



Фондация за
достъп до права

Foundation for
Access to Rights

ANNUAL ACTIVITIES REPORT 2024



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Introduction

In 2024, the Access to Rights Foundation (FAR) continued its proactive efforts in migration and refugee law, driven by its mission to ensure access to rights. The team's primary focus was to provide free legal aid and information both face-to-face and through various digital channels to reach as many beneficiaries as possible and ensure their safety. Training young professionals and lawyers remained a core element of FAR's flagship initiatives, while the established mutual assistance network continued to operate across different regions of Bulgaria.

The FAR team successfully completed existing projects and launched new ones, creating fresh opportunities for direct outreach, advocacy, and support for asylum seekers, refugees, migrants, and stateless individuals. This progress has reinforced FAR's position as a leading organisation in human rights advocacy and the defence of the rule of law in Bulgaria. In 2024 the Foundation for Access to Rights (FAR) significantly broadened its scope of activities to encompass new areas such as employment mediation, thereby enhancing its capacity to facilitate the successful integration of its beneficiaries into Bulgarian society. This Activities Report outlines all the initiatives and activities carried out by FAR in 2024 and their outcomes.

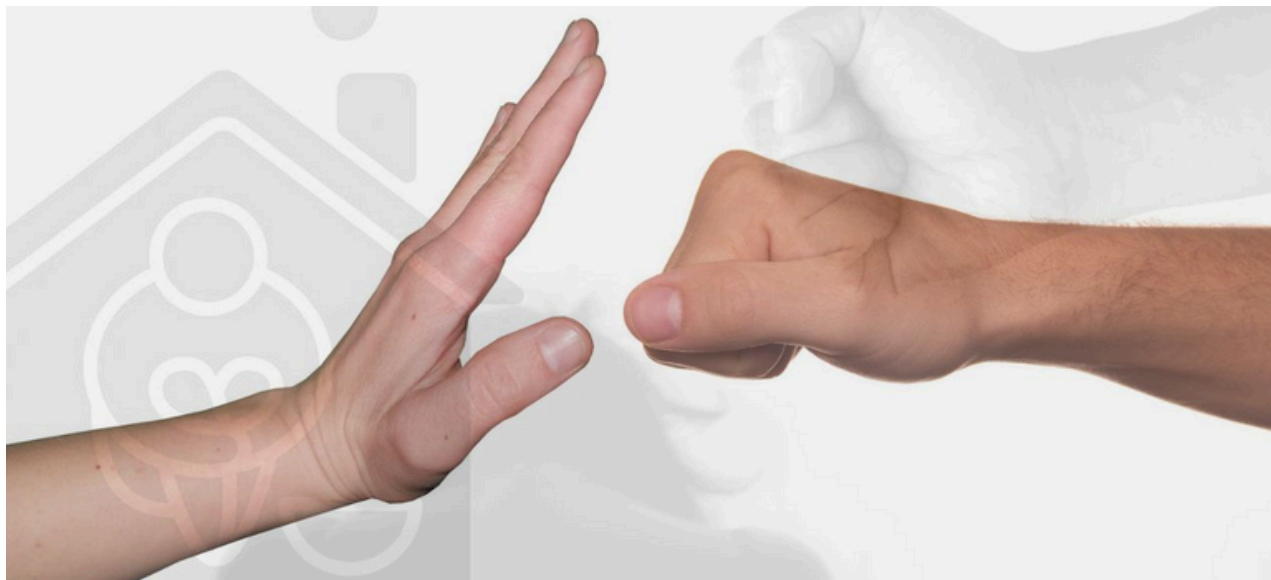
Legal assistance and information

In 2024, FAR's core activities once more centred on providing legal assistance and information, as well as engaging in strategic litigation to uphold access to rights and safeguard those rights.

Offline and online legal assistance and information

To achieve one of its key goals—creating effective mechanisms and safeguards to ensure access to rights and protection against arbitrary deprivation—the FAR team continued offering free legal assistance and information to refugees, migrants, and stateless individuals in 2024. This effort was largely supported by key donors, including UNHCR, Sigrid Rausing Trust, and the International Rescue Committee (IRC) through partnership agreements. The FAR team, which includes lawyers, translators, cultural mediators, digital community liaison experts, hotline specialists, and others, was available every day to provide dependable, current, and valuable information and assistance, both online and offline. As a result, in 2024, FAR shared information about status determination procedures with 3,143 individuals, while around 234,736 new users accessed the FAR online platform.

Strategic cases



The following can be noted among the strategic cases of the FAR in 2024:

On 16 January 2024, the Court of Justice of the European Union (CJEU) delivered a judgment that places significant emphasis on the interpretation of Directive 2011/95/EU, concerning women victims of domestic abuse. The judgment originates from a request for a preliminary ruling from the Administrative Court - Sofia City (ACSC) in a case involving a beneficiary of FAR. This case was initiated after the State Agency for Refugees (SAR) refused to grant international protection in Bulgaria to a woman who had suffered domestic abuse and received threats of honour-based violence in her country of origin. In the dispute over whether gender-based violence against women is a valid ground for international protection, the ACSC referred to the CJEU for an interpretation of Directive 2011/95/EU relevant to Refugee Law. The CJEU effectively recognises gender-based violence against women, in the form of domestic abuse and honour-based threats, as a valid ground for international protection. This judgment holds significant importance for the application of Refugee Law across the European Union.



On 13 June 2024, the Court of Justice of the European Union (CJEU) delivered its judgment in case C-563/22 concerning the legal status of Palestinian refugees registered with UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East). In its judgment, the CJEU first establishes that the examination of the merits of a subsequent application must encompass all factual elements presented, including those already assessed in the first application. Next, the Court observes that, if the Bulgarian court were to determine that, in light of the general living conditions prevailing in the Gaza Strip at the time of its ruling, UNRWA's protection or assistance in that part of its area of operations must be regarded as having ceased in relation to the applicants, the latter should automatically be granted refugee status, provided that no other exclusionary circumstances apply to them under EU law, particularly Directive 2011/95/EU.

UNRWA's protection or assistance must, in particular, be deemed to have ceased in relation to the applicant when that body finds itself unable, for any reason, including those related to the overall situation in the sector of UNRWA's area of operation, to guarantee dignified living conditions or minimum security conditions to any stateless person of Palestinian origin, residing in the sector of UNRWA's area of operations where the applicant had their habitual residence. According to the CJEU, applicants are not required to prove that they are specifically affected by this general situation due to circumstances inherent in their personal situation. In this regard, the Court notes that both the living conditions in the Gaza Strip and UNRWA's ability to carry out its mission have undergone an unprecedented deterioration as a result of the aftermath of the events of 7 October 2023. This decision is pivotal for Palestinian refugees in the EU, providing a legal framework for their protection and integration when UNRWA assistance is terminated. It reaffirms their right to protection and support in accordance with European law.

On 12 September 2024, the Court of Justice of the European Union (CJEU) delivered its judgment in Case C-352/23. The case concerns a FAR beneficiary who has lived in a legal vacuum in Bulgaria for 27 years without the ability to return to his country of origin. Over the years, he has submitted 11 applications for international protection. However, due to the absence of a regularisation mechanism in Bulgaria that would legally enable people like him to settle, he has fallen into 'illegality' and become 'invisible'—lacking access to basic human rights, including non-emergency medical care, the right to work legally, the right to marry, and even the ability to recognise his children as his own. The central issue in Changu revolved around the positive obligations of the state to ensure access to basic human rights for individuals who have lived in the country for many years without a legal mechanism to regulate their stay.

At present, the only possibility within the context of Bulgarian law is found in Article 9(8) of the Asylum and Refugee Act, which states: Humanitarian status may also be granted for other reasons of a humanitarian nature and for the reasons outlined in the conclusions of the Executive Committee of the United Nations High Commissioner for Refugees. In this regard, the CJEU noted in its judgment that a Member State may grant a right of residence on humanitarian grounds to a third-country national in a situation of extreme material deprivation on its territory only according to its national law. However, such national protection should not be conflated with refugee status or subsidiary protection as defined in Directive 2011/95. Related commentary can be found in the observations of Dr. Att. Valeria Ilareva, regarding cases C-562/13, *Abdida* and C-542/13, *M'Bodj*. In a case with a similar factual background, *Ghadamian v. Switzerland*, the European Court of Human Rights (ECtHR) determined that States have a positive obligation to regularise foreigners residing illegally within their territory. In that instance, similar to the beneficiary of FAR, Switzerland refused to grant a residence permit to an elderly foreign national from Iran, who had lived in the country for over 50 years and relied on strong familial and social ties within Switzerland. The Court acknowledged that the arguments presented by the national authorities—specifically those regarding the applicant's past decisions to leave the country, his illegal residence since 2002, and his previous criminal convictions—were relevant but insufficient, considering the applicant's situation. The Court took into account the applicant's exceptionally long stay in Switzerland, his close connections to the country, his advanced age, the lack of ongoing ties in Iran, and the absence of serious criminal offences since 2005. The Court thus found a violation of Article 8 ECHR (right to private and family life) and determined that a fair balance had not been struck between the public interest in immigration control and the applicant's right to respect for his private life and his interests in continuing to reside in Switzerland.

In contrast to the case law of the ECtHR, in its judgment of 12 September, the CJEU ruled that Articles 1 (human dignity), 4 (prohibition of torture and inhuman or degrading treatment or punishment), and 7 (respect for private and family life) of the Charter of Fundamental Rights of the European Union (CFREU), in conjunction with Directive 2008/115, must be interpreted to mean that a Member State is not obliged, on imperative humanitarian grounds, to grant a right of residence to a third-country national currently residing unlawfully in its territory, irrespective of the duration of that residence.

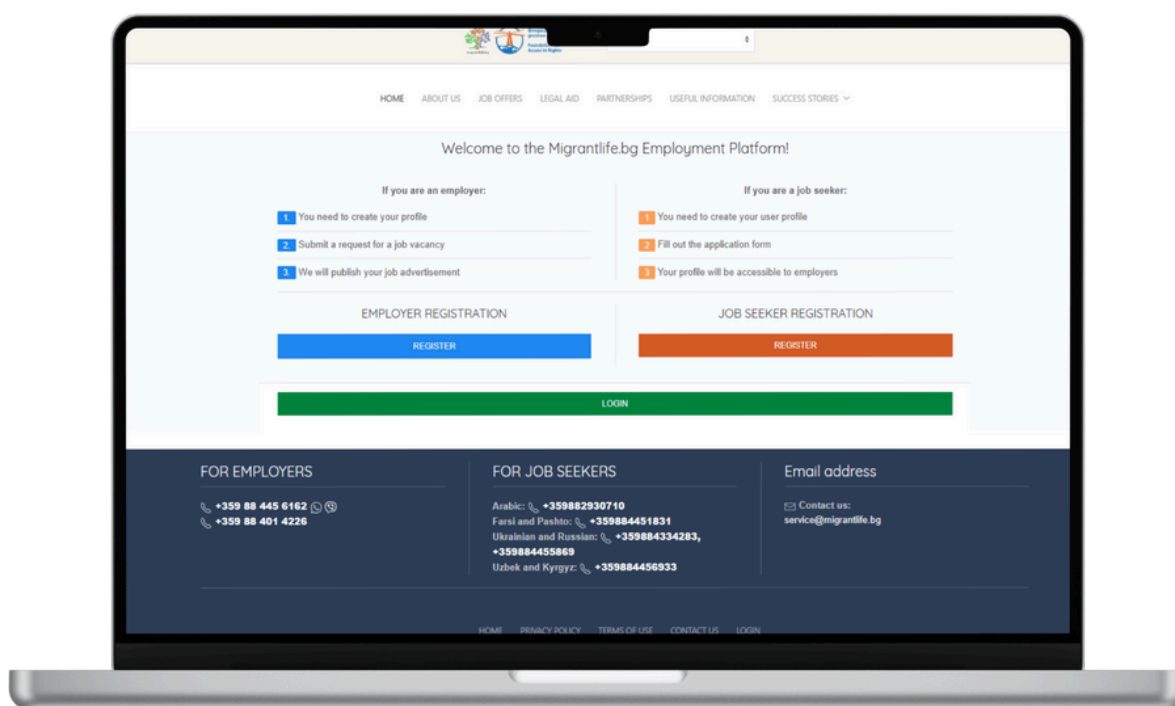
Nevertheless, the CJEU has stated emphatically that until removal, that national may enjoy the rights guaranteed to him both by the CFREU and by Article 14(1) of Directive 2008/115 (Returns Directive). The Member State must ensure that the individual is not subjected to inhuman or degrading treatment under Article 4 of the CFREU. This includes providing for basic needs, such as emergency health care and essential treatment of illnesses, particularly for vulnerable individuals.

Additionally, if that national is also an applicant for international protection, including a subsequent asylum application, he or she has: 1) the right to remain within the territory of the Member State pending the determination of his or her appeal, regardless of the specific grounds upon which the asylum application was rejected; 2) the right to benefit from the rights established in Directive 2013/33/EU concerning standards on the reception of applicants for international protection, which ensures a standard of living that guarantees his or her subsistence and protects his or her fundamental rights. The latter applies even in situations where material reception conditions are limited or withdrawn on the grounds that the asylum application is a subsequent one. Even in these circumstances, applicants should be guaranteed at least the minimum reception conditions necessary to lead a decent life.

Employment

Foundation for Access to Rights - FAR is:

- A licensed employment intermediary, facilitating mediation between employers and job-seeking refugees.
- The Migrantlife.bg employment platform, available in nine languages, offers registration for job seekers and employers, along with job advertisements.
- The RefugeeLight.bg platform features a category titled "Jobs in Bulgaria" with 21 articles published.
- We provide legal advice for accessing the labour market in Sofia, Plovdiv, Burgas, Varna, Dobrich, and online.



Projects

New

Access to employment for refugees and migrants



Фондация за
достъп до права
Foundation for
Access to Rights

Проект

“Достъп до трудова заетост на бежанци и
мигранти”



БЪЛГАРСКИ
ФОНД ЗА
ЖЕНИТЕ



Съфинансирано от
Европейския съюз

The project will contribute to raising awareness on the fundamental rights of refugees, subsidiary protection holders, persons with temporary protection, persons seeking international protection and migrants in accessing and being integrated into the labour market. FAR will work to increase the knowledge and awareness of jobseekers and workers on their own labour and social security rights by conducting information sessions and individual consultations with refugee and migration law lawyers, social mediators, employment mediators. In addition, FAR will develop an interactive map of different service providers to support the project beneficiaries. An awareness raising campaign on employment of refugees and migrants will be carried out.

RELEASE Project

RELEASE Project pRotEcting migrant chiLdrEn AgainSt detention through the EU Charter



In March 2024 – February 2026, the ICJ-EI together with partners implements the two-year-long RELEASE project (pRotEcting migrant chiLdrEn AgainSt detention through the EU Charter). The project seeks to build on the achievements and results of the recent ICJ's CADREProject, which highlighted a need for greater support to lawyers in strengthening their ability, and that of civil society more generally, to engage in strategic litigation to end the immigration detention of children. This is because the absence of case law, regulatory standards, and public awareness may hinder practitioners from pursuing legal action against minors' imprisonment in immigration detention.

Ongoing

FAiR



The FAiR (Finding Agreement in Return) project will assess the legitimacy deficits and dilemmas of enforced return, and alternatives to return in Europe. A host of irregular migrants currently live in de facto “limbo” conditions in Europe, with significant economic and human costs. According to registrations, less than 20% of all non-European nationals receiving an order to leave, voluntarily return to a third country or are deported. Those not returning receive limited opportunities to regularize their stay, since states fear that regularization attracts irregular migration, and will not be supported by voters. FAiR promises to bolster EU return migration governance by addressing the legitimacy deficits that plague policies on return and alternatives to return. FAiR complements dominant rational choice perspectives by systematically assessing the importance of norms, frames and shared meanings for intergovernmental cooperation on return. Together with stakeholders in EU+ and non-EU+ countries, FAiR pushes quantitative and qualitative research boundaries in the field, focusing on 5 non-EU+ (Georgia, Iraq, Niger, Nigeria, Turkey) and 5 EU+ states (Germany, Italy, Norway, Poland, Switzerland). Specific contributions of FAiR include: econometric models to reduce measurement bias in Eurostat return data; better measurements of Europe’s return policies through a Migration Return Policy Index (MIREX); causal inference analysis for all EU+ countries on the effects of policy and non-policy drivers of enforced return; a large survey experiment in 10 EU+ countries on public support for alternatives to return policies; improved guidelines for the human rights monitoring of enforced return; and a negotiation and implementation game that will help international actors to reach agreement on return and readmission.

FAiR offers multidisciplinary expertise and comprises a mix of academic, policy research, governmental and irregular migrant advocacy organisations, spanning Europe, Africa and the Middle East. The Project 101094828 — FAiR is funded within the HORIZON-CL2-2022-TRANSFORMATIONS-01 call of the European Union. The Coordinator of the project is the Erasmus Universiteit Rotterdam (the Netherlands). Partners in the project are the Foundation for Access to Rights (Bulgaria), Instytut Nauk Prawnych Polskiej Akademii Nauk (Poland), Migration Policy Group (Belgium), Universitat Fur Weiterbildung Krems (Austria), Universita Degli Studi Di Milano (Italy), Samuel Hall East Africa (Kenya), International Centre For Migration Policy Development (ICMPD), Koc University (Turkey) and Platform For International Cooperation On Undocumented Migrants (PICUM). The project's implementation started on 1 May 2023 and will last for 42 months.

SUN

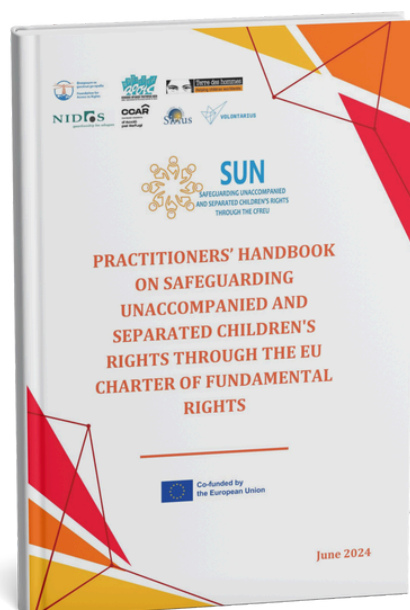


The Foundation for Access to Rights – FAR is the leading organization in the Safeguarding Unaccompanied and Separated Children's Rights through the EU Charter of Fundamental Rights (SUN), funded by the Citizens, equality, rights, and values (CERV) Program of the European Commission, which started on April 1, 2023, and was implemented for 24 months. Partners in the project are ARSIS, Greece; Tdh, Romania; NIDOS, the Netherlands; Sirius Network (International network, based in Belgium); Volontarius, Italy and CCAR, Spain. The SUN project aims at promoting the effective enjoyment of rights stipulated in the EU Charter of Fundamental Rights by unaccompanied and separated refugee and migrant children.

Unaccompanied and separated migrant and refugee children (UASCs) are a highly vulnerable group, especially to rights breaches, being removed from their home and normal context, having experienced traumatic events, having gone through multiple procedures, being separated from their parents/ primary caregivers or other significant adults. The project targets all people working with or involved in caring for unaccompanied and separated refugee children, namely: lawyers, working in the field of legal representation of unaccompanied and separated refugee and migrant children; guardians; civil society organisations and independent human rights bodies representatives; social workers and frontline workers dealing with refugee and migrant children in various settings; school teachers, headmasters of schools and their associations, migrant and refugee communities and their associations, parents and family members from the refugee and migrant communities in the partner countries; university students. The project provides basic knowledge about the Charter guaranteed rights of unaccompanied and separated refugee and migrant children and how the rights are translated into the practices and everyday work with the children to frontline workers and professionals involved in caring for them. Legal experts will have access to advanced knowledge about conducting lawsuits of strategic importance to the rights of unaccompanied and separated refugee and migrant children.

Publications

Practitioners' handbook on safeguarding unaccompanied and separated children's rights through the EU charter of fundamental rights



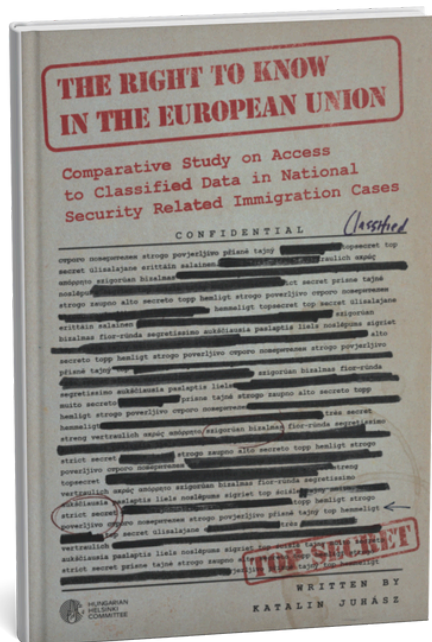
This Handbook is developed under the project [Safeguarding Unaccompanied and Separated Children's Rights through the EU Charter of Fundamental Rights \(SUN\)](#), which promotes the effective enjoyment of rights stipulated in the CFREU by unaccompanied and separated refugee and migrant children (UASC). It reflects the years-long practical and academic experience of project partners Foundation for Access to Rights - FAR in Bulgaria (lead organization), ARSIS in Greece, Terre des Hommes in Romania, Nidos in the Netherlands, Sirius Network, based in Belgium, Volontarius in Italy, and Comissió Catalana d'Acció pel Refugi (CCAR) in Spain.

Toolkit to identify and address statelessness



The report tackles the issue of statelessness in Bulgaria and offers practical guidance on the rights of stateless individuals and the safeguarding of their rights.

The Right to Know in the European Union: Comparative Study on Access to Classified Data in National Security Related Immigration Cases



The study gives a comparative analysis of the laws and practices of EU Member States concerning their compliance with the standards laid out by the ECtHR and CJEU jurisprudence on invoking national security grounds in immigration cases, as well as the scope and effectiveness of the remedy provided against administrative decisions in such cases.

This study was written by Katalin Juhász, legal officer of the Hungarian Helsinki Committee, in the framework of 'The Right to Know 2' project funded by the European Programme for Integration and Migration (EPIM) with the collaboration of Valeria Ilareva and Boyanka Hristeva from FAR regarding Bulgaria.

Training needs analysis and good practices report on Safeguarding unaccompanied and separated refugee and migrant children's rights through the EU Charter of Fundamental Rights



This report is developed under the project Safeguarding Unaccompanied and Separated Children's Rights through the EU Charter of Fundamental Rights (SUN), which promotes the effective enjoyment of rights stipulated in the CFREU by unaccompanied and separated refugee and migrant children (UASC). The SUN Project aims to promote the effective enjoyment of rights stipulated in the EU Charter of Fundamental Rights by unaccompanied and separated refugee and migrant children.

The report aims to identify and analyze good practices and training needs in safeguarding UASC's rights through the CFREU in Bulgaria, Greece, Italy, the Netherlands, Spain and Romania.

It has as its benchmarks the following CFREU rights applicable for UASC: human dignity, right to life, right to integrity of the person, prohibition of torture and inhuman or degrading treatment or punishment, right to liberty and security, respect for private and family life, right to education, right to asylum, protection in the event of removal, expulsion or extradition, non-discrimination, prohibition of child labour and protection of young people at work, right to social and housing assistance, health care, right to good administration and right to an effective remedy and to a fair trial.

Videos

In 2024, the Foundation for Access to Rights (FAR) produced videos focusing on the socio-economic inclusion of refugees in Bulgaria, specifically addressing the right to education:

- Types of statuses of people with granted protection in Bulgaria



- Opening a bank account



- Right to education



- Right to family life



- Discrimination and hate crimes



- Procedure for establishing a disability



- Rights of working mothers



This video was created by FAR with the support of the UN Refugee Agency.

Conclusion

In 2024, the Foundation for Access to Rights (FAR) reinforced its position as a leading organisation in the provision of legal assistance, strategic litigation, research, and knowledge sharing in the field of refugee, migration, and statelessness law. FAR's work contributed to tangible improvements in protecting fundamental rights, including advancing the right of vulnerable groups, particularly children, to be heard and participate meaningfully in procedures affecting them. Through targeted services, high-level research outputs, and professional training activities, FAR supported the strengthening of legal standards and practice across Bulgaria and beyond. Looking ahead, FAR remains committed to expanding its outreach, enhancing its evidence-based advocacy, and ensuring sustainable impact through high-quality, rights-based interventions, guided by professionalism, expertise, and respect for human dignity.

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www.refugeelight.bg



www.migrantlife.bg

