Chapter 4

Diaspora Policies, Consular Services and Social Protection for Bulgarian Citizens Abroad

Zvezda Vankova

4.1 Introduction

This chapter demonstrates that the Bulgarian diaspora policy is characterized by inconsistent implementation and dissonant institutional context. It is intertwined with the country's migration policy which is focused, among other priorities, on attracting historic kin communities and Bulgarian emigrants, in order to overcome its demographic decline. Against this backdrop, the country lacks overall social protection policies towards Bulgarians abroad and prioritizes providing information rather than financial support. Firstly, the chapter presents the general institutional framework by which home country authorities interact with nationals abroad, as well as the main engagement policies with this population outside of the area of social protection. Secondly, the chapter focuses on how Bulgarian authorities currently respond to social protection needs of nationals abroad across five specific policy areas: unemployment, health care, pensions, family-related benefits and economic hardship.

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4.2 Diaspora Characteristics and Home Country Engagement

4.2.1 *The Bulgarian Diaspora and Its Relations with the Homeland*

The policy towards Bulgarians abroad is based on numerous legal and policy documents. The overarching ones are: the 2000 Law on the Bulgarians living outside the Republic of Bulgaria,¹ the 1998 Law on Bulgarian Citizenship² and the 2014 National Strategy for Bulgarian Citizens and Historic Bulgarian Communities. Relevant provisions can also be found in the 2015 National Strategy in the field of Migration, Asylum and Integration, as well as the 2012 National Demographic Development Strategy of the Republic of Bulgaria.

The 2000 Law on the Bulgarians living outside the Republic of Bulgaria defines this group as comprising those who have at least one relative of Bulgarian origin in their ascending line, possess Bulgarian national consciousness, and reside permanently on the territory of another state (Article 2).

The notion of “a person of Bulgarian origin” was defined in the 1991 Constitution³ (Smilov and Jileva 2009, p. 223). Its Article 25 (2) referred to a facilitated naturalisation procedure for persons of Bulgarian origin, which was later reflected in Bulgaria’s citizenship legislation. The 1998 Act on Bulgarian Citizenship states that “a person of Bulgarian origin is one whose ascendants (or at least one of these) are Bulgarian” (§ 2 (1)). “Bulgarian” in this definition means a person whose origin is of Bulgarian “blood”, which indicates a link to an ethnic identity and not to a legal status (Smilov and Jileva 2009, p. 223).

The 2014 National Strategy for Bulgarian Citizens and Historic Bulgarian Communities further details the definition of “Bulgarians abroad”, which covers the Bulgarian diaspora as comprised by the “young” and “old” Bulgarian emigrant communities, as well as the “historic” Bulgarian communities abroad. The latter were formed as a result of emigration while Bulgaria was under Ottoman rule (1396–1878), as well as the Liberation of Bulgaria in 1878 which left Bulgarian population outside the new borders of the state (Strategy 2014). The Bulgarian diaspora was formed also through emigration motivated by economic needs during the late nineteenth and early twentieth centuries, migratory waves associated with the unsuccessful Balkan Wars (1912–1913) and World War I (1914–1918) (Yanev 2017a, p. 369). The Strategy has pinpointed such Bulgarian communities in Macedonia, Russia, Romania, Greece, Turkey, Serbia and the Western Balkans. In

¹ Закон за българите, живеещи извън Република България. Promulgated in State Gazette (SG) No 30/11 April 2000, last amendment in SG No 58/26 July 2016.

² Закон за българското гражданство. Promulgated in SG No 136/1998; last amendment in SG No 77/18 September 2018.

³ Конституция на Република България. Promulgated. in SG No 56/13 July 1991, last amendment in SG No 100/18 December 2015.

addition, the *gagauzi* in Moldova and Ukraine (referred to as *Bessarabian* Bulgarians) are also considered as part of these historic Bulgarian communities abroad. This group of Bulgarians abroad comprises persons with foreign or dual citizenship (Strategy 2014).

Emigration for political and economic reasons before and mainly after World War II, when a communist system was established in Bulgaria, formed the “old” Bulgarian emigrants’ communities located in countries in Central and Western Europe, the United States (USA), Canada and Australia. According to the 2014 Strategy, most of these people have kept their Bulgarian citizenship. Bulgaria’s transition to democracy after 1989 triggered additional emigration waves (the so-called “young” Bulgarian communities abroad) incentivized by career and educational opportunities abroad.

The 2014 Strategy estimates that around 3–3.5 million Bulgarians reside abroad, out of which around 2 million are considered to have Bulgarian citizenship. However, experts claim that this number is not based on statistical data analysis and that the real number of Bulgarians residing outside the country is close to 1.1 million (Angelov and Lessenski 2017, p. 9).⁴ They live mainly in the European Union (EU) Member States (Spain, Greece, and Germany), Turkey and the USA. In any case, the fact that many Bulgarians who move abroad do not register their foreign address at the diplomatic representations or local authorities adds further difficulty to the attempt of estimating the exact size of the Bulgarian diaspora.

4.2.2 *Diaspora Infrastructure*

The diaspora infrastructure in Bulgaria consists of various state institutions, including the vice-president of the country and one of the vice-prime ministers. Several ministries are also engaged in the policies towards Bulgarians abroad, namely the Ministry of Foreign Affairs, the Ministry of Labour and Social Policy, the Ministry of Education and Science, the Ministry of Culture and its Bulgarian Cultural Institutes Abroad, the Ministry of Justice (one of the institutions responsible for naturalisation procedures), the Ministry of Interior hosting the Secretariat of the National Migration Policy Council, and the Directorate of Religious Affairs at the Council of Ministers⁵ (Strategy 2014). Finally, the institution in charge of the coordination of the policy implementation concerning Bulgarians abroad is the State Agency for Bulgarians Abroad.

⁴This number is also close to the UN data, according to which Bulgarians living abroad amount to 1.2 million as of 2015 (Total international migrant stock; Table 16. Total migrant stock at mid-year by origin and by major area, region, country or area of destination, 2015 Accessed 16 December 2018 at <http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml>). On this topic, see also Christova 2017, p. 239.

⁵The religious policy towards Bulgarians abroad is outside the scope of this research. For more information, see Penchev et al. 2017.

Bulgaria has 83 diplomatic representations abroad (76 embassies, six permanent representations and one diplomatic bureau), 18 Consulates General, one consular office, and 86 honorary consular officers.⁶ The honorary consular officers carry out their activity with the aim to stimulate development and bilateral economic, trade, cultural and scientific relations between Bulgaria and the respective country, in compliance with the functions determined by Article 5 of the Vienna Convention on consular relations.⁷ They maintain regular contact with diaspora representatives, associations and other organizational structures in their consular district.⁸ The honorary consul officers also have a role in the protection of Bulgarian citizens and legal entities in case of natural disasters, civil conflicts, transport accidents or terrorist acts. With explicit authorization, the honorary consular officers may also carry out limited consular services such as endorsement of signatures on private papers, acceptance of handwritten wills, endorsement of authorised translators' signatures on apostille documents.⁹

All Bulgarian citizens must be registered in the Population Register¹⁰ and they are obliged to state in writing their permanent and current address.¹¹ The permanent address is always in Bulgaria. Those living abroad declare their current address in the state in which they reside before the municipalities at their permanent address or through the diplomatic or consular representations abroad.¹² Because this process is voluntary, many Bulgarians do not register their new address abroad (Hristova and Vankova [forthcoming](#)).

The State Agency for Bulgarians Abroad (*Държавна агенция за българите в чужбина*) is the main state body in charge of dealing with nationals abroad.¹³ The Agency's aim is to establish and maintain contact with associations, societies, churches and schools of Bulgarian communities abroad and to support their activities in order to preserve the Bulgarian language, cultural and religious traditions (see Yanev 2017b, p. 83 for a detailed overview of activities implemented by the Agency throughout the years). As mentioned above, the Agency is the coordinating state body for the implementation of the policy towards Bulgarians abroad. It should be kept in mind, however, that the diaspora policy is scattered among numerous

⁶Ministry of Foreign Affairs (2018). Diplomatic Representations. <https://mfa.bg/bg/news/4096>. Accessed 10 January 2019.

⁷See Article 5 of the Ordinance for the order of appointing and accepting honorary (not regularly appointed) consular officers. Promulgated in SG 114/30 December 2003, amended in SG No 72/29 August 2014.

⁸Article 12 (6) of the Implementing instruction No 1/2007 of the Ordinance for the order of appointing and receiving honorary (not regularly appointed) consular officials.

⁹Article 12 (6) r of the Implementing instruction.

¹⁰Article 3 (2) of Law on Civil Registration/*Закон за гражданската регистрация*. Promulgated in SG No 67/27 July 1999, last amendment in SG No 47/5 June 2018.

¹¹Article 90; Article 93 (1).

¹²See Articles 96–97.

¹³It was established in 1992. Since 2000 it is a State Agency, which means an institution of the Council of Ministers.

state institutions with higher administrative ranks than the Agency, which creates institutional challenges.

The Agency also plays an important role in the procedure for certifying Bulgarian origin. Foreigners of Bulgarian origin who have obtained certificates to this effect have their access to the labour market (if they are not EU citizens) and naturalisation procedure facilitated (see Vankova 2018a).¹⁴ In addition, the vice prime minister responsible for economic and demographic policies is in charge of the coordination of the Agency's work and the overall policy towards Bulgarians abroad (Strategy 2014).

At the end of 2017, a Council for working with Bulgarians abroad (*Съвет за работа с българите в чужбина*) was established as a consultative body to the Vice-President of the Republic of Bulgaria. This consultative body can be seen as the successor of the Council for Bulgarians abroad established by the former President, Rossen Plevneliev (2012–2017).¹⁵ The current Council's establishment and *modus operandi* is regulated by the Operating Rules for the Council for working with Bulgarians abroad, approved by the General Secretary of the President of Bulgaria (information received on the basis of an official request for information to the Presidency, 2018). The Council assists the Vice-President in exercising the powers related to the policies for Bulgarians abroad, the Bulgarian communities abroad and the Law on the Bulgarians living outside the Republic of Bulgaria. The Council prepares opinions on pending amendments of legal acts, participates in research and forums on issues related to Bulgarians abroad (ibid). The regular meetings of the Council are held once a month. Currently there is no institutionalised mechanism for consultation with the Bulgarian communities abroad. The Vice-President and sometimes representatives of the Council meet diaspora members during their visits abroad.

In addition, the Bulgarian Ministry of Labour and Social Policy maintains and develops a network of labour and social services in the relevant diplomatic representations abroad to protect the rights of Bulgarian workers residing in other countries.¹⁶ Such services are available at the embassies of Bulgaria in eight countries.¹⁷ They are provided by the so-called "labour attachés", a total of five people based in embassies in Vienna, Athens, London, Madrid and Berlin (ibid). They, however, are

¹⁴ The Minister of Justice announced pending amendments to the Law on Bulgarian Citizenship concerning the naturalisation procedure based on Bulgarian origin due to alleged corruption schemes operated by officials from the State Agency for Bulgarians Abroad. For more information, see https://www.dnes.bg/obshtestvo/2018/10/30/za-godina-otkazali-dokument-za-bg-proizhodka-750-dushi.392062?fbclid=IwAR1EGb6WydJp_VDlw2GWQCV905mAZm9MWX-30FL2-mSxUH6OGqskZL-fwag. Accessed 20 December 2018.

¹⁵ For more details on its activities, see <https://m.president.bg/bg/cat126/Problemi-na-palnocennia-dialog-i-satrudnichestvo-na-balgarite-po-sveta>. Accessed 20 December 2018.

¹⁶ See Articles 63–64 of the Law on Labour Migration and Labour Mobility/ *Закон за трудовата миграция и трудовата мобилност*, Promulgated in SG 33/26 April 2016, last amendment in SG No 24/16 March 2018.

¹⁷ Ministry of Labour and Social Policy (2014). Network of Labour and Social Services. <https://www.mlsp.government.bg/index.php?section=POLICIES&I=266&lang=> Accessed 22 July 2018.

responsible also for other countries - Switzerland (the Vienna-based attaché), Ireland (the London-based attaché), Cyprus (Athens-based attaché). The labour attachés travel to these destinations periodically and provide information and support on matters related to legal employment.

Finally, it should be mentioned that the 2000 Law on the Bulgarians living outside the Republic of Bulgaria envisages the establishment of a National Council for Bulgarians living outside the Republic of Bulgaria (*Национален съвет за българите, живеещи извън Република България*).¹⁸ It is meant to be a state body with appointed members and organizational, coordinating and representative functions, expressing and coordinating the national interests with the interests of non-resident Bulgarians. However, this Council has not been established since the adoption of the Law in 2000.¹⁹ One possible explanation is that no implementing regulation to the 2000 Law has been adopted so far (information received on the basis of an official request for information to the State Agency for the Bulgarians Abroad, 2018). The 2014 National Strategy also envisaged the establishment of such a body, but it specified that 4/5 of its members should be elected among Bulgarians residing abroad.

Furthermore, Article 5 of the 2000 Law provides for the establishment of consultative bodies to the diplomatic representations of Bulgaria in the countries where there are Bulgarian communities or Bulgarian national minorities. These independent public advisory bodies should consist of representatives appointed by the responsible state authorities in the relevant host state. Heads of the respective diplomatic representations of the Republic of Bulgaria abroad are in charge of organising and conducting the elections for such councils in accordance with Regulations approved by the Ministry of Foreign Affairs. However, so far this provision of the Law has not been implemented and no such consultative bodies have been established. Bulgarians living abroad self-organize in temporary public councils (*временни обществени съвети*).²⁰ Nine such councils were organised according to the website Global Bulgaria²¹ that serves as an informal coordination platform.

Among mainstream political parties, the Bulgarian Socialist Party (*Българска социалистическа партия*) is the only one that formally envisages infrastructure for citizens abroad. According to its statute, the main party organizations are formed on the initiative of socialists or local party councils of at least five members. Such organizations may also be created by party members living abroad if this is not contrary to the laws of the respective country.²² Such structures exist, for instance,

¹⁸ See Articles 17–22.

¹⁹ See for instance: <http://www.parliament.bg/bg/parliamentarycommittees/members/2400/steno/ID/3614>

²⁰ For more information, see <http://www.parliament.bg/bg/parliamentarycommittees/members/2400/steno/ID/3614>

²¹ Global Bulgaria (2018). Temporary Public Councils of Bulgarians Living Abroad. <http://global-bulgaria.eu/sample-page/>. Accessed 22 July 2018.

²² Bulgarian Socialist party (2017). Statute of the Bulgarian Socialist Party. <http://bsp.bg/files/attachments/2018/10/02/823340730aaf037576255313c87408f7.pdf>. Accessed 22 July 2018.

in the UK, Germany and Moldova.²³ The other mainstream parties do not explicitly provide for such structures in their statutes, although media outlets indicate that they also have infrastructures abroad, supported by local party members who become active mainly before elections.²⁴

4.2.3 *Key Engagement Policies*

The 2014 National Strategy for Bulgarian Citizens and Historic Bulgarian Communities aims to establish a policy framework for a comprehensive, long-term and integrated state policy for Bulgarian citizens and Bulgarian historic communities abroad. It involves most of the above-mentioned institutions. The Strategy lists the following policies towards Bulgarians abroad: national representation policy; educational policy; cultural policy; “young” Bulgarian emigration policy related to the national policy on migration; historic Bulgarian communities’ policy; and information policy. The 2012 National Demographic Development Strategy contains among its aims the development of a migration policy for attracting Bulgarians living abroad and the introduction of special measures and activities targeted at ethnic Bulgarians living outside the country (Strategy 2012). In addition, the 2015 National Strategy in the field of Migration, Asylum and Integration states that the policy towards Bulgarian citizens and persons of Bulgarian origin living abroad is seen as a possible resource for overcoming the negative demographic trends in Bulgaria (Strategy 2015).

So far, there has not been political commitment to implement the 2014 National Strategy for Bulgarian Citizens and Historic Bulgarian Communities. As mentioned, neither the envisaged National Council for Bulgarians living outside the Republic of Bulgaria, nor the consultative bodies to the diplomatic representations have been established yet. The policies that the state has been mainly focusing on are culture and education (based on several decrees of the Council of Ministers), and the facilitated access to Bulgarian citizenship (as part of the historic Bulgarian communities policy based on the 1998 Law on Bulgarian Citizenship and the Law on the Bulgarians living outside the Republic of Bulgaria) (Strategy 2014). In addition, many activities have been implemented in line with the 2012 National Demographic Development Strategy and its Programme “Bulgarians abroad”, such as initiatives focusing on preserving the Bulgarian identity and studying the Bulgarian diaspora (Yanev 2017b, p. 85).

A main part of the educational policy towards Bulgarians abroad is implemented through the so-called Bulgarian Sunday schools (Article 1(2) of the Decree No 90 of the Council of Ministers of 29 May 2018 for the Bulgarian Sunday schools

²³ Duma (2017). BSP has no ceiling in electoral support. <http://www.duma.bg/node/156206>. Accessed 22 July 2018.

²⁴ 24 Chasa (2011). Our parties are crawling abroad. <https://www.24chasa.bg/Article/986668>. Accessed 22 July 2018.

abroad).²⁵ These schools are licensed by the Ministry of Education and Science. Their activities are supported financially through the National Program “Native Language and Culture Abroad” (*Национална програма „Роден език и култура зад граница“*) and the mechanism for funding of the Bulgarian Sunday schools which is regulated by Decree No 90 (former No 334) of the Council of Ministers (Penchev et al. 2017; Kulov and Borisova 2017, p.108). State educational institutions in the host countries providing education in Bulgarian language and culture can apply for project-based funding under the National Programme (Yanev 2017b, p. 88; Kulov and Borisova 2017, p.110). The programme can provide financial resources for textbooks and teaching materials, extracurricular activities (theatrical, singing, dance groups), folk costumes and musical instruments (Kulov and Borisova 2017, p.110). 137 Bulgarian Schools abroad were funded under this Program in the academic year of 2017/2018 and the programme’s current budget for the 2018–2019 period is 1,500,000 BGN.²⁶

The Decree No 90 (former No 334) of the Council of Ministers provides another funding possibility for Bulgarian schools abroad which have been functioning for at least a year (Kulov and Borisova 2017, p.110). The Decree contains the procedures and requirements for financing the Sunday schools on the basis of a calculation of their overhead costs and expenditure per pupil for conducting training and extracurricular activities. The Bulgarian state has supported financially 190 schools under this Decree in the academic year 2017/2018, compared to 175 in the previous year (Kulov and Borisova 2017, p.110).²⁷

These two financial mechanisms are considered as best practices among the policies towards Bulgarians abroad in general (Penchev et al. 2017). The number of schools supported financially by the National Programme grows every year and has reached 208 in 2018.²⁸ However, there are also Bulgarian Sunday schools which are relying on their own funding (Kulov and Borisova 2017, p.109). In addition, many of the schools are represented in the “Association for Bulgarian schools abroad”, which has been identified as good practice for joint policy initiation and a positive development driver of the Bulgarian school education abroad (Penchev et al. 2017).

The Bulgarian Sunday schools carry out education in Bulgarian language and literature, history and civilizations, as well as geography and economics of Bulgaria

²⁵ *Постановление No 90/2018 г. на Министерски Съвет за българските неделни училища в чужбина*, Promulgated in SG No 47/5 June 2018. It repealed the previous Decree 334/2011. On the history behind the establishment of these schools, see Christova 2017, 239–249.

²⁶ Ministry of Education and Science (2018). Council of Ministers Decree for Bulgarian Sunday Schools Abroad. https://www.mon.bg/bg/174?fbclid=IwAR1FafgrLwzFwg9f_rEI0Tx2RgDg-FrkS Fk60bCrPMbGfYsQTB4d_V9EjQIq. Accessed 10 January 2019.

²⁷ A list of the state funding per school abroad can be found at the Ministry’s website: <https://www.mon.bg/bg/174>

²⁸ Ministry of Education and Science (2018). Council of Ministers Decree for Bulgarian Sunday Schools Abroad. https://www.mon.bg/bg/174?fbclid=IwAR1FafgrLwzFwg9f_rEI0Tx2RgDg-FrkS Fk60bCrPMbGfYsQTB4d_V9EjQIq. Accessed 10 January 2019.

for students from first to twelfth grade.²⁹ However, they do not provide completion of a class and acquisition of a degree.³⁰ The education at the Bulgarian Sunday Schools abroad is organised by associations of Bulgarians living outside the Republic of Bulgaria registered according to the legislation of the respective state for carrying out educational-cultural activity; at diplomatic representations abroad; at Bulgarian Orthodox Church Municipalities; and at the Slavonic Bulgarian Monastery “St.Vimche Georgi Zograf” in Mount Athos, Greece.³¹ The programme they offer needs to meet several requirements, among which is the participation of at least twenty pupils and that teaching is carried out by persons with professional qualifications.³² The school year is organized in accordance with the timetable of the schools in Bulgaria or in line with the schedule of school hours in the respective country.³³

According to the 2000 Law on the Bulgarians living outside Republic of Bulgaria,³⁴ non-resident Bulgarians receive assistance from Bulgarian institutions and organizations through lecturers, teaching materials, material resources or other appropriate means of teaching Bulgarian language, studying Bulgarian literature, history, geography and other disciplines.³⁵ The Bulgarian State is also required to create conditions for the improvement of the qualifications of the teachers of courses taught in Bulgarian abroad and, if necessary, second Bulgarian lecturers. The 2000 Law also provides for the support of Bulgarians abroad and their organizations, which is implemented through government and private programs.³⁶ They are supposed to be set up by the relevant ministries and implemented on the basis of projects. The programs are planned to be for 1–5 years and aim to create favourable conditions for Bulgarians abroad in the spheres of science, culture, education and health. They may also cover events related to the conservation of objects abroad forming part of the Bulgarian cultural and historic heritage. In a response to an official request for information, however, the State Agency for the Bulgarians Abroad stated that these programs depend on the establishment of the National Council for Bulgarians living outside Republic of Bulgaria and since such a Council has not been established, no such programs are envisaged yet.

In addition, the State Agency for the Bulgarians abroad maintains a database of Bulgarian cultural and educational organizations, churches and schools abroad.³⁷

²⁹ Article 1 of the Decree.

³⁰ Article 2 (1).

³¹ Article 1 (1). The full list of schools abroad can be found at the Ministry’s website: <https://www.mon.bg/bg/174>

³² Article 3.

³³ Article 4.

³⁴ *Закон за чужденците в Република България*. Promulgated in SG No 153/23 December 1998, last amendment in SG No 77/18 September 2018.

³⁵ See Article 11.

³⁶ Article 23.

³⁷ State Agency for the Bulgarians Abroad (SABA) (2018). Register of the Organisations of Bulgarians in Accordance with the Law for the Bulgarians living outside the Republic of Bulgaria.

There are also educational activities envisaged in the Decree No 103 of the Council of Ministers of 31 May 1993 on the implementation of educational activities among Bulgarians abroad.³⁸ The activities are targeted towards foreign citizens and stateless persons of Bulgarian origin. The Decree covers teaching and methodological assistance for Bulgarian language teaching institutions abroad for support of students who intend to apply at Bulgarian universities. It also provides for a quota of more than 400 places in Bulgarian higher education institutions, which are reserved for students of Bulgarian origin, as well as for scholarship possibilities (Yanev 2017b, p. 88). In addition, a separate Decree No 228 of the Council of Ministers of 20 May 1997 for the admission of citizens of the Republic of Macedonia as students in the universities of the Republic of Bulgaria, regulates 150 subsidized places at Bulgarian universities for such students.³⁹ According to Yanev (2017b), most of the students who make use of these policy instruments apply for naturalisation and become Bulgarian citizens. One of the main criticisms of this policy is that it prioritises members of the historical kin communities over those with Bulgarian citizenship who belong to the new emigrant communities and are trained at the Sunday schools, by excluding them from the possibility to apply under these quotas (Penchev et al. 2017).

With regards to the cultural policy towards Bulgarians abroad, the State Agency for Bulgarians Abroad organizes cultural events related to the activities of Bulgarian communities and their organizations abroad, such as concerts, exhibitions, book promotions and premieres of documentaries.⁴⁰ According to the 2000 Law on the Bulgarians living outside the Republic of Bulgaria, non-residents are provided with the opportunity to be acquainted with Bulgarian culture and science, and to participate in their development, according to their wishes and interests.⁴¹ For this purpose, the Bulgarian State through its respective institutions is required to send printed publications and other materials for acquaintance with life, culture and other spheres of the development of Bulgaria, and to organise cultural and scientific events in Bulgaria or in the countries with Bulgarian communities. The website of the State Agency for Bulgarians Abroad provides numerous examples of such initiatives. For instance, the Agency organises an annual fine art competition “Bulgaria in My Dreams” for children and youngsters from the Bulgarian communities abroad.⁴²

<http://www.aba.government.bg/index.php?show=registur>. Accessed 22 July 2018.

³⁸ Постановление No 103 на Министерски Съвет от 31 Май 1993 г. за осъществяване на образователна дейност сред българите в чужбина. Promulgated in SG No 48/4 June 1993.

³⁹ *Постановление No 228/1997 г. на Министерски Съвет за приемане на граждани на Република Македония за студенти в държавните висши училища на Република България.* These two acts are complimented by Decree No 90 of the Council of Ministers of 26 May 2000 on the conditions and procedures for granting scholarships to students, PhD and post-doctoral students from state higher schools and scientific organizations. Promulgated in SG No 44/30 May 2000.

⁴⁰ State Agency for the Bulgarians Abroad (2018). Unification of Bulgarian Communities Around the World. <http://www.aba.government.bg/?show=16>. Accessed 22 July 2018.

⁴¹ Article 12.

⁴² State Agency for the Bulgarians Abroad (2018). Fine Art Competition for Children and Youngsters from Bulgarian Communities Abroad “Bulgaria in My Dreams” 2018. <http://www.aba>.

The Bulgarian Cultural Institutes abroad (see below) promote Bulgarian literature through events and libraries (Penchev et al. 2017).

Penchev et al. (2017), however, note that, currently, the Agency is focused much more on the historic Bulgarian communities (for instance by forming an important part of the procedure certifying Bulgarian origin) and less on Bulgarian emigrants (see also Waterbury 2018). Another criticism is that the Agency's budget needs to be reorganised in order to allow research and monitoring of the policy implementation concerning Bulgarians abroad (ibid).

Furthermore, the Ministry of Culture coordinates and funds Bulgarian Cultural Institutes abroad. Their main tasks are to support the preservation of the Bulgarian national cultural identity and to increase awareness of Bulgarian culture in the world. A National Cultural Fund was established in 2000 as part of the Ministry of Culture. The fund supports creative projects aimed at developing the Bulgarian cultural sector on the basis of competitive calls for proposals, and since its creation has allocated project funding amounting to 4,500,000 BGN (e.g. 366,693 BGN for 2017).⁴³ In addition, the National Donation Fund "13 Centuries Bulgaria"⁴⁴ organises an annual prize for Bulgarian-language media that contributes to the dissemination and popularisation of Bulgarian culture abroad. It is awarded every year at the World Meeting of Bulgarian Media organized by the Association of Bulgarian Media Abroad and the Bulgarian Telegraph Agency.⁴⁵

Another important diaspora policy in the Bulgarian context is the facilitated access to Bulgarian citizenship as part of the historic Bulgarian communities' policy. Individuals can demonstrate their ethnic Bulgarian origin, *inter alia*, on the basis of the birth certificates of their parents and grandparents, their mother tongue, membership of a Bulgarian Church, school or the former Bulgarian citizenship of their parents (Smilov and Jileva 2009, 225). According to the 1998 Law on Bulgarian Citizenship, persons of Bulgarian origin are exempted from the majority of obligations that one needs to meet under the general naturalisation regime. They need to have reached the age of majority and they must not have been sentenced by a Bulgarian court for a premeditated crime of a general nature or subject to criminal proceedings for such a crime unless the person concerned has been rehabilitated.⁴⁶ As mentioned, the State Agency for Bulgarians Abroad plays an important part in this facilitated procedure by certifying Bulgarian origin for those persons applying for naturalisation, as well as those wishing to access the Bulgarian labour market and permanent residence. The 2000 Law on Bulgarians Living outside the Republic of Bulgaria provides the conditions for the establishment of Bulgarian origin, such as on the basis of documents issued by a Bulgarian or foreign state institution, an organisation of Bulgarians living outside

government.bg/?show=38&nid=1908. Accessed 22 July 2018.

⁴³ National Cultural Fund (2019). History. <http://ncf.bg/za-nfk/istorija>. Accessed 3 March 2019.

⁴⁴ For more information on National Donation Fund "13 Centuries Bulgaria", see <http://fond13veka.org/?p=227&l=1>

⁴⁵ For more information on the World Meeting of Bulgarian Media, see <https://offnews.bg/medii/14-tata-svetovna-sreshta-na-balgarskite-medii-shte-se-provede-v-skopie-687090.html>

⁴⁶ Article 15 (1) 1. For a summary of the general naturalisation regime in Bulgaria, see Ilareva 2015, 76–77.

Bulgaria approved by the authorised state institution or by the Bulgarian Orthodox Church.⁴⁷

Outside the strategic policies towards the Bulgarians abroad envisaged by the 2014 Strategy, they can also benefit from consular protection. Any Bulgarian citizen residing abroad may apply for a passport issued by the Ministry of Interior through a diplomatic or consular representation abroad. The period for issuing a passport by the consulate is up to 90 days.⁴⁸ Applicants' requests for passports are sent to the Ministry of Interior electronically. The new documents are received personally at the consulate and, exceptionally, by an authorized person with an explicit power of attorney. Currently, the application can be submitted online and appointment at the consulate can be scheduled online.⁴⁹

Consulates can also receive applications by Bulgarian citizens for the issuing of identity cards, driving licenses, or temporary passports. The procedure is the same as the one described above. They can also draw up civil status acts (birth certificates, civil marriage certificates, and death certificates).⁵⁰ According to the Ministry of Foreign Affairs's (MFA) Consular Affairs Directorate, consulates also organise external consulate days/weeks, where they offer services to Bulgarian citizens living in the respective host country in areas where there is no consular representation. For instance, the Bulgarian Embassy in Athens organized external consular days on the island of Crete in October 2018, where Bulgarian citizens were able to apply for personal documents, validate proxies and declarations and receive personal documents.⁵¹ In 2017, 2331 Bulgarians abroad received such services, which amounted to 30 "consular days" (information received on the basis of an official request for information to the MFA, 2018).

When it comes to financial help provided by consulates to nationals abroad, it should be stressed that Bulgaria does not have such policy even in hardship cases such as death.⁵² They can assist in repatriation cases by providing information, but do not offer financial support services.⁵³ In the event of death, for instance, they can inform the relatives of the deceased and assist them with the transportation of the remains to Bulgaria or with the funeral in the host country by supporting the issuance of the necessary transfer documents (information received on the basis of an official request for information to the MFA, 2018).

⁴⁷ Article 3.

⁴⁸ It may be exceeded depending on the periodicity of delivery of the diplomatic mail to the relevant consular post.

⁴⁹ See the e-application portal here: <https://www.consulatebg.eu/book>

⁵⁰ Ministry of Foreign Affairs (2018). Consular Assistance and Consular Services. <https://mfa.bg/bg/uslugi-patuvania/konsulski-uslugi>. Accessed 10 January 2019.

⁵¹ Ministry of Foreign Affairs (2018). External Consulate Days on the Island of Crete. <https://www.mfa.bg/embassies/greece/messages/19509>. Accessed 10 January 2019.

⁵² See the official website of the Ministry of Foreign Affairs: <http://www.mfa.bg/bg/pages/44/index.html>

⁵³ See *ibid*.

Bulgarians abroad have voting rights in national legislative and presidential elections held in Bulgaria.⁵⁴ In addition, those entitled to vote in a national referendum are Bulgarian citizens who are eligible voters with a permanent address in Bulgaria, as established on the date when the referendum is scheduled.⁵⁵ This means that, in practice, Bulgarian citizens with a valid ID with a permanent address in Bulgaria, can exercise their right to vote in a national referendum regardless of where they reside (Hristova and Vankova [forthcoming](#)). This is due to the low number of foreign address registrations at the diplomatic representations or the local authorities in Bulgaria for all the citizens that live abroad. Such a situation makes it difficult for state and local authorities to track citizens that have been outside the EU for a longer period of time (*ibid*).

Voting at national elections and referendum abroad is conducted only in polling stations. 21 days prior to the elections, the Central Electoral Commission publishes the addresses of the polling stations for out of country voting (Hristova and Vankova [forthcoming](#)). Citizens living abroad have to file at least 60 requests in order to set up a polling station outside the embassy or diplomatic representation no later than 25 days prior election day. All citizens residing or travelling outside the country on the day of elections have the right to vote in the allocated polling stations, by signing a declaration that they have met the conditions to vote at national elections.⁵⁶ There is a limit of 35 polling stations that can be opened in a non-EU country.⁵⁷

There are certain restrictions to stand as a candidate for parliamentary (National Assembly) and presidential elections. According to Article 65 (1) of the Bulgarian Constitution, any Bulgarian citizen who does not hold another citizenship, is above the age of 21, is not under a judicial interdiction, and is not serving a prison sentence, has the right to stand as a candidate for the National Assembly. To be eligible for President, the person should be a natural-born Bulgarian citizen over 40 years of age and qualified to be elected to the National Assembly, who has resided in the country for the period of five years preceding the election.⁵⁸

Finally, the only relevant economic policy initiatives that are designed to encourage the return of citizens residing abroad are implemented by the State Agency for Bulgarians Abroad and the Ministry of Labour and Social Policy. The Agency is the initiator and co-organizer of several policy measures dedicated to the professional fulfilment of young Bulgarians in their homeland who graduated from foreign universities (see Dimitrova [2017](#), p. 254). These include surveys, round tables, labour exchanges, conferences, discussions, such as the Forum “*Career in Bulgaria. Why*

⁵⁴ See Article 3 of the Electoral Code/*Изборен кодекс*, Promulgated in SG No 19/5 March 2014, last amendment in SG No 102/11 December 2018.

⁵⁵ Article 4 (1) of the Direct Citizen Participation in State and Local Government Law/ *Закон за пряко участие на гражданите в държавната власт и местното самоуправление*. Promulgated in SG No 44/12 June 2009, last amendment in SG No 56/24 July 2015.

⁵⁶ Article 33 (2) of the Electoral Code.

⁵⁷ Central Electoral Commission (CEC) (2017). Decision No 4126-HC Sofia, 26 January 2017. <https://www.cik.bg/bg/decisions/4126/2017-01-26>. Accessed 22 July 2018.

⁵⁸ Article 93 (2) of the Bulgarian Constitution,

not?” and maintaining close contacts with Bulgarian student clubs in Germany, USA, Canada, Austria and France (see Dimitrova 2017, pp. 254–259). The Agency assists their activities with consultations and specific assistance on issues requiring the intervention of other state bodies.

In addition, the Bulgarian state aims to attract foreign citizens of Bulgarian origin also through migration policy measures such as bilateral labour agreements. According to the 2015 National Strategy on Migration, Asylum and Integration, the Eastern Partnership states are among the target countries of this policy measure (see Vankova 2018a, 390–394). In 2018, Bulgaria concluded the first such bilateral labour migration agreements with Armenia⁵⁹ and Moldova.⁶⁰

4.3 Diaspora Policies and Social Protection in Bulgaria

The Bulgarian state does not currently have a cohesive policy facilitating the access to social protection for Bulgarians residing abroad. There are, however, some sectorial information policies in the field of unemployment, health care, pensions, family benefits and guaranteed minimum resources for this target group, as well as 14 bilateral agreements in the field of social protection.⁶¹

The main state interaction with Bulgarians abroad in the field of social protection is through its diplomatic representations and the network of labour and social services available at the embassies of Bulgaria in only eight countries and provided by the labour attachés. The main diaspora body, the State Agency for Bulgarians Abroad, does not play any active role in this regard.

As discussed above, labour attachés mainly provide information on social policy matters in the host country and in Bulgaria but they do not engage themselves directly in dealings with Bulgarians abroad, e.g. assisting the application process for unemployment benefits in another EU Member State. They can, however, collaborate with local NGOs. For instance, the labour attaché in Vienna was engaged in the organization of Information Days for Bulgarians in Austria in cooperation with the

⁵⁹ Спогодба между Република България и Република Армения за регулиране на трудовата миграция, утвърдена с Решение No 176 от 22 март 2018 г. на Министерския съвет, в сила от 9 октомври 2018 г./ Agreement between the Republic of Bulgaria and the Republic of Armenia on labor migration management, approved by Council of Ministers Decision No 176 of 22 March 2018, entered into force 9 October 2018.

⁶⁰ Спогодба между правителството на Република България и правителството на Република Молдова за регулиране на трудовата миграция, утвърдена с Решение No 492 на Министерския съвет от 13 юли 2018 г., в сила от 11 септември 2018 г./Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Moldova on labor migration management, approved by Council of Ministers Decision No 492 of 13 July 2018, entered into force on 11 September 2018.

⁶¹ Bulgaria has such agreements with Yugoslavia (currently refers to: Bosnia and Herzegovina and Montenegro), Serbia, Albania, Libya, Tunisia, Turkey, Macedonia, Israel, Korea, Canada, Russia, Moldova and Ukraine.

“*Beratungszentrum für neue EU-BürgerInnen-KOMPASS*” for three consecutive years. One of the topics covered was the social protection system of Austria.⁶² The consulates are required to provide general information about the rights and conditions of social insurance in the relevant foreign country. This, nevertheless, excludes any financial support or cash assistance provided by the Bulgarian state. Furthermore, except for assisting with information in such cases, the Bulgarian state does not have any repatriation policy towards Bulgarians abroad.

Bulgarians abroad are covered by the EU legal framework on social security coordination in Member States such as Spain (112,000 Bulgarians), Greece (70,100 Bulgarians) and Germany (68,400 Bulgarians), which are among the top preferred destinations in the EU. In addition, Bulgaria has signed a bilateral agreement with Turkey (262,300 Bulgarians), which covers only the exportability of pensions (see Vankova and Draganov 2020). Despite the attempts of the Bulgarian state, another large Bulgarian community, namely the one in the USA (57,100 Bulgarians), is still not covered by a bilateral agreement in the field of social security coordination (Vankova 2018b).

4.3.1 Unemployment

Apart from specific provisions in bilateral agreements between Bulgaria and third countries and the EU legal framework on social security coordination, Bulgaria does not have a specific unemployment policy targeting Bulgarians abroad. The website of the Employment Agency contains only information about the specifics of employment in seven EU Member States, and tips to avoid abuse and fraud when looking for a job abroad.⁶³ Bulgarians abroad can also rely on information concerning unemployment issues (e.g. information about existing benefits in the host country) and relevant contacts with institutions from the network of the labour attachés, where applicable. Consulates can also provide general information about the rights and procedures of social insurance in the relevant foreign country.

Unemployment is not covered by the social security agreement with Turkey, but it is included in the material scope of the agreement with Ukraine, for instance (Vankova 2018b). According to the latter, in case the right to an unemployment benefit and the period of payment of the benefit under the legislation of one of the contracting parties depend on the accumulation of a certain insurance period, the competent institution of that country is required to take into account insurance periods acquired under the legislation of the other contracting party in case the insurance periods do not match by time (Article 17 of the Agreement).⁶⁴ Unemployment

⁶² See the information brochure here: https://issuu.com/bgkontakti/docs/folder_klein/6?fbclid=IwAR2RV_n0GSEWqEgUKgVGTKxmJV8QTs6t8Q-xo2HjqC06WFOtdXhg0neMNFA

⁶³ See <https://www.az.government.bg/pages/rabota-v-chuzhбина/>

⁶⁴ See Article 17.

benefits are provided in accordance with the legislation and on the account of the applicant's country of residence.

4.3.2 Health Care

Despite the fact that most Bulgarians have a permanent address in Bulgaria by default, they cannot directly access health care services and/or benefits if they live abroad (see Vankova and Draganov 2020). The website of the Ministry of Health provides accessible information regarding the rights of Bulgarians who work in or outside the EU and have dual citizenship.⁶⁵ Detailed information on how to recover one's health care rights is provided also through the website of the National Revenue Agency.⁶⁶ As mentioned, the network of labour attachés and consulates can also provide information on this issue.

The social security agreement with Turkey covers only pensions, including invalidity pensions, which can be exported. By comparison, the agreements with Ukraine and Russia have broader material scope and also cover sickness cash benefits (Vankova 2018b). According to the agreement with Russia, for instance, when determining the right to sickness benefits and their amount, account shall be taken of the entire insurance period completed on the territory of the two contracting parties, except where such periods overlap during their acquisition (Article 8 of the Agreement).

4.3.3 Pensions

The National Social Security Institute provides general information on pensions, international social security agreements and other relevant legal acts and forms through its website and through its offices in the country.⁶⁷ In addition, the network of labour attachés provides information and support on matters related to pensions in Bulgaria and can seek assistance of NGOs active in the relevant field.

Along with providing general information about the rights and conditions of social insurance in the relevant foreign country, the consulates also get involved in the procedure by which the National Social Security Institute in charge of pensions requires non-resident nationals to submit a life declaration to continue receiving their pension while residing abroad.

⁶⁵ See <http://www.mh.government.bg/bg/informaciya-za-grazhdani/osigurovki/zdravni-osigurovki-na-blgarite-v-chu>

⁶⁶ See <http://www.nap.bg/page?id=352>

⁶⁷ See <http://www.noi.bg/aboutbg/contacts>

Bulgarian pensions abroad are paid only on the basis of the EU social security coordination framework or bilateral social security agreements allowing for export of pensions, such as the one concluded with Turkey. The general rule for recipients of pensions abroad is to provide a life declaration for each payment period, which must be no shorter than three months. Persons with a permanent address abroad who receive pensions in a bank account in Bulgaria shall submit such declaration at the beginning of the payment of the pension and during the period from 1 November to 31 December of each calendar year. If the pensioner fails to send a declaration filled in and certified by an insurance institution, a notary, a consular post of the Republic of Bulgaria or any other official designated by the law of the state concerned, the payment of the pension shall be suspended.⁶⁸ An agreement in the field of social security with a third country can provide for different terms and procedures other than those described above.⁶⁹

4.3.4 *Family-Related Benefits*

Family benefits and birth allowances are available only for children raised in Bulgaria. Therefore, no facilitation services are provided by consulates which, however, have a role in the process of obtaining birth certificates. According to the Law on Civil Registration, Bulgarian citizens residing abroad are obliged within six months after the issuing of their child's birth certificate by a foreign local authority to provide a certified copy or extract of the document together with a request stating their permanent address in Bulgaria (as stipulated on their ID) to the Bulgarian diplomatic or consular representation in the respective country. If they are not able to present the act to the diplomatic or consular representative, they may present it directly to the civil status official in the municipality according to their permanent address in Bulgaria together with a legalized and certified translation into Bulgarian if necessary.⁷⁰ Third country nationals are eligible to apply for such benefits only on the basis of international or bilateral agreements concluded between Bulgaria and their country of origin. For instance, the bilateral agreements with Russia and Ukraine cover maternity and family benefits (see Vankova and Draganov 2020). The EU social security coordination framework applies to EU Member States.

⁶⁸Article 81 (1) of the Ordinance on Pensions and Insurance periods/*Наредба за пенсиите и осигурителния стаж*. Annex No 1 to Decree of the Council of Ministers No 30 of 10 March 2000. Promulgated in SG No 21/17 March 2000.

⁶⁹Article 81 (4).

⁷⁰Article 70.

4.3.5 *Economic Hardship*

Bulgaria does not have a guaranteed minimum resources policy available for Bulgarians residing abroad. Therefore, Bulgarians cannot rely on any financial support, such as loans, provided by consulates. They can only use the above-mentioned channels of information through the consulates and labour attachés abroad. Consulates can establish contact with relatives, refer to the “Social Assistance” Directorates in Bulgaria when a homeless person is involved who does not have a home or relatives in Bulgaria, find a suitable NGO which has a budget for such activities, facilitate assistance of local social workers when they need information or contact with the Bulgarian institutions (information provided by the network of labour attachés). This issue is also generally not covered in social security agreements.

4.4 Conclusions

As this chapter has demonstrated, the overarching policy towards Bulgarians abroad is fragmented, scattered among various institutional actors and inconsistently implemented. It is intertwined with the country’s migration policy and the notion that the return of Bulgarian emigrants and attracting persons of Bulgarian origin living abroad are a possible solution to overcoming the negative demographic trends that the state faces. When implementing this policy, however, Bulgaria places its institutional focus on historic kin communities and rather marginalises Bulgarian emigrants (Waterbury 2018, p. 349; Penchev et al. 2017).

The Bulgarian state puts an emphasis mainly on educational and cultural measures and policies aiming to attract foreigners of Bulgarian origin through a facilitated procedure for naturalisation and eased access to the labour market (Vankova 2018a). The lack of any political commitment to establish national consultative bodies representing Bulgarians abroad, 18 years after the Law on the Bulgarians living outside the Republic of Bulgaria was adopted, is striking.

Several factors can explain the inconsistent implementation of the policy towards Bulgarians abroad. Firstly, it can be attributed to the weak institutional coordination tasking an agency with a lower administrative rank to coordinate the implementation of a diaspora policy which is scattered among too many institutions. Secondly, the lack of a single cohesive legislative act which regulates the state’s relations with Bulgarians abroad and replaces the already out-dated 2000 Law on the Bulgarians living outside the Republic of Bulgaria, is another reason for the current state of diaspora policies in the country (see also Yanev 2017a, b, p. 86). Thirdly, as the analysed policy development data suggests, there seems to be no political commitment to implement this policy. The absence of an implementing regulation to the current 2000 Law on the Bulgarians living outside the Republic of Bulgaria is among

the reasons why this act could not be implemented in practice and one of the main challenges concerning the establishment of national consultative bodies. Another interlinked factor that needs to be considered is that any policy implementation requires funding to be allocated from the state budget. Bulgaria is still the EU Member State with the lowest GDP per capita at 51% below the EU average and with modest household income.⁷¹ Important public policy reforms, such as in the health care and security sectors, are still lagging behind and public money are not being spent efficiently (Mihailova 2018). Therefore, it could be concluded, that this is also among the reasons why the National Strategy for the Bulgarian Citizens and Historic Bulgarian Communities is so unevenly implemented.

All these factors are also relevant when assessing the state of the social protection policy towards Bulgarians abroad. Currently, issues falling under the scope of this policy are dealt by the network of labour and social services, available at the embassies of Bulgaria in eight countries, and the consular network. The services delivered by these labour attachés and the consulates, however, are focused on providing information and exclude any financial support, such as repatriation in cases of death or homelessness. Another important policy pillar in the field of social protection are the bilateral social security agreements, which Bulgaria actively pursues (Vankova 2018a/b). Despite that, not all Bulgarian communities abroad are covered by such instruments, with the USA being a notable example. The lack of an overall policy on social protection for Bulgarians abroad also explains why there is no cohesive information strategy in this regard. Currently, each social protection-related institution provides information on its separate website.

A Draft Law on Consular Services and Consular Support was presented in January 2013 by the then Minister of Foreign Affairs, Nikolay Mladenov.⁷² The Draft Law aimed at providing, amongst others, financial support and social assistance to Bulgarians abroad. Due to the resignation of the government in 2013, the Draft Law did not reach the parliament reading phase and none of the successive governments in power or political parties have picked up this issue since then. A new trend that is observed in Bulgaria's consular services, however, is the MFA's policy to provide flexible solutions to Bulgarians abroad through "dematerialized" instruments such as e-platforms and mobile consular services.

Taking into account these developments and the factors explaining the current state of the policy towards Bulgarians abroad, it seems unlikely that social protection for Bulgarians abroad would become a political priority in the next few years.

⁷¹ Eurostat (2018). GDP per capita, consumption per capita and price level indices. https://ec.europa.eu/eurostat/statisticsexplained/index.php/GDP_per_capita,_consumption_per_capita_and_price_level_indices#Overview. Accessed 3 March 2019.

⁷² For more details on the Draft Law, see https://www.dnevnik.bg/bulgaria/2013/02/14/2002997_vunshnoto_ministerstvo_tursi_mneniia_po_zakonoproekta/. For comments during the public consultation, see: <http://www.strategy.bg/PublicConsultations/View.aspx?@lang=bg-BG&Id=844>

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