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STUDY OF THE EVENTS THAT TOOK PLACE IN 2015 IN
GARMEN, ORLANDOVCI AND KYUSTENDIL

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LIST OF ABBREVIATIONS

ABR - Alternative for Bulgarian Renaissance Political Party

BHC - Bulgarian Helsinki Committee

CRA - Civil Registration Act

ECHR - European Court of Human Rights

IC - Initiative Committee

MEC - Municipal Election Commission

MI - Ministry of Interior

MRD - Ministry of Regional Development

MRF - Movement for Rights and Freedoms

NCCD - National Construction Control Directorate

NCCEII- National Council for Cooperation on Ethnic and Integration Issues

PF- Patriotic Front

RB - Reformist Block

ROCCD - Regional Office of the National Construction Control Directorate

Introduction

This study was conducted by the Institute for Public Environment Development as a part of the project “The League of Roma Observers - Supporting Fair Electoral Process”.

Goal of the study

The goal of the study is to outline certain aspects of the current state-of-play of Roma integration policies in Bulgaria in view of a radically changed international and domestic political context. In particular, our goal is to present a set of findings, conclusions and recommendations for the improvement of measures undertaken in this area.

Garmen, Orlandovci and Kyustendil are essentially local case-studies that are nevertheless symptomatic in their nature. They share a number of features and lead to a set of general conclusions and recommendations that can apply to both the affected Roma communities and the general policy on Roma integration in Bulgaria.

The events that unfolded did not involve a serious crime. Indeed, at the heart of the conflicts in Garmen and Orlandovtsi was a criticism over music that a group of Roma youngsters was playing too loudly. The formal nature of the disagreement masks a conflict between different ethnic groups in Bulgaria that has been simmering for decades and has the potential to easily escalate under certain circumstances. **“Undoubtedly, the hostile attitude is fuelled by multiple layers of prejudice and myths about the Roma seen—in a manner of speaking—as a privileged caste”**, Associate Professor Kabakchieva asserts (*Is There a Way out of Degrading Poverty for the Roma—* Deutsche Welle, 2 August, 2015).

The changed political context

The study was conducted at a time when the domestic and international political context was undergoing rapid changes. That calls for rethinking and reformulating Roma integration policies in Bulgaria.

On one hand these changes include the refugee crisis that Europe is struggling with. A threat to Bulgaria’s borders is envisioned as future possibility. The purported threats to national security, and in particular the risk of Islamic terrorists entering and becoming active in the country drew the social attention. The risk of change in the ethnic composition and religious denomination of Bulgarians and a possible collapse of the welfare systems became a favored topic in the political agenda.

On the other hand, a number of analytical and demographic studies, along with international rankings testify for a demographic collapse in Bulgaria. According to the long term prognosis for financial stability of the countries, made by the European Commission, in 2060 Bulgarian population is expected to decrease by 25% (reaching 5.5 million people). In the coming decades this alarming trend most probably will cause

significant disproportions in the workforce¹, thus creating difficulties for the government's attempts to maintain the pension and welfare system.

Current political state in Bulgaria

Anti-Roma political parties and coalitions in the 43rd National Assembly gained influence in the government. One of the members of the ruling coalition — the Patriotic Front (including the National Front for the Salvation of Bulgaria (NFSB) and the Supreme Macedonian Revolutionary Organization (VMRO) - Bulgarian National Movement)—openly engages in anti-Roma rhetoric. One of the parties in opposition - Ataka, is also explicitly anti-Roma oriented. Anti-Roma attitudes have occasionally been displayed in the activities of other political parties in Parliament.

The competition between players on the political arena at the expense of the Roma community has become an effective instrument used to entrench their self-identification and position them in the Bulgarian political life. A number of policy proposals, openly harmful to the Roma have been submitted in the National Assembly.

Methodology of the study

The study was conducted on the basis of reconstructing the cases in Garmen and Orlandovci, through the media web archives and documents obtained from public institutions. Thus, the authors managed to outline the facts of each case and the sequence of events, including a detailed description of these cases as they developed over time.

In the first case— in Garmen, the main focus of the study was placed on identifying the reasons that led to the conflict between two ethnic groups; the actions taken by the central government and Garmen municipality; the positions of the main players; the response of the international community and the relevant Bulgarian institutions.

In the second case— in Orlandovci, the main focus of the study was placed on the use of hate speech and its effects, enabling the attempts to manipulate public attitudes - existing stereotypes and prejudices, promoted by the media, images, insinuations and other manipulative techniques.

The third part of the analysis emphasized on the participatory role of the Roma community in Kyustendil during the local elections, which took place in October, 2015. Main points of the research became the political participation of Roma in the local elections, the focus on Roma issues in the manifestos of political parties running in the elections, the involvement of Roma representatives in the partisan lists of candidates. We have tried to identify mechanisms used to place the Roma community under

¹ In 45 years one third of the population will be aged 65 or more. Currently Bulgarians over 65 are 19 %. People who are of working age - from 15 to 64 - will be 1.9 million less (a total number of 2.962 million). In other words, between 2013 and 2060 Bulgaria may lose 40 % of the population in working age.

pressure during the election campaign and on Election day - "electoral tourism", vote buying and controlled vote practices, pre-organized voting and forms of unlawful "get out the vote" attempts towards the Roma electorate.

An emphasis has been placed on the use of hate speech against the Roma in Kyustendil during the election campaign.

The following research methods have been used:

- study and analysis of relevant documents;
- media monitoring;
- study and analysis of the legislation and legislative proposals;
- interviews with various stakeholders;
- physical observation on field of the electoral process in Kyustendil.

At the end of the study, the authors have included a summary of the main findings, conclusions and recommendations.

The Garmen case-study

Case recreated

On **22 May, 2015**, residents of Marchevo village, in the Garmen surroundings, spoke in front of bTV—a national TV channel—and requested from the Ministry of Interior (MI) to take serious actions in tackling thefts, burglaries and persisting petty crime in the area. The village is situated approximately 1 km away from Garmen, where—in the Padarka area, currently Kremikovtsi Living District — the first Roma families were settled in the 1960s. Residents of Marchevo commented how the local police department refused to deal with their complaints and failed to maintain public safety in the village - through CCTV monitoring or a police patrol. The police declined comment for bTV, but issued a statement claiming that the situation in Marchevo was completely peaceful. According to the police two out of the three received complaints for robberies in 2015 were solved.

Marchevo residents however stated that weapons will be used in self-defense if new incidents occur.

On **23 May** a quarrel over loud music between Bulgarian and Roma youngsters in Garmen escalated in a street fight. Four people were seriously injured and nine were arrested. Hours after the initial clash, the officers on field were reinforced by riot police. On the following day, police forces surrounded Kremikovtsi Living District in order to prevent further retaliation attempts initiated by both sides of the conflict. Tension escalated further as the numbers of both Bulgarians and Roma involved in the conflict got reinforced by people from other parts of the country.

On **25 May** the Bulgarians in Garmen issued an ultimatum to the local government, urging it to “deal with Roma crime in the area” within 7 days, including by eviction of the Roma from Kremikovtsi. Pressure on the institutions was further placed through an ultimatum issued by the Patriotic Front (PF) coalition —a partner of the government. PF threatened to withdraw its support for the government unless 7 conditions were promptly met. These included immediate demolition of all illegal Roma buildings and effective measures against the existing petty crime in the country. Soon after officials from the National Construction Control Directorate (NCCD) arrived at the Roma neighborhood to mark all illegal buildings and initiate a procedure for their demolition.

On **30 May** the Minister of Interior—Rumyana Bachvarova—visited Garmen to inspect the area and the police measures that were put in place. On this day, a robbery in the church of Marchevo took place - the priest and an acquaintance of his were injured. The Minister of Interior ordered detailed inspections to be launched in Garmen and other municipalities. Inspection teams included representatives of the respective municipalities, Regional Office of the National Construction Control Directorate (ROCCD), Social Services Directorate, the Blagoevgrad Regional Department of the Ministry of Interior, the Regional Department of Fire Safety and Protection of the Population, the

National Revenue Agency, the Blagoevgrad Health Inspectorate and the Regional Education Inspectorate. A plan to introduce CCTV monitoring in Garmen was set. **"All government institutions must work together and cooperate—that's the proper approach of the State"**, commented the Minister.

Soon after the inspections it became clear that only 24 of the buildings in the neighbourhood were legally constructed - the rest had to be demolished.

The ROCCD set a timeframe for the voluntary demolition of more than 120 buildings. Facing the threat to pay the authorities for forced demolition of their homes, some residents of Kremikovtzi had to demolish their houses themselves. Some local residents expressed readiness to purchase the land on which illegal buildings were constructed, if the municipality puts up an auction. Such proposal was met with resistance from the residents of Marchevo. Some of them owned agricultural land in the area and were appealing against the procedure from 2001, which annulled the decisions restoring their property rights. This is why on an official meeting with the municipal mayor — Minka Kapitanova ("Movement for Rights and Freedoms" (MRF)) - they argued against the upcoming auction.

On **2 June** the Bulgarians living in Garmen organized large protest against the **"illegally settled Roma"**. Locals encouraged all **"law-abiding citizens"** across the country to join them - soon after, rockers and football fans arrived in support. The protesters **"extended"** the term of their ultimatum for the demolition of illegal Roma buildings until 12 July. In the late afternoon, around 30 men armed with sticks and bats attempted to enter the Roma neighbourhood through a nearby field. They were pushed back by police.

Although the municipality installed 4 CCTV cameras in Garmen, in the next days dozens of residents organized rallies in the town center against the "Roma neighbourhood". The **15 June** was determined as the last day for voluntary removal of illegal buildings by their owners. The NCCD stated that 124 buildings in the neighbourhood cannot be regulated or granted a compromising *"statute of tolerance"*.

Current mayor Minka Kapitanova claimed that for years her predecessor - Ahmed Bashev (MRF), had issued false documents. This was the reason why many Roma were misled to believe that their houses were legal. The forced demolition of these buildings in 2012 was stopped only by the inability of local authorities to provide alternative housing to the vulnerable families - they would have been left homeless.

On **19 June** the residents of Kremikovtzi set up an initiative committee (IC) to meet with the protesting Bulgarians in Garmen. From the Protestant Church in the neighbourhood, Roma described the protests against them as politically motivated. The Bulgarians however refused to attend any conciliation meetings. Ivan Bayrektorov, President of the Bulgarian Initiative Committee, said on camera: **"We will not negotiate with people who refuse to obey the law!"**.

On **25 June** it became clear that “St. Cyril and Methodius School” in Garmen may be closed because the children from Kremikovtsi had stopped attending it since the protests began. On a special institutional meeting (attended by the mayor, the school headmaster, the national Ombudsman, police officers, employees from the Social Services Directorate, representatives of the State Agency for Child Protection and the Regional Education Inspectorate) it was agreed that social workers will visit the Roma families and try to persuade them to let the children attend school. The Ombudsman agreed to facilitate the arrival of mediators who would support the dialogue between the two ethnic groups.

On **29 June** the first 4 illegal buildings in Garmen were demolished, though it was unclear where families left homeless would be temporarily sheltered. Affected Roma were given an hour to move out with all their possessions and belongings prior to the demolition. This move demonstrated institutional resolve to take radical measures against the Roma in Garmen and on **1 July** the Bulgarian Helsinki Committee (BHC) published a position in response. The NGO stated that it would take “**legal action against violations of the international law**”. The fact that families were left to spend nights out in the open showed clearly the municipal incapacity to cope with that housing crisis. BHC noted that demolishing the only house of poor families, without providing them with any alternative shelter—even when the house is formally illegal—is a violation of the right to personal and family life and the right to shelter.

In her defense, Mayor Kapitanova claimed that “**despite the promises of many government institutions to actively engage in finding a solution to the problem, we were ultimately abandoned by all and are helpless to deal with the problem**”. It became clear that if all 124 buildings are demolished, more than 700 people will become homeless.

On **11 July** the European Court of Human Rights (ECHR) wrote a letter in connection with filed complaint from residents of Kremikovtsi. They requested for urgent measures regarding the planned **on 13 July** demolition of houses in Garmen. Acting under its Rules, the Court asked the Bulgarian government to suspend further actions “**until alternative housing is provided for the vulnerable applicants (Roma)**”. The scheduled removal of illegal structures in Garmen was postponed, and the Ministry of Regional Development (MRD) had to provide the Court with detailed information on the case. In response to the suspended demolition, anti-Roma protesters announced that a new rally would take place on **18 July** in front of the National Parliament in Sofia. Meanwhile the Patriotic Front coalition released a declaration urging the government to defend all undertaken procedures for demolition of Roma houses in Kremikovtsi.

On **18 July**, minister Lilyana Pavlova (MRD) stated in an interview that the removal of illegal buildings in Garmen would proceed. In her opinion, the local authorities in Garmen were responsible for the current situation in Kremikovtsi. The Minister seriously criticized the current mayor - Minka Kapitanova, stating that:

"The mayor should stop acting as if she just came out of space, pretending that she has nothing to do with the case. Only this year, she has issued 55 address registrations on agricultural land situated in unregulated property."

On **20 July** Bulgarians living in Garmen submitted a petition to the Council of Ministers, with more than 700 signatures, requesting for immediate institutional actions. They threatened to ask for resignations of the minister of Regional Development, the minister of Interior and the Prosecutor General - Sotir Tsatsarov. They expressed firm intentions to resume the protest in Sofia after the summer vacations in September.

A week later, the municipal administration offered the residents of the "Roma Mahala" in Garmen to sign declarations certifying their consent to live elsewhere. Roma representatives declared that if temporary relocation takes place, they should be offered contracts for at least one year, ensuring their security. Meanwhile, it became clear that for the upcoming local elections, **the polling station would be moved out from Kremikovtsi.**

On **2 September** windows of the mayor's office in the town hall were smashed. The incident occurred the night after protest rallies to the "Roma Mahala" were resumed. In front of journalists, mayor Kapitanova declared that she would require physical protection, being **"concerned about her own safety and that of local government employees"**.

On **7 and 8 September** the demolition of the Roma houses in Kremikovtsi was resumed, with officials from the NCCD working under police protection. The number of demolished houses increased to 11. Meanwhile MRD assured that the remaining 113 houses would soon follow, despite the Roma refusal to accept other municipal and private accommodation. It remained unclear where the elderly and children would spend the winter. So far they stayed with relatives and neighbours. Mayor Kapitanova however, assured that temporary shelter would be provided to the homeless Roma.

The houses of Evangelical priest Ivan Aydarov and his brother Asen were the largest ones, scheduled for demolition. To the media, Ivan Aydarov said: **"Until now I urged the Roma to restraint, I told them to be calm because of my house. Now I say, let them do whatever they want!"**. It became clear that an agreement had been in place between him and the institutions - peace in the neighbourhood would be preserved if he and his brother were allowed to keep their houses intact. When the promise was breached, he claimed that he could no longer stop the **"rebellion of his people"**.

On **11 September** the Roma in Garmen organised a protest against mayor Kapitanova. They claimed that she caused a delay in the procedures for registration of the houses, thus further deepening their problems. Riot police cordoned protesters on their way and forbade them to reach the town's centre as the mayor had not authorised the rally. In the following days interethnic tensions were further aggravated by another factor - the need of Roma children from Kremikovtsi to return to school so that it may continue

functioning. A total of 280 children had been enrolled for the new school year - one-third of them are Roma.

On **22 September** the Municipal Electoral Commission of Garmen, registered the candidates for municipal councilors from the "Reformist Block" (RB) and the "New Beginning for Garmen". The protest leaders against the Roma—Ivan Bayrektorov and Ivan Kremenliev - led the lists for councilors of these parties. On the other hand, Krasimir Aydarov - a leader in the Roma Initiative Committee, was included in the list of the MRF.

On **1 October** representatives of the US Embassy and the Open Society Foundation visited Garmen to gain first-hand information about the case and residential conditions in Garmen. Diplomats agreed to contribute in overcoming the tension between the Bulgarian and Roma communities and to ask the local government why Roma who were left homeless did not receive accommodation, thus being forced to live in vans and trailers in the hood.

The Roma and NGO positions on the topic are summarized below as follows:

The actions of the government, which initiated the demolition of illegal buildings in Garmen, were motivated by the approaching elections and aimed to ensure greater electoral support.

They represent a blatant violation of Bulgaria's commitment to improve the housing conditions in Roma neighborhoods. The strategic documents adopted by government bodies (National Programme for Improvement of the Housing Conditions of the Roma; priority 'Housing Conditions' of the 2005 Roma Inclusion Decade; priority 'Housing Conditions' of the 2012-2020 National Roma Integration Strategy) and their detailed action plans do not envisage the removal of illegal constructions. On the contrary, they present measures with a view to:

- granting legal status to the affected properties;
- development of cadastral maps and registers;
- update and development of detailed master construction plans for current and newly designated areas;
- projects and construction of technical infrastructure and facilities in the Roma neighborhoods - water supply, sewerage, road network, development of social infrastructure for education and culture, etc.

The government failed to oppose attempts to replace the regulations in the strategic documents - improvement of the housing conditions in Roma neighborhoods in

particular. Such practices aim to expulse the Roma residents from their neighborhoods through unacceptable approaches. The situation would worsen further if similar methods are applied in other ghettos in the country.

According to Roma NGOs this process may “block” all future attempts for solving problems and may lead to an institutionalized expulsion of great numbers of Roma. Their representatives fear that these actions are close to the philosophy of ethnic cleansing.

Policies followed by the Bulgarian state become morally unacceptable as they do not comply with the international human rights standards. The institutional activities contradict already established strategic priorities and norms of the international law. They are representative for historically inconsistent policy and in this sense, Garmen may be reviewed as a case point. The public statements alleging that the problem of illegal Roma settlement in Garmen first appeared in 2000, are false. On the contrary, the root of the problem can be traced back to the 1960s when (following the adoption of a ministerial decree) municipalities had to take measures and ensure the settlement of all nomadic groups within their territory. Achieving this goal required the designation of special land parcels.

Roma organizations emphasized that the neighborhood in Garmen was settled with decision of the authorities at the time, on a desolated agricultural land. Yet, for decades it was left out of regulation and without any housing and engineering infrastructure or public services. After 1989 the areas in question were fully restituted to their previous owners in violation of the ***Ownership and Use of Agricultural Land Act***. This led to a conflict between the former owners and the Roma who had been living on the land for decades. In 2000, the Minister of Agriculture issued a decree revoking the decision of the Agricultural Land Committee and restoring the land as municipal property. That way the municipality could include it into the master construction plan and regulate it so that the Roma neighborhood be granted legal status.

The former owners appealed the decree issued by the Minister of Agriculture but it was upheld by the Supreme Administrative Court. Preparations for inclusion of the land in the master construction plan were started. In September 2004, the Cadaster Service Agency (Blagoevgrad), commenced proceedings to create a cadastral map and registers for the “Kremikovtsi Roma neighborhood” within the boundaries of Marchevo Village, Garmen Municipality. The municipality initiated steps to draft detailed master construction plans of the neighborhood and set aside a budget of 10 000 BGN for this purpose. In parallel, government institutions took action to demolish the existing illegal buildings.

The positions of the Government

Finding a solution to the Garmen case involved—directly or indirectly—a number of government institutions (at least 21), including the National Assembly, the Council of Ministers, the MRD, the MI and its Blagoevgrad Regional Department, the Regional

Department of Fire Safety and Protection of the Population (Blagoevgrad), the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Labour and Social Policy, the Office of the Prosecutor General, the Gotse Delchev Prosecutor's Office, the Ombudsman of the Republic of Bulgaria, the National Revenue Agency, the Blagoevgrad Education Inspectorate, the National Construction Control Directorate and its Regional Office in Blagoevgrad, the Civic Directorate for Administrative Services, the State Child Protection Agency, the Gotse Delchev Social Services Directorate, the Regional Governor of Blagoevgrad and the Garmen Municipality.

They all analyzed documents, conducted checks, drew up reports and statements of their findings. The government position, expressed most clearly by the MRD (responsible for the overall coordination of the case) may be described as follows:

The Garmen case does not involve forced eviction of Roma families but an execution of orders for removal of illegal buildings. It is just one example for illegal construction in Bulgaria and does not show in any way a negative attitude particularly towards the Roma. The NCCD keeps a public register of all issued orders for the demolition of illegal buildings.

The actions of the government are not in any measure motivated by bias or other discriminatory considerations towards the Roma community.

The demolition of the illegal Roma houses conforms to the requirements laid down by law and the issued orders on demolition, which have been upheld by an independent court.

The competent government institutions have a duty to carry out the procedure for the demolition of illegally constructed buildings because a failure to do so would mean that they can be held liable for non-performance of their statutory duties. No margin of discretion is available to the competent body as to whether to comply with effective orders or not. It may only carry them out.

The government has taken all possible steps to provide shelter to the affected Roma families—possibilities to relocate them to other places are currently being sought. This process involves Garmen municipality, the Regional Governor of Blagoevgrad and the competent social services. The problem has been brought to the attention of the Council of Ministers, which at its meetings on 22 and 29 July 2015 adopted decisions to delegate powers to the Mayor of Garmen for immediate steps in providing shelter to the residents of the former illegal houses and their families in appropriate housing conditions that meet all health and other requirements. Having ensured that the decision was properly implemented, the Head of the NCCD took action to demolish the illegally constructed buildings.

Persistent incapacity of the institutions

As we already noted the Garmen case involved a great number of state and local government bodies, which took different steps to find a solution to the problem. Nevertheless, none of these actions address the main issue - **finding appropriate accommodation for the Roma left homeless after the house removal without separating parents from children and husbands from wives**. It must be emphasized that some of the Roma children have been diagnosed with disabilities.

Finding a solution to the problem turned out to be an impossible task for the government institutions. The regional governor of Blagoevgrad examined the possibility to house the Roma on available state land property. These attempts failed as nearly all available public property turned out to be unsuitable for living. It turned out that the upgrade of existing infrastructure to ensure proper living and housing conditions would require a great deal of money. Furthermore, the plots in question were situated in remote and isolated areas. A proposal to temporarily house the Roma in former army barracks was also made. This idea was turned down by them, because it entailed family separation. **In the end, government institutions delegated to the Garmen municipality the entire responsibility for rehousing the Roma families that were now homeless**. However, the municipality is relatively small and does not have appropriate housing facilities. Furthermore, the analysis of applicable legislation conclusively demonstrates that the **Municipal Property Act** and the **State Property Act** do not stipulate an obligation for municipalities to maintain municipal housing facilities, enabling them to provide accommodation to individuals whose properties have been demolished on the grounds of being illegally constructed. In reality, the Roma from Kremikovtsi neighborhood, facing the threat of house demolition (and this would apply to any other individual in the same situation), have no chance to be provided with municipal or another institutional place of accommodation.

According to the applicable legislation, **municipal housing** is available for rent to:

- individuals in need of residential support, certified in accordance with specially enacted municipal ordinance;
- tenants of municipal housings affected by public plans for construction of new buildings, reconstruction of existing ones or repairs of the houses they live in;
- people affected by the restitution of the property they live in to its former owners.

Departmental state housing is available for tenants who are employed by the respective municipal or state government body.

Alternative state housing may be provided for a maximum period of 2 years to individuals affected by natural disasters or accidents, individuals living in properties that are likely to collapse and families that have severe social or health problems. The current

legislation however does not include provisions for people who are left homeless as a result of demolition of their illegal buildings, to rent municipal or state property.

The relevant assessment procedure for the housing needs of potential tenants of state or municipal property is quite complicated and requires additional costs related to the application documents. For any poor and barely literate individual - Roma or Non-Roma, it is almost impossible to handle the required application process for such housing.

The existing state and municipal housing system - a remnant of the communist regime - does not address the needs of homeless people. It is more likely adapted for the needs of large families living in deficient living space, sharing accommodation with parents, or with insufficient funds to secure proper living space. Such tenants are typically allowed to subsequently purchase the rental property for a price equal to that of its tax assessment (significantly lower than market prices). The only possible alternative left for homeless people appears to be a temporary accommodation at **special social housing property**, which however is extremely insufficient in numbers. In order to obtain social housing service, a tenant must receive an order and a tenancy agreement, but formal rules are often neglected - tenants may "receive" just a verbal agreement from the mayor or a piece of paper without any evidentiary value. In such manner for example were formed the so-called "Vietnamese dormitories"—one of the most repulsive and unsightly places in Sofia.

The provision of housing service, and in principle any social, educational, health-care, utility and other service, requires the applicant to have an ID Card. In order to obtain an ID card the applicant must indicate a permanent and current address - the permanent one is printed on the card. Having an address registration is the main requirement to access any public service. A simplified procedure for declaring and obtaining an address registration in Bulgaria is required. Otherwise many citizens may be deprived of access to public services.

The described process above raises important questions:

Who and **how** has registered the Roma as residents of illegal buildings in Kremikovtsi, which were not included into the master construction plan of the town?

According to the **Civil Registration Act** (CRA), the mayor determines the locations in the municipality, where new address registrations may be issued. Legislation allows an address to be registered out of the zones in regulation of the settlement. The **Civil Registration Act** does not require a person to be registered at an address in residential property, much less in a legally build one.

This allows the mayors to determine residential addresses, located out of the zones in regulation - for example an illegally constructed building on a "bare field". Furthermore, prior to the amendments of the **Civil Registration Act** (from 2011, 2012 and 2015) the rules and procedures for obtaining an address registration were much easier. No

ownership documents or authorizations for use of the property were required, nor a written consent from the property owner. The number of people who were able to register at the address of a single property was not limited, which often led to extreme concentrations of residents. In 2015 a legal definition for "**people who may reside in a single property**" was introduced - it clarified that a person must have at least 10 sq.m. of living space. A mechanism to calculate the size of the living area was also developed. This practically means that the former mayor of Garmen, Ahmed Bashev (currently investigated for violating the law by the Prosecutor`s Office), may have acted in accordance with the CRA.

However, by issuing an order for address registrations in a zone "out of regulation", he created the necessary conditions for expansion of the Roma ghetto.

A further argument in this regard is the check conducted on registered addresses in connection with the phenomenon known as "electoral tourism". Prior the 2015 local elections, between February and April, 2015, more than 80 000 changes of address registrations of Bulgarian citizens were observed. This large number is due to a requirement of the **Electoral Code**. Voters who desire to vote in the locations of their current residence must have² registered an address for at least 6 months prior the Election day. Bulgarian society faced an attempt for altering the outcome of the electoral process, particularly in smaller towns and villages, through the so-called "electoral tourism". Changes in the CRA were urgently undertaken, regulating the verification of the address registrations made in the last year and deleting those that were made in conflict with the law.

It was eventually established that illegal registrations were insignificant as opposed to the total number of registrations, made "by the book". The number in question was 1724 and we can safely presume that it is even lower in reality. Evidently the inspection committees "went far" in their fight against "electoral tourism" in order to meet the public expectations. Members of the inspection committees even applied the law retroactively - taking into account the limitation imposed on the maximum number of people that can be registered at an address, as described above. This conclusion was reached by IPED based on a study of the inspection committees` protocols published on the websites of the respective municipalities. No information is available for the appealed in court cases on deleted address registrations, as well as about the outcomes of such appeals.

² A "current address" is the address of the place where a person currently lives. According to the Bulgarian legislation when a person does not reside on his/her permanent address, he/she should contact the municipal administration to register him/her on his/her current address.

A "permanent address" is the address of the place where the individual is registered in the population register. It is written on his/her documents, etc. It may be the same as the current address.

The mentioned above reiterates the legal possibility to obtain an address registration using a simplified procedure. The process has generally remained unchanged. For this reason, it was possible to obtain an address registration in an illegally built house in the "Roma Mahala". This simplified procedure is one of the fundamental factors, enabling the so-called "electoral tourism". We believe that while government officials and members of the Parliament understand this correlation, they remain reluctant to discuss it in public for the following reasons:

The introduction of strict rules for address registrations, obtained solely within the regulated boundaries of agglomerations and legally constructed properties, will deprive large groups of people, including Roma, from access to this procedure. They will be unable to provide an address and respectively they will not be able to obtain ID documents. This, in turn, will deprive them from voting rights and from access to all available public services. In the same time however, the absence of restrictions enables the "electoral tourism" and the high concentration of residents on a single address. Thus, the state actually plays a role in the legal forming of ghettos.

This existing problem would have been evident and solved a long time ago, if preliminary impact assessment of the National Assembly normative acts was made as a necessary standard. Similar assessments however are not required by the **Law on Normative Acts**. According to the Bulgarian legislation, only legislative proposals made by the executive authorities, must be accompanied by financial statement related to their impact on the state budget.

In other words, the current legal framework allows the adoption of legislative acts without taking into account their compliance with strategic documents, that are already in place. Without prior impact assessment of the proposed legislative changes, it will be impossible to achieve an effective balance when resolving conflicting social problems - such as those between the rules and procedures to obtain address registration and the so-called "electoral tourism".

Lack of a comprehensive, meaningful and prioritized government policy on Roma integration

According to the Deputy Prime Minister and Minister of Social Affairs Ivaylo Kalfin, chairman of the National Council for Cooperation on Ethnic and Integration Issues (NCCEII) (an interview for Dnevnik Daily on 8 June, 2015: *'The government has failed to pursue a successful Roma integration policy and a greater commitment is necessary*), the government policy on Roma integration has failed. In his opinion the 2005-2015 Decade of Roma Inclusion enabled a development but it didn't bring **"a visible turning point, a change we all expected. In the meantime, the problems in the Roma community continued to deteriorate."**

According to the Minister, there is a **lack of comprehensive, meaningful and prioritized policy** on the Roma inclusion. Minister Kalfin states that poverty remains the main problem for Roma and the case in Garmen can happen elsewhere, because **"it`s a symptom, and not an isolated local problem"**.

When asked to explain his view on the mentioned symptom, Mr. Kalfin answered as follows: **"A symptom of increasing tension resulting from an entirely different mindset from what we imagine in the center of Sofia."** This is a shocking answer, as the highest institutional position publically admits for radical differences on how politicians and Roma citizens view the process of integration.

Despite the positive statistical figures, none of the negative trends have been reversed and integration policies are unsuccessful. Problems have deepened. The Roma community integration programme is unsuccessful. There is a lack of an active and targeted government policy. Strategies and plans have been adopted and reports are compiled, but political ambition and motivation are lacking. Roma integration appears to be a **"troublesome topic for the politicians"**.

The Roma today continue to be stigmatized and taking any actions in favor of this community **"provoke active resistance in some circles"**. At the same time Roma issues are not considered as a problem of the Bulgarian society. Due to the poverty in the country the public strictly monitors whether any government measures are in their benefit (to see whether the Roma have received more advantages than other groups in society). **"Thus, the debate about "some" people, living on the back of the state and its welfare remains open."**

According to Ivaylo Kalfin the media plays a strong role in generating and maintaining negative stereotypes and prejudices against the Roma.

The Minister notes that there is no communication between the institutions on issues related to the Roma integration. Each ministry is confined to its area of competence. The NCCEII, chaired by Mr. Kalfin, deals solely with the formal approval of programmes and reports, instead of formulating policies and working on their implementation. Mid-rank public officials often attend the Council meetings as rapporteurs, depending on the topic. The composition of the Council itself is quite broad but its impact and influence remain unclear. **"There is too much talking. Nothing ever happens, no commitments are undertaken or decisions are made."**

The Minister has declared firm resolve to make serious changes in the NCCEII - however, the nature of these changes remains to be seen. Currently the NCCEII has opened a procedure for election of public procurement contract: *"Review, analysis and assessment of the legislation, structures, systems, best practices for monitoring, evaluation, control, network of stakeholders to submit data to the "SYSTEM" project under 2014BG05M9OP001-3.2015.001 "Development and implementation of a system for monitoring, evaluation and control of the National Strategy of the Republic of Bulgaria*

for Roma Integration 2012-2020" under Human Resources Development Operational Programme 2014-2010'.

This rather grandiose title refers to the analysis of the legislation, the structures and similar systems, the information capacity of the public policies against poverty and the integration of ethnic minorities. Good European practices are to be identified and a network of stakeholders is to be built. The maximum available budget for projects is limited to 193 500 BGN (incl. VAT). These are just initial spendings for the Programme. According to an article published in "Trud Daily" approximately 3 million BGN will be spent for the whole Programme in the upcoming years.

Minister Kalfin shares another opinion opposing the official position of his colleagues at the Council of Ministers: ***"Even if we demolish all Roma houses and stop all social payments, the problem won't be solved. Take Garmen for example—illegal houses will be torn down, but what will happen next? People will have to scatter into the woods, and will become greater threat to the Marchevo residents. In the same time even the glazing of balconies is illegal. And how many illegal hotels are there along the Black Sea coastline? But we focus our attention only on the Roma ghettos."***

Minister Kalfin reiterated that the government must play an active role and intervene when necessary in order to address the problem. However, this should not be done in forceful manner and with imperatives like: ***"This is the law, read it and obey it."***

Work must be conducted without repressive measures, but with the active participation of the Roma communities. The minister mentioned some of the already established good practices such as the work done by health and labor mediators. These practices should be expanded and funded adequately.

By the end of the interview, Ivaylo Kalfin mentioned again the poverty of the Bulgarian society, seen as a reason for intolerance towards the Roma. ***"Bulgarians always think that they are not where they deserve to be, that they are underappreciated and that their world is hopeless. This attitude will reflect on anyone who they consider to be more privileged."***

Mr. Kalfin concludes: ***"Society must understand that we invest in the Roma community today, because to do so tomorrow will cost us more. I am not talking only about money. I am talking about the way of life, safety, standard of living—not just that of the Roma, but of the entire society."***

Probably the positions of Minister Kalfin are likely to be positively perceived by the majority of Roma and NGO representatives. The problem is that currently these are just declarative statements, openly contradictory to the official positions and actions of the Bulgarian institutions.

The minister has placed emphasis on the lack of comprehensive, meaningful and prioritized public policy towards the social inclusion of Roma. The reasons for the mentioned deficiency however are **not related** to the rank of public officials in the NCCEII, **nor** to the fact that the Council's composition is so broad - with no clear knowledge about how representative for the Roma communities its members are. In the end, the NCCEII can act only as a consultative body to the Council of ministers - assisting it to "coordinate" activities. The public officials who are members of the NCCEII are from the highest possible state positions - deputy-ministers and directors of state agencies. The members from the NGO sector are not accepted on the basis of their community impact (or in other words "how representative they are"), but based on their desire to participate in the NCCEII, combined with the declared organizational goals and experience.

The real reason for the formality of the NCCEII however, resides in the lack of political will to make it efficient. It is due to the fact that Roma in Bulgaria, unlike the Turkish ethnic minority group for example, have extremely weak influence within the public government. There is almost no Roma representation - neither in the National Assembly, nor in the municipal councils of Bulgaria.

Thus, we foresee 3 possible alternatives for changes in the NCCEII:

- The first one envisages palliative approach of the changes within the structure and activity of the Council, with no real change in its consultative and coordinative nature.
- The second one must construct such changes in the structure and activity of the NCCEII, that will allow it to become at least partially independent, while formulating, conducting and controlling the state policies on ethnic and integration issues.
- The third alternative foresees a radical change - closing of the NCCEII and creation of a new public body with full competencies to develop, conduct and control the state policies related to ethnic issues and integration. This alternative however, is not realistic if we keep in mind the current political environment in Bulgaria.

All of the mentioned alternatives for change should be preceded by a conduct of fair analysis, evaluating the current institution as well as the real impact that these changes can provide.

Weak solidarity and public support

The outbreak of the Garmen events received wide media coverage. At the same time, authorities and human rights institutions (Ombudsman and the Anti-Discrimination Commission) appeared to downplay the incident. The demolition of illegal Roma houses

is an issue in the public discourse that vies for attention alongside topics, such as road accidents, the complex ruling coalition relations, the refugee crisis, etc. No public or human rights institution supported firmly and categorically the Roma group of protesters in Garmen. Opinions of government institutions were borderline clichéd and were balanced to an extent where they did not actually say anything. On 27 May, 2015 in Vesti.bg the Bulgarian President Rosen Plevneliev said: **"The institutions should face the citizens' problems and start acting objectively."**

He also added: **"When someone has built an illegal construction, he or she must face the consequences. When someone resorts to hate speech, they should also be held accountable. My message is this - a crisis occurs when the law has not been obeyed. In times of crisis, institutions must guarantee that the rules are followed by all; they must refrain from compromising and taking sides."**

Plevneliev is convinced that: **"Most problems in our country are not the result of inadequate legislation, but of failure to obey and enforce the law."**

Roma from other neighborhoods did not join the protests in Garmen. The same applies to most non-Roma NGOs working on Roma issues and different aspects of social development. The Garmen case demonstrates a lack of solidarity and support between the Roma communities in Bulgaria and their reluctance to stand up for their rights. It also reveals a severe lack of pronounced support from the Bulgarian NGOs.

The Roma protest remained local within Garmen municipality. No protests in support of the Roma were organized in the regional center - Blagoevgrad - or in the capital Sofia. Demonstrations and rallies are organized in front of the building of the National Assembly on the smallest occasion, but there were none in support of the civic rights of the Roma.

Nevertheless, it must be noted that IPED identified the following civil society organizations that openly supported the Garmen protest and petitioned the national authorities and European institutions in order to protect the civic rights of the Roma: Bulgarian Helsinki Committee; the Amalipe Interethnic Dialogue and Tolerance Centre; the National Children's Network; the National Network of Health Mediators, Dobrich; the National Network of Health Mediators, Shumen; the Regional Policies Centre, Nikola Kozlevo; the Equal Opportunities Initiative Association, Sofia; the Roma Solidarity Foundation, Petrich; the Health Problems of Minority Groups Foundation, Sofia; the Intellect National Coalition; the Interethnic Initiative for Human Rights Foundation, Sofia; the Integro Association, Razgrad; the Roma Cultural Centre, Vazovo; the Roma Verzas Association; the Roma Health Foundation, Sliven; and the Sun for Everyone Association, Peshtera.

Insufficient international reaction

Analyzing the international response to the events in Garmen may be a subject of an independent study, that will outline a number of useful results. Here, we will only mark some of the main points.

Ms. Věra Jourová - European Commission for Justice, Consumers and Gender Equality - was informed about the demolition of illegal Roma houses in Garmen Municipality and the resulting problems for the Roma community.

On **14 October, 2015** a hearing took place at the European Parliament dedicated to the same problem in four countries—Bulgaria, Hungary, France and Italy. From the reports presented during the hearing it became clear that the demolition of illegal houses and constructions is not a uniquely Bulgarian problem. It existed in several other Member States for a long period of time, although its characteristics vary in each country. Statistical information was provided about the number of Roma houses demolished in Bulgaria. In particular, during the last 7 years the authorities have started issuing instructions on the demolition of houses. These instructions recently started to be enforced—actions that are most often related to the pre-electoral periods in the country.

The process under way in the different European countries was put under scrutiny.

- It was established that in Hungary the local government applies various harassment techniques against the Roma, including forced evictions and providing lower standard housing; terminating municipal tenancy agreements; increasing rent; frequent inspections by the hygiene services followed by fines and threats of eviction.
- In France, only the temporary houses built by recently arrived Roma are demolished as opposed to the illegal buildings of the native French citizens.
- Italy is famous for resorting to demolition of Roma buildings during various election campaigns - for example the "ghettos" in Milano (2011) and Rome (2013).

The European Court of Human Rights (ECHR) received an application from affected Roma families, which asked it to apply interim measures towards Bulgaria in accordance with Rule No 39³ of the Rules of Court. As result from the ECHR actions, the Ministry of

³ Rule 39 – Interim measures

1. The Chamber or, where appropriate, the President of the Section or a duty judge appointed pursuant to paragraph 4 of this Rule may, at the request of a party or of any other person concerned, or of their own motion, indicate to the parties any interim measure, which they consider should be adopted in the interests of the parties or of the proper conduct of the proceedings.

2. Where it is considered appropriate, immediate notice of the measure adopted in a particular case may be given to the Committee of Ministers.

Justice informed NCCD that the request for temporary suspension of the demolitions will be respected. Bulgaria was to urgently provide information about the measures taken to rehouse the affected Roma and whether this process would cause separating children from their families. It appears that after the appeal to the ECHR, the Ministry of Justice and Ministry of Regional Development reacted "promptly" and the deadline for the enforced demolition in Garmen Municipality was extended until 31 July, 2015. Subsequently however, the ECHR did not impose the interim measures, that would suspend the orders for demolition, thereby enabling their enforcement.

A campaign was organized among European and other international communities as result of which foreign citizens sent letters to the Bulgarian diplomatic missions overseas and the competent Bulgarian authorities. The international community called on the government to ensure adequate housing conditions and compensation for the individuals whose houses had been demolished. They asked the government to refrain from the separation of Roma families when providing alternative housing and social services to the affected people.

IPED is unable to provide further comment on the organization, scope and results of this advocacy campaign due to insufficient information. The reaction of national authorities and Bulgarian diplomatic missions to this initiative remains unclear as well.

We can, however, conclude that even a slight pressure from Europe or large international human rights organizations provoked a necessary relevant reaction from the Bulgarian institutions. The reaction of Europe however was not sharp enough and the "Garmen case" failed to raise sufficient attention in the broader European context. Current events that unfolded at the same time influenced as well: the financial collapse of Greece and the rising refugee crisis in Europe, took the general public attention and thus the Roma problems were displaced to the background.

3. The Chamber or, where appropriate, the President of the Section or a duty judge appointed pursuant to paragraph 4 of this Rule may request information from the parties on any matter connected with the implementation of any interim measure indicated.

4. The President of the Court may appoint Vice-Presidents of Sections as duty judges to decide on requests for interim measures.

“The Orlandovci Case – a neighborhood in conflict”

Case Recreated

On 13 June, 2015 the Sofia Police Department (SPD) received a signal about a clash between two groups of youngsters – Bulgarian and Roma – in the neighborhood of Orlandovci. The police officers who arrived at the scene established that the fight had started following a complaint about loud music being played. Six persons were taken to hospital for medical treatment, and two of the people involved in the fight were held in custody by the police. According to police records each of the groups consisted of about 7 people. Given the events that were taking place at the same time in other parts of the country, the Ministry of Interior deployed additional police forces in the neighborhood in order to reduce the tension.

Despite the police actions, on the next day - **14 June** – about 200 people gathered and blocked one of the streets in the neighborhood (Mara Buneva street) in spontaneous protest against the “Roma crime”. In the late afternoon some of these protesters, armed with stones and bottles, attempted to storm into the Roma neighbourhood, but were held off by the police. There were young males wearing masks in that group who chanted “Bulgarian Heroes” and “All Roma in the Camps”. More than 20 people were arrested and the Secretary General of the Ministry of Interior was sent at the scene. In a press briefing from the spot he stated that though the incident was simple assault, ***“some of the people involved on both sides were known to the police”***.

On 15 June the police had to once again contain protesting Bulgarians in the neighborhood who marched into the Roma neighbourhood and wanted to take the law in their own hands. Some of the demonstrators split from the main group and managed to get into the Roma quarter and break the windows of some houses. According to Chief Commissioner Hristo Terziiski the protest was organized in the social networks and only 8 of the 34 people who were arrested (for resisting arrest or not having IDs) in fact resided in the neighborhood. In the meantime, it became known that earlier on the same day the people from the Roma quarter had moved their children outside of it, to friends and relatives, in order to protect them from possible assault. Roma from Orlandovci neighborhood stated to the media that they were ready to protect themselves with all available means.

The protests in the neighborhood continued in the following days but the increased police presence contributed to a gradual de-escalation of the conflict between the two ethnic groups. It should be noted that after the vandalism of the first days, the Bulgarians from the neighborhood tried to differentiate themselves from the offenders by describing them as “external agitators”.

On 19 June Bulgarians and Roma met in front of the local community center where local priests held a “church service for peace, unity and humility”. The Bulgarians then urged

Roma to sign a petition for repairs of the street lights, instalment of CCTV cameras, dismantlement of the illegal buildings, increased police patrols and checks of the registrations of Roma in the neighborhood.

The tension in Sofia resurged on **20 June, 2015** when Roma coming back from church – a father and his two sons – were assaulted at a bus stop in the Druzhba quarter. They were beaten with batons and brass knuckles by four youngsters who managed to escape. Later the father stated on national TV that he and his sons had been jumped by the attackers while getting off the bus and had not provoked the assault in any way. Similarly to the first incident – a week earlier – the offenders were quickly arrested by the police but the quarrel between groups of Bulgarians and Roma in the capital escalated again.

On 24 June, 2015 the Prosecutor General of Bulgaria, Mr. Sotir Tsatsarov, took a very controversial stance in support of a police officer who was investigated by the Ministry of Interior. Ana Vitanova, an officer providing security to the protest in Orlandovci on 15 June, uploaded a selfie from the event with a caption **"they should give us free rein...if your skin is darker, you will burn"**.

In the opinion of the Prosecutor General however the issue with Officer Vitanova was taken out of proportion and the law-enforcement officers in general should be treated with more lenience in such situations. **"I am not saying that Ana Vitanova's actions and opinions were right. Everybody makes mistakes, and everybody is entitled to their opinions though. But she wears a uniform and because of that and because of the fact that she and her colleagues see things every day that we only see on the news, we should be more respectful and show more understanding to the people in uniforms."**

Although the profile of Officer Vitanova in the social network was deleted, the photo quickly gained popularity. The Ministry of Interior ordered an inquiry while on Facebook a group "[We support Ana Vitanova](#)" was created and attracted more than 15 000 followers who opposed the sanction.

In an interview for Dnevnik Daily the Legal affairs director of the Bulgarian Helsinki Committee (BHC) Mrs. Margarita Ilieva talked about an important feature of the institutional response to hate crime in Bulgaria giving an example with the vandalism in Orlandovci. As a lawyer with ample experience she pointed out that often the courts reclassify the "hate crimes" as "disorderly conduct". In her opinion in this way the victims are told: **"You are non-existent, I don't see you and you don't matter."** And the message to society and to the offenders is: **"Certainly, we do not intend to admit that Bulgarians commit hate crimes..."**.

Although the conflict in Orlandovci has been subdued under police control, the case has been used politically by a number of parties and candidates in the local elections. This case also demonstrated some demarcation lines in the public attitudes that even Prime

Minister Boyko Borisov drew attention to: ***"I want to ask everyone to be careful when playing with fire because given the instability surrounding us and the stability in Bulgaria we need to be very cautious not to set our house on fire. It is easy to start a fire, I tell you this as a firefighter⁴. It is easy to talk and provoke ethnic conflicts, I warn you. And I will stop here, I hope that those who play with fire understood what I am saying."*** (16 June, 2015)

General attitudes and traditional negative stereotypes of the Roma:

The specific study of the hate speech relating to the Orlandovci case should be put in general context of the Roma image in Bulgaria. **The stereotype is a simplified, stable, misleading, preconceived notion which is not based on experience.**

There are several traditional negative stereotypes of the Roma, which are reinforced and perpetuated by the media in Bulgaria. According to the publication "Overcoming the traditional and new anti-Roma stereotypes" (2013) of the Amalipe Center the key associations attributed to the Roma are: "music and dancing", "nomads, caravan, horse-cart", "pickpockets, thieves", "lots of children", "uneducated", "united", "lazy", "filthy", "poor", "marrying young", "social assistance", "fortune tellers", "gold", "kitsch". With the exception of the notions for "music and dancing" and maybe "united" all the other associations are negative.

Another study conducted by the Integro Association - "The image of the Roma in six electronic media" (2015) - shows that the main negative stereotypes, attributed to the Roma are reinforced and perpetuated by the media. Generally, they could be grouped as follows:

- negative stereotypes about the reproductive behavior of the Roma (marriages at young and very young age, giving birth at young and very young age; very high birth rate; fast increase of the Roma population; irresponsible parenting);
- negative stereotypes of the Roma as people who systematically violate the laws and established rules (thieves, crooks, violent people, murderers, people who engage in human trafficking, including of children, sell their votes during elections, damage the property of other people and entities, erect illegal buildings on public or other people's land, people who systematically terrorize the others, etc.);
- negative stereotypes about the cultural characteristics of the Roma (primitive, filthy, ignorant, uneducated, do not value education, ill-mannered, loud, immoral, bad, do not care about other people's feelings, do not respect other people's religious beliefs, do not respect the dead, etc.);
- Roma regarded as a social and economic burden (do not want to work, lazy, irresponsible, live off society, do not pay taxes and social insurance, do not pay

⁴ In the early eighties the Prime Minister Borisov has graduated in the field of: "Fire equipment and safety".

- their utility bills (electricity, water, heating), live on welfare, abuse the social assistance funds of the state, misuse charity, etc.);
- negative stereotypes of the Roma as people who pollute the environment and are a threat for the urban areas (cut trees and destroy parks, destroy plant species, cut fruit trees, pollute the rivers, turn vacant urban land into illegal dumpsters, etc.).

Media coverage of the conflict – questions raised and results attained:

The following section presents the results of a media monitoring on the coverage of the Orlandovci conflict in Sofia, carried out as part of the study. A focus of the monitoring was the media coverage of the conflict in the neighborhood for the period 13 June - 25 June, 2015. Our team has tried to track the use of hate speech, in six electronic media channels: four national media channels - the public television BNT and the three top TV stations – bTV, Nova TV and TV7, and two private stations run by nationalist political parties – Ataka and the National Front for Salvation of Bulgaria (NFSB) - ALPHA TV and SCAT TV. The total number of monitored media segments is 182.

In order to conduct the study, we have used the online archives of all mentioned televisions. It should be noted that individual programs of these televisions rarely keep an archive. This is why we studied the general archives of the television web-sites and not the specific archives of their programs. Each station decides which stories are to be considered important enough in order to upload them on the web-site. Official TV web-sites publish unique segments in their archives. This means that on TV, one such segment may have been aired repeatedly during the day, especially on the news. But in the official web-site, this segment has been published only once.

The segments have been monitored by four experts. Their classification by categories was done with at least three out of the four votes. Materials which did not collect three votes were categorized as "**materials which cannot be categorized**".

The raised questions and attained results of the monitoring are presented below as follows:

Question – Is the media coverage of the unrests in Orlandovci a typical case of hyper-presentation – media overexposure, which often distorts reality? It is characterized with inviting the same guests to comment, repeating themes and images, which leads to a serious imbalance in favor of individuals privileged with access to the media.

Results: A total of 182 segments were monitored. The total duration of the programs is 22 hours and 40 minutes, broken down by television stations as shown in Figure 1.

Figure 1: Monitored media, number of segments and average duration per day:

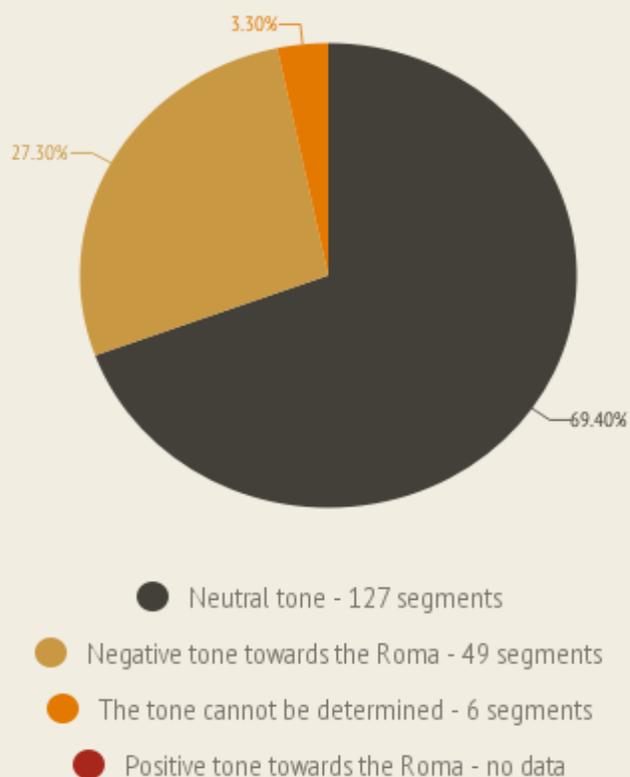
MONITORED MEDIA CHANNELS			
	Segments	Duration of the segments that covered the conflict	Average duration of the segments per day
BNT	39	02:37:09	00:14:17
Nova TV	34	04:34:46	00:24:59
bTV	25	03:29:39	00:19:04
TV7	25	03:27:46	00:18:53
SCAT TV	16	03:53:25	00:21:13
ALPHA TV	43	04:37:54	00:25:16

The results show that the media coverage of the Orlandovci case is amplified. This is particularly applicable to the SCAT TV and ALPHA TV stations - we may assume that these channels have allotted largest amount of time in coverage of the Orlandovci theme. A justified conclusion could be made that the unique content segments were broadcast in numerous news emissions and talk shows. This conclusion is based on the fact that the two TV stations air mainly political and current affairs programs. We must also keep in mind another important feature that statistics cannot fully reveal. The conflict in Orlandovci occurred simultaneously with the anti-Roma protests in Garmen, aiming for immediate demolition of all illegal buildings there. We may presume that the **general** coverage for the Roma during the examined period can be doubled at least. Since both occasions were built on emerging conflicts between youngsters of two ethnic communities, while institutional actions revealed the Roma as offenders, the protests depicted the Bulgarians as victims. Thus, negative stereotypes were bound to easily appear in the majority of media segments, concerning the Roma.

Question – Is the tone of the journalists covering the unrests in Orlandovci neutral? This is an important indicator as it can outline the existing mindsets and general interpretations of the media outlets on specific issues.

Results: The tone of the journalists was neutral in the predominant number of segments. Yet, the negative tone with regards to the Roma has remained significant. Also, as seen in **Figure 2**, there is no data showing positive tone towards the Roma:

TONE OF THE JOURNALISTS COVERING THE UNRESTS IN ORLANDOVCI



The breakdown of this indicator by the six monitored media is shown in **Figure 3**:

MONITORED MEDIA CHANNELS

	Neutral tone	The tone cannot be determined	Negative tone towards the Roma	Positive tone towards the Roma
BNT	39	0	0	0
Nova TV	34	0	0	0
bTV	20	5	0	0
TV7	24	1	0	0
SCAT TV	0	3	13	0
ALPHA TV	7	0	36	0

The tone of the journalists in the national televisions was unbiased. According to the study conducted by Integro Association in 2014, there was a steady percentage of negative tone in BNT, bTV, Nova TV and TV7, with it being the lowest for BNT (8,3 %) and highest for Nova TV (30,7 %). No negative tone was registered in the media coverage of the Orlandovci case by the national televisions. According to our research team this was due to the fact that reporters and editors had general understanding for the stakes while covering a conflict. Therefore, they were careful not to further stir it up.

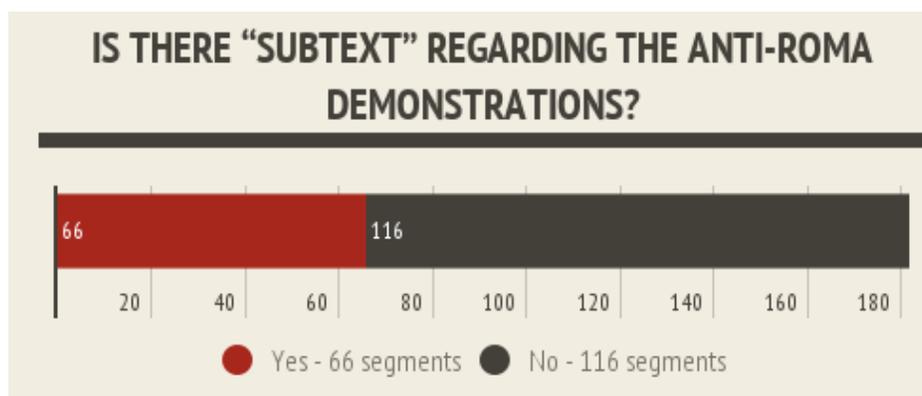
Unlike them the nationalist stations SCAT TV and ALPHA TV adopted an entirely negative tone regarding the Roma when covering the events in Orlandovci.

Question: Is there "subtext" regarding the anti-Roma demonstrations?

An important counterpoint to the negative tone in covering the Orlandovci conflict and to the established stereotypes of the Roma can be reviewed in the segments, which questioned how the Bulgarian ethnic group protests were held.

Results: A criticism on these protests was registered in 66 of the 182 monitored programs.

Figure 4:



The subtext of the protests relates mainly to the treatment of two additional themes in the monitored programs. Firstly, an issue is raised whether certain political entities gained advantage by creating ethnic tensions between the two conflicting sides. On the other hand, the vandalism and violence shown by some protesting Bulgarians during the demonstrations were condemned in the segments.

The mentioned above is broken down by media and presented in **Figure 5** below:

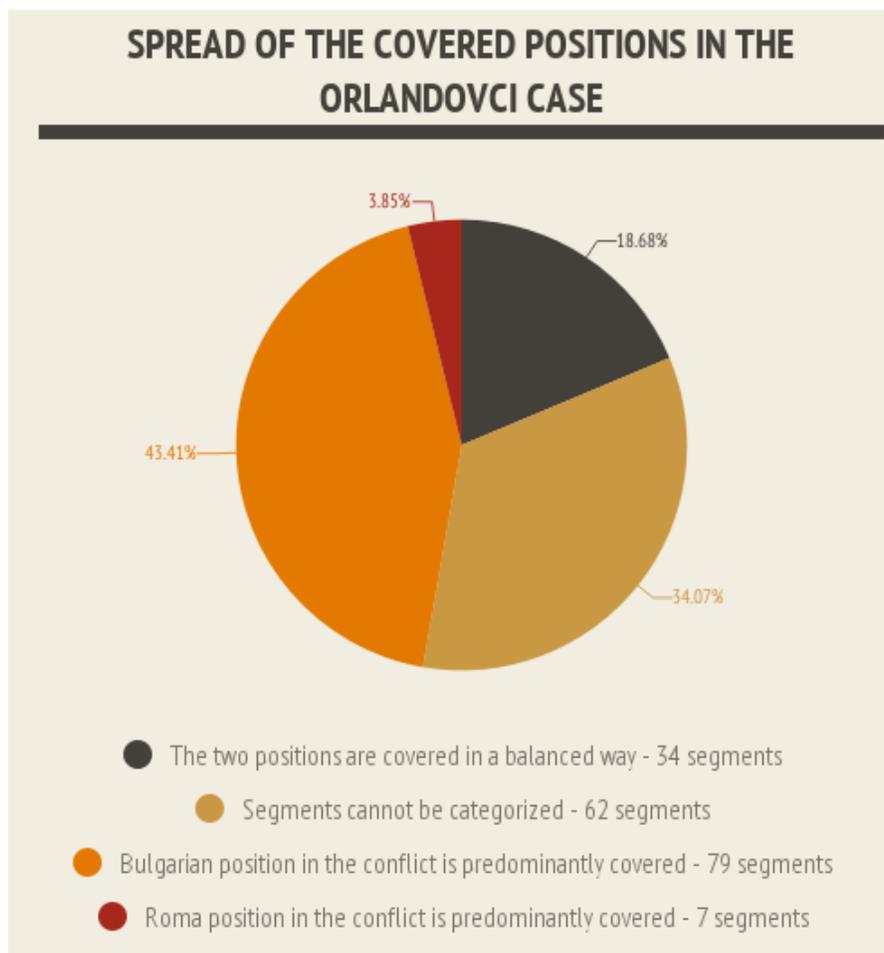
MONITORED MEDIA CHANNELS	
	How many segments addressed a possible "subtext" in the anti-Roma protests?
BNT	7
Nova TV	17
bTV	3
TV7	12
SCAT TV	0
ALPHA TV	27

It should be noted that only 23 of the mentioned 66 segments are focused mainly on criticism of the vandalism and skirmishes during the anti-Roma demonstrations. The remaining 43 segments include this angle but it is shown alongside a negative stereotype of the Roma.

Question: Is the coverage of the conflicting Bulgarians and Roma in Orlandovci balanced? This question allows to measure the quantity of expressed opinions and positions gathered and presented by the media from the two conflicting sides.

Results: The coverage of the positions was imbalanced. The analysis shows that both positions in the conflict were covered in a balanced (even) way in only 34 of all 182 segments. An unequivocal assessment was impossible for 62 segments. However, in a total of 86 segments a coverage of the positions of one side prevailed – the Bulgarian being predominant in 79 and the Roma – in only 7.

The coverage is shown in **Figure 6**:



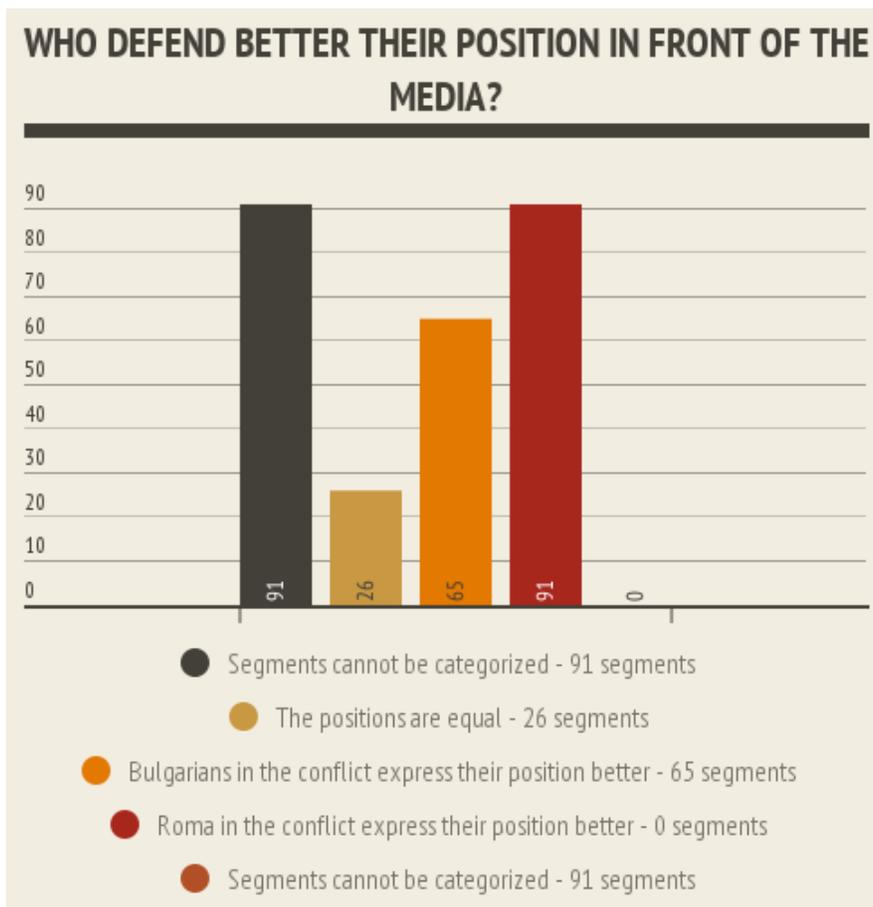
The breakdown of this indicator for each of the 6 televisions is shown in **Figure 7**.

MONITORED MEDIA CHANNELS

	The two positions are covered in a balanced way	Bulgarian position in the conflict is predominantly covered	Roma position in the conflict is predominantly covered	Segments cannot be categorized
BNT	5	6	2	26
Nova TV	13	12	2	7
bTV	8	9	1	7
TV7	6	10	2	7
SCAT TV	2	13	0	1
ALPHA TV	0	29	0	14

Question: Who defend better their position in front of the media? This question can reveal if the different positions covered by the media, were expressed adequately by the representatives of each conflicting side.

Results: An answer to this question could not be given for 91 of the monitored segments. In 26 of them the result was "a tie". In the remaining 65 there was a clear winner who expressed positions in a better way and it was not the Roma – **Figure 8.**

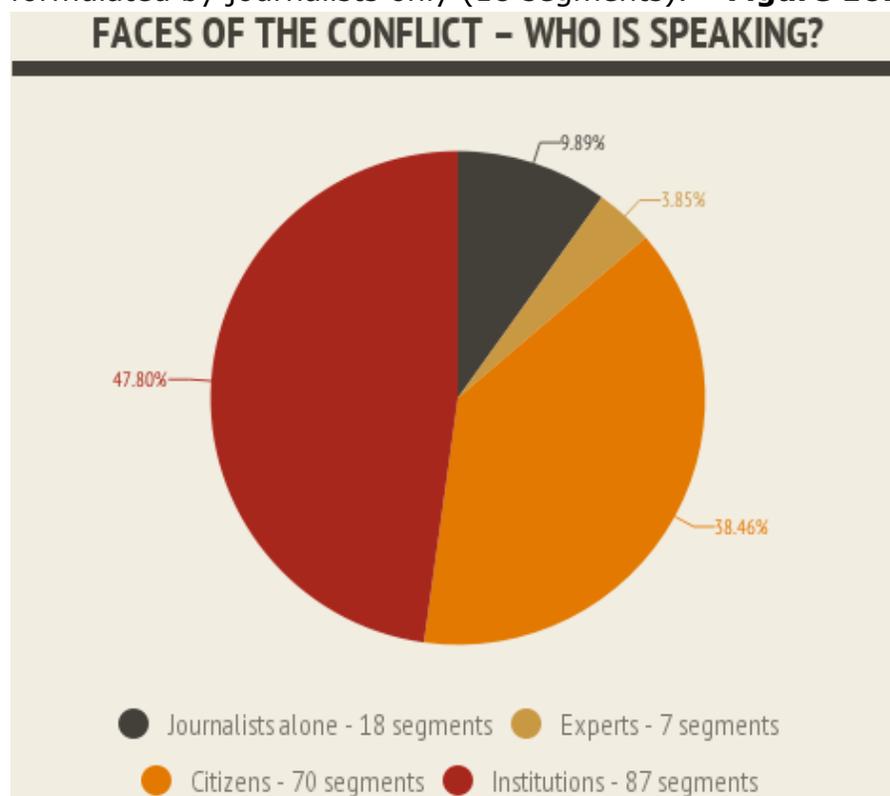


The breakdown of this indicator for each of the 6 televisions is shown in **Figure 9.** There is practically no program in terms of which it could be said with certainty that the Roma position on the Orlandovci case was better defended. According to the research team this is due to the fact that the Roma were labeled as the culpable party in the conflict right away and the Bulgarians were portrayed as the victims. The "culpable" Roma were quickly arrested and held in custody, which influenced how the event was interpreted to a great extent.

MONITORED MEDIA CHANNELS				
	Segments cannot be categorized	The positions are equal	Bulgarians in the conflict express their position better	Roma in the conflict express their position better
BNT	33	5	1	0
Nova TV	16	9	9	0
bTV	14	6	5	0
TV7	11	5	9	0
SCAT TV	2	1	13	0
ALPHA TV	15	0	28	0

Question: Faces of the conflict – who is speaking? This question reveals the position from which key speakers have expressed opinions about the conflict in Orlandovci.

Results: The key spokespersons were the institutions and citizens (respectively 87 and 70 segments). A relatively small number of content segments were based on sources, which could be described as “independent experts on the issue” (7 segments) or were formulated by journalists only (18 segments). – **Figure 10.**



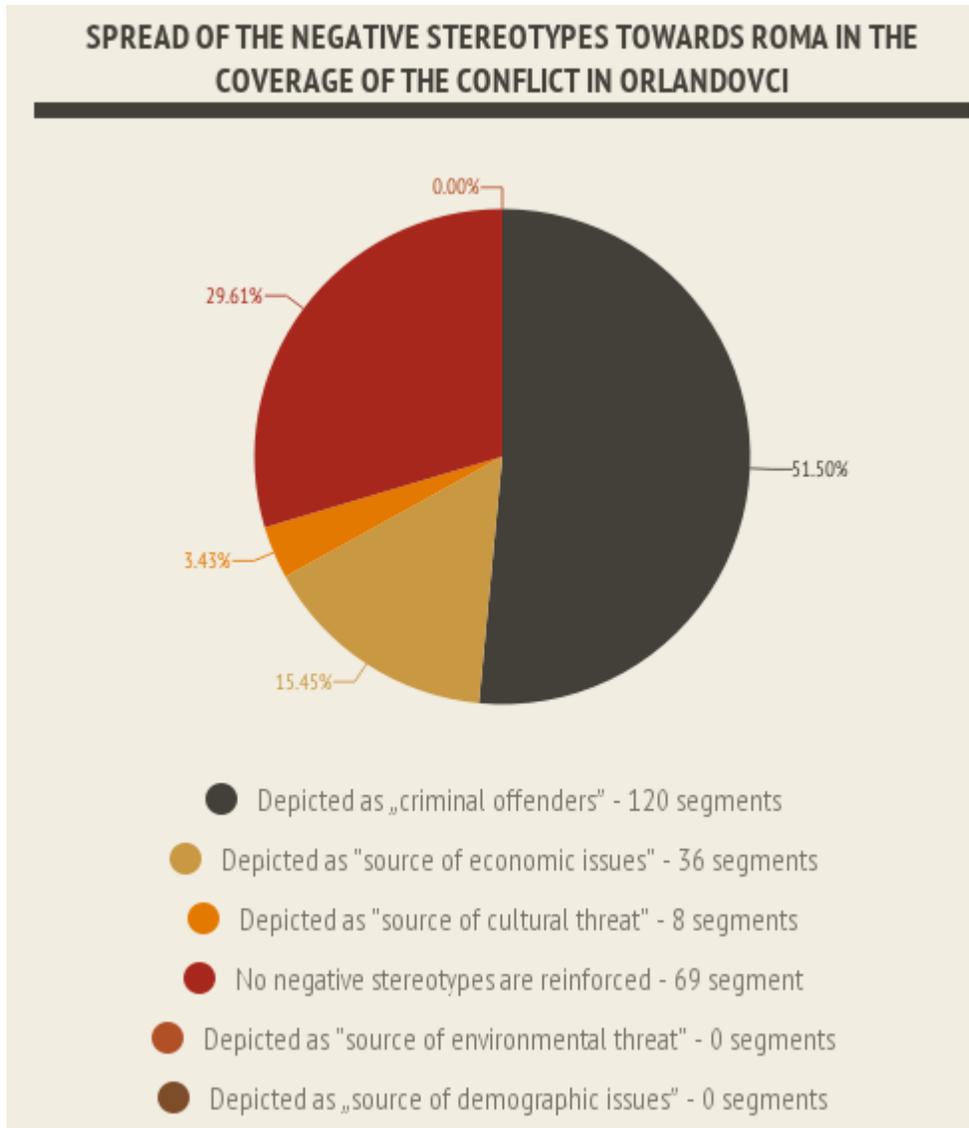
The key spokespersons from the institutions shown in the figure above were members of political parties and law-enforcement agencies. These “institutional” speakers are divided: 62 segments with expressed positions of political representatives and 25 with positions by the law-enforcement authorities.

Question: Were the existing stereotypes of the Roma ethnic group in Bulgaria reinforced by the media coverage of the Orlandovci case?

One of the latest available studies on the negative stereotypes of the Roma perpetuated by the media is the study conducted by Integro Association in 2014 with a focus on hate speech. For the purpose of the study the following stereotype groups were employed about perceptions towards the Roma: **„criminal offenders”, „demographic issues”, „economic issues”, „cultural threat/problems”, „environmental threat”**, as mentioned in the section General Attitudes and Traditional Negative Stereotypes of the Roma.

Results: The comparison of the data from this study with the results of the study of Integro Association leads to the following conclusions: the percentage of programs which do not reinforce a negative stereotype of the Roma has decreased, while the share of these which reinforce the stereotype of the Roma as criminals has increased. This is hardly a surprise: the media covered a serious conflict between two ethnic groups. It ended in vandalism that was contained by the authorities and “fault” was attributed in the very beginning. This fault was with the Roma. Thus, they are depicted by the monitored channels as a source of crime in more than half of the monitored segments (in 120 segments). In 36 segments criticism was directed at the Roma and they were described as an economic problem - receiving more privileges than regular citizens. In 8 segments they were portrayed as “culturally incompatible” with the Bulgarians in the neighborhood - with their “repulsive music” and “uncivilized ways”.

Figure 11:



****The total number of stereotypes identified in the segments exceeds 182 as more than one stereotype was present in many of them.***

The breakdown of this indicator for each of the 6 televisions is shown **Figure 12**. It appears that the public television BNT was most tolerant towards the Roma, whereas the strongest anti-Roma coverage was registered with the nationalist channels SCAT TV and ALPHA TV. The percentage of segments reinforcing the stereotype of the Roma as “criminal offenders” was also high in the national private stations Nova TV, bTV and TV7.

Figure 12:

MONITORED MEDIA CHANNELS				
	Neutral tone	The tone cannot be determined	Negative tone towards the Roma	Positive tone towards the Roma
BNT	39	0	0	0
Nova TV	34	0	0	0
bTV	20	5	0	0
TV7	24	1	0	0
SCAT TV	0	3	13	0
ALPHA TV	7	0	36	0

The Local Elections in Kyustendil

Why Kyustendil?

The research team selected the town of Kyustendil for its study for the following reasons:

Kyustendil is a typical regional center.

It has a population of 44 532 people, 5 179 or about 11.63 % of which identify themselves as Roma (data from the most recent census from 2011). The question about ethnic origin in the census is not mandatory. Some experts estimate that the Roma population amounts to at least 10 000 people.

Similarly, to elsewhere in the country the top issues for the Kyustendil citizens are unemployment and insufficient number of jobs. People also identify as serious issues for the town the lack of parking spaces, the bad infrastructure, town cleaning and landscaping, the quality of public transport and the master construction plan of the town. Some of the problems related to the Roma community in the town as pointed out by the citizens are:

- the river bed of the Banshtitsa River in the Iztok Quarter, which has been turned into a dumpster and there are also allegations about faecal contamination from outdoor toilets;
- the illegal Roma buildings in the Iztok Quarter.

(Results from a poll conducted by the DNES (Today) civic group as part of the initiative "Vote and Solve the Problems of our Municipality Together")

According to local media other issues that are sensitive for the local community in Kyustendil are the illegal Roma taxis and the evasion of taxes by the taxi drivers in the Iztok Quarter as well as the unregistered Roma horse-carts.

The Roma Quarter "Iztok" is located in the North-East part of the town and is situated between the Banshtitsa River, the road to Sofia and the Sofia – Gueshevo railway. The quarter is predominantly populated by Roma. The Protestant church (Seventh-Day Adventists Church) is influential among the Roma. The buildings are mostly low rise. The infrastructure is quite bad. There are a school (4th school Ivan Vazov), a kindergarten and a police station in the quarter.

The problems in the Roma neighborhood are also quite typical.

Unemployment is the most important problem that the Roma in Kyustendil are facing. This was revealed during a Round Table organized by the Roma Community Council in

the Iztok Quarter, which took place on 08 April, 2015. 90 % of the male Roma work in construction. Only 1 000 people out of the 12 000 population of the Iztok Quarter have a job. In the same time people claim that Roma are given only seasonal jobs and the employers rarely pay their social security instalments.

According to the Municipal Action Plan of Kyustendil for the implementation of the Regional Strategy for Roma Integration of the Kyustendil Region (2012 - 2020) for the 2015 – 2020 period the key issues of the Roma in Kyustendil are as follows:

- More than 70 % of the buildings in the Roma neighborhood are illegal. A large part of the land ownership is unclear.
- A detailed master construction plan of the quarter has been in place since 1978 but it cannot be implemented due to the illegally constructed solid, semi-solid and pasteboard buildings.
- More than 60 % of the households in the neighborhood lack sufficient living space. 80 % of the households do not have indoor toilets – 67 % having outdoor ones and the remaining 13 % lacking toilets at all. A possible explanation is that 10 % to 15 % of the households live in sham buildings lacking the necessary sanitary and technical infrastructure.
- About 14 % of the households do not have electricity and more than 70 % are not connected to the sewerage system. Every third household uses water from outdoor water sources.

It has been pointed that the main issue related to the education of Roma children is the fact that some of them start school, without being fluent in the official Bulgarian language and without the basic skills and competencies needed for a normal learning process. Thus, a large part of the Roma children are early dropouts. This is relevant especially for the girls due to both financial reasons and strong patriarchal tradition and customs in the Roma community of the town.

Another reported and serious problem for the compact Roma quarter of Kyustendil is a high incidence of infectious diseases. The percentage of people without medical insurance is significant.

The petty crime has become another issue for the quarter, usually committed by drug addicts from criminal groups. No actual data on crime is quoted in the Municipal Action Plan.

Kyustendil is the only regional center where the ruling government party - GERB did not nominate a party candidate for mayor. The broad coalition supporting Petar Paunov is an extended version of the national government coalition (with the exception of the Alternative for Bulgarian Renaissance political party - ABR). According to Tsvetan Tsvetanov (head of the parliamentary fraction of GERB and campaign leader of

the party) the political configuration in Kyustendil proved successful. Kyustendil is one of the few municipalities in the country where GERB and the Reformist Block will run joint candidates. „**The only regional center where such symbiosis would occur is Kyustendil. And we fully support Petar Paunov**” – Tsvetan Tsvetanov stated. (“GERB and the Reformers will have joint candidates in 7-8 municipalities one of which is Kyustendil”, mestniizbori.blogspot.com, August, 2015).

Kyustendil is notorious with its “innovative” campaign practices.

At the 2012 local by-elections⁵, mayor Petar Paunov issued an order for establishment of the electoral districts in the municipality, that hindered the possibility to open polling stations in the Roma quarter. People from Iztok had to vote in “mixed polling stations” in Kyustendil along with Bulgarian voters from the other parts of the town. This was justified as a measure to limit the controlled Roma vote on Election day. The “innovation” was put in practice again in the 2015 local elections and is seen today as a good practice by other Bulgarian municipalities. Garmen, as we mentioned before, is an example where the same measure for the turbulent Roma quarter was applied.

On 5 July, 2015 the so called “**first private referendum**” was held in Kyustendil and the citizens were asked the following question: “**Do you support Petar Paunov’s proposal to run for mayor of Kyustendil in the forthcoming local elections?**”. In fact this was not an actual referendum in accordance with the **Act for Direct Participation of the Citizens in the National and Local Government**, but rather a campaign event of the current mayor. The Roma in the municipality of Kyustendil were excluded in advance from taking part in the “referendum” - a fact, widely popularized by media outlets. The results of the “referendum” were as follows: 4 952 people voted “yes”, 192 voted “no” and 3 ballots were invalid.

In terms of the implemented integration policies Kyustendil is known for its active Roma community.

Despite the serious problems for the Iztok Living District, the situation of the Roma there is far from the worst in the country. There are positive and functional examples of a proactive Roma community in Kyustendil. Since 2002 the ADRA Foundation has been building houses in the quarter involving the residents in that process. According to the Open Society Institute - Sofia, this is one of the good practices for equal integration.

On 1 November, 2013 a Roma Community Council was established in Iztok Living District. It acts as informal civic body engaged in providing consultation, advocacy and support in areas such as employment, education, healthcare, local housing conditions regulation and improvement.

⁵ The problems that Roma in Kyustendil are facing are known to IPED’s team. In 2012 we monitored the local by-elections in Kyustendil, placing special focus on the polling stations moved outside Iztok Living District. We are familiar with large part of the Roma activists and the local political representatives.

Lacking Roma political representation

At the local elections held in October, 2015 Petar Paunov, candidate of the Coalition "Kyustendil", won his third term as mayor of Kyustendil in the first round with 59.43 %. His main leftist opponent - Atanas Gerginov - was far behind with 21.05 %. Coalition "Kyustendil" also won the council race with 42.56 % of the turnout or 19 of the 37 seats in the municipal council. The leftist "Za Promyana" (For Change) Coalition came in second with 8 seats. The "Green Party" was third with 3 seats followed by Coalition "For Kyustendil" and "Bulgarian Democratic Center" with 2 seats each.

Roma from the Iztok Quarter ran with three separate candidates' lists for the council race. They were registered by the Political Movement "Evrroma", the "Solidarity" Party, and the "People's Union". Those parties registered specifically for the elections and had no prior activities in the Roma quarter in the town. A total of 81 parties and 3 coalitions were registered with the Central Election Commission (CEC) for the local elections in Bulgaria. They in turn could form local coalitions with each other and [go out with common candidates](#). The registration of such large number of participants in the electoral process is well justified. Political parties and coalitions take part in the local elections not only to be able to compete for the local government, but also to be able to capitalize on **"the registration exchange"**.

According to the Bulgarian **Electoral Code** participating in local elections on behalf of parties and coalitions is much easier than registering initiative committees to nominate independent candidates. Using already registered parties saves the candidates from the hassle and costs of registering an initiative committee and starting petitions to collect voter signatures⁶. For a municipality of the size of Kyustendil the required number of signatures is not less than 500 per each independent candidate for councilor. The nomination of party candidates also makes it possible to work in a team - a group of candidates for councilors may be registered by the party whereas the list for independent candidates may only include one person.

This is why during local elections a special "exchange" of party registrations occurs: the parties and coalitions **"offer"** their acquired partisan registrations and the local candidates **"lease"** them for their own election purposes. This "lease" does not necessarily involve payment in cash. The parties and coalitions are happy as they can boast a formal expanding of their local influence. In the best case scenario, if their

⁶ Bulgarian **Electoral Code** has imposed a rule for the gathering of citizens' signatures in support of any party, coalition or initiative committee, wanting to participate in the elections. Parties and coalitions have to gather 2 500 signatures of support for all elections. Initiative committees for the registration of independent candidates however have to collect signatures, based on the type of elections and (if the elections are local) on the size of their municipality. For a middle sized municipality such as Kyustendil the required signatures of support are at least 500 (municipal council elections) and 1000 (elections for mayor).

candidates are elected, they will be expected to repay the favor. Often the local candidates pay a "**registration fee**" in the form of donation for the respective party or coalition. They may also pay certain amount of money for consultancy and legal advice related to their local registration. This type of exchange was not devised or accepted by the Roma but they are forced to take it into account just like any other Bulgarian citizen with voting rights who wants to get into politics. One of the negative ramifications of this phenomenon is the growing gap between the voters and the political entities and the reinforced perception of the elections as simply a "**process of bargain**".

The Roma lists for municipal councilors received respectively 1.80 %, 0.57 % и 1.59 % for "Evrroma", "Solidarity" Party and "People's Union". In this way no Roma candidate was elected as municipal councilor of Kyustendil despite the declared expectations for 3 or 4 Roma representatives from each list to be elected. This is not surprising given the fact that the main political parties in the municipality did not include Roma in their candidates' lists. The only exception was the leftist "Za Promyana" (For Change) Coalition, which had a Roma candidate ranked on 20-th place in its list. He was not elected as councilor because he could not win a sufficient number of preferential votes. Only 21 preferential votes⁷ were cast for the Roma candidate - Rizo Ivanov - as compared to the needed 43 to replace other candidates on the list. Thus, he ranked 33rd of the total of 37 candidates of the coalition after the recalculation based on the preferential votes.

According to our team this disappointing result is not directly related to the character and qualities of the candidate - in fact he is a popular Roma leader who made the necessary effort to make his candidacy and his number on the candidates' list known to the people. He could not collect a good number of votes due to the low Roma turnout in the so called "mixed polling stations" - turnout was about 15 % lower than the average for Kyustendil - 52.72 %. Another reason for the failure to get preferential Roma votes is the large number of invalid votes in the municipality - 15.80 % (in the "mixed polling stations" the percentage was about 2 % higher). These elections continued the trend of the parties to not engage in information campaigns promoting the importance of the preferential vote for the citizens and explaining the voting mechanism in general.

The Roma candidate was not fortunate enough of having his number on the candidates' list coinciding with the partisan number of the coalition in the ballot - thus taking advantage of the so called 15/15 effect⁸. The candidate ranked 9th in the partisan list

⁷ **Preferential voting** has been a hot issue in the debates on electoral reform in Bulgaria over the past several years. In 2015 it was used for the first time in local elections in Bulgaria. Rules regulate that after choosing a political party or coalition a voter **may** express his personal preference for **one** candidate on the list of this party. This rule gave the voters a practical chance to change the order of candidates in the partisan lists. The threshold required for the preferences to count is 7 % from the municipal electoral quota.

⁸ The first manifestation of the 15/15 effect was observed during the European Parliament elections in 2014. Back then the completely unknown candidate Momchil Nekov replaced Sergei Stanishev - former Prime Minister, Leader of the Socialist Party and current Leader of the Party of European Socialists - from the first place in the partisan list, only because his number coincided with the number of the party in the ballot.

benefited from this effect - he managed to easily win 213 preferential votes, to some extent due to the fact that his 9th position was the same as the number of the "Za Promyana" Coalition.

A former Roma councilor from the Socialist Party was placed on top of the "Evrroma" candidates' list but could not get elected in the new municipal council. The fact that she ran as candidate of a different party triggered off many comments and speculations in the local community about an unnecessary split of the Roma vote. The analysis confirms that if the Roma ran with a joint councilors' list, they would have been able to elect at least one councilor.

The number of Roma in Kyustendil is not sufficient to significantly influence the election of mayor or the formation of majority in the local council. But it is large enough to be perceived as a threat by the political parties. Thus, the Roma are used as an "**electoral scarecrow**". False claims are made that the Roma are a decisive factor in the elections in Kyustendil. Here we gave an example of how the Roma candidate on the list of the "Za Promyana" Coalition could not win the necessary number of preferential votes to be elected as councilor. This happened while constant allegations were spread for the "bought" and "controlled" Roma vote. It appears that political competition making use of the "Roma threat" is the easiest way for the parties to reap more political capital and support.

Let us make the following analysis: at the latest regular local elections in 2011 the municipal electoral quota was 780 votes. At the by-elections in 2012 it was 513 votes and at the regular local elections in 2015 the quota was 622 votes. Therefore, a conclusion can be made that the Roma in Kyustendil have the electoral potential to elect at least 7 Roma councilors in the municipal council. This however has never happened.

- **The attitudes of the mainstream political players to the Roma is determined by this weakness of the Roma vote.** They are not perceived as important enough and thus, nobody takes them into account about their actual inclusion into the political life. None of the local political parties, with the exception of the Socialist Party, has any activity in between elections in the Iztok Quarter. Only the Socialist Party has established a party club in the Roma neighborhood.

The Roma are seen as an "**electoral reservoir**" that the parties could extract a number of votes from if they are ready to pay for it. This message is perpetuated by the main political parties and the media.

The IPED team carried out field interviews with representatives of the main political parties and coalitions taking part in the elections in Kyustendil. Their platforms and campaign literature were also collected and studied. The analysis shows that not a single representative of the Roma community was placed in an electable position on the lists of the key political parties and none of the platforms and campaign literature of the parties contained a proposed solution to the Roma issues in Iztok Living District. And as noted

above in the study the Roma Iztok neighborhood presents a plethora of problems to be addressed by the public institutions.

So far we conclude that Roma issues are not included in the campaign literature of the so called "Roma candidates" as well. Roma activists in Kyustendil did not provide us with platforms and campaign materials for the local elections, related specifically to resolving problems for the Roma community.

The weakened Roma vote

Purposeful efforts were made to further weaken the impact of the Roma on the electoral process in the municipality of Kyustendil. An example for this is the exclusion of the Roma from the so called "**first private referendum**".

Who came up with the idea of the "referendum"? Why were the Roma deprived of their voting rights? Isn't this discrimination?

The answer of the municipal mayor to these questions was: "***This was an idea of the coalition⁹. As the corruption practices in the Roma hoods around the country are widely known, we are aware of them. We do not want for this referendum to be vitiated...Discrimination is when you block someone from working. On the contrary! We do quite the opposite: we create conditions for more jobs, education and social development. We just don't need them during elections. We do not want to provoke their leanings for trading.***" ("Petar Paunov: The ban for Roma to vote in the Kyustendil referendum is not discrimination", www.delo.bg, 8 June, 2015)

From the same interview we also learned that the mayor Petar Paunov did not hit upon the idea of the referendum on his own - it was a serious idea of the coalition that supported him; we learn that the Roma in Kyustendil were not allowed to take part not because specific signals were received against them, but because there were corruption practices in the Roma quarters in general - they are known to everybody. This is no discrimination - the Roma were simply deprived of their voting rights in order to prevent them from practicing their "inherent" trading skills. The journalist failed to ask the following justified questions:

- Should Paunov be elected for mayor, would he then be a mayor of both Bulgarians and Roma?

⁹ The Coalition "Kyustendil" is comprised of "GERB", "The Reformist Block", "National Front for the Salvation of Bulgaria", "VMRO - Bulgarian National Movement", Union of Patriotic Forces "Protection", "Bulgarian Democratic Forum", "Democratic Action Movement", "United Labor Block - Bulgarian Laborists", "New Power Party", "United Agrarians".

- If elected for mayor, would he have the trust of the Roma, given that they were excluded from participation in his “private referendum”, meant to decide whether he should run for office?

The rationale of Petar Paunov for excluding the Roma from the referendum was that he wanted to hear the opinion of the active and entrepreneurial people and that he did not want to be held hostage by the corporate Roma vote. This expectedly resulted in accusations of discrimination against the Roma and of populist rhetoric, used by the mayor. In the opinion of the Deputy Chair of the **Commission for Protection Against Discrimination**, Baki Hyseinov, the Commission initiated an own inquiry to establish whether this was a discriminatory practice. Discriminatory or not, the referendum was undoubtedly a political move having the following key objectives:

- Paunov solves the problem with his public image of a politician who supported the idea for limited number of possible terms in the local authorities. He repeatedly stated his position against the feudalization of local government and in favor of introducing a limit of two terms for the municipal mayors. At these elections however he was supposed to run for a third term and needed the convenient alibi **“only because people wanted it”**. This is not a novel approach - since the days of Plato the established postulate has been that a candidate for any position in government should not manifest his/her desire for power - the ambition for elected office should be justified by the “will of the people”.
- The restrictions for the Roma to take part in the referendum are aimed to mobilize the Bulgarian voters in PR terms. This was an excellent move: the situation is depicted in a different context - an ongoing battle of the mayor who protects the Bulgarian interest (“framing”). The goal was to trigger off the existing anti-Roma attitudes and cognitive constructs in the mind of the Bulgarians (“priming” effect). Paunov is **“one of us”** and will again save us from the Roma: he has proven himself in his previous terms: he fought for privatization in the tourist sector and spa industry, often going against the interests of the Roma. He opposed the election of the Roma MP from Samokov (Movement for Rights and Freedoms - MRF) Alexander Metodiev - Bat Sali, who due to the specifics of the electoral system became an MP from the 10th Constituency - Kyustendil with only 864 votes. Paunov is in favor of moving the school and the kindergarten out of the Roma quarter. He is against the Roma raids in the cherry orchards and takes measures to prevent them. He is against the permanent election violations by the Roma and has concrete proposals for legislative amendments.

The voters had to be reminded of all these facts and banning the Roma from participation in the referendum served as a good opportunity to do that. This move further strengthened and added value to the coalition behind him. The diverse coalition differentiated itself from its political opponents on the “Roma vs. Bulgarians” axis. Thus, conditions were created for gaining additional political advantage. Unfortunately, all of this was done at the expense of the Roma community in the town.

Another example of Paunov's purposeful policy to weaken the political influence of residents from the Iztok quarter, was the order issued by the mayor for the setup of polling stations. The Roma were not to vote in their living district but in "mixed polling stations" around the town of Kyustendil. According to the **Electoral Code**, polling stations are established with an order of the municipal mayor. In a perfect scenario the polling stations should refer to the boundaries of the living areas situated around them; and for the cities with regional division - with the boundaries of the administrative regions in them. Thus, the mayors have full discretion to set up the polling stations on the territory of the respective location with the only criteria for that establishment being the number of voters per station. The law does not require for the polling station addresses to be "close" to the voters' addresses. This sets the conditions for unfair redrawing of the local territory while forming electoral stations, which may hinder the access of certain groups of voters and reduce "ex-officio" the turnout among them¹⁰.

Did the relocation of polling stations outside of the Roma quarter result in reduced "controlled Roma vote" as the measure's purpose was stated, could not be determined. More likely it did not, based on the mayor's opinion about the most recent local elections: **„We saw Roma lines and some well-fed boys with lists who ushered the people to vote in the Agricultural High School stations, which in our opinion was a severe violation of the law.”** ("Petar Paunov submits proposals for preventing vote-buying among the Roma to the Prosecutor General", 28 October 2015, Darik news).

It is certain however, that moving the polling stations outside the Roma neighborhood produced the following negative outcomes for the community:

- **Reduced turnout in the Roma community** - in order to exercise their voting rights, residents of Iztok had to walk for at least two kilometers. According to Petar Paunov as quoted by the Club Z online news platform: **„When the polling stations were in the "mahala" 4 000 to 4 500 people voted, now the turnout is 1 500 - 2 000.”** ("The Roma in Kyustendil will vote outside the Roma quarter again", 22 September, 2015, Club Z). According to some of the campaigning candidates, prior to the elections in 2015, mayor Paunov further amended the setup of polling stations. Thus, he changed once more the places where the Roma had to vote. Candidates, campaigning in the Roma hood, had to also provide residents with information where they could exercise their voting rights. Otherwise a risk is imminent - the voters from Iztok would have to walk for two km to the "mixed polling stations" only to find out that they needed

¹⁰ This approach aimed at securing a "walkover" victory is not new - it is known in the political science as Gerrymandering. The story goes as follows: in 1812 the Governor of Massachusetts - Elbridge Gerry from the Democratic Party exercising his powers to set the electoral districts, reorganized them in a way that dispersed the Republican voters in different districts and thus did not allow the Republicans to win a majority. As the electoral districts map looked quite strange, the media compared it to the body of a salamander. The combination of the word salamander and the Governor's name **Gerry** gave rise to the term - **"gerrymandering"**.

to go elsewhere. This is not the case, of course, for those residents who vote under pressure - they are told where to go and who to vote for.

- **Reduced influence of the Roma vote** - non-consolidated Roma vote cannot be a factor in the local political negotiations. The dispersed vote does not provide a foundation for protecting the particular interests of the Roma in the local government.

The Roma – fit in the role of an “electoral scarecrow”

We pointed out that the number of Roma voters in Kyustendil is not sufficient to give them leverage in the election of municipal mayor or the formation of ruling coalitions in the council. It however is large enough to have them being used as an **“electoral scarecrow”** during every election: their electoral weight is overrated in order to imply wrongly that the Roma are a decisive factor for the elections in Kyustendil. A common assertion is imposed - the Roma are an instrument, used by outside forces to gain influence over the local community.

The research team carried out media monitoring to study the image of the Roma during the campaign. The monitoring covered the following regional media: www.infomreja.bg (news site for the regions of Blagoevgrad and Kyustendil); www.nablyudatel.com (online platform of the regional weekly “Nablyudatel”); www.struma.bg (online platform of the daily for South-West Bulgaria – Struma Daily).

The monitoring took place in the period of 1 July to 1 November - one week prior to the “first private referendum” and one week after the first round of the local elections. The results are as follows:

The articles related to the election process in Kyustendil during the monitored period were 114. 19 (16.70 %) of them are publications covering the Roma involvement in the campaign. 13 of those 19 (68.40 %) contain references to “bought” and “controlled” Roma vote, which makes the “vote-buying” a leitmotif for the Roma participation in the elections. The themes covered include the “first private referendum”, moving the polling stations out of the Iztok quarter, maintaining law and order during the elections, campaign violations, the Election day itself and comments on the election outcomes.

Almost 2/3 of the articles are informative (reports), and about 1/3 are analytical (op-eds).

None of the publications refer to a specific problem for the Roma community, to a proposed solution of it and/or to commitments made to solve it.

The positions of the current mayor and candidate Paunov and the coalition supporting him for re-election, were prevailing in the monitored articles. More than 60 % of the publications reflect opinions and positions stated by him during the campaign.

Close to 100 % of the articles in Nablyudatel, presenting topics related to the Roma and the election campaign are reports based on statements made by Mr. Paunov. The Nablyudatel newspaper seemed to be the main media megaphone used by the mayor during the campaign.

The hyper-presentation of topics about "vote-buying and controlled vote among the Roma" serves greatly to the propaganda of Petar Paunov and the coalition behind him. This is classic strategy - widely used in different historical periods and in various social contexts. It goes as follows: the local elections are a battle between "good and evil", "old and new", between the forces of "progress" and "corrosion" in Kyustendil. The embodiment of evil is depicted as the former leader of the MRF - Mr. Ahmed Dogan and his lapdogs from the "Socialist" Party, "Ataka" and "Lider" who **"got together with Bat Sali and his friends, deciding that they could buy Kyustendil, using the stolen people's vote and the money from stolen electricity."** ("Petar Paunov: Vote to stop the bought and Roma vote", www.nablyudatel.com). This is the external threat.

According to the articles in Nablyudatel, the MRF tries to gain political positions in the government of Kyustendil through various approaches: registering several candidates for mayor and councilors' lists - Coalition "For Kyustendil" ("MRF" and "National Movement Simeon the Second") - **"a shenanigan coalition"** mimicking the name of the one behind Mr. Paunov in order to steal votes and the "Solidarity" Party - a satellite of the MRF. **"The tactics are to use the MRF brand and to mobilize the whole Roma population against the current mayor"** ("Dancho Pumpata made sudden fortune in the campaign", Nablyudatel, 16 October 2015). The supposed goal of these actions is to deplete the economic resources of the municipality.

The Roma are portrayed as the enemy from within, the potential traitors, the "fifth column". They are the weak link that MRF exploits to capture Kyustendil. This is due to the fact that Roma are uneducated and hence cannot find a job. If they do not work, they cannot be entitled to take responsibility. **"The Roma should vote when they start to work."** - commented mayor Paunov after his decision to exclude the Roma from his "private referendum". The Roma are the weak link in the local community both due to their poor social situation, and because of the specifics of the ethnic group. **"The analysis shows that Roma love the "gypsyism". Everybody else chose to be modern and progressive"** is another comment made by the winning candidate for mayor of Kyustendil ("Petar Paunov: Thank you for the victory and we shall not waste a minute before getting to work", Nablyudatel).

Petar Paunov is depicted as the savior of the local community. He and the Coalition "Kyustendil" are the chance to salvage everything done before the elections and to develop the municipal economy in the best possible way. The only needed thing in achieving victory is to increase the turnout of the Bulgarians in order to overcome the "bought Roma vote".

The regional media assisted the propaganda strategy by perpetuating the stereotype of the Roma as an ethnic group that sells their votes or votes under control. The words of Petar Paunov that the votes of Roma from the Iztok quarter are bought by paying their fees for illegal horse-carts were widely covered by the media. He added that notorious "Roma lines and well-fed boys" in front of the "mixed polling stations" were witnessed once again on Election day.

A couple of days before the elections, police forces entered in the Roma neighborhood. According to www.infomreja.bg, which quoted the Head of the Police Department in Kyustendil, the deployment of gendarmerie "**is not connected to vote-buying or things like that**". It was rather meant to maintain the order in the Roma quarters of Dupnitsa and Kyustendil. The police presence in the neighborhoods was however widely covered in the media and an implication was made that the police was there to prevent vote-buying. Some Roma complained that they had been called to the police station and received warning orders.

The media also covered extensively the words of Petar Paunov for the necessity to have a prosecutor on duty in the "mixed polling stations" where Roma vote. He planned to request a meeting with the Prosecutor General and to propose specific measures against vote-buying and controlled vote.

IPED checked the electronic public registry of complaints and signals submitted to the **Municipal Election Commission** (MEC) - Kyustendil and the rulings thereof. No complaint related to "vote-buying" and/or "controlled vote" of Roma was found in the archives. There are however several complaints against the candidate for mayor and municipal councilor - Mr. Petar Paunov. The complaints concern the illegal presence of the candidate in the polling stations; the candidate exerting pressure on the members of the polling commissions; illegal financing of a concert during the campaign; illegal campaigning; using the municipal resources for the campaign; irregularities in the coverage of the campaign by a private television station.

This is an indicative example of how strong stereotypes are established for the Roma as an ethnic group that sell their votes. It also points that almost no effort is required to keep these stereotypes alive. It is unlikely that anyone in Kyustendil would label the candidate for mayor - Mr. Paunov as "an election terminator". Nor would anyone describe the coalition in his support as "typical electoral offender" only because official complaints were filed against it to the MEC. At the same time, no complaints or specific proofs are necessary, nor any inquiry is needed, to generalize and conclude that Roma sell their votes. The media stories about "bought and controlled Roma vote" do not cite a source or when a source is mentioned, it goes along with "**rumor has it**".

IPED`s analysis of the turnout in the so called "mixed polling stations" proves that the propaganda claims of candidate Mr. Paunov are gravely false. The actual turnout reveals

that the formed by MRF - Coalition "For Kyustendil" won only 58 of all 2 546 valid votes in the "mixed stations" - or just 2.28 %. This result is considerably lower than the average for the coalition in the municipality (4.17 %). It clearly shows that residents from the Iztok quarter did not vote for the MRF candidates and did not contribute in electing two of them in the municipal council.

The "Solidarity" Party, allegedly an MRF satellite, could not rank among the top three parties in any of the so called "mixed polling stations".

The voting results for councilors show a victory for the Coalition "Kyustendil" with 51.20 %. Although he lost in three of the "mixed stations" as candidate for mayor, Petar Paunov in general won more votes than his opponents. This is an indicator that probably many Roma voters actually voted for him.

The so called "Roma lists" for municipal councilors ("Solidarity" Party, "People's Union" and "Evrroma") collected a number of votes, which as already mentioned was not sufficient to elect even one member into the council.

In conclusion, it could be noted that the propaganda strategy of Petar Paunov, though completely populist and false, turned out to be an effective political mechanism during elections - he won his third consecutive term as mayor in the first round. The Roma community in Kyustendil was successfully placed in the role of an "electoral scarecrow".

Summary

Findings

✓ The political context in Bulgaria has changed radically as a result of the refugee crisis, the demographic decline of the nation and the current political environment.

✓ The changed political situation serves as a prerequisite to neglect the Roma issues (leaving them in the background of the public agenda) and gives grounds to growing anti-Roma attitudes in society (including an intensified hate speech among media, politicians and institutions).

✓ The cases of Garmen and Orlandovci along with the local elections in Kyustendil are symptomatic for the existing barriers to Roma integration. They are a test for the quality of public institutions` work. The trivial nature of the conflicts is only an alibi for tensions that have smoldered throughout the years between the different ethnic groups in Bulgaria. These tensions can easily escalate if the right circumstances are set in place.

✓ According to the Roma and NGOs that support them the actions of the authorities for removal of the illegal buildings in the Garmen Municipality were politically motivated to bring electoral advantages. They go against the adopted strategic documents aiming to improve the housing in the Roma quarters and attempt to change the measures, contained in those documents. Those actions contravene the international treaties for human rights protection. They are a manifestation of a discriminatory, inconsistent and uncoordinated government policy.

✓ According to the authorities the dismantling of the illegal Roma buildings is fully in line with the law. Administrative bodies have no discretion whether to execute effective orders for dismantling, they are obliged however solely to enforce these orders. Otherwise the public officials will themselves be liable under the rule of law. There is no discrimination whatsoever against the Roma. The state did everything possible to solve the housing problems of the affected Roma families.

✓ The case of Garmen showed the inability of the state to resolve the main problem - namely where to find accommodation for the Roma whose illegal houses were dismantled, without separating the families in the process. This inability arises from both deficits in the current legislation, and the lack of a comprehensive, meaningful and prioritized government policy on Roma integration.

✓ The Garmen case also demonstrated the lack of public solidarity and support in defense of the Roma cause. No official government or human rights institution stood firmly and categorically by the protesting Roma. The Roma communities from other parts of Bulgaria (from other Roma neighborhoods) did not physically join the demonstration.

The same applies for the majority of NGOs, which have no Roma members, but deal with Roma and social development issues.

✓ The protest did not surpass its local characteristics - no demonstrations took place in support of the Roma from Garmen in the regional center of Blagoevgrad or in the capital - Sofia.

✓ An attempt was made for the Garmen case to be internationalized - the issue was referred to the European institutions and the European Court of Human Rights (ECHR). There is information about advocacy campaigns, organized abroad in support of the rights of the Roma from Garmen.

✓ It should be pointed out that the European response was not categorical enough. The large international human rights organizations were not successful in transforming the Garmen case into a Pan-European issue - however they provoked national institutions to act somewhat in relevance with the gravity of the issue.

✓ The study of hate speech related to the media coverage of the Orlandovci case should be put in the general context in which the image of Roma in Bulgaria is traditionally depicted. This context is characterized by multiple negative stereotypes of the Roma, which are amplified and perpetuated by the media.

✓ The results of the media monitoring of hate speech in the media coverage of the Orlandovci case are as follows: the media coverage is a typical example of hyper-presentation; the tone of the journalists in most of the segments monitored was neutral; there is a subtext in the coverage of the Orlandovci case - the question was raised if certain political entities did not gain political advantage from stirring up ethnic tensions, and on the other hand the vandalism and violence by some protesting Bulgarians were condemned; the different positions in the conflict were not presented in an unbiased manner - the coverage being in favor of the protesting Bulgarians; the Roma usually lose the media battles - there was no media segment in which their position on the case was better defended; the main spokespersons in the conflict were the institutions and the citizens - relatively few segments had "independent experts on the issue" as sources or were formulated by the journalists only; the share of segments perpetuating the negative stereotype of the Roma as "criminals" is very high; the public television BNT was most tolerant to the Roma, whereas the strongest anti-Roma coverage was registered with the nationalist stations SCAT TV and ALPHA TV.

✓ The case in Orlandovci predisposed a negative stereotype of the Roma. The arrest of the Roma youngsters led to labeling the community as culpable party in the conflict right away, while Bulgarians were portrayed as victims. This plotline was perpetuated to a great extent in the media interpretations of the events.

✓ The monitoring showed a necessity for well-prepared activists, ready to stand up against provocative treatment of controversial events by the media, related to the Roma.

However, preparing leaders solely is not enough - a solid network and deepened cooperation between the civic activists has to be set up in the first place. The small number of Roma representatives who expressed position on the Orlandovci case is disturbing - it indicates that part of the Roma elite do not correlate with the problem.

√ The research team selected Kyustendil for its study because the town is a typical regional center. The Roma neighborhood issues to be resolved are also typical. Kyustendil is the only regional center where the ruling party - GERB did not nominate a candidate for mayor. In terms of Roma integration policy, the town is known for its active Roma community. The problems in the living district are known to IPED's team. The research team is also familiar with some of the Roma activists and the local political representatives.

√ The Roma have no political representation in the municipal council of Kyustendil despite their electoral potential for at least 7 councilors. The reasons for that are: they registered three separate councilors' lists; almost no Roma candidates were included in the lists of the mainstream political parties; the low turnout of the Roma in the so called "mixed polling stations" and the large percentage of invalid votes hindered the only Roma candidate in the list of a mainstream party to gather the necessary preferential votes. Not a single Roma issue was addressed in the platforms and campaign messages of the main political parties and coalitions. The community's problems were not covered by the campaign literature of the so called "Roma candidates" as well.

√ Purposeful effort was made for the Roma electoral impact to be further weakened. This was done by excluding the Roma from the so called "first private referendum", and through the mayor's order for setup of polling stations that obliged the Roma to vote in "mixed polling stations" in Kyustendil and not in their neighborhood.

√ The regional media monitoring in Kyustendil showed that the topic of "vote-buying and controlled vote" was the leitmotif of the Roma participation in the local elections. The hyper-presentation of this theme aimed to fit the Roma in the image of an "electoral scarecrow". It served greatly the propaganda strategy of mayor Paunov and the coalition in his support. This is a classic strategy - "threatened local community"; "an external enemy" depicted as Ahmed Dogan and the MRF; "an internal enemy" - the Roma; and "the savior" - Petar Paunov.

√ Paunov's propaganda strategy, though not based on real facts, proved effective in the elections. He was elected for a third term as mayor in the first round. To a large degree his success was due to the use of Roma as an "electoral scarecrow".

Recommendations

Independent analysis and assessment

Independent analysis and assessment of the current legislation has to be conducted in order to identify the existing legislative deficits, which pose a barrier to the effective integration of the Roma communities. (**Act on Division of the Territory, Civil Registration Act, Municipal Property Act, State Property Act, Social Assistance Act, Electoral Code**, etc.).

A monitoring of the parliamentary processes regarding the review and adoption procedures for draft bills referring to the conditions and development of the Roma communities (security; social assistance; protection of agricultural property; civic registration; illegal construction; housing; electoral legislation, etc.) has to be carried out. The future parliamentary activity concerning the above mentioned themes should be monitored constantly.

An obligatory legislative requirement for impact assessment of the proposed draft legislation has to be introduced. Such impact assessment procedure will enable the evaluation of compliances between the proposed legislation and the existing strategic documents in Bulgaria. It will also allow the legislators to achieve effective balances when controversial social issues are being resolved.

An independent civic monitoring of the implementation of the measures included in the strategic documents related to Roma integration (National Roma Integration Strategy 2012 - 2020; Roma Inclusion Decade 2005 -2015; National Program for Improvement of the Housing Conditions of the Roma, etc.) has to be conducted.

An important measure relates to the independent analysis and assessment of the structure, functions and activities of the National Council for Cooperation on Ethnic and Integration Issues and the regional and municipal integration councils.

Work in the community, pragmatism and civic activism

Instead of formal participation in various consultative bodies and formal interaction with the government institutions, we must focus the efforts on the work within the Roma communities, the promotion of self-organization and self-awareness.

The nature of the trainings, seminars and workshops conducted for Roma participants needs to be revised. In the opinion of many civic organizations there is currently a phenomenon, described as "seminar culture" - holding mainly theoretical trainings for the same limited circle of participants. In our opinion trainings should be focused on acquiring practical knowledge and skills in the area of civic rights and civic activism – conducting civic monitoring, organization of advocacy campaigns, fundraising,

organization of demonstrations, working with the media, using Internet and the social networks, open-data activism, cooperation with NGOs and civic groups, interaction with the national and local governments.

Emphasis should be placed on trainings related to the political activism of Roma - identifying local community issues, presenting and effectively defending the Roma interest in front of the political representatives; organization and conduct of electoral campaigns, trainings in electoral rights, electoral monitoring and Roma political participation; working for effective integration of Roma in the political institutions of government.

Concentration, institutionalization and coordination

The implementation of certain activities should be further concentrated and institutionalized in order to ensure their effectiveness. Thus, centers for purposeful activity may begin functioning on specific matters, identified of key importance. Channeled efforts in these directions can deepen both the expertise of NGOs and make the public institutions more responsive towards the proposed meaningful measures. For instance - activities related to Roma education in areas such as legal defense and legal aid; media policy and improvement of the Roma image.

The coordination of activities related to the organization and implementation of national advocacy campaigns and joint actions in defense of the civic rights of the Roma should be further improved. Organizations and civic activists must revise and use their potential for joint demonstrations and other actions.

Solidarity

Efforts should be directed in the establishment of a network between the different Roma communities in the country, the identification of their common issues and the promotion and defence of common solutions. The effective and targeted actions of the network of Roma NGOs is of significant importance in this direction. The work done so far in this respect should be analyzed.

It is necessary to establish a network of Roma and Bulgarian NGOs as additional instrument for social integration. It can serve as a mechanism for more effective protection of the civic rights of the Roma in front of the competent government institutions.

Internationalization

The contacts with international human rights organizations, networks and platforms must be further strengthened. They should constantly be provided with information about the Roma issues in Bulgaria, the effects of conducted integration policies, as well as concrete cases when the civic rights of Roma in the country are violated.

Efforts should be placed in providing constant and adequate representation of the Bulgarian Roma interests in front of the European institutions. The establishment of a legal defense mechanism to the European Court of Human Rights for concrete cases of violence against Roma in Bulgaria is also an important task ahead.