

# BULGARIA 2020

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## ANNUAL REPORT **BULGARIA**

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Media freedom and freedom of association further deteriorated as authorities targeted journalists and critics and cracked down on anti-government protests. Authorities placed some Roma communities under mandatory COVID-19 quarantines and severely restricted their movement; officials engaged in openly racist rhetoric towards Roma. Domestic violence remained widespread and resources to support victims were insufficient. Lesbian, gay, bisexual, transgender and intersex people faced discrimination and social exclusion.

## Freedom of expression

As a part of COVID-19 emergency measures in March, the government proposed amendments to the Criminal Code that would impose heavy fines and prison sentences for dissemination of false information. However, the President vetoed the proposal before it became law, citing its negative impact on freedom of expression.

Media freedom continued to deteriorate, with journalists investigating organized crime and corruption facing intense political and prosecutorial pressure in the form of threats and intimidation.

In July, investigative reporter Nikolay Staykov was questioned by the Prosecutor's Office and threatened with prosecution after he released a documentary which implicated the Prosecutor's Office in a financial crime.

Several journalists covering the anti-government protests in the capital, Sofia, in September were physically assaulted by police; one was detained for hours. The Council of Europe's Commissioner for Human Rights called the actions "unacceptable" and urged the authorities to investigate the attacks.

In its Rule of Law Report in September, the European Commission expressed serious concerns about the lack of transparency of media ownership and noted that media remained subject to systematic political control. Ranking 111<sup>th</sup> out of 180 countries on the World Press Freedom Index, Bulgaria remained the EU member state with the lowest standard of media freedom.

## **Freedom of association**

In July, United Patriots, a junior partner in the governing coalition, proposed amendments to the Non-profit Legal Entities Act that would impose disproportionate scrutiny and strict reporting requirements for organizations receiving foreign funding. A coalition of NGOs warned that the amendments were inconsistent with the European Convention on Human Rights and EU law and would create a hostile environment for civil society organizations.

In September, dozens of people, including journalists and police, were injured and hundreds were arrested when months-long anti-government protests in Sofia were forcefully dispersed by anti-riot forces. Police used pepper spray, tear gas and water cannons against protesters who demanded the resignation of the Prime Minister and Chief Prosecutor, combined with an overhaul of state governance. The European Parliament strongly criticized the "violent and disproportionate intervention" by the police and urged the authorities to investigate reports of excessive use of force.

Authorities targeted businesses and individuals associated with the protests, allegedly subjecting them to politically motivated prosecutions and financial audits. Anti-government protests continued into December.

## **Violence against women and girls**

Domestic violence remained widespread and significantly under-reported. According to women's rights organizations, the COVID-19 pandemic exacerbated the situation, in which at least eight

women were killed by their partners during the two months' nationwide lockdown between March and May.

For domestic violence to be considered as a grave punishable offence, the Criminal Code required it to be committed in the context of "systemic violence" or be preceded by three separate acts of violence by the same perpetrator. This exposed victims to prolonged risks and limited their access to justice. Victims of violence faced barriers in accessing support services and legal assistance, while capacity in the existing shelters remained insufficient. In May, the government adopted a national domestic violence prevention programme aimed at improving co-ordination among relevant institutions and organizations.

The definition of rape in the Criminal Code did not include marital rape and required evidence of physical resistance by the victim, which was contrary to international standards. The UN Special Rapporteur on violence against women urged Bulgaria to amend the Criminal Code to include a rape provision based on lack of consent and explicitly covering marital rape. A 2018 Constitutional Court ruling declaring the Istanbul Convention incompatible with the Bulgarian Constitution continued to prevent the Convention's ratification.

## Discrimination

The COVID-19 pandemic and nationwide lockdown exacerbated the already widespread discrimination against Roma.

Between March and May, local authorities in Sofia, Nova Zagora, Kazanlak, Yambol and Sliven imposed a special regime, including mandatory quarantine for all residents, which disproportionately applied only to majority-Roma neighbourhoods.<sup>1</sup> The quarantines were enforced by armed police who set up roadblocks and prevented people from leaving the settlements. At the same time, the authorities failed to provide sufficient and safe access to water and sanitation, medical supplies and food during the quarantines, putting many families at further risk of COVID-19 infection and poverty.

In Burgas municipality, the authorities used drones with thermal sensors to take the temperature of residents in Roma settlements remotely and monitor their movements. In the town of Yambol, the authorities used planes to "disinfect" the Roma neighbourhood, which had registered COVID-19 infections. Such measures were only applied to Roma communities.<sup>2</sup>

Hostile anti-Roma rhetoric increased during the ongoing pandemic, with officials openly engaging in hate speech. The Bulgarian National Movement (VMRO) party portrayed Roma as a collective threat to the general population, while government ministers threatened stricter COVID-19 measures against Roma, suggesting that they deliberately flouted physical distancing rules.

In May the UN Special Rapporteurs on contemporary forms of racism and on minority issues urged officials to stop hate speech and end restrictions targeting Roma neighbourhoods, stating that they violated residents' rights to equality and freedom of movement.

## Rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people

In a homophobic attack in Plovdiv in September, a group of young football fans physically attacked and injured several teenagers, some as young as 14, whom they perceived to be LGBTI. The attackers reportedly wanted to “cleanse” the city centre of LGBTI people. The Plovdiv Prosecutor initiated a criminal investigation which was ongoing at the end of the year.

According to an EU Fundamental Rights Agency survey, over 70% of LGBTI people in Bulgaria felt compelled to hide their sexual orientation and 40% avoided certain locations for fear of being assaulted or threatened.

1. [Stigmatizing quarantines of Roma settlements in Slovakia and Bulgaria \(EUR 01/2156/2020\)](#)
2. [Policing the pandemic: Human rights violations in the enforcement of COVID-19 measures in Europe \(EUR 01/2511/2020\)](#)

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