils to ease attendance should also be provided to support the educational integration of RASC.
- The educational integration policies and programs at place are designed in the context of moderate refugee inflow and small numbers of RASC. It is not clear whether the systems at place will have the capacity to respond adequately and provide effective educational integration measures in case of larger waves of RASC.
- A discussion is needed on the principle to be adopted with regard to school allocation of RASC pupils. School professionals deem that RASC children should not be concentrated in single schools in the context of the present educational integration programs. In their opinion, effective educational integration would take place if RASC pupils are placed in classes where the majority of the pupils are from the host society. In the context of moderate refugee inflow this issue is not a pending one but policy makers need to think over a well-designed approach to take into consideration RASC rights, the crucial role of the public school for their integration and the overall capacity of the educational system.

## Opportunities for Policy and Program Improvement

### Access and enrollment

A number of imperfections in the process of preparation of RASC for school enrollment have been identified. They relate both to the structural and the methodological setting in place. The Bulgarian-language course and attendant study room organised at SAR are set to provide a solution to the educational needs of what is a small and dynamic group of RASC right upon their arrival in Bulgaria. While this approach suffers a number of imperfections it can serve as the rudiment of a

setting that could become a good practice. First of all, the language course and the study room need to be separated and taught by different teachers as they serve different needs and target RASC of different standing – those who just arrived in the country and those already attending school. While SAR can provide the structural setting, the finance and the on-going consultation with regard to RASC, the methodology and the study procedures of the language course and the study room should be methodologically designed and supervised by professional educational institutions such as MEYS and the Institute for Foreign Language Training. The possibility of well-informed and balanced use of peer orientation and training in the SAR language course and study room should be seriously considered on the part of pedagogues who will work on the methodological refinement of this setting.

Regarding the school enrollment test, the Bulgarian language course needs to be designed in a way to meet the requirements of the test. In other words, the course should provide training in the Bulgarian language as well as revisions of the basic subjects included in the test.<sup>34</sup> The diverse and dynamic profile of the group of RASC (on the average ten to fifteen children per session who are of different age, nationality, period of attendance) is a challenge that could be faced only by means of a specially designed training methodology developed by professionals and implemented by experienced and well-trained teachers.

The SAR Study Room and the children themselves need to be supplied with relevant and attractive study materials to ease the training process. Both the teacher and the pupils need to have their own textbooks and study notebooks.

Procedures for school enrollment of RASC need adequate legal basis. The current legal provision of equal access to education for Bulgarian citizens and RASC does not provide working solution to RASC enrollment in school – in fact it hampers adequate access to school. A return to the earlier *MEYS Regulation N 3 (27.07.2000)* should be seriously considered together with a number of improvements in the enrollment procedure. A uniform School Enrollment Test tailored to RASC needs to be

<sup>34</sup> Similar position is expressed by Topalova, M 2009, 3.

developed and a pre-enrollment training course needs to be designed in accordance. Respectively, training of RASC at the pre-enrollment level should be fully coordinated with this test.

One possible approach may involve enrollment of RASC in public schools upon their arrival and provision of corresponding assistance within the school system. CSD experts recommend placing the education integration process under the auspices of the public school, while maintain and improving the support services offered by SAR. RASC pupils will thus have a choice whether to enter school immediately or go through the transition offered by the SAR courses. In such a framework, the preparatory language courses offered by the public schools and SAR will need to be identical in methodology, textbooks and appliances. Such an approach could be implemented if only respective support programs for additional/or individual RASC training are introduced in schools to operate in parallel to the mainstream curricula.

### Quality of education

The quality of education provided for RASC in Bulgarian public schools could be best measured by the levels of attendance and educational performance of RASC. However, at present these school attendance and performance are not monitored and there are no available official or unofficial statistics. A number of factors should be taken in consideration when RASC school attendance and performance are discussed. Those factors concern the insufficient knowledge of the Bulgarian language, the lack of knowledge of the terminology of subjects in Bulgarian, incapability of the parents to help their children with school work, moderate financial resources of RASC families.<sup>35</sup> All these factors put RASC children in vulnerable situation at school and demand the design of assistance programs to meet their specific needs, make them fully perceptive to the educational process they are involved in and finally contribute to education of better quality. A number of measures aimed at the improvement of the quality of education of RASC at public schools should be considered. Those measures include:

- introduction of additional (individual) classes in Bulgarian. There is a legal basis at place (MEYS Regulation N 3, 19 June 2009) assuring the right to free Bulgarian language and mother tongue training for foreign pupils originating from EU and EEA countries. Experts in all refugee integration institutions agree that the scope of this regulation should be widened to cover RASC;
- allocation of resource teachers to take care of targeted consultations/training in respective school subjects;
- selection and introduction of most appropriate language textbooks and study materials for foreign children; (or design and development of new ones specially tailored to the needs and language background of RASC);
- conduct of training to public schools teachers and SAR language course teachers on teaching Bulgarian as a second language;
- provision of translation to parents. The possibility of parents to communicate with school authorities is of crucial importance to the integration process of RASC at school. Issues such as school performance and behavior could be adequately taken care of only with the active involvement of parents;
- another fruitful approach to ease the study process and contribute to better quality of education might involve the hiring of school assistants with the knowledge of RASC's mother tongue (usually Arabic or Dari/Pashto) to aide the communication between teachers and children who are in the process of learning Bulgarian;
- free supply of school materials to RASC pupils of all ages, including grants for the purchase of clothes and pocket money for meals at school;
- support for teachers involved in teaching RASC. In particular such teachers need training courses in inter-cultural education to provide them with relevant knowledge on the cultural, social and political contexts in their pupils' countries of origin and with adequate tools of communication to maximise the effectiveness of the training process. In addition, support courses to teachers should involve trainings on working with traumatised or stressed children. Such courses for school teachers and school administration need to be officially designed and systematically

<sup>35</sup> Топалова, М. (2009) Интеграция на бежанците в България: образование. Вътрешен доклад на Български Червен Кръст, подготвен в рамките на проучване на Българския съвет за бежанци и мигранти по проект на Датския съвет за бежанци, 5-8. [Topalova, M. (2009) Integration of the Refugees in Bulgaria: Education. Internal Report of the Bulgarian Red Cross prepared in the framework of a study by the Bulgarian Council for Refugees and Migrants under a project of the Danish Council of Refugees, pp 5-8].

conducted for the staff of schools where RASC are enrolled;

- the introduction of a system of regular monitoring of the school performance of RASC could serve as effective tool for observation of the training process and the identification of the specific difficulties that RASC encounter at school. This in turn could serve to guide the refinement of the system and the design of training methods and techniques tailored to the needs of RASC.

### Enhanced protection

A general recommendation involves the need for improved protection of RASC at the pre-application stage. According to human rights activists and lawyers, the period between apprehension and application registration involves a number of practices that affect the rights and well-being of RASC. Those include cases of interrogation at border without the presence of parents or legal representatives, prolonged registration of up to several months and accommodation at the Bousmantci immigration detention center, where children are subjected to closed regime and no freedom of movement. It is clear that these practices contribute to the stress and trauma already experienced by RASC and obstruct future smooth educational integration both in the short and in the long run.

It is highly recommended to introduce mandatory psychological support in schools where RASCs are enrolled. According to the present law only schools with more than 500 pupils are entitled to one school counselor. Schools with lower number of pupils (as was the case of the two schools visited by CSD experts) do not have funding for such services. It is very important to introduce professional psychological assistance for RASC in the setting of the public school to assure that their needs are well understood and addressed adequately in the course of the school process.

Protection measures should be improved with regard to the most vulnerable group of RASC – the unaccompanied/separated minors. It is clear that improvements are needed in the legal and institutional mechanisms regarding the reception and integration of unaccompanied RASC. In 2009, an inter-institutional expert group was initiated by

the Bulgarian Helsinki Committee that resulted in the drafting of List of Propositions for legal amendments to assure the allocation of guardians to unaccompanied RASC. It is apparent that the allocation of unaccompanied RASC to the existing child care institutions is not a working solution for them. In accord with the major reform policy of de-institutionalisation of care services for children – efforts should be invested in making possible foster care for such children among co-nationals, or in different forms of accommodation that will take into consideration the safety and the best interest of such children. Another possibility might involve the establishment of a child care institution for unaccompanied RASC to provide services and protection, including those related to education, tailored to their specific needs. It is believed that the present condition of Bulgarian child care institutions does not allow the establishment of proper Bulgarian language courses for RASC nor for adequate monitoring of school performance in case a school referral mechanism is designed and put into practice.

To assure better protection from acts of xenophobia or racism expressed in school, respective institutions need to design a long-term approach to provide know-how to teachers on inter-cultural training and group management as well as trainings in tolerance and inter-cultural communication to pupils.

### Empowerment and participation

The present obstacles to RASC kindergarten attendance limit the children's chances for inclusion into the host society and more particularly their adequate preparation for future educational integration. The impossibility to attend kindergartens makes RASC between the age of one and six equally unprepared for school. It should be considered as a missed chance for empowerment both of RASC between one and six and for their parents. While RASC enjoy formal right to attendance of **kindergartens**, the present rules of access effectively place children of refugee applicants and refugees at disadvantage in the competition process and deprive them of their right of access. The current Rules of enrollment of children in Municipal kindergartens need to be re-evaluated with respect to RASC. Expert consultations need to be requested by RASC responsible institutions with officials in the Sofia Municipality to raise awareness of the problem



and initiate adequate amendments.<sup>36</sup> Real access to kindergartens on the part of RASC will give their mothers the time to take part in the training and professional courses of the National Program for Integration of Refugees. This in turn will ease their adaptation into the host society, improve their Bulgarian language proficiency and will increase their chances for employment and thus help the integration of their children.

The educational treatment of unaccompanied/separated RASC should be based on a more comprehensive approach that takes into consideration their age (majority – 71 per cent – of unaccompanied/separated RASC in the country are aged sixteen-seventeen), their experience and their life-long needs. While most of these children have gone through experiences that pushed them into early maturity, they are expected to either join seven to eight year olds in initial grades of schooling or to remain effectively enclosed in child care institutions with no possibilities for professional training or meaningful engagement. Specially tailored programs for unaccompanied/separated RASC of older age need to be considered, discussed and developed to engage them in professional training courses with the possibility of attending alternative forms of general education (evening school, individual or self-sufficient training).

The educational integration of RASC should be considered as one of the many aspects of the comprehensive integration of their parents that involves social assistance, job orientation and employment, health care, cultural orientation, attainment of Bulgarian language proficiency. In this respect the educational integration of RASC should be discussed in the context of the achievements and challenges in the process of integration, empowerment and participation of their parents in Bulgaria. The effective educational integration

of RASC is closely related to the implementation of effective measures aimed at the empowerment of parents. In this respect, measures such as improvements in the SAR Bulgarian language course training for adults, an increase in the monthly social benefits for applicants, widening of the scope of the National Program for Integration of Refugees, stimulus for adult education and introduction of procedures of validation of knowledge of applicants and refugees without documents would assist the empowerment of adults.

Last but not least, RASC parents and RASC pupils need be involved in the process of policy discussion and policy formation in the sphere of educational integration. The system will benefit from practices, assuring RASC parents and RASC pupils participation in the policy-making process to allow active consideration of their experiences and opinions.<sup>37</sup>

It should be noted that some of the identified gaps in the present system are placed high on the agenda of the related institutions in Bulgaria. Particular steps are about to be taken to amend LAR and restore the previously abolished Regulation for enrollment of RASC at Bulgarian public schools. Forthcoming is also the widening of the scope of MEYS Regulation N 3 from 19 June 2009 on the right to free of charge additional Bulgarian language classes for foreign pupils from EU and EEA countries – to the group of RASC.<sup>38</sup>

The financial possibilities for refugee protection have increased with Bulgaria's EU accession and the accessibility to EU structural funds (ERF). A more active approach to utilising the funds at place on the part of the respective governmental institutions may result in significant improvement of the general refugee integration programs and the RASC educational integration programs in particular.

<sup>36</sup> Such consultations have been enacted on the part of SAR in June 2001 with experts from the Municipality of Sofia who have taken responsibility to assist RASC enrollment in kindergartens in the Fall. However, the discussion at place still does not involve talks on formal amendment of the Kindergarten Enrolment Procedures so as to regulate and guarantee on paper RASC right to kindergarten access.

<sup>37</sup> Similar recommendation has been shared in the Monitoring Report on the implementation of the National Program for Integration of Refugees in the Republic of Bulgaria (2008 – 2010), p. 15.

<sup>38</sup> Национална програма за интеграция на бежанците в Република България 2011 – 2013, Раздел II, Параграф 4 [National Program for Integration of Refugees in the Republic of Bulgaria, Chapter II, Art. 4].

## BIBLIOGRAPHY

### Literature in Bulgarian

- Ангелов, Г., Ванкова, З. (2010) Актуални тенденции в трансграничната миграция от и към България според други показатели. В – Тенденции в трансграничната миграция на работна сила и свободното движение на хора – ефекти за България. Отворено общество – София, 47-58. [Angelov, G., Vankova, Z. 2010: Contemporary Tendencies in the Transborder Migration from and to Bulgaria according to Other Indicators. In – Tendencies in the Transborder migration of Labor Force and Free Movement of People – Effects for Bulgaria. Open Society Sofia, pp. 47-58].
- Bulgarian Helsinki Committee (2006) Изследване на правата на мигрантите в България. Финален доклад. [Study of the Rights of Migrants in Bulgaria. Final Report]. <http://www.bghelsinki.org/upload/resources/MigrantsRightsReportBG-1.doc>
- Василева, П. (2009) Доклад за извършеното независимо мониторингово изследване на изпълнението на Националната програма за интеграция на бежанците в Република България за 2008 – 2010, възложено от ВКБООН и изпълнен от БСБМ. [Vasileva, P. (November 2009) Report about the Independent Monitoring Study of the Implementation of the National Program for Integration of Refugees in the Republic of Bulgaria, 2008 – 2010, assigned by UNHCR and conducted by BURM].
- ВКБООН (2010) Да бъдеш бежанец. Как живеят бежанците и търсещи убежище в Централна Европа. AGDM Доклад 2009. ВКБООН – Будапеща. [UNHCR (2010) Being a Refugee. How do Refugees and Asylum Seekers Live in Central Europe. AGDM Report 2009, UNHCR].
- ВКБООН (2009) Да бъдеш бежанец. Как живеят бежанците и търсещи убежище в Централна Европа. AGDM Доклад 2008. ВКБООН – Будапеща. [UNHCR (2009) Being a Refugee. How do Refugees and Asylum Seekers Live in Central Europe. AGDM Report 2008. UNHCR].
- ВКБООН (2009) Бележки на ВКБООН върху интеграцията на бежанците в Централна Европа. ВКБООН – Будапеща. [UNHCR (2009) UNHCR Notes on the Integration of Refugees in Central Europe. UNHCR – Budapest].
- Дрюке, Л., Антонов, Б. (съст.) (2005) Закрила и интеграция на бежанците в България 2004 – 2005. ВКБООН – София. [Druke, L., Antonov, B. (eds.) (2005) Protection and Integration of Refugees in Bulgaria 2004 – 2005. UNHCR – Sofia].
- DEVAS (2010) Задържани, вместо защитени. Доклад на гражданското общество за задържането на уязвими търсещи закрита и нелегални мигранти в Европейския съюз. [DEVAS (2010) Detained instead of Protected. Civil Society Report on the Detention of Vulnerable Asylum Seekers and Irregular Migrants in the European Union]. [http://www.bghelsinki.org/upload/resources/DEVAS-BG%20National%20Report\\_Bulgaria\\_SHORT%20PUBLIC%20version.pdf](http://www.bghelsinki.org/upload/resources/DEVAS-BG%20National%20Report_Bulgaria_SHORT%20PUBLIC%20version.pdf)
- Желязкова, А., Григоров, В. и Донка Димитрова (2005) Имигранти от Близкия и Средния изток. В – Кръстева, А. (съст.) Имиграцията в България. МЦИМКВ. София, 19-73. [Zhelyazkova, A., Grigorov, V. and Donka Dimitrova (2005) Immigrants from the Near and the Middle East. In – Krasteva, A. (ed.) Immigration in Bulgaria. IMIR. Sofia, pp. 19-73].
- Кръстева, А. (2006) Бежанците в България. В – Кръстева, А. (съст.) Фигурите на бежанеца. Нов български университет. София, 179-185. [Krasteva, A. (2006) Refugees in Bulgaria. In – Krasteva, A. (ed.) Profiles of Refugees. New Bulgarian University. Sofia, pp. 179-185].
- Радева, М., Жасмина Донкова (2010) Кратък наръчник за правата и задълженията на чужденците с предоставен статут на бежанец или хуманитарен статут в Република България. ВКБООН – България. [Radeva, M. Jasmina Donkova (2010) Concise Handbook on the Rights and Duties of Foreigners with Recognized Refugee Status or Humanitarian Status in the Republic of Bulgaria. UNHCR – Bulgaria].
- Стайкова, Е., Трифонова, Т. (2010) Имигрантите в България. В – Тенденции в трансграничната миграция на работна сила и свободното движение на хора – ефекти за България. Отворено общество – София, 87-107. [Staikova, E., Trifonova, T. (2010) Immigrants in Bulgaria. In – Tendencies in the Transborder Migration of Labor Force and Free Movement of People – Effects for Bulgaria. Open Society, pp. 87-107].
- Табакова, В. (съст.) (2009) Бежанци и медии. Център за независима журналистика – София. [Tabakova, V. (ed.) (2009) Refugees and Media. Centre for Independent Journalism – Sofia]. [http://media-cij.net/Docz/Refugees%20and%20Media\\_Web.pdf](http://media-cij.net/Docz/Refugees%20and%20Media_Web.pdf)
- Топалова, М. (2009) Интеграция на бежанците в България: образование. Вътрешен доклад на Български Червен Кръст, подготвен в рамките на проучване на Българския съвет за бежанци и мигранти по проект на Датския съвет за бежанци. [Topalova, M. (2009) Integration of the Refugees in Bulgaria: Education. Internal Report of the Bulgarian



Red Cross prepared in the framework of a study by the Bulgarian Council for Refugees and Migrants under a project of the Danish Council of Refugees].

### Literature in English

- Bulgarian Red Cross (2004) Protection and Care for Refugee Children. Bulgarian Red Cross – Refugee and Migrant Service.
- Huddleston, T. et al (2011) Migrant Integration Policy Index III. British Council and Migration Policy Group. Brussels.
- Ilareva, V. (2007) Bulgaria's Treatment of Asylum Seekers. – *Forced Migration Review*, 29, pp. 60-61.
- Lewis, T. and Daskalova, D. (2008) Legal Dimensions of Immigrant Access to Employment in Bulgaria: A Context Analysis. In: *The Implication of EU Membership on Immigration Trends and immigrant Integration Policies for the Bulgarian Labor Market*. Spasova, P. (ed.). Economic Policy Institute. Sofia, pp. 77-100.
- Radeva, M., Jasmina Donkova (2010) A Short Handbook on the Rights and Obligations of Aliens who are refugee or Humanitarian Status Holders in the Republic of Bulgaria. UNHCR – Bulgaria.
- UNHCR (2009) Being a Refugee. How Refugees and Asylum Seekers Experience Life in Central Europe. AGDM Report 2008. UNHCR – Budapest.
- UNHCR (2008) Being a Refugee. How Refugees and Asylum Seekers Experience Life in Central Europe. AGDM Report 2007. UNHCR – Budapest.

### Documents

- Council Directive on Laying down Minimum Standards for the Reception of Asylum Seekers, 2003/9/EC, (27.01.2003).
- Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of the Protection Granted, 2004/83/EC, (29.04.2004).
- Council Directive on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status, 2005/83/EC, (01.12.2005).
- Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals, 2008/115/EC, (16.12.2008).
- Family Code, Bulgaria/SG/47, (23.06.2009), last amended SG/100, (021.12.2010) [Семеен Кодекс].
- Law for the Protection of the Child, Bulgaria/SG/48, (13.06.2000), last amended SG/69, (5.08.2008).
- Law for the Foreigners in the Republic of Bulgaria, Bulgaria/SG/153, (23.12.1998), last amended SG/9, (28.01.2011).
- Law on Asylum and Refugees, Bulgaria/SG/54, (31.05.2002), last amended SG/59, (29.06.2007).
- Law on Bulgarian Family Documents, Bulgaria/SG/93, (11.08.1998) [Закон за българските лични документи].
- Law on High Education, Bulgaria/SG/112, (27.12.1995), last amended SG/63, (13.08.2010) [Закон за висшето образование].
- Law on the Level of Schooling, the general Education Minimum and the School Curricula, Bulgaria/SG/67, (27.07.1999), last amended SG/74, (15.09.2009) [Закон за степента на образование, общообразователния минимум и учебния план].
- Law on the Professional Education and Training, Bulgaria/SG/68, (30.07.1999), last amended SG/97, (10.12.2010) [Закон за професионалното образование и обучение].
- National Education Act, Bulgaria/SG/86, (18.10.1991), last amended SG/78, (05.10.2010).
- National Program for Integration of Refugees in the Republic of Bulgaria 2011 – 2013, Council of Ministers (2011) [Национална Програма за интеграция на бежанците в Република България 2011 – 2020, Министерски Съвет (2011)].
- National Program for Integration of Refugees in the Republic of Bulgaria 2008 – 2010, Council of Ministers (2008) [Национална Програма за интеграция на бежанците в Република България 2008 – 2010, Министерски Съвет (2008)].
- National Strategy on Migration, Asylum and Integration 2011 – 2020, Ministry of Interior (2011). [Национална Стратегия в Областта на Миграцията, убежището и интеграцията 2011 – 2020, Министерството на вътрешните работи (2011)].
- National Strategy of the Republic of Bulgaria on Migration and Integration 2008 – 2015, Ministry of Labour and Social Policy (2008)
- Rules for the Enrolment of Children in Child Facilities and Kindergartens on the Territory of Sofia Municipality, Sofia Municipality Council (12.03.2009) [Правила за приемане на деца в общинските обединени детски заведения и целодневни детски градини на територията на Столична община, Столичен общински съвет (12.03.2009).]

## LIST OF ABBREVIATIONS

BRC	– Bulgarian Red Cross
LAR	– Law on Asylum and Refugees
MEYS	– Ministry of Education, Youth and Science
MoI	– Ministry of Interior
RASC	– Refugee and asylum seeking children
RIE	– Regional Inspectorate on Education
SAR	– State Agency for Refugees
UNHCR	– United Nations High Commissioner for Refugees