

## POLICIES FOR ENCOURAGING THE RETURN OF BULGARIAN MIGRANTS TO BULGARIA

*This article deals with migration policies, intended to encourage and support the return of Bulgarian migrants.<sup>2</sup> A review is made of international regulations in regard to external migration, which have an impact on the migration policy of Bulgaria. The findings of an analytical overview of Bulgaria's migration policy are presented, with the emphasis being placed on the return of Bulgarian migrants to the country. Good practices in this area are highlighted and the results of a representative opinion poll are presented of the attitudes of returning migrants towards the policy of the Bulgarian state for encouraging and supporting their return.*

*JEL: F22; F66; K37*

Bulgaria is a country, characterized by a continuing negative mechanical population growth over the last decade. The expectations are for this trend to continue in the medium- and even the long-term perspective. The basis for making such an assessment is the data on the dynamics of the inbound and outbound flows of migrants, of the social and economic development of the country from a comparative perspective (with other EU Member States), as well as the results of a number of empirical studies<sup>3</sup>, according to which the main motives, driving the population of Bulgaria towards migration, are of economic character: the higher living standards and labour remuneration, the better professional

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<sup>3</sup> Including the results of an empirical study, conducted as part of the above project. The results of other similar studies are published, for example in: V. Mintchev, E. Markova, M. Misheva, I. Zareva, I. Balkanska, V. Boshnakov, Y. Kalchev, (2012). Bulgarian emigration: theories, policies, empirical studies. Sofia. Icopis; Zareva, I., (2017). Social inequalities and migration. The case of Bulgaria. LAP LAMBERT Academic Publishing; Richter, M., P. Ruspini, D. Mihailov, V. Mintchev (Eds.), (2016). Migration and transnationalism between Switzerland and Bulgaria, Springer International Publishing Switzerland etc.

fulfilment abroad, as well as the need to support close relatives in Bulgaria. At the same time the reasons, for which the migrants are returning to the country, are mainly of non-economic character – attachment to the family, need to care for children, for elderly or ill relatives, as well as the end of a period of temporary employment or job loss abroad.

There are a number of economic, social, political, cultural, psychological and other prerequisites for migration, but among the most important of them are the economic and social ones. The social inequality among the countries and within a given country, as well as the prospects for better life and social and political fulfilment in the various states, are generating migration. The relatively low living standards and revenue, the poverty, the lower quality of education and employment, including of young and well-educated people, the existing significant social and economic disparities/inequalities between the conditions and prospects in Bulgaria and in most EU Member States; the income inequalities existing in the country and the resulting inequalities in consumption, in the access to education and healthcare, the low level of satisfaction with the living standards are strong motivating factors driving migration and do not create favourable conditions for the return of Bulgarian migrants.

All of the above justifies the conclusion that it is necessary to put in place a system of policies and measures for retaining in the country and for encouraging the return of Bulgarian migrants from abroad, one of the components of which are the migration policies.

Migration policies are among the determinants of international migration. They set the framework, which influences in a specific manner the migration flows and the integration of migrants. Their results and effectiveness depend on the social, economic and political conditions in a given country, on their relative weight/significance for determining the migration, on the gaps in and discrepancies between policies, on the shortcomings in implementation, etc.

A number of international regulations have an impact on the normative documents, as well as on the migration policy of Bulgaria. The fundamental right in the EU to freedom of movement of persons creates a favourable environment for the migration processes and influences the migration flows to and from Bulgaria.

## **International framework**

### *International Norms*

The legislation and policies of Bulgaria in regard to returning Bulgarian migrants are in conformity with the international treaties on human rights to freedom of movement and return to one's country. The provisions of these documents proclaim the right of each individual to leave any country, including his own and as regards the right to entry – it is attributed to the citizens of the respective state.

According to Article 13 of the *Universal Declaration of Human Rights* (UN General Assembly Resolution No. 217/1948): "Everyone has the right to freedom of movement and

residence within the borders of each State” and “Everyone has the right to leave any country, including his own, and to return to his country”.

In Article 12 of the *International Covenant on Civil and Political Rights* (in effect for Bulgaria from 23/03/1976) it is stated that everyone shall be free to leave any country, including his own and that no one shall be arbitrarily deprived of the right to enter his own country.

In the *International Covenant on Economic, Social and Cultural Rights* (in effect for Bulgaria from 23/03/1976) it is declared that: “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation [...] with a view to achieving progressively the full realization of the rights recognized in the present Covenant (incl. the right to work, social security, health, education etc. – note by the author) by all appropriate means, including particularly the adoption of legislative measures” (Article 2).

*Regional framework, resulting from the membership of Bulgaria in the EU and the commitments of the country, assumed in the Treaty of Accession*

The freedom of movement for persons is a fundamental right in the European Union, provided for by the Charter of Fundamental Rights of the EU. Regulation (EU) No 492/2011 of the European Parliament and of the Council on freedom of movement for workers within the Union guarantees the right of freedom of movement for workers and their families and equal treatment with regard to the access to employment, the work remuneration and the working conditions. In practice, however, there are a number of restrictions of the freedom of movement for persons in the EU. An example in this respect is the Schengen Agreement (for elimination of the internal border controls and strengthening control on the external frontiers), the protection of labour markets (with limited access to them for newly admitted Member States for a specified period), the policies against illegal migration, etc.

The Charter of Fundamental Rights of the EU (of 7 December 2000, adapted on 12 December 2007 in Strasbourg) defines the freedom of movement for persons as a fundamental right in the EU. According to Article 45, every citizen of the Union has the right to move and reside freely within the territory of the Member States.

The Convention for the Protection of Human Rights and Fundamental Freedoms and Protocol No. 4 thereto, states that (apart from the rights already declared in the Convention and in Protocol No. 1<sup>4</sup>): “Everyone shall be free to leave any country, including his own.”

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<sup>4</sup> The Convention for the Protection of Human Rights and Fundamental Freedoms is an international treaty between member States of the Council of Europe, adopted in 1950. The states undertake to fulfil the obligations, arising from the Convention, by ratification, upon becoming party to it. All member States have ratified the Convention. There are a number of non-binding Protocols to the Convention, which supplement its provisions. Protocol No. 1 relates to the protection of property, the right to education and the right to free elections. Protocol No. 4 is related to prohibition of imprisonment for debt, freedom of movement, prohibition of expulsion of own nationals, prohibition of collective expulsion of foreigners.

(Article 2(2)) and “No one shall be deprived of the right to enter the territory of the state of which he is a national” (Article 3(2)).

In the Treaty on European Union<sup>5</sup> it is stated that the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union and that it shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 6(1) and (2)). In conformity with this “The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the freedom of movement for persons is ensured [...]” (Article 3(2)).

According to Article 20 of the Treaty on the Functioning of the European Union a citizenship of the European Union was established (this term was introduced by the Treaty of Maastricht). “Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship”. In other words, the citizenship of the EU is not grounds for acquiring citizenship of a Member State.

The same article of the Treaty guarantees the right (of Union citizens) to move and reside freely within the territory of the Member States. Here the freedom of movement of citizens is not linked to their participation in economic activities and the labour market. Thereafter the treaty deals with freedom of movement for workers, which is in conformity with the establishment of a common/single labour market. According to Article 45 “Freedom of movement for workers shall be secured within the Union.” This freedom includes also the right to accept employment offers actually made, the right to move, stay and remain in the territory of a Member State after being employed.

In addition to those Treaties, the right of freedom of movement for persons and workers, including the recognition of professional qualifications, is regulated also by the following documents:

- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, the goal of which is to regulate the main framework of countering discrimination in regard to employment and practicing of crafts, in view of the implementation of the principle of equal treatment in Member States.
- Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC. It sets out the conditions, regulating the exercise of the right of citizens of the Union and their family members to move, stay and reside freely within the territory of the Member States, as well as the restrictions imposed on those rights for reasons, related to public order, security and health.

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<sup>5</sup> The Treaty on European Union and the Treaty on the Functioning of the European Union are the basis, on which the EU is founded (as legal successor of the European Community).

- Regulation (EU) No 492/2011 of the European Parliament and of the Council on freedom of movement for workers within the Union, according to which the right to free movement and equal treatment in regard to access to employment, pay and working conditions is a fundamental right of workers and their family members.
- Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications and Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System, which establish the procedure for recognition of professional qualifications, acquired in one or more Member States, in order to ensure access to a certain profession and its practice in the territory of a Member State.

Article 165 and Article 166 of the Treaty on the Functioning of the European Union are aimed at support of freedom of movement for persons and in particular of the mobility of students.

The EU has a common migration policy – for freedom of movement for persons, a common labour migration policy – for freedom of movement for workers, a common immigration policy towards third countries. Important determinants of the migration policy of the Union are the ongoing demographic changes, the falling behind in terms of competitiveness compared to other economically developed world centres, the need of more labour force, particularly of qualified one, etc.

The character and orientation of the migration policy of the EU are changing along with the change in the social and economic, and the political environment (both internal for the EU, as well as external); the weight of different factors, influencing migration; the relations, interaction and agreements among states, regions and on a global scale. Currently, under the impact of the migration pressures on the EU, the common European migration policy is applied along the following main lines<sup>6</sup>: working with countries of origin and transit passage; strengthening of the external borders of the EU; management of the migration flows and limiting the smuggling of migrants; reforming the common European asylum system; ensuring opportunities for legal migration (in this connection a proposal is under review for introducing improvements into the Blue Card Directive, in order to attract highly qualified specialists); stimulating the integration of citizens of third countries.

The respective acts of the European Union, related to migration, have been introduced into the legislation of Bulgaria. As an EU Member State, the migration policy of the country, including that oriented at Bulgarians, returning from abroad, is aligned with the common policy of the EU, guaranteeing freedom of movement for persons and freedom of movement for workers.

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<sup>6</sup> <http://www.consilium.europa.eu/bg/policies/migratory-pressures/>

### **Principal normative acts and policy directions in Bulgaria**

The international and European provisions and regulations, the changes in the directions of the European migration policy are reflected in Bulgaria's legislation and policy in the area of migration. The legislation of the Republic of Bulgaria applies the provisions of international law, the respective acts of the European Union, related to migration and asylum, have been transposed. The Bulgarian migration policy is coordinated and synchronized with the common migration policy of the EU (guaranteeing freedom of movement for persons and freedom of movement for workers), in conformity with the EU membership commitments of the country, assumed by the Treaty of Accession. The emphasis of policy is changed accordingly and in recent years it is being directed mainly at immigration policies and countering illegal migration.

The principal normative acts, relevant to the migration of Bulgarian citizens and in particular to their return to the country, are:

*The Constitution of the Republic of Bulgaria.* According to Article 26 (1) "Irrespective of where they are, all citizens of the Republic of Bulgaria shall be vested with all rights and duties proceeding from this Constitution" and according to Article 25(3) "No one shall be deprived of Bulgarian citizenship acquired by birth" and (2) "A citizen of Bulgarian origin shall acquire Bulgarian citizenship through a facilitated procedure".

*The Law on Bulgarians Living Outside the Republic of Bulgaria* (SG No.30/11/04/2000, as most recently amended by SG No. 58 of 26/07/2016). According to Article 4 (1) of the Law, the Bulgarian state renders assistance for the creation of favourable conditions for the free development of Bulgarians, living outside the Republic of Bulgaria, in compliance with the principles of international law and of the legislation of the respective state, with the aim of protection and support of their rights and lawful interests. At the same time it regulates a number of facilitations for Bulgarians, living outside the Republic of Bulgaria, who are not Bulgarian citizens, intended to support their return to the country: in regard to payment of stamp duties, relevant to the regulation of their stay or establishment in the Republic of Bulgaria („When staying in the territory of the country Bulgarians, living outside the Republic of Bulgaria, who are not Bulgarian citizens, shall be eligible for facilitations in regard to payment of stamp duties, relevant to the regulation of their stay or establishment in the Republic of Bulgaria, under terms and procedure, determined by the Council of Ministers", Article 6); in obtaining permit for exercising the right to work when staying in the country (Article 7). The Law provides for facilitated conditions for engaging in economic activity in the country for Bulgarians, living outside Bulgaria, who are not Bulgarian citizens. They are entitled to conduct economic activity and to invest, to re-establish their title of ownership and to receive inheritance ("Bulgarians, living outside the Republic of Bulgaria, who have no Bulgarian citizenship, may conduct economic activity in the Republic of Bulgaria, invest and participate in the cash privatization, re-establish their title of ownership and receive inheritance, in compliance with the applicable legislation, under the terms and procedure, envisaged for Bulgarian citizens, except in regard to land", Article 8), enrol free of charge into primary and secondary education in state and municipal schools, as well as into higher education in state higher education schools in Bulgaria under the terms, envisaged for Bulgarian citizens (Article 9 and Article 10). In addition,

“Bulgarians, living outside the Republic of Bulgaria, who are not able to cover on their own the costs of their education, may apply under programmes, financially supported by the state budget, by the respective higher education establishment or from other sources.” (Article 10(3)).

Chapter Three of the Law, “Establishment in the country of Bulgarians, living outside the Republic of Bulgaria”, contains the provisions, aiming to support the return of Bulgarians from abroad to the country. Bulgarians, living outside the Republic of Bulgaria, who wish to establish themselves in Bulgaria, receive permanent residence permits under facilitated conditions and procedure, while the state bodies and the local administration must render assistance, provide material and other means of support for their establishment under terms and procedure, determined by the Council of Ministers (Article 15). The Bulgarian state creates conditions for Bulgarians in need, who are establishing in its territory, for providing at no charge the right of use of lands from the state or municipal land stock, for the initial three years from the date of their establishment, and the Council of Ministers determines the terms and conditions, under which such persons may obtain credit for purchasing real property, dwellings and equipment under facilitated terms (Article 16). The Law also regulates the setting up of a National Council for Bulgarians, living outside the Republic of Bulgaria, as a state-public body with organizing, coordinating and representative functions, as well as for development of government (funded by the state budget) and private programmes in support of Bulgarians, living outside the Republic of Bulgaria.

One of the main goals of this Law is to encourage and support Bulgarians to return from abroad by creating favourable conditions and facilities. In fact, it is the only such normative document in this direction. At the same time, however, the fact that no rules have been prepared for its implementation, significantly impedes the elaboration and application of adequate and effective measures and policies in this direction.

An important objective of the Law is to preserve the Bulgarian identity of Bulgarians, living abroad. In this sense they receive support from Bulgarian institutions and organizations by teachers, training aids, materials or in any other appropriate manner for education in Bulgarian language, for studying Bulgarian literature, history, geography and other subjects; for improving the qualifications of teachers abroad and if necessary for secondment of Bulgarian teachers; for organizing meetings and other events for conducting cultural, education and other related activities.

Other normative acts in the areas of culture and education activity are:

*DCM [Decree of the Council of Ministers] No. 103 of 31/05/1993* on the conduct of educational activity among Bulgarians abroad, according to which more than 400 Bulgarians from abroad are enrolled as graduate, postgraduate and doctoral students each year.

*DCM No. 334/2011* on Bulgarian Sunday schools abroad, based on which the state provides financial support for the functioning of such educational establishments.

*Decision of CM No. 456/2011* on establishment of Standing interagency commission on issues of educational activity among Bulgarians abroad, which organizes and coordinates the work of state agencies and organizations in implementation of the educational policy of

Bulgaria in regard to Bulgarians and Bulgarian communities abroad, assists the activity of enrolment of graduate, postgraduate and doctoral students – Bulgarians from abroad.

The National programme “*Native language and culture beyond border*” of the Ministry of Education and Science is developed and applied successfully, through which the Bulgarian state is funding Bulgarian schools, including state education establishments in the host countries, where Bulgarian language is taught, thus contributing to expansion of the network of Bulgarian Sunday schools abroad.

*Law on the Bulgarian Citizenship* (SG, No. 136/1998, as most recently amended by SG No. 103 of 27 December 2016). This Law regulates the conditions for acquisition, forfeiture and restoration of Bulgarian citizenship by foreigners, as well as a facilitated procedure for obtaining citizenship for persons of Bulgarian ancestry. By the amendments to the Law additional facilitations were introduced for applicants for Bulgarian citizenship. The procedure for admission of persons of Bulgarian ancestry as Bulgarian citizens was also optimized. The Law allows dual citizenship.

*Employment Promotion Act* (SG No. 112 of 29/12/2001, as most recently amended by SG No. 102 of 29/12/2015). This Law introduces European legislation in the area of labour migration and the freedom of movement for persons. It regulates the social relations in intermediation for furnishing information and placement in the Republic of Bulgaria and in other states of Bulgarian citizens, of nationals of another Member State of the European Union, of States which are Contracting Parties to the Agreement on the European Economic Area, or of the Swiss Confederation in Bulgaria.

*Labour Migration and Labour Mobility Act* (SG No. 33 of 26/04/2016, as most recently amended by SG No. 24 of 16/03/2018). It transposes the requirements of several EU Directives in this area - Directive 2014/54/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers, Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers and Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer. The part of Chapter Eight of the Employment Promotion Act, whereby the requirements were introduced of Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment has been transferred to it.

The law regulates the access to the labour market of workers – third-country nationals, including citizens of other countries (non-Member States) of Bulgarian ancestry, as well as the employment of Bulgarian citizens abroad, including in their free movement within the European Union and the European Economic Area. Facilitations are envisaged for the persons of Bulgarian ancestry in regard to access to the labour market, seasonal employment, opportunities to apply for a Blue Card, etc.

*Law on Recognition of Professional Qualifications* (SG No. 13 of 08/02/2008, as most recently amended by SG 85 of 24/10/2017). This Law regulates the terms and procedure for recognition of professional qualifications, acquired in other EU Member States and in third countries, with the aim of access to and practice of regulated professions in Bulgaria, as



well as the terms and procedure for partial access to practice of a regulated profession and recognition of length of service for mastering the profession in another Member State.

The state policy in regard to Bulgarians abroad finds an expression in some strategic documents, shaping the framework for its implementation:

- *National Strategy on Migration and Integration* (2008-2015), the Strategic goal 1 of which is: “Attracting persons of Bulgarian citizenship, living in the territories of other states and persons of Bulgarian ancestry with foreign citizenship – to permanently return and settle in the Republic of Bulgaria”. In order to achieve this goal, two priorities are envisaged – „Permanent return to the country of persons of Bulgarian citizenship, living in the territories of other states“ and “Permanent attraction and settlement in the country of persons of Bulgarian ancestry with foreign citizenship”. It is envisaged to elaborate a Programme for permanent return to the country of persons of Bulgarian citizenship, living in the territories of other states, with an accent on qualified young Bulgarian emigrants and a Programme for permanent motivation and settlement in the country of persons of Bulgarian ancestry with foreign citizenship, the main instrument of which is the Green Card document (entitling to rights, equal to those of Bulgarian citizens), and its main parameters boil down to facilitation of the procedures for establishment and social integration of persons of Bulgarian ancestry.

In conformity with the need of further development and synchronization of the Bulgarian with the common European migration policy, this strategy was superseded by the new National strategy in the field of migration, asylum and integration (2011-2020), although the former was preserved under the name of National programme for legal migration and integration (2012-2015).

- *National Strategy on Migration, Asylum and Integration* (2011-2020). The emphasis in this strategy is shifted to the protection of EU borders and countering of illegal migration. The main priorities in the Strategy are aimed at guaranteeing the security of the external frontiers of the EU; at effective countering of illegal migration and the trafficking in human beings; at ensuring of a high level of protection for asylum seekers, refugees and persons, having received humanitarian status, as well as at attracting highly qualified Bulgarian citizens-emigrants and foreigners of Bulgarian ancestry, with the view of their permanent establishment in the country.
- The *National Strategy on Migration, Asylum and Integration* (2015-2020), adopted in 2015. Here the emphasis is again on immigration policies and on countering illegal migration, and fundamental provisions, related to Bulgarians living abroad have been retained. Its goal is to: “Create a political framework for building a comprehensive and stable normative and institutional foundation for the successful management of legal migration and integration, as well as for prevention and countering of illegal migration and identification and providing the necessary care to all persons seeking and having obtained international protection in Bulgaria.” Two of the twelve priorities of the national policies in the field of migration, asylum and integration are: “Attracting highly qualified Bulgarian citizens-emigrants and foreigners of Bulgarian ancestry – for permanent establishment and settlement in the country”, as well as “Ensuring the social inclusion and integration of third-country nationals” (to the extent that part of

Bulgarians abroad are third-country nationals). The orientation of the priorities remains unchanged, as well as the priority of attracting highly qualified Bulgarian citizens-emigrants and foreigners of Bulgarian ancestry, with the view of their permanent establishment and settlement in the country.

However, there is still no developed action plan for this Strategy, which means that in reality there is no functioning state programme in the field of migration and integration. To date a draft Plan for 2018 has been prepared, which is still not adopted. Three annual plans were developed for 2011, 2012 and 2013 for the implementation of the Strategy in the version for the 2011-2020 period. In them, for the stated "Policies in regard to Bulgarians abroad" a measure is envisaged, namely - strengthening in long-term perspective of work with Bulgarian emigrants and their organizations abroad by consolidating the regular connection established between them and the Employment and social issues services of the Ministry of Labour and Social Policy at Bulgarian embassies, the Employment Agency and the larger interested companies and corporations, the aim of which is to increase the awareness of the rights as citizens of the EU and of the opportunities for professional fulfilment in Bulgaria.

- *Updated National Demographic Strategy of the Republic of Bulgaria (2012-2030)*. Two of the twelve main directions of the strategy are: development of an adequate migration and immigration policy, and significant reduction of the number of migrating young people of reproductive age. In this connection tasks are envisaged for attracting Bulgarians, living abroad and encouraging their economic activity in Bulgaria. In the annual plan for 2017, however, on three of the measures envisaged under Priority I "Slowing down the negative demographic processes and the decrease of population size", Direction 5 „Elaboration of an adequate migration (internal and external) and immigration policy", no activities were implemented. The main activities under the other measures were related mainly to the conduct of forums and festivals, and the operation of two portals for information and consultations by the State Agency for Bulgarians Abroad.

The following bodies have been established for the implementation of state policies in the area of migration:

- *National Council on Migration and Integration* (established by Decree of the Council of Ministers No. 21/05.02.2015 – under the jurisdiction of the Ministry of Interior) as a collective advisory body on the formulation and coordination of implementation of the state policies in the areas of migration and integration of foreigners, seeking or having obtained protection in the Republic of Bulgaria.
- *National Council on Labour Migration and Labour Mobility* (established by the Law on Labour Migration and Labour Mobility – under the jurisdiction of the Ministry of Labour and Social Policy), whose functions are aimed at support of policy implementation in the field of labour migration and labour mobility, including in regard to the employment of Bulgarian citizens abroad and to motivating them to return for employment to the Republic of Bulgaria.

The *State Agency for Bulgarians Abroad* (with the Council of Ministers) is the institution, which implements state policy vis-à-vis Bulgarians abroad, maintains contacts and supports the activity of civil structures of Bulgarian communities abroad.

The policies, related to the return of migrants, have a different orientation. They may relate to the encouragement of return and to the (re-)integration of those that have returned. Encouragement of the return of migrants may be achieved by a comprehensive set of policies and measures for temporary or permanent return. Among them may be: various awareness campaigns regarding the potential benefits of returning; comprehensive information services, related to the possibilities for returning – practical advices, administrative procedures, etc., options for employment and available job vacancies, possibilities for development of entrepreneurship (own business and self-employment), etc.; cutting of red tape; creation of a more favourable business climate; orientation and support in finding jobs and if required – appropriate training, recognition of the qualification received abroad; assistance in launching own business via administrative support, professional advice for developing business plans, mentorship, training and consultancy, etc.; assistance to find housing; etc. Examples of specific measures may be seen in different countries. Hungary, for example, offers the migrants a free plane ticket and a certain amount for subsistence for a year. Romania envisages a facilitated administrative procedure for starting a business, as well as an option for funding of projects of persons returning from abroad.

#### Examples of initiatives for return and integration of migrants

Poland is among the EU states with considerable emigration. In this connection different programmes have been developed and implemented, oriented at encouragement of the return of Polish migrants, including highly qualified ones, as well as of young researchers and doctoral students, at their inclusion into the labour market and integration into the economic and social life of the country. They are both national, as well as regional. For example: a) national – “Povroty.gov.pl” – a portal for providing information, including on legal issues (unemployment benefits, taxation, education, retirement, health insurance etc.) and support the integration of Poles, living abroad and intending to return (launched in 2008); “Have you got a Plan to return” – including information services, removal of administrative barriers (double taxation, recognition of education and qualification received abroad, facilitation of the acquisition or restoration of Polish citizenship, etc.), activities in the area of education (abroad and domestically, with the view of supporting the return of children), activities, oriented at the state administration, including training, etc., which started in 2008; b) regional – “Become your own boss – stay in Poland” – a programme for supporting the start-up of business and self-employment of returning persons, which was started in 2010; Opolskie – here I stay), which started in 2008, etc.

Various programmes have been implemented in Hungary, which are oriented at attracting young people back to the country (such as “Come Home Youth”, offering jobs to young Hungarians, living abroad, by ensuring funds for a plane ticket for returning and a certain amount for subsistence for a year, information on partner companies under the programme, on job vacancies, on the opportunities for employment and starting an own business; the government signed contracts for cooperation with 50 companies from the country for

participation in that programme), as well as for young researchers (such as the Lendület (Momentum) Program of the Hungarian Academy of Sciences).

The “Slovensko Calling” programme has been functioning in Slovakia since 2009, ensuring information services, consultations and assistance in finding jobs (contact with employers) for Slovaks, living abroad, with the view of supporting their return, integration and employment in the country.

In the Russian Federation, 53 regions are actively participating in the state programme “Compatriots for a year”. Each territory has its own rules of work for the integration of the migrants. The programme for resettlement of compatriots enables foreign citizens to obtain a Russian passport in a short period of time and based on a simplified procedure. The participants in it receive compensations for relocating to the region chosen, ensured from the federal budget; the state budget also reimburses fees for review of resettlement documents; migrants, who are not working until they become citizens, are entitled to receive benefits for a period of six months. Aid for resettlement is paid on two occasions – after arrival at the location of stay and after staying in the chosen region for at least 18 months. If the region would be recognized as a priority one, the aids would be in greater amount. A migrant’s family members are also entitled to financial benefits.

A number of priority directions and measures for encouraging and supporting the return of Bulgarian migrants are envisaged in Bulgaria’s strategic documents, and in some normative acts (such as the Law on Bulgarians Living Outside the Republic of Bulgaria and the Law on labour migration) – a number of facilitations with the same orientation for Bulgarians, living outside Bulgaria, who are not Bulgarian citizens. However, there are no specific measures of the government, similar to the above.

#### Examples of Bulgarian initiatives for return and integration of migrants

The State Agency for Bulgarians Abroad created two electronic portals (which may be found on its website), via which it maintains contact with Bulgarians and their organizations abroad – the Rodina information and communication portal and the Rodina Consult information and consultations portal. The Rodina Consult portal provides information and consultations to Bulgarians abroad on issues, related to their rights and obligations; on job and investment opportunities, on legalization of qualification or diplomas, on access to health care. The specialized legal consultation offered is within the competencies of the legal adviser.

The Agency is engaged (since 2007) with the initiative “Career in Bulgaria. Why not?” – an annual career forum for informing and motivating highly qualified young specialists, Bulgarians with experience and/or education abroad, in regard to work and social accomplishment in Bulgaria. Co-organizers of the event are the non-governmental organizations Tuk-Tam and Back 2 BG. The mission of the organizers is to maintain a network of highly qualified young Bulgarians, most of them educated abroad, with potential employers in the country – local and international companies, state institutions. More than 1500 Bulgarians visit the event each year, which is also joined by more than 100

companies.

The Ministry of Labour and Social Policy started (in 2006) the establishment of a network of Employment and social issues services with the diplomatic missions of the Republic of Bulgaria in European countries with largest Bulgarian communities. Their purpose is to render assistance in connection with the labour mobility and integration of migrant workers, by providing information on issues, related to legal employment and consultations in regard to the legal framework in the labour and social sphere of the EU, in the respective states, as well as in Bulgaria; protection of the interests of Bulgarian citizens, employed in the territory of the respective states; development of the bilateral cooperation and of the contractual basis with the Republic of Bulgaria in the field of labour and social policy. The broadening of the functions of these services towards the provision of information on the conditions for returning to Bulgaria, for employment and for starting an own business would assist the return of Bulgarian migrants desiring to do so.

The policies for (re-)integration of the migrants into the economic and social life in their native country are another important element of the system of migration policies. Returning persons frequently encounter difficulties in their integration into the labour market, some of them have problems with the recognition of qualifications and education, obtained abroad, others have social and psychological problems, etc.

The specially developed index for assessment of the policies for the integration of migrants – the Migrant Integration Policy Index (MIPEX), which is based on 167 indicators, ranks Bulgaria on 31<sup>st</sup> place among 39 states, including all EU Member States (MIPEX 2015). According to it, the integration policies in the country are not sufficiently well developed and effective. The highest score was awarded for the anti-discrimination orientation of Bulgaria's policy (the Law on Protection against Discrimination is assessed as one of the strongest such laws in Europe). The weaker points are related to labour mobility, reunification of families and permanent residence. The greatest problems exist in the spheres of health care, participation in the political life of the country and access to citizenship, and particularly to education. The integration of migrants, including of Bulgarian ancestry, does not occupy a central place in the national migration policy and is not well supported with specific measures and actions, despite the existence of some regulations in the legislative acts (for example in the Law on Bulgarians Living outside the Republic of Bulgaria).

### **Empirical evidence**

Although there is a normative framework and strategic documents mark priorities, directions of activity and policies in regard to the return of Bulgarian migrants and their (re-)integration in the country, they are not sufficiently backed by specific measures and activities for effective implementation, and the desired tangible effect in this direction is still not achieved.

A confirmation of this conclusion may be found from the results of the representative opinion survey conducted<sup>7</sup>, according to which 89% of the persons surveyed are unable to indicate any specific measures of the Bulgarian state, that have influenced their decision to return. Among those who have provided an answer to this question, nearly 8% claim that no measures have been taken on the part of the state for the return of Bulgarian migrants. Only about 4% of the respondents believe that there have been such measures, that have had an impact on their decision to return, pointing at the programmes for employment of young people and of the unemployed (of the Employment Agency), as well as the Back to BG career forum.

On the question what should the Bulgarian state do to encourage Bulgarian emigrants to return, a quarter of the polled have been unable to respond. According to the other respondents, in order to have the migrants return it would be necessary to have an adequate/higher labour pay, to open more workplaces with better working conditions and to improve the living standards (over 71%). The achievement of order, rule of law and security in the country was ranks second (about 4%) and in the third place is the creation of better opportunities for development of business, including small and medium-sized one (over 2%).

## **Conclusion**

The migration policies are one of the determinants of international migration. However, they are just a part of the policies that have an impact on migration. The latter is influenced also by other policies of non-migration nature, for example such oriented at: the labour market, social welfare, taxation system, education, non-discrimination etc., as well as by the (im)migration policies of other countries and by the interaction among states.

The effects and efficiency of the migration policies depend on the social, economic and political conditions in a given country, their relative importance for determining migration, the gaps in and inconsistencies between policies, the shortcomings in their application, etc.

A number of international regulations have an impact on the normative documents, as well as on the migration policy of Bulgaria. The legislation and policies of the country in regard to the return of Bulgarian migrants are in conformity with the international treaties on human rights for free movement and return to one's country.

The fundamental right in the EU for free movement of persons creates a favourable environment for the migration processes and has an impact on the migration flows to and from Bulgaria. As an EU Member State, the country's migration policy, including that oriented at Bulgarians, returning from abroad, is aligned with the common policy of the EU, guaranteeing freedom of movement for persons and freedom of movement for workers.

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<sup>7</sup> The survey was conducted in 2017 as part of the above-mentioned project Returning Migrants: Segmentation and Stratification of Economic Mobility.

A number of Bulgarian strategic documents envisage priority directions for encouraging and supporting the return of Bulgarian migrants, and some normative acts – a number of facilitations with the same purpose. However, they are not sufficiently supported by specific measures and activities for their effective implementation and the desired tangible effect in this direction is still not achieved.

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