



Bulgarian border policeman stands near a barbed wire fence on the Bulgarian-Turkish border, AFP/Getty Images



AALBORG UNIVERSITY
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Master thesis:

Fortification of European Borders. The Balkan Route.

How stricter policies on migration have affected
refugees and asylum seekers and the incentives towards
them

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1 Abbreviation List

CEAS - Common European Asylum System

SAR- State Agency for Refugees with the Council of Ministers

DP Home Affairs - Department of Home Affairs of the European Commission

DR – Dublin Regulation

DR III – Dublin III Regulation

EC – European Commission

ECRE – The European Council on Refugees and Exiles

ECHR - the European Court of Human rights

EDAL – European Database of Asylum Law

ENP – European Neighborhood policy

EP – European Parliament

EU – the European Union

SIA - the Schengen Implementing Agreement

SIS - Schengen Information System

TEU - Treaty on European Union

UN – The United Nations

UNFPA – United Nations Population Fund

UNHCR – the United Nations High Commissioner for Refugees

2 Abstract

This thesis deals with the issues concerning Europe's external and internal border fortifications, what has caused EU states to go against the Schengen dream of free movement across the continent and how it affects the lives of people.

The research will analyze the Dublin Regulations, the proposition of a mandatory quota system by European Commission President Jean-Claude Juncker, while observing the Schengen Agreement and to a large extent the Common European Asylum system and putting them into context of the current events. From theoretical perspective the securitization theory and the collective action theory will be applied in the research. Securitization theory will help us unravel how and why migration management has been securitized in recent years, while collective actions theory will provide us with the opportunity to critically discuss the malfunction of the EU's embedded solidarity system due to the capacity of restrictive policy measures adopted by one region to shift refugee responsibilities to other regions and from one country to another. Data sources will include relevant literature, speech acts conducted from the country's "elite", as well as interviews with employee in a detention center, as well as interpreter at the Bulgarian border. Statistical data will be provided to further show, how the issue has developed over the years. Thus a mixed method of research will be deployed, as qualitative and quantitative methods will be embedded in the thesis.

The main findings of the research will be focused on the increased fortification of European borders, and the repercussions it has on the parties involved. It will observe how the policies are applied in practice and what methods are used by the EU countries to manage migration. Focusing on a particular case-the one of Bulgaria- an external EU border country with weak economy and dubious EU policy implementation record that have found itself quite recently in the path of the so called "new route" (through the Balkans) of the migrants, will serve as a specific example that will help in providing us with an overview of how does an EU country function in this circumstances. The relationship between a sovereign state and a supranational organization will be observed, as well as, how are laws and regulations applied the efficiency, the general attitude of the locals and the ruling body towards refugees and migrants, while at the same time arguing if the increased security, border surveillance and agreements with 3rd

party countries has improved the overall situation for refugees and migrants seeking shelter inside EU, or the opposite, has made it harder for them to reach safety.

Keywords: refugee, asylum seeker, migration, securitization, fortification, hate speech, policies, burden sharing, burden shedding

Table of Contents

1	Abreviation List	1
2	Abstract	4
3	Introduction.....	8
3.1	Background and context	8
3.2	Research Question	12
3.3	Purpose of the research.....	15
4	Methodology and theoretical framework.....	15
4.1	Data collection methods	17
4.2	Case Selection.....	18
5	Limitation of the research	19
5.1	Internal validity.....	19
5.2	External Validity.....	20
5.3	Operationalization of Methodology and Theory	20
6	Management of refugees in the context of the European Union.....	22
6.1	Schengen agreement	23
6.2	From free movement to securitization.....	25
6.3	Management of EU Borders	28
6.3.1	Bilateral Agreement with 3 rd countries	30
7	Burden Shedding, not Burden Sharing	34
7.1	Common European Asylum System and its Directives.....	34
7.2	Challenges and criticism.....	36
7.2.1	Redistribution of responsibility	39
7.3	Jumping the fence- Fortification of borders leading to irregular migration	40
7.3.1	The domino effect	42
8	Case of Bulgaria.....	43
8.1	Migration History of Bulgaria	43
8.1.1	General asylum situation in Bulgaria	45
8.2	Political and economic situation in Bulgaria.....	46
8.3	General perception towards refugees and asylum seekers	47
8.4	Politicizing the issue	51
8.4.1	The role of media in influencing anti-asylum discourses	53
8.5	Reception of refugees and asylum seekers	54
8.6	Bulgaria as a transit country	55
8.7	Border Control and building of fences	57

8.8	Push backs at the borders.....	58
9	Conclusion	60
9.1	Main Findings.....	60
10	Bibliography.....	63
10.1	Appendix	69

3 Introduction

3.1 Background and context

Modern migration processes and their consequences have established themselves as one of the central and a vital talking point on the European Union's agenda. For centuries Europe itself is a continent of emigrants, as citizens of European countries colonized vast areas of the world, seeking wealth, freedom and peace. Nowadays the trend is reversed: in the era of globalization the Old Continent has become a setting for massive migration processes, in scale and intensity. Whether this migration was caused by the desire for an economic prosperity, or due to life threatening factors, like fleeing from a war ravished country, the changes have prompted political debates, media discussions on the topic of how Europe should face those challenges, polarizing the views of European member states on migration politics.

The income of refugees and migrants fleeing wars on Europe's doorsteps have developed into one of the more pressing political and social concerns in modern day Europe. The governing elite of the European institutions and the member states must respond simultaneously to a number of challenges in external- and domestic politics: how to deal with the conflicts along the southern border of the EU and to manage the refugee waves; how to distinguish political from economic migrants; how to ensure that the migration stream won't contain security threats. As well as other long terms issues such as- how to efficiently integrate people that were given a refugee status, providing them with shelter, food, education, health care, work (all the basic requirements needed for a proper integration according to Alastair Agers and Alison Strangs Conceptual Framework for integration). To achieve all that EU must be complimented by strong and clearly defined policies, as well as impartial public debates that would consolidate and unite the opinions of the member states. Unfortunately, with the ongoing conflict in the Middle East, as well as the refugee influx in the Mediterranean area, such unity seems less than plausible as liberty, democracy, respect for human rights and the rule of law, the principles on which the Union is built (Europal, 2000), faces the harsh reality of divergence from those ethics in an attempt to shed the burden, rather than share it.

The war in Syria has put people's lives in peril and forced many to abandon their homes in search for safety. Deprived of security, many of them choose the fate of political migrants who go to Europe, most of them via "safe countries" such as Turkey¹, Lebanon or Jordan, and expect protection from a European states where values such as human rights are considered the norm of public life (Kornajeva, 2015). The response from European politics? As stated before the leaders of the political mainstream (right, left and centrist parties) of the member states offer different solutions to migratory pressures in the European Union, but most revolve around the idea that people with rightful claims can hope for asylum and economic migrants will be treated as illegal migrants with the consequence of forced return home (the procedures at the borders of how one is recognized as an asylum seeker and granted a refugee status, while others are turned back, will be observed in details later in this paper). And what is the reaction of European citizens? From volunteers who provide aid, to protesters who deny it, they are concerned as well as confused. Many of them are willing to accept that migration from the rest of the world is a natural process, while others, are fearing the disintegration of national identity and traditions. And skepticism brews because of the fear of people with conservative and sexist beliefs (tragedy in Cologne)² as well as extremists prepared for terror (fresh memories of the terrorist attacks in Paris and the airport attack in Brussels)³. Those fears are well managed by politicians for their agendas as we will observe below, with discourses revolving around "keeping national identity" and the segregation of the "others". It is in no small part facilitated by Media's perception of differentiating values of "West and the rest". Eurobarometer survey commissioned by the European Parliament, shows the growing anxiety of Europeans in 2015 (Eurobarometer, 2015). Worries about immigration and terrorism has shown the highest increase compared to other fears of Europeans surveyed in 2013, such as unemployment, social inequality and the financial crisis . About 47% of respondents, think immigration is the biggest challenge facing the EU and member states, as opposed to 14% in 2013. Fears of terrorism are shared by 26% of Europeans surveyed compared to 11% in 2013. (MediaPool.bg, 2015)

¹ In Turkey, the migrants from countries, outside the EU can receive only a "conditional refugee status" even if they meet the requirements of the UN Convention on Refugees of 1951. Conditional refugee status allows them to stay in Turkey temporarily until they find another country in which to resettle using the UNHCR. In practice this means that they cannot integrate because they have very limited access to social services or legal employment. As a result, most of them live in extreme poverty and / or working illegally and are exploited

² A string of alleged sexual assaults on women in Cologne during New Year's, for which migrants and refugees were the main accused (later on, from the 58 suspects, 3 were revealed to be refugees) and sparked an integration and migration management debates

³ The attacks in Paris on the night of Friday 13 November by gunmen and suicide bombers hit a concert hall, a major stadium, restaurants and bars, almost simultaneously - and left 130 people dead and hundreds wounded, while bombings at Brussels airport and a metro station in the city on Tuesday 22 March killed 32 people from around the world. That have caused public discontent and prominent European figures, criticizing the Schengen area, as well as the under preparedness of Europe's external borders for high number of arrivals.

Following those statistics the ongoing debate how to handle migrants and security comes to no surprise. But instead of introducing policies that would help facilitate the process of reviewing asylum applications and creating a coherent common set of rules that would help redistribute the burden more proportionately, many countries decided to take the matter into their own hands placing the issue from a Supranational to a national level, re-establishing the “hard shell” that borders provide and in doing so drawing a line between “us” and “them”, the people who enjoy national privileges and the aliens (Carr, 2012). But as globalization progresses, so does the meaning of border security alter. It is no longer confined to the national boundaries, rather externalized and exported to 3rd party countries.

Paradoxically this change comes at a time in which due to the globalization the basic understanding of borders have been drastically altered. The European countries are no longer viewed as sovereign thus it is no longer possible to uphold “identity of the nation” as it was before. That is why so much attention has been focused on the Schengen area-a single area without internal border checks that requires a common policy on external border management. (Europal, 2016) One of the main premises that the EU is based on is the creation of a liberal trade regime, which relies on the free movement of capital, goods, services, labor and is dependent on internal open borders, between the member states. The Schengen area has moved the national borders on the periphery of Europe, freed the movement and trade inside but is also restricting and controlling the flows from outside. That change have caused the borders to shift, leaving the outermost EU countries as an external frontline for the whole community.

This duplication of existing borders creates a feeling of disproportions burden between member states when managing external migration. But that is not the only reason for the current “turbulences”. It is also to no small part due to the unbalances and ineffectiveness of the Common European Asylum System and the Dublin Regulation that creates disputes between member states. Those policies represent respectively the intra-territorial and the external branches of the EU migration management systems. Their shortcomings in the international and national levels will be further discussed in this research. They act as exploratory points of departure that will help us elaborate why solidarity and promotions of human rights and democracy have taken a back seat to control, securitization and the incentives to free ride.

Development of the internal market in the 1980s and the deployment of the concept of the “four freedoms of movement”⁴ inevitably lead to heated political debates about the need for a common EU immigration policy. Immigration policy is often linked to the issues of protection of public order, preserving the welfare state and cultural identity of the member states (Spencer, 2003). Namely multi-layered political controversies are key to understanding this model of regulation of immigration in the EU. Immigration as a social phenomenon is viewed (mainly by the rightist parties) as threat to the future of the Union because it (along with the integration process) is associated with an “open border” for all “aliens” policy.

In 2015 Bulgaria has finished building a barbed wire fence on its border with Turkey, to help and prevent irregular migrants from crossing and manage people flows that have swarm Europe and caught it off guard. As of 2016, the plans on erecting fences are ongoing for other EU countries as well. Since the fall of the Berlin Wall, over 40 countries around the world have built fences against more than 60 of their neighbours. The majority have cited security concerns and the prevention of “illegal migration” as justifications. More than 30 of those decisions were made following 9/11, 15 of them last year (The Economist, Daily Charts 2016).

From 1998 to 2013 more than 620 000 irregular migrants have reached the territory of EU, roughly 40 000 migrants per year (De Bruycker et al 2013:3). Although with the current ongoing conflicts in the Middle East those numbers have spiked, it still remains a relatively small quantity. In 2015 there were 240 000 000 migrants (UNFPA) and around 19 000 000 refugee worldwide, with around 1 million migrants reaching EU (UNHCR, 2015). In 2010, EU was home to around 38.000.000 migrants and in 2013, 435.000 asylum-seekers were registered in the EU (Frontex, 2014). The EU in total counts around 508.7 million inhabitants and the EU border is crossed by around 500 000 migrants each year (Frontex, 2014m). This tells us, that, despite various perceptions of the opposite, it is still a relatively small number of people, who seeks illegal entry to Europe, but despite that they are presented as the face of the migration, generalizing all the people coming from the Global South and at the same time marginalizing the people that are fleeing their home countries in fear for their lives. It also opens up the opportunity to present the migrants as a security threat in the political and media spectrums, making them a high priority in the national agendas, which in turn causes debates and discussions between the member states elite of how to create “Safe and secure Europe”.

⁴ The four freedoms of movement in the EU are as follows: Free movement of goods, freedom of movement for workers, rights of establishment and freedom to provide services, free movement of capital

3.2 Research Question

The current refugee influx represents the largest population movement in Europe immediately after World War II. After the end of the war a series of treaties were put in motion to uphold and recognize the “the rights to which all human beings are inherently entitled”. With the Universal Human Right Declaration being the first step and later the Refugee Convention from 1951 and the Protocol from 1967 building up on the desire for equal rights and freedoms for all. They ensured that a universal definition for a refugee and for upholding human rights is in place. Continuing down the pattern of cooperation, the Schengen treaty from 1985 was established. With the removal of borders between countries and liberalization of the market it seemed like EU institution and member states are functioning in harmony .

The refugee and migrant situation, has brought to a halt this deceitfully peaceful image. It highlighted the shortcomings of the refugee, migration and asylum policy, which is largely under the auspices of the member states and intergovernmental EU policy, underpinning in the process the differences in views the states have on migration and immigration, which is mainly driven by economic, social and cultural divergences. Those differences were predominantly expressed through tightening the external and internal border controls physically and administratively, adding additional surveillance measures through systems like the European Dactyloscopy (Eurodac), brushing aside(at times) the main principles embedded into the European Union-that of solidarity and protection and respect of human rights. (UNHCR, 2008) Unable to distinguish between economic migrants, which are willingly leaving their country of origin in search of a better prospect, and a people fleeing due to conflict or unjustly persecution, the EU member states (and the EU as a whole) have failed to put emphasis on the protection of human lives and rather opted on setting all migrants and refugees under one denominator.

This thesis will deal with issues concerning Europe’s internal border fortifications, what has caused EU states to go against the dream of free movement across the continent and how it affects the lives of people, as well as the means that states protect their borders.

That is why the following question is exhibited: *“Why do some European countries progressively fortify their borders through policies and directives, erecting physical walls and tightening surveillance, how it affects people seeking asylum and refugee?”*

And the sub questions:

How is migration and refugee management taking place inside European borders?

And:

Does it alter the perception of the local population towards refugees (and vice versa) and if so, in which direction?

The main incentive behind those question is the alteration of perception that people in some member states have displayed in the last decades towards migrants. The building of fences have replaced the search for a durable solution, as a main line of action. Fearing the unknown and “otherness” that migrants represent, combined with anxiety of an economical burden that may follow, the states have decided on the introduction of migration management both outside the borders of the EU and inside. They have done so by engaging with third actors (mainly countries outside the EU and organizations) promoting multilateral cooperation and incorporating migration management into the framework of policies like the European Neighborhood policy, at the same time relying on the Common European Asylum System and the Dublin Regulations to facilitate intra-territorial management of migrants.

It is assumed that the fear of migrants is constructed and based on a securitization of immigration as public discourses focus more on cultural differences, as well as national and societal security, unifying all the “new comers” in the eyes of the general public and making the distinction between those who travel freely and those who leave their region of origin in order to seek protection in the EU, more obscure. Differentiating between refugee, asylum seeker and migrant is vital in this research. An asylum seeker is a person who has escaped from his or her country and seeks legal and physical protection (asylum) as a refugee in another country. Refugees, according to the 1951 Refugee convention, is a person: *who is outside his or her country of nationality or habitual residence; has a well-founded fear of being persecuted because of his or her race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail him or herself of the protection of that country, or to return there, for fear of persecution* (Refugee convention, Article 1A). They are recognized and protected in international law, by the aforementioned 1951 Refugee Convention and its 1967 Protocol. Migrants on the other hand choose to move not because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. Unlike refugees who cannot safely return home, migrants face no such impediment to return (although in some occasions, states refuse access to people who have left illegally) (UNHCR, 2015). The globalization of migration has made identifying who is a refugee and who is an

economic migrant, increasingly difficult, as migratory movements become more complex: complex in terms of the routes that migrants take, complex in terms of the legal status pertaining to migrants at different stages of their journey, complex in terms of determining the motivation for migration (UNHCR, 2008). Changing forms of persecution and changing processes and spatial scales of forced and voluntary migration are some of the factors which emphasize these challenges. With those deviations, the way European member states perceive the refugees identity, has also been fluctuating. Although the migrant population (including refugees) is around 3 per cent of the world's population (UNFPA, 2015), it has widely affected the political landscape of Europe, as an economic and now as a security process. The socio-economical imperatives of the EU has increasingly been challenged by "*European sovereign states and then EU-wide resistance to migration, animated by political concerns about the domestic social and economic consequences of large numbers of people on the move and the perceived threats to cohesion and national identity*" (Kneebone, 2014). Those concerns are inevitably transferred into the refugee/migrant debate, as member states are divided by the perceived need to secure their borders and at the same time to follow the foundations of the EU about freedom of people.

The assumption behind the questions is that the free area of capital and labor created in the EU, has caused the member states to fear waves of uncontrolled immigration and due to the lack of clear defined strategy that would help deal with the influx in a durable way, the states have opted to close down border, tighten surveillance and deploy push-back approaches, that in many cases, as we will observe in the following chapters, not only promotes fear and distrust in the local population, but also cause the irregular immigration and trafficking to spiral. As several researches have shown, at least at the short term, erecting borders does not stop immigrants, instead they have diverted them, often to longer, more dangerous routes, acquiring the help and assistance of local human traffickers. (Baczynska, 2016). After erecting the walls the portion of irregular migrants trying to cross the country through other more "unconventional" routes has tripled (Stoyanova, 2015) with one of the reasons being the higher security deployed.

3.3 Purpose of the research

The main purpose of this research is to find possible reasons and flaws within the supranational and national policies that could be addressed in order not only to prevent negative perceptions towards refugees and to establish a more favorable environment and decrease possible border violence and abuse.

A link is going to be created to emphasize how the loopholes, unclarity and interpretative broadness of the EU policies, leads to various diverging views between the member states, which in turn forces the issue on a national level, with practices, sometimes going against the fundamental principles embedded in the EU doctrine-those of solidarity and burden sharing.

4 Methodology and theoretical framework

The paper is an exploratory research, as it focuses on explaining the correlation between the ambiguities in official policies, which hinder the migration management process, the increased fortification of EU borders and the hostility towards migrants that follows as a result. It does this by analyzing three primary EU policies and creating an exploratory link between them and the country subjected to a case study-Bulgaria. The chosen policies are the Schengen Agreement, the Dublin Regulation and the Common European Asylum System. Although different in meaning and content those policies share enough similarities and their interrelationship is all the more obvious when put in the content of the current migration issue. They policies are selected, as they encompass the administrative and legislative documentation required for a thorough observation of the interdependence between a supranational organization, member states and the refugees and asylum seekers. They also include migration management, which, as will be observed below is vastly different on practice, from the EU ideals displayed in regards to human rights promotion.

Official documentation, policy paper, relevant literature on the topic, statements from members of the European Commission, interviews with employee in the State Agency for Refugees with the Council of Ministers (SAR), as well as articles from the media will be used

as the main information source of this analysis. Due to the limited time and confined space the policies are analyzed and presented in a manner which allows them to be properly interpreted, reviewing their nature and importance but not in their absolute completeness. The same applies to media articles and statements from public figures. The ones included, are chosen to uncover a pattern and a tendency that pertains to the research, rather than to focus on theoretical and empirical shortcomings. Thus securitization and collective action theory will be a certain catalyst when reviewing media articles. The interviews conducted with employee from SAR detention center and the interpreter working with the border police, have aim to fill statistical gaps in the official data concerning migrants, refugees and asylum seekers, so we can establish a clearer perspective as to why those people are perceived as a threat by the majority of the EU states.

The problems with migrant management in the EU occur in both old and new member states, regardless of the economic development of a country. Nevertheless the country which initially triggered the interest for conducting this study was Bulgaria. Reports on poor reception conditions and media outlets on a hostile environment towards asylum-seekers in Bulgaria have turned out to be more the norm than the exception. Being a country with high level of discrepancy between what it is obliged to provide (having in mind the national and international law where Bulgaria is a party) and what it actually provides, finding flaws in the system that can account for the occurrence of such a hostile environment can be seen as an important tasks of this research. As an initial driver of the conducted research I am proceeding from the position that: whether a policy is formulated as a consequence of electorate demands or as a political response to occurring issues, the subsequent effect of the implemented policy has a boomerang effect on the societal behavior.

When analyzing the data collected and read, I am going with the assumption that social phenomena is created from the perceptions and consequent actions of social actors (Saunders, 2009). What is more, this is a continual process in that through the course of social interaction these social phenomena are in a constant state of revision. That would be of great importance enabling us to review the current situation, without limiting us to a certain methodological framework and theory. A certain theoretical basis for the research will be applied, as for example collective action theory that would be a main driving force in our attempt to elaborate on the countries incentives to free ride, or securitization which would put certain speech acts or terms in a perspective that would be helpful in getting insight of national politics towards refugees.

It is hard to attribute the refugee “crisis” to one specific object, or one specific country or policy. It is a complex issue which combines economic, social, and political factors and at the same time deals with religious and cultural differences that have been further emphasized by right wing populists and it is necessary to explore the subjective meanings motivating the actions of social actors in order for the researcher to be able to understand these actions. (Idem.). The following chapter will present the data collected during the course of this research.

4.1 Data collection methods

The research focuses on observing EU policies and connecting them with the current situation in Europe. The empirical data of the thesis is based upon communications, the main policy papers concerning migration management, declarations and statements from the Council of the European Union and the European Commission, information material such as statistics or practical data from different European Union institutions and agencies, as well as articles from the media and academia. Media sources have been entangled in the research in order to get more insides on the discourse in the public spectrum concerning migration. It is used to gain deeper understanding of the incentives a population holds towards migrants, how they are portrayed and the outcomes of such actions. An analysis of the European agreement with Turkey will be provided, as it will thoroughly illustrate the extent to which Europe is willing to bend its rules and values as the lack the proper regulations and laws is displayed at its fullest.

As Robert Yin (2003: 85) states: a “*good case study will want to use as many sources as possible*”, I have complemented the available data for the research with supplementary interviews with people dealing with refugee issues. The interviews taken were of a focus open-ended nature and need further clarification. The interviews were conducted via e-mail, therefore the personal contact, which would allow me to observe interviews reactions and give the possibility to modify the question “on the go” were not possible. They were conducted with an employee of the Bulgarian border patrol, who serves as an interpreter and

translator for migrants coming to Bulgaria and (as stated above) and an employee in the Bulgarian State Agency for Refugees with the Council of Ministers.

4.2 Case Selection

Colin Robson (2002:178) defines case study as “*a strategy for doing research which involves an Empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence*”. A case study helps us to focus on a particular case from a broader view, gaining understanding of the context of the research and the processes being enacted (Morris and Wood, 1991). The case of Bulgaria is chosen as it provides the necessary “ingredients” for a full analysis of the situation. Unlike the cases of countries like Greece and Italy, Bulgaria has been a relatively new transit path for migrants. As such it has not been burdened with the struggle of handling migration to such an extent. That makes it a contemporary case and leaves the possibility to observe how the sentiments towards migrants have shifted, the reasons for it and the reaction of the government, of a country that had no (or minor) experience with migrants coming from (primarily) Arabic countries. It is especially valuable when presenting statements from official representatives and leading national medias.

An external EU border, puts Bulgaria in the position of being a “first country of arrival” option for the migrants, thus tying it closely to the policies written in the Dublin Convention. Its location on the Balkan Peninsula have put it in the sight of migrants and asylum seekers as a possible route. The numbers of people, seeking protection has spiked from 1378 in the year 2012 to 11742 in 2015 (Bulgarian State Agency for Refugees, 2016) and being economically one of the poorest countries of the EU with a humble record of integration and administration of migrants, Bulgaria has struggled to cope with the influx (Amnesty International, 2015). In addition public appeals from other EU countries to strengthen or even entirely close borders (Ghráinne, 2015) have put Bulgaria in a situation where it could face a “race to the bottom” scenario, where countries compete to close down their borders and shift the burden to their neighbors. To avert that, the Bulgarian authorities have continued the progressive building of fences along the Turkish border, increasing man power and surveillance. This has proven to be a practice with mixed success, as the majority of migrants are being registered while crossing the borders (Gotev, 2015), but due reports of abuse on the borders, as well as the fact that Bulgaria is viewed only as a transit country, incapable of providing the care that migrants want and require, human trafficking has flourished (Amnesty International, 2015). The

increase in migration movement, the exposure of some of the lackluster policies that concern migrant management as well as the burden sharing have put Bulgaria on the forefront of the recent migration discussion.

5 Limitation of the research

In the following chapter a detailed description of the observed limitations of the research will be provided. As social science has to deal with an amalgam of mutually interacting and influencing elements, constructing the chaotic reality of scholarly interest, it should be noted that an exhaustive list including all possible limitations cannot be provided. Such task is further impeded by the small scope and time restrictions of the conducted research.

Nevertheless main constraints identified during the literature review, data gathering and analyzing processes will be discussed here.

5.1 Internal validity

One of the main concerns for the security of the internal validity is if the independent variable (the employed EU policies) is indeed responsible for the observed variation in the dependent variable (the case of Bulgaria). Making a clear connection between the two will provide us with an opportunity to observe unobstructed if the current migration problem is caused by the lack of cooperation and synchronization between states and their inability to deploy a coherent strategy towards migration management and how it may create tensions in different member states, focusing primarily on Bulgaria or whether this lack of collaboration is due to the rise of the “hate speech” and the uncertainty that the image of migrants bring to the local population, thanks to the political propaganda.

That is why several factors influencing the environment are put for consideration. One specificity that have to be taken into account is the level on which the EU policy process is incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies. The large number of migrants in the recent years, as well as the fact that there are some unique cases when dealing with migration management makes it rather vague to what extent are the policies used and incorporated in the Bulgarian system.

Another issue is the set stereotypes of people seeking asylum as terrorists and economic migrants. After the 9/11 attacks the public discourse on migrants have been flooded with political rhetoric focused on picturing them as a threat. Additionally dividing migrants into genuine refugees and economic migrants, becomes a difficult task, as populists (mainly

rightists) politicians, play on local population incentives, blurring the lines between the two terms, making it harder for the common people to differentiate statements. That is especially true in less economically developed European countries, where people see themselves as financially, politically and socially disadvantaged. In this way people's perception is distorted, as they lose focus on who is an immigrant by their own choosing and who is running away from a real, life endangering threat, putting them all under the same denominator. This creates a feeling of anger, rather than one of sympathy in the reception nation towards the asylum-seekers, perceived as economic immigrants (Verkuyten 2004).

5.2 External Validity

External validity is concerned with the question whether the results of a study can be generalized beyond the specific research context (Bryman 2012:47). The analyzed case deals with a relatively new member state, which has close to non-prior experience with migration. Nevertheless a brief research show similar cases of countries struggling with migration management, regardless of the economic and democratic development of the country. Both Western and Eastern European countries are experiencing issues when it comes to handling the migration, sharing similar features in terms of organization and demands. Regarding, the conducted research, I am not claiming for generalizability of its findings, as a case study (especially on a country with relatively small territory and population) may not be comprehensive to the fullest extent. However its interpretations may be used on a larger scale when observing member states inclinations to securitize. Conducting such study will undeniably broaden the scope of the analyzed topic, gathering and accumulating more data, thus providing for results closely aligned with the requirements of the external validity criteria.

5.3 Operationalization of Methodology and Theory

As it pertains to the research topic, the gathered and analyzed empirical data is collected by authors that have a certain subjective view on the topic that the aforementioned is also influenced by time and space, and my own pre-assumptions are also altered based on the public information present at the time of the writing the project. Collecting a sufficient data

for my final research will allow me to be as comprehensive and accurate as possible, without limiting myself to analyze from a narrow and limited scope.

The first part of the research will investigate in depth the policies that mainly effect and are responsible for the migration management of the European Union. It will observe the sudden change of policies when facing the perspective of the “otherness”. It will concern itself with investigating the presented ethos of the European Commission of embedded liberalism, human rights advocacy and burden sharing and after careful analysis, recognizing that an interior motive exists from which motivations to export and securitize migration management’s origins. Content analysis is the key method to interpretation, by reading what is written on and between the lines in the policy papers (Van der Pilj, 2009). I will further elaborate on how Migration management is constituted through securitization. Noting speech acts like interviews, statements and discourses on the subject conducted by various figures in the public spectrum. All the policies will be thoroughly observed and tie to the content of securitization and burden sharing.

The second part will be concerned with exploring the case of Bulgaria in the context of the European policy making and implementing, exploring how before mentioned procedures interact with the Bulgarian legislative and administrative system. I will elaborate on the political and economic state of the Bulgarian government which will help us understand some of the decision making by ruling bodies and in addition, media controversy as well viewing migration through the lenses of politicization to further party (and sometimes even state) agendas will be viewed. Later I will observe the situation at the Bulgarian borders in concern to refugee and migrants and further delve into the issue of push back practice. As a final note, the political and media discourses in the country will be presented and analyzed, noting how the general population views the migrant and what repercussions it has for both parties.

6 Management of refugees in the context of the European Union

Since the 1990s the EU has tried to develop a framework of dealing with immigration and asylum throughout the continent. As this effort progresses, we can distinguish two separate policies undertaken. The first involves attempts to externalize traditional tools of domestic or EU migration control; the second is to prevent the causes of migration and refugee flows, through development assistance and foreign policy tools. Both of them will be observed in the following chapters, as a focus on internal and external EU borders, as well as “outsourcing” of rights and obligation to 3rd party countries when it comes to migrants. The following section is focused on the way the EU is handling the situation with emphasize on internal and external border security, meaning the possibility to observe the management inside the EU itself, on the common borders, as well as the handing out of rights and obligation to 3rd party countries when it comes to refugees and asylum seekers. These collective action challenges of refugee protection, which policy makers face derives from the requirement in the Refugee Convention for states to assess whether an applicant is a refugee only once he or she has reached its territory. This procedure is often lengthy and states incur costs both at this initial stage and once refugee status is determined, in its granting of entitlements to the individual. States face no similar obligations for forced migrants and refugees outside their territory. This provides states with a motivation to use restrictive policies in an attempt to limit the number of asylum seekers that are able to access their territories and indirectly, to encourage them to seek protection in another country or region.

This incentive for burden shedding, principle snubbing and cost evasion have led to institutionalization emergency and the EUs difficulties to face the current situation (described by many in the public spectrum as crisis⁵), as countries opt to secure borders, using the loop holes provided in the main policies and to apply double standards for morality and solidarity when it comes to accepting refugees and asylum seekers.

⁵ The term ‘crisis’, which has routinely been used to describe migration to Europe during the course of 2015, should be subject to some scrutiny. Other countries, many of which have far fewer resources than the ones in Europe, have been facing acute versions of this migration flow for some time. -In Jordan, the ratio of Syrians to Jordanians is approximately 1 to 10, and in Lebanon, the ratio is a compelling 1 to 5. It is important to keep a perspective on the scale of the ‘crisis’ in Europe. Although the numbers have been unprecedented comparing to the last 5 decades they are still relatively small (as of the moment of the thesis writing). See more at: <http://www.fmreview.org/destination-europe/pace-severance.html#sthash.MJ5uLrx9.dpuf> ,that is why the term will be used in brackets in this research to describe the current situation with migrants in Europe

6.1 Schengen agreement

When talking about Schengen the idea behind the European experiment as we know it, was the elimination of all passport and other checks between participating countries and established a single external border. With the removal of their respective boundaries, and the free circulation of goods, services and people, Europe was established as a new entity, representing more than a geographical location, but also an economic and political bloc. The first steps towards the actual dismantling of border checks between EU member states was initiated with the intergovernmental agreement associated with the free movement of persons within the EU, the Schengen Convention (1985 and 1990; free movement applying to EU citizens only). It was signed on the 14th of June 1985, between the 5 of (of the then 10) members of the European community- Belgium, Netherlands, Luxemburg, France and the Federal Republic of Germany. A further convention was drafted and signed on 19 June 1990. When it took effect in 1995, the convention abolished checks at the internal borders of the signatory states and created a single external border where immigration checks for the Schengen area are carried out in accordance with identical procedures. While the original intention of eliminating border controls was to facilitate the movement of citizens from participating countries, it was not possible to eliminate border checks for these travelers while still maintaining checks for travelers from outside countries (Contini, 2013). Therefore, the concept of free movement was expanded to allow free travel of outside visitors within the Schengen area. Eliminating border controls for these outside visitors created the need for careful coordination on who would be admitted through external borders to travel freely within the Schengen area. Common rules regarding visas, right of asylum and checks at external borders were adopted to allow the free movement of persons within the signatory states without disrupting law and order (Eur-lex, 2013). The Treaty of Amsterdam, signed in 1997, formally incorporated Schengen into the framework of the European Union as the Schengen acquis. The Schengen acquis includes the Schengen Agreement of 1985, the Schengen Convention of 1990, as well as various decisions and agreements adopted in Schengen's implementation.

Its framework consists of several key points (European Commission, 2013):

- removal of checks on persons at the internal borders;
- a common set of rules applying to people crossing the external borders of the EU member states;
- harmonization of the conditions of entry and of the rules on visas for short stays;

- enhanced police cooperation (including rights of cross-border surveillance and hot pursuit);
- stronger judicial cooperation through a faster extradition system and transfer of enforcement of criminal judgments;
- Establishment and development of the Schengen Information System (SIS).

By observing this framework we can see that the Schengen agreement consists of several basic points, two of which can be viewed as rather contradictory. The rights of free movement throughout the Schengen zone (with enhanced cooperation between law enforcements) and the external border control which has become an absolute necessity with the abolition of internal borders. Like many projects that are still in the development stages, malfunctions emerged from the onset. First off, some states refused to join the Schengen framework, fearing that European border control mechanisms would be insufficient to guard against large migration influxes (an inducement that further solidified in the recent years). Secondly, some states, which ratified Schengen, have failed to fully implement the agreement, thus logistics of border controls and the reality of a common border are problematic. (Thouez, 2000)

Although, presented as an agreement that would allow free movement and further liberate the markets, we can identify how free movement has been accompanied by control, with cross-border surveillance, police cooperation, establishing a common information system being a pre-requisite to join the Schengen zone.

Schengen Zone

The Schengen zone is an area without internal borders. Currently it contains 26 states: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland. (European Commission, 2011).

Some of those countries are not in the EU, namely Island, Norway and Switzerland but they are full-fledged participants in the Schengen zone. Other two countries (although members of EU) have decided to stay out of the Schengen zone, keeping the border control with other countries intact, but are authorized to take part in the police cooperation and the SIS. As the acceptance into Schengen is an extensive task-both politically and economically-Bulgaria, Cyprus, Croatia and Romania are not members of the zone, as of 2016.

Presently the Schengen zone is a salient issue, as its main purpose is put under scrutiny with various member states leaders expressing doubts over its reliability, or more precisely, the ability of external border countries to manage migrants. Thus few of them have decided to close borders temporarily⁶ with Germany, Austria, Denmark, and Sweden doing so over the context of “exceptional circumstances that put the overall functioning of the Schengen area at risk (European Commission, 2015). Not only those actions caused a calamity around Europe, with Balkans countries and Hungary threatening to close borders for migrants if Germany does (Tsolova 2015), it has identified refugees as an “exceptional circumstances” in the framework of the EU, have furthered the securitization of member states incentives and intensified the “us versus them” debates going on around the continent.

When it comes to Schengen, the Bulgarian case is a curious one. Although being an external border country, its non-participation in the agreement have relatively eased the influx of refugees, as they would rather avoid “entering Europe twice”. That have caused people like the Hungarian Prime Minister Viktor Orbán (a prominent opponent of the open border politics) to openly support Bulgarian candidacy into Schengen in a bid to reinforce Greece’s Northern borders. This type of actions, as we will observe further into the thesis, are quite frequent in the current situation, as it contains in itself the desire to securitize and to burden shed at the same time.

6.2 From free movement to securitization

As the main objective of a passport free zone was to ensure the free roaming of people, it came with certain issues. People outside the zone were also able to move freely after crossing the external borders. This has caused migratory flows, either of asylum-seekers, irregular migrants or labour migrants to be associated with various problems and disputes among the member states (Weiner 1992/93; Lohrmann 2000), their presence in the contemporary security policies in Europe has become more pressing and important leading to the adoption of various supranational and national policies and focused on dealing with this topic.

Under the Treaty on European Union (TEU) and the Treaty establishing the European Community (TEC) primary objective of the member states is to maintain and develop it, as an area of freedom, security, and justice in which the free movement of persons, goods, services and capital is performed unobstructed, an area without internal frontiers in which the free

⁶ Norway and France have opted for a Temporarily reintroduced border controls in the context of foreseeable events, which is active for the duration of 30 days

movement of persons in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime (TITLE IV). Those “appropriate measures” taken by the EU in the past decades will be observed below.

When examining this policy field, several scholars have claimed that the EU policy on illegal immigration⁷ is dominated by security (Van Dijck, 2006; Boswell, 2003; Cholewinski, 2000). The subject of illegal immigration is built as a security risk and is put on a European security continuum among other issues, such as terrorism, human trafficking, and organized crime (van Munster, 2004:3). Although at first the link between illegal immigration and security seems to be clear, as the word “illegal” suggests the need for taking security measures, the linking of migration and security denotes the illegality of the practice itself (despite the term being denounced in 2010 by the European Commissioner - Cecilia Malmström - “*And let me be clear about my vocabulary too: illegal migrants do not exist. People may come to the EU and might be required to use irregular ways...but no human being is illegal.*”), European Commissioner for Home Affairs, 29th of November 2010. On top of that it is also used in the political spectrum in which immigrants, asylum seekers, foreigners, and refugees are constructed as scapegoats to remedy political incapability (Huysmans, 2000).

Proclaiming that securitization of migration is a relatively new incentive that EU and its member states directly or indirectly pursuing would be a false statement. It has been acknowledged and discussed in various treaties, directives like the Lisbon treaty (2007) and the Amsterdam Treaty beforehand (1997) and is put in a frontal place in the programs like the European Parliament plan to deal with migration management issues, as well as the Stockholm Program deployed from 2010 to 2014 and many other that have focused primarily on migrants, whilst (at least on paper) sustaining the EU principles. As dealing with irregular migration has become a requiring theme over the past decades it has led to some scholars to declare that the constant presence of the issue in the social sphere has led to institutionalized securitization. According to Bigo (2000) “*the result of the institutionalization of a discourse is that the way of looking at a problem becomes homogenized because a discourse starts to dominate the way a given social unit conceptualizes the world*“. By presenting the issue as an existential threat securitizing actors try to legitimize the taking of restrictive policy measures. However, in this initial stage, it is not certain yet whether the securitizing changes will be

⁷ The term „illegal migrant” has come under much scrutiny for its use, as it (as will be described further in the project) brings a negative perception towards migrants. It was deemed “inaccurate”, harmful” and “against European values”. Peculiarly there is no common definition of the term illegal immigration in the EU, which leaves the interpretation on a national level, with every country deciding for itself the points on which to determine illegality. http://picum.org/picum.org/uploads/file_/TerminologyLeaflet_reprint_FINAL.pdf

successful or not. One condition for a successful speech act is that the securitizing act needs to gain enough resonance, i.e. it needs to be accepted by the public. Led by this logic Van Dijk in his study into the dynamics of institutionalized securitization determines several key periods in which migration has been scrutinized and securitized. Starting from the pre-Maastricht period when migration was on the rise in Europe and the negative perception was starting to take shape through the action of member states, going over the Amsterdam Treaty where the concept of “Us/Them” was constructed by referring to the European Union as “Area of Freedom, Security and Justice”. Afterwards observing the Tampere Conclusions, which put special emphasis on external border control, defying in the process how the area of freedom should be understood and especially after the 9/11 attacks that have put all migrants (especially from Arabic origin) under the same nominative of terrorists, which should be controlled and watched. We notice that despite the embedded liberalization as a principle of the EU, there is a certain hypocrisy when it comes to management of migrants, as contradiction between free movement and the desire to control are seen in every policy, often disguised as a “combat against illegal migration” and “protection of people within the Union”.

When viewing the innovations involved in the European Treaties, we can find objectives such as the one introduced in the Amsterdam Treaty Article 2 TEU: *“to maintain and develop the Union as an area of freedom, security and justice in which the free movement of persons is assured in conjunction with appropriate measures with respect to external border controls, asylum and immigration and the prevention and combating of crime.”* Such wording reaffirmed the link established before by other Treaties between free movement of persons and repressive measures targeted at irregular immigration by often extending to push-backs and violence towards legitimate asylum seekers and refugees (Monar and Mitsilegas, 2003). Many member states discourage migrants by applying additional restrictions in the form of anti-migration policies. Countries have passed laws that would limit the influx aimed at their territories. In 2015, Denmark approved a controversial bill that in its core has the purpose to make the country unattractive for migrants. The passing of bills like the so called “jewelry tax” which empowers authorities to seize cash and valuables from asylum seekers to help cover their expenses, presents a certain “race to the bottom” action, as Amnesty International has noted, with member states securing their borders and trying to shift the flow of people to other countries. Other laws like the 3 years delay for family reunifications, were also applied and came under heavy criticism by human rights activists, which, in their view, detected a breach of international conventions. (The Local, 2016). Additional restrictive measures

include advertisement to migrant's home country, presenting the conditions in Europe along with warning about benefits cuts. The Danish advert also highlights that "*all rejected asylum seekers must be returned quickly from Denmark*". Due to these kind of actions the socio-cultural stability factors required for a successful integration of new-comers are absent, the process is hindered, which further creates tension between the community and the migrants.

All of the examples before are a form of control and restriction of migration, from speech acts to active action, securitizing migration seems to have become the norm around Europe and with little to no backlash from institutions it seems that the inducement will only get stronger. This kind of behavior corresponds greatly with the theoretical framework of the Copenhagen school. The main argument of securitization theory as observed by the Copenhagen school is that security is a speech act and solely by saying 'security' something is being done. "*It is by labelling something a security issue that it becomes one*" (Wæver 2004: 13). By stating that a particular referent object is threatened in its existence, a securitizing actor claims a right to extraordinary measures to ensure the referent object's survival. The issue is then moved out of the sphere of normal politics into the realm of emergency politics, where it can be dealt with swiftly and without the normal (democratic) rules and regulations of policy-making. For security this means that it no longer has any given (pre-existing) meaning but that it can be anything a securitizing actor says it is (Taureck, 2006). In other words, according to the Copenhagen School, there are no security issues in themselves, but only issues which are constructed as such by certain actors - called 'securitizing actors' - through speech acts (Wæver, 1995). Those acts allow actions aiming at "protecting the life's and liberties of people" to be taken. A point further exemplified with the creation of Frontex and the joint border operations of the EU, which was created securitizing in the social discourses the issue of migration.

6.3 Management of EU Borders

Policy on border management has undergone through significant changes over the last decade with the creation of tools and agencies such as the Schengen Information System, Visa Information System, and the External Borders Agency Frontex (Articles 67 and 77 of the European Parliament). After a brief period of consolidation, challenges associated with the influx of migrants, as well as increased concerns about security, has marked a new period of

activity, with more direct operational support and Europeanization policy on border management put in place.

In 2004 the European Agency for the Management of Operational Cooperation at the External Borders of the member states of the European Union (Frontex) was established as part of the Hague Program to correspond to the desire for stricter control of the borders and synchronization of security (Frontex, 2016c). It was created by Council Regulation with the main aim of supporting operational cooperation amongst EU member states with regard to the management of the external borders. The agency “*promotes, coordinates and develops European border management in line with the EU fundamental rights charter applying the concept of Integrated Border Management*” (Frontex 2014). It was established at a time when the EU was expecting union expansion from Eastern Europe, as public incentive towards migrants was deeply affected by the 9/11 attacks, the EU neighboring region was a seismic place and when public discourse was heavily securitizing migration.

Its creation correlates to the pattern highlighted in the previous chapter, with Frontex presenting the answer to the widespread fear of uncontrolled migration. It aims at uniting member states, by participating in joint operations that would reaffirm the EU's grip on External borders. That was done to strengthen the EU in front of the public, by reassuring them, that the borders are watched and terrorists threats would be non-existent. That had a positive effect, with the EU population standing firmly behind the creation of Frontex but in the process it created an even deeper suspicion towards migrants.

Frontex intensified the already tight border control by establishing a cooperation between countries and handling operations that is mainly focused at external borders or even beyond. The Agency was to strengthen the integrated border management, the surveillance of border-crossings, and the coordination of the exclusion of non-EU citizens (Heijer, 2012).

Its main objective is to conduct joint operations with the member states. Operations like Triton (2015) have been focused on search and rescue missions in the Mediterranean and are prime examples of cooperation between the organization and the country. Frontex has furthermore, through bilateral agreements, conducted operations in the territories of non-EU member-states in order to prevent boat-migrants from reaching the EU border (Lemberg-Pedersen, 2012). Being focused on interception and border patrols the joint maritime border control operation is considered the most controversial, due to their nature. As argued by Papastavridis (2010) in relation to the joint operations coordinated by FRONTEX, “*the application of the principle of non-refoulement appears to be especially problematic in the*

majority of these operations since it is very likely that the persons onboard the intercepted vessels would be forced to return to their countries of origin, where they may be subjected to torture or inhuman or degrading treatment”. This has prompted Human Rights organizations and even EU itself to call for a better protection of the ones that travel in mixed flows on the side of Frontex.

Talking about border management and security practices, the relevance of technology becomes vital. As Huysmans argues (2004) the advancement of technology “shapes migration policies options available to member states”. This point is highly relevant to the case of migration, in particular migration controls. Over the last decade, Western states have increasingly invested in expensive and sophisticated technological devices in order to enhance border surveillance, including satellites, radars, infra-red cameras, and sensors. The purpose of this technology originally was focused on counter-terrorism actions, but their very existence and availability on the security market has led to their adoption and use for border controls. One of the main programs that is aimed at keeping constant border surveillance is Eurosur. Eurosur is the information-exchange framework designed to improve the management of Europe’s external borders. It aims to support member states by increasing their situational awareness and reaction capability in combating cross-border crime, tackling irregular migration, and preventing loss of migrant lives at sea (Frontex, 2016). Although Eurosur has the ability to save lives and prevent tragedies, many have expressed fear that it is used to detect and capture irregular migrants to demand from neighboring countries to do the same before they reach the territory or territorial waters of the EU, which increases the risk of forced return (Amnesty International, 2015). In addition large databases have been created in the European Union to store information relating to migrants and asylum-seekers, such as SIS, VIS (Visa Information System), and Eurodac. (Leonard, 2007). All those innovations and synchronizations aiming at securitizing borders have come from the budget allocated by the EU for protecting refugee rights, improving their conditions and providing better integration.

6.3.1 Bilateral Agreement with 3rd countries

Analyzing the information above, we can see that not only is migration in the daily political agenda with efforts to securitize it ever-present, but also the means of managing migrants have been diversified. The EU has negotiated different policies and agreements with third countries in order to enable export of migration management to their territory (Lemberg-

Pedersen, 2012). The export of migration management is aiming at establishing a cooperation with the so-called countries of transit and the countries of origin.

Calls to externalized migration have been suggested by some member states (Denmark- at the UN General Assembly in 1986) but major steps have been taken only in the Tampere Conclusions of 1999, which suggested partnerships with country of origins and “more efficient management of migration flows at all their stages”. That prompted the creation of the Regional Protection Programs, the European Neighborhood Policy, programs that focus on helping countries of origin to “*better manage migration*” through “*support for capacity building in national asylum systems, border control and wider cooperation on migration issues*”. Although they were largely unsuccessful endeavors it is a clear sign of Europe’s attempt to externalize migration management⁸, securitizing it in the process. (Yahya, 2015)

These kind of policies are not the only way to ease the pressure on the crumbling EU migration framework. The EU and its member states are supporting the migration control system of neighboring countries (exemplified in the case of Bulgaria) in the effort to stop migrants and refugees before they reach Europe or even its actual frontiers. Cooperation arrangements with third countries like Libya, Turkey, Morocco, and Ukraine are increasingly seeking to turn those countries into buffer zones around the EU borders (Amnesty international, 2015). The engagements take various forms, such as bilateral or regional policy dialogues, agreements on visa facilitation and readmission, and funding or operational support from EU Agencies, such as Frontex. It involves various assignments that contain migration management, for example financing of border surveillance equipment, training of border- and coast-guards, and setting up information sharing networks so that migrants and refugees can be stopped in third countries before reaching Europe. The EU even funds the construction or refurbishment of detention facilities, as was the case with the controversial Libya/Italy pact from 2008. It was focused on stemming the flow of migration from Libya to Italy, by intercepting them mid-way, with Italy financing a detention center at the coasts of Libya- helping it to contain illegal migrants and prevent them from moving onward (Global Detention Project 2015). Those kind of actions are in a direct discrepancy with the key component in the EUs external migration policy-namely the protection of the human rights. It

⁸ The perception in this paper of extra-territorial migration management coincides with Betts who views it as “*the raft of refugee policies initiated by OECD countries aimed at de-territorializing the provision of protection to refugees in such a way that temporary protection and the processing of asylum claims take place outside of the given nation-state*” (Betts, 2004).

also brings a point on “surrendering sovereignty” (as the case with Libya), with countries allowing interference in their home affairs in exchange for economic or political gains. This may also allow a discrepancy between the states involved, especially between EU countries and their neighbors, as a possible differences in laws and customs can appear and the victim of this gap, would be (more often than not) a person seeking shelter. The question “how much sovereignty should Europe’s nations be willing to surrender to preserve solidarity within the continent” has been an ongoing one, as nationalistic movements have been on the rise and EU policies and actions have been out of sync.

The recent agreement between EU and Turkey has also come under scrutiny. At its core, the agreement aims to address the overwhelming flow of smuggled migrants and asylum seekers traveling across the Aegean Sea from Turkey to the Greek islands by allowing Greece to return to Turkey “all new irregular migrants” arriving after March 20, 2016. In exchange, EU member states will increase resettlement of Syrian refugees residing in Turkey, accelerate visa liberalization for Turkish nationals, and boost existing financial support for Turkey’s refugee population (Collet, 2016). There are several points that came under heavy criticism by Human Rights Organization, EU institutions, and even some member states.

Peter Sutherland, the UN secretary general’s special representative for international migration and development, has stated that “*collective deportations without having regard to the individual rights of those who claim to be refugees are illegal. Now, we don’t know what is going to happen next week, but if there is any question of collective deportations without individuals being given the right to claim asylum that is illegal.*” As Greece is struggling with migrants and lack of man power, the possibility of them viewing all the asylum claims is slim and thus mass returning of migrants can become a practice rather than an exception.

Consequently disregarding the rights of some asylum seekers.

Another point of argument is the consideration of Turkey being “safe country”, although often criticized for its inability to uphold human rights to the EU criteria, in an act of desperation rather than legality the EU has deemed Turkey safe. The idea that Turkey is actually a safe third country has upset many human-rights organizations. On April 1st Amnesty International, reported that Syrian refugees were being pushed back across the border: “*far from pressuring Turkey to improve the protection it offers Syrian refugees, the EU is in fact incentivizing the opposite*”. As we have seen those allegations have their grounds, as all refugees in Turkey are struggling to find work, educate their children, and build dignified lives—essential elements of a “safe” refuge.

This agreement (so far) has been ineffective as it is controversial, with power struggles in Turkey, preventing the major revisions to its antiterrorism legislation that are needed and required by the EU to ensure civil liberties in the country. Nonetheless those arrangements further exemplifies the extent to which EU would go to handle a crisis that was in no small part due to unproductive and outdated policies.

By observing the border management and externalization of migration management, via policies, agreements with outside countries and creation of Agencies, we can say that since the creation of the Schengen zone there seems to be cases of constant confrontation regarding the security of Europe.

Although there are certainly more directives and laws protecting and acknowledging human rights, the inability of the EU to handle migration flows (despite it been ever present in the political discourses) have caused an inevitable securitization. It seems, the external borders have been moved outside Europe in order to limit the arrival of migrants, thus limit the responsibility. The fact that for surveillance, tech, and border security have been allocated and spent more on than developmental aid is telling of the controversy between what is written in a policy and what is done in practice. Lack of solidarity, seems to be central in the topic of migration management, with countries unwilling (or unable) to share the burden, thus revealing the holes in the major migration management policies. This statement will be put to test when talking about the CEAS and its directives (mainly the Dublin Regulations) in the following section.

7 Burden Shedding, not Burden Sharing

In the previous chapter we observed the creation of a unified border for the European Union and the establishment of treaties concerning migration and its securitization through the European external borders, making a stark differentiation between the European citizens inside the EU (or even inside Schengen, as Eastern European migrants have come to realize) and all the others. After delving into how EU is securing their borders, the methods that often come into contradiction with the set standard for upholding human rights, we will analyze why this is happening. Looking at the major internal management policies, like the CEAS and the Dublin Regulation, would help to understand the action taken by member states (consequently, it will be the stepping stone in understanding the strategy deployed towards refugees by the Bulgarian government).

The need for collective action between the EU member states in the area of asylum is clear. The steps taken in the legal frameworks need a wider support and coordination, in order to effectively enhance refugee protection in the European Union, to sustain national security, and to maintain and preferably enhance the freedom of movement.

7.1 Common European Asylum System and its Directives

With the signing of the Treaty of Amsterdam In 1999, the EU member states committed themselves to the establishment of a Common European Asylum System (CEAS), which should serve as unification and harmonization of the EU countries' asylum policies (Lavenex 2001). It details the responsibilities of EU member states in accepting asylum seekers, processing their claims, and providing protection.

The EU has now been working to adopt common policies and standards on asylum for 15 years with two phases being initiated so far. The first one started from 1999 to 2005 but due to several operational difficulties and the inability to put the theoretical framework into practice a *“period of reflection was necessary”* (European Commission, Home Affairs, 2014j). The second period sought to further harmonize the asylum policies of the EU and *“increased solidarity and sense of responsibility among EU States, and between the EU and non-EU countries”* (ibid) with those more recent revisions to EU directives and regulations have

aimed to address flaws in asylum policies and in the implementation of the CEAS. Its main directives consist of: The Asylum Procedures Directive, The Reception Conditions Directive, The Qualification Directive, and the Dublin Regulation.

The Asylum Procedures Directive sets out the rules regarding the process of applying for asylum in the EU. It aims at ensuring a common standard and better quality of decisions regarding asylum. The directive also stipulates additional assistance for asylum seekers with special needs, victims of torture, and unaccompanied minors.

The Reception Conditions Directive, as the name suggests, is structured around the conditions of reception, detention, and the protection of fundamental rights. It aims at limiting the use and duration of detention, as well as the detention of minors. The European Commission admitted that, *“despite common rules that include minimum standards, certain countries have unacceptable reception conditions. The revised directive aims to address problems of inconsistency among Member states, which has led some asylum seekers to be provided with inadequate conditions”* (a case that will be present when we observe the Bulgarian asylum policies).

The Qualification Directive defines conditions for international protection and includes language on rights and residency permits for those who are granted refugee status (DIRECTIVE 2011/95/EU).

One of the cornerstone directives in the CEAS framework are the Dublin Regulations. Dublin carries out a number of provisions, of which the *„principle of the first“* is the most predominant, meaning that the first country through which an asylum seeker enters the EU is also the state responsible for the handling of the subsequent asylum request. This regulation is one of the controversial components of the CEAS due to the unequal burden of responsibility on certain member states to process claims and the resulting tensions between member states. It has been criticized for negatively affecting both asylum seekers and the goal of burden sharing. (Katsiaficas, 2014). Due to its debatable nature Dublin Regulations underwent several recasts with the most recent one - the Dublin III attempting to create mechanism that would stimulate mutual trust and solidarity between the EU member states, like the early warning mechanism, which aims to prevent the European Union from interfering in areas that are beyond its exclusive competence and remain within the competence of the member states. (European Commission, 2016).

To supplement the Dublin Regulations and to ensure the asylum application is processed in the correct country, Eurodac was put into motion. Eurodac facilitates the application of the

Dublin Regulation and provides guidelines for a centralized fingerprint database for all asylum seekers in the EU. It was updated to require the faster entering of information into the database and to better protect data. (Katsiaficas, 2014.). It enables states to compare “*fingerprints of asylum seekers and some categories of illegal immigrants*” (Eurodac). The fact that the asylum seekers and illegal immigrants have been combined together in this Regulation further provides for securitization of refugees and asylum seekers and is something to be addressed according to the UNHCR. It has “*expressed concern that the criterion of illegal border crossing could result in serious imbalances in the distribution of asylum applications among member-states, which would particularly affect states at the EU’s external borders*” (Balzacq, 2016).

7.2 Challenges and criticism

Although a lot has been done since the introduction of the CEAS, problems and administrative variety among the different member states still persist. Great amount of academic work has been devoted to this issue (Lavenex 2001; Neumayer 2005; Toshkov 2013). As a main obstacle towards building a stable and complete Common European Asylum System scholars point to the existing tension between state sovereignty and supranational governance on the one hand, and tension between internal security considerations and human rights issues on the other (Lavenex 2001). Aside from the difficulties it poses before the CEAS, this contradiction reflects in the national asylum policies of the countries even further, due to the high level of discretion sovereign member states have when implementing EU directives.

Those disparities hinder the process of applying the supranational laws on a national level and it comes to no surprise that there have been protests and accusation of free-riding from the main receiving countries of asylum seekers as well as threats by some states to withdraw from the Geneva Convention for the Protection of Refugees (Thielemann, 2006). Although some researchers like Suhrke (1998) argue that the reception of displaced person can be regarded as an international public good from which all states benefit. In her view, increased security is the principal (non-excludable) benefit, as the accommodation of displaced persons may reduce the risk of their fuelling and spreading the conflict from which they are fleeing. With the building of fences the EU states are actually moving in a complete opposite direction. Not

only the lives of refugees and asylum seekers are endangered, the fortification of borders provides human trafficking with a stimulus, as more and more people choose an unconventional way to cross borders. On top of that, the more asylum seekers and migrants are forced to cross the borders illegally, the bigger is the chance that among them would be potential terrorists. Overall Europe has accepted a relatively small number of asylum applicants (especially from Middle Eastern countries), until the beginning of the Syrian war (Eurostat, 2016). Since then, the numbers have drastically increased and the pressure from Human rights organization and other institutions have amplified on Europe to “do its share” in this difficult time. It would be a bad practice of Europe to open the borders for everyone without a plan at hand, but as we can see the current policies have fatal flaws embedded in them, that hinder the communication between states and affects their willingness to burden share. As said, rather than being seen as a future asset in a demographically exhausted economy, migrants are seen as a burden that would destroy the welfare system of the “more advanced European countries”.

In response to this situation, the European Commission issued in September 2015 a decision on 40 infringements directed at 19 governments of the EU, with the hope of making the CEAS function properly. At this occasion, the European Commission First Vice-President, Frans Timmermans, stated that the CEAS could function only if everyone “played by the rules”. However, the inability or unwillingness of the member states to “play by the rules” reveals deeper concerns, namely that the CEAS might not be adequate to efficiently tackle the current needs of asylum seekers and migrants in Europe (European Commission, 2015). The asylum procedures established under the revised CEAS seem also inadequate when applied in the context of massive arrivals. The traditional asylum procedures imply an individual determination of the refugee status, including a personal interview and an examination of the asylum seeker’s profile. This requirement poses a great burden on the national systems in terms of financial and material resources, in particular in circumstances of sudden influx. In order to better tackle the bulk of applications, some member states have taken unilateral measures as allowed by article 31 of the revised Asylum Procedure Directive (2015). For example, Sweden has decided to apply fast-tracking procedures for Syrian nationals. Nonetheless, such initiatives may neglect applications from other nationals, effect the processing time, which further hampers the efficiency of the overall national systems of asylum.

Heterogeneity in terms of reception and treatment of refugees and asylum seekers has played a big role when facing a large outflow of individuals because the uneven standards can (and do) direct the influx of people towards more welcoming member states, thus reinforcing the imbalance of repartition of refugees in Europe. As recently expressed by Human Rights Watch (2015), “*the reality is that asylum seekers face a protection lottery in the EU due to wide disparities in standards and conditions*”.

The present asylum “crisis” chips away at the image of the future of the Common European Asylum System. Member states located at the external borders are currently experiencing massive problems handling the amount of asylum-seekers while some non-bordering Member states participation is relatively low. The main advocate of the grievances within the system is the Dublin II Regulation.⁹

One of the main shortcomings of the Dublin II Regulation, which has also pictured the Dublin Regulation recast (referred to as Dublin III), is the idea that protection-seekers could rely on equal access to protection and justice in each member state. Under these circumstances: “*...the principle of mutual trust was and remains a fundamental foundational principle underlying the operation of the Dublin system and a key building-block of CEAS.*” (Velutti, 2013: 39)

However, apart from the theoretical principles stated within the content of the regulations and convention, by taking a look at the reality pictured in the media and addressed by the NGOs, the things take a considerable turnaround. The asylum practices’ loopholes, such as pushback policies, drawback the whole procedure of granting access to Europe in the first place and to an asylum procedure in the second.

As stated, the Dublin system seems to privilege EU countries in the north, which are the desired destination of many refugees, at the expense of the south, where most refugees first arrived. That have caused arguments between the states, supplemented by negative media limelight on the subject, putting additional pressure on already crumbling migration management policies. Exclusionary narratives, present in the media, seen in the language of nationalism continue to threat migration as an diversion from the normal course of human life, conceptualizing the social welfare system and public services as prerogative to the members of the European Union, and approach the presence of ethno-national otherness as a threat to

⁹ This paper is not proclaiming that the policies are restrictive in their nature rather that they are focused on more control and are often exploited by countries in a bid to keep their sovereignty intact and keep the asylum seekers at bay. As we can see there are certain updates and reforms of leading policies that would allow them to function properly, but (as is the case with Dublin), the problem is embedded in the regulations themselves and the inability to set in motion a fair and unbiased framework, plan or a program that would be beneficial for all. The reason for that is the nature of the migration crisis. Although presented by some (Suhrke) as a “public good”, more often than not it is perceived as a threat to the nation’s economic balance, homogeneity and social cohesion

the stability of the social and economic order (Nancheva, 2015). Within this worldview, refugees are seen as nothing more than irregular migrants claiming access to a world that is reserved for others, while national governments are expected to protect their territories from „the unwanted”. In line with that policy, member states have reinstated border controls at times, endangering the Schengen system of free movement, as well as erecting fences along borders. Countries in Northern as well as Central Europe have been openly dismissive of resettling refugees, and far-right anti-immigrant parties have risen in popularity across Europe. Paradoxically, on the other hand the universal values of human rights protection has been underlined time and again in speeches by prominent members of the EU, as well as embedded in the liberal philosophy of the Union itself.

These inability of the EU to have a coherent and unified view on the subject, has put it in the spotlight, with a considerable amount of literature dealing with the issue, with authors stumbling and looking into the reasons what makes it work and most importantly on the reasons why it does not.

7.2.1 Redistribution of responsibility

As it became apparent that CEAS was facing difficulties in setting a standard in asylum policies and that the Dublin regulations are inadequate in its current form, as burden-sharing has been absent in the European stage, several options to share the burden have been proposed.

In order to help the frontline members, the Commission has decided to relocate 160 000 asylum seekers (2015) from Greece to other European countries. Under the proposals from Jean Claude Juncker, 120,000 additional asylum seekers were to be distributed among EU nations from Greece, Italy and Hungary, with binding quotas. The Refugees were to be redistributed under a formula that considers a country’s population, GDP, unemployment rate, and the average number of asylum applications already processed in the past. But those

measures proved far from being sufficient given the large influx of individuals seeking assistance in Europe. It also faced tough opposition by Central European countries with Viktor Orbán, the prime minister of Hungary, stating that migrants “*should be exported from rather than imported to Hungary*” and a largely negative preview from the media with absurd headlines, made to draw attention (“160 000 migrants coming to Bulgaria from Arab countries. More to be expected”).

The Juncker plan proved to be ineffective as of the 25th of January 2016, only 272 Syrians and Eritreans have been transferred from Greece and Italy to other countries in the continent. For it to succeed a stronger political involvement of states that have not yet received a significant amount of asylum requests is required. Although not binding, this quota proposal is a very important component, a test of sorts for the solidarity and principles that EU has been built upon, with the main message that it is not possible for the “entrance countries”, as well as “destination countries” to bear all the weight of this so called crisis. A further emergency scheme has been proposed in May 2016 with an imposed penalty of around €250,000 euros per rejected refugee in a bid to convince the European (mainly from Eastern Europe) nations to burden share. Of course the blame should not be put solely on the reluctance of the EU countries to cooperate. The “resolute determination” of some of the migrants to reach only wealthier parts of Europe, such as Germany has also put the plans of relocation in jeopardy. (Holehouse, 2016)

Another issue is that in the absence of a common European approach on refugee responsibility-sharing, migration pressures from third countries might pose a serious threat to the European Single Market, in particular the achievement of the principle of free movement within it. In other words, a failure to agree on a common approach would lead to increased pressure for a reestablishment of border controls in the Schengen area, thus threatening the operation of the Single Market. That is exactly what we are observing at the moment, with countries, shifting blame and refusing resettlement deals.

7.3 Jumping the fence- Fortification of borders leading to irregular migration

The observed trends point at a constant strengthening of borders, as well as an anti-immigration discourse that dominates Europe. Exploiting the loop holes in the leading policies as well as discouraging asylum seekers through tougher policies and visa regulations, less benefits and more control, seems to be a common strategy for the EU Member states. But

it may pose a significant challenge, because despite toughened asylum regimes deterring many potential arrivals, they may also have the effect of shifting asylum seekers into irregular status (Massey and Pren, 2012). This means, as access to refugee protection becomes more circumscribed, some potential or rejected asylum seekers may instead choose to go ‘underground’.

For the governments, creating fences seems like the easy solutions, as their building is completely legal and not crossing any of the EU directives. As Carling (2002) argues, it has effectively become more difficult for poor people to migrate to Western countries due to restrictive visa policies and sophisticated border control systems. But does it really prevent them from migrating? The statistics provided by Eurostat suggests that the number of irregular migrants have risen to almost 600 000 in 2014, a drastic surge from 2013 (Eurostat, 2015). Although these statistics should be approached with caution as tighter control and the changing of migration policies of different countries may have influence over the data, many scholars have detected a major immigration control crisis in which poor people migrate increasingly through channels such as asylum or irregular means of entry (Bhagwati, 2003; Castles, 2004; Cornelius et al., 2004;). The illegal channels are characterized by facilitating a very mixed flow of different types of migrants. Refugees, being increasingly pushed into taking dangerous routes, encouraged by the smugglers or the restrictive border policies, are often forced to cross the margin of criminality, which makes it continuously difficult to distinguish “real” asylum-seekers from other irregular immigrants (Betts, 2006). This adds further fuel to the anti-immigration discourses and the public perception of an urgent asylum problem that the member-states seem incapable of solving.

The existing ways to put migrants in the path of illegality often lead to a lack of accurate statistics on the number of the mentioned migrants. This trend is typical not only for the case that we will observe with the Republic of Bulgaria, but worldwide. The consequence of the lack of data on the number of illegal immigrants is the reduced possibility of analyzing the undertaken practical measures for their restriction. Statistically the majority of illegal migrants are people who have exceeded their visas or residence permit, and to a much lesser extent persons illegally crossing the border (Subhan, 2008). While the situation is completely different in the so called “transit countries” like Bulgaria and Hungary, with data of people with exceeded visas lacking and the main source of illegal migrants statistics are the ones caught around the borders or in the country itself. That leaves room to speculate on the “dark number” of refugees that cross the countries of first arrival. Their numbers are unknown, as

well their final destinations. That further burdens the Dublin system, which is unable to process their claims and puts questions on the additional securitization of the EU borders.

7.3.1 The domino effect

The responsibility to process asylum applications, to host asylum-seekers, and offer protection to refugees are perceived as both a political and financial burden and the member-states have been more eager to transfer the burden away from them, either to external EU border countries or to third countries. Only in a couple of months most of the EU member states announced their inability to manage the flows and/or their difficulties to handle migrants / refugees. (Murphy, 2016)

With the building of physical fences (Bulgaria, Hungary, Greece) and the re-introduction of border controls within the Schengen zone (e.g. Germany, Sweden, France, United Kingdom) it became clear that countries are unwilling to share the burden due to the inequalities in the policies exhibited or nationalistic incentives inside a country. That have caused a domino effect with countries closing or restricting access to their borders and often shifting the burden to countries with less developed asylum systems. When the partnering countries become exposed to a greater burden, due to increased immigration and decreased emigration, they subsequently tighten their own asylum systems in an effort to send the burden further down the chain (Gammeltoft-Hansen, 2007). Despite the fact that protection offered in the region of transit or origin might be sufficient according to the 1951 Refugee Convention, it does jeopardize the protection standard, when states with poor human right records and poorly developed asylum systems become the last link in the chain (Gammeltoft-Hansen, 2007; Levy, 2010).

Presenting the current refugee and asylum situation in the EU, concentrating on the policy factors, bilateral agreements and financial and social conditions that are the most likely reason for the behavior pattern observed by the member states, we have established a common ground on which to continue our research by observing a single unit of the European Union.

Below this paper will concern itself with the case of Bulgaria in the context of the current events. The main objective is to observe how a country, a relative new-comer in the EU is able to cope with the pressure of being an external border country. I will discuss the events through the specter of knowledge about the main European policies that we have gathered above and add several country-specific arguments that would help us to explain why

supranational and national strategies are interconnected when it comes to migration, what are the outside factors that affect their creation, and how it effects locals, coming refugees, and asylum seekers alike.

8 Case of Bulgaria

Bulgaria, a small country located in the Balkan Peninsula, has faced for the first time a refugee flow of a significant scale after the aggravation of the Syrian crises in 2013 (Karageorgiou, 2016). This caused series of issues and showed serious gaps within the country's refugee policy programs and their implementation, while highlighting the European politics of burden shedding, with the encouragement of the Bulgaria's securitization inclines. In order to properly observe Bulgaria's policy making and the locals' behavior towards the migration issue, I will present a brief background on the specific Bulgarian situation.

8.1 Migration History of Bulgaria

To describe and summarize the migration history of one country is a difficult task in such a limited space. Thus I am focusing mainly on the events in Bulgaria after the fall of the Berlin wall. Although the periodization of this time is still debatable there are several migration points that defined the future behavioristic patterns.

The first wave of a massive migration was just several months before the fall of the Communist regime and was due to ethnic tensions, as around 300 000 ethnic Turks were forced to leave the country in the period of May-August 1989 (Triandafyllidou, 2011). Those events, coupled with the extensive history between Turkey and Bulgaria has created a visible rift between the relationship of the locals and the largest minority in the country (Turkish

minority was estimated 9% of the total population in 2011). During that period cultural and religious differences were highly salient in the political sphere, with different parties instrumentalize them to their advantage. (idem.)

During that time a second wave of emigration was initiated as the fall of the Wall marked the possibility for people of Eastern bloc countries to travel, live and work in the developed western market. A Liberalized border regime, the economic transformation of the country, accompanied by high inflation, and political instability caused intense immigration flows.

Other migration flows outside Bulgaria followed in 1996, 2001, and 2007. While the 1996 migration was primarily instigated by the collapse of the relatively young democratic regime causing unprecedented inflation and unemployment, the 2001 and 2007 waves were induced by the removal of travel and residence restriction and the acceptance of Bulgaria into the EU family.

As we can see both points of migration are connected with the financial well-being of an individual, a central theme in the politics, as well as the social life in Bulgaria. Thus, observing why migrants are perceived negatively, as their general image in the media is a one of lazy “free rider” willing to exploit European welfare system, without giving nothing in return.

On top of that the World Bank estimates in 2005, suggest around one million (937,341) Bulgarian emigrants, who represent about 12% of the population of Bulgaria. Immigration to the country is much smaller, numbering 107,245 international migrants in 2010, which represent 1.4% of the population of Bulgaria (UNICEF, 2015) which means Bulgarians are not used to large immigration influxes especially from outside Europe.

Although not an inherently racist or xenophobic society, the societal tension has spiked in recent years, due to hate speech against refugees and asylum seekers in the media or the political sphere. Called by some government officials "threat to the national security" of the country, and emphasizing on their predominantly Islamic heritage (which is described as “incompatible” with the Bulgarian values, not on small part because of the historical past between Bulgarians and Turks), the arriving people have been greeted (mainly) with suspicion and intolerance.

The fear of the “other”, who’s religious and cultural view are perceived as not compatible with that of a Bulgarian, (or a European in general) will be presented below by statistical data.

It aims to show the perception towards migrants from a country that joined the European Union relatively soon compared to that of other Members of the union.

8.1.1 General asylum situation in Bulgaria

In 2013 around 8500 migrants have passed the Bulgarian-Turkish border, when 7144 legally applied for asylum in the country. As seen in the table below, the number in 2014 have raised up to 11 081 and in 2015 almost doubled to 20391. As of 30th April 2016 the number of asylum seekers is 5305.

Year	Number of asylum-seekers	Refugee status granted	Humanitarian status granted	Refusal	Suspended proceeding	Total:
2013	7144	183	2279	354	824	3640
2014	11081	5162	1838	500	2853	10353
2015	20391	4708	889	623	14567	20787
2016	5305	198	142	137	3411	3888¹⁰

Although the numbers pale in comparison to other receiving countries like Germany or Sweden there is a certain surge of asylum seekers to be observed. Distressing in this situation, is the inert outdated administration which cannot handle the arriving people. The national authority competent to take decisions on asylum applications at first instance is the The State Agency for Refugees with the Council of Ministers (SAR). It is an administration with a rank of a Ministry, responsible directly to the government alone. However, as far as its budget is allocated through the Ministry of Interior (MOI), in practice the SAR is dependent on the

¹⁰ Source available at: <http://www.aref.government.bg/?cat=8>. Last accessed 13 June 2016.

decisions of the MOI when making requests for additional or emergency funding. The SAR's only competence is to decide on individual applications for international protection by recognizing or refusing refugee status or, granting or refusing humanitarian status (subsidiary protection) (Bulgarian Helsinki Committee, 2015). I am not going to diverge from my thesis objective and delve into the hierarchy and structure of the organization, but as stated by the Bulgarian Helsinki Committee “*due to lack of coordination*” and the financial inability to “*place the necessary institutional arrangements to pay the accumulated interpretation fee*” the work of SAR have drastically slowed which only ignites tensions on both sides. Another factor is the under preparedness of the authorities, as such immigration flows have not been observed in the country before. On the positive note, after several reports by UNHCR and Amnesty international about the dire situation in the registration and reception centers, since April 2015 several monitoring agencies stated that conditions improved, although much is left to be desired (Fleming, 2015)

8.2 Political and economic situation in Bulgaria

From 1989 onwards, the Bulgarian Republic has experienced several political turmoil's. The political instability hinders the economic growth, the corruption in the new democratic Republic, as well the continuous migration from the country and the experienced “brain drain” have put the country to the test.

As we have seen from the chapter above a recurring pattern is the connection between migration outside of Bulgaria and the economic hardship of the country. That is due to the grim conditions many Bulgarians face. The economic transition has highly contributed to the shrink in population. High inflation, decline in wages, decline in living standards, high unemployment, and low labor force participation increased crime rate and poverty, which were reducing the living standards and increasing the emigration. Coupling this with the fact that Bulgaria is the poorest country in the EU, we may observe why there are certain sentiments towards migrants, which are viewed as exploiters of the already struggling Bulgarian welfare system and in search for an “easy life”. Those incentives are particularly visible in the small villages, where the poverty levels are at its highest and where camps for potential asylum seekers are constructed.

Special attention should be devoted to the Bulgarian political environment which somewhat hampers a definite thorough research of the topic at stake. During the data gathering and the interview process on the Bulgarian case the following information developed: anti-asylum protests in Bulgaria are claimed to be predominately formed because of a lack of communication between the local municipality and the central governmental institution responsible for the settlement of asylum-seekers, which results in a lack of information reaching the local population. When dealing with the case only the latter seems to hold ground. Communication between the local municipality and the SAR is present, but conducted behind closed doors. Thus the information on the negotiations between the SAR and the municipality does not reach the local population, creating the possibility of radicalization of this local population, by external parties (for election purposes for example) and further protest instigation. Negotiations conducted in such way, having in mind the obstacles this creates when accommodating asylum-seekers, leads to the idea of existing hidden political interest which cannot be traced by an external observer.

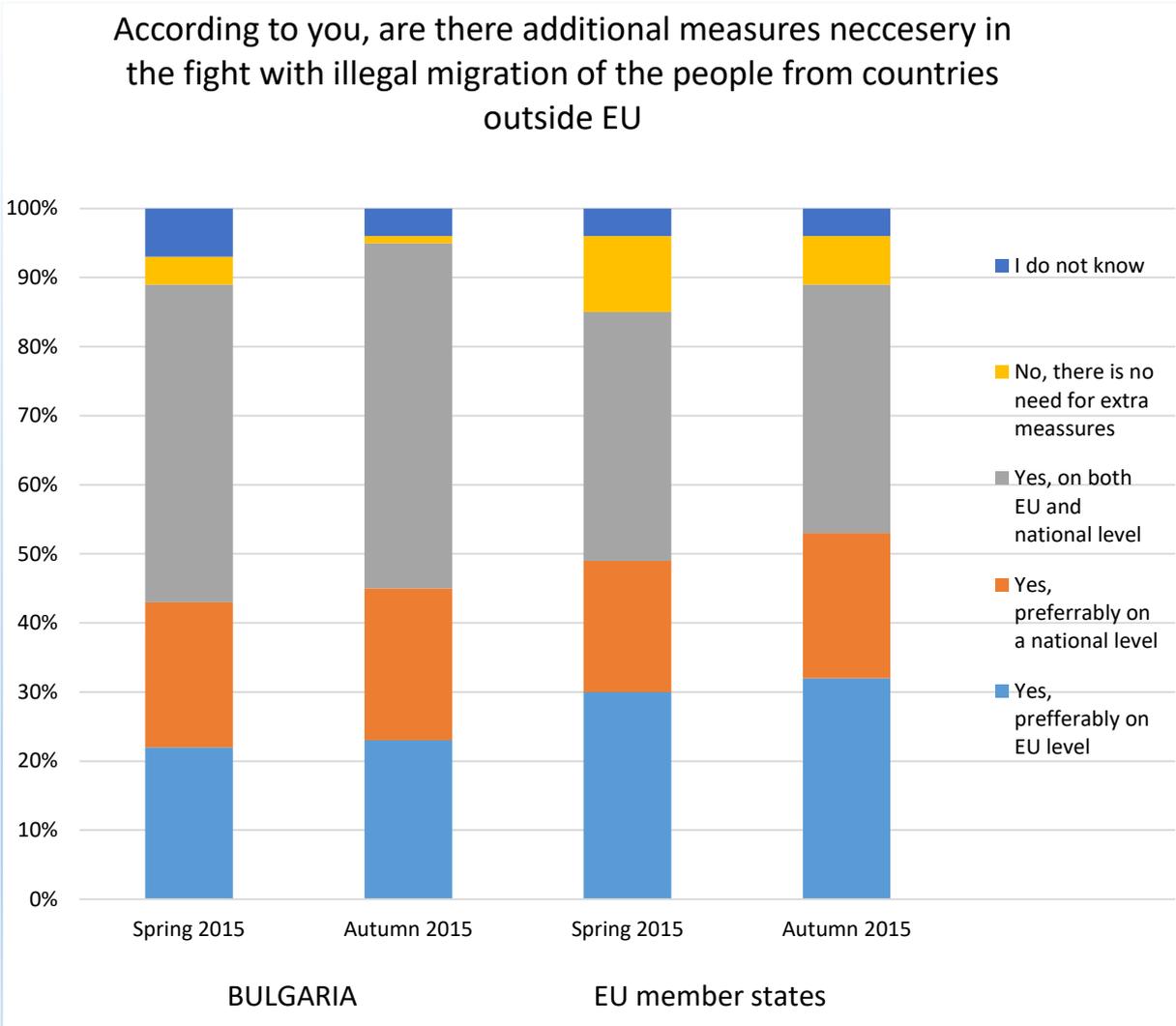
8.3 General perception towards refugees and asylum seekers

The insight on asylum seekers, refugees and migrants in Bulgaria is blurred as it is in other European countries. Locals, unable to differentiate between those three terms, inevitably interchange them and bestow upon them the same meaning. That perception is formed as we will later see by public means and sources. Below several surveys will be presented, tracking the attitudes of Bulgarians towards the “aliens”.

According to Eurobarometer 84¹¹ the incentives by the local population towards migrants is strongly dependent on their origin. The majority (59%) takes a positive view of immigrants coming from other European States and the degree of openness in Bulgarians is higher than the average European level (55%). However, when it comes to immigrants from non-member countries, only 20% of Bulgarian citizens have a positive attitude and the majority (70%) have a negative outlook. In comparison, the level of ES28 with a positive attitude towards immigrants from countries outside the EU is significantly higher proportion (34%). Having in mind that, in the context of increased influx of migrants from the Middle East and North

¹¹ The statistics have been gathered in the period of 7th to the 17th of November 2015 In the survey participated citizens over the age of 15 of all 28 countries European Union members, including five candidate countries (Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania) and in Cyprus- Turkish community. In each of the countries surveyed there were about 1000 interviewed Citizens (with a few exceptions where interviewed about 500 people) through a personal interview at the homes of citizens.

Africa in 2015, the overwhelming majority of Bulgarians (95%) and Europeans in general (89%) say it is necessary to take additional measures in the fight against illegal immigrants - at national and European level. As we see from the chart below, in just a few short months in 2015, the conviction that migrants represent threat that needs to be addressed more thoroughly, has become firmer.



12

The poll investigates the opinion of Europeans towards illegal migrants. As stated above, the terminology when we discuss the topic migration and mobility is heavily influenced by such

¹² Statistical data provided by Eurobarometar 84

phrases that have a strong negative influence on the mindset of the population. Declaring someone is doing something “illegal” carries within itself pictures of crime and controversy. Although improper entry is illegal, such heavy terminology for this kind of an offence, puts the migrants into a rough position of being viewed as criminals and most often than not – as terrorists.

Another accent taken from this chart is the different percentage in opinion of how the issue should be treated with Bulgarians preferring a collaboration of national and European institutions. That is not that surprising, giving the fact that Bulgaria is the country with the highest support towards the EU from all the Member states. The indication is that Bulgarian population is susceptible to suggestions and in general are supportive of the initiated European politics, which are currently (mainly) focused on restriction and securitization. This is of interest, having in mind that Bulgaria is viewed by incoming people from the South as a transit country, hence their desire to stay here for a long period is non-existent. But due to the existing regulations, they are forced to register on the country border, often against their will and if caught to be sent back to the country of original application. Thus it can be argued that the European frameworks, Bulgarians support are the same that restrict the “unwanted migrants” inside the territory of the country. That contradiction may point to a lack of knowledge or just simple disinterests in European policies by the population, who understand about plans such as the Dublin Regulations, as much as the mainstream media discourses allow them to.

Another social study conducted by the „*Friedrich Ebert*” Foundation¹³ and the Institute for Economics and International Relations, reports that the majority of Bulgarians are not afraid of migrants (47%). On the other hand 24.1% are afraid of them because they are generally afraid of people with a different religion, 23.6% did fear the refugees because they are afraid of people with different ethnicity. 4.3% did candidly acknowledge that they hate refugees. Fears of foreign nationals are increased in people between 41 and 60.

Bulgaria accommodates a Turkish minority that is reasonably well integrated, with representatives in the parliament, thus the fear of people with different religion and customs is peculiar. One explanation could be the speech act used by the Bulgaria’s Prime Minister

¹³ The survey was conducted among 1,000 people among the adult population in Bulgaria and was presented by the Director of the Institute of Economics and International Affairs Lyubomir Kyuchukov.

Boyko Borisov who said that the continued migration could “tilt the demographic balance”: “Bulgaria has regions with Muslim population. We have nothing against Muslims. But when more Muslims come from outside, they can abruptly change the demography of the country” (Zhelev, 2015).

46.5% of Bulgarians think that the government should not help refugees seeking asylum in the country, fearing that they may smuggle terrorists with them. 25.5% are not sure if the asylum seekers should be helped or not, and 28% believe that they should be helped.

Given those statistic, we can see that the element of fear is not that dominant in the mind of the local population, rather the difference in religion, culture, and customs is what makes them uneasy around refugees. It comes to no big surprise that people between 41 and 60 fear the refugee threat more. As discussed, Bulgaria (especially under the communists regime) have not received any great waves of immigration, thus people are afraid of the unfamiliar and view it as a danger, with the perception of refugees as potential terrorist being the leading one. The topic of terrorism is in the forefront of any discussions concerning refugees, it has been a major factor in the difficulties that the Schengen zone faces, and it has been pointed out as the main reasons for deploying fences around Europe. Indeed, terrorism should be opposed with all means necessary, but the general trend of putting innocent refugees under the same dominator as a small portion of radicals has been observed throughout this “crisis”.

82% of the Bulgarian population think there should be a system by which a selection is made outside the EU and to receive permission in order. The vast majority are not against taking the refugees in general, and for this to happen legally.

That presents an interesting point as the population would much rather “outsource” the problem through a 3rd country rather than find a solution itself. As discussed above, it is widely believed by the local population that Turkey, as a first safe country of arrival, is a much more suited destination for refugees, although, as stated the human rights of many people fleeing there have not been upheld.

The fact that 78.3 percent believe that refugees are a burden on the Bulgarian economy, and only 3.2% believe that they will help its development, is not that surprising having in mind the economical struggles the Bulgarian population faces. More than half of the interviewed (50.9%) have stated that it is not acceptable for them to have a colleague or neighbor refugee and 60% of Bulgarians believe that refugees pose a threat to national security. This view is supported by men and women of different ages, education, settlement, and political bias. That

only confirms why the bulk of Bulgarian population supports more control and “fewer refugees” platform that the right wing parties expound.

Attitudes in Bulgaria to refugees is not uniquely and strongly influenced by public messages, said Lyubomir Kyuchukov, Director of the Institute for Economics and international Relations. According to him Bulgaria fears are exposed more often in public by politicians and the media. *"Bulgarian society is loaded with a number of fears to refugees, but the vast majority of society they have not gone to hatred"* (European web site on integration).

Observing the emigration history of Bulgaria, it is quite paradoxical that there is such a strong negative reaction towards migrants, as Bulgarians were subjected to such treatment after the acceptance in the EU and receiving the opportunity to live and travel in other European countries. But having in mind the historical past of the Balkan peninsula, and Bulgaria in particular, the lack of experience of local community when it comes to receiving migrants, as well as the low confidence level in the Bulgarian National Parliament and Ministries it comes to no surprise that Bulgarians feel threatened by the “otherness” that the migrants bring along. This fear is well manipulated to advance different agendas which is further expanded in the political and media spectrums.

8.4 Politicizing the issue

Politicization of migration is the process of taking an issue out of restricted networks and bringing them into the public sphere (Guiraidon 1998; Huysmans 2006). This definition gives the politicization of migration a neutral overtone. It encompasses both the negative and the positive points of view on the matter, although the anti-migration actors, have been strong to voice their concerns to the public.

As mentioned before, migration has become salient in the debates on security within the European continent. This significant exposure to the media limelight, has put migrants into the peculiar position of being the primary figures in political discourses, which is often used by one party or another in advancing their agendas. Whether it will be in the political, social or economic sectors migrants are presented either as exploited victims (“trafficked”) or abusers of the system. This reflects a broader discourse on migration which separates foreigners into “good” and “bad” migrants: the educated hard working migrants necessary for the economy, or the thief of jobs and opportunities. Furthermore the lines between migrant asylum seeker and refugee are further blurred with neither public nor the politics making a

vast and clear difference when talking about the topic. The balance is very delicate and it is very easy to manipulate the public's perspective from the humanitarian crisis at hand to the political spectrum, objectifying migration in the processes. That is why political figures like the Bulgarian president Rosen Plevneliev has publicly stated that *"For the first time in our recent history Bulgaria is under refugee wave and this is a new challenge that we face."* According to the President the issue of refugees and people seeking asylum should not be used to extract specific political dividends, but there is a need of systematic cooperation and in a long term to tackle this challenge. (Vasileva, 2013) This statement has been echoed by several UNHCR representatives. Assistant High Commissioner for Protection Volker Türk stated: *"We need an all-out effort to ensure that protection, and in particular the institution of asylum remains life-saving, non-political, and fundamentally humanitarian"* adding that the 1951 Refugee Convention recognizes in its opening lines that the problems of forced displacement cannot be achieved by countries working in isolation. Despite those pleas, an immigration-opposed discourse still persists and is traditionally associated with the right-wing parties in the political sphere. Such discourses have become more prominent in Western Europe after recent events but is also present in Central and Eastern Europe. As language is inherently political it is very important to have in mind that the language used to describe migrants and refugees is politicized. The way we talk about migrants refugees and asylum seekers in turn influences the way we deal with them, accompanied with sometimes worrying consequences. Terms like "Illegal migrants", "refugee crisis", "aliens" and more recently the expressions such as "swarm of people" and "bunch of migrants", used by UK's ex-Prime Minister David Cameron, which were condemned by human rights organization, have sprung questions "what message does it send to people, if political leaders, use language such as this", it may only encourage locals to show the same amount of respect to the refugees and asylum seekers as the elites of the country.

The consequences can be the protests that have arisen against refugees and asylum seekers in several regions in Europe. In Small villages around Bulgaria, as we will see in the next chapter, those events have been triggered not only by the SAR's inadequacy when dealing with the migration, but also due to right-wing parties' populist's rhetoric and controversial media coverage.

8.4.1 The role of media in influencing anti-asylum discourses

To effectively observe what kind of influence the media has over the opinion of the general population I will present a statistic that concern the reliability that medias in Bulgaria enjoy.

Public opinion in Bulgaria is positive (more positive than Public opinion in the EU as a whole) to online social networks as a serious channel information on political issues. 60% of Bulgarians (compared to 52% level in EU28) agree with the statement that online social media are a modern way to get in touch with political matters. Registering growth in agreeing with the statement compared to the Fall 2014 - from 55% to 60% believe that online social media is a “modern way” to be informed about political issues. In addition to obtaining information on political issues, online social media and suitable platform for a position on political issues, according to the majority (57%) of the population of Bulgaria. The share of Bulgarians who agree with this statement is higher than the share of Europeans from other EU member states that support it (51%). (Eurobarometer, 2015)

That puts additional weight and responsibility to the “4th power” to be unbiased on leading issues, in our case in regards to migration.

As mentioned, it is rarely the case. There have been several anti-asylum protests that have received a significant coverage in Bulgarian media, with the most persisting ones being at village of Harmanli which accommodates the biggest reception facility in the country (November 2013, March 2014 and February 2015) and in Telish village (November 2013) where asylum-seekers were not accommodated but people suspected, because of different external information that up to 4000 asylum-seekers, will be settled in a former rocket unit facility in the area.

Some of the protests in those small towns were supported from the extreme right, nationalistic parties – “Ataka” and VMRO - Internal Macedonian Revolutionary Organization – Bulgarian national movement. (Chtereveva, 2015) There are certain similarities in all of the cases mentioned above, as all of them derived from the discontent of the locals once they understand a reception center will open doors on their territory, thus the protests are initiated in advance. Protests of such type arouse in homogenous and closed communities. I will argue further why accommodating asylum seekers in such small communities (and in relatively large number) is a dubious endeavor.

8.5 Reception of refugees and asylum seekers

In the chapters about EU policies, we have discussed in details how CEAS was created, the benefits and hindrances, as well as its connection with other major European policies. With that being said, the level on which CEAS is implemented in a specific country varies greatly, as the level of intra-territorial migration management differs. As stated above, the regulation of asylum has been framed between the restrictions imposed by nation states and the liberalization enforced by EU. Bulgaria is no exception to this rule, in fact it personifies all the issues with the asylum system stated- burden shedding, lack of harmonization along the National-supranational axis, and securitization rather than acceptance and integration.

With its experience with asylum seekers being relatively non-existent and institutions lacking the strategic and communicative capabilities to implement the nominally improved EU policies, Bulgaria has found itself under the crossfire of UNHCR and Human Rights Organizations.

Since the outbreak of the Syrian war, Bulgaria has received negative assessments in regards to the way the state treats Syrians claiming asylum. From illegally long detention, appalling reception conditions, inability to process the sheer number of applications, the limited communication between institutions, and the “zero year” of integration offered to successful applicants indicates Bulgaria’s lack of commitment to the recast and improved CEAS. When refugees are resettled in the hopes of integration, it is usually in small, closed up communities, which are suspicious of any outsiders, let alone someone who is culturally and religiously different.

The negative foreign media coverage (“Refugees in Bulgaria: 'Extortion, robbery, violence'”) and the calls for action from international organizations, local NGOs, and watch bodies (UNHCR observations 2 January 2014, Council of Europe Human Rights Commissioner comments 20 December 2013, Amnesty International News 2 January 2014, ECRE Bulletin 11 April 2014, etc.) highlighted the unethical, illegitimate, and illegal aspects of the way Bulgaria was handling the crisis. Statements on behalf of the European Commission highlighted the incompatibility of the situation with what Europe stood for (Michel Cercone, European Commission 19 November 2014). What it aims to demonstrate, however, is that neither of the ethically and legally objectionable elements in Bulgaria’s response to the increased influx of refugees to its border is new or unique. In the view of the ongoing struggles in unification on the political opinions on the issue and the complex

inclusion/exclusion dynamics that riddles the EU, the treatment of Syrian asylum seekers in Bulgaria differed from the treatment of asylum seekers elsewhere in Europe perhaps only in degree – not in essence. (Nancheva, 2015) That is why the reactions to this influx is similar in execution and not in scale.

The fact that Bulgaria opted on viewing domestic events through security terms (like economic stability, national identity, terrorism and societal cohesion), rather than spotting the humanitarian issue is symptomatic for the Southern countries (ibid.) Both financial means and staffing capacity were pooled towards guarding the border, not addressing the shortcomings in procedures and facilities. Have it not been for the contributions of volunteers, human rights organization, and UNHCR, the national framework may have still been insufficient.

What is worrisome is the fact that, CEAS seems to lack emergency planning mechanisms that are linked to regional and structural specificities and it fails to enforce adherence to the rules providing protection, in terms of lawfulness and in terms of popular resistance and attitudes. It is evident that states (especially the ones in the south) have difficulties implementing the system. That statement is reinforced by the fact that migration was managed not by strictly following the framework described in the Treaty of Amsterdam, but rather, by building a physical barrier that sharply reduced the number of entrants. That rises a concern. Evidently the CEAS mechanism must be tailored by the specific needs and even geo-political concerns of every single Member State, as increase of irregular entrants claiming asylum, combined with the mandatory Dublin transfers of those who did not claim asylum in the state of first arrival, are threatening to further expose CEAS, which requires a better emergency management mechanism, than currently provided. That should be personalized for the needs of these particular countries and their domestic political infrastructures. With the CEAS' failure to implement any helpful apparatus is demonstrated by the more and more frequent push-back practices, both ethically and legally objectionable, that allow national authorities to cope with their asylum seekers without attracting too much public criticism (Nancheva, 2015). In this sense, Bulgaria's response to the refugee emergency does not differ from general European practices.

8.6 Bulgaria as a transit country

It is clear enough that due to the existing situation and relatively poor economic conditions in Bulgaria, it is not viewed by migrants as a plausible next destination, but more of a transit country, that if crossed would lead them to their more preferable destinations. Having said that the question arises, if the Bulgarian government doesn't want the refugees and the refugees have no desire to stay in Bulgaria, why build a fence, that would force (the majority) of asylum seekers to cross the borders only in specified checkpoints, where they could be registered, their prints taken, and sent into one of those "hellish" centers (as refugees and asylum seekers have described them) that we have talked about, why not deploy the same tactic as Italy and let asylum seekers roam free deep into Europe?

There are several reasons for that. The official and most obvious one is to quell the irregular migration and control the flow of people, as to prevent terrorists entering the country. But as we will see below, there are other, more immoral motives, with putting up fences and additional police forces, providing additional control and the possibility to push back the asylum seekers that Bulgaria obviously is not able to handle. Another reason, is the support that the country receives from other EU states like Hungary and the UK, with the Hungarian PM insisting on a border fence with Greece to be built next. The reason for that is the fact that the fence is perceived as a way to shed the burden-if asylum seekers and refugees are not allowed to enter Europe, than there is no reason to enforce unpopular liberalizations of the migration management policies. This argument could be also used in the discussion about the negative incentives from the locals towards "aliens", because it brings the mindset if "democratic and liberalized countries like UK, support the building of fences, then why should Bulgaria exhibit anything else but securitization towards refugees". That strategy of course has a limited effect, due to the bad reputations of Bulgaria as a host country among the refugees and asylum seekers and their preference of other routes.

As we picture Bulgaria being a transit country, the faults of the Dublin Regulations can be fully observed here. Being a country of "first arrival" in the EU it is obligated to register asylum seekers and proceed their applications, despite the clear inability of the government to provide adequate support for the people, combined with close to non-integration strategy and slow and inert asylum screenings. That leaves both parties on crossroads, as the government is forced to deal with people that they clearly don't want and cannot properly handle, while the asylum seekers and refugees are left immobilized, unable to move further north, stuck in a country that is hostile to them, living on the margins of society, with no chance of leading a normal life in the foreseeable future. Thus they become liminal personae - "naked

unaccommodated man” losing their humanity when they do not fit neatly into a socially constructed typology as Victor Turner and later Liisa Malkki have argued in their respective works.

8.7 Border Control and building of fences

With Bulgarian authorities’ incapacity to cope with a large number of claims became obvious: the legal limits to the time between filing a claim and registering the application, as well as to the time for examining the application, were not kept, thus aggravating the overcrowding of the reception centers. The national asylum system was widely seen as inadequate and failing – both internally and internationally. A UNHCR report from January 2014 recommended the suspension of Dublin transfers to Bulgaria (as previously with regard to Greece) in view of the ‘degrading and inhuman’ treatment that asylum seekers were subjected in the country, the government asked for help from the European Asylum Support Office (EASO) (October 2013), signing an operating plan as a result of which 22 teams of 51 EASO experts were deployed (November 2013) to provide technical and operational support on the ground.

That provided a temporary relief, with the opportunity to improve the asylum admission procedures, and open more emergency reception centers. Although new centers were open in 2014 (in Voenna Rampa, Vrazhdebna, Harmanli and Kovachevci) the conditions in those centers could not meet the basic hygienic and living standards and were overall mal-equipped (the conditions of those centers were slightly improved since 2015 as reported above) and instead of applying the liberal ideals provided in the CEAS framework, with the chance to uphold human rights by speeding up the bureaucratic processes when dealing with application and providing an adequate strategy for a long term integration, the Bulgarian government opted to physically close borders with its neighbor Turkey, as the main chunk of asylum seekers and refugees are coming from there, building a 100 km long fence alongside the “most sensitive sections” of the border (Amnesty International, 2014). Bulgaria deployed 1500 additional police patrols in order to attain “100% physical security” of the most sensitive border sections. The fence is monitored 24/7 by armed guards stationed at strategic points along its current length, with Frontex operations as a part of the border control (Ibid). To be able to cross the borders legally, the migrants have to arrive several checkpoints at the borders which are spread few and far in-between and considering the meteorological conditions could be viewed as a major issue for the people trying to reach them. The 30-40 km of Bulgarian-Turkish borders that are still without a fence, are considered unpassable and dangerous, they

are the main routes that smugglers use to traffic people inside the country. But the terrain is not the only danger that the people deciding to undertake this crossing face, with several Bulgarian vigilante groups emerging to “control and secure” the unprotected borders of Bulgaria. Encouraged by the negative portrayal of migrants in the media and the sense of patriotism (nationalism) and duty, they have been apprehending people that are crossing the country border, far exceeding their rights in the process. What is more worrisome is the statement by the Bulgarian PM on the matter (later retracted) that protecting the country’s borders was a joint effort and praising the vigilantes in the process. (Kinglsey, 2015)

This case only brings to the woes refugees and asylum seekers are experiencing. But the biggest issue comes not from the “migrants hunting patrols”, rather from the border police efforts. As Border Monitoring Bulgaria cautions, due to the panic of the Bulgarian authorities, which was caused by the increased number on the borders, they have resorted to push-backs accompanied by physical as well as psychological to keep the keep the number of asylum seekers at bay. (Bulgaria Border Monitoring, 2016)

8.8 Push backs at the borders

On paper the fence does its duty, that is, the number of irregular migrants seems to have been quelled. Restrictions of borders have truly allowed Bulgaria to manage migrant flows. As a result, only 139 people in January 2014 and 124 in February 2014 crossed illegally, compared to 200 daily in previous months (Bulgarian Ministry of Interior, 26 March 2014). Those numbers have stayed relatively the same throughout the last year and reports even reveal that they have dropped further 20% in the beginning of 2016 (The Guardian, 2016). Of course those statistics can be misleading as they only represent migrants that were apprehended of crossing illegally.

As of the point of writing this paper, the centers that I visited were half-empty. But that is not only because of the increased capacity. As detailed above, several sources, including Amnesty International, UNHCR reports and testimonies from refugees and asylum seekers themselves have stated that people have suffered push-backs at the borders. It is applied physically as well as psychologically, with reported attempts of push-backs on vulnerable people, many of whom reported to be Syrians fleeing war. (Amnesty International 2014). That is why, although Bulgaria is on top of the EU countries issuing positive first instance asylum

decisions in 2015 (Eurostat, 2016), it is still a destination to be avoided, according to the Refugee Handbook.

The two refugees that I met and who asked not to be recorded or mentioned, said that “*Bulgarian police searched us and took our valuables*” while “*racially insulting us in the process*”. That is in line with what other refugees and human rights organizations have said about the conditions and treatment they were exposed to (Human rights watch, 2014).

This starkly contrasts the statements I have received from the administrative staff at the border as well as in one of the relocations centers. The interviewee Orlin Pavlov (Appendix 1), who acts as an interpreter for the Bulgarian border police, stated (when asked “*how do law enforcement units behave towards refugees and asylum seekers?*”) that during the interpretation period where he was in one room with the asylum seekers and the police, he thought that the police were „*utterly professional, with respect to the people*” (Appendix 1, Question 6, page 65). That coincides with the official statement issued by the Bulgarian authorities, which have consistently denied reports of push-backs and violence. As with many other cases, the truth is probably in the middle, with the possibility of refugees unwilling to stay in Bulgaria, as it is viewed as a transit country, thus describing their situation as more dire than it actually is and policeman exceeding their competences when dealing with people on the borders. That is possible due to the Bulgarian governance encouraging this kind of security. On top of that several EU member states openly congratulated Bulgaria on their strengthening of borders, giving it as an example of a country that “handles migration”. We can see that as another attempt to burden shed as securitizing external borders, will lead to less migration internally.

9 Conclusion

9.1 Main Findings

By investigating the public opinion in the member states, we can conclude that attitudes toward immigration is increasingly polarized – the deviations from the conventional EU values (protection of human rights) is reinforced. In addition, the increase in migration flows to certain member states has generally reimbursed the negative public opinion in those countries. The level of social trust within state inversely affects the perception of immigration as an economic threat.

As we have observed, the current situation that EU finds itself is not due to one singular factor but rather a collaboration of different aspects that interact with each other and cause disruptions throughout the continent. I focused mainly on the topics of ineffective EU legislation and the anti-immigration discourse on a national level as main factors when approaching this thesis and stating that one affects the other and vice versa. While it is not evident that one stimulates the building of metaphorical and physical border fences more than the other, it is clear that both processes have its negative impact on the perception of refugees and asylum seekers in the public spectrum. As we have seen, throughout the decades the topic of people arriving outside EU have been discussed in various treaties, but enforcement of human rights and equality goes hand in hand with restrictions and prejudice, although policies follow the normative framework of the EU, each member state has implemented and reconstructed the framework of the before mentioned policies to support their own domestic political agendas.

Those changes are usually influenced by the domestic right wing public discourses, presenting migration as a threat through speech acts. In order to conceal and control migration the member-states have pursued control of migration nationally, regionally and internationally. The territorial migration management has been perceived as inadequate, which has lifted it up to the regional level and migration management has consequently been exported to third countries. This trend has only increased since the beginning of the century, with terrorist attacks and migration flow putting the cultural, religious and ethnical differences in the public spectrum making a clear link to the societal security of the individual through politics of fear. That has sparked a dangerous tendency of putting tags and labels on migrants and placing refugees and asylum seekers in the same category as economic migrants or worse-terrorists.

Within the debate of the implications of a securitization of migration, the role of politics of fear in the process of categorizing migrants refugees and asylum seekers as a potential security threat is imminent. We have found that securitization of migration reinforces and spreads the politics of fear that is observed all across Europe, which leads to dangerous generalization, namely the placement of all migrants under one denominator with negative implications. Each migrant that is different in terms of religion, culture, and language compared to the host country is viewed with suspicion and doubt, constituting a potential security threat. Having said that, the main problem that is constituted in the process of securitization is the inability to perceive the refugees and asylum seekers as individuals. Rather they are being merged into a general category. That brings a dangerous tendency of pushing refugees and asylum seekers into criminal networks or trapped in the legislative quagmire of the less developed countries, which do not have the resources neither the desire to provide them with decent living. Categories have always been an essential tool for political power. The use of such categories in official discourses does have an impact not only on public perceptions of migratory phenomena, but also on real lives of people through enforcement of state policies. The assessment of asylum seekers by the state affects issues of resource distribution, resettlement location, labor rights, acceptance by the local population, and most importantly refugee status determination. Yet, as observed, the migration is a complex and diverse subject thus it is difficult to lump them in one single category, and additionally categorization may often symbolize a discredited top-down approach, which can fix dynamic social processes into rigid structures.

Having said that and witnessing that the securitization of migration highly promotes negative implications, the question whether it is necessary to define migration as an international security issue becomes more pressing. The fact that even in this age of globalization the shadow of Fortress Europe looms over the continent and a world without borders seems like an empty slogan, as migrants are attributed to the international security sphere, as means to securitize external borders and further national agendas, proves that we cannot exclude migration from security debates. As evaluations of the Balkan route have shown, the correlation between securitization, irregular migration, building of physical barriers, human trafficking, racism, and globally networked surveillance is existent. Hence, migration can be defined as an international security issue but not one that should be protected against as a threat to “socio-political cohesion” and “cultural homogeneity” in the way in which Huysmans (2000) has highlighted. Rather migration should be a security issue, because of the

vulnerability and the over exposure to discrimination and exploitation that many refugees and asylum seekers face when arriving to Europe. Thus, challenging the concept that people seeking shelter pose a security threat to Western societies should form a key part of any policy on migration, and at the same time display a keen awareness of the varied political intentions behind the label of the securitization of migration.

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10.1 Appendix

Below are the interviews conducted by e-mail. They were done in Bulgarian and the relevant content that was used for the purpose of my research has been addressed directly in the text.

The interviews were conducted with Orlin Pavlov an interpreter and translator in Farsi and Dari at the Bulgarian -Turkish border who had the opportunity first hand to observe the treatment that the incoming people receive from authorities, their behavior as well as how closely the law are kept at the borders.

The second interviewee is Mihail Dechev a statistical analysis in SAR who kept data on the capacity of the refugee centers and compliance with the living standards set by the CEAS.

Appendix A

Interviewee: Orlin Pavlov

Questions:

1. Къде се случва/ше работният процес и колко често ти се налагаше да пътуваш? **Работния процес започваше на българо-турската граница, от където влизат повечето бежанци и където биват настанени временно в граничния пункт за установяване на тяхната самоличност. Не ме се е налагало да пътувам често, тъй като главно съм превеждал в гр. София. За съжаление не мога да бъда подробен. Ако има нещо само кажи.**

2. В какво се състоеше работата ти?

Да превеждам интервю с бежанците с цел установяване тяхната самоличност.

3. От какъв език трябваше да превеждаш?

Фарси / Дари - Български - Фарси / Дари

4. През времето в което работеше забеляза ли драстично увеличение (или намаляване) на хора от етноса, с който работеше?

Не. Като цяло винаги са преобладавали сирийските бежанци пред афганистанските.

5. Според теб, какви бяха условията, в които бежанците са поставени?

Добри, имайки пред вид големия поток от бежанци. България се старае да осигури възможно най-добрите условия за имигрантите и да получат нужната помощ още при влизането им на територията на България.

6. Как се държаха органите на реда към бежанците и търсещите убежище?

Органите на реда са отлично подготвени и тяхното отношение към бежанците пред вид ситуацията е много добро - държат се с уважение и се стараят максимално да вършат работата си с професионализъм съобразно държавните стандарти за сигурност.

7. Смяташ ли, изграждането на огради по границата като наложителен ход за контролиране на миграционния поток?

Да, тъй като по този начин би се контролирал потока от хора които влизат нелегално в страната и също така биха намалели нещастните случаи при преминаване на границата.

SIGNATURE OF THE INTERVIEWEE:

I *Orlin Pavlov* hereby give my permission for *Martin Doitchev* to interview me and quote my responses in a scholarly research paper "The new Iron Curtain: Fortification of European borders". I understand that this research paper will be submitted to a professor at the University of Aalborg.

Appendix B

Interviewee: Mihail Dechev

Questions:

1. Къде се случва/ше работният процес и колко често ти се налагаше да пътуваш?

В Държавната агенция за бежанците при министерския съвет, бях на пълен работен ден

2. В какво се състоеше работата ти?

Класифициране и прилагане на бежански статут на лица от миграционния поток съгласно "Конвенция за статута на бежанците" от 1951

3. През времето в което работеше забеляза ли драстично увеличение (или намаляване) на хора от етноса, с който работеше?

Не забелязах, работа имаше от момента, в който се захванах.

4. Според теб, какви бяха условията, в които бежанците са поставени?

Условията бяха добри, с оглед създамата се обстановка.

5. Как се държаха органите на реда към бежанците и търсещите убежище?

Адекватно. Работата бе свършена по протокол.

6. Смяташ ли, изграждането на огради по границата като наложителен ход за контролиране на миграционния поток?

Сигурен съм, че съществува и по-деликатен метод за справяне със ситуацията.

SIGNATURE OF THE INTERVIEWEE:

I *Mihail Dechev*, hereby give my permission for Martin Doitchev to interview me and quote my responses in a scholarly research paper "The new Iron Curtain: Fortification of European borders". I understand that this research paper will be submitted to a professor at the University of Aalborg.

