

Resolution CM/ResCMN(2012)2

on the implementation of the Framework Convention for the Protection of National Minorities by Bulgaria

*(Adopted by the Committee of Ministers on 1 February 2012
at the 1132nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as "the Framework Convention");

Having regard to Resolution Res(97)10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution Res(97)10;¹

Having regard to the instrument of ratification submitted by Bulgaria on 7 May 1999;

Recalling that the Government of Bulgaria transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 23 November 2007;

Having examined the Advisory Committee's second opinion on Bulgaria, adopted on 18 March 2010;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Bulgaria:

a) Positive developments

The adoption of the Protection against Discrimination Act together with the establishment of the Commission for Protection against Discrimination, provide a clear legal basis for the effective protection against discrimination in all fields, including of employment.

Persons belonging to national minorities continue to play an active role in the political life of Bulgaria, both at national and local level. Roma candidates were also included on party lists during parliamentary elections in July 2009 and one of the candidates won a seat in the National Assembly, becoming the first Roma woman MP in this region of Europe. Mainstream political parties are demonstrating much greater interest in addressing minority concerns.

The authorities have shown increased attention to co-operation with organisations representing national minorities. The establishment of different, multilayered and interlocking types of mechanisms for co-ordination and consultation aim at facilitating the participation of minorities, particularly Roma representatives, in decision-making processes.

Bulgaria has developed a number of programmes focused on the priority areas of education, employment, health care, housing, poverty reduction, discrimination and gender equality, which have improved the socio-economic status and social inclusion of Roma in the society.

b) Issues of concern

Although the Bulgarian authorities have adopted an inclusive approach regarding the personal scope of application of the Framework Convention, certain persons identifying themselves as belonging to national minorities but not satisfying the criteria would also like to benefit from the protection of the Framework Convention and from more dialogue on this issue.

Despite recent improvements, cases of alleged police brutality, and sometimes excessive use of force against Roma, and of failure to investigate such allegations properly continue to be reported.

Despite measures taken by the authorities, cases of incitement to intolerance and sometimes hate speech, notably with regard to persons identifying themselves as belonging to certain national minorities, as well as of negative stereotyping of Roma continue to be published in some print and electronic media.

The housing programmes implemented by the government for Roma in need of accommodation have only partially improved their living conditions. Some Roma continue to live in isolated neighbourhoods with serious insufficient sanitation. Cases of evictions from illegally occupied accommodation without sufficient provisions for alternatives also continue to be reported.

Cases of discrimination against Roma in the provision of medical services have been reported.

The educational situation of Roma children calls for more sustained efforts by the authorities. In some areas, Roma children continue to attend separate classes. Low levels of school attendance and high drop-out rates, particularly among girls, are among the serious difficulties they face. In some schools attended primarily by Roma children, infrastructure, technical equipment and the quality of teaching should be improved.

Television programmes in minority languages seem insufficient to meet the expectations of some persons belonging to national minorities.

Public financial support for national minorities' activities is limited.

2. Adopts the following recommendations in respect of Bulgaria:

In addition to the measures to be taken to implement the respective recommendations contained in sections I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- pursue an inclusive approach in respect of the personal scope of application of the Framework Convention in consultation with those concerned and in accordance with the provisions of the Convention;
- further improve the functioning of the administrative and judicial mechanisms in place, including the strengthening of an independent complaint system, so as to ensure prompt, impartial and effective investigations into allegations of ill-treatment by the police;
- pursue the implementation of programmes aimed at providing adequate housing for the Roma in need in accordance with the existing legal framework in order to reduce cases of evictions;
- investigate any complaint of alleged discrimination of Roma in the provision of goods and services and take appropriate remedial action, including appropriate sanctions for those found responsible, where such acts have been established;
- intensify efforts to prevent and sanction any instances of negative stereotyping of persons identifying themselves as belonging to certain national minorities, in particular in printed and electronic media; review if necessary the codes of ethics of the media and their enforcement procedures;
- continue to support access of persons belonging to national minorities to radio and television programmes in minority languages and ensure that the Turkish community continues to benefit from the daily Turkish TV news programme;
- increase efforts to support initiatives aimed at preserving and developing the cultural identity and language of minorities;
- pursue the efforts to promote the integration of Roma pupils into mainstream schools and classes

and to closely monitor the situation in order to further reduce the number of Roma pupils in separate classes or schools due to geographic factors;

- ensure that there are sufficient resources made available for the effective implementation of the National Action Plan for the Inclusion of Roma in consultation with those concerned, and evaluate the various measures taken to implement this Action Plan.

3. Invites the Government of Bulgaria, in accordance with Resolution Res(97)10:

a. to continue the dialogue in progress with the Advisory Committee;

b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in sections 1 and 2 above.

¹ In the context of adopting Resolution Res(97)10 on 17 September 1997, the Committee of Ministers also adopted the following rule: "Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour".

Related Documents

Meetings

- [1132nd meeting of the Ministers' Deputies \(CM Room\)](#) / 01 February 2012

Other documents

- [CM/Del/Dec\(2012\)1132/4.3bE](#) / 03 February 2012 