

Amnesty International Report 2015/16 - The State of the World's Human Rights - Bulgaria

Allegations of push-backs of refugees and migrants by border police persisted, the reception conditions of asylum-seekers remained poor and there was no integration plan for recognized refugees. Local and national authorities continued to forcibly evict Roma. The amendment of hate crime legislation stalled.

Refugees, asylum-seekers and migrants

A fourfold increase in the number of refugees and migrants entering through the border with Turkey was registered in 2015, following a significant drop in 2014 after the introduction of border protection measures.

The authorities announced a plan to extend the current 33km fence on the border by 60km, to divert the migration flows to official border crossings. However, NGOs reported that people in search of international protection who were trying to enter Bulgaria through checkpoints were rejected. An extensive surveillance system, including sensors and thermal cameras, remained in place at the border with Turkey.

In October, an Afghan asylum-seeker died after a warning shot fired by a police officer at the Bulgarian-Turkish border ricocheted on a nearby bridge and hit him. The Bulgarian Helsinki Committee (BHC) expressed concerns over inconsistencies between the authorities' and witnesses' versions. The investigation launched by the Prosecutor's Office was ongoing at the end of the year.

There continued to be no integration plan for recognized refugees and other beneficiaries of international protection. Although the government adopted the National Strategy on Migration, Asylum and Integration for 2015-2020 in June, it failed to follow it up with an Action Plan that would implement the Strategy.

Concerns persisted over the reception conditions of asylum-seekers, in particular with regard to food, shelter and access to health care and sanitary goods. In January, the monthly allowance of 65 leva (€33) for asylum-seekers in reception centres was stopped. The BHC filed a complaint, arguing that the removal of the allowance violated national legislation.

NGOs documented allegations of summary push-backs of refugees and migrants by Bulgarian police at the border with Turkey.¹ In March, two Iraqi Yazidis died of hypothermia on the Turkish side of the border, after allegedly being severely beaten by Bulgarian police. The authorities denied the allegations, and the Ministry of Interior's investigation into the case was discontinued as the authorities said they were unable to establish the location of the incident. No other investigation into cases of push-backs was pending at the end of the year.

Housing rights – forced evictions of Roma

Despite the constitutional right to housing, housing legislation in Bulgaria does not explicitly prohibit forced evictions, nor does it establish safeguards in line with international human rights

standards. Authorities continued to forcibly evict Romani communities from informal settlements. Some were relocated to inadequate housing, while others were rendered homeless.

In May-June, following anti-Roma demonstrations, local and national authorities announced a plan to demolish Romani houses in the Kremikovtzi settlement in the village of Gurmen and the Orlandovzi neighbourhood in Sofia. Between June and September, 14 households were demolished in Gurmen. In July, following a request by NGOs for interim measures, the European Court of Human Rights advised the government not to proceed with the evictions unless adequate alternative housing was provided. However, following the demolitions, around 60 Roma, including elderly people, at least one pregnant woman and two disabled children, were left homeless. There was no genuine consultation to identify alternatives to planned evictions and adequate resettlement options. In September, the UN High Commissioner for Human Rights urged Bulgaria to halt such human rights violations. At the end of the year, 96 Roma households in the Kremikovtzi settlement remained at risk of eviction.²

In August, the homes of 46 Romani families – including children and single mothers – were demolished without prior notice in the Maksuda neighbourhood in the town of Varna. An estimated 400 people, 150 of them children, were rendered homeless in severe weather conditions. Only a few people were offered temporary housing in an overcrowded and inadequate social centre.

On 15 September, the authorities announced the demolition of four Roma houses in the town of Peshtera. However, they stalled after the European Court of Human Rights indicated that the authorities should not proceed unless adequate alternative housing was available.

Discrimination – hate crimes

In June, the Council of Europe Commissioner for Human Rights raised concerns over the high levels of racism and intolerance against several groups including refugees, asylum-seekers and migrants, who remained particularly vulnerable to violence and harassment.

Hate crimes against Roma, Muslims, Jews and other ethnic and religious minorities continued to be largely prosecuted as acts motivated by “hooliganism”, rather than under the criminal law provisions specifically enacted for “racist and xenophobic hate crimes”.³

In May, the European Court of Human Rights found in *Karahmed v. Bulgaria* that the authorities’ failure to prevent the disruption by a group of violent protesters of a Muslim Friday prayer in 2011 amounted to a violation of the right to freedom of religion or belief.

The government did not follow up on earlier steps to amend hate crime legislation, which in its current state does not provide for explicit protection against hate crimes perpetrated on the basis of age, disability, gender or sexual orientation. In March, the Parliament adopted a bill which extended the scope of the protection against discrimination on grounds of sex to transgender people, although this only applied to “legal reassignment cases”.

Torture and other ill-treatment

National and international organizations, including the European Committee for the Prevention of Torture and the Council of Europe Commissioner for Human Rights, criticized the juvenile justice system as inadequate and called for a comprehensive reform.

The Commissioner for Human Rights, following a visit in February, raised concerns over the slow pace of the deinstitutionalization (the transfer from psychiatric institutions to community-based care) of children and adults with disabilities. He also criticized the overrepresentation of Roma children, poor children and children with disabilities in such institutions, as well as reports of physical and psychological violence by staff and among children.

Following a visit in 2014, the Committee for the Prevention of Torture called for urgent and effective actions to address longstanding concerns over the ill-treatment of people – including juveniles and women – both by police and in prison, over inter-prisoner violence, overcrowding, poor health care, low staffing levels, excessively harsh discipline, segregation among prisoners and a lack of contact with the outside world.

1. Bulgaria: It's time to address the allegations of abuse of refugees and migrants by the police ([EUR 15/3058/2015](#))
2. Bulgaria: Further information: Romani families remain at risk of forced eviction ([EUR 15/2334/2015](#))
3. Bulgaria: Missing the point: Lack of adequate investigation of hate crimes in Bulgaria ([EUR 15/0001/2015](#))