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„The Contribution of Bulgarian Civil Society and NGOs to  
Democracy. An Analysis on the Basis of Three Examples inside the  
Field of Asylum Seekers, Refugees and Immigrants.“

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*To my family  
and the interviewed persons, who supported this research*

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# **1 INTRODUCTION**

## **1.1 Introduction**

I chose the Republic of Bulgaria<sup>1</sup> as the subject of the present thesis based on an eight month lasting Erasmus scholarship spent in the country. During this stay I began to learn the Bulgarian language which in turn added to my interest in the country. Due to the acquired language skills it became clear to me I should focus my research on Bulgaria and not on another country in a similar situation. For instance, Romania resembles Bulgaria at least in terms of having past a transition process -being a relatively new member of the European Union (EU) and having turned into an external border country of the EU. Furthermore it seemed more obvious to me to take advantage of my language skills and write an empirical research paper instead of a purely theoretical paper.

## **1.2 Research Interest**

In this paper at least five issues of great interest to me are discussed as follows: Civil society and non-governmental organisations by means of case studies; immigration; immigration policies; democracy and participation. Starting with a brief introduction to the topic, the interaction of the aforementioned topics will be made clear and in a last step the main research interest will be developed:

On 1<sup>st</sup> January 2007 Bulgaria became a full-fledged member of the EU. The first diplomatic relations between Bulgaria and the EU were established in 1988 and in 1995 Bulgaria became an associated EU member. In the same year Bulgaria applied for a full-fledged membership. However, the actual negotiations for EU accession did not begin until 15<sup>th</sup> February 2000. In 2005 the accession contract was signed and ratified by the Bulgarian National Assembly and in 2006 the European Commission (EC) confirmed the fact the Bulgaria would become an official EU member on 1<sup>st</sup> January 2007.

During this long negotiation process Bulgaria was obliged to consolidate its young democratic structures and among other things to strengthen its market economy as well as its civil society (Bachmaier/Schwarcz/Tcholakova 2006, p. 5). As a result of the associated membership and the actual accession Bulgaria is now perceived as a consolidated, young democracy. This fact will be discussed later on in the chapter on 'Transition Process: Theory and Praxis'. According to Raik

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<sup>1</sup> The Republic of Bulgaria is in the following referred to as Bulgaria.



(2006, p. 317), „[t]he Central and Eastern European Countries (CEECs) have been fairly successful in establishing democratic institutions and formal procedures and have reached a sufficient level of stability. At the same time, however, they all suffer from political apathy and alienation of citizens, low public trust in authorities, and general dissatisfaction with the functioning of democracy - even though democracy is valued in principle (see Pollack et al. 2003). (...) In comparison with the West, one of the weakest aspects of democracy on the post-communist countries is civil society - the sphere of organised public activity (sic!) that is voluntary, autonomous, non-governmental and non-profit-making”.

After reading this statement my research interest in the civil society of Bulgaria's young democracy and its contribution to democracy itself emerged. It became evident that analysis on civil society concepts, as well as the role of civil society and non-governmental organisations during the transition would build the basis for the case studies, I will later describe. Furthermore the meaning of 'consolidated democracy' and the demands on a 'democracy' with reference to civil society had to be analysed in order to have a complete frame and deduce the functions of civil society in general.

As civil society is a colourful and pluralistic actor, a fact which will be discussed later on in the paper, I had to narrow down the field of action for the analysis and chose to focus on the phenomenon of migration. Additionally, I decided to concentrate on three case studies. After having read the statement of the International Organisation of Migration (IOM) that “*migration challenges and policies in 2007 will be seriously marked by Bulgaria's EU membership*”, and in addition to that “*the expected increase of inward migration will call for enhanced national migration management structures and assistance in implementation of post-accession requirements*” (IOM 1 <<http://www.iom.int/jahia/Jahia/pid/816>>, viewed 5 October, 2008) I decided to focus on immigration. The organisations subject to the case studies all operate within the field of immigration. With respect to plurality and heterogeneity within civil society the three organisations have specific focal points and target groups that differ from each other. The first organisation subject to my research is the Centre for European Refugee, Migration and Ethnic Studies (CERMES). The centre focuses on research and dedicates its research to the aforementioned topics. The second organisation is called Association for Integration of Refugees and Migrants (AIRM). This so-called non-governmental organisation focuses on refugees in a specific way. The third organisation discussed in the case studies is called Bulgarian Memory Foundation (BGMF). This organisation is also a non-governmental organisation and focuses on foreigners and immigrants of Bulgarian descent. With the breakdown of civil society and because non-governmental organisations are

working on immigration issues in Bulgaria, the discussion of the Bulgarian immigration phenomenon became immanent and is also an object of the present paper.

Furthermore, according to Perchinig (2007, p. 137), the EC published a paper on immigration, integration and employment, in which it stated, that *“Integrationspolitik die Voraussetzung dafür sei, dass MigrantInnen ihrem Potential entsprechend zur wirtschaftlichen Entwicklung Europas beitragen können und forderte verstärkte Bemühungen, MigrantInnen volle Teilhabe am ökonomischen, sozialen und kulturellen Leben zu ermöglichen“*. This statement confirmed my assumption that a close examination of policies, strategies and state actors regarding immigration should form the second part of this thesis. Furthermore, the need to investigate the context and the challenges the organisations in the case studies are facing in regard to these policies became obvious.

From all the aforementioned aspects, topics and interconnections the following main specific question for this present research evolved and can be formulated as follows: Which functions following the frame of Locke, Montesquieu, Tocqueville, Habermas and the five functions for civil society deduced by Merkel do the concrete case studies fulfil?

### **1.3 Structure of the Thesis**

In the first part of this paper I will explore the theoretical and methodical background of my thesis. It encompasses the transition in Bulgaria, the concepts of civil society according to Locke, Montesquieu, de Tocqueville, Habermas and the five functions deduced by Merkel, non-governmental organisations as a category of civil society and consolidation of democracy, young democracies and civil society, the methods used for the research as well as the method with which interviews were conducted and interpreted.

After the theoretical and methodical part, the paper is roughly divided into three sections. The first one tackles the immigration context in which the three case studies are embedded. The second part deals with a discussion of civil society and non-governmental organisations (NGOs) in Bulgaria against the background of transition in general. The third part presents the case studies and the respective analysis according to the framework and questions elaborated on in the theoretical part. As the fifth function of civil society concerns all organisations subject to the case studies, an illustration in place of a written explanation will be used in order to combine their analytical results. A conclusion follows.

## **2 THEORETICAL BACKGROUND**

### **2.1 Transition Process: Theory and Praxis in Bulgaria**

In the research on transitions the transition process is described in three main phases (O'Donnell/Schmitter 1986; Merkel 2001, p. 102; Kanev 2006, p. 54; Fein/Matzke 1997, p. 27): The first 'liberalisation' phase is induced by the end of an autocratic regime. The second phase encompasses the 'institutionalisation' of democracy. With the third phase the 'consolidation of democracy' or 'completion' the transition process is considered to be completed. Kanev applied this scheme on the Bulgarian case, as follows:

In the Bulgarian case the first phase of the transition process, the end of the autocratic, communist regime, can be described as 'controlled from above' (Merkel 1999, p. 135; Merkel 2001, p. 104) through the ruling, reform oriented forces within the communist party. It was not the case that the fall of the communist regime was triggered by revolutionary mass demonstrations. The introduction of the transition process controlled from above served as a preventative measure in order to keep power and influence, as well as establish a specific way of political pluralism and introduce market economy. The dissident groups were weak and mass demonstrations were the exception. The first phase was very short and the attempt to remove the former regime superficial.

The approaching economic difficulties were a decisive fact for the development and emergence of liberal practices. Due to this course in 1988 oppositional movement within and outside the ruling party emerged, which was no longer met with usual repressive measures. Kanev (2006, pp. 53-65) describes the course of agreements and the 'round table' as of main significance for the first years of Bulgaria's transition. The round table served as a means for developing legislative decisions, which were later on transformed into laws by the parliament. Due to the legislative changes designed by this round table the first free elections in Bulgaria were achieved in 1990. Primarily, this round table can be perceived as a sign for peaceful coexistence of antagonistic forces, in this case the Bulgarian communist party and oppositional forces. Secondly, it served as a successful instrument for finding a consensus. In July 1991 the new constitution came into effect. The elaboration and introduction of a new constitution is a crucial moment during the process of institutionalisation, as it contains and manifests the chosen model of democracy, its main principles and its respective institutions. According to Kanev, the second phase of institutionalising the democracy was very short. With the introduction of a new constitution and the second turn of free

elections based on the new constitution the second phase was completed in 1991.

Considering the speed with which the first two phases passed, obviously the third phase, the consolidation of democracy, would last longer. With its accession into the EU on January the 1<sup>st</sup> 2007 as the latest full-fledged member democracy in Bulgaria is now regarded as consolidated. According to Kanev's (2006, p. 58; see also Bachmaier/Schwarzc/Tcholakova 2006, p. 5) analytic approach to proving the consolidation of democracy in Bulgaria with its most important criteria (solving the basic problems of the society with democratic measures, peaceful alternation, ergo peaceful change of power among ruling parties and oppositions, absence of alternatives to democracy) and taking into consideration the steps Bulgaria implemented on its way to the EU membership, the consolidation process can be declared as having terminated. In the following chapter the role of civil society in consolidated democracies amongst others is discussed.

## **2.2 Civil Society: Theoretical approaches and Functions**

### **2.2.1 Conceptual History of Civil Society**

The field in which civil society has been discussed and is still being discussed today is very wide and rich with different theoretical approaches, empirical material, literature and articles. The broad spectrum of theoretical approaches includes controversial directions. According to Arato and Cohen (1992, p. 83 according to Fein/Matzke 1997, p. 16) a satisfying, complex civil society theory is still missing.

According to Fein and Matzke (1997, pp. 8-26), the concept of civil society has a long tradition dating back to Hobbes, Montesquieu and Locke. In their concepts society and state, free social sphere and state or civil society and state are set apart. Hobbes associated society with its political organisation. Montesquieu defined free civil society through its particular political constitution and distinguished free civil associations from their political power transmission. Locke depicted state and government as emerging units based on a pre-political community (society). Smith built on the concept of Locke and dissolved Aristotle's dogma by intertwining economics and politics and establishing a link between civil society, property and economics. Kants' concept introduced the foundation for political emancipation from the state by differentiating between civic and citizen society.

Marx, Hegel and Gramsci all reinterpreted the concept of civil society. In their theories they

outlined the approach to society and state which in a last step should lead to the self-governance of a society without classes and the dissolution of the state.

Tocqueville, a theorist of the early 19<sup>th</sup> century, chose to further develop the concepts of Locke and Montesquieu rather than the concepts brought forth by Hegel, Marx and later on by Gramsci. He outlined the obligation for civil society (civil associations) to keep an ‘attentive eye’ on the state in order to prevent possible state despotism.

Up until the present day concepts of civil society are discussed by representatives and thinkers of critical theory of democracy and emancipatory critical theories from the leftist spectrum, as well as by liberal and conservative theorists. According to Arato, theorists of the first two categories mentioned (enclosing Arato, Cohen, Keane, Dubiel, Rödel, Habermas and many others) that emerge from the leftist spectrum are attracted by the concept of civil society as it appears to be a substitute for illusionary imaginations of revolution. Habermas described civil society as the basis for vital public communication between economics, politics, state and society. In his concept civil society is able to sense problems, channel them and introduce them to public discourse. As a consequence, vital civil society has the potential to influence decision making processes and can be perceived as a “*critical counterweight*”, as Raik (2006, p. 330) would put it into words. Theorists of the third and fourth category, liberal and conservative circles (enclosing amongst others Dahrendorf, Shils, Taylor), perceive the relation between civil society, a liberal lawful state and a constitutional democracy strongly intertwined. Their concepts of civil society are embedded in pluralistic, competitive attitudes, the market economy and a lawful state. They can be depicted as a “*substitute of the state*” in those concepts, if we want to borrow the words of Raik (2006, p. 328) again.

Keane extracted three different understandings represented within the discourse on civil society. As most of the theoretical contributions until today enclose concepts of civil society contributing in specific and useful ways to democracy, it is absolutely sufficient for this thesis and the formulated research interest to illustrate the description of normative approaches, “*die nach einem aus demokratietheoretischer Perspektive wünschbaren Verhältnis zwischen Staat und civil society (...), nach dem optimalen Maß an ‘responsiveness’ der Institutionen für ‘claims’ der civil society und an staatlicher Regulierung des gesellschaftlichen Pluralismus [suchen]*” (Keane 1988 according to Fein/Matzke 1997, p 17).

Bernhard (1996 according to Fein/Matzke 1997, p. 17) defined the term civil society in respect to normative approaches in its most essential form, which is valid for all theorists approaching the normative concept of civil society, as follows: “*(...) ein öffentlicher Raum, der 1. zwischen der*

*staatlichen und der privaten Sphäre angesiedelt ist, von einer Vielzahl 2. autonomer und 3. vom Staat rechtlich getrennter Organisationen ausgefüllt wird und der 4. den Akteuren innerhalb dieses öffentlichen Raums individuelle und kollektive Freiheiten garantiert, die es ihnen ermöglichen, ihre Interessen zu verfolgen“.*

In order to analyse the three case studies tackled in this thesis in regard to their overall contribution to and position in Bulgaria's young democracy, I will stick to the normative frame depicted by Merkel (2001). He filtered the concepts of Locke, Montesquieu, Tocqueville and Habermas and deduced functions of civil society in their perspectives as follows below:

### **2.2.2 Locke (1632-1704) and Civil Society**

*“(...) die Entstehung politischer Gesellschaft [ist] abhängig von der Übereinkunft der Individuen, sich zu vereinen und eine Gesellschaft zu begründen, und daß diese Gesellschaft - nachdem sie sich so zu einer Körperschaft bereinigt hat - diejenige Form der Regierung einsetzen kann, die sie für geeignet hält.“ (Locke 1974, p. 81)*

In his work 'The Second Treatise of Government', Locke discussed numerous aspects of society and state forms. His theories are based on the idea of a pre-political human community, which stands beyond the state (Fein/Matzke 1997, p. 14). Among other topics, such as property, slavery, order of powers within a state, etc. he examined society with reference to the state, power of authorities, consensus and limits of freedom in respect to stability and security provided by the state. Especially in the chapter 'Of Political or Civil Society' he considered society as being the crucial social sphere at the head of the state. As Merkel (2001, p. 97) puts it into words “[h]ere, armed with natural rights, people create a community in which the life of the society freely evolves.” Furthermore Locke emphasised, according to Merkel (2001, p. 97) the essential freedom of society to develop freely, perhaps under protection, “*but under no circumstances under the direction, of state authority.*” In this way Locke put the emphasis on an independent social sphere in respect to the state.

Basing his assumptions on this treatise by Locke, Merkel (2001, p. 97) deduced “*the Lockean function*” for civil society as follows: “*From this perspective the protection of individuals' autonomy, the development of their rights, as well as the securing of their property are characterised as the central tasks of civil society. The function assigned to civil society is therefore above all one of negative liberty; i.e. citizens' freedom from state interference. Civil society is the sphere that is separated from the state.*” Although civil society and state exist in a strong interdependency according to Locke's concept they still constitute two separate units. In his opinion

(Locke 1974, p. 99) civil society protects us from the unpredictability of the state, while the state should protect its society from internal and external arbitrariness.

### 2.2.3 Montesquieu (1689-1755) and Civil Society<sup>2</sup>

*„Es kann sein, dass die Verfassung frei ist und der Bürger ist es nicht. Der Bürger kann frei sein und die Verfassung ist es nicht. In solchen Fällen wird die Verfassung rechtlich aber nicht tatsächlich frei sein, der Bürger wird tatsächlich aber nicht rechtlich frei sein. Nur auf der Verfügung der Gesetze, und zwar der Grundgesetze, beruht die Freiheit in ihrem Bezug zur Verfassung.“* (Montesquieu 1951, p. 17)

In his work 'The Spirit of the Laws' Montesquieu defines society as being dependent on the particular state constitution. *“In his complex model of the separation and interdependence of powers, he identifies as a central theme the balance between a central political authority and a social network of ‘corps intermediaries’”*, argues Merkel (2001, p. 97). This network of 'corps intermediaries', in the sense of civil society, strongly contributes to the balance between society and state. The state is bound by the rule of law and obliged to legitimate its rule with responsive and responsible measures. The role of civil society in this context is to 'keep an attentive eye' and to observe as well as to control state power. Merkel (2001, pp. 97-98) describes it as follows: *“The strong central (monarchic) government must be limited by and embedded in both the ‘rule of law’ and controlling checks and balances. However, and this is one of Montesquieu’s central ideas, the law loses its authority if it is not supported and invigorated by independent, yet legally protected bodies.”* The legal protection is in turn deduced from the state constitution. Freedom in general and freedom of citizens play a central role in Montesquieu’s model (Montesquieu 1951, pp. 258-290). With reference to one of his central foci, namely the aforementioned freedom, Merkel (2001, pp. 97-98) claims that in Montesquieu’s concept *“the powerful central authority must be embedded in the rule of law and interconnected with, but also limited and controlled by, a large number of civic associations if freedom is to be secured”* and he deduced the *“Montesquieu function”* for civil society in the task of observing and controlling the state.

### 2.2.4 Tocqueville (1805-1859) and Civil Society

*“Wenn jeder Bürger, je schwächer er als einzelner wird und je weniger er infolgedessen imstande ist, seine Freiheit alleine zu wahren, nicht die Kunst lernte, sich zu seiner Verteidigung mit seinesgleichen zu verbinden, so ist klar, dass die Tyrannei mit der Gleichheit zwangsläufig*

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<sup>2</sup> For further information see Fein/Matzke. 1997:13

zunähme.“ (Tocqueville 1985, p. 248)

In his analytical approach with reference to democracy in America, Tocqueville explored the weaknesses and strengths of democratic systems, which allow the citizens a high degree of individualism and equality. On the base of Montesquieu's approach to civil society "*Tocqueville (...) strengthens the notion of the 'free associations' being the most important guarantors of a free community*", according to Merkel (2001, p. 98) By uniting through associations, standing up for one's beliefs and convictions, as well as growing in means of number i.e. increasing the amount of persons taking part and being heard by the state, civil society is perceived as one of the strongest instruments society has to prevent despotism by the state (Tocqueville 1985, pp. 139-181, 248, 340-360; Fein/Matzke 1997, p. 16). Merkel (2001, p. 98) deduced "*the Tocqueville function*" for civic associations in picturing civil society with the words "*the schools of democracy*".

Tocqueville described citizens of democratic systems as being independent and weak. As a consequence he declared, that the citizens of democracies have to cooperate and assist each other in the form of associations in order to challenge the state, otherwise they would grow weak and powerless. "*Träte die Regierung überall an die Stelle der Vereinigungen, so wäre die sittliche und die geistige Kraft eines demokratischen Volkes nicht weniger gefährdet als sein Handel und sein Gewerbe*", argues Tocqueville (1985, p. 251). Furthermore, Merkel (2001, p. 98) declared that "*[o]rganisations in civil society are (...) the schools of democracy, in which democratic thinking and civil behaviour are learnt and established themselves at all levels of the political system, for if they wither away at the local level then freedom and democracy at the national level are also endangered. Civil organisations serve to create and entrench civic virtues such as tolerance, mutual acceptance, honesty, integrity, trust and the courage to stand up for one's beliefs*", according to the concept of Tocqueville. By outlining the importance, strength and transmission of democratic values and a participatory potential that the civil society brings to democracy, Tocqueville emphasised, according to Merkel (2001, p. 98) the fact that it serves "*to immunise against authoritarianism on the part of the state and places internal limits on the tyrannical ambitions of social majorities.*" Furthermore, Merkel (2001, p. 98) declared that in the "*Tocqueville tradition the positive functions of civil society for the entire democratic community - that is, state and society - are underlined and are linked to a distinctive participatory component of 'self-government'.*"

### **2.2.5 Habermas and Civil Society**

„Ihren institutionellen Kern [der Zivilgesellschaft; remark by the author] bilden (...) jene nicht-



*staatlichen und nicht-ökonomischen Zusammenschlüsse und Assoziationen auf freiwilliger Basis, die die Kommunikationsstrukturen der Öffentlichkeit in der Gesellschaftskomponente der Lebenswelt verankern. Die Zivilgesellschaft setzt sich aus (...) entstandenen Vereinigungen, Organisationen und Bewegungen zusammen, welche die Resonanz, die die gesellschaftlichen Problemlagen in den privaten Lebensbereichen finden, aufnehmen, kondensieren und lautverstärkend an die politische Öffentlichkeit weiterleiten.“ (Habermas 1992, p. 443)*

Habermas (1992, p. 446) built on the concepts and ideas of Locke and Montesquieu. He referred to Arendt, stating that freedom and protection of citizens' privacy are crucial in preventing despotism, if we want to use Tocqueville's words. Furthermore, Habermas argued according to Merkel (2001, p. 99) *“that civil society broadens the arena or interest articulation and aggregation through the establishment of a system of ‘pre-institutional’ pluralist interest mediation”*. Further, civil society can function as a sensor for existing problems, but in Habermas' opinion it is weak, can only transform itself directly and has the potential to effect the *“self-transformation of the political system”* (Habermas 2007, p. 397) indirectly, but will never take over the ruling power - in contrast to the civil society concepts by various other theorists (i.e. Marx) (Habermas 1992, p. 443). He emphasised the importance of civil society in influencing the decision making process of the state. In order to achieve this goal civil society has to function as a channel to formulate and expound the issues that are not taken into consideration by public and state discourse. Habermas argued (Habermas 1992, p. 374 according to Merkel 2001, p. 99) that *“[t]he political agenda should be influenced (...) beyond what is power-driven within the political system through self-organised forms of participation, for every truly democratic process in organisations, parties and parliaments is ‘dependent on the supply of informal public opinions’ that only develop outside of ‘the structures of a non-empowered political public’”*. Civil society is under no circumstances in the position to transform the state. Rather, it can transform itself and adept to particular situations. Moreover it can give impulses for a slow but steady transformation of public opinion and state structures in the form of institutionalising *“problem-solving discourses on questions of general interest inside the framework of organized public spheres. (...) [T]his public is made of citizens who seek acceptable interpretations for their social interests and experiences and who want to have an influence on institutionalized opinion- and will-formation”* (Habermas 2007, p. 393). Merkel (2001, p. 99) summarised this concept with the words *“[t]he public sphere<sup>3</sup> and critique of the Habermas*

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<sup>3</sup> Public sphere: *“I have described the political public sphere as a sounding board for problems that must be processed by the political system because they cannot be solved elsewhere. (...) From the perspective of democratic theory, the public sphere must, in addition, amplify the pressure of problems, that is, not only detect and identify problems but also convincingly and influentially thematize (sic!) them, furnish them with possible solutions, and*

*function*".

### **2.2.6 Merkel and Lauth: A 'Realistic Concept' of Civil Society**

In his article on 'Civil society and democratic consolidation in East-Central Europe', Merkel (2001, pp. 100-101) drew a concrete picture of civil society today mixed with ideal attributes referring to Lauth/Merkel (1998). They called it a "'realistic concept' of civil society" (Lauth/Merkel 1998, pp. 7-8 according to Merkel 2001, pp. 100-101). Once again it was emphasised that civil society exists between the state and the private sphere. Although the spectrum of concepts on civil society is very vast it does neither (or should not from an idealistic perspective) include the pursuance of private interests, such as goals of one family or an enterprise, nor that of "political parties, parliaments or state administrations" (Lauth/Merkel 1998, p. 7 according to Merkel 2001, p. 100).

Despite including all functions of civil society analysed above, a pluralistic and heterogeneous dimension was brought to the concept with reference to pluralistic theories. Those dimensions arise on the one side through numerous voluntary organisations, associations, groups of interest, so-called non-governmental organisations etc. each with different focal points. On the other side the fact that every individual in a society can take part in civil society independently from his/her background also contributes to heterogeneity and pluralism. Persons actively involved "(...) articulate their specific material and normative interests and are autonomously organised" (Lauth/Merkel 1998, p. 7 according to Merkel 2001, p. 100). Furthermore, "[a]ctors in civil society are involved in politics, yet without assuming state posts" (Lauth/Merkel 1998, p. 7 according to Merkel 2001, p. 100). Due to the represented heterogeneity in the civil society sector, only the minimal consensus of principles like tolerance and fairness can and should be shared by the persons involved. The aspect of violence is explicitly redlined. Intolerance and violence are not intertwined with the concept of 'civil' and "[t]he use of physical violence is excluded", according to Merkel (2001, p. 101). Consecutively, he discussed that violent behaviour is not always illegitimate, but it should not be part of the concept. As "[n]ot insisting on such a normative orientation would degrade the concept of civil society to a catch-all category that would lose considerable heuristic explanatory power and analytical strength."

By associating voluntarily and standing up for their opinion, persons engaged in civil society can be armed with "collective strategic behaviour" (Lauth/Merkel 1998, p. 7 according to Merkel 2001, p. 101) and in a consequence "Together with an alignment with public affairs and an orientation

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*dramatize them in such a way that they are taken up and dealt with by parliamentary complexes."* (Habermas 2007, p. 388)

*towards communicative action, the civil consensus creates the genuine nucleus of civil society that can also be found at the individual level in the formation of a civic spirit.”*

By analysing the aforementioned concept and picture in terms of the represented heterogeneity and pluralism the function of civil society can be deduced to be the furthering of inclusion and values like tolerance and fairness by cooperating in networks. As a consequence the dimensions of pluralism and heterogeneity strengthen civil society as a whole.

### **2.2.7 Non-Governmental Organisations as a Category of Civil Society**

Among other numerous categories within civil society such as interest groups, citizen's initiatives, scientific research units and active individuals, there is the category of non-governmental organisations (Fein/Matzke 1997, p. 42). As two of the later on following organisations tackled in the case studies call themselves non-governmental organisations, the shape and concepts of non-governmental organisations (NGOs) shall briefly be explored.

Although NGOs are embedded within civil society, again concepts and approaches to NGOs, as well as their functions are very controversial and resemble the discourse and debate about civil society. They can be in the position of forming a 'critical counterweight' to the state or a 'substitute of the state' with respect to the already discussed concepts of civil society in general.<sup>4</sup> It is barely possible to find one universally accepted concept of NGOs as there is a great variety of definitions with reference to different scientific disciplines (Kamps 1999, pp. 8-13). Possibly one of the most basic aspects on which a definition for NGOs can be built on, is their formalised independence of the state. Depending on the country and its particular legislation NGOs are formalised.

Interestingly, very often the term is misused in order to speak about civil society in general which becomes evident in the chapter on history of the NGO sector in Bulgaria, where the strengths of Bulgarian NGOs and their activities are in some years the predominant measure for the UNDP to evaluate civil society. Yet, in some years NGOs are not taken as representatives for the whole civil society sector. Evaluating civil society by limiting it to NGOs means an explicit exclusion of other actors (active individuals, interest groups, citizen's initiatives, etc.) and would not be consistent with the concept(s) of civil society.

Furthermore, although so-called GONGOs (governmental non-governmental organisation), founded by the state, are not object to the present research, they are to be mentioned at this point. For the reason of being appointed by the state, GONGOs do not act independently from the state (Interview

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<sup>4</sup> For further information on the current discourse and the broad spectrum of concepts on NGOs see Kamps 1999, pp. 8-13; Brand/Demirovic/Görg/Hirsch (2001); Bebbington/Hickey/Mitlin (2008)

Krastev 28 June, 2009).

With NGOs new levels for active civil society shall be introduced into the already heated discourse about civil society, as up until this point local, national and international spheres of influence and action for civil society have not been mentioned. Furthermore, NGOs may find themselves both caught in the conflict between state and civil society and in a position of articulating and channelising interests vis-à-vis the state. Borders are even more blurred with respect to separation of state and civil society as a heterogeneous, state independent actor due to noticeable strong dependence on donors, as will be illustrated in the chapter on 'History of the Civil Society and NGO Sector in Bulgaria' (chapter no. 4) later on.

### **2.3 Young, Consolidated Democracies and Civil Society**

Democracy in Bulgaria is relatively young and due to a broad spectrum of factors Bulgaria is perceived as a consolidated democracy as discussed before. But despite the fact that Bulgaria today is a full-fledged EU member state and has fulfilled the most important criteria in Kanevs' point of view, discussions and concepts about the characteristics that define a (consolidated) democracy provide far more complex requirements in order to be able to declare a democracy as consolidated.

Veen claimed that the development of democratic parties and free, politically independent media are internal indicators for a consolidated democracy. Considering the EU's principles of freedom, democracy, separation of powers, pluralism, respect of human rights and lawfulness, as well as its criteria of minority protection and the aim to combat corruption, etc. any country that is a member of the EU can be perceived as a consolidated democracy since it needs to fulfil these external demands (Veen 2008, pp. 7-9, p. 11). According to Dahl (1989 according to Veen 2008, p. 8), democracy has to fulfil at least seven criteria. At least two of them are crucial for civil society and NGOs: Firstly, he stated that freedom of speech and the freedom of the public to pass criticism on the state and the government must be provided and secured without danger of punishment. And secondly, freedom of association for independent organisations, groups of interest and parties is obligatory. Among other points those two are essential for a state to call itself a democracy. Pridham (1995 according to Veen 2008, p. 10) described "*positive consolidation*" moreover with the appearance and manifestation of civil society structures. Furthermore, Linz and Stepan (1996, p. 7) depicted at least three different layers within and for society, which must exist in a consolidated democracy: "*If a functioning state exists (...), the conditions must exist for the development of a free and lively civil society. (...) [T]here must be a relatively autonomous and valued political society.*

(...) [And] *there must be a rule of law to ensure legal guarantees for citizens' freedoms and independent associational life.*"

In my analysis I will once again follow Merkel's understanding of how to conceive and measure a consolidated democracy centring civil society.

Merkel (2001, p. 99) presented a catalogue, where he illustrated five deduced functions of civil society (in the concepts of Locke, Montesquieu, Tocqueville and Habermas) and its potential in post-autocratic regimes. I will apply those deductions in order to analyse the case studies tackled in this thesis with reference to the main research interest. The five functions consist of:

1. *"The first and basic function of civil society is protection against state interference in the private sphere, thereby ensuring the existence of a private as well as a social sphere. This could be considered as the Lockean function of civil society, or the 'conditio sine qua non' of all liberal democracies.*
2. *The second function of civil society is (...) the observation and control of state power. Depending on the strength of the civil society, the 'observation' of it might compel the state to act responsibly that is, to show responsiveness and responsibility.*
3. *The third function exists in the form of the democratic-participatory socialisation of citizens and the recruitment of democratic elites for decision making process within the state. This is the Tocquevilleian function of 'schools of democracy', and this is important for developing (...) a 'lasting democracy'.(Przeworski 1995, pp. 53 according to Merkel 2001, p. 99)*
4. *Civil society can open up effective channels for the generation, aggregation and articulation of community values and social interest outside of political parties and parliaments. This Habermasian function would seem to be particularly important for excluded or discriminated against groups such as ethnic, racial and religious minorities. The meaning is expressly extended to include the formation of community values, fairness and trust, which are consistently strained by the functional imperatives of the market economy. Civil society creates the 'public' in the Habermasian sense and provides both the forums and the actors for it.*
5. *Through their networks of associations, initiatives and movements, civil societies generate overlapping memberships that cut across or bridge deeply entrenched social cleavages and can thereby help to moderate social conflicts. This is a function that was emphasised time and again particularly by pluralist theorists (...). (Lipset, S. M. 1981 according to Merkel*

*2001, p. 100) By fulfilling these functions, civil society generates and facilitates control of power, responsibility, social inclusion, tolerance, fairness, trust, co-operation and, not infrequently, also efficiency in the implementation of accepted political programmes. It thereby not only contributes to the democratisation, pacification, and self-organisation of society but facilitates the greater control, democratisation and unburdening of the state, as well as an increase in its effectiveness.”*

Merkel applied the catalogue in order to analyse civil society at large in country samples, for example, in Poland and Hungary. Yet, in this present work I will apply his deductions on three case studies, which are embedded in the very specific and complex field of immigration within Bulgarian civil society. The specificity and complexity of this environment will be shown later on.

I will analyse the three case studies function by function by means of exact questions illustrated below in order to discover whether aforementioned functions are fulfilled by the organisations.

The first function deduced from Lockes' concept applies more to the general situation in a country than to a specific case study and because it can be perceived as a pre-condition for the existence of civil society, which I shall now prove:

Despite the fact that Locke emphasised the importance of protection of the private sphere against state arbitrariness and intervention by civil society, the development of a free civil society which is well-grounded in the political system is one of the conditions for a state to call itself a democracy. Due to its constitution, current democratic structures and its EU membership, Bulgaria was forced to set up a framework in its political system in order to secure space for the evolution of an autonomous civil society and in present times its young democracy is perceived as consolidated, as I discussed beforehand.

Concerning the analysis of the case studies in function number 2 to 5 of the catalogue, the following questions are asked:

Ad function 2 (Montesquieu):

1. Are the organisations tackled in the case studies financially dependent or independent? In case dependence exists, who are they depending on?
2. Which methods are applied in order to secure observation and control of the state?
3. Who are they addressing and reaching through the applied methods?
4. Which methods do they use to influence directly/indirectly the political system?

Ad function 3 (Tocqueville):

5. How can the internal structures be characterised? Are there vertical hierarchies or horizontal structures among the members? Are they equal?
6. Is the decision making process in the particular organisations democratic, transparent and participatory?
7. Are cooperative and/or competitive attitudes supported among the members of the particular case study?

Ad function 4 (Habermas):

8. What are the concrete interests of the organisations depicted in the case studies?
9. Are they engaged with marginalised groups and target them with their particular interests in their work?
10. Do the organisations provide a opportunities for marginalised groups to voice their interests and problems?
11. Are the particular target groups included in the decision making and implementation processes? To which extent are they included, on which levels and how can they influence the implementation of activities?
12. Are the organisations excluding specific groups or actors in their work? If this is the case, what is the explanation for this exclusive behaviour? Are they implementing their actions on a too academic, too secluded, etc. level?
13. Are the organisations addressing a public with diverse backgrounds or with a specific background?
14. What are the methods and instruments used to function as channels to formulate interests and problems of their target groups and to place them in the public discourse, as well as to obtain an impact for a 'self-transformation' of the political system?
15. What kind of attitudes and values are the organisations transmitting towards other civil society actors, individuals interested in taking part or contributing to their work and other actors such as state representatives? Are they trustful, cooperative, honest, fair sharing or are they suspicious, exclusive and competitive?

Ad function 5) (Pluralism, Heterogeneity, Networks):

Function number 5 can be perceived as the sum of all four functions with the addition of an underlying pluralism and heterogeneity existing within civil society. The pluralistic and diverse approach towards civil society in a 'realistic concept' by Lauth and Merkel (1998) was discussed beforehand.

In my point of view marginalised topics (in this case immigration), groups (in this case immigrants) and persons/groups (in this case the three organisations dealt with in the case studies) concerning themselves with these topics are in need of cooperation and strong networks in order to succeed. Therefore I will try in a last step to depict the heterogeneous net of players, powers and individuals the three organisations are embedded in and cooperating with to a varying degree, by asking the following questions:

16. How does the network the case studies are embedded in look like? To which extent are they interconnected/overlapping?
17. Which type of heterogeneous stakeholders are represented with reference to diverse focal points? Which sectors are represented? (State, civil society, media, ministries, institutions, scientific disciplines, other NGOs, individuals, etc.)
18. Which stakeholders are represented and are they coming from diverse classes in society?



## **3 METHODOLOGICAL BACKGROUND**

### **3.1 Applied Methods**

The empirical part of this present paper analyses three civil society organisations in their completion of the functions of civil society and non-governmental organisations (NGOs), as a part of civil society, as discussed beforehand. Two of those organisations are so-called NGOs (the Association for Integration of Migrants - AIRM, and the Bulgarian Memory Foundation - BGMF), whereas the third organisation is a research unit, which evolved from civic engagement and is subordinated to the New Bulgarian University (the Centre for European Refugee, Migration and Ethnic Studies – CERMES). A hermeneutic approach was the method chosen for analysis and interpretation of the literature used.

The practical part starts with the history of the civil society and NGO sector in Bulgaria. The focus lies on analysing this sector against the background of the transition process, the introduction of 'western concepts' on civil society and NGOs to Bulgaria and the relation of civil society and NGOs with the state, society and the public. In order to complete the analysis, changes and shifts in the political system during the transition, as well as the relation between donors, transition, civil society and NGOs are explored. Based on this analysis and its results the context in which the three case studies are embedded in shall be clarified. A detailed literature research was implemented, but the state of the art material especially on the civil society in Bulgaria is scarce. Due to this circumstance mainly papers and reports published by the United Nations Development Program (UNDP) and a detailed dissertation written by Maren Roth (2005) were consulted. In order to determine the degree of reliability of those two resources and to secure the quality of the paper two complementing expert interviews were realised.

Subsequently, the practical part on immigration and immigrants depicts the sphere of action for the case studies concerned. The focal point of this part is on the one hand aimed at discussing the complex topic of immigration in terms of relevant policy, legislation, strategy papers and state actors. On the other hand the manifold picture of immigrants, asylum seekers and refugees shall be demonstrated and analysed. Here the state of the art concerning immigrants is scarce as well. As will be demonstrated in the following respective chapter research on immigration in Bulgaria does not have a long tradition. Due to this fact complementing interviews with experts were realised. Statistical material is to be handled with care, as it is often contradicting, lacking, not accessible or

unreliable. The material had to be gathered from various sources, collected and modified in order to make it comparable. Based on this analysis and its results the context and setting AIRM, BGMF and CERMES are embedded in, shall be demonstrated.

In order to analyse the case studies in particular, ten interviews were implemented as follows:

### 3.2 Qualitative Interviews

The aim of this research is to find out, which functions AIRM, BGMF and CERMES fulfil according to the aforementioned catalogue.

In order to achieve this purpose the method of qualitative interviews in terms of a 'Content Analysis'<sup>5</sup> (Froschauer/Lueger 2003, p. 111, 158) was applied, in order to get detailed information about structures (members, decision making processes, inclusion/exclusion), focal points (topics, target group), methods (activities, networking, inclusion and/or exclusion of public/state administration/target group) and circumstances (finances, dependence/independence, difficulties, limitations) and values (cooperation/competition). The Content Analysis was the chosen method, as the aforementioned issues were central points of the research.

Qualitative research has the aim of exploring objects to the particular research objects in a holistic and complex manner in its own environment. The direct contact to the particular object of research stands in the foreground. The methods used for interview implementation shall be as minimal as possible in terms of guidance concerning the interviewee.

Among the interviewees experts from the 'intra-system'<sup>6</sup> (representatives of the organisations object to the research) and experts from the 'intra-field'<sup>7</sup> (experts working in the same field, but in other organisations) were represented. In other words expertise of activities, as well as expertise of reflection was consulted. The interviews with persons from the 'intra-field' have the function of verifying the results and perspectives deduced from the interviews with persons from the 'intra-system'. In addition to interviews, informal meetings were implemented. The most important difference between interviews and informal meetings is the fact the interviews were recorded, whereas informal meetings were not recorded due to various reasons, such as trust building at the very first meeting. The outcome and results of informal meetings were drafted in notes.

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<sup>5</sup> In German Froschauer and Lueger used the term 'Themenanalyse'. The term is translated at this point with 'Content Analysis'. (Froschauer/Lueger 2003, p. 111, 158)

<sup>6</sup> In German Froschauer and Lueger used the term 'systeminterne Handlungsexpertise'. The term is paraphrased at this point with 'experts from the 'intra-system''. (Froschauer/Lueger 2002 according to Froschauer/Lueger 2003, pp. 37-38)

<sup>7</sup> In German Froschauer and Lueger used the term 'feldinterne Reflexionsexpertise'. The term is paraphrased at this point with 'experts from the 'intra-field''. (Froschauer/Lueger 2002 according to Froschauer/Lueger 2003, p. 38)

The questions asked during the interviews were open, vague and immanent, as demanded by this method. Some of them were conducted in coffee houses and restaurants, others in offices. As most of the interviewees are very active and busy persons the place for every particular interview did not depend on favoured formal or informal settings. It rather depended on time and reasons of convenience. The atmosphere was very personal and the interviewees faced me with a very trustful attitude. An inviting, sharing, encouraging and cooperative attitude was shared by almost all interviewees. They were trying to help me in collecting material and to recommend me further contact persons in case more specific questions would arise. The interviewees of the case studies were open to give me concrete insight into their work. For instance I was invited to take part at the panel in a debate (April 24, 2009) organised by CERMES. Furthermore, the representative of AIRM offered me to accompany her to a meeting with refugees in order to let me get a deeper insight into the methods used by the organisation. The organisation 'Legal Aid - Voice in Bulgaria' was not object to the case studies, but this NGO's representative D. Daskalova, invited me to attend a debate (June 22, 2009) organised by her organisation in cooperation with another one, as well as to take part in a meeting with one of her clients. All interviewees made a great effort to answer in a focused and clear way. In complementation to the interviews, deeper insight into the civil society and NGO sector could be gained due to the inviting attitude. This style led, as a consequence, to a transparent and reliable demonstration of the system and structures inside the sector, as well as inside the particular case studies.

The implemented interviews were evaluated in a last step by applying a method mix of the 'text reduction procedure'<sup>8</sup> and the 'codification procedure'<sup>9</sup>. These methods allow a detailed insight into the variety of topics and themes appearing within the generated information material. Furthermore, they support the filtering of central statements and conclusions within the existent material. The results generated by applying these methods took centre stage for the analysis of the present research.

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<sup>8</sup> In German Froschauer and Lueger used the term 'Textreduktionsverfahren'. The term is translated at this point with 'text reduction procedure'. (Froschauer/Lueger 2003, pp. 159-160)

<sup>9</sup> In German Froschauer and Lueger used the term 'Codiervverfahren'. The term is translated at this point with 'codification procedure'. (Froschauer/Lueger 2003, p. 163)

## **4 HISTORY OF THE CIVIL SOCIETY AND NGO SECTOR IN BULGARIA**

This chapter consists of a brief discussion on fast shifts and changes in political rule during the transition, an overview on civil society until 1989, a detailed analysis of civil society and NGOs from the very beginning of the transition process up to the present time in Bulgaria and of the tensions between donors and receivers during the transition process. This chapter will further specify the context in which the three organisations I conducted my research on emerged.

Although the chapter 'Emergence and Rise of the Bulgarian NGO Sector' for all intents and purposes should be called 'Emergence and Rise of the Bulgarian Civil Society' I consciously used the term NGO, as in most UNDP reports NGOs are perceived as representative for civil society as a whole. This kind of misuse appears quite often in analytical concepts of western donors. As a consequence, the above mistake leads to the exclusion of numerous actors who participate in an active civil society as I have already depicted in chapter no. 2.2.7 on 'Non-Governmental Organisations as a Category of Civil Society'. As information material and specific literature on Bulgarian civil society is scarce, UNDP reports were one of the main resources in order to gain an analytical insight into the civil society and NGO sector in Bulgaria during the transition and up to now.

### **4.1 Context: Governments and Hopes during the Transition Process in Bulgaria**

The transition process in Bulgaria is significantly characterised by great political and economic instability. Changes in presidential and parliamentary elections mark the political process. Due to these numerous changes in governments and in parliaments, political and economic measures were never long lasting (Roth 2005, pp. 67-73; Kanev 2006, pp. 53-65)<sup>10</sup>.

With the very beginning of the transition process the Bulgarian electorate was split into two big movements. Supporters of the former Българска Комунистическа Партия (БКП – ВКР, Bulgarian Communist Party), which turned into the Българска Социалистическа Партия (БСП – BSP, Bulgarian Socialist Party 2008, <<http://www.bsp.bg>>, viewed 2 June, 2009) in 1990, constituted one of these movements. This party followed more or less the concept of a “*gemäßigt-*

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<sup>10</sup> For further reading on the transition process in Bulgaria see Baeva/Kalinova 2009.

*evolutionäre Verbesserung des sozialistischen Systems, die auch marktwirtschaftliche und demokratische Elemente einschließen sollte“ (Baeva/Kalinova 2009, p. 103).* The second movement stood for rapid and elementary changes in regard to the existing system. Later on the representatives of the latter group united and became the right-wing Съюз на Демократичните Сили (СДС - SDS, Union of Democratic Forces 2009, <<http://sds.bg/>>, viewed 2 June, 2009). Within the first ten years of transition the ruling power belonged either to the BSP or to the SDS. In 2001 a new party emerged and enriched the political landscape in the Bulgarian parliament: the Национално Движение Симеон Втори (НДСВ – NDSV, National Movement Simeon II 2001-2009, <<http://ndsv.bg/>>, viewed 2 June, 2009). However, to start from the beginning: The SDS was founded in 1989 in opposition to the BCP/BSP. Although a great number of citizens supported the SDS the Socialist Party won the first free parliamentary elections with 47%. Within the BSP there remained members who once belonged to important leading forces of the former communist regime. This fact caused numerous demonstrations and two years later the SDS won the parliamentary elections.

Due to the unstable economic situation and the absence of a concrete transition concept in the first years after the end of the communist regime another wave of protests emerged. Although various economic measures were taken – such as the furthering of a free market economy and the process of privatisation - inflation could not be stopped and reached almost 26%. As a consequence a new prime minister stepped forward. The policy opened up towards the European Community. In 1992 Bulgaria became a member of the European Community but the economy did not recover. On the contrary, in 1993 the situation got even worse due to UN-sanctions on former Yugoslavia, which had a strong impact on Bulgaria’s economy. (Baeva/Kalinova 2009, p. 125)

After the following elections in 1994 the SDS was replaced by the BSP. The new government’s ‘back to the roots’ policy caused Bulgaria to realign itself with Russia and to move away from the European Community, similar to the course the system found itself on prior to 1989. This government stood for price control, control of privatisation and increased contacts to Russia. “*Im gesellschaftspolitischen Bereich ‘gab es Versuche, westliche Einflüsse im Bereich der Nichtregierungsorganisationen (...) und im Bildungsbereich einzudämmen und die Medien unter staatliche Kontrolle zu bringen’*” (Knaus 1997, p. 102 according to Roth 2005, p. 70).

The following years were characterised by a great economic crisis, the collapse of the bank system and consequently the collapse of the Bulgarian economy.

In hope of a change for the better the SDS received a second chance in the elections in 1996. The government under the rule of the SDS reorientated itself towards the European Union and the NATO. 1996 happened to be the hardest year for the Bulgarian population in regard to the economic situation. The average salary was around 35 US-Dollars. For instance the whole country - population and government - lacked the financial resources to pay electricity and gas bills. Apartments and public buildings had to remain unheated. Due to the extensive export of Bulgarian crops the population had to suffer a shortage of cereals and bread. (Baeva/Kalinova 2009, p. 127; Roth 2005, p. 70) That year the civil society and NGO sector in Bulgaria proved its flexibility by adjusting their work to the needs of the Bulgarian population and distributing clothes and food to the most vulnerable groups (UNDP 1998, pp. 72-73).

In 1997 elections took place again. This time the SDS united with three other parties in the Обединени Демократични Сили (ОДС - ODS; United Democratic Forces) and won about 52% of the votes (Baeva/Kalinova 2009, p. 132). It was however nearly impossible for the government to find a way out of the economic crisis on its own. Therefore the International Monetary Fund (IMF) backed the Bulgarian government with loans. Slowly the economy could be stabilised but Bulgarian people paid the price in the form of increased taxes and prices and reduced public spending. The decrease in social services was very painful for the Bulgarian citizens, as it triggered a big crisis in the medical and educational sector. These developments were mostly caused by the obligations tied to the loans by the IMF. When in 1999 the average salary had grown to 100 US-Dollars, the government was accused of corruption. Within the same year the European Commission proposed to invite Bulgaria to the European Union accession negotiations (Baeva/Kalinova 2009, pp. 133-136).

Public trust in politicians, parties and democracy in general was very low at the end of the nineties and the beginning of the 21<sup>st</sup> century. Therefore in the elections of 2001 the Bulgarian population placed its hope in the newly emerged party of the National Movement of Simeon II (NDSV). His party won nearly 44% of the votes. However, not long into the NDSV's term great disappointment with this young party too spread among the Bulgarian public. Prices and taxes increased again, the economy was still in trouble and the promised relief "*in 800 Tagen*" (Baeva/Kalinova 2009, p. 139) never appeared. Baeva and Kalinova (2009, p. 146) take stock of this period under rule of the NDSV by acknowledging, that one of the most important contributions the NDSV made, was its enrichment of the political landscape in Bulgaria.

In the elections in 2005 seven parties were represented in the parliament. After a period of 50 days three parties - the NDSV, the BSP and the Движение за Права и Свободи (ДПС - MRF, Movement of Freedom and Rights, <<http://dps.bg/>>, viewed 2 June, 2009) - united in a coalition came into power. The main objective of this coalition was to fulfil all conditions set by the EC for future accession. Even by the year 2006 - taking two reports carried out by the EC into consideration - it was not certain, if Bulgaria would be ready to become a full member of the EU on the 1<sup>st</sup> of January 2007. Nevertheless, September the 26<sup>th</sup> the European Parliament finally made the decision to grant Bulgaria a full-fledged membership. Among the population this decision led to great euphoria, as the upcoming membership seemed to promise a change for the better in every aspect . However, the change did not come, or at least not as fast as the Bulgarian society had wished for. In 2007 salaries were raised, the unemployment rate and the taxes were reduced and in some sectors social services increased to a certain extent again. The biggest problems Bulgaria had to face during this time concerned organised crime and corruption at all levels. Therefore the EU continuously kept and still keeps an eye on the developments in Bulgaria. In addition the inflation rate was still high and the increase of salaries could not catch up with it. (Baeva/Kalinova 2009, pp. 149-163)

Within these 18 years of transition process in Bulgaria, between 1989 and 2007, eleven governments and six parliaments were formed. These numerous shifts can be seen as a sign of a lack of trust in politicians and the political system by the Bulgarian population. The various problems the country and its citizens had to face during the whole period - shifts in social relations, widening of the gap between different social classes and impoverishment of various classes, corruption at all levels, high inflation, the high emigration rate of young skilled Bulgarians and great disillusionment in the wake of unfulfilled hopes and expectations - left behind a more or less disappointed society.

## **4.2 Emergence and Rise of the Bulgarian NGO Sector**

### **4.2.1 Civic Self Organisations and Initiatives until 1989**

*“Bulgaria has a long history in local philanthropy, civic self-organisations and initiatives. This dates back to the times of the national revival in the 19<sup>th</sup> century when the country neither had a government, nor centralized educational or cultural institutions. Everything had to be developed by scratch and by mobilizing its own resources at a community level. These included schools and church communities, specific community development centers (sic!) called ‘Chitalishte’, women’s*

*associations, charitable organisations, etc.*” (UNDP 1998, p. 72) But, during the socialistic period the self-organised institutions were replaced by governmental structures and state institutions. As a consequence the pro-active institutions of the third sector went through a period of ‘deep sleep’.

The Bulgarian history of various kinds of organisations shows, that NGOs in the current Western perception, by which independently founded organisations play a mediation role between citizens and the state, did not exist until 1989 (Interview Krastev 28 June, 2009). Under the rule of the communist regime self-organised organisations were prohibited. They were perceived as a dangerous factor (Roth 2005, p. 145). Within the very first year of rule the communist regime started with the liquidation? of the Bulgarian elite in order to prevent the emergence of a possible future opposition. With these ‘cleaning’ processes the structures and fundamentals, which had already been built up by citizens with the focus on establishing democracy and civil society at that time, were destroyed (Roth 2005, p. 62).

#### **4.2.2 Non-Governmental Organisations from 1989 until 2007**

The following chapters concerning the emergence of non-governmental organisations consist of the emergence of the NGO sector during the beginning of the transition process, the period of the big economic crisis in Bulgaria, the period of recovery, with the beginning of accession negotiations with the EU, in the time of the negotiation and Europeanization process and in a last step during the first year of Bulgaria’s full-fledged membership. The total numbers of registered NGOs can only serve as a guideline. Registration numbers vary seriously in the currently existing surveys and reports. More or less all totals used in this research refer to numbers used in UNDP - National Human Development Reports during the period 1997-2007.

##### 4.2.2.1 NGOs with the Beginning of the Transition Process - the Early Nineties

In the years 1990 and 1991 “*the first boom in the registration of non-profit organisations*” in Bulgaria occurred due to “*the new opportunity to self-organise*” and “*the increasing interest of donors in the country*” (UNDP 1998, p. 72) and their interest in contributing to the development of the NGO sector. The focus of these newly founded organisations was laid on democratisation, market economy, environment and human rights (Andonova 2008. p. 71).

This boom could be perceived as a sign of a re-awakening of the third sector with the collapse of communism and the end of the real socialist period in Bulgaria. The first organisations were



*“informal associations of intellectuals’ committed to opening the country to basic democratic values and practices.”(UNDP 1998, p. 72)*

As the development and the enlargement of the NGO sector was and is globally seen as a sign of a *“civilized society”* (Andonova 2008, p. 72 translated by the author) a huge amount of foreign capital resources existed in order to support the transition and democratisation process and to transform Bulgaria into a ‘civilized’, democratic country as a long term project. With the appearance of NGOs after 1989 *“the major motivation was the desire to accede to the civilized world. (...) The environmental movement, the democracy clubs and human right groups all emerged in opposition to the state”* (UNDP 1998, p. 72) because of large financial resources given by foreign donors to self organised organisations. These resources certainly had a strong influence on the boom in the founding of new NGOs (Roth 2005, p. 144). According to a survey implemented by the United States Agency for International Development (USAID) in 1999 the main donors for NGOs in Bulgaria were international organisations like the World Bank (WB), the International Monetary Fund (IMF), the United Nations Children’s Fund (UNICEF) and the United Nations Development Program (UNDP) in addition to the European Union (EU), the Open Society Foundation (OSF) and several national donors (Dimitrov 1999 according to Roth 2005, p. 147). Contrary to the widespread opinion that the number of registered NGOs is a sign of a successful transition process, some scientists claimed, according to Roth, that *“[t]he number of NGOs in a country does not actually tell us much about civil society or social capital, both of which funders see as central to a democratic state.”* (Mendelson/Glenn 2000, p. 14 according to Roth 2005, p. 148)

The points above were not the only reasons which caused the boom of NGO founding: Within the state legislation one law, which dated back to the 1940s, made it easy to found an organisation due to the use of very vague phrasing (Roth 2005, p. 145). This law opened up the opportunity for non profit organisations to legally avoid the tax-system and establish profitable business on a small scale. This behaviour and the lack of transparency in implementation processes of projects by the great number of new organisations led step by step to *“an overall negative public opinion”* (UNDP 1997, p. 47) about NGOs according to the Human Development Report in 1997 and mentioned as well by Roth (2005) and Hajdinjak (Interview Hajdinjak, 29 June, 2009).

Although Bulgaria had at this moment already experienced a long history of self organised organisations and active citizens (excluding the socialist period), these organisations did not call themselves NGOs. The term ‘non-governmental organisation’ and its concept appeared almost

without exception at the beginning of the transition process in Bulgaria. *“Dies ist insofern interessant, als die nach 1989 einsetzende Formierung des Dritten Sektors allein schon durch die Verwendung des Begriffs NGO für die neu gegründeten Organisationen als Entwicklung verstanden wird, die sich von der bisherigen Geschichte Bulgariens eindeutig abhebt“* (Roth 2005, p. 144). According to the results of interviews implemented by Roth, this statement was confirmed. The interviewees emphasised that this concept was introduced to Bulgaria by external sources and that it was completely new to Bulgarian institutional structures. (Roth 2005, p. 144)

#### 4.2.2.2 NGOs during the Big Crisis - the Mid-Nineties

During 1996 and 1997 Bulgaria went through a dramatic economical crisis, political instability and cultural disorientation. The mid-nineties were marked by great uncertainties: A high long-term unemployment rate - nearly one fifth of the Bulgarian population lived in absolute poverty -; increasing income inequality and property inequality; social disintegration and stable marginalisation of minorities; great shifts and negative trends in social life; distrust in major state institutions and democratic structures; deeply rooted corruption and the crisis in science due to the lack of perspectives. The government elected in spring 1997 behaved *“considerably more friendly towards civil society organisations (...) than the previous governments. However, this must be seen in the context that there is still no unified non-profit law and that there is only limited acknowledgement of the potential role for CSOs in the functioning of society”* (Dimitrov 1999, p. 34 according to Roth 2005, p. 147).

The experts who wrote within the frame of the UNDP the National Human Development Report acknowledged the potential of NGOs and stressed that it would have been necessary for NGOs to *“play an important role in resolving the above tasks”* (UNDP 1997, p. VIII). during this harsh period of the transition process in Bulgaria. In describing NGOs in Bulgaria at this time experts mentioned in the Human Development Report in 1997, that NGOs *“copy functions of state institutions. The activities of NGOs are typically focused on philanthropic mediation. The chaos in legal regulation prevents them from taking broader responsibilities. The co-ordination of their activities with the work of governmental agencies is low”* (UNDP 1997, p. VIII).

In 1997 almost 4.000 NGOs were already registered in Bulgaria, although politics and legislation reacted with restrictive laws to the exploitation of the previously mentioned legislation concerning NGOs. *“Der weitaus größte Teil der bulgarischen NGOs hat nun formell gesehen den gleichen*

*Status wie Wirtschaftsunternehmen und genießt folglich keine Steuerprivilegien mehr*” (Roth 2005, p. 145). Half of these 4.000 NGOs were “involved in activities which are related to economic inequality and poverty” (UNDP 1997, p. 46). In the opinion of experts it was not only “necessary to mobilise NGOs for developing active measures for alleviating poverty” (UNDP 1997, p. VIII), but also “necessary to define the goals of the activity of environmental NGOs in a more precise manner” in regard to “an active partnership (...) between environmental NGOs and state institutions” (UNDP 1997, p. X).

During the transition process the background of the work of NGOs was fragile and unstable as illustrated above. Experts mentioned as well, that NGOs could “not come across the political, ethnic, and religious limitations in public mind” (UNDP 1997, p. 46). At the same time it was not only the crisis Bulgaria had to face that was regarded as an obstacle for the empowerment of the NGO sector. The dependency on donors who were determining their work as well as the competition-like behaviour among NGOs operating in fields, where competition does not contribute at all to sustainable efforts, kept NGOs from realising their potential (Interview Krastev 28 June, 2009). The next problem the NGO sector had to deal with was the fact that “the development of the NGOs is uneven with a view to regions and types of settlements. The greatest part of them is concentrated in the capital and in other big cities. Only few national organisations have established their own regional networks” (UNDP 1997, p. 46). UNDP experts have stated that the NGO sector was additionally challenged by a lack of experts, of skilled knowledge on project implementation and strategic sustainable projects, of coordination among them and the government as well as the above mentioned overall negative public opinion. Roth agrees with this assessment in some aspects, but disagrees strongly when it comes to the lack of expertise within the NGO sector (Roth 2005, pp. 244-245).

Despite these perceptions, the EU and various experts put great hope into the development and the strengthening of the NGO sector in regard to Bulgaria’s stabilisation. They emphasised the possible capability of NGOs to establish powerful structures in the future. In the report from the following year the evaluation team mentioned that “the reaction of the NGO sector to the humanitarian crisis in 1996/97” (UNDP 1998, p. 73) was rapidly adjusting to the situation in the country which is an example for the great flexibility of this sector, i.e. “NGOs, involved traditionally with civic change, re-adapted some of their programs to mobilize outside resources for relief interventions providing for the survival of the most vulnerable population groups” (UNDP 1998, p. 73).

#### 4.2.2.3 NGOs in the Recovering Period - the Late Nineties

In the year 1998 4.600 organisations were already registered, but according to the reports' results only about 1.500 of these NGOs were actively operating. The concentration of NGOs in the capital and in the big cities began to shift slowly - the growth of the NGO sector outside these cities was intensified due to the interest of national and international donors - and the thematic spectrum within the whole sector grew rapidly. In the beginning of the 1990s the focus of NGOs was laid on democratic values, during the big crisis mostly on the issue of poverty, but it seemed that the focus too shifted in 1998 towards an emphasis on participatory development with citizens' *"involvement in decision-making processes relating to acute problems in society"* (UNDP 1998, p. 73).

Concerning the transition process NGOs have a great responsibility according to experts, evaluating the situation for the UNDP: *"The Bulgarian NGOs play an important role in the transition by providing a vital link with citizens, initiating public debate on key issues, ensuring checks and balances on the implementation of the reforms, stimulating institutional and behavioural change in such a way as to translate democratic values into viable civic practices"* (UNDP 1998, p. 74).

But by focusing on the relation between NGOs and the state it was made clear that there is still a lot of work to do: NGOs were still seen as opponents to the state and state structures, facing prejudices and questions about their legitimacy such as *"Who gave you the mandate? Is non-government anti-government?"* and *"Aren't you serving foreign interests?"* (UNDP 1998, p. 75). During the term of government in 1995/96 initiatives carried out by NGOs were banned and *"a national campaign was conducted against human rights groups, the Open Society Fund and other foundations which they considered to be representatives of foreign interest and which 'threaten national security'"* (UNDP 1998, p. 75). In addition, the governmental attitude was characterised by a strong wish to control NGOs. But shortly after this complicated period in regard to the state-NGO relationship there was *"a growing tendency for the new government to seek NGO input on both policy development and implementation level. The input and suggestions of NGOs was sought when preparing new social legislation"* (UNDP 1998, p. 76) according to the authors of the report.

#### 4.2.2.4 NGOs in the Beginning of Accession Negotiations - 2000/2001

Just three years later in 2001, with the ongoing EU accession negotiations in the background, according to the report, 9.000 NGOs were already registered, but the number of actively functioning organisations was still around 1.200. According to the report 'Citizen Participation in governance -

from individuals to Citizens' the reason for this increase could be found in the high unemployment rate among intellectuals and was not a sign of a rise in the civic engagement rate among Bulgarian citizens. It was perceived as a kind of trend to register an NGO as the procedure of registration was very simple. This trend caught on especially among academic intellectuals: *“Jeder in der Universität hat seine kleine NGO und von irgendwoher ein Projekt, dass ihn dazu bringt, irgendwelche Pseudo-Ergebnisse zu produzieren, die seine Arbeit legitimieren”* (I.D. 1999 according to Roth 2005, p. 148).

One of the strongest criticisms on NGOs in this report is that NGOs very often did not respond to existing social problems. On the contrary: They seemed to focus on the donors' wish and the donors in return were simply looking for well recorded results. In an investigation survey with Bulgarian citizens one of the main issues about NGOs and their reach was put into question with the words *“how do you assess the activities of existing NGOs (associations, foundations)?”* (UNDP 2001, p. 41). It became obvious that nearly the majority of the respondents (41,2%) didn't know or couldn't say what a NGO is. In conclusion this meant that *“the numerous non-governmental organisations registered in Bulgaria cannot represent civic society by themselves and that they do efficiently encourage citizen participation”* (UNDP 2001, p. 41). Thus at that time NGOs existed, which were totally independent of foreign donors or investors and focused on important social issues (Interview Krastev 28 June, 2009), the NGO sector was still perceived largely as a *“a social economy', based on projects financed by foreign donors”* (UNDP 2001, p. 42). Furthermore, the organisations were operating in an inefficient way regarding their range and the involvement of society, which was very limited.

#### 4.2.2.5 NGOs in 2002/2003

In 2003 the United Nations Development Program (UNDP) implemented an evaluation on development results in Bulgaria. In this document the position of NGOs played a great role as well. It was found that the NGO sector was still very dependent on foreign donors and its small and limited effectiveness was still significant (UNDP 2003, p. 26). In contrast to the dependence on donors, NGOs operated and are still operating independently from the state, apart from GONGOs. According to Hajdinjak (Interview 29 June, 2009), the voting behaviour of Bulgarian society forced NGOs to keep strict separation from the state, as no government was able to win a second turn. *“Since 1994, UNDP has implemented more than 50 projects in Bulgaria, of which 18 were ongoing*

as of early 2003” (UNDP 2003, p. 28). Of greater relevance though was the fact that the UNDP tried to significantly strengthen the dialogue between municipality, private sector and civil society represented by NGOs.<sup>11</sup> Different 'Country Coordination Frameworks' were designed in which the cooperation and coordination between state, economy and civil society in regard to 'Good Governance' was stressed once again. *“Despite the existence of a large number of civil society organisations, participation was still limited. Greater involvement of civil society in fundamental policy debate, besides facilitating and accelerating changes in mentalities and attitudes, was also seen as a means to: greater understanding of the reform process and its benefits; better popular ownership of reforms; develop of a consensual vision on a model of society for Bulgaria; and promote efficient and responsive government policies”* (UNDP 2003, p. 29). The UNDP tried to improve these conditions and strengthen the cooperation through *“arrangements and partnerships with the central government, municipalities, leading NGOs, and bilateral and multilateral donors”* (UNDP 2003, p. 36) through a great number of project implementations. Such an example could be the project of developing an anti-corruption strategy or the project of developing a national strategy on HIV/AIDS which were built *“on partnerships with the entities responsible for HIV/AIDS prevention in the country such as the Ministry of Health, NGOs dealing with HIV/AIDS issues, academia, and municipal authorities”* (UNDP 2003, p. 47). According to the evaluation of these projects implemented by the UNDP in Bulgaria it seemed that a great step towards closer cooperation and partnerships between state and NGOs were made at this time, but the marginal representation of civil society through NGOs should not be overlooked by acknowledging this development.

#### 4.2.2.6 NGOs at the Accession Eve - 2005/2006

In the year before the actual accession 22.366 NGOs were registered. It seems that during the process of accession negotiations the second boom of NGO registration occurred. The number of registered organisations was extremely high, especially as can be seen when comparing situations between Bulgaria with 22.366 and France with 1.000 registrations (Interview Hajdinjak 29 June, 2009). Along with the great number of NGOs a broad spectrum of different focuses and activities, at least formally, appeared. In the beginning of the nineties the focus was mainly aimed at

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<sup>11</sup> UNDP (2003, p. 35): Although the former reports and evaluations by the UNDP illustrated, that NGOs can not be taken as representatives of civil society due to various reasons NGOs were taken as representatives of civil society in the report 2002/03. (Remark by the author)

democratisation and environmental issues. By 2006 a great variety of NGOs dealing e.g. with human rights issues concerning women, children, minorities, policy development, lobbying, etc. emerged. On the one hand, the strength of the Bulgarian NGO sector could be found in its *“professional expertise, considerable experience in logistics and project implementation, a fully developed system of values, good relations with the media and improving relations with the government” (UNDP 2006, p. 67)*. On the other hand its weaknesses were in *“(...) insufficient representation and participation of citizens and communities, external donor dependency, small revenue, concentration in Sofia and large cities, poor communication between local and regional NGOs. Furthermore the sector reveals poor internal solidarity, feeble interaction and partnerships as well as human resources that are still tender (...)” (UNDP 2006, p. 67)*. In regard to insufficient representation and participation of citizens one of the main obstacles could be found in the low trust in NGOs’ credibility as they were seen as ‘money absorbers’ in the public eye. As a consequence winning the public trust was one of the main challenges for NGOs (Interview Hajdinjak 29 June, 2009). In addition, it had to be made clear to the public that *“pressure exercised publicly is one of the few mechanisms there are for the public to influence authorities. The other such mechanism are elections. A third mechanism is nonexistent” (UNDP 2006, p. 67)*. According to Hajdinjak (Interview 29 June, 2009), one small part of Bulgarian society acknowledged and acknowledges up until today the potential of NGOs. This part in society perceives NGOs as the only trust worthy institutions as it suffers great lack of trust into the parliament, the state and the parties. Krastev (Interview 28 June, 2009) confirmed the overall negative public opinion on civil society and NGOs. He mentioned, that persons not being informed or actively involved regarded and still regard this sector with suspicion.

In this period NGOs were not only lacking participation of citizens and communities, but they were also lacking participation in planning processes: *“There is no direct relationship between the positive attitude to participation in planning processes NGOs declare and their actual participation. In other words, positive attitudes are not transformed in actual behaviour (...)”(UNDP 2006, p. 97)*. But at this point it has to be underlined, that NGOs were in a complicated situation when it comes to cooperation and partnership with governmental institutions. *“Bulgaria does not have a well established tradition of partnership in planning and civic participation in policy-making. Administrations from all levels often accept partnership as the necessary evil. The result of this is bad partnership - partnership structures are often poorly informed and their input is*

*inadequate, NGOs receive marginal roles and it is the administration that makes all important decisions. (...) The higher an institution is up the government hierarchy, the less interaction it has with the non-governmental sector and the more negatively this interaction is assessed” (UNDP 2006, p. 82).* When it comes to cooperation and partnership among themselves at least a section of the NGOs were working closely together according to Hajdinjak (Interview 29 June, 2009), although the majority of Bulgarian NGOs did not include partnership and strong cooperation with others in their agendas.

In general, NGOs found themselves in between cooperation and competition, especially when it came to issues of fundraising for projects. There were competitions about ‘winning projects’ which certainly contributed to the competitive behaviour (Interview Krastev 28 June, 2009; Interview Hajdinjak 29 June, 2009; UNDP 2006, pp. 84-85). Not only due to fundraising and financial reasons partnership deficits were high as “(...) *partnership deficits are seen among NGOs from small, rural and medium-sized municipalities. Most often those types of territory in Bulgaria are also marked by a low density of NGOs” (UNDP 2006, p. 86),* which explains the reasons for low cooperation or partnership rates.

Among NGOs a great eagerness towards a fast EU accession could be detected although there was - in the opinion of UNDP experts - “*a substantial risk that insufficient preparedness among the majority of NGOs will prove a high barrier to the use of structural funds. To minimize this risk, work should start urgently to raise NGOs’ capacity” (UNDP 2006, p. 72).* The smaller municipalities and primarily rural municipalities had serious capacity problems in means of human resources, language skills and technical resources, etc. One of the difficulties at this point was the “*vicious circle*” as new projects were given to experienced NGOs and “*PHARE grant schemes feature[d] an express requirement related to the time the NGO has existed (...) and the experience it has gained. Lack of experience leads to failure and hence to absence of opportunities to gain experience” (UNDP 2006, p. 77)* But “*No matter that one considerable portion of NGOs have limited project experience, this is not seen as one of the major difficulties in project development and implementation” (UNDP 2006, p. 77).*

Another major difficulty of NGOs was the problem of self-overestimation and the failure to consider their own weaknesses. In addition, a great number of NGOs felt that corruption affected the system of ‘winning projects’ as a “*biased evaluation, protectionism*” and “*selection of winning NGOs” (UNDP 2006, p. 77)* in advance was noticed.



#### 4.2.2.7 NGOs in the First Year of EU Membership - 2007

In the first year of Bulgaria as an actual European Union member environmental NGOs gained *“some influence on national politics, e.g. the implementation of the EU’s programme Natura 2000, and at the local level when construction projects are planned in violation of legal provisions”* (UNDP 2007, p. 24).

Yet, one of its largest weaknesses remained: the NGO sector was still mainly dependent on foreign donors as a *“part of funding comes from foreign donations and programmes”* (UNDP 2007, p. 24).

In the long run this dependency meant on the one hand, that the focus of NGOs and their project topics were strongly influenced and determined in their agenda by their donors. On the other hand, according to Hajdinjak (Interview 29 June, 2009), of course donors would give preference to NGOs with agendas matching to theirs and vice versa, NGOs would rather contact donors following similar concepts as they themselves. *“As a result topics like media development, political and judiciary reform, and economic restructuring came to the fore. This type of funding has now dwindled and it is possible for new topics to be taken on board. Two processes will change the funding and development of NGOs. The first one is that organisations will be much more willing to engage in topics facing business and society. The second, related to the first, is that organisations will look actively for a niche in which to make their presence felt and will choose more open channels for interaction with business”* (UNDP 2007, pp. 24-25). At this time still, just a small number of NGOs was independently funded. As their number was so small, the way of sustaining their activities hardly had an impact on the whole sector (Interview Hajdinjak 29 June, 2009; Interview Krastev 28 June, 2009; UNDP 2007, p. 68).

According to UNDP (2007, p. 26), lack of resources and capacities was an ongoing weakness in the sector throughout the whole transition process. As an answer to this obstacle the Charities Aid Foundation supported non-profit organisations to overcome these difficulties by offering training and advice in order to increase resources and efficiency. During these training sessions methods of fundraising, mobilising resources, implementation skills and experience in all of these aspects were combined. Additional programmes developed by the Workshop of Civic Foundation were offered with topics on *“strategic planning, organisational culture, team building, communication skills, conflict management, negotiating skills, project development and management, joint action partnerships, coalitions, networks, mobilisation of local resources, marketing for NGOs, public relations for NGOs, business activities of NGOs, financial management of NGOs”* (UNDP 2007, p.

27). According to UNDP (2007, p. 46), it also seemed, that the NGO sector in Bulgaria had not yet overcome the bad public image of their work, their efficiency and their transparency which becomes apparent through the behaviour of companies towards NGOs in the report about 'Corporate Social Responsibility in Bulgaria'.

#### **4.2.3 Resume**

In conclusion the potential of Bulgarian NGOs multiplied within the transition period and the spectrum of their focal points broadened in the course of time. The number of organisations increased rapidly. A great potential to strengthen civil society, stabilise the situation in Bulgaria, react on needs of the society and the country, as well as to act as substitutes in spheres, where the governmental structures were missing, were attributed to the NGO sector with its wide spectrum of activities (Interview Hajdinjak 29 June, 2009).

Relations and cooperation between NGOs, state institutions and the media were fostered. This fact was a decisive criterion for the UNDP and the EU to acknowledge Bulgaria as a 'civilized' country, which would subsequently play an important and influencing role in accepting this country as a full-fledged member of the EU.

With the mid-nineties the NGO sector had slowly but steadily evolved and become an instrument for civic participation in the decision making process, although their role and their sphere of influence was and still is very marginal.

During the crisis in the nineties NGOs proved their flexibility for instance by supporting the most vulnerable groups in society as already mentioned before. Solidarity among themselves improved to a certain extent due to the crisis and to projects focusing on the encouragement of cooperation among NGOs and between NGOs and the state.

However, numerous problems remained. The great number of NGOs had a limited reach, which put their ability to represent the civil society into question, which is reflected in the UNDP reports. Their sphere of participation in planning processes of state institutions and influence on decision making processes was very limited. During the whole transition period the most powerful NGOs were located in the capital, in Sofia, or in other big cities. Small rural NGOs were still in a position of disadvantage. This disadvantage consisted in part of little access to funding due to insufficient human resources and capacities, lack of language skills among the staff members, little access to information, small know-how in regard to project implementation, fund-raising, participation, etc.

and less access to technical resources e.g. the internet. The sector's representatives concluded that the major capacity development needed *“improving provision of information, improving financial capacity, recruiting better trained staff, accumulating practical experience in projects, contact with international partners”* (UNDP 2006, p. 87). Although cooperation was encouraged among NGOs and between NGOs, the state and the private sector the number of deficits and competing attitudes was very high. The sector was, during this period, to a large extent dependent on external donors. This fact raises the question, to which degree NGOs were operating independently from the agendas of their donors and responding to the needs of the country.

Last, but not least, the perception of the NGO sector and its structures in society, state institutions and businesses was dominated by low trust which was formed during the first years of transition. NGOs were associated with being money absorbers, doing business to ensure the livelihoods of staff members and perceived as units working for foreign interests bowing to the agendas of the donors. The low trust can be explained by the fact that founding NGOs became a kind of ‘trend’ especially in the early nineties. Due to the interest and the huge financial resources of foreign donors the nineties were an ‘Eldorado’<sup>12</sup> for NGOs and it was easy to make a living in this sector. The growing unemployment rate contributed strongly to the ‘boom’ of NGO founding and through the ‘Eldorado’ effect the participatory aspect of civil society and civic engagement took a back-seat. The political and economic disappointment, illustrated in chapter no 4.1 ‘Governments and Hopes during the Transition Process in Bulgaria’ as well as the strong corruptive system the society had to face during the transition could also have contributed to this realisation of low trust towards non-governmental organisations.

In my assumption, all those aspects can be perceived as obstacles and challenges for the development of a strong NGO sector and furthermore for the establishment of a strong civil society during the up-coming decades (Andonova 2008, p. 72).

## **4.3 Transition, Donors and NGOs in Bulgaria**

### **4.3.1 Transition, Donors and NGOs in Bulgaria**

One of the most discussed issues concerning the transition process, donors and non-governmental organisations in Eastern European countries revolves around the problem that some international

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<sup>12</sup> Hajdinjak used this expression during the informal meeting (21 May, 2009), to describe the context for non-governmental organisations in Bulgaria during the nineties.

donors almost blindly followed their own agendas and ideas on how to support a country in transition. Regarding this matter a lot of scientists, amongst others Krastev (Interview 28 June, 2009), mentioned that ‘support programmes’ were designed by donors without taking the reality of different backgrounds and developments - in terms of history, politics, society, culture, etc. - of every particular country into consideration. *“The donors (...) got used to developing their grant-making programmes, policies and practices themselves, in an anonymous environment physically far removed from the local Bulgarian situations” (Milosheva/Kiuranov/Krastev 1997, pp. 95-111 according to Roth 2005, p. 118).* Roth tries to explain this fact either through insufficient knowledge about the different countries in transition, or through a lack of time to design individual strategies for supporting the democratisation process, for instance in the *“situation of maximal hurry and minimal reflection” (Carothers 1996(a), p. 126 according to Roth 2006, p. 163)* of American administration officials. According to Roth (2006, p. 161), the grants distributed by foreign donors with the aim of developing and supporting the American model of civil society triggered a unique development within the target group in Bulgaria and other countries in transition. *“(...) als Reaktion auf das plötzliche Auftauchen eines komplizierten Netzwerks westlicher Geldgeber, von ihnen finanzierter bulgarischer NGOs und verschiedener Mischformen [kamen] kulturelle Muster und Verhaltensweisen zum Tragen, die für die bulgarische Gesellschaft kennzeichnend sind“ (Roth 2006, p. 161).* E.g. a number of NGOs were officially founded as human rights initiatives or environmental organisations not in terms of civic engagement within these fields but with the simple aim of mobilising funds: *“The evidence is compelling that one of the central problems related to the voluntary sector in post-communist society is the fact that many NGOs in Eastern Europe seem to be more interested in the pursuit of prosperity through the funds allocated from foreign donors than in building civil society. Some have even been created with purely material considerations in mind, and not just because a number of people in Eastern Europe have suddenly discovered how important grass-roots organisations are for democratic transition” (Merdžanova 2002, p. 143 according to Roth 2005, p. 150).*

*„Eine mögliche Erklärung für dieses Verhalten ist die Übernahme einer der Strategien, die in der sozialistischen Zeit im Alltag zur Bewältigung verschiedener Situationen und Probleme angewandt worden waren. Die in allen sozialistischen Ländern herrschende Mangelwirtschaft hatte dazu geführt, dass sich dort eine ‚culture of scarcity management‘ herausbildete“ (Roth, K. 2000, p. 187 according to Roth 2005, p. 247).* According to Andonova (2008, p. 74), the NGO sector in Bulgaria

was portrayed as a social oriented economy in the UNDP report of the year 2001.

Projects with the aim of solving social problems and influencing policies in general, as well as policies of state institutions were implemented, but due to the strong dependency on foreign donors, the danger that these initiatives did not meet the citizens' needs and propositions was very high. As a consequence this could lead to NGOs acting as representatives of civil society without its active participation, which was demonstrated to a certain degree beforehand. As a consequence - when this mechanism comes into force - the majority of citizens would be excluded from dialogue, decision making processes and cooperation with the government, while the government could treat NGOs as representatives for the whole of civil society.<sup>13</sup> In the chapter on non-governmental organisations from 1989 until 2007 this tendency and the way in which it manifested itself in Bulgaria was analysed.

Foreign donors tend to forget that the concept of NGOs did not develop naturally in Bulgaria. The foreign donors themselves were to a large degree responsible for the introduction of the 'Western' concept of NGOs to Bulgaria, as I have already discussed above. In this context and according to Roth a "*third world approach*" (Creed/Wedel 1997, p. 256 according to Roth 2006, p. 162) has been mentioned. Experts and advisers tended to rely on the experience they made in the 'Third World' and "*tended to bring these (mis)conceptions, such as the assumptions of socio-cultural backwardness, to Eastern Europe. This was the ultimate insult to people who were proud of historical and cultural ties to the West [...]. They saw communism as a forcibly imposed alien system that oppressed their developed countries*" (Creed/Wedel 1997, p. 256 according to Roth 2006, p. 162). This approach insulted the population of Eastern European Countries who perceived themselves as closer to the 'West' than to the 'Third World', a belief that was shared by numerous informants interviewed by Roth.

Roth implemented an extensive research about American democratisation aid in Bulgaria. The results of her research overlapped in some aspects with the results of the UNDP-reports (Roth 2008, pp. 151-158). Firstly, the concept of NGOs was something completely new to Bulgaria and the donors neglected the real needs of the Bulgarian society. Secondly, the majority of NGOs were mainly founded in order to use the resources of donors to secure the livelihoods of their staff members as the unemployment rate remained high for many years. Due to this approach employees

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<sup>13</sup> This mechanism does not necessarily have to go together with a transition process. But this it appeared to be an obstacle in the Bulgarian NGO sector, as it was perceived as representatives of the whole civil society (remark by the author).

inside the 'system' tried to include their friends, families and kin in projects and employment in NGOs. This behaviour led to a very limited access for people without ties to members who already held a position on the 'inside' into the NGO sector. In plain terms the access to civil society in general was very limited. Thirdly, numerous NGOs could not specify their objectives and specific operating field as they tended to focus on the donors' priorities. This means, in the period of time when democratisation was the focal point of support, most NGOs designed project applications fitting this issue. In another period though, when the focal point of support was placed on human rights and rights of minorities, NGOs too shifted their focus towards these issues and immediately adjusted their project outlines. Fourthly, a kind of NGO-elite emerged over the years. This elite was familiar with the language best suitable for grant applications which included terms like 'empowerment', 'technical assistance', 'sustainability', and so on, knowing full well that donors would prefer applications that used these expressions. As a consequence it was even harder for small NGOs, lacking this type of expertise in phrasing their applications, to receive grants as I have already analysed above. Fifthly, due to the accusation donors would concentrate their funding on the capital, donors enforced the support of small NGOs all over the country. In response numerous NGOs were registered outside of Sofia, even if they were still operating in the capital, in order to increase the possibility of receiving grants. Sixthly, the often emphasised need of solidarity among NGOs - as mentioned above - was hard to accomplish as the competition for grants led to mistrust between them and built barriers preventing them from sharing ideas and project designs.

As the assumptions in this chapter are nearly the same as the ones in the previous chapter the emphasis lies on the confirmation of the results in chapter no. 4.2 'Emergence and Rise of the Bulgarian NGO Sector' and its resume (chapter no. 4.2.3). The results Roth generated in her research and the information from an interview with a member of the International Centre for Minority Studies and Intercultural Relations (IMIR), M. Hajdinjak, implemented on June 29<sup>th</sup> 2009, and another interview with a former member of the Open Society Institute Sofia (OSI), S. Krastev, implemented on June 28<sup>th</sup> 2009, the evaluation outcomes of the UNDP reports and the conclusions from of this chapter were verified.

To which degree parallels can be drawn between the three non-governmental organisations working on immigration that were examined in the case studies and the developments in the NGO sector during the transition process and in which aspects they form an exception to the rule or demonstrate a diverging tendency will be shown in chapter no. 6 'Case Studies'.

## 5 IMMIGRATION IN BULGARIA

### 5.1 Introduction

Although Bulgaria has gradually become a country that attracts immigrants during the last decade “*the state administration has been very slow to react to these changes and even today, the statistic data about the number of foreigners, residing in the country, are incomplete and unreliable. Such data are collected by several different institutions, each using its own methods and principles and as a result, they often contradict each other*” (Hajdinjak/Nazarska 2008, p. 22). Throughout the research for this chapter I came across numerous contradictions and had difficulties accessing statistical data. Various articles on migration trends in the EU demonstrate, that there is a huge lack of data concerning migration issues in Bulgaria.<sup>14</sup> By analysing numerous official documents released by the Bulgarian government, documents provided by the State Agency for Refugees with the Council of Ministers (SAR) and the State Agency for Bulgarians Abroad (ABA), papers and books released by various NGOs as well as data published in articles written by scientists, researchers and persons working with immigration until today, the statistical information on immigration provided by NSI has been complemented.

There is substantial criticism on the statistical documentation of immigration in Bulgaria expressed by scientists, as there it is incomplete and contradictory. For some years the NSI does not provide any statistical documentation. In some cases statistics are only mentioned in articles, state documents (such as the 'National Strategy of the Republic of Bulgaria on Migration and Integration') or provided by SAR in a different format than the statistics provided by NSI. Due to this circumstance it became necessary to modify some of the statistics in order to make them comparable. In the following a footnote will refer to any adjustments that were made.

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<sup>14</sup> Com. for example, the paper on 'Recent migration trends: citizens of EU-27 Member States become ever more mobile while EU remains attractive to non-EU-citizens' by Anne Herm, EUROSTAT, Statistics in focus (98/2008); Bobeva and Telbizova-Sack already mentioned the lack of data in their publication (2000, p. 215); Krasteva renewed this statement in an e-mail correspondence on 12 May, 2009. In addition to those statements the National Statistical Institute of Bulgaria can only provide data about immigrants with permanent residence permit in a statistical overview covering the period 1991-2001 and annual statistics about 'population and demographic processes' since the year 2004. Data about 'asylum seekers and provided status' is available since 2005. Hajdinjak and Nazarska (2008, p. 5) made an additional remark about the scarce and contradicting date, where the number of immigrants according to them varies between 60.000 and 110.000.

After approaching the Bulgarian Ministry of the Interior and speaking to the head of the 'Directorate for Migration' and the head of the 'Directorate for Citizenship' it was made clear, that staff members of the Ministry of the Interior are not allowed or do not have the capacity to give out any statistical information, which has not already been published by NSI. The NSI furthermore only provides data on immigrants and refugees that they received in figures directly from the Ministry of the Interior. The International Organisation of Migration (IOM) in Bulgaria has put little effort into immigration issues as their current focal points are directed towards various other issues, such as human trafficking.

In this chapter I will depict the context of the following three case studies dealing with immigration issues in Bulgaria. I will portray the overall context and conditions in which the three following case studies operate. Although the number of immigrants in Bulgaria is very small in comparison to other EU member states, weaknesses, such as a lack of services and missing activities within the state structures can be observed. As a consequence some non governmental actors try to compensate the deficiencies, which will be shown by means of the organisations subject to the case study.

## **5.2 Immigration: State of the Art in Bulgaria and Definition**

Concerning the state of the art, research in the field of immigration is a young endeavour in Bulgaria. Until the end of the 1990s the discourse was almost blanked out from the public, political and the scientific discourse. This is on the one side confirmed by the availability of Bulgarian literature on immigration, as articles and books concerning immigration were not published until the beginning of the 21<sup>st</sup> century. On the other side it is verified in the case study on the Centre for European Refugee, Migration and Ethnic Studies (CERMES), which I will give an account of in the following chapters. My theses in regard to this situation can be described as follows: Firstly, after the end of the communist regime emigration from Bulgaria became a major topic and concealed the almost invisible immigration into the country. The overwhelming emigration waves disguised immigration and hardly anybody thought about the fact that Bulgaria could constitute an attractive destination country. Secondly, although emphasis was placed on integration or rather assimilation of minorities with the help of numerous measures and the exchange of people during communist times - as I already explored above - and immigration of students was perceived as a successful instrument in order to transfer ideology, research on immigration and its impact on Bulgarian society was left



behind. And thirdly, due to the fact that Bulgaria was on the verge of becoming a full-fledged EU member state, I suppose research on immigration was encouraged. By turning into an EU border state, Bulgaria was included in the security-political and migration-political discourse of the EU.

Up until the present the Centre for European Refugee, Migration and Ethnic Studies (CERMES) and the International Centre for Minority Studies and Intercultural Relations (IMIR), two research centres embedded within the Bulgarian civil society are the leading stakeholders in research, discourse and publishing on immigration issues.

According to the International Organisation of Migration (IOM), there are numerous possible approaches within various disciplines (e.g. political, demographical, sociological, multidisciplinary, etc.) to the phenomenon of migration as a whole. 'Migration' is depicted as a movement of individuals or groups from “*one geographical unit to another across an administrative or political border*” (IOM 2 <<http://www.iom.int/jahia/Jahia/migration-management-foundations/terminology/migration-typologies>>, viewed 10 October, 2009). The 'country of origin' coincides with the place of departure, the 'country of destination' with the place of arrival. The countries passed through on the way are called 'countries of transit'. “*International migration becomes 'immigration' or 'emigration', depending on how the country of destination or country of origin is considered.*” (IOM 2). The people concerned are in general called 'migrants'. More precisely, they can be called 'emigrant' when leaving their country of origin, or 'immigrant' in the country of destination. In the country of destination so-called immigrants have the intention to reside temporarily or permanently. Furthermore, migrants can be distinguished from each other by their reasons for migration. There are numerous types of migrants and migration, as follows: asylum seekers and refugees, economic migrants, foreign workers, seasonal workers, students, highly skilled professionals, migrants following family members abroad, etc. (IOM 2).

In her article, Krasteva (2005, pp. 9-11) divided the phenomenon of migration into three main subcategories. They consist of 'emigration', 'immigration' and 'immigration of asylum seekers and refugees'.

In the following, I will keep to her division and analyse immigrants separately from asylum seekers and refugees. In most cases they are dealt with separately in terms of legislation, strategy papers, agencies, civil society organisations and non governmental organisation (NGOs). Only in a few cases, e.g. in some Articles in various laws and in regard to topics such as integration into society,

they could be summed up to one group facing a similar or the same situation. As the phenomenon of emigration is not object of the present paper, this category of migration is not analysed and only included if it is integral to the understanding of context.

According to Krasteva (2005, p. 10), the number of refugees increased approximately ten times during the 1995-2005 period (see tables no. xvi-xxv). She describes this group with being small in number, but enjoying the highest public visibility. In the chapter on laws and policies concerning asylum seekers and refugees it becomes evident that the sector dealing with this type of third country nationals was elaborated on in the most detail, especially in comparison to the area dealing with the remaining foreigners namely immigrants or 'third country nationals'.

### **5.3 Target Group of the Case Studies Relevant for the Present Research**

The framework set for immigrants examined in the present paper and dealt with further in the following case studies, consists of two variables: Firstly, they have to hold a legal status, such as a long term stay permit, a residence permit, an asylum seeker, refugee or humanitarian status or citizenship granted during the period of 1999-2007. Statistical material on undocumented and illegal immigration was not accessible, therefore the aforementioned variable was chosen to set a framework.

The second variable, determining the composition of the target group, refers to the particular countries of origin. The focus lies on third country nationals, excluding citizens from highly industrialised countries like Japan, USA and Canada. The term 'third country nationals' also leaves out EU citizens. The reason for this exclusion is to be found in the ongoing debate on migration issues among the EU member states and the development of an EU migration policy, that strongly includes issues of security and economy in the debate. Immigration of third country nationals from highly industrialised countries into EU member states, as well as immigration of EU citizens is less likely to be perceived as a 'problem', than immigration of foreigners coming from the remaining countries. With the accession of Bulgaria to the EU, European migration policy and border control had to be adapted to the European legislation. Hence, the policy of the EU clearly determines Bulgarian migration policy, which became more restrictive.

## **5.4 Context: State Institutions, Laws & Strategies tackling Third Country Nationals in Bulgaria**

In order to understand immigration influx into Bulgaria and the legislative background, NGOs and other organisations working on immigration issues have to face, this chapter highlights the most important developments and pillars of Bulgarian immigration policy. Regarding developments in the legislation, Hajdinjak and Nazarska (2008, p. 12) claim that, “[u]ntil now, all the changes undertaken in the Bulgarian legislation were motivated solely by the EU accession process. Despite the fact that harmonization of Bulgarian legislation with the EU norms was in itself a very positive development, it cannot be a substitute for the national migration policy, adapted to the specific Bulgarian economic and social environment (...), in which such legislation will be implemented”.

The following will illustrate that, there is no independent body in charge of developing and implementing a clear immigration policy in Bulgaria. Bulgarian immigration policy combines policies of various state institutions, as well as a small number of laws and directives on foreigners. Therefore, this chapter will provide an overview of the most important state institutions, their policy development and a draft on adjustments within the legislation. The three main laws concerning foreigners in Bulgaria are the 'Law on Asylum and Refugees', the 'Law for Foreigners' and the 'Law on Citizenship'. Since 2007, with the accession to the EU, a law for nationals from EU member states was introduced. Since the migrant target group of this paper is directed towards a specific group of third country nationals, the latter law will not be discussed.

### **5.4.1 Excursus: Legislation in the Process of 'Europeanization'**

#### **5.4.1.1 Definition of the Term 'Europeanization':**

The term ‘Europeanization’ according to the definition by Perching (2007, p. 131), Bulmer and Radelli is to be understood as the adjustment of political structures, such as institutions and federal order, and policies to align with the obligations of European Integration, as well as changes in normative structures, affecting debates, values and norms.

Crucial in the 'Europeanization' process is the fact that adjustments are intended to harmonise and not to implement exactly the same legislation in all member states. A sufficiently flexible policy-framework needs to be provided. It would be very difficult to find universal legislation which would be accepted by all member states. Further on, the European Commission wants to encourage the

member states to find a consensus among them using certain guidelines, rather than a set of strictly observed laws. This attitude can be proven with the document 'Open Method of Coordination', concerning migration and immigration policies proposed by the European Commission in 2001. (Perchinig 2007, pp. 131-141)

#### 5.4.1.2 The pillars of EU Migration Policies

According to the Treaty On European Union (1992, Chapter 5/Article K.1), the so-called treaty of Maastricht, a contract on free movement of persons came into force that deals with various aspects of migration. It includes amongst others harmonised asylum policies, procedures for passing external EU borders and immigration policies of the member states. With this contract coming into force harmonised European asylum and immigration policies became a matter of common interest. The contract of Amsterdam in 1997 relegated the formulation of migration agendas of EU member states to the EU in 1997 (Perchinig 2007, p. 132).<sup>15</sup> In this contract the member states were obliged to develop common visa, asylum and immigration policies until the 1<sup>st</sup> of May 2004, working with common instruments already in existence such as the contract of Schengen from 1985, according to the website 'Access to European Union Law' (<<http://eur-lex.europa.eu/de/treaties/dat/11997D/htm/11997D.html>>, viewed 5 April, 2009).

With the European Council of Tampere in 1999, the EU focused on the establishment of an *“einheitlichen europäischen Asylverfahrens, einen gemeinsamen Rechtsstatus für anerkannte Konventionsflüchtlinge sowie eine ‘energische Integrationspolitik’ gegenüber EinwanderInnen aus Nicht-EU-Ländern”* (Perchinig 2007, p. 132). According to Perchinig (2007, p. 133), it was due to the events in the late 1990s such as the attacks in New York and Madrid, the economic recession in Europe, and the emergence of parties in various governments of EU member states that were suspicious towards immigration, that security issues were added to the migration discourse of the EU.

Numerous programs initiated by the EU concerning migration issues and administration haven been implemented up until now. One example is the program for 'Administrative Cooperation in the Fields of External Borders, Visa, Asylum and Immigration (ARGO), which came into force on the 1<sup>st</sup> of January 2002.

The ‘Hague Program for an area of freedom, security and justice’, with the most important pillars

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<sup>15</sup> Perchinig uses the term 'European Union', even though it is about the European Communities, for the reason of facilitating. (remark by the author).

on European migration policy for the period 2005-2010 and the focal points of „(...) *Implementierung eines gemeinsamen europäischen Asylsystems bis 2010, die Entwicklung eine gemeinsamen Einwanderungssteuerung und die Koordination der Kontrolle der Außengrenzen*“ (Perchinig 2007, p. 135), influences the migration policies of all EU member states.

#### 5.4.2 Development of Bulgarian Laws and Policies for Foreigners

Several state units play an important role for foreigners (immigrants, asylum seekers and refugees) in Bulgaria. According to Daskalova and Lewis (2008, p. 84), one is the Ministry of External Affairs and its consular units which is responsible for issuing entry visas into Bulgaria of type “C”<sup>16</sup> and type “D”<sup>17</sup>. Another is, the Ministry of Internal Affairs which is “*responsible for border control and the internal regulation regarding the processing of migrants. This regulation affects stay permits, the issuance of formal identification documents, and the exercise of compulsory administrative measures;*” (Daskalova/Lewis 2008, p. 84). Furthermore, the Ministry of Labour and Social Policy, which is responsible for issuing work permits for foreigners and the Ministry of Justice and the President’s Office, “*where approval for Bulgarian citizenship and for asylum by order of the President, are issued*” (Daskalova/Lewis 2008, p. 84) is also important for foreigners wishing to stay in Bulgaria.

The basic juristic framework for the current legislation for foreigners in Bulgaria was already determined by the Constitution of the Republic of Bulgaria in 1991. According to Article 26(2) of the Constitution all foreigners shall be ensured with “*the rights proceeding from the Constitution except those which specifically require Bulgarian citizenship. Article 19, which details economic activity, declares the Bulgarian market to be based on free economic initiative and suggests that the economic activity of foreign persons shall enjoy the protection of the law. [But], [t]he right to equality before the law, (...) as presented in Article 6(2), applies only to citizens*” (Daskalova/Lewis 2008, p. 82). Moreover, “[*t]he Constitution states that foreigners residing legally in the country cannot be expelled or extradited to another state against their will, except in accordance with the provisions and the procedures established by the law (art 27(1)). (...) Everyone is free to choose a place of residence and has the right to freedom of movement on the territory of the country and to*

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<sup>16</sup> For entering Bulgaria on a short term basis, third country nationals need visa type “C”, issued at a diplomatic or consular mission of Bulgaria abroad (remark by the author).

<sup>17</sup> For entering Bulgaria on a long term basis, third country nationals need visa type “D”, issued at a diplomatic or consular mission of Bulgaria abroad. Long term could either be a continuously period of stay up to one year or a permanent, indefinite period of stay (remark by the author).

leave the country (art 35(1)). This right is restricted only by virtue of the law in the name of the national security, public health, and the rights and freedoms of other citizens” (Hajdinjak/Nazarska 2008, p. 10). The Constitution also defines the conditions under which Bulgarian citizenship can be granted: firstly, to anyone born on Bulgarian territory in case of not being “entitled to any other citizenship by virtue of origin”, secondly, to anyone with at least one parent being a Bulgarian citizen and thirdly, “Bulgarian citizen-ship (sic!) shall further be acquirable through naturalization.” (Daskalova/Lewis 2008, p. 82).

There are three main laws concerning foreigners in Bulgaria: The 'Law on Asylum and Refugees' (2002), the 'Law for Foreigners in the Republic of Bulgaria' (1998), that “divides the foreigners into three categories: those in transit, short-term residents and long-term residents” (Hajdinjak/Nazarska 2008, p. 8), and the 'Law on Bulgarian Citizenship' (1999), that “regulates the procedures for the acquisition of Bulgarian Citizenship through naturalization before the Directorate ‘Bulgarian Citizenship and the Council for Citizenship at the Ministry of Justice” (Hajdinjak/Nazarska 2008, p. 9). Furthermore, several other laws concerning foreigners were promulgated within 1996-2007. Most laws were adopted during the pre-accession negotiations during 1999-2004.<sup>18</sup>

By analysing the Национална Стратегия на Република България по Миграция и Интеграция 2008-2015 (National Strategy of Bulgaria on Migration and Integration)<sup>19</sup> it becomes obvious that foreigners of Bulgarian descent as well as Bulgarians living abroad have the highest priority among immigrant target groups. The second target group focuses on qualified third country nationals the Bulgarian labour market is in need of. The third target group the Strategy highlights the community of stateless persons in Bulgaria. (National Strategy 2008-2015, p. 19; Simeonov 2008, p. 65)

According to Vankova (e-mail 17 July, 2009), the 'National Strategy' was devised by the Ministry of Labour and Social Policy. The strategy was put into effect in cooperation with the Ministry of the Interior, the Ministry of Foreign Affairs and the Държавна Агенция за Българите в Чужбина (ABA - State Agency for Bulgarians Abroad) among others.

<sup>18</sup> Com. 'Law on the Municipal Ownership' (1996); 'Law for the Bulgarian Identification Documents' (1998); 'Law on Social Support' (1998); 'Law on Citizen Registration' (1999); 'Law of Protection of the Child' (since 2000); 'Law on Family Allowances for Children' (2002); 'Law of Protection from Discrimination' (since 2003); 'Law of Fighting the Illegal Traffic of People' (since 2003-2004); 'Law on Taxation of the Income of Physical Persons' (2004); 'Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of their Families' (2007); 'Law of Encouragement of Employment' (2001). (Daskalova/Lewis 2008, p. 82; Hajdinjak/Nazarska 2008, pp. 8-9)

<sup>19</sup> The 'Национална Стратегия на Република България по Миграция и Интеграция 2008-2015' [National Strategy of the Republic of Bulgaria on Migration and Integration] is in the following referred to as 'National Strategy'

Due to the trends in the Bulgarian labour market until 2007 and the migration process on a regional, national and global level this strategy was drafted in March 2008 with the main objectives of “*attracting Bulgarian citizens and foreign citizens of Bulgarian origin for permanent settlement in the country [and the] implementation of new and adequate policy towards admission third-country nationals*” (National Strategy 2008-2015, pp. 19-20). The 'National Strategy' was designed in accordance with other strategies (Simeonov 2008, p. 65). The 'National Demographic Strategy of the Republic of Bulgaria' covers the period 2006-2020 and envisages “*a special place [for foreigners of Bulgarian descent living abroad] in the immigration policy*” (National Demographic Strategy 2006-2020, p. 46), i.e. the procedures for obtaining Bulgarian citizenship should be increasingly facilitated, scholarships for studying in Bulgaria should be provided, and “*a policy for returning of ethnic Bulgarians and encouraging (sic!) their entrepreneurship in Bulgaria*” (National Demographic Strategy 2006-2020, p. 46) should be introduced.

It appears that Bulgaria traditionally prefers foreigners of Bulgarian descent and Bulgarians living abroad, as the Agency for Bulgarians Abroad, established in 1992, states that “*as a coordinating body of the Government for the implementation of the state policy regarding Bulgarian expatriates and Bulgarian Communities across the world*” (ABA <<http://www.aba.government.bg/english/index.php>>, viewed 26 May, 2009). In the year 2000 it was transformed into the State Agency for Bulgarians abroad (ABA). According to the website, the goals of the institution are explained as follows: “*The main goals (...) include the preservation of the spiritual heritage of the nations (sic!) – its language, culture, traditions, and history among our compatriots across the world and the establishment of Bulgarian lobbies abroad (...). The agency is an important unit in the processes of acquiring Bulgarian citizenship and in obtaining permission for long-term residence in Bulgaria. It is the specialized body, certifying the Bulgarian origin of persons who have applied for obtaining Bulgarian citizenship, for permanent or continuous residence in the country*” (ABA <<http://www.aba.government.bg/english/index.php>>, viewed 26 May, 2009).

Concerning employment for foreigners in Bulgaria the 'Law of Encouragement of Employment' comes into force. According to Daskalova and Lewis (2008, p. 82), the labour integration seems to be one of the best regulated aspects for immigrants in Bulgaria and the 'Law of Encouragement of Employment' determines the employment policy of Bulgaria, complemented by the Ordinance on conditions and manner of issuance, rejection and repeal of work permits of foreigners in Bulgaria.

*“A foreigner can work in a Bulgarian company only after receiving a work permit. A work permit is issued for a certain period of time and for a specific workplace, position, employer and city. After expiring, the permit can be renewed for another year. The law is giving certain advantages to those foreign nationals with special professional competencies and skills, those on higher positions and those who are married to a Bulgarian citizen” (Hajdinjak/Nazarska 2008, p. 27).*

Concerning 'D', Daskalova and Lewis (2008, pp. 88-89) stated the following: *“As concerns non EU-immigrants and the process surrounding visa ‘D’ status entry, Bulgaria could benefit (...) by the facilitation of processes such as to ease access. Demands placed upon applicants are (...) insurmountable, shutting out qualified and willing foreign contributors to the Bulgarian economy and labour market. Bias towards larger employers build into visa ‘D’ requirements de facto excludes the possibility of small organisations (organisations with fewer than ten employees) from legally hiring foreign labour. Similarly, the costs affiliated with the process present an impossible obstacle for many start up and small employers.”*

Furthermore, with 1<sup>st</sup> January 2007 Bulgaria turned into a full-fledged EU member state *“and began hosting an external border of the EU. Together with a number of positive new adjustments following this event, the accession has demanded stronger and more repressive state policy on restriction of movement and immigration regulations” (Daskalova/Lewis 2008, p. 81).* For example, citizens from former Soviet countries due to historical and political relations did not need visas to enter Bulgaria before EU accession. Due to the tightened migration regulations this special relation was changed (Informal Meeting Hajdinjak 21 May, 2009; Interview Daskalova 13 June, 2009).

Bulgarian experts have strongly criticised the legislation for placing priority on attracting Bulgarian citizens living abroad and foreign nationals of Bulgarian descent. In their opinion, the legislation and strategy papers in force today were adjusted to guidelines and laws of the EU in the fastest way possible. Due to this hurried process the situation for immigrants already living in Bulgaria and the reaction to existing conditions in Bulgaria were not considered. For example, immigrants already residing in Bulgaria became 'irregular'<sup>20</sup> migrants according to the new visa regime.

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<sup>20</sup> According to the IOM, an irregular migrant “is a commonly used term describing a migrant in an irregular situation on a transit or host country due to illegal entry, or to the expiry of his or her visa. The term is applied to non-nationals who have infringed the transit or host country’s rules of admission; persons attempting to obtain asylum without due case; and any other person not authorized to remain in the host country. Such persons may also be defined as an ‘undocumented migrant’, ‘clandestine migrant’ or ‘illegal migrant’.” (IOM 3 <<http://www.iom.int/jahia/Jahia/about-migration/migration-management-foundations/terminology/commonly-used-migration-terms>>, viewed 22 June, 2009)



### 5.4.3 Development of Bulgarian Laws and Policies for Asylum Seekers and Refugees

According to Öllinger, the basis for asylum law was introduced by the League of Nations. After the World War II the first 'International Refugee Organisation' (IRO) was established by the United Nations. With December 1949 the United Nations High Commissioner for Refugees (UNHCR) was set up and its local office in Sofia plays since its establishment in 1992 a determining role, when it comes to refugee and asylum seeker issues up to today (Öllinger 2008, p. 100; see also European Parliament 1999 <[http://www.europarl.europa.eu/workingpapers/libe/104/bulgaria\\_en.htm](http://www.europarl.europa.eu/workingpapers/libe/104/bulgaria_en.htm)>, viewed 3 June, 2009).

Although the very first 'Law for Refugees' was passed in 1999, many steps were taken during the 1990s with respect to the forthcoming adoption of the 'Law on Asylum and Refugees' in 2002: in 1992 the Council of Ministers decided to establish a National Bureau for Territorial Asylum and Refugees (NBTAR); in 1993 the UN Convention on the status for refugees from 1951 and the UN Protocol from 1967 were ratified (Antonov/Druke 2004, p. 123); in 1994 a Decree for approval of the Наредба за предоставяване и регламентиране статута на бежанците (1994-2000) [Ordinance for Granting and Regulation of the Status of the Refugees]<sup>21</sup> was enacted; in 1996 Bulgaria ratified the 'European Convention of Human Rights and Fundamental Freedoms', more precisely this means that *“the right of protection to persons who because of well-founded fear of persecution for reasons of race, religion, nationality, membership of a specific social group or political opinion and/or conviction have left their countries of origin and are not able or do not wish to take advantage of their countries of origin protection”* (Filipova/Novakova 2008, p. 70) has been acknowledged.

The ordinance enacted in 1994 defined the status of a refugee. Furthermore, terms and rules concerning the granting of status and the rights of a refugee in Bulgaria were based on the Convention (1951) and the Protocol (1967), which make up the international groundwork for the protection of asylum seekers and refugees. At this point humanitarian protection and humanitarian status, similar to the status of a refugee (Article 19(1) of the Ordinance), were mentioned in the regulation, but neither the definition nor the description of procedures referring to humanitarian protection can be found. Although humanitarian status was not defined in Article 31, it was declared that foreigners with a humanitarian status, similar to the refugee status, have the right to do temporary contract work and to receive social support, as well as education and medical treatment.

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<sup>21</sup> The 'Наредба за предоставяване и регламентиране статута на бежанците' (1994-2000) [Ordinance for Granting and Regulation of the Status of the Refugees] is in the following referred to as 'Ordinance'.

During the period 1992-1999 the NBTAR was the responsible organ regarding questions on refugee status. At this time the UNHCR could in exceptional cases issue a humanitarian status similar to the refugee status in accordance with the NBTAR (Article 19.(1))<sup>22</sup>.

In 11<sup>th</sup> June 1999 the ordinance of 1994 was replaced by the Закон за Бежанци [Law for Refugees] (enforced in 1999, replaced in 2002). Despite the status for refugees (Article 8-9), this law defined humanitarian protection (Article 10-12). According to the law, Bulgaria provided asylum to refugee status holders, humanitarian protection holders and persons, who could claim asylum (under Article 3). In this law, it was declared that Bulgaria will fulfil its commitments in regard to asylum issues with the help of state organs, such as the 'Agency for Refugees' in cooperation with the UNHCR (Article 4), i.e. the responsibility was handed over from the NBTAR to the 'Agency for Refugees'.

Humanitarian protection was defined as a temporary protection that could last up to one year. The period of temporary protection could be extended for another year in cases in which the reasons for granting humanitarian protection in the first place were still existent (Article 11, Article 64).

On behalf of the 'Law for Refugees', state institutions for refugees such as registration, reception and integration centres were established (Articles 36(7) and 43(1)). Transit centres are non-existent until today, and in order to compensate the lack of these institutions the detention centre for illegal immigrants was used as a transit centre for refugees (Interview Toshev 25 June, 2009). Until recently in 2009, when the 'Law for Foreigners' was amended, one of the most problematic aspects of this detention centre was the fact that there was no regulation or paragraph to limit the duration of detention. Numerous cases have been registered so far that give an account of people spending up to three years in detention without legal grounds (Debate 22 June, 2009).

The successful and efficient implementation of decision procedures concerning the status of asylum seekers is outlined in Article 37. It instructs cooperation among NGOs and state institutions in order to foster speedier communication and to facilitate procedures. One form of cooperation between state institutions and NGOs is demonstrated in the case study on AIRM. Concerning the system with which the cases are dealt with, the duration needed to terminate a particular procedure has changed in the past years. Procedures tended to last up to two years, whereas the same procedures nowadays generally last between three and six months according to Radeva (Interview 1 July, 2009), chairwoman of the 'Association for Integration of Refugees and Migrants' (AIRM).

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<sup>22</sup> Toshev (Interview 25 June, 2009) mentioned that at this period humanitarian reasons existed. According to him they came into force, when a refugee did not fulfil the criteria for receiving a refugee status in regard to the Protocol on the Status for Refugees 1967 and the Geneva Convention 1951.

In 1<sup>st</sup> December 2002 the Закон за Убежището и Бежанците [Law on Asylum and Refugees] was passed and replaced the 'Law on Refugees'. *“With the adoption of the Law on Asylum and Refugees, as well as many legal acts and documents, regulating the rights and the responsibilities of the refugees, Bulgaria made its serious steps towards the elaboration of policy for integration of refugees in the Bulgarian society. The achieved positive changes in the process of integration of refugees in the Bulgarian society are the result of the long standing joint efforts”* of SAR, UNHCR, state institutions and NGOs *“working with refugees. In the sphere of integration the priority is the maximization of the positive impact of migration upon the society and the economy”* (Filipova/Novakova 2008, p. 72).

The enacted 'Law on Asylum and Refugees' is very detailed in comparison to the former law on refugees. With this new law, humanitarian protection was transformed into a humanitarian status (Article 9). Furthermore, the humanitarian status holder has the right to receive a residence permit in Bulgaria (Article 36). In addition to the refugee and the humanitarian statuses, the condition of 'temporary protection' in cases of mass influx was introduced (Article 11). The Bulgarian standard of mass influx has been set at 500 people entering the territory of Bulgaria within one day (Interview Toshev 25 June, 2009).

According to Article 8(1) of the Law (2002), which is identical to Article 1A of the Geneva Convention (1951), refugee status in Bulgaria shall be granted to a foreigner, who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or because of political opinion is outside of his country of origin, or owing to such a fear is unwilling to avail himself of the protection of that country.

According to Article 9(1), (2) and (3), humanitarian status shall be granted to foreigners, who have been compelled to leave their country of origin for reasons of severe aggression such as the threat of death penalty, execution, torture, inhuman or degrading treatment or punishment, or due to the threat of violence in cases of internal armed conflicts. This humanitarian status shall be granted on a temporary basis.

Furthermore, the law *“was made consistent with the demands of the UN Convention relating to the Status of Refugees from 1951, the UN Protocol relating to the Status of Refugees from 1967 and the EU legislation on asylum”* (Hajdinjak/Nazarska 2008, p. 10) With its amendments (2005, 2006) it underwent a process of harmonisation *“with the recommendations made in the EU’s common position on Chapter 24 ‘Co-operation in the Fields of Justice and Home Affairs’, adopted on*

October 15, 2003” (Ilieva 2001 according to Hajdinjak/Nazarska 2008, pp. 10-11).

Since the Agency for Refugees was transformed into the Държавна Агенция за Бежанците при Министерския Съвет [State Agency for Refugees with the Council of Ministers] in 2002, the State Agency for Refugees with the Council of Ministers (SAR) is the responsible state organ concerning issues on asylum and refugees, as well as concerning the implementation of “*the assumed engagements of Bulgaria*” (Novakova/Filipova 2008, p. 71)<sup>23</sup> in cooperation with UNHCR, IOM, governmental organisations and NGOs. These assumed engagements include: Right to asylum, social and health insurance and support, free access to education, professional training and qualification conditions aiming at better social integration processes; coordination of actions implemented by governmental institutions connected to issues of asylum and refugees. In Article 6 of the 'Law on Asylum and Refugees' it was explicitly stated, that SAR “*shall establish all facts and circumstances of importance for the proceedings for providing special protection and assistance to foreigner seeking protection*”.

Registration and reception centres for refugees, as well as an integration centre for refugee women (1997) are units included within SAR. The integration centre cooperates with NGOs like the Bulgarian Red Cross, Caritas Bulgaria and AIRM (Filipova/Novakova 2008, pp. 71-72; Hajdinjak/Nazarska 2008, pp. 24-26). The latter, AIRM, is object to the subsequent case studies. Although the establishment of further registration, reception and integration centres for refugees was planned and even though it was stipulated in the law (Article 30(4)) transit centres remain to be built.

Furthermore, in May 2005 the long term 'National Program for Integration of Refugees', that was designed by SAR in cooperation with several NGOs in order to regulate the cooperation between state institutions and NGOs working on the integration of refugees, was adopted (Filipova/Novakova 2008, p. 73)<sup>24</sup>. According to Filipova and Novakova (2008, p. 74), the program encourages cooperation between state institutions and NGOs. This program highlights “*the activities to be undertaken by the state institutions, non-governmental organisations and the local authorities in order to create economic, social, political and cultural preconditions for the integration of refugees in the Bulgarian society*” (Hajdinjak/Nazarska 2008, p. 24).

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<sup>23</sup> See also Law on Asylum and Refugees: Article 3, 53(1), 53(5), 54(1)

<sup>24</sup> “The basic purpose of the Program for integration of refugees is the providing of opportunity of newly recognized refugees to learn Bulgarian language, to acquire profession, to acquainted with the structure of the state, the state institutions, the ethnic characteristics and habits; (...)” (Filipova/Novakova 2008, pp. 73-74)

NGOs, for example AIRM among others, took part in the formation process of the program. During the year 2007 various adjustments were made to the 'Law on Asylum and Refugees'. The most important change was the introduction of the Dublin Convention II, regulating the responsibility of countries to consider applications from asylum seekers. The regulation states that the first safe country of arrival, that is an EU member and capable of providing protection to refugees, is responsible for taking care of this person in question (Article 67a-k). In case the asylum seeker moves on to another EU country, the applicant will be sent back to the first EU state the person passed through (Interview Toshev 25 June, 2009). The Dublin Convention II is of great significance for Bulgaria, as it is one of the outer EU Border States. As most refugees have to pass through Border States, this Convention could have a great impact and cause an increase in the number of asylum seekers in Bulgaria in the future.

#### **5.4.4 Resume**

Although numerous laws and strategy papers dealing more or less with foreigners in Bulgaria have been devised so far, developments concerning asylum seekers and refugees seem to be far more transparent than developments concerning all other foreigners. As these laws often contradict each other, one of the strongest criticisms from Bulgarian experts on this conglomerate of laws is the lack of synchronisation (Debate 22 June 2009). According to Lewis and Daskalova (2008, p. 82) the *“laws provide for some clarification - and some confusion - of legal provisions, however Bulgaria remains without an articulated and comprehensive formal policy concerning non-citizens present within the territorial bounds of the state.”*

Another strong argument against the developments in Bulgarian legislation can be found in *“the exclusion of immigrants and refugees from the decision-making processes. No state institution has even considered giving them a consultative or observation role, they have not been consulted when laws have been drafted, and (with very few exceptions) no links have been made between the state institutions and the organisations of migrants and refugees. Development and implementation of integration policies are crucial conditions for immigrants and refugees to become a genuine part of civil society in Bulgaria”* (Hajdinjak/Nazarska 2008, p. 32).

Almost all laws were introduced and changed in the late 1990s or in the early 21<sup>st</sup> century. The laws underwent a continuous process of adjustments and refining through new Articles. According to Hajdinjak (Informal Meeting 21 May, 2009), most laws had to undergo this process of promulgation

and adjustments before Bulgaria could become a full-fledged member of the EU.<sup>25</sup>

NGOs are treated as partners of state institutions when the law stresses cooperation between SAR, UNHCR and national NGOs. On the other hand NGOs are hardly mentioned when it comes to the 'Law for Foreigners', which concerns third country nationals immigrating into Bulgaria, who are not asylum seekers. The importance of activities implemented by them regarding immigrants becomes obvious in the following case studies.

## **5.5 Context: Immigration of Third Country Nationals since 1989**

### **5.5.1 Background: Migration History since 1989**

In reaction to the oppressive communist regime in ethnic and political questions, the desire for potential emigration was enormous among Bulgarian citizens. As a consequence, the end of the real socialist period in 1989 resulted in mass emigration. After the collapse of the Eastern Bloc the formerly oppressive regime and the various economic and social crises Bulgaria had to face during the transition led to mass emigration to Turkey and the Western European countries. According to estimations, approximately 650.000 persons emigrated between 1989 and 1996 (Bobeva/Telbizova-Sack 2000, pp. 210-213). The emigrants included persons from all classes in society, as *“[t]hey included a large number of highly educated and qualified people of active age, looking for a professional career abroad that would provide them with a higher social-economic status based on their skills and competencies. Another large group consisted of young people, attending the universities in other countries. Many of them did not return to Bulgaria and remained to work in the host countries. The third relatively large group included Bulgarian citizens of minority origin (Turks, Roma and Jews)”* (Hajdinjak/Nazarska 2008, p. 3). As a consequence, *“[w]hole areas in eastern Rhodopi [mountainous region in south eastern Bulgaria; remark by the author] were left without young male residents, and especially those with better education and qualification”* (Hajdinjak/Nazarska 2008, p. 3).

After the end of the communist regime emigration intensified, parallel to this immigration and transit migration increased as well. It has been stated, that particularly citizens of various African and Arab states, as well as citizens of the former Soviet Union used, and still use, Bulgaria as a gateway to Europe. *“The reason for their [the immigrants] arrival to the country significantly*

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<sup>25</sup> According to M. Hajdinjak, informal meeting on May 21, 2009

*changed. Majority of post-1990s immigrants have been economic, and not political as before 1989*” (Hajdinjak/Nazarska 2008, p. 5). In 1993, for example, 33.000 immigrants in Bulgaria were officially registered. Approximately 24.000 registered students, workers or entrepreneurs came from countries of the former Soviet Union, over 1.000 from former Yugoslavia and 5.300 from other, not specified countries. At that time, the Bulgarian Ministry of Interior estimated the number of irregular immigrants to have climbed up to 22.000 (OECD 1998, p. 17 according to Bobeva/Telbizova-Sack 2000, p. 215). However, “[t]he scale of immigration to Bulgaria is comparatively low (...)” as a result of “the economic problems Bulgaria faced in the 90s which made the country far from being attractive end-destination for immigrants” (Gergiev 2008, p. 12). Nevertheless, the position of Bulgaria in the past decade underwent, and is still undergoing, a slow process of becoming a destination country for immigrants. According to the 'National Strategy' (2008-2015, p. 19, 26), the reasons for this transformation of Bulgaria from an emigration to an immigration country are to be found in the comparatively stable economic situation, the comparatively low unemployment rate (6,91% in 2007) and numerous business opportunities in the country.

## **5.5.2 Immigration to Bulgaria Today**

### **5.5.2.1 Three Main Categories of Immigrants in Bulgaria**

According to Krasteva (2005, pp. 8-10), three main categories of immigrants can be found in Bulgaria:

The first category are the new, visible, dynamic and continuously growing groups of immigrants, such as immigrants coming from China (see tables no. xvii-xxvi). According to Krasteva, the Chinese community seems to be the most homogeneous among the migrant communities in Bulgaria.

The second category includes immigrants, who came during communist eras such as the Vietnamese, immigrants from the Middle East and African countries. They can rely on already established networks and ties in Bulgaria, which were “set up before 1989 when Communist Bulgaria had very close links with many Near East Countries” (Hajdinjak/Nazarska 2008, p. 5). In numbers, immigration by Arabs appears to be the highest and is often caused by wars in the region (see table no. xvii-xxvi). The Arab community it is described as the most heterogeneous (with

immigrants from Syria, Lebanon, Iraq and other Arabic countries). In reference to the different categories of migration aforementioned, the Arab community is strongly mixed, as there are immigrants, asylum seekers and refugees (Krasteva 2005, p. 12; Zhelyaskova 2004, p. 8)<sup>26</sup>. The number of immigrants within this category is continuously decreasing (see table no. iv-viii), according to Krasteva. The African community is very diverse and small in numbers. Although various African nationalities are represented within this community it can be perceived as one migrant community (Krasteva 2005, p. 12).

The third category includes amongst others old communities, such as Armenians, Russians, Macedonians, who came to Bulgaria in order to settle in a country with more stable political and economic conditions (Krasteva 2005, pp. 10-13). Most members of the third category originate from former soviet countries. They settled in Bulgaria in the period in which the bilateral agreements supporting the free movement of Soviet citizens were valid. Furthermore, within this category immigrants of Bulgarian descent can be included. They originate mostly from from the Former Yugoslavian Republic of Macedonia<sup>27</sup>, Serbia, Moldova, Ukraine, Armenia, Russia and other countries. Immigrants of Bulgarian descent are members of the Bulgarian Diaspora, which was established approximately 200 years ago (see chapter no. 6.3.1.1.1 'Excursus: The Old Bulgarian Diaspora - Foreigners of Bulgarian Descent').

#### 5.5.2.2 Immigration Influx into Bulgaria in Numbers

Concerning immigration influx into Bulgaria, Simeonov points out that, “[t]he number of foreigners continuously or permanently residing in Bulgaria rises with small rates, but steadily (...)” (Simeonov 2008, p. 58). According to statistics provided by the Bulgarian NSI for the year 2001, the number of people living in Bulgaria with a foreign nationality amounted 25.572 (NSI 2004, pp. 218-219). In 2007 63.615 people permanently resided in Bulgaria (see table no. iii).

In the period between 2004 and 2007 the top ten countries of origin of those who received permanent residence almost did not change (see table no. iv-viii). Turkey, Russia, China and Ukraine are always among the top five countries of origin. Turkey leads with up to 680-937 residence permits granted annually. Until December 31<sup>st</sup> 2007 the total equalled 3.778. In most cases Russia places second with 300-500 residence permits granted annually. Until December 31<sup>st</sup> 2007 the total equalled 21.171. Generally, the number of residence-permit-receivers from Macedonia and

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<sup>26</sup> For further information on immigrants from the Near and Middle East in Bulgaria see Zhelyaskova 2004.

<sup>27</sup> The Former Yugoslavian Republic of Macedonia is in the following referred to as Macedonia.



Moldova are continuously increasing, whereas the number of receivers from Armenia, Syria, Lebanon and Vietnam are consistently decreasing. (see tables no. iv-viii)

Furthermore, the interest in acquiring Bulgarian citizenship increased *”after 1999, when Bulgaria was removed from the ‘black list’ of the Schengen agreement. From 1990 to today 125.000 (94.000 since 2000) foreign nationals have applied for Bulgarian citizenship. Since 2001, citizenship has been granted to 26.000 foreigners, most of whom were of Bulgarian descent and were citizens of the Republic of Macedonia (10.850), Moldova (9.187), Russia (1.751), Ukraine (1.233), Serbia (Serbia and Montenegro) (1.089), or Albania (299)”* (Hajdinjak/Nazarska 2008, pp. 6-7)

According to the 'National Strategy on Migration and Integration', the number of applications submitted by foreigners of Bulgarian descent add up to 31.079 between 1990 and 2000 (National Strategy 2008, p. 10). Annual records on applications for citizenship and granted citizenship are not available for the years 1999 and 2000.<sup>28</sup>

According to the National Strategy (2008, pp. 10-11), during 2001-2006 more than 100.000 applications were submitted in order to attain Bulgarian citizenship. More than 26.000 applicants received the Bulgarian citizenship until the end of 2006 (see table no. ix - this number includes persons of Bulgarian Descent, foreign citizens, who are studying in Bulgaria, and citizens of Macedonia as students in national institutions of higher education in Bulgaria). The most immigrants of Bulgarian descent are from Macedonia and Moldova, followed by Serbia, Russia, Ukraine, Israel and Albania as countries of origin (see table no. x). According to Gergiev (2008, p. 22), around a third of applications submitted during the years from 2002 to 2007 were issued by Macedonian citizens. The total equalled 13.925. According to statistics and Simeonov (2008, p. 60) Moldavians appear to place second in filling in application forms in order to receive Bulgarian citizenship.

According to Gergiev (2008, p. 9), one of the reasons for an increased interest in receiving Bulgarian citizenship, is the status of the nation as a member of the EU: *„At present, the Bulgarian accession continues to play an important role for a lot of people of Bulgarian origin from Southeastern and Eastern Europe (especially from Macedonia, Ukraine, and Moldova) to apply for Bulgarian citizenship. However, Bulgaria, as a full-fledged member of the European Union, is attractive to people, not only from these regions, but also from different countries in the Middle East*

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<sup>28</sup> So far the Department of Citizenship, Ministry of Justice of the Republic of Bulgaria, which could provide such data, did not develop a data base in order to make the information accessible. This information was provided by the Head of the Department on 22 June 2009 (remark by the author).

*and North Africa.*” His statement is supported by statistics from 2007. In the year 2007, the number of applications for Bulgarian citizenship increased up to 12.411. Nearly half, approximately 6.000, of the applications came from Macedonians and about 1.000 came from Moldavians (Gergiev 2008, p. 22; Simeonov 2008, p. 60).

In the years 2007 and 2008 experts observed the demographic developments in Bulgaria in detail. Bulgaria faced high emigration - especially by young and skilled people, low marriage and birth rates, as well as an increased mortality rate. Those factors caused *“serious shortages on the domestic labour market”* and experts propose, amongst others Gergiev (2008, p. 9), that these gaps *“could (...) partially [be] filled with third-countries’ nationals.”*

### 5.5.2.3 Access to the Labour Market

Gergiev (2008, p. 23) described the access to the labour market for immigrants in Bulgaria as follows: *“If a non-EU, non-asylum seeking foreigner is to work on a labor (sic!) contract in Bulgaria, firstly his/her Bulgarian employer should submit an application for a labor (sic!) permit before the Ministry of labor (sic!) and social policy. What is more, foreign employees within the respective Bulgarian company should not be more than 10% of the total number of employees. Furthermore the foreign employee should be paid a minimum salary significantly disproportionate to the minimum salary received by Bulgarian employees. Last, but not least, relatively high administrative costs are necessary (about 1300 Bulgarian Lev/670 Euro) during the whole triple-level procedure, which requires it’s consideration once before the Ministry of labor (sic!) and social policy in order to receive the work permit; once before a diplomatic and consular mission of Bulgaria abroad in order to receive the work permit; once before a diplomatic and consular mission of Bulgaria abroad in order to apply for receiving a visa “D”, and lastly before the Ministry of Interior for receiving a stay permit.”*

As the explanation by Gergiev shows, the procedure for foreigners wanting to access the labour market is quite complicated and multi-layered. They have to find an employer with a business consisting of at least ten people. In the next step this employer should be willing to submit an application form. The foreigner has to be able to afford the whole procedure and, additionally, has to have financial resources to pay for living expenses during the time of the formal bureaucratic procedure. Although the Bulgarian labour market is suffering from a lack of labour force, one can assume, based on the complexity of the procedures outlined above, that the system for accessing the

labour market for third country nationals in Bulgaria, appears to be not particularly inviting. According to Hajdinjak (Informal Meeting, 21 May, 2009), immigration is generally not perceived as an economic or social threat. One reason could be that the majority of immigrants have located their own market sectors, as the Chinese and Arab communities have found these within the gastronomy and micro business sector. On the contrary, politicians and experts perceive immigration as a phenomenon that strongly contributes to economic development and stabilisation of the labour market in Bulgaria. The majority of immigrants arriving bring capital into the country in order to invest it, create employment opportunities by establishing their own businesses and fill gaps in the market.

#### 5.5.2.4 Asylum Seekers and Refugees in Bulgaria Today

As mentioned beforehand and according to Hajdinjak and Nazarska (2008, p. 23), *“[d]espite being a relatively small part of all foreigners in Bulgaria, refugees came to occupy a central place because of their natural vulnerability and the related fact that they are protected by international laws to which Bulgaria is a party. At the same time, the government feels that it is important to monitor them closely and to control their status. The government has set up a special State Agency for Refugees (...) and passed a national program for their integration. The passing of the Law of Asylum and Refugees in 2002 and the reorganisation of the State Agency for Refugees (...) was influenced also by a sharp increase in a number of asylum seekers in the 1999-2002 period, which came as a result of the Kosovo conflict and the war in Afghanistan (...)”* (see table no. xvi-xx).

During the past decade Afghanistan, Iraq, Armenia and Iran have been more or less continuously, the top five countries of origin among asylum seekers. Among these there are countries within war regions, such as Afghanistan and Iraq (Gergiev 2008, p. 13; see table no. xvii-xxvi). Armenia as a country of origin for asylum seekers is an exceptional case as most of the applicants are not authentic asylum seekers. According to Daskalova (Interview 13 June, 2009), often they have to use the procedure to stay legally in Bulgaria. Numerous Armenians can be counted among these immigrants, who became 'irregular' due to the new visa regime.

Despite the current 'top five countries of origin', the data above demonstrates that there is no clear rising tendency to be observed in immigration influx by refugees and asylum seekers to Bulgaria. Waves of refugees and asylum seekers are naturally linked with wars, aggression, political conditions, death penalty and other aforementioned factors in their particular country of origin.

The application submitted by refugees in 2007 rose up to 975, compared to 639 applications in 2006. Although it is a marginal increase and applications decreased again in 2008 to 236, according to Gergiev (2008, p. 13) “[i]t is assumed that to a big extent this development is due to country’s accession to EU which facilitated many travel procedures and at the same times is considered as an easier option for (il)legal refugees to enter the older EU members states or at least these with better economic indicators than Bulgaria.”

#### 5.5.2.5 Access to the Labour Market

As early as 1994 an ordinance came into force that anchored the right for refugees to do contract work in the Bulgarian the legislation. With the 'Labour Bureau Directives' the frame for registering refugees as active employment seekers has been set. Building on this frame, Article 32 of the 'Law on Asylum and Refugees' in Chapter IV describes the position of refugees in Bulgaria in comparison to the position of Bulgarian citizens. According to the Law, Daskalova and Lewis (2008, p. 86), refugees enjoy rights almost equal to Bulgarian citizens, and the rights of humanitarian status holders are equal to those of permanent residence permit holders. However, they have to face several difficulties that differ from the ones experienced by the other category of immigrants. When accessing the Bulgarian labour market refugee and humanitarian status holders are confronted with the following obstacles: *“The refugees often lack documents, proving a completed educational level or acquired qualification in the country of origin; and that is the reason for their registration in the lowest category of unemployed - primarily educated and without qualification; and that fact positions them in the unskilled workers rank”* (Filipova/Novakova 2008, p. 75).

According to Filipova and Novakova (2008, p. 75), the situation for male refugees in Bulgaria is much more favourable than for female refugees. Whereas male refugees are mostly employed *“in the sphere of trading, car repairs, construction business and fast food restaurants”*, female and aged refugees have limited access to labour and social life, as *“[t]he women-refugees are in most of the cases primarily educated or (...) illiterate. The low educational level, the lack of professional qualification and the labour habits are a prerequisite for a long lasting unemployment of the female refugees.”*

## 5.6 Resume

Based on the illustration of developments in the Bulgarian legislation for foreigners, asylum seekers

and refugees, as well as the analysis of statistics, the following deductions can be made:

Firstly, Bulgarian legislation was adjusted and harmonised with the EU legislation in a fast process. Whereas legislation on asylum and refugees appears to have been adapted well in the harmonisation process, legislation on remaining foreigners has become complex and obscure.

Secondly, high emigration rates and ageing of the population lead to 'depopulation' tendencies in Bulgaria (Simeonov 2008, p. 61). In light of these demographic developments, an immigration policy that encourages immigration on other grounds than ethnicity, would be beneficial for the demographic crises and the labour market in Bulgaria. However, due to the trends in EU immigration policies, Bulgaria has become more restrictive towards immigrants over the last years and shows ethnic bias in dealing with immigrants. Legislation favours preference to third country nationals of Bulgarian descent and Bulgarian citizens living abroad, in its attempts to attract immigrants.

Thirdly, immigration influx in Bulgaria has increased in the past decade. According to estimations by Gergiev and other experts, immigration influx will continue to increase. Furthermore, as a logical assumption in regard to the introduction of the Dublin Convention II into the 'Law on Asylum and Refugees', seems to me, that the influx of asylum seekers will increase during the forthcoming decades. The gravest impact will be felt by EU external Border States will be the gravest. Therefore, the establishment of a strong network consisting of different actors, amongst others non-governmental organisations, is necessary.

Fourthly, due to the lack of data, especially the lack of standardised data with normed legends, and the frequent contradictions in numbers, the interpretation of statistics is challenging and unreliable. Interpretation of data should rather be perceived as an estimate. According to Hajdinjak (Informal Meeting 21 May, 2009), generally more attention is dedicated to migration and immigration issues in Bulgaria now than in the past. This fact may have contributed to the availability of more exact data of higher quality, which consequently leads to an increased awareness of the immigration influx.

And fifthly, foreigners, i.e. immigrants, asylum seekers and refugees, are barely included in legislative and bureaucratic decision making processes. Non-governmental organisations and immigration experts are at least formally included in these processes. To which extent civil society and NGOs are able to influence those processes will be analysed in the case studies.

The following chapter will provide an insight into the Bulgarian sector of civil society and NGOs tackling migration issues with the help of three case studies. The first case study on ‘Centre for European Refugee, Migration and Ethnic Studies’ (CERMES), demonstrates which methods an organisation could use to contribute to the public discourse and to facilitate the communication between state actors and foreigners in Bulgaria. The second case study on the ‘Association for Integration of Refugees and Immigrants’ (AIRM) exemplifies what promoting the rights of refugees, influencing the policy making process, mediation between state authorities and refugees, and cooperation among non-governmental organisations could look like in future. The third case study on the ‘Bulgarian Memory Foundation’ (BGMF) is an example of consultancy and missing state structures when it comes to foreigners of Bulgarian descent immigrating to Bulgaria.

## 6 CASE STUDIES

### 6.1 CERMES - Centre for European Refugees, Migration and Ethnic Studies

From her own point of view, Krasteva (Interview 11 July, 2009) described the beginning of CERMES as follows: *“I started initially this very first research on immigration with the International Centre for Minority Studies and Intercultural Relations (IMIR), because at that time CERMES has not been set up. We published this book, which is really the first stone of migration studies in Bulgaria. It is absolutely fascinating to start one field from the very beginning. So it is a fact, that this is the really first book, which was the result of the first project on immigration. That is why I named it ‘Immigration in Bulgaria’. The team was interdisciplinary (...). (...) It was, once again, the very first book so it is definitely not perfect and I know all the deficits, but it is as well probably one of the most quoted.”*

#### 6.1.1 CERMES

##### 6.1.1.1 Establishment of the Centre and Target Group

CERMES was founded in 2003 at the 'Department of Political Science' at the 'New Bulgarian University' (NBU) and is the first specialised academic unit in Bulgaria. Yet, the research activities implemented by the core member and director of the centre Krasteva had already started years before that (Interview Krasteva 11 July, 2009).

According to an article written by Krasteva and Jileva (2006, pp. 137-159), immigration studies in Bulgaria are just beginning, as until present times only a few publications concerning immigration issues can be found. This fact had been observed during the research period for this thesis. During the 1990s the migration discourse took place on a legal basis and was reserved to ministerial representatives. In 1998, Krasteva (Interview 11 July, 2009) edited a book on communities and identities in Bulgaria and realised that *“it was a moment to open new horizons and meanwhile I realised that we work on minorities as the main expression of interculturality of Bulgaria. But this interculturality had already a new source, namely immigration.”* As a consequence she started to introduce courses on immigration in the curricula of the department of political sciences in the NBU and emphasised the interdisciplinary field of migration during a round table organised by the

'United Nation High Commissioner for Refugees' (UNHCR) on refugee issues with representatives of Bulgarian institutions and academic circles approximately a decade ago: *“I took the floor and I said that migration is a much larger phenomenon and that there are other dimensions, not only asylum seekers and refugees. Furthermore it is an interdisciplinary field. So that it is not a field only for lawyers, but political scientists, sociologists, anthropologists, cultural studies, etc. etc.”* (Interview Krasteva 11 July, 2009). In a continuation of conviction, research and teaching she initiated the establishment of the research unit CERMES after realising, that *“we can do everything what we want without any structure, but symbolically it is important to have a centre which calls migration as a main field of research. Symbolically it is important, so that people identify not only me and my team, but one structure.”* The target group encompasses all types of migrants.

#### 6.1.1.1.1 Excursus: Interdisciplinary Aspects of Migration<sup>29</sup>

With the illustration of migration typologies published by the International organisation for Migration, the interdisciplinary nature of this field is obvious.

According to IOM, the causes for migration are numerous and *“even in one individual, the motives to migrate may be mixed and multiple. For example, asylum-seekers may be fleeing persecution as well as poverty in their country of origin. Distinctions between immigrant and settled person, economic migrant and asylum-seeker, foreign worker and travelling businessman, student and highly skilled professional, are more blurred today than a decade ago. Individual motives and ambitions that influence migration are intertwined with external factors and pressures. (...) The typologies used to categorize the phenomenon of migration are extremely broad in scope. Many migration professionals have addressed the issue of developing an integrated typology of migration. The result is a range of approaches: geographical, demographic, sociological, political, legal, or multidisciplinary.”* One of the multidisciplinary approaches could be a mixture of social, demographic and cultural typologies. The particular typologies are, for example, chosen *“according to a series of migrant characteristics: gender, marital status, age, professional qualification, ethnic background, or religious persuasion.”* Focusing on the grounds of migration, the diversity of its roots is manifold and *“can also form the basis for a typology of migration. Migration can be caused by economic reasons, commercial or technical reasons, environmental factors, or economic imbalances or breakdowns. Migration can also be caused by demographic reasons: family*

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<sup>29</sup> See also IOM 2 (<<http://www.iom.int/jahia/Jahia/about-migration/migration-management-foundations/terminology/migration-typologies>>, viewed 10 October, 2009)



*migration, migration of young people and retirees, and "replacement migration." Migration can be caused by politics: refugee movements, colonial or inherited migration within 'migration pairs,' or by repatriations. Any of these reasons may combine to produce composite types of migration."* Concerning migration typologies one last example of migrants should be mentioned which is interesting for the field of development studies. Migration of highly skilled professionals from poor countries is a very fascinating phenomenon, as it is possible, that migration does not occur due to the hope of higher salaries and greater recognition in other countries, but also for the reason of contributing to *"the development of their country of origin through remittances and the transfer of skills"* in case they return.

#### 6.1.1.2 CERMES - Structure, Methods and Focal Point of Support

##### 6.1.1.2.1 Structure and Staff

The core of the centre consists of A. Krasteva, the director of CERMES and at least seven young scholars, PhDs with Krasteva as their supervisor. Krasteva (Interview 11 July, 2009) mentioned in the interview, that *"when I started there were no experts. Nobody knew anything about migration and it is much more difficult to convert scholars of my generation from one field to another. It is much easier to start forming young scholars. And this is what I did. This is my strategy and my main pride that I can say that I formed myself a team of PhD people who came and come to my university especially for their PhD."* At the present, they are the pool of experts involved in the activities of the centre. According to the website manifold expertise is represented through research issues such as 'Internally Displaced Persons: The case of Bosnia and Herzegovina', 'Lebanese Immigration in Bulgaria', 'The Bulgarian Policy on Macedonian Migration after 1989', 'Access to Labour and Identity Transformation of Refugees: Comparison of France and Bulgaria', 'Migration, Integration, Human Rights: Old and New European Experiences' and 'Mobility and intercultural socialization - Transformation of notions and modification of the value system of the Bulgarian students in France'. Although Krasteva (Interview 11 July, 2009) is in the position of supervisor for all other team members, the standing among them appears to be equal. They work independently. The particular expertise of each member is acknowledged and external organizations, institutions or persons often directly consult the person who has the needed expertise.

In addition to the Bulgarian team, CERMES collaborates with an international scientific committee,

where scientists from Sweden, Belgium, France, Serbia, Canada, Greece, Germany, Italy and USA are represented and “*who accepted to be an international caution guarantee for scientific quality of our production*”, according to Krasteva (Interview 11 July, 2009).

As CERMES is a research unit within the NBU, the team can make use of infrastructure and administration provided by the university, which allows the team members to focus on research and all the other activities implemented by CERMES as will be illustrated later on.

#### 6.1.1.2.2 Focal points

The main focus of CERMES involves the development of curricula and research in the field of migration, refugees and ethnic problems, as well as the development and strengthening of the values of tolerance and integration. Furthermore, CERMES feels responsible for promoting the rights of refugees, immigrants, and minorities, as well as raising public awareness on migration and asylum issues. (CERMES 1 <<http://cermes.info/en/page.php?category=1>>, viewed 10 June, 2009)

In addition to these aspects, two objectives were mentioned during the interview with Krasteva (Interview 11 July, 2009): “*On the one side the theoretical ambitious objective to problematize the background of this new field. On the other hand, we have the objective to accumulate knowledge on the different types of migration.*”

Although the focal point of cooperation with media was not mentioned neither on the website nor in the interview, regarding the results of the interview with Krasteva (Interview 11 July, 2009), cooperation with media representatives is highlighted: “*Attitudes and perception of average citizens in Bulgaria base on media and not on academic literature. Therefore it is important to work with journalists and media in an open and dialogical way. It is important, to involve them in our activities, so they can get in an open and spontaneous form real and direct contact with migrants. Also it is important to hear our analyses, participate with their perspectives as this is the best way to change the style of writing about migration in the media. One part of my civic engagement is as well to stop whatever I do at the moment a journalist wants to talk to me. Otherwise they would write something cryptic and not corresponding to the situation at all. I do consider it as a very important mission to change the public space, to change public environment and to facilitate in this way the integration.*”

#### 6.1.1.2.3 Methods

Applied methods by CERMES include numerous publications<sup>30</sup> in form of academic books or analytical articles for newspapers; lectures<sup>31</sup> held by persons connected to issues of migration through their work or their research specialisation; round tables<sup>32</sup> where the participants are related to the particular topic by being a scholar in this field, having practical experience due to state institutional, non governmental or other work, as well as being a member of the particular topic related target group; conferences and intercultural festivals<sup>33</sup> including a broad spectrum of activities, such as documentaries, exhibitions, dances and debates<sup>34</sup>. In addition to that, Krasteva (Interview 11 July, 2009) stated, *“I could not imagine the situation where the nice and wonderful people, the immigrants and the refugees, are perceived only as an object of research and analysis. I have a lot of fiends among the immigrants, really personal wonderful friends and lot of acquaintances. So that it is really both: object of research, part of your civic engagement and personal life. These are the main sources of our activities.”*

### 6.1.1.3 Financing and Cooperation of CERMES

#### 6.1.1.3.1 Financing

According to Krasteva, CERMES functions independently of financial funding. The centre benefits from administration and infrastructure provided by the university. The members doing research for their PhD have grants supporting and financing their work, the director herself draws a salary from her work as a university professor and as the director of the department of political science. *“(…) there is no specific money, which comes to CERMES.”* Occasionally salaries are paid to participants in funded projects. In case the members want to implement a research, they *“have to apply like everybody else, because the university has a special fund for promoting research. We have to apply*

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<sup>30</sup> For example *Immigration in Bulgaria, Figures of Refugee; From Ethnic to Migration Studies; Migration Flow in Southeast Europe* (CERMES 2 <<http://www.cermes.info/en/page.php?category=4>>, viewed 18 June, 2009)

<sup>31</sup> For example within 2006/07: *Migration Policy of France; Migration Policy of Spain*; within 2005/06: *Illegal Migration, Refugees and Labour - Refugees in France*, within 2004/05: *Harmonization of Refugee Policy, Migration Policy of Belgium, Migration Policy of USA* (CERMES 3 <<http://www.cermes.info/en/page.php?category=3>>, viewed 18 June, 2009)

<sup>32</sup> For example within 2006/07: *Being a refugee in Bulgaria; Being an Arab in Bulgaria; Women, Ethnicity, Science*; within 2009: *Being a student abroad: Bulgarian students in foreign countries and foreign students in Bulgaria* (CERMES 3). Remark: The author of this research took part in the Round Table on *Being a Student Abroad: Bulgarian students in foreign countries and foreign students in Bulgaria* on 24 April, 2009.

<sup>33</sup> For example within 2008: *Integrating New Migrants: European Experiences; Migration in and from south eastern Europe* (CERMES 4 <<http://www.cermes.info/en/page.php?category=35#top>>, viewed 10 June, 2009)

<sup>34</sup> For example during the period 2006-2008: *Invisible communities: being a woman abroad* (CERMES 5 <<http://www.cermes.info/en/page.php?category=17&id=17>>, viewed 15 October, 2009)

*and they give us something, but we function mainly on the base of projects. We apply everywhere and we also do a lot of our activities voluntarily”* (Interview Krasteva 11 July, 2009).

In the course of the interview Krasteva (Interview 11 July, 2009) mentioned, that the main activities of the centre are academic and research is implemented even if no funding is available. *“As a scholar anyway I do research and if I have funding it is fine, but if we do not have we do not stop the research. This is, let’s say, our peculiarity but I think this is also our strength, because we work already for ten years on a very regular base (...).”*

Numerous debates and round tables organised implemented by CERMES do not have special funding. In close cooperation with the 'Red House Sofia' premises are available for debates and round tables.

#### 6.1.1.3.2 Cooperation and Competition

The centre (CERMES 6 <<http://www.cermes.info/>>, viewed 7 October, 2009) is involved in numerous activities implemented working together with a broad spectrum of partners. At the holding of the two conferences the centre cooperated with the 'Manfred Woerner Foundation' complemented through the support of the 2004 'PHARE Civil Society Development Program' and with the 'Austrian Science and Research Liaison Office', the 'Ethnographic Institute and Museum' at the 'Bulgarian Academy of Sciences' financed with the support of the 'Austrian Federal Ministry of Science and Research' (CERMES 4 <<http://www.cermes.info/en/page.php?category=35#top>>, viewed 10 June, 2009). Regarding publications CERMES has worked together with scholars from different disciplines, such as anthropologists, sociologists, advocates, and others, as well as various organisations, such as IMIR.<sup>35</sup>

Additionally, CERMES has already cooperated already with schools, various NGOs (for instance the 'Legal Clinic for Refugees and Immigrants', the 'Legal Aid - Voice in Bulgaria', the 'Open Society Institute in Sofia', the 'Red House'), the representation of the European Community in Bulgaria, the representation of the UNHCR in Bulgaria, the French Embassy, the British Council, the Municipality of Sofia, etc. Furthermore, whenever CERMES organises public debates and round tables, numerous persons and representatives of other organisations, NGOs, state institutions, members of the particular target group concerned and media representatives are invited. For

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<sup>35</sup> Remark: Examples illustrating interdisciplinary cooperation are the publications ‘Immigration in Bulgaria’ and ‘The Implication of EU Membership on Immigration Trends and Immigrant Integration Policies for the Bulgarian Labor Market’

instance, according to Krasteva (Interview 11 July, 2009), almost every time when an activity is organised by CERMES at least one member of the 'Association for Integration of Refugees and Migrants' (AIRM) participates.

The types of cooperation are manifold: Members of CERMES are asked to design and implement projects or to act as consultants, as well as moderators at debates and round tables. *“So the cooperation takes different forms: Co-organisation of conferences, forums, debates, projects and I think that this variety has its charm. Very often they are informal so that there are no agreements or signatures, when Diana [Daskalova from the Legal Aid - Voice in Bulgaria; Remark by the author] for example invites me to moderate a round table. This is as well a part of my civic engagement. Of course if we organise a conference we need a very solid financial support. I would say that we had cooperation with a lot of organisations working in the field of migration in Bulgaria.”* (Interview Krasteva 11 July, 2009)

In most cases CERMES does not need to apply for projects, as they are often invited by national and international partners to participate. Besides illustrating cooperation and partnerships, Krasteva (Interview 11 July, 2009) declared, that the atmosphere among team members is characterised by a cooperative, sharing and solidary attitude rather than a competitive one.

#### 6.1.1.4 Changes

According to Krasteva (Interview 11 July, 2009), the biggest changes during the past decade include the enrichment of the migration discourse in Bulgaria using an interdisciplinary approach, the direct inclusion of migrants in discourse processes, the shaping of the public space by the introduction of public debates and analytical articles in newspapers, as well as discussions on the radio, and the establishment of a strong network including scholars, migrants, state representatives and NGOs surrounding CERMES.

#### 6.1.1.5 Conclusion

CERMES is the oldest among the three organizations subject to the case studies and functions in its current form since 2003. The activities of the organisation had already started already long before that - in the late 1990s. The target group of CERMES comprises all migrants. Its main functions include research and the accumulation of knowledge on completely new terrain, as up to now the research concerning migration in Bulgaria is only beginning. Nevertheless, focal points consists of

the development of curricula and research in the field of migration, refugees and ethnic problems, the development and strengthening of the values of tolerance and integration, the promotion of refugee, immigrant, and minority rights, increasing public awareness on migration and asylum issues, facilitating of integration, as well as shaping of the discourse in general and the public space concerning migrant issues.

The main functions and focal points are realised through numerous activities in the framework of interdisciplinary publications, debates, round tables, conferences, intercultural festivals and others. CERMES operates in different positions, such as scholars, consultancy for expertise, moderators and networkers.

Generally speaking, every single member of the organisation works without financial gain as they make a living either through another employment or through grants. CERMES is a research unit within the NBU, which allows the centre to focus on research and teaching, as it can use the administration and infrastructure provided by the university. CERMES has to apply for funding if needed, although in most cases applications are not necessary, as the team members are often invited by others to take part in activities and projects. Many activities implemented by team members are not paid for. They are achieved through personal civic engagement and passion. The organisation represents a cooperative and sharing attitude, which becomes obvious through the numerous projects implemented in collaboration with a wide spectrum of partners.

CERMES, represented through Krasteva in cooperation with the 'International Centre for Minority Studies and Intercultural Relations' (IMIR), which is not subject to the present case studies, conducted a lot of pioneer work on the migration field in Bulgaria with their first interdisciplinary publication on immigration, the introduction of analytical articles into the media space. Furthermore, CERMES has recently been invited to act as a consultant to the Municipality Sofia: *“So this is really the first time when we had been invited by a Bulgarian institution, which is again very trivial and very normal for my Western colleagues, but for Bulgaria it is really of novelty. It is probably the really first time that any Bulgarian institution asks a centre for consultancy in the field of migration. Because migration policy is recently institutionalized in Bulgaria, there are very few units who work on that. The biggest city in Bulgaria, which is also the centre of migration, of immigration, in Bulgaria started only recently this project and again the initiative came not from the city itself but from this international project. It is a kind of honour and recognition of our expertise that we have been invited for that.”* (Interview Krasteva 11 July, 2009)

## **6.1.2 Analysis**

### **6.1.2.1 Ad function 2 (Montesquieu) - Observation and Control of the State**

As depicted before CERMES operates almost independently. The only dependence at this very moment can be located in the use of infrastructure provided by the New Bulgarian University. Therefore autonomously functioning of the centre is possible in the limited frame of the university. Observation and control of the state is exercised by means of public debates and round tables, where policies are criticised openly. Furthermore, cooperation with media outlets is given a top priority. This approach influences public opinion- and will-formation and constitutes another instrument for confronting the state. This leads directly to state observation and at the least leads indirectly to control. In addition, CERMES designs curricula for the University. At least one member of the organisation teaches students. As a result, observation and state control can take place in the lectures held at university. The applied methods address representatives of state organs, the public, journalists, members of the target group, scholars and students.

### **6.1.2.2 Ad function 3 (Tocqueville) - Schools of Democracy**

The director of CERMES holds a higher position than the other members from a structural point of view. She supervises the dissertations of the remaining members. But regarding project design and subsequent implementation, all members are on an equal level. Every single person can contribute ideas and take part in the implementation process. The only limitation can be posed by the topic itself. Every member specialises in particular topics within the field of migration. Therefore, the question, which members of the organisation are asked to take part in a specific research programme, depends on the respective subject matter. In its work the centre places vital importance on values such as sharing, fairness, trust, transparency, cooperation and standing up for one's personal opinion.

### **6.1.2.3 Ad function 4 (Habermas) - Participation and 'Self-Transformation'**

The main focus of CERMES includes the development of curricula and research in the field of migration, refugees and ethnic problems. Furthermore, development and strengthening of values such as tolerance and fairness are centred. In addition, the organisation feels responsible for promoting the rights of refugees, immigrants, and minorities, as well as to raise public awareness on migration and asylum issues.

The focus of this research unit clearly lies on marginalised topics, groups and interests. The members are strongly connected to their target group consisting of immigrants, asylum seekers and refugees. They remain in contact with them on a personal and a scientific level.

CERMES deals with its target groups in academic research, publications, conferences, debates, round tables and festivals. Consequently, interests and problems of the particular target group are addressed directly, for example, in public discussions and indirectly, for example, in publications. The invitation of members of the particular target group to the podium and the audience is at all times an important concern, when public debates are organised. In this way the target group directly participates in activities and can express themselves immediately.

The target group is, however, not directly involved in the functioning of the organisation. The members are all PhD students and only if one of them is an immigrant, then a person from the target group is directly involved. The target group can exert influence in the project design and implementation. At all times, the target group plays an important role in the implementation processes, as it is object to the research. Without them it would not be possible for CERMES to carry out the activities. Furthermore, the target group can influence public events, as mentioned above.

The fact, that only PhD students can be members of the organisation, non academics are excluded in becoming an active member. Furthermore, the published books are scientific and therefore address the academic circle, rather than the average public. But considering that analytical articles are written for newspapers this condition is balanced and the average public is addressed too.

CERMES reaches out to everyone with an interest in these matters, as the centre focuses on anchoring its topics and issues in the public and political discourse.

With reference to 'self-transformation' of the political system CERMES carries out numerous activities, which have the potential to contribute to this process. With academic books, analytical articles in newspapers, round tables and debates people from manifold backgrounds are addressed, such as, scholars doing research in this field, workers having practical experience, representatives of the particular state institutions, members of the particular topic related target group, numerous stakeholders. At the same time they are included in activity implementation. Furthermore, conferences with the participation of scholars, journalists, representatives of state authorities, etc., festivals consisting of documentaries, exhibitions, debates and discussions, as well as university teaching incorporate diverse and heterogeneous actors in the discourse. These inclusive methods



lead on the one hand to the empowerment of the target group. On the other hand they strongly contribute to the anchoring of immigration issues in the public discourse. As a consequence, public opinion- and will-formation can potentially be influenced, which subsequently leads to the 'self-transformation' of the political system focused on by CERMES.

Concerning the values shared by the members of CERMES cooperation, support, sharing, transparency, coordination, participation and fairness are highlighted. Competitive behaviour is perceived as a counter-productive attitude, especially in the field of immigration.

## **6.2 AIRM - Association for Integration of Refugees and Immigrants**

### **6.2.1 AIRM**

#### **6.2.1.1 Establishment of the organisation and Target Group**

Concerning refugee, asylum seeker and humanitarian status holder issues there are numerous international and national organisations operating in Bulgaria (Druke/Antonov 2005, p. 293; Hajdinjak/Nazarska 2008, pp. 26-27), such as the 'Bulgarian Helsinki Committee' (BHC), the 'Refugee Migrant Service' of the 'Bulgarian Red Cross', 'Caritas Bulgaria' and the 'Union of Refugee Women in Bulgaria', the 'Centre for Assistance of Torture Survivors' (ACET), the 'NADYA Centre', the 'Legal Clinic for Refugees and Immigrants' at Sofia University, as well as the 'Association for Integration of Refugees and Immigrants' (AIRM), which is subject to the case study.

According to Radeva (Interview 12 June, 2009), Hajdinjak and Nazarska (2008, p. 27) *“Foreign nationals with the refugee status are in principle entitled to the same rights as Bulgarian citizens regarding labor (sic!) and employment. However, as they have to find employment on their own, they experience a number of difficulties: the language barrier, lack of social network and lack of experience on the local labor (sic!) market. Despite being equal on paper, refugees are thus marginalized. They therefore need support and encouragement through special programs and a common policy for their integration and employment.”* In the course of the interview with M. Radeva (Interview 12 June, 2009) it was made clear, that the conditions for refugees had not change so far in regard to their marginalized situation, which for the 'Association for Integration of Refugees and Migrants’” forms the basis of their legitimisation.

AIRM was founded in 2004 by the current chairwoman, Radeva, together with six other people, as

by law a non-governmental organisation can only be founded either by seven physical or by three juridical bodies. The founders come from diverse backgrounds as for instance a lawyer, a journalist and a teacher are a part of the foundation committee. The initial motivation for founding this association arose due to the need of support for refugees, asylum seekers and immigrants in Bulgaria, sensed by the foundation members. (Interview Radeva 1 July, 2009)

'Caritas Bulgaria', ВНС and the 'Bulgarian Red Cross' founded, in function as juridical bodies, the Български Бежански Съвет (Bulgarian Council for Refugees ). In May 2009 the council was renamed and given its current name the Български Съвет на Бежанци и Имигранти (Bulgarian Council for Refugees and Immigrants). The council functions as an umbrella organisation to unite the forces of NGOs working in this field. AIRM later on became a member of this council and is so far the only NGO, which has been included besides the founding members. (Interview Radeva 1 July, 2009)

The main target group of the association is currently comprised by refugees. Radeva (Interview 1 July, 2009) mentioned that in regard to research at present it is far easier to focus on topics related to refugees due to facilitated access to information, resources and statistics. In 2008 the association started to extend their focus to include issues of immigration in a broader sense, as can be seen by the AIRM's participation in the design process of the 'National Strategy of the Republic of Bulgaria on Migration and Integration'.

#### 6.2.1.2 AIRM - Structure, Methods and Focal Point of Support

##### 6.2.1.2.1 Structure and Staff:

According to Radeva (Interview 1 July, 2009) , chairwoman of AIRM, the association does not have a fixed amount of members as all members work voluntarily. Some of the volunteers work temporarily, while others contribute whenever they find time outside of their employment or their studies. The average number of members varies between ten and twenty. The spectrum of their backgrounds and ages is very diverse as there are students and pensioners volunteering for the organisation, as well as middle-aged people contributing to the functioning of the NGO during their spare time besides their employment somewhere else. For instance, Radeva herself has worked for about ten years for the 'State Agency for Refugees' (SAR). After she gave up her employment in the SAR, she founded the AIRM and has been working there until present time, despite her main job in

the 'Centre for Drug Addictions'. According to her, it is very hard to find - in particular long time - volunteer workers in Bulgaria, as the majority of citizens have other problems to resolve in their daily lives. (Interview Radeva 12 June, 2009)

As far as could be observed the organisation avails itself of a loose structure with a horizontal hierarchy, in which every single member can contribute to and influence the work processes. Furthermore, AIRM is not located in an office, as there is no funding to pay for rent. In case a venue for meetings is needed, the law firm of Radeva's husband are at AIRM's disposal.

#### 6.2.1.2.2 Focal Points:

The focal points of AIRM cover a wide range of activities. The main goal is to support refugees and migrants in Bulgaria in regard to their successful orientation in Bulgaria and integration into society in every aspect. (Interview Radeva 12 June, 2009)

In order to achieve this AIRM focuses on rising public and institutional awareness concerning the living conditions of refugees in Bulgaria, promotes their rights, provides important documents and application forms for refugees on the website (AIRM 1, <<http://www.airm-bg.org/maineng.htm>>, viewed 1 June, 2009)<sup>36</sup>, analyses weaknesses of the current legislation on refugees and migrants in regard to practical appliance of laws, in a next step develops proposals for legislation changes, concentrates on strengthening the whole network of organisations working on issues related to refugees and migrants (from a practical to a scientific level), participates in topic related meetings, round tables, debates and events<sup>37</sup> and often offers consultancy to refugees or migrants with questions. (Interview Radeva 1 July, 2009)

#### 6.2.1.2.3 Methods:

According to Radeva (Interview 12 June, 2009), with the view of raising awareness about circumstances of refugees in Bulgaria and promoting their rights, AIRM organises meetings with various institutions, organisations and companies to share topic related information. In addition to these meetings a handbook has been developed and published in cooperation with various NGOs, the SAR and the UNHCR in order to facilitate the distribution of, and access to information,

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<sup>36</sup> Remark: Refugees can make use of the services provided by the national integration program for a period of one year. The services include language courses, financial support for living, social insurance and kindergartens for their children, as well as support in the search for employment and scholarships for education. (Interview Radeva 12 June, 2009)

<sup>37</sup> A. Krasteva (Interview 11 July, 2009) mentioned the regular presence of at least one AIRM representative independently from Radeva as well.

concerning refugees and their rights for institutions, students, teachers, scientists, the general public and refugees themselves.<sup>38</sup> According to Donkova and Radeva (2008, p. 10), only few are aware of the fact, that refugees in Bulgaria have almost the same rights as Bulgarian citizens. The only limitations they have to face compared to the rights of Bulgarian citizens, are that they are not allowed to work in state administration, serve for the military or take part in elections, as discussed beforehand.

Furthermore, the association fosters close cooperation with different religious communities. In general AIRM cooperates mainly with the Slavic Church, the Catholic Church, and the Islamic community, as they are the three biggest religious communities in Bulgaria. The fact that one chapter of the formerly mentioned handbook is dedicated to religious rights and freedom in Bulgaria can be perceived as an indicator of the importance of this cooperation for AIRM. (Donkova/Radeva 2008, pp. 112-124)

The collaboration does not only focus on attaining support for refugees and the association in general. As the majority of refugees coming to Bulgaria have an Islamic background (see chapters 5.5.2.1 'Three Main Categories of Immigrants in Bulgaria' and 5.5.2.4 'Asylum Seekers and Refugees in Bulgaria Today') the cooperation with the Islamic community has to be highlighted, because it supports the understanding of special circumstances and needs related to religion and social structures within the country of origin. Radeva (Interview 12 June, 2009) emphasised the conditions for Islamic refugee women and the difficulties they have to face in adapting to Bulgarian society. As a method employed in regard to this, information folders on refugees with Islamic backgrounds will be published in 2009 which offers basic advice for people working with this type of refugees in Bulgaria.

AIRM cooperates with universities in order to pass on information about the current situation of refugees to professors and to support the design of an adequate curriculum on topic related issues. Furthermore, AIRM supports students with their research on these issues and is open for including them in the practical work of the organisation as volunteers.

In regard to the focal point, which is analysing weaknesses of the current legislation on refugees and migrants concerning practical appliance of the laws and developing proposals for useful changes in the legislation, AIRM finds itself in a role of mediator between state institutions and refugees. Through the practical work in the framework of interviews with refugees implemented by AIRM

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<sup>38</sup> For further reading see Donkova/Radeva. 2008.

members, information on weaknesses of the legislation can be collected. In a second step the development and design for proposals on changes in the legislation follow. According to Radeva (Interview 12 June, 2009), the legislation on refugees has been very well constructed during the past years, but in some cases it is not possible to put these laws into practice. For example, refugees had a period of one month to apply for legal labour permits. Yet, in practise the time period was too short to prepare all of the obligatory documents and to go through all of the bureaucratic procedures needed for the application. In cooperation with the other member organisations of the Bulgarian Council for Refugees and Immigrants, AIRM developed a proposal for expanding certain time periods in order to make them applicable in practice, approached the particular responsible state institution and caused an adjustment of the legislation within the year 2009. The time period for fulfilling the obligatory administrative requirements was subsequently expanded to three months.

### 6.2.1.3 Financing and Cooperation of AIRM

#### 6.2.1.3.1 Financing:

According to Radeva (Interview 12 June, 2009), the financial situation of AIRM is often harrowing, as it is charged with insecurity and dependence on donations, funding and sponsored project work. None of the staff members are employed full time employee in the association. The people, who work and volunteer, are either doing it in their spare time for AIRM, besides their jobs and studies, or they are pensioners, as already mentioned. If AIRM implements sponsored projects, the staff members receive salaries only if these expenses are covered by the funding. Radeva emphasised that the functioning of AIRM does not depend on funding, but on the personal motivation and commitment of the members. As a consequence, lack of financial resources eventually limits the amount and reach of implemented activities, but does not stop the association of functioning.

Due to the financial situation, focal points as well as the methods and activities used to approach them are chosen insofar strategically, as they do not necessarily require financial resources. As a consequence AIRM abandons the idea of an office, as there is no funding for the rent, and specialised on work, which can be done at home (for instance policy analysis, compilation of reports, research, etc.) or in person (e.g. attending and organizing meetings with other NGOs and/or institutions, conducting interviews and surveys with refugees, providing consultancy service on the phone, etc.). (Interview Radeva 1 July, 2009)

Radeva (Interview 1 July, 2009) explained that even applying for project funding is often difficult for the association. In most cases the donors request a certain amount of financial resources, despite the expertise and experience available in an organisation. Therefore, AIRM applies occasionally in collaboration with other NGOs with the goal of exchanging expertise, experience and financial resources with each other. According to her, the UNHCR occasionally supports activities implemented by AIRM.

#### 6.2.1.3.2 Cooperation and Competition:

AIRM cooperates with a wide spectrum of diverse partners such as the 'Bulgarian Red Cross', which is working with refugee status holders in order to support them e.g. with providing shelter; 'Caritas Bulgaria', which is working with refugee status holders in order to support them with a sort of 'first aid package' including e.g. food, blankets, shelter; BHC, which works with rejected asylum seekers; the 'Bulgarian Council for Refugees and Immigrants', which functions as an umbrella organisation for 'Caritas Bulgaria', the 'Bulgarian Helsinki Committee', the 'Bulgarian Red Cross' and AIRM; the 'Council for Women Refugees', which mediates between refugees and society, as well as ministries; the 'Assistance Centre for Torture Survivors' (ACET), which provides psychological care and support for refugees; the 'NADYA Centre', which focuses on victims of human trafficking; the 'Dutch Council for Refugees and Migrants'; the UNHCR and to a limited extent the SAR. In addition to these partners, AIRM is part of ENAR, the 'European Network against Racism'.

As already mentioned, AIRM is a member of the 'Bulgarian Council for Refugees and Immigrants'. The main functions of this council are empowerment and strengthening of NGOs and their network in general, and more specifically of the member organisations, in regard to their work and their position vis-à-vis state institutions. The members cooperate and distribute specific responsibilities and working fields among them. Furthermore, the members foster cooperative decision making, conduct discussions until a common position on the particular topic is found and agreed upon and promote support among them in case one member organisation is in need of assistance. (Interview Radeva 12 June, 2009; 1 July, 2009)

According to Radeva, in 2008 an agreement on cooperation between the council and the SAR was signed. This kind of - at least formal - cooperation corresponds to the claims in the 'Law on Asylum and Refugees' demanding, that the SAR in cooperation with the UNHCR and several NGOs is the responsible organs to realise the structures established in the law documents. She explained, more

specifically, that the agreement called upon the SAR and the council to cooperate in order to implement the national program on the integration of refugees. For instance, all organisations, who signed this agreement, work together to evaluate newly received applications of asylum seekers in order to specify, which status is appropriate for the particular applicant. Furthermore, AIRM signed an agreement with the UNHCR. One part of this agreement concerns the promotion of the national program on the integration of refugees into the Bulgarian society. (Interview Radeva 12 June, 2009)

Concerning cooperation with state institutions, AIRM - mostly in collaboration with the other members of the 'Council for Refugees and Immigrants' - puts itself in the role of a mediator and advisor by drafting proposals. As a rule members of AIRM approach the state institutions, it rarely happens the other way round. The proposals are presented in work meetings and round tables with representatives of the SAR and the particular ministries in attendance. (Interview Radeva 1 July, 2009)

In general, according to Radeva, the network of organisations concerning themselves with refugee issues and working directly with refugees is very strong in Bulgaria. Her claim was confirmed by the 'Reference Book - Refugees in Bulgaria'<sup>39</sup> and the book on 'Refugee Protection and Integration in Bulgaria'. In addition to that, every organisation does in fact have its own focus and place within this network, which helps to prevent a competitive attitude among them and supports the good work of the network already in existence with its cooperative attitude. (Interview Radeva 12 June, 2009)

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<sup>39</sup> For further information see Antonov/Druke 2004 and Antonov/Druke 2005.

#### 6.2.1.4 Changes:

In general the situation concerning refugees has changed during the past seventeen years in several aspects, in part to a high degree. When looking at key milestones of development of the national system for refugee protection in Bulgaria, the ratification of the 1951 Convention and the 1967 Protocol in 1993 can be taken as a starting point, followed by the enforcement of the 'Law on Asylum and Refugees' in 2002 and the establishment of the State Agency for Refugees and finally the development of a comparatively strong network of NGOs working on topics related to refugees. Thus the general framework for refugees has been transformed and its functioning improved. Radeva (12 June, 2009; 1 July, 2009) claims that the conditions for refugees in Bulgaria are quite satisfying at present, although there still are a lot of activities to be implemented and modifications to be made in regard to the practical appliance of the law, the establishment of state funds for shelter and the provision of services such as language courses and orientation trainings.

#### 6.2.1.5 Conclusion:

AIRM is again quite a young organisation, which was founded in the year 2004. Due to the former employment of the chairwoman Radeva in the SAR, experience and expertise has been readily available from the very beginning of the functioning of the association. In a way, the work and activities implemented by AIRM strongly corresponds to the 'Law on Asylum and Refugees' as demonstrated by the cooperation with SAR, UNHCR and other NGOs, such as 'Caritas Bulgaria', BHC and the 'Bulgarian Red Cross'. The target group mainly consists of refugees, despite some marginal activities provided for immigrants. The main functions of AIRM include facilitation for refugees in legal, formal, social and cultural aspects and promotion of their rights and obligations in the Bulgarian society, within institutions and among refugees themselves, as there appears to be a lack of knowledge on both sides and lastly exertion of influence on modifications of the current legislation in the position of a mediator between refugees and state institutions. AIRM focuses on reacting to the needs and suggestions expressed by members of their target group by designing appropriate activities.

The AIRM functions independently of donors and finances in general. Most of their activities are set up in a way that funding is not required for the operation of this NGO. As a consequence the organisation can exist autonomously, but it experiences strong limitations concerning project implementation and human resources, as all members work voluntarily and only receive salaries as



an exception of the rule.

Concerning competition and cooperation surrounding AIRM, it has been underlined by Radeva herself and stated in certain publications, describing actively working NGOs related to refugee issues, that there is hardly any competition among them, as all NGOs have their specific responsibilities and field of work. They complement each other and cooperate rather than compete in order to achieve their goals. The 'Bulgarian Council for Refugees and Immigrants' can be seen as an indicator for strong cooperation among NGOs.

According to Radeva (Interview 1 July, 2009), the Association for Integration of Refugees and Migrants functions as a substitute for missing state services and state structures. Furthermore it operates as a complementary unit, supporting the full-fledged implementation of the legal framework for refugees in Bulgaria.

## **6.2.2 Analysis**

### **6.2.2.1 Ad function 2 (Montesquieu) - Observation and Control of the State**

AIRM holds great independence in financial and material means. The only dependence, that could be detected, lies with human resources and capacities. The number of actual members fluctuates. But they operate independently from the state.

AIRM focuses on analysing laws and policies concerning refugees. By regularly conducting interviews with refugees, AIRM gains deep insight into conditions and practices implemented by state institutions. In close cooperation with the 'Red Cross', BHC and 'Caritas Bulgaria', AIRM revises the results from the interviews. As a consequence, they design proposals for the improvement of laws and policies. And subsequently, they approach state authorities concerned with their proposals and engage them in a debate. In this way observation and control of the state are exercised and criticism can be addressed directly.

Furthermore, they provide clarification of facts and rights for refugees, state administration and institutions involved. This undertaking also permits a certain degree of control. With the applied methods applied they reach state authorities, the SAR and refugees.

### **6.2.2.2 Ad function 3 (Tocqueville) - Schools of Democracy**

In general, the internal structures are not hierarchical. All members are equal and can contribute to the functioning of AIRM. It can however be the case that, more committed members who have been

working in AIRM for a long period of time have more tasks and responsibilities than others, as they have gained more experience and deeper insight into the field. Every member has the opportunity to express their opinion. The decision making process is participatory and projects are designed in teamwork. AIRM is at all times open to include new members and to incorporate them in the functioning of the organisation. Naturally the more active members of the organisation have more options to exert influence on the working process than members who are less active and/or available. AIRM shares its values with CERMES, namely sharing, fairness, trust, transparency, cooperation and standing up for one's own opinion.

#### 6.2.2.3 Ad function 4 (Habermas) – Participation and 'Self-Transformation'

Firstly, one of the main aims of AIRM lies in the support of refugees and migrants. Emphasis is placed on a successful orientation in Bulgaria and integration into Bulgarian society. Secondly, another focal point is raising public and institutional awareness about the conditions of refugees in Bulgaria. Thirdly, promotion of the rights and obligations of refugees and migrants is centred. And fourthly, the organisation focuses on analysis of the current legislation on refugees and migrants, as discussed above.

The main target group of AIRM are refugees. Refugees are a substantial part of the organisation's work. Members of the organisation realise regularly interviews with refugees. Members of the target group can speak openly about their conditions and needs. As a consequence AIRM processes the results in cooperation with the aforementioned organisations and channels them by designing proposals for improvement. In addition AIRM cooperates with teachers in order to revise university curricula. This method can be perceived as indirect means of expressing needs and interests of the target group. Furthermore, handbooks concerning rights and obligations of refugees in Bulgaria were published. Although these publications do not directly express the needs and interests of the target group, they contribute strongly to the empowerment of refugees, as they are subsequently armed with information and knowledge. They allow the refugees to use the provided information to their advantage. Furthermore this information provides more clarity within the state administration, institutions and the public on refugee's rights and obligations. Additionally, numerous initiatives are executed to raise public awareness about the heterogeneous backgrounds of refugees and the difficulties they have to face in Bulgaria.

The target group is not directly involved in the functioning of the organisation. But, the interviewees

influence the decision making process in project design and implementation, as well as in the development of proposals aimed at state authorities by expressing their needs, concerns and criticism during the interviews.

The organisation is open to include every person interested in taking part and ready to volunteer for AIRM. As analysed above the number of members fluctuates due to short term volunteers. Regarding the organisation's work, refugees take centre stage. The remaining migrants can access the consultancy provided by the organisation, but they are not the main focus of its activities. Due to the more refined infrastructure and better access to information, AIRM focuses mainly on refugee issues in Bulgaria, as discussed above.

AIRM addresses every person interested, as the organisation focuses on anchoring its topics and issues in the public and political discourse, similar to CERMES.

In order to trigger a 'self-transformation' of the political system the drafting of improvement proposals plays a pivotal role. Methods used to realise the whole process were analysed above. Furthermore, AIRM organises numerous meetings with particular institutions, organisations and companies in order to share topic related information. Depending on the particular issue the association approaches the appropriate stakeholders and state authorities. The published handbooks carry the potential to improve the conditions for refugees in Bulgaria on the whole. Furthermore the AIRM exerts influence on the opinion- and will-formation through its cooperation with students, teachers, scientists, religious communities, the public and state authorities. This could lead to 'self-transformation' of the political system. Concerning the values shared by the members of AIRM cooperation, support, sharing, transparency, coordination, participation and fairness are highlighted, similar to the values of CERMES. Competitive behaviour is perceived as a counter-productive attitude, especially in the field of immigration. Additionally, AIRM has its own specific field of work and assigned responsibilities due to the division of tasks among members of the 'Council for Refugees and Immigrants'. This fact facilitates the prevention of competition.

## **6.3 BGMF - The Bulgarian Memory Foundation**

### **6.3.1 BGMF**

#### 6.3.1.1 Establishment of the organisation and Target Group

The Bulgarian Memory Foundation (BGMF) is a very young organisation as it was founded in the beginning of the year 2007. Yet, according to A. Kuznetsova (Interview 17 June, 2009) the activities implemented by the organisation had already started a couple of months before the official opening date of the organisation. Milen Vrabeviski initiated the founding of the BGMF together with two co-founders. Their main objective was and still is the establishment of a link between the Bulgarian Diaspora and the Republic of Bulgaria, their country of origin. Furthermore, this objective is complemented by the idea of strengthening the Bulgarian identity as a whole, in Bulgaria and abroad. (Interview Kuznetsova 17 June, 2009)

The target group of BGMF is mainly comprised of a young generation of Bulgarian descent living abroad, such as pupils, who have already gained knowledge about their country of origin simply due the fact that they are members of the Diaspora<sup>40</sup>. In addition to that, the organisation especially supports people of Bulgarian descent, who are not only interested to get to know the country of their ancestors, but who also have the intention of moving to Bulgaria for several (for instance educational) reasons and establishing a connection between the country of their descent and the country they group up in. (Interview Kuznetsova 17 June, 2009)

#### 6.3.1.1.1 Excursus: The Old Bulgarian Diaspora - Foreigners of Bulgarian Descent

Among the great variety of migrant communities in Bulgaria, there is a very specific group of immigrants, foreigners of Bulgarian descent. As mentioned above, foreigners of Bulgarian descent as well as with Bulgarians currently living abroad are given priority within the Bulgarian migration strategy.

Foreigners of Bulgarian descent have already been living in Diaspora for more than two centuries due to historical reasons. At present, in 2009, Kuznetsova (Informal Meeting Krasteva/Kuznetsova 3 May, 2009) estimates the number of foreigners of Bulgarian descent living at Bulgaria up to 4.000.

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<sup>40</sup> According to the IOM, a Diaspora member “is a person who is part of a community of migrants who have settled permanently in countries other than where they were born but who remain aware of their country of origin and continue to maintain links with their country of origin.” (IOM 3 <<http://www.iom.int/jahia/Jahia/about-migration/migration-management-foundations/terminology/commonly-used-migration-terms>>, 22 June, 2009)

The foreigners of Bulgarian descent, who are part of this 'old' Diaspora, are living in Macedonia [Българи от Македония - Bulgari ot Makedoniya'], Serbia [Българи от Западните покрайнини - ,Bulgari ot zapadnite po kraiynini'], in Rumania [Банатски Българи - Banatski Bulgari], in the Krim region [Кримски Българи - Krimski Bulgari], in the region of the south eastern part of Ukraine [Таврийски Българи - Tavriyski Bulgari'] and in Bessarabia, which is an old name for a region located in the southern parts of Moldova and the Ukraine [Бесарабски Българи - ,Bezarabski Bulgari'; the Bessarabian Bulgarians]. According to information provided by the State Agency of Bulgarians Abroad the community of Bessarabian Bulgarians is the biggest with approximately 450.000 members. (e-mail Burnaska 20 May, 2009)

As the majority of people, the Bulgarian Memory Foundation works with happen to be mainly from the Bessarabian region, I will outline the two main reasons for their emigration many generations ago in brief according to Kisse (2006, pp. 16-17, 20-21, 41) as follows:

Firstly, the majority of the Bulgarian Diaspora living in the Ukraine originates from regions in Bulgaria where the Ottomans used to have their main military transit paths. In these regions repression of Bulgarians by the Ottomans was especially hard during the Russian-Turkish wars in the 18<sup>th</sup> and 19<sup>th</sup> century. Due to this situation thousands of Bulgarian families decided to move along with the Russian soldiers and settle down in new regions. They settled in Bessarabia, the Krim peninsula and Tavaria. Secondly, in 1762/63 Ekaterina II designed a manifest, in which all willing foreigners were invited to settle down in southern Russia, the region bordering on the Ottoman Empire, in order to defend it in case the Ottomans decided to invade the Russian Empire. Everyone who followed this invitation could expect numerous material and financial privileges in the new lands. In 1802 63.000 Bulgarian families moved to the Krim peninsula, 1835 about 61.000 Bulgarians were already living in Bessarabia and in 1862 3.500 Bulgarian families or 17.460 individuals in Tavis.

According to Kisse (2006, pp. 43-44), the most significant characteristic of the Diaspora, that was established nearly 200 years ago, is the preservation of the Bulgarian language, lifestyle, culture, traditions and habits, which were passed on, from generation to generation, almost without any connection to the Bulgarian nation itself for decades and generations.

During the communist period relations were slowly established again between the country of origin and the numerous communities living in Diaspora. In 1991 the first congress for Bulgarians from all over the world was organised in Sofia and strengthened the ties of Bulgarians abroad to their

country of descent. (Kisse 2006, pp. 234-236)

### 6.3.1.2 BGMF - Structure, Methods and Focal Point of Support

#### 6.3.1.2.1 Structure and Staff

Despite the fact that all of them are Bulgarians, the three founders of the Bulgarian Memory Foundation have diverse backgrounds: The current chairman of the BGMF board, Vrabevski, holds the position of CEO of the Komak Medical research organisation and is the president of the Association for Good Clinical Practice and development of clinical trials (among other duties). The current president Dimitrov is also the Director of the National Museum of History. The vice chairman of the board, Totshev, among other positions, acted as the advisor to the Minister of European Affairs in Bulgaria in 2006. (BGMF 1, <[http://bgmf.eu/?page\\_id=21](http://bgmf.eu/?page_id=21)>, viewed 2 June, 2009)

The advisory board consists of at least 11 people with manifold backgrounds. Historians, lawyers, a member of the 'Bulgarian Academy of Sciences', the chairman of the 'General Department "Archives" at the 'Council of Ministers of Bulgaria', the president of the transport consortium 'Union Ivkoni', the chief architect of Sofia and former director of the 'National Centre for Territorial Development' as well as the former head of the 'Inspectorate for Cultural Heritage', 'Ministry of Culture', are among the members. (BGMF 2, <[http://bgmf.eu/?page\\_id=23](http://bgmf.eu/?page_id=23)>, viewed 2 June, 2009)

In addition to the active support of the advisory board members, four volunteers work in the office of the foundation as staff members in the positions of secretaries, coordinators and are in charge of for public relations. Among them some are foreigners of Bulgarian descent from Moldova and the Ukraine. The focal points in their work consist of coordinating initiatives for integration of Bessarabian Bulgarians from the Ukraine and Moldova, socialisation of cultural and historical heritage and tackling the demographic crises as well as sustainable regional development. (BGMF 3, <[http://bgmf.eu/?page\\_id=27](http://bgmf.eu/?page_id=27)>, viewed 2 June, 2009)

#### 6.3.1.2.2 Focal points

One of the main focal points of BGMF is to support and fund initiatives that create educational and training opportunities for members of the Bulgarian Diaspora and, in a second step, to achieve their cultural and economic integration into society after their immigration to Bulgaria. According to Kuznetsova (Interview 17 June, 2009), the main aims are to establish the perception of the

numerous Bulgarian communities and their specific historical and contemporary knowledge as an enrichment and to foster solidarity among Bulgarians citizens, as well as between them and foreigners of Bulgarian descent. Furthermore, focal points lie on the strengthening of relations among Bulgarians in Bulgaria, Bulgarians abroad and members of the Bulgarian Diaspora.

Furthermore, cooperative interaction with organisations and institutions is centred. Cooperation is meant to assist support initiatives tackling the current demographic crises in Bulgaria in regard to the development and implementation of international projects for further research in this field. (BGMF 4, <<http://bgmf.eu/>>, viewed 7 October, 2009)

Another focal point is the support of archaeological projects, as well as initiatives and the protection of historic monuments and memorials connected to Bulgarian history.

The BGMF provides information services regarding applications and grants for Bulgarian citizenship, visa regime, educational opportunities and procedures in Bulgaria as well as abroad e.g. in Comrat, the capital of the Gagausian region. (BGMF 5, <[http://bgmf.eu/?page\\_id=149](http://bgmf.eu/?page_id=149)>, viewed 1 June, 2009)

One of the typical difficulties a young foreigner of Bulgarian descent coming to Bulgaria for educational reasons has to face, lies with lack of information about the right to apply immediately after their arrival for a permanent stay permit in Bulgaria. If they miss this opportunity they have to apply for a long term stay permit for every single year of stay. There is lack of information transfer on both sides, the Bulgarian administration concerned with immigrants of Bulgarian descent and the foreigners themselves. As a consequence, the BGMF places the provision of services of consultancy regarding rights and procedures on top of their list of priorities. (Informal Meeting Krasteva/Kuznetsova 3 May, 2009)

#### 6.3.1.2.3 Methods

Methods applied to achieve the aims of their focal points include the following: The BGMF organises discussions on topics like 'European and National Migration Policy' (BGMF 6, <<http://bgmf.eu/?p=271>>, viewed 1 June, 2009); official work meetings focusing on problems and prospects of the local government and opportunities for cooperation with various NGOs in order to achieve sustainable regional development in mixed areas like south western Bulgaria (BGMF 7, <<http://bgmf.eu/?p=1>>, viewed 1 June, 2009) and educational issues; informal work meetings with governmental or institutional representatives like the vice president of Bulgaria with the focal points

on integration of foreigners of Bulgarian descent; improvement of the coordination of state institutions and NGOs, propagate rights and information on their target group in order to raise public interest and awareness as well as on the general situation and problems persons of Bulgarian descent living abroad have to face. (BGMF 8, <<http://bgmf.eu/?p=105>>, viewed 1 June, 2009)

In addition to those methods numerous projects were implemented such as providing Bulgarian language courses in kindergartens and schools for children in the Bulgarian Diaspora, round tables and discussions supporting and promoting the Bulgarian identity, as well as initiatives raising awareness in the Bulgarian public in regard to the old Diaspora communities and their circumstances (Interview Kuznetsova 17 June, 2009). Concerning the promotion of Bulgarian language a seminar for teachers and directors of kindergartens in Moldova was organised. The seminar was sponsored by BGMF.

Up until now the BGMF has invited more than 300 children from the Bessarabian Diaspora to come to Bulgaria for a couple of days. The program included the visit of important sites of national history, lectures on Bulgarian history, folklore, traditions, folk dances and excursions to different cities in Bulgaria. The focal point of this project which started in the fall of 2007 lies on working for immigration and integration by promoting higher education in Bulgaria among students from Bessarabia. (BGMF 9, <<http://bgmf.eu/?p=267>>, viewed 1 June, 2009)

Furthermore, exhibitions, events and competitions were organised such as the 'Exhibition, Films and Happening in the National History Museum for the Occasion of the St. St. Kiril and Methodi Day of Writing System and Culture', the essay competition 'My Dream In Bulgaria' and the round table discussion on 'Open Day on Problems of the Demographic Crises in Bulgaria and In Vitro Procedures'. (BGMF 10, <[http://bgmf.eu/?page\\_id=12](http://bgmf.eu/?page_id=12)>, viewed 2 June, 2009)

Furthermore, a photo exhibition was organised in Blagoevgrad, Bulgaria, relating to Bulgarian history. Another photo exhibition took place in Kardzhali, Bulgaria, focussing on medieval monasteries and churches in Pernik, Bulgaria.

The ideas for these activities arose from the needs expressed by members of the target group, institutions and organisations working abroad closely connected to Diaspora members. The main aim of BGMF is to show potential immigrants of Bulgarian descent, what they can expect in case they decide to settle in Bulgaria. (Interview Kuznetsova 17 June, 2009)

Additionally, numerous newspaper and TV articles relating to BGMF can be found on the website of the organisation. This method is very useful regarding the objective of anchoring the focal issues



of the organisation in the public discourse. BGMF operates on a nationwide as well as an international level.

### 6.3.1.3 Financing and Cooperation of BGMF

#### 6.3.1.3.1 Financing

Official donors of the BGMF are the medical company 'Comac Medical', the company for architecture 'ProArch', the company for transport and tourism 'Union Ivkoni', the 'Foundation for Values and Development', the film house 'Sofilm', and private persons. (BGMF 11, <[http://bgmf.eu/?page\\_id=25](http://bgmf.eu/?page_id=25)>, viewed 1 June, 2009)

In general, it is complicated to get funding for the organisation, as the main objectives and aims of the organisation are hardly covered by agendas of international donors or programs of the European Union. Therefore, financial support is provided by the chairman, complemented by donations of other private persons and the aforementioned official donors. Due to these circumstances the financial situation of the BGMF is very stable and the implementation of projects does not depend on external donors. In general, one could say, that the organisation and its project implementation depend on the chairman as he appears to be the main donor. According to Kuznetsova (Interview 17 June, 2009), there is no fixed budget for BGMF and the budget is set by the annual plan concerning forthcoming projects and project proposals.

#### 6.3.1.3.2 Cooperation and Competition

For the discussion on “European and National Migration Policy” in November 2008 the BGMF cooperated with CERMES and the French Embassy. Concerning educational questions, cooperation with the Bulgarian Ministry of Education, the mayor of Sofia and various other politicians is maintained at least in the form of work meetings. According to Kuznetsova (Interview 17 June, 2009), the cooperation with ministries is limited to work meetings. In most cases, representatives of the particular ministries involved in the subject matter support the ideas of the foundation and encourage the staff members to maintain their work, actual cooperation however occurs rarely.

Official partners are the 'Association for Bulgarians in the Ukraine', the 'Grand Hotel Varna', the state agency 'Archives', the 'Foundation of Futurities' and the Foundation 'I want a child'. (BGMF 11)

According to Kuznetsova, BGMF does not compete with other NGOs as the organisation is the only

one working with foreigners of Bulgarian descent on a practical level and dealing with its other focal points in Bulgaria. According to her, other organisations work on differing levels, for instance on research concerning similar topics, which contributes to a wider spectrum in regard to topics on foreigners of Bulgarian descent. In short: they complement each other. Under these circumstances a fruitful basis for cooperation rather than competition was established.

Concerning the financial situation, NGOs very often compete with each other instead of cooperating, as I already discussed beforehand. Due to the financial situation of BGMF, which benefits from its main donor, competition for grants is in this case non-existent. (Interview Kuznetsova 17 June, 2009)

#### 6.3.1.4 Changes

Kuznetsova (Interview 17 June, 2009) claims, that the most important change impacting on people of Bulgarian descent in the past decade, is the increase in interest and attention directed at the Bulgarian Diaspora and its members.

#### 6.3.1.5 Conclusion

The Bulgarian Memory Foundation is a very young organisation, which started to operate in the middle of 2006. In a way it strongly corresponds with the National Strategy of the Republic of Bulgaria in its focal points and its target group. The target group is mainly comprised by members of the Bulgarian Diaspora. One of the main functions of the organisation is to offer consultancy services for foreigners of Bulgarian descent wanting to immigrate to Bulgaria, as there is a lack of information about rights and procedures within the Bulgarian administrative as well as among the affected people. Despite functioning as a consultancy, the BGMF focuses on strengthening identity, solidarity and bonds among Bulgarian citizens, Bulgarians abroad and foreigners of Bulgarian descent. Furthermore it appears to be the case that the BGMF reacts to desires and needs expressed by the target group with its initiatives and project designing.

The BGMF is independent from external donors. The main part of expenses is funded by the chairman. In addition to that, the BGMF does not seem to be in competition with other NGOs or institutions. It rather stands for cooperation, interaction, co-organisation and complementation.

According to Kuznetsova (Interview 17 June, 2009), the BGMF is a substitute for missing state structures.

## **6.3.2 Analysis**

### **6.3.2.1 Ad function 2 (Montesquieu) - Observation and Control of the State**

BGMF operates independently from the government and other external funders. The organisation mainly depends on financial support provided by the chairman. This leads to great autonomy in project implementation and allows the organisation to choose the focus of their work independently from external factors. The organisation relies on the capacities of its members, similar to AIRM. In work meetings with state authorities, the organisation informs them about their activities and the other way around. This way the organisation is at all times up-to-date about developments on the governmental level. But during the time of research no serious confrontation and activities regarding state observation and control were noticed.

### **6.3.2.2 Ad function 3 (Tocqueville) - Schools of Democracy**

The internal structure of the organisation is a combination of hierarchical and non-hierarchical elements. The chairman decides all financial issues on behalf of the organisation. Yet, regarding project design and decision making processes every member is involved and participates equally. Every person is able to voice their opinion and ideas. In most cases the ideas are developed during the working process in direct contact with members of the target group. During the implementation process of activities all members are able to take part, as far as they have the capacity to do so. However, the final decision whether to green-light a project or not, lies with the chairman, as he provides the funding.

The values represented within the organisation resemble the ones that exist within CERMES and AIRM. Emphasis is placed on trust, transparency, tolerance and cooperation.

### **6.3.2.3 Ad function 4 (Habermas) - Participation and 'Self-Transformation'**

The focal points of the organisation lie on offering consultancy for foreigners of Bulgarian descent, cultural and economic integration of foreigners of Bulgarian descent in Bulgaria, encouragement of solidarity among Bulgarians and foreigners of Bulgarian descent and preservation of the Bulgarian language, culture, traditions and history. Furthermore, BGMF deals with the demographic crises Bulgaria is facing and is engaged in the preservation of monuments and memorials connected to Bulgarian history.

The marginalised group targeted encompasses foreigners of Bulgarian descent, immigrants from

Moldova, the Ukraine, Serbia, Macedonia, Armenia. Excursions to Bulgaria, language courses and consultancy on immigration are provided for them by the organisation. By creating an active network with organisations abroad in the aforementioned countries, BGMF keeps close contact with the Bulgarian Diaspora. Due to these activities and the established network, projects corresponding to needs and desires can be designed and implemented. Furthermore, activities, for example photo exhibitions, discussions and round tables, focussing on issues related to the Bulgarian Diaspora and history are organised. The interests, problems and needs of the target group are channelled in discussions and debates, as well as in media coverage (newspapers, TV).

As two staff members were foreigners of Bulgarian descent, from Moldova and the Ukraine, who had immigrated to Bulgaria years ago, members of the target group are directly involved in project design, decision making processes, project implementation and project evaluation. The remaining members of the target group are indirectly included in decision making processes about future projects through methods discussed beforehand.

The organisation has a fixed number of staff members, three founders, four volunteers, in addition to the members of the advisory board. BGMF focuses on foreigners of Bulgarian descent, as a result the remaining immigrants are neglected.

Resembling the approach applied by CERMES and AIRM, every person interested in the focal issues of BGMF is addressed. BGMF focuses, similar to CERMES and AIRM, on anchoring its topics and issues in the public and political discourse.

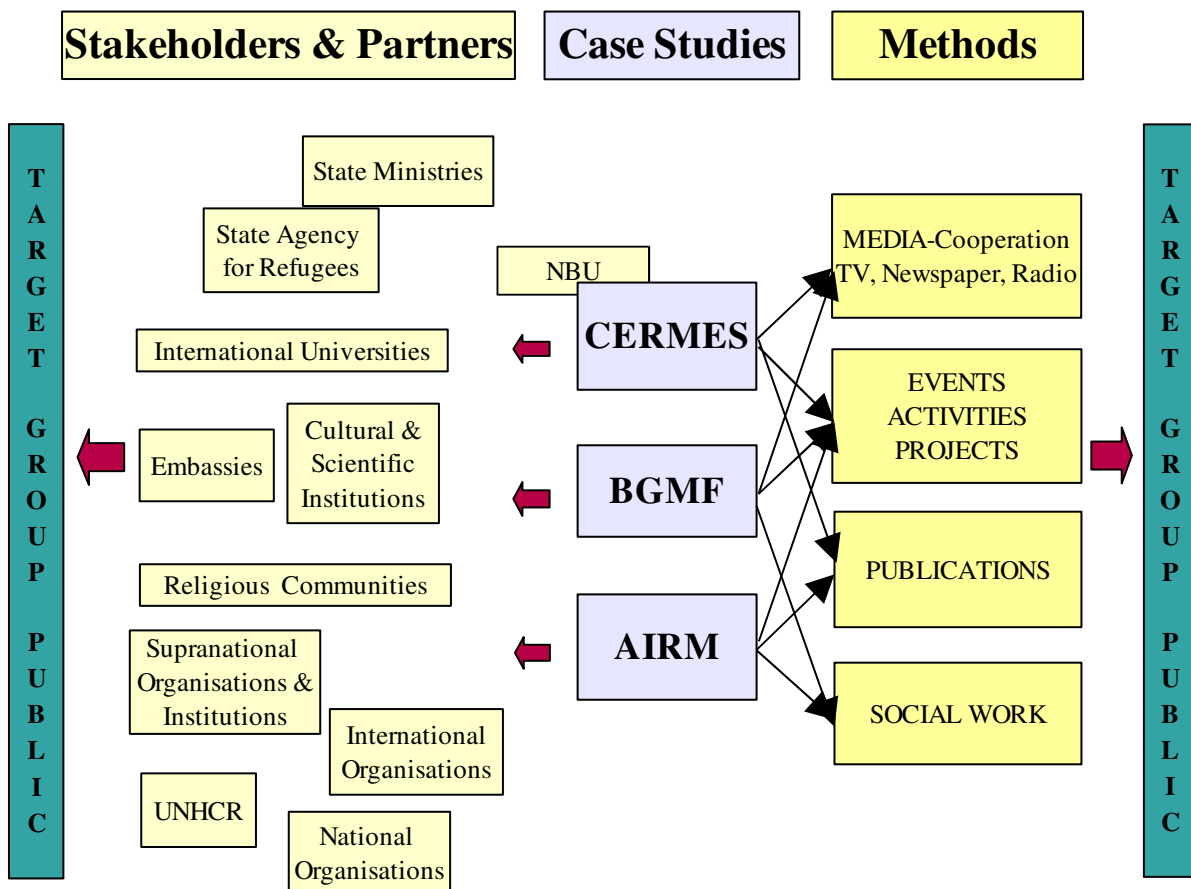
With discussions on topics like 'European and National Migration Policy', official work meetings focusing on problems and prospects of local governments, as well as informal work meetings with governmental or institutional representatives with focus on integration of foreigners of Bulgarian descent, coordination and cooperation with state institutions and non governmental organisations in order to reach project objectives, the focal points of support of the BGMF are placed into public discourse. Furthermore, the organisation cooperates with media outlets. Additionally, activities, for example trips to Bulgaria with foreigners of Bulgarian descent and the intense program throughout the particular project realisation, trigger direct contact with Bulgarian locals. As a consequence the main issues of BGMF are inserted into the public discourse.

The values of the organisation resemble the ones represented in CERMES and AIRM. Similar to AIRM the Bulgarian Memory Foundation has a unique position due to its strategy and focal points. It is the only organisation nationwide focusing on foreigners of Bulgarian descent and implementing

activities directly involving the target group in the project. According to BGMF, other organisations also specialise on the topic of the Bulgarian Diaspora, but they operate on different levels, for example they focus on scientific research.

### 6.4 Analysis - Function 5 (Pluralism, Heterogeneity, Networks)

In order to analyse the 5<sup>th</sup> function, an illustration shows the pluralistic, heterogeneous and overlapping network involved with immigration, in which the three organisations are operating as follows:



The graphic depicts the network of CERMES, AIRM and BGMF in regard to their interaction with numerous stakeholders, their target groups and the public. The illustration centres CERMES, AIRM and BGMF and their sphere of action. On the left side the stakeholders who interfere with the field of work of CERMES, AIRM and BGMF are illustrated. On the right side the methods used to reach the public and the target groups are drafted. To express how the whole network is embedded

within and interdependent on the public and the target group, both of these actors are placed on the left as well as on the right side of the graphic.

As the whole network of players interfering in the case studies' sphere of action is complex and almost unmanageable, the graphic has to be perceived as a compendium.

The graphic visualises that CERMES is incorporated into the New Bulgarian University. This integration leads to cooperation in the form of use of the university's infrastructure, drafting of curricula and teaching in university. AIRM is interconnected with other university's and the cooperation is restricted to conjoined elaboration of curricula. The methods used by CERMES, AIRM and BGMF overlap strongly. The public and the target group can be reached by active and passive media-cooperation pursued mainly by CERMES and BGMF. The cooperation includes, amongst others, the publishing of articles, participation in interviews on radio and TV and invitation of media representatives to activities, for example, debates and round tables organised by the organisations subject to the present research. The mentioned activities lead to another type of methods employed. In order to reach and include the public and the target group, numerous events and projects are implemented. These encompass public debates, round tables, conferences, festivals, exhibitions, films, dances, excursions and trips. Another method used to impact the public and target groups are publications. Whereas CERMES predominately edits academic books on immigration, AIRM mainly compiles handbooks in which rights, obligations of and infrastructure for refugees are elucidated. In addition to these aforementioned methods AIRM and BGMF provide social work. First and foremost, both organisations offer consultancies for their target groups (immigrants, asylum seekers and refugees, and, more specifically, foreigners of Bulgarian descent). Additionally, AIRM conducts personal interviews with refugees.

On the left side of the graphic numerous stakeholders and partners are depicted. CERMES, AIRM and BGMF cooperate with state actors in different ways. CERMES, for example, consistently invites representatives of ministries concerned with the particular topic to debates and round tables. Furthermore, a project in cooperation with the municipality of Sofia is currently under way. AIRM collaborates with various ministries in the form of work meetings. Depending on the topic of the proposal drafted beforehand the respective ministry is sought out. Furthermore, AIRM works in close cooperation with the 'State Agency for Refugees'. BGMF conducts formal and informal work meetings with numerous ministries in which, for example, educational issues referring to foreigners of Bulgarian descent are discussed.

Embassies and cultural, as well as scientific institutions constitute another player in the sector 'Stakeholders and Partners'. Whereas CERMES cooperates, for example, with the French embassy, the French institute, the British council, the 'Bulgarian Academy of Sciences', 'Austrian Science and Research Liaison Office' and numerous international universities, BGMF works closely with numerous national museums. In contrast to these players, AIRM collaborates with religious communities, such as the Slavic Church, the Catholic Church and the Islamic community.

Concluding with the last actor, we reached the most unmanageable part of stakeholders and partners in the graphic. The network of supranational, international and national NGOs, in which CERMES, AIRM and BGMF are embedded, is vast. For this reason I will confine myself to mention only the most noticeable partner organisations.

On a supranational level AIRM cooperates with the 'Bulgarian Helsinki Committee' (BHC), the 'European Network Against Racism' (ENAR) and the 'United Nation High Commissioner for Refugees' (UNHCR). CERMES collaborates with the latter as well.

On an international level CERMES cooperates amongst others with the 'Open Society Foundation' (OSF), the 'German Marshall Fund', the 'Manfred Woerner Foundation', the 'International Centre for Minority Studies and Intercultural Relations' (IMIR) and 'HERA' – Network for Combating Human Trafficking in Central and Southern Europe'. AIRM, for example, works with 'Caritas Bulgaria' and the 'Bulgarian Red Cross' while BGMF cooperates with the 'Association for Bulgarians in the Ukraine'.

On a national level CERMES collaborates with the organisation 'Legal Aid - Voice in Bulgaria' and the 'Legal Clinic for Refugee and Immigrants'. These two organisations are interconnected with the BHC, which is closely working with AIRM as mentioned before. The three organisations ('Legal Aid - Voice in Bulgaria', 'Legal Clinic for Refugee and Immigrants' and BHC), exemplify the dimension of the whole network, as they cooperate, for example, with organisations tackling human trafficking and torture survivors, such as ACET. ACET is also a partner organisation of AIRM. Additionally, AIRM collaborates with the 'Council for Women Refugees'. And last, but not least CERMES and BGMF cooperate with each other as well.

## 7 CONCLUSION

The present research analysed three organisations object to civil society and non-governmental organisations in Bulgaria in order to answer the main research question *'which functions following the frame of Locke, Montesquieu, Tocqueville, Habermas and the five functions for civil society deduced by Merkel do the concrete case studies fulfil?'*.

The organisations CERMES, AIRM and BGMF emerged in a setting, in which immigration as a topic was not acknowledged in the public and political discourse and civil society in Bulgaria was going through a transition process, which was under great influence exerted by 'Western' donors.

The functions of civil society (NGOs) according to Locke, Montesquieu, de Tocqueville and Habermas were illustrated in a detailed discussion about the concepts of civil society and its category of non-governmental organisations. The research questions were devised according to the catalogue deduced from the functions by Merkel. These research questions were then applied in this analysis on the case studies in order to prove if and in what way the organisations subject to the present research fulfil the aforementioned functions of civil society.

Regarding the first function, protection of the private sphere against state arbitrariness and intervention by civil society (Locke), Bulgaria was forced to set up a framework in its political system in order to secure space for the evolution of an autonomous civil society on its way to become a so-called consolidated democracy. Hence, an analysis of the three case studies were not necessary in order to declare this function as fulfilled.

Summing up the results of the analysis all three organisations fulfilled the functions of civil society demanded by the afore elaborated framework to a high degree through their specific methods and the instruments they applied. All of them are very active, work almost independently and have the capacities for state observation and control (Montesquieu). The methods used consist of public debates, round tables, media work and cooperation, publications, formal and informal work meetings, where state policies and developments in policies can be criticised openly. Furthermore public opinion- and will-formation can be influenced by these means. The applied methods of all case studies address overlapping stakeholders to a certain extent, such as state organs, target groups, the public and media. Furthermore, CERMES and AIRM in particular address scholars and students.

The schools of democracy (Tocqueville) found their way into the functioning of CERMES, AIRM



and BGMF in different ways. The structures inside the organisations differ: Whereas members of CERMES and AIRM stand on a more or less equal level, the members of BGMF find themselves to a certain extent in hierarchical and equal structures. In all of the organisations analysed the members can contribute to and participate in the decision making and project design processes. Furthermore all organisations share the same values, consisting of fairness, trust, cooperation, transparency, a sharing attitude and standing up for one's personal believes.

Concerning participation and self-transformation of the political system (Habermas) the organisations analysed fulfil the function to a high level using different, but similar methods and have the potential to exert great influence. Regarding participation the invitation of members of the particular target group to the podium and the audience is at all times an important concern when public debates are organised for CERMES. In this way the members of the target group directly participate in activities and can express themselves immediately. This strategy leads subsequently not only to participation of the target group, but also to its empowerment. Furthermore the target group constitutes an essential element in all activities implemented by CERMES. The great variety of methods applied by CERMES including public debates, round tables, publications, intercultural festivals, exhibitions, etc. strongly contributes to the anchoring of immigration issues in the public discourse. As a consequence, public opinion- and will-formation can potentially be influenced, which subsequently leads to the 'self-transformation' of the political system focused on by CERMES. Concerning AIRM participation of its target group members is shaped differently. Through the specific method of interview realisation with members of the target group, every particular interviewee can contribute to the elaboration for proposals regarding changes and adjustments in current Bulgarian immigration policies and practices. In this way and with publications on rights and obligations of their target group, AIRM strongly contributes to its empowerment. By cooperating with a great variety of stakeholders, such as scholars, students, religious communities, state authorities and the public AIRM sustainably influences opinion- and will-formation, which subsequently can lead to the 'self-transformation' of the political system. Last but not least, BGMF finds itself in good terms with its target group as well. Through intense projects implemented with the participation of target group members, close contact and exchange between BGMF and its target group is sustained. Desires, needs and problems expressed by target group members encroaches directly in project design and implementation by BGMF. This strategy leads inevitably into participation and empowerment of the target group. Furthermore BGMF

contributes strongly to the anchorage and visibility of specific concerns of its target group into the public and political discourse through its activities, such as public debates, exhibitions and media presence. Again, this strategy contributes to the public opinion- and will-formation and can contribute to the 'self-transformation' of the existing circumstances.

Concluding it can be declared that CERMES, AIRM and BGMF not only fulfil all functions, but also contribute to a great extent to the strengthening of civil society in Bulgaria as a whole. As depicted in the analysis of function 5 (Pluralism, Heterogeneity, Networks) it became obvious that CERMES, AIRM and BGMF are embedded in a colourful, pluralistic network of actors inside and outside the migration sector. The network of supranational, international and national NGOs surrounding the three analysed organisations is vast. They are not only cooperating with other organisations operating in similar fields, but also with state institutions, embassies, national museums, cultural and scientific institutes, universities, the media and religious communities. These vast and pluralistic networks support the organisations analysed beforehand strongly in the aim to anchor their specific concerns into the public discourse. They can make use of the wide reach provided by their connections, which subsequently enlarges the general public reached through activities implemented by CERMES, AIRM and BGMF. Furthermore cooperation with each other strengthens the civil society network regarding the achievement of their interests.

Of course this research can just be perceived as a compendium of the entire civil society sector in Bulgaria. Therefore it is nearly impossible to draw conclusions for the whole sector on the basis of these case studies. However, it was clarified that organisations embedded in a strong cooperative, heterogeneous and pluralistic network with a wide reach into the public, do indeed exist in Bulgaria, in contrast to the general results of UNDP reports.

Regrettably some aspects were left aside, such as racism, xenophobia, perception of immigrants in the eyes of society, public and political discourse about immigration, perception of civil society in the private sphere, perception of CERMES, AIRM and BGMF within their target groups, etc. All of these facets influence the actions and positions of the organisations subject to the case study. But I had to leave them aside, as the inclusion of all these aspects would have gone far beyond the scope of this present research.

On the basis of the case studies on the Centre for European Refugee, Migrant and Ethnic Studies (CERMES), the Association for Immigrants and Refugees (AIRM), as well as on the Bulgarian Memory Foundation (BGMF) taking into account the developments within the civil society and

non-governmental organisation sector in Bulgaria, it can be expected, that civil society on the whole is evolving in a dynamic direction. Furthermore a gradual strengthening of the whole sector in Bulgaria is anticipated. The reasons for growing strength of Bulgarian civil society are to be found in increasing cooperation. Increasing cooperation contributes to a growing network, which in a consequence leads to greater publicity effect. Greater publicity effect itself can contribute to an enlargement of the civil society network, which strengthens in return civil society as a whole.

## **8 LIST OF ABBREVIATIONS**

ABA	State Agency for Bulgarians Abroad
AIRM	Association for Integration of Refugees and Migrants
BGMF	Bulgarian Memory Foundation
BHC	Bulgarian Helsinki Committee
CERMES	Center for European Refugees, Migration and Ethnic Studies
EC	European Commission
EU	European Union
IMIR	International Center for Minority Studies and Intercultural Relations
IOM	International Organisation for Migration
NBTAR	National Bureau
NGO	non-governmental organisation
NSI	National Statistical Institute of the Republic of Bulgaria
SAR	State Agency for Refugees
UNHCR	United Nations High Commissioner for Refugees

## 9 APPENDIX

- i. **Reasons for Granted Long Term Stay Permit** according to the 'Law for Foreigners' in Bulgaria in **2006** (National Strategy 2008-2015, p. 10):

<b>Reason</b>	<b>Number of Long Term Stay Permits Granted</b>
Education (students)	5.650
Trade/Business in Bulgaria	3.428
Marriage to a Bulgarian Citizen and/or persons, who can expect to receive a residence permit in Bulgaria	2.224
Family Members of a Foreigner with a granted Long Term Stay Permit	1.506
Foreign experts; highly skilled foreigners under an international contract with Bulgaria being a party	739
<b>Total</b>	<b>12.527</b>

- ii. **Reasons for Granted Residence Permit** according to the 'Law for Foreigners' in Bulgaria in **2006** (National Strategy 2008-2015, p. 10):

<b>Reason</b>	<b>Number of Residence Permits Granted</b>
Marriage to a Bulgarian Citizen	1180
Persons of Bulgarian Nationality	699
Persons born in the Republic of Bulgaria and Persons who have lost their Bulgarian citizenship	570
Underage children of Bulgarian citizens or of permanently residing in the country foreigners	387
Legal stay in and without having left the territory of the Republic of Bulgaria for the past 5 years	316
<b>Total</b>	<b>3.152</b>

- iii. **Residence Permits** granted **2004-2007** (NSI 2005, pp. 308-309; NSI 2006, pp. 296-297; NSI 2007, pp. 297-298; NSI 2008, 297-298):

<b>Year</b>	<b>Residence Permits within this year (1.1.-31.12)</b>	<b>Total of Residence Permits granted in BG</b>
2004	3.200	50.756
2005	3.249	53.197
2006	3.146	55.653
2007	3.588	63.615

- iv. **Top ten countries** of third country Nationals (excl. numbers of citizens from highly

industrialised countries), who received Residence Permits in **2004** (NSI 2005, pp. 308-309):

<b>Country of Origin</b>	<b>Total in 2004 (1.1.-31.12.04)</b>	<b>Total until 31.12.2004</b>
Turkey	801	1.880
Russia	494	18.639
China	390	1.081
Ukraine	267	4.500
Armenia	178	873
Syria	140	1.617
Moldova	126	1.643
Vietnam	90	796
Lebanon	60	794
Macedonia	55	821
<b>Total</b>	<b>2.601</b>	<b>32.644</b>

- v. **Top ten countries** of third country Nationals (excl. numbers of citizens from highly industrialised countries), who received Residence Permits in **2005** (NSI 2006, pp. 296-297)<sup>41</sup>:

<b>Country of Origin</b>	<b>Total in 2005 (1.1.-31.12.05)</b>	<b>Total until 31.12.2005</b>
Turkey	937	2.583
Russia	430	18.947
Ukraine	237	4.659
China	358	1.421
Armenia	158	1.018
Macedonia	123	918
Syria	100	1.648
Moldova	97	1.626
Lebanon	61	817
Vietnam	53	832
<b>Total</b>	<b>2.554</b>	<b>34.469</b>

- vi. **Top ten countries** of third country Nationals (excl. numbers of citizens from highly industrialised countries), who received Residence Permits in **2006** (NSI 2007, pp. 297-298)<sup>42</sup>:

<b>Country of Origin</b>	<b>Total in 2006 (1.1.-31.12.06)</b>	<b>Total until 31.12.2006</b>
Turkey	903	3.361
Russia	454	19.216
Ukraine	226	4.861
Macedonia	213	1.115
China	165	1.581
Armenia	131	1.142

<sup>41</sup> Modification of statistics due to reasons of comparison

<sup>42</sup> modification of statistics due to reasons of comparison

Moldova	106	1.703
Syria	87	1.690
Lebanon	45	832
Vietnam	37	867
<b>Total</b>	<b>2.604</b>	<b>36.368</b>

The following table on residence permits given out in 2006 demonstrates the same tendency as the table before, but the numbers of residence permits differ slightly. The following illustration should reveal, once again, indifferences of statistics about the very same topic. In order to make the indifferences visible, the numbers were highlighted:

vii. **Residence Permits** by Country (top five Countries of Origin) in **2006** (National Strategy 2008-2015, p. 10):

<b>Country</b>	<b>Total</b>
Turkey	903
Russia	<b>455</b>
Ukraine	<b>228</b>
Macedonia	213
China	165 (in 2005: number had been twice as much)

viii. **Top ten countries** of third country Nationals (excl. numbers of citizens from highly industrialised countries), who received Residence Permits in **2007** (NSI 2008, pp. 297-298)<sup>43</sup>:

<b>Country of Origin</b>	<b>Total in 2007 (1.1.-31.12.07)</b>	<b>Total until 31.12.2007</b>
Macedonia	1.040	2.188
Turkey	680	3.778
Russia	320	21.171
China	217	1.785
Ukraine	148	5.263
Moldova	117	2.071
Armenia	78	1.268
Syria	45	1.929
Vietnam	29	1.033
Lebanon	29	913
<b>Total</b>	<b>2.703</b>	<b>41399</b>

Concerning the statistics on permanently residing foreigners used, they do not seem to be coherent. Due to the lack of explanations numbers are contradicting. For example, the total of permanent residence permits granted until 31<sup>st</sup> December 2006 for persons of Turkish origin were 3.361. The total of permanent residence permits granted during 2007 equals 680. The two sums added would equal 4.021, but the total permits granted until the 31<sup>st</sup> December 2007 equals 3.778. At least two

<sup>43</sup> modification of statistics due to reasons of comparison

reasons might explain this incoherence: Firstly, persons who received citizenship are not considered in the calculations for permanent residing persons. Secondly, no reference was made regarding persons who annulled their permanent residence in Bulgaria.

ix. Annual Totals of Foreigners of Bulgarian descent, who received the **Bulgarian citizenship 2001-2006** (National Strategy 2008-2015, p. 11):

<b>Year</b>	<b>Total</b>
2001	940
2002	3.210
2003	4.179
2004	5.559
2005	5.722
2006	6.511
<b>Total</b>	<b>26.141</b>

x. Applications submitted by Foreigners of Bulgarian descent for **Bulgarian citizenship** by Country **2001-2006** (National Strategy 2008-2015, p. 11):

<b>Country</b>	<b>Total</b>
Macedonia	40.572
Moldova	39.624
Serbia	4.011
Russia	3.240
Ukraine	3.237
Israel	2.409
Albania	1.326
<b>Total</b>	<b>94.419</b>

xi. **Bulgarian citizenship** granted through Naturalisation<sup>44</sup> **2001-2006** (National Strategy 2008-2015, p. 11):

<b>Year</b>	<b>Total</b>
2001–2006	<b>32.924</b>

**31.985** persons of those **32.924** are Foreigners of Bulgarian descent.

xii. **Bulgarian citizenship** granted to Foreigners of Bulgarian descent by Country of Origin through Naturalisation **2001-2006** (National Strategy 2008-2015, p. 11):

<b>Country of Origin</b>	<b>Total</b>
Macedonia	14.091
Moldova	10.771
Russia	1.957
Ukraine	1.446
Serbia	1.333

<sup>44</sup> With naturalisation is to be understood a 5 year long time of period, where a foreigner stayed legally according to the laws in Bulgaria without interrupting the stay on Bulgarian territory in any case.



Israel	721
Albania	299
Other Countries of Origin	2.340
<b>Total</b>	<b>31.958</b>

xiii. Applications submitted for **Bulgarian citizenship** [Foreigners of Bulgarian descent and other Foreigners] **2007** (National Strategy 2008-2015, p. 11):

<b>Background</b>	<b>Total</b>
Persons of Bulgarian descent or Persons of parents with Bulgarian citizenship	12.110
Others	301
<b>Total</b>	<b>12.411</b>

xiv. **Bulgarian Citizenship** granted to foreigners of Bulgarian descent and other Foreigners by the vice president in **2007** (National Strategy 2008-2015, p. 11):

<b>Background</b>	<b>Total</b>
Persons of Bulgarian descent or Persons of parents with Bulgarian citizenship	5.837
Others	101
<b>Total</b>	<b>5.938</b>

xv. **Bulgarian citizenship** granted to foreigners of Bulgarian descent by Country of Origin through the vice president **2007** (National Strategy 2008-2015, p. 11):

<b>Country of Origin</b>	<b>Total</b>
Macedonia	3.241
Moldova	1.584
Serbia	244
Ukraine	213
Russia	206
Israel	194
Albania	52
And Others	103
<b>Total</b>	<b>5.837</b>

xvi. **Refugees from 1999-2007** (Hajdinjak/Nazarska 2008, p. 24; see AIRM 2 <<http://www.airm-bg.org/statisticsbg.htm>>, viewed 5 May, 2009):

Year	Application Submitted	Refugee Status Granted	Refugee Status Refusals	Humanitarian Status Granted	Prolonged Humanitarian Status	Terminated Procedures	Terminated Refugee or Humanitarian Status	Total Number Of decisions
1999	1.349	180	198	380	5	760	250	1773
2000	1.755	267	509	421	65	996	17	2.275
2001	2.428	385	633	1185	164	657	36	3060
2002	2.888	75	781	646	138	1762	9	3411

2003	1.549	19	1036	411	7	528	20	2021
2004	1.127	17	335	257	2	366	12	989
2005	822	8	386	78	0	478	2	952
2006	639	12	215	83	0	284	0	594
2007	975	13	245	322	0	191	1	772

xvii. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 1999** (e-mail Grigorova 15 June, 2009)<sup>45</sup>:

Country	Number of Asylum Seekers	Humanitarian Status Granted <sup>46</sup>	Refugee Status Granted
<b>TOTAL</b>	1.349	38	180
<b>EUROPE</b>	483	344	10
<b>ASIA</b>	772	28	132
<b>AFRICA</b>	77	7	21
<b>AMERICA(s)</b>	5	-	-
<b>STATELESS</b>	12	1	17
<b>Yugoslavia</b>	446	344	-
<b>Afghanistan</b>	277	23	109
<b>Iraq</b>	197	-	11
<b>Armenia</b>	142	-	-
<b>Iran</b>	63	5	11

xviii. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2000** (e-mail Grigorova 15 June, 2009)<sup>47</sup>:

Country	Number of Asylum Seekers	Humanitarian Status Granted <sup>48</sup>	Refugee Status Granted
<b>TOTAL</b>	1.755	421	267
<b>EUROPE</b>	68	33	19
<b>ASIA</b>	1.570	343	172
<b>AFRICA</b>	73	37	17
<b>AMERICA(s)</b>	-	-	-
<b>STATELESS</b>	44	8	59
<b>Afghanistan</b>	675	303	94
<b>Armenia</b>	418	-	-
<b>Iraq</b>	300	33	31
<b>Bangladesh</b>	55	-	-
<b>Iran</b>	47	7	34

<sup>45</sup> modification of statistics due to reasons of comparison

<sup>46</sup> Total of Humanitarian Status granted for the period of one year, 6 months and 3 month.

<sup>47</sup> modification of statistics due to reasons of comparison

<sup>48</sup> Total of Humanitarian Status granted for the period of one year, 6 months, 3 month and until 14 June, 2000.

xix. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2001** (e-mail Grigorova 15 June, 2009)<sup>49</sup>:

Country	Number of Asylum Seekers	Humanitarian Status Granted <sup>50</sup>	Refugee Status Granted
<b>TOTAL</b>	2.428	1.185	385
<b>EUROPE</b>	70	34	13
<b>ASIA</b>	2.154	1.063	312
<b>AFRICA</b>	170	81	23
<b>AMERICA(s)</b>	-	1	-
<b>STATELESS</b>	34	6	37
<b>Afghanistan</b>	1.081	692	102
<b>Iraq</b>	720	269	140
<b>Armenia</b>	160	4	-
<b>Iran</b>	139	66	23
<b>Sudan</b>	68	43	3

xx. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2002** (e-mail Grigorova 15 June, 2009)<sup>51</sup>:

Country	Number of Asylum Seekers	Humanitarian Status Granted <sup>52</sup>	Refugee Status Granted
<b>TOTAL</b>	2.888	646	75
<b>EUROPE</b>	82	19	4
<b>ASIA</b>	2.367	518	60
<b>AFRICA</b>	416	108	11
<b>AMERICA(s)</b>	-	-	-
<b>STATELESS</b>	23	1	-
<b>Iraq</b>	946	293	39
<b>Afghanistan</b>	864	195	18
<b>Armenia</b>	364	-	-
<b>Nigeria</b>	169	-	-
<b>Iran</b>	142	23	1

xxi. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2003** (e-mail Grigorova 15 June, 2009)<sup>53</sup>:

Country	Number of Asylum Seekers	Humanitarian Status	Refugee Status
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<sup>49</sup> modification of statistics due to reasons of comparison

<sup>50</sup> Total of Humanitarian Status granted for the period of one year, 6 months and 3 month.

<sup>51</sup> modification of statistics due to reasons of comparison

<sup>52</sup> Total of Humanitarian Status granted for the period of one year.

<sup>53</sup> modification of statistics due to reasons of comparison

	<b>Seekers</b>	<b>Granted<sup>54</sup></b>	<b>Granted</b>
<b>TOTAL</b>	1.549	411	19
<b>EUROPE</b>	57	8	3
<b>ASIA</b>	1.094	353	16
<b>AFRICA</b>	343	45	-
<b>AMERICA(s)</b>	-	-	-
<b>STATELESS</b>	55	-	5
<b>Afghanistan</b>	525	99	5
<b>Iraq</b>	211	226	7
<b>Armenia</b>	196	-	-
<b>Algeria</b>	155	-	-
<b>Iran</b>	97	21	1

xxii. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2004** (e-mail Grigorova 15 June, 2009)<sup>55</sup>:

<b>Country</b>	<b>Number of Asylum Seekers</b>	<b>Humanitarian Status Granted<sup>56</sup></b>	<b>Refugee Status Granted</b>
<b>TOTAL</b>	1.127	256	17
<b>EUROPE</b>	39	6	6
<b>ASIA</b>	728	184	9
<b>AFRICA</b>	216	54	1
<b>AMERICA(s)</b>	5	3	-
<b>STATELESS</b>	85	9	1
<b>Afghanistan</b>	426	78	2
<b>Armenia</b>	86	3	-
<b>Nigeria</b>	82	8	-
<b>India</b>	69	-	-
<b>Bangladesh</b>	53	2	-

xxiii. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2005** (NSI 2006, p. 298)<sup>57</sup>:

<b>Country</b>	<b>Number of Asylum Seekers</b>	<b>Humanitarian Status Granted</b>	<b>Refugee Status Granted</b>
<b>TOTAL</b>	822	78	8
<b>EUROPE</b>	54	5	-
<b>ASIA</b>	667	59	7
<b>AFRICA</b>	60	12	-

<sup>54</sup> Total of Humanitarian Status granted for the period of one year.

<sup>55</sup> modification of statistics due to reasons of comparison

<sup>56</sup> Total of Humanitarian Status granted for the period of one year and 6 months.

<sup>57</sup> modification of statistics due to reasons of comparison

<b>AMERICA(s)</b>	9	1	-
<b>STATELESS</b>	32	1	1
<b>Afghanistan</b>	385	22	-
<b>Armenia</b>	60	-	7
<b>India</b>	54	-	-
<b>Iraq</b>	50	24	-
<b>Pakistan</b>	45	-	-

xxiv. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2006** (NSI 2007, p. 299)<sup>58</sup>:

<b>Country</b>	<b>Number of Asylum Seekers</b>	<b>Humanitarian Status Granted</b>	<b>Refugee Status Granted</b>
<b>TOTAL</b>	639	83	12
<b>EUROPE</b>	39	-	1
<b>ASIA</b>	536	75	10
<b>AFRICA</b>	52	8	1
<b>AMERICA(s)</b>	1	-	-
<b>STATELESS</b>	11	-	-
<b>Afghanistan</b>	292	34	4
<b>Iraq</b>	71	28	-
<b>Armenia</b>	68	7	-
<b>Iran</b>	31	5	4
<b>Nigeria</b>	20	-	-

xxv. **Asylum Seekers and Provided Status by Continents and Top 5 Countries of Origin in 2007** (NSI 2008, p. 299)<sup>59</sup>:

<b>Country</b>	<b>Number of Asylum Seekers</b>	<b>Humanitarian Status Granted</b>	<b>Refugee Status Granted</b>
<b>TOTAL</b>	975	322	13
<b>EUROPE</b>	34	1	1
<b>ASIA</b>	772	312	12
<b>AFRICA</b>	82	8	-
<b>AMERICA(s)</b>	7	-	-
<b>STATELESS</b>	80	1	-
<b>Iraq</b>	533	276	2
<b>Afghanistan</b>	77	18	5
<b>Armenia</b>	64	3	-

<sup>58</sup> modification of statistics due to reasons of comparison

<sup>59</sup> modification of statistics due to reasons of comparison

<b>Iran</b>	33	9	1
<b>Nigeria</b>	18	-	-

xxvi. **Asylum Seekers and Refugees by Country of Origin and Applications submitted 01.01.1993-31.05.2008** (Hajdinjak/Nazarska 2008, p. 25; AIRM 2):

<b>Nationality</b>	<b>Male</b>	<b>Female</b>	<b>Children</b>	<b>Total</b>
Afghanistan	3.814	462	1.197	5.473
Iraq	2.740	446	494	3.680
Armenia	623	596	473	1.692
Iran	612	77	93	782
Serbia and Montenegro	331	198	240	769
Stateless	448	63	75	586
Nigeria	381	36	54	471
Algeria	338	10	6	354
Turkey	288	32	28	348
Bangladesh	275	2	12	289
Sudan	256	14	0	270
Somalia	177	15	17	209
Pakistan	182	2	10	194
Syrian Arab Republic	138	22	21	181
India	133	0	23	156
Other Countries	887	269	122	924
<b>Total</b>	<b>11.623</b>	<b>2.244</b>	<b>2.865</b>	<b>16.732</b>

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Debate and Round Table 24 April, 2009, *Being a student abroad: Bulgarian students in foreign countries and foreign students in Bulgaria*, organised by CERMES in the Red House, Sofia, Bulgaria.

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Grigorova, M, *e-mail June 15, 2009*, SAR - State Agency for Refugees and the Council of Ministers

Krasteva, A, *e-mail, May 12, 2009*, CERMES

Vankova, Z, *e-mail July 17, 2009*, OSF Bulgaria

## 11 ABSTRACT (DEUTSCH)

Die vorliegende Diplomarbeit hat zwei Ziele: Erstens, geleitet durch die Forschungsfrage “welche Funktionen den Konzepten von Locke, Montesquieu, Tocqueville, Habermas und den fünf von Merkel abgeleiteten Funktionen von Zivilgesellschaft zufolge, erfüllen die konkreten Fallbeispiele” versuchte die vorliegende Forschungsarbeit die drei Fallstudien auf den Grad ihrer Erfüllung der Funktionen, sowie auf deren Demokratiebeitrag in Bulgarien hin zu analysieren. Zweitens, sollte die Rolle der jeweilig analysierten Organisationen, die im Migrationsbereich tätig sind, aufgezeigt werden. Hierbei wurden die Beleuchtung ihrer Strategien, ihrer Schwerpunkte, ihres Beitrags zur Partizipation von Mitgliedern ihrer Zielgruppen, sowie ihre Kapazitäten auf die öffentliche Debatte Einfluss zu nehmen ins Zentrum der Analyse gestellt.

Der erste Teil beinhaltet den theoretischen und methodischen Hintergrund der Arbeit. An dieser Stelle werden die Funktionen von Zivilgesellschaft und NGOs, als Subkategorie von Zivilgesellschaft, in Demokratien eingehend erörtert. W. Merkel analysiert Konzepte von Locke, Montesquieu, Tocqueville und Habermas über Staat und Gesellschaft. In der Folge leitet er fünf Funktionen ab, die Zivilgesellschaften in Demokratien erfüllen können. Die Hauptfunktionen bestehen Merkel zufolge aus *Intervention der Zivilgesellschaft und dem Schutz der Privatsphäre gegen staatliche Willkür* (Locke), *Kapazitäten um den Staat unter Beobachtung zu stellen und zu kontrollieren* (Montesquieu), *Demokratieschulen* (Tocqueville), *Partizipation und Selbst-Veränderung von bestehenden Strukturen* (Habermas), sowie *Pluralismus, Heterogenität und Netzwerke* in der bulgarischen Zivilgesellschaft.

Der zweite Teil zeigt den Kontext der drei Fallstudien auf. Er beinhaltet sowohl die geschichtliche Entwicklung des bulgarischen Zivilgesellschafts- und NGO-Sektors, als auch Immigration und Immigrationstendenzen während des vergangenen Jahrzehnts. Allgemein werden Schwierigkeiten, Schwächen, sowie die Größe und der Einflussbereich der aktiven bulgarischen Zivilgesellschaft aufgezeigt. Die größten Hindernisse scheinen im Mangel an Kooperation, in der Schwierigkeit die Gesellschaft einzubinden und zu erreichen, in der allgemein eher negativen, öffentlichen Meinung gegenüber Zivilgesellschaft, Zivilgesellschaftsorganisationen und NGOs, sowie in dem Umstand, dass die geläufigen Konzepte von Zivilgesellschaft und NGOs von sogenannten 'westlichen' Gebern eingeführt wurden, zu liegen. In Bezug auf Immigrationspolitik hat sich in den letzten 20 Jahren viel verändert. Spätestens seit den EU-Beitrittsverhandlungen unterliegt die bulgarische Immigrationspolitik ständigen Änderungen und Anpassungen. Die Gesetzgebung für Asylwerber

und Flüchtlinge wurde während des letzten Jahrzehnts immer detaillierter ausgearbeitet. Auch die Gesetzgebung für Einwanderer, die keine Asylwerber und Flüchtlinge sind, unterlag aufgrund des damals bevorstehenden EU-Beitritts dem Harmonisierungsprozess. Da Bulgarien sowohl ein Sende-, als auch ein Empfängerland von MigrantInnen ist, beinhaltet dieser Teil der Diplomarbeit einen Überblick über die Einwanderung von Asylwerbern, Flüchtlingen und den übrigen Einwanderern während des letzten Jahrzehnts.

Der dritte Teil ist in zwei Bereiche geteilt. Drei verschiedene Organisationen aus dem Migrationsbereich werden analysiert: Das Zentrum für Europäische Flüchtlings-, Migrations- und Ethnische Studien (CERMES), die Vereinigung für Integration von Flüchtlingen und Migranten (AIRM), sowie die Bulgarische Erinnerungstiftung (BGMF). Erstens werden die Hauptziele der Organisationen und ihre Strategien mit Immigration umzugehen beleuchtet und u.a. die gesellschaftlichen und politischen Einflussbereiche der Organisationen und die Dimension ihrer Kooperationen mit anderen Akteuren im Migrationsbereich aufgezeigt. Zweitens werden die Organisationen mittels zuvor erarbeiteter Fragen, die in Zusammenhang mit den fünf Funktionen von Zivilgesellschaft stehen, analysiert. Im Rahmen dieser Analyse wurden ihre entscheidende Rolle in der bulgarischen Zivilgesellschaft, sowie deren Potentiale klar ersichtlich. Alle drei Organisationen haben die Kapazitäten den Staat zu beobachten und zu kontrollieren, demokratische Werte zu lehren, nachhaltig zur Partizipation und der Ermächtigung ihrer Zielgruppen, sowie eine Veränderung der bestehenden gesellschaftlichen und politischen Strukturen auszulösen, inne. Des Weiteren sind die drei Organisationen in ein aktives, weites, pluralistisches und heterogenes Netzwerk von Akteuren eingebettet. Dieses wirkt viel versprechend hinsichtlich zukünftigen Entwicklungen zu einer Stärkung im bulgarischen Zivilgesellschaftssektor und der Förderung der Partizipation und Ermächtigung von Immigranten und Flüchtlingen in Bulgarien.

## 12 ABSTRACT (ENGLISH)

The purpose of this thesis is twofold: Firstly, guided by the main question which follows the framework of Locke, Montesquieu, Tocqueville, Habermas and Merkel's five functions of civil society, in the case studies I try to examine the respective degree to which the function of contributing to democracy in Bulgaria is fulfilled. Secondly, the purpose of this research was to show the role of every organisation subject to this appraisal within the migration sector, their strategies, their focus, their contribution to the empowerment and participation of their target groups and their capacity in view of the currently (non-)existing debate on immigration issues in Bulgaria.

The first part of this paper contains the theoretical and methodical background. It deals with the functions of civil society and NGOs in democracies. W. Merkel analysed concepts of state and society by Locke, Montesquieu, Tocqueville and Habermas and deduced these functions, formulated in a catalogue. Their main functions herein lie in the *protection of the private sphere against state arbitrariness and intervention by civil society* (Locke), *capacity for state observation and control* (Montesquieu), *their role as schools of democracy* (Tocqueville), *participation and self-transformation of current structures* (Habermas), *pluralism, heterogeneity and networks existent within civil society* in Bulgaria.

The second part shows the context in which the three case studies are embedded. It consists of historical developments of the civil society and NGO sector in Bulgaria, as well as immigration in Bulgaria during the past decade. Generally, activities, problems and weaknesses of this sector as well as its size and sphere of influence within society and social politics are depicted. One of the most problematic aspects seems to be a lack of co-operation, limited range in society, unfavourable public opinion of organisations emerging from this sector and the fact that current civil society and NGO concepts were introduced by 'western' donors. Concerning immigration and immigration policies, many things have changed since 1989. Since Bulgaria started EU accession negotiations Bulgarian immigration legislation steadily had been adjusted and amended. The legislation for asylum seekers and refugees had been elaborated in detail throughout the past decade. The legislation for the remaining immigrants underlay the harmonisation process due to the formerly forthcoming EU membership starting with January 1<sup>st</sup> 2007. As Bulgaria is both an origin as well as a destination country for migrants, this part of the thesis contains an overview of the migration of asylum seekers, refugees and immigrants to Bulgaria during the past decade.

The third part is twofold and tackles the case studies. Three different organisations working in the

migration sector are analysed: a) the Centre for European Refugees, Migration and Ethnic Studies (CERMES), b) the Association for Integration of Refugees and Migrants (AIRM) and c) the Bulgarian Memory Foundation (BGMF). On the one hand, it depicts their main aims and strategies on coping with immigration issues. This part highlights, amongst others, their zones of influence within Bulgarian society and social politics as well as the dimension of co-operation with other organisations working in this field. On the other hand, by means of questions elaborated with reference to the aforementioned catalogue, the organisations' determining role within the whole of civil society, in their work in the migration field and their potential are analysed. They hold the capacity to observe and control the state, to teach democratic values, to contribute strongly to participation and empowerment of the members of their target group(s) and to trigger a self-transformation of current structures in policies and society. Last, but not least, the three organisations are embedded in a vast, active, pluralistic and heterogeneous network, which shows great promise for future developments within Bulgarian civil society and the migration sector with regard to a consolidation of civil society as a whole and the facilitation of immigrants' and refugees' empowerment in Bulgaria.

## 13 CURRICULUM VITAE

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### Education

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WS 2003 - SS 2009	Magistra der Philosophie im Individuellen Diplomstudium <i>Internationale Entwicklung (Development Studies)</i> , <b>University of Vienna, Austria</b>
SS 2009 April-July	research for the present thesis in Bulgaria, Sofia
WS 2003 - thitherto	<i>Arabic and Oriental Studies</i> and <i>Bulgarian Studies</i> <b>University of Vienna, Austria</b>
2006	<i>Erasmus Academic Exchange Program</i> Scholarship in Sofia, <b>University of Sofia, Bulgaria</b> in the field of <i>Arabic Studies</i> .
2002 - 2003	private language studies in Syria
1994 - 2002	high school ( <i>Bundesrealgymnasium Stubenbastei</i> ) in Vienna, final exam passed on July, 14, 2002, with excellence
1990 - 1994	primary school in Vienna

### Publications & Presentations

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2008	<i>Der Sonderfall: Die IGGiÖ und der politische Islam</i> Abdelkarim, A & Ahmad, S & Shah, S & El Khalaf, M in: <i>Zwischen Gottesstaat und Demokratie – Handbuch des politischen Islam</i> , Schmidinger, T & Larise D (eds), Deuticke im Paul Zsolnay Verlag, Wien
11/12/2008	book presentation <i>Zwischen Gottesstaat und Demokratie</i> Schmidinger, T & El Khalaf, M; Grüne Bildungswerkstatt Graz

### Languages

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fluent in spoken and written	German (native language), English
fluent in spoken	Bulgarian
passive skills in	Arabic, French