Detention - Bulgaria

Overview

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Relevant EU legislation

Bulgaria is bound by the recast Reception Conditions Directive, the recast Asylum Procedures Directive and the Dublin III Regulation and has transposed their provisions through the Law on Asylum and Refugee (LAR) | ЗАКОН ЗА УБЕЖИЩЕТО И БЕЖАНЦИТЕ and the Law on Foreigners in the Republic of Bulgaria | ЗАКОН ЗА ЧУЖДЕНЦИТЕ В РЕПУБЛИКА БЪЛГАРИЯ.

National legislation

Bulgaria transposed the recast Reception Conditions Directive and the recast Asylum Procedures Directive by the Law on Asylum and Refugee (LAR) | ЗАКОН ЗА УБЕЖИЩЕТО И БЕЖАНЦИТЕ and the Law on Foreigners in the Republic of Bulgaria | ЗАКОН ЗА ЧУЖДЕНЦИТЕ В РЕПУБЛИКА БЪЛГАРИЯ.

Other relevant national legislation include:

- Ordinance № I-13 of 29 January 2004 on the rules for administrative detention of aliens and the functioning of the premises for aliens' temporary accommodation | Наредба № I-13 от 29 януари 2004 за реда за временно настаняване на чужденци, за организацията и дейността на специалните домове за временно настаняване на чужденци
- Internal Rules of Procedure in immigration detention centers under the Migration Directorate of the Ministry of Interior, adopted on 16 June 2016 (№5364p-20628) | Правилник за вътрешния ред в специалните домове за временно настаняване на чужденци при Дирекция "Миграция" при Министерството на вътрешните работи, утвърден с № 5364p-20628 от 16.06.2016 г. от директора на дирекция "Миграция" - МВР

Competent authority and stakeholders

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Area	National authority/ stakeholder	Assistance to competent authority
Detention decision	Border or Immigration Police Chairman of the State Agency for Refugees or an official authorised by him/her	n/a
Administration and management of detention facilities	The Migration Directorate	n/a
Information provision in detention	Border or Immigration Police	n/a
Interpretation services in detention	Border or Immigration Police	n/a
Access to the procedure and provision of asylum information in detention	Registration of the application while in detention: State Agency for Refugees Information related to the asylum procedure: Border or Immigration Police	n/a
Detention for the Dublin procedure	Chairman of the State Agency for Refugees or an official authorised by him/her	n/a
Processing of asylum applications of applicants who are in detention	Chairman of the State Agency for Refugees or an official authorised by him/her	n/a

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Area	National authority/ stakeholder	Assistance to competent authority
Legal assistance and representation in detention	National Legal Aid Bureau/civil society organisations	n/a
Review of detention	Administrative Court in the area of the headquarters of the authority which has issued the contested administrative act	n/a

According to Article 45a of the Law on Asylum and Refugees, the asylum detention decision must be taken by the Chairman of the State Agency for Refugees or an officer appointed by him/her and the decision must be reasoned and taken after assessing whether the foreigner belongs to a vulnerable group. The decision is issued in writing and contains the factual and legal grounds for the accommodation, the procedure and deadline for an appeal. The decision only states that he has the right to legal representation, but detailed instructions for legal assistance and representation are provided upon registration.

Article 45d (5) of the Law on Asylum and Refugees provides that: "*the non-completion of the proceedings within the period provided for in the law, without the fault of the third-country national seeking international protection, cannot be grounds for continuing accommodation in a closed-type centre*".

The director of a close-type centre where an applicant for international protection is accommodated must carry out a monthly inspection of the existence of grounds for detention and must report to the Chairperson of the State Agency for Refugees or an authorised official.

Article 44 (1) of the Law on foreigners in Bulgaria stipulates that coercive administrative measures (including detention) are imposed by orders of the Chairman of the State Agency for National Security, the directors of the main directorates "National Police", "Border Police" and "Fight against Organized Crime", the directors of the Sofia and regional directorates, the director of the "Migration" directorate, the directors of the regional "Border Police" directorates of the Ministry of Interior or of officials authorised by them.

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Grounds for detention during the asylum procedure

Grounds for detention in national law

Detention in the context of identification or verification of identity

A short-term detention is provided under Article 44 (13) of the Law on foreigners in Bulgaria (LARB) for situations when the identity of a foreigner is uncertain and after an individual assessment of the principles of proportionality an order for short-term accommodation in a separate unit of a special home for the temporary accommodation of foreigners can be issued for a period of 30 calendar days in order to carry out identification and to assess subsequent administrative measures. Foreigners presumed to be minors are accommodated together with their companions in special rooms.

There is also an asylum detention pursuant to Article 45b (1) item 1 of the Law on Asylum and Refugee (LAR), which transposes Article 8(3a), (b), (d) and (f) of the recast Reception Conditions Directive. The national provision stipulates under a) that an applicant may be detained in order to determine or verify the identity or nationality.

Detention to determine elements on which the application for international protection is based, in particular where there is a risk of absconding

Article 45b(1) item 2 of the Law on Asylum and Refugee (LAR) transposes Article 8(3a), (b), (d) and (f) of the recast Reception Conditions Directive, according to which an applicant may be detained in order to determine elements on which the application for international protection is based which could not be obtained in the absence of detention, in particular when there is a risk of absconding of the applicant. According to the Bulgarian system, this is considered asylum detention.

Detention in the context of a procedure to decide on the applicant's right to enter the territory

The Bulgarian legislation does provide for detention in the context of deciding on the rights of the applicant to enter the territory.

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Detention in the context of a return procedure

There are three grounds for the pre-removal detention of third-country nationals: i) the person is preventing the execution of a removal order; ii) there is a risk of absconding or iii) short term detention in order to verify identity (see above under A and Article 44 (13) of the Law on foreigners in Bulgaria (LARB).

Article 44 (6) of the Law on foreigners in Bulgaria (LARB) provides that when the foreigner, to whom a coercive administrative measure under Article 39a(1), items 2 and 3 (removal or expulsion) has been applied, impedes the execution of the order or there is a danger of absconding, an order for compulsory accommodation of the foreigner in a special home for temporary accommodation may be issued for the purpose of organising the return or expulsion. Compulsory accommodation is also ordered when the foreigner does not fulfil the conditions of the precautionary measures under paragraph 5 (alternatives to detention).

Detention in the context of national security and public order

Article 45b(1) item 3 of the Law on Asylum and Refugee (LAR) transposes Article 8(3a), (b), (d) and (f) of the recast Reception Conditions Directive, and provides the possibility for an asylum detention on grounds of protection of national security or public order.

Detention for the purpose of a Dublin transfer

Article 45b (1) item 4 of the Law on Asylum and RefugeeLaw on Asylum and Refugee (LAR) transposes Article 8(3a), (b), (d) and (f) of the recast Reception Conditions Directive, according to which an applicant may be detained for the purpose of determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person, of transferring the person to the competent state, and when there is a serious risk that the third country national will abscond (asylum detention for the purpose of a Dublin transfer).

Less coercive measures (alternatives to detention)

The police and the immigration and asylum authorities are responsible to decide and apply the alternatives to detention for third-country nationals. The possibility of providing alternatives to detention when a ground for detention exists is considered part of the international protection procedure and the return

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procedure.

Alternatives to detention have been used more frequently according to the National Report 2021, EMN Bulgaria. Detention seemed to have a larger deterrent effect and greater impact on reducing absconding rates, while alternatives to detention are more often associated with shorter status determination processes and higher appeal rates.

The alternatives to detention are provided by the Law on Foreigners in the Republic of Bulgaria (LARB) under: i) Article 44(5) item 1: regular reporting to the authorities and ii) Article 44 (5) items 2 and 3: deposit of a financial guarantee and surrender of documents.

The alternatives to detention are considered as precautionary measure that can be applied when there are obstacles to the foreigner immediately leaving the country or entering another country and there are no scheduled actions for his imminent removal. The measure can be adopted either by the body that issued the order for imposing the compulsory administrative measure (return or expulsion, entry ban) or by the director of the Migration Directorate, after assessing the individual circumstances and the risk of absconding or of hindering the return in any other way. The order for applying an alternative measure for detention must specify the implementation together or separately of any of the alternatives specified below – see Article 44 (5) of the Law on Foreigners in the Republic of Bulgaria

1. Regular reporting to the authorities

   Weekly reporting can be applied for third-country nationals for whom there are obstacles for a removal and there is a risk of absconding or thwarting the return.

   Pursuant to Article 44(5)(1) of the Law on Foreigners in the Republic of Bulgaria (LARB): “when there are obstacles for the foreigner to leave the country immediately or to enter another country and there are no actions scheduled for his forthcoming deportation, the body that issued the order for imposing the coercive administrative measure or the director of the Migration Directorate the individual circumstances and the danger of absconding or of thwarting the return shall otherwise order an order in accordance with the regulations for the application of the law, the execution together or separately of any of the following precautionary measures: 1.

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the foreigner is obliged to appear weekly in the territorial structure of the Ministry of the Interior at his/her place of residence".

2. Deposit of a financial guarantee

   According to Article 44(5) (2) of the Law on Foreigners in the Republic of Bulgaria (LARB) the measure of financial guarantee can be applied for third-country nationals for whom there are obstacles for a removal and there is a risk of absconding or thwarting the return.

   Article 44(5)(2-3) of the Law on Foreigners in the Republic of Bulgaria (LARB) stipulates that: "when there are obstacles for the foreigner to leave the country immediately or to enter another country and there are no actions scheduled for his forthcoming deportation, the body that issued the order for imposing the coercive administrative measure or the director of the Migration Directorate the individual circumstances and the danger of absconding or of thwarting the return shall otherwise order an order in accordance with the regulations for the application of the law, the execution together or separately of any of the following precautionary measures: i) the foreigner pays personally or through a third party a monetary guarantee in a term and in an amount, determined by the regulations for application of the law; and ii) the foreigner submits as a temporary pledge a valid passport or other document for travel abroad, which he receives back upon the execution of the return or expulsion".

3. Obligation to surrender a passport, travel document or identity document

   The measure is included in legislation and applicable in practice, pursuant to Article 44(5)(3) of the Law on Foreigners in the Republic of Bulgaria (LARB).

Measures related to asylum applicants

The Law on Asylum and Refugees (LAR), Article 45a provides for a bi-weekly reporting to the State Agency for Refugees as a measure to ensure "the timely examination of the application" or to ensure "the participation" of the asylum seeker.

The LAR also mentions a limitation on the freedom of movement in certain areas in the territory by a decision of the Chairman of the State Agency for Refugees,

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where asylum seekers can be obligated not to leave and reside in other administrative regions (district or municipality) than the one prescribed – see Article 30(2-3) of the Law on Asylum and Refugees.

Application for international protection and processing while in detention/impact on the asylum procedure

The Law on Asylum and Refugees does not provide for the possibility for the State Agency for Refugees to conduct a determination procedure in pre-removal detention centres – see Additional Provision no 5.

Article 45b of the Law on Asylum and Refugees stipulates that an applicant for international protection must not be placed in detention on the sole ground that the person is an applicant for asylum.

Article 58(4) of the Law on Asylum and Refugees stipulates that when the asylum application shall be made to another authority than the competent state body, that authority must immediately send the application to the State Agency for Refugees, which shall carry out the registration under Art. 61a (1) no later than 6 working days from the initial submission of the application.

Also, Article 58 (6) of the Law on Asylum and Refugees provides that when there are indications that a foreigner detained in places of detention, special homes for temporary accommodation of foreigners or located at border checkpoints, including in transit zones, may wish to submit an application for international protection, he or she must be provided with information on the possibility of applying for international protection. The law provides for the obligation to provide interpretation services in order to facilitate access to the international protection procedure.

Procedural safeguards

Access to information and interpretation

For asylum detention, according to Article 45a of the Law on Asylum and Refugees, the asylum detention decision must be taken by the Chairman of the State Agency for Refugees or an officer appointed by him/her and the decision must be reasoned and taken after assessing whether the foreigner belongs to a

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vulnerable group. The decision is issued in writing and contains the factual and legal grounds for the accommodation, the procedure and deadline for an appeal, as well as the possibility of receiving free legal assistance and representation. While notifying the decision to the applicant, there is always an interpreter. The grounds for detention are listed in the decision itself. The applicant verifies that s/he understood the translation and the grounds for detention.

Article 45e (1) item 5 the Law on Asylum and Refugees stipulates that detained applicants have the right to receive information about the internal rules of the relevant center, as well as about their rights and obligations. This information must be provided in a language understandable to them.

Article 44 (1) of the Law on foreigners in Bulgaria stipulates that coercive administrative measures (including detention) are imposed by orders of the Chairman of the State Agency for National Security, the directors of the main directorates "National Police", "Border Police" and "Fight against Organized Crime", the directors of the Sofia and regional directorates, the director of the "Migration" directorate, the directors of the regional "Border Police" directorates of the Ministry of Interior or of officials authorised by them.

Legal assistance and representation

Article 22(9) of the Law on Legal Aid provides for the right of detained applicants to access legal aid. Legal assistance can be provided by the state funded lawyer through the National Legal Aid Bureau for third country nationals subject to detention measures and who cannot afford to pay a lawyer, at every stage of the procedure.

According to Article 45a of the Law on Asylum and Refugees, the asylum detention decision must be issued in writing and contain the factual and legal grounds for the accommodation, the procedure and deadline for an appeal, as well as the possibility of receiving free legal assistance and representation.

Pursuant to Article 45d (7) of the Law on Asylum and Refugees, if the applicant is moved from one detention center to another and benefits of legal assistance, his/her legal representative must be informed of such change of detention center.

Article 23(3) of the Law on Asylum and Refugees provides that civil society organisations and legal aid providers have access to asylum applicants in

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detention as well as those at border-crossing points and transit zones. Some civil society organsiations have signed official agreements with the Migration Directorate for the purposes of monitoring and assistance through visits once a week (Bulgarian Helsinki Committee, Bulgarian Red Cross, Nadya Centre, Center for Legal Aid-Voice in Bulgaria, Foundation for Access to Rights).

Lawyers as well as representatives of civil society organisations and UNHCR have access under the law and in practice to the detention centres during visiting hours but also ad hoc without prior permission when necessary or requested by asylum seekers. According to Article 45e of the Law on Asylum and Refugees , applicants for international protection accommodated in close type centers, shall be entitled to: meetings with persons providing legal aid and agency, representatives of UNHCR, NGOs and of international organisations.

Length of detention

Asylum detention

The asylum detention is limited to the shortest period possible, as mentioned by Article 45b of the Law on Asylum and Refugees. When an applicant is detained on ground of verifying identity, detention can continue until the identity is established or verified.

According to Article 45d (2) of the Law on Asylum and Refugees, the director of a close-type centre where an applicant for international protection is accommodated must carry out a monthly inspection of the existence of grounds for detention and must report to the Chairperson of the State Agency for Refugees or an authorised official.

Pursuant to Article 45d (3) of the Law on Asylum and Refugees, detention decisions must be reviewed by the Chairman of the State Agency for Refugees in order to establish new data and circumstances or at the request of the applicant for international protection, followed by a reasoned decision issued within 7 days.

Also, Article 45d (5) of the Law on Asylum and Refugees provides that a failure to conduct the proceedings within the time limits prescribed by this law, if the reasons are not attributed to the applicant, must not constitute a ground for extension of the detention period. When the reasons for detention cease to exist, the applicant must be immediately released.

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Detention for the purpose of return/expulsion

A short-term detention can be ordered for a period of 30 days pursuant to Article 44 (13) of the Law on foreigners in Bulgaria (LARB) for situations when the competent authority needs to verify the identity of a foreigner. The law provides that following an individual assessment of the principles of proportionality and proportionality, conducted by the competent authority (see Article 44 (1) of the LARB, the latter may issue an order for short-term accommodation in a separate unit of a detention center for foreigners for a period of up to 30 calendar days for carrying out actions for initial identification and establishing identity and for assessing the subsequent and necessary administrative measures. Minors must be accommodated together with family in special premises. The law prohibits the re-accommodation of a foreigner in a separate unit for short-term accommodation in a special home for temporary accommodation of foreigners for verification of identity.

In addition, the 30 days for short term detention for carrying out actions for initial identification, establishing identity and for taking subsequent administrative measures shall be extended must be extended the period during which the foreigner was placed in isolation, hospital treatment or quarantine – see Article 44 (14) of the LARB.

A pre-removal detention can be applied for situations when the foreigner, who is subject to an expulsion or return order, obstructs its execution or there is a risk of absconding. This type of detention can also be applied for foreigners who do not comply with the imposed alternatives to detention measure, pursuant to Article 44 (6) of the LARB.

Paragraph 8 of Article 44 of the LARB provides the following for the length of pre-removal detention:

- maximum of six months detention until the above grounds cease to exist
- the Director of the Migration Directorate must conduct a monthly official inspection to determine the existence of the grounds for forced placement in a special home.

Exceptionally, when the person refuses to cooperate with the competent authorities or there is a delay in receiving the necessary documents for return or expulsion by the date of expiry of the permitted period of pre-removal detention, the Director of the Migration Directorate may issue an order to continue the forced placement in the special home for a period not exceeding an additional 12

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months. The order to continue the forced placement is subject to appeal under the procedure of Art. 46a, para. 1 and 2. When, in view of the specific circumstances of the case, it is established that there is no longer a reasonable possibility for legal or technical reasons for the forced removal of the foreigner, the person shall be released immediately.

Article 44 (12) of the Law on foreigners in Bulgaria (LARB) stipulates that the detention of foreigners in special temporary accommodation must not be ended when there are serious grounds to consider that the foreigner has submitted a subsequent application for international protection with the sole purpose of delaying or hindering the implementation of return or expulsion order. However, the decision not to end detention is subject to appeal, pursuant to Article 46a (1-5) of the LARB.

Judicial review of detention

Asylum detention

There is no automatic review of the lawfulness of detention in Bulgaria and the only judicial review by a court takes place at the request of the asylum applicant. Pursuant to Article 45c (5) and Article 45d (4) of the Law on Asylum and Refugees (LAR), the detained foreigner can challenge the detention order and the orders for a prolongation of detention, within 14 days before the Administrative Court, as provided under the Administrative Procedure Code. The court's decision shall be final.

Detention for the purposes of implementing a return/expulsion order

Regarding detention with a view to expulsion or return, Article 46a of the Law on Foreigners in the Republic of Bulgaria is the relevant provision. The order for compulsory placement in a special home can be appealed within 14 days from the actual placement in accordance with the Administrative Procedure Code. The appeal does not stop the execution of the order.

According to Article 46a (2) of the LARB, the court examines the appeal in an open session, scheduled no later than 3 days after the complaint is received, and a decision is issued within 7 days from the initiation of the case. Appearing in person is optional. The decision of the court of first instance may be appealed to the Supreme Administrative Court, which renders a decision within 14 days from the receipt of the appeal.

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In addition, Article 46a (6) of the LARB provides for an appeal against the order for short term detention for identity verification, under the procedure of the Administrative Procedure Code before the Administrative Court, on grounds regarding the legality of the accommodation. The appeal does not stay the execution of the order, and the court shall rule on the appeal immediately.

The LARB, Article 46 (4) provides for a temporary automatic suspensive effect of an appeal against an expulsion order based on national-security grounds and Article 46 (5) confers a temporary automatic suspensive effect of an appeal against an expulsion order when there are 'substantiated allegations' of important risk of death or ill treatment in the destination country.

Similarly, there is an appeal against decisions on alternatives to detention applied pursuant to Article 44 (15) of the LARB, within 14 days of its issuance and in accordance with the procedure of the Administrative Procedure Code and without automatic suspensive effect.

Specific conditions relating to detention

Conditions of detention

Detained asylum applicants have the right to be heard, the right to healthcare (emergency and basic care) and access to legal aid while in detention.

Article 45e (1) of the Law on Asylum and Refugees provides that applicants for international protection accommodated in close-type centres are entitled to: access to open areas; visits by family members; respect of their privacy and personal life; meetings with persons providing legal aid and agency, representatives of UNHCR, civil society organisations and of international organisations; and information on the internal regulations of the respective centre and their rights and obligations. Information must be provided in a language understood by the person.

Restrictions for the abovementioned rights are permitted only when this is necessary to ensure security, public order or the administrative management of the closed centre, provided that access is not significantly restricted or impossible – see Article 45e (2) of the Law on Asylum and Refugees.

Access to outdoor space: detained applicants have daily access (1-3 hours) to large outdoor areas (without shelters against inclement weather).

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Visitors/access to external communications: For external communication, detainees can: i) send and receive correspondence; ii) use their mobile telephones without cameras (mobile phones with cameras were kept in locked central storage and can be used only under staff supervision); iii) use pay phones or upon request and in justified circumstances (e.g. an important family event) make calls using staff's office phones.

There are no restrictions on the right to access the Internet and instant messaging communication applications without supervision by a Migration Directorate officer, by means of their own mobile devices (phones, tablets) and with an unlimited number of people outside of the detention centres (e.g. with family, relatives, diplomatic/consular representatives, lawyers, etc.). However, these devices must not be equipped with a camera. There are no established restrictions on access to selected websites and social applications for private communication with people outside the accommodation centres.

There are benefits of free access to communication via Internet, including reduced tensions by minimising the negative effects of detention and the feeling of isolation; guaranteed access to rights by ensuring the possibility to contact legal representatives or international and non-governmental organisations; maintained contact with family and relatives; and the possibility to obtain copies of personal documents in support of the identification process of third-country nationals.

Visits allowed up to twice per week (upon request) that take place under open conditions but in the presence of staff. There are no restrictions on the frequency of meetings, but the duration is limited to 30 minutes using a schedule for the meeting premises. A preliminary request must be made by the accommodated foreigner or by his relatives through the Operational Duty Centre / Operational Duty Part by phone. The officers of the Operational Duty Centre / Operational Duty Part check in the files of the Ministry of the Interior information on the people who want to visit an accommodated foreigner to verify they are not criminals and wanted. If there are such data, they are not allowed to visit the SHTAFs. There is unrestricted and unsupervised possibility for visit for civil society organisations, UNHCR and lawyers during the visit hours. Ad hoc visits at the request of the asylum applicant or if necessary, without prior approval. Monitoring and assistance on a weekly basis are possible by some civil society organisations under official agreement with the Migration Directorate. Visits of accommodated third-country nationals are carried out in premises designed for this purpose and are provided by security police officers. There is a police officer

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in the meeting premises during the visit. Foreigners accommodated in the SHTAFs, who have applied for international protection during their stay, are subject to the same rules for holding meetings with their visitors until they are transferred to the reception centers of the State Agency for Refugees (SAR) where their internal rules for meetings are applied.

Access to education (school for minors, language courses, etc.): The Law on Asylum and Refugees provides under Article 45f (2) that minors accommodated in special temporary homes must be provided with access to education and the opportunity to engage in activities in their free time, including games and recreational activities appropriate to their age.

Playrooms for children have been set up in the detention centre. In Busmantsi, access to the playroom was reportedly limited to 1.5 hours per week according to the 2019 report of the European Committee for the prevention of torture and inhuman and degrading treatment or punishment (CPT).

Language support (translation and interpretation services): People detained by Border Police are granted access to an interpreter, but according to 2019 report of the European Committee for the prevention of torture and inhuman and degrading treatment or punishment (CPT) sometimes other detained foreign nationals are asked to translate and the AIDA Report 2021 and the Ombudsman Annual Report 2021 also reported issues on access to interpretation in detention.

Medical care: Emergency healthcare and limited free of charge medication. There is 24/7 staff presence and infirmary in Lyubimets.

The AIDA Report Bulgaria Update 2024 provides information from various stakeholders on efforts to improve detention condition and challenges.

Detention of applicants with special needs

Legislative overview

According to Article 44 (9) of the Law on foreigners in the Republic of Bulgaria, *“exceptionally, if available of the circumstances under par. 6 for the accompanied minors or juveniles an order for compulsory accommodation in a special home shall be issued for a term of up to 3 months. In the special homes under paragraph 7, premises for accommodation of minors and juvenile foreigners with conditions suitable for their age and needs shall be*

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established. Involuntary placement does not apply to unaccompanied minors. The body that issued the order for imposing the coercive administrative measure shall hand over the person to an employee of the respective Social Assistance Directorate, which shall take protection measures in accordance with the Child Protection Act."

Article 45e (3) of the Law on Asylum and Refugees envisages that vulnerable groups are provided with appropriate assistance depending on their situation and that the situation of vulnerable is continuously monitored.

Article 45f of the Law on Asylum and Refugees stipulates under *(1) that minor foreigners seeking international protection may be accommodated in closed centres only as a last resort in order to preserve the integrity of the family or to ensure their protection and security, for the shortest possible time, making every effort to accommodate them in suitable places.*

(2) Minors and juvenile foreigners seeking international protection, accommodated in centres of the State Agency for Refugees, are provided with access to education and the opportunity to engage in leisure activities and games.

(3) Accommodation in SAR centres are organised according to the principle of preserving the integrity of the family.

(4) In SAR centres, female applicants are accommodated separately, except when they are members of one family and have given their consent.

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