

ANTI-DISCRIMINATION BULLETIN 1/2009

1. POLICY DEVELOPMENTS

2008-2009 Action Plan on the National Programme for Improving the Housing Conditions of Roma in Bulgaria approved

In January 2009, Bulgarian government approved the 2008-2009 Action Plan, part of the National Programme for Improving the Housing Conditions of Roma in Bulgaria. The amount allocated for 2009 is 20.000.000 Levs (~10.000.000 Euro). These funds will be spent on designing and developing technical infrastructure - water supply, sewage, roads and public works, as well as on developing appropriate social infrastructure in areas with compact Roma settlements. For 2009, over 2.000.000 Levs (~1.000.000 Euro) have been allocated for drawing up cadastral maps and registers, as well as specialised maps in municipalities with compact Roma settlements. 200.000 Levs (~100.000 Euro) have been earmarked for designing and developing social homes and 300.000 Levs (~150.000 Euro) have been allocated for reconstruction and refurbishment of existing social infrastructure.

http://osi.bg/?cy=10&lang=2&program=1&action=2&news_id=214

<http://www.government.bg/cgi-bin/e-cms/vis/vis.pl?s=001&p=0012&n=3447&g=>

Launch of political platform 'Active Participation of Roma in Policies for Roma'

On 7.04.2009, at a special round table, one of the biggest political parties in Bulgaria *ГЕРБ* [GERB] launched its political platform 'Active Participation of Roma in Policies for Roma'. The platform offers priority measures in several key areas of Roma integration: education, living standard, supporting environment and equal opportunities, housing conditions, healthcare, culture, children and youngsters. The establishment of the political platform followed the signing on 5.03.2009 of a Memorandum of Understanding between GERB and leading Roma non-governmental organisations.

<http://amalipe.com/?nav=news&id=152>

Plan on the Activity of the Centre for Educational Integration of Children and Students from Ethnic Minorities

In April 2009, the *Център за образователна интеграция на децата и учениците от етническите малцинства* [Centre for Educational Integration of Children and Students from Ethnic Minorities] publicised its activity plan for 2009. Among the priorities of the Centre are: ensuring equal access to high quality education to children and students of ethnic minority background, creating pre-requisites for successful socialisation of children, students and youth of ethnic minority background, preserving and developing the cultural identity of children and students of ethnic minority background.

http://coiduem.mon.bg/plan_2009.doc

2. LEGAL DEVELOPMENTS AND AWARENESS-RAISING CAMPAIGNS

New amendments to the Criminal Code

In April 2009, the Parliament adopted amendments to the Criminal Code concerning hate speech. The provision on propaganda of and incitement to racial or national hostility or hatred or to racial discrimination was revised by adding incitement to ethnic hostility or hatred and including the explanation that the crime should have been committed through speech, print or other mass media, or through electronic information systems, or through other means. The penalty was also increased to imprisonment of up to four years (instead of three under the old rule), a fine of 5.000 to 10.000 Levs (~ 2.500 - 5.000 Euro) and public censure. The other amendment concerned the propaganda of religious hatred, where the same text about the means of committing the crime was added and the acts of desecration, demolition or damaging of religious temple, prayer house, sanctuary, buildings or symbols attached to them, or tombstones were incriminated.

<http://nellyo.wordpress.com/2009/04/20/hate/>

Draft law to ban religious symbols in schools

A new Draft Law on School Education and Pre-School Education and Preparation, developed by *Министерство на образованието и науката* [Ministry of Education and Science], envisages a provision banning students from carrying religious symbols that demonstrate their religious preferences in an aggressive and intrusive manner (Article 161, Paragraph (3), Sub-Paragraph 3 of the Draft Law).

http://www.minedu.government.bg/opencms/export/sites/mon/left_menu/documentsproject/2009/proekt_zakon_obrazovanie.pdf

Round table on mechanisms and policies against ethnic and racial discrimination

On 6.04.2009, the *Комисия за защита от дискриминация* [Commission for the Protection against Discrimination] and the NGO *Проект Права на човека* [Human Rights Project] organised a round table on national and international mechanisms and policies for prevention of and protection against ethnic and racial discrimination. Representatives of the Parliament, ministries, foreign embassies and NGOs took part in the forum. Speakers emphasised on the importance of respecting fundamental rights of ethnic minorities and reminded about the historical events, having led to the proclamation of the International Roma Day. National and international anti-discrimination practices of NGOs were also presented.

http://www.kzd-nondiscrimination.com/index.php?option=com_content&task=view&id=223&Itemid=21

3. RESEARCH

Bulgarian Helsinki Committee launched its Annual Human Right Report for 2008

On 25.03.2009 the *Български хелзинкски комитет* [Bulgarian Helsinki Committee] launched its Annual Human Rights Report on the events of 2008. According to the report, economic and political control over the media, excessive use of force and firearms from the law enforcement authorities, ill-treatment in police custody, and discrimination are some of the human rights violations in 2008. In the area of protection against discrimination the report notes a positive trend, mainly in the improved capacity of the Commission for Protection against Discrimination to apply national and international anti-discrimination law. At the same time, however, the commission does not make use of the opportunity to act on its own motion in a strategic manner to address systemic discrimination.

http://www.bghelsinki.org/upload/resources/Humanrights2008_en.pdf

Publication of the book ‘Caselaw of the Supreme Administrative Court and the Administrative Court of the City of Sofia under the Law on Protection against Discrimination’

In March 2009 the *Български хелзинкски комитет* [Bulgarian Helsinki Committee] presented the book ‘Caselaw of the Supreme Administrative Court and the Administrative Court of the City of Sofia under the Law on Protection against Discrimination’. The book, written by the BHC Legal Programme Director Margarita Ilieva, contains comparative legal analysis of the anti-discrimination jurisprudence of the Supreme Administrative Court and the Administrative Court of the City of Sofia in view of the EU law standards and the caselaw of the Court of Justice of the European Communities.

<http://www.bghelsinki.org/index.php?module=resources&lg=bg&id=796>

Roma-Bulgarian-English phrase book issued

A Roma-Bulgarian-English phrase book was issued in January 2009 in Kyustendil in 2.000 copies. The phrase book contains over 1.000 words and phrases in the three languages. It is the result of nine years of research and the contribution of the inhabitants of the Iztok Roma neighbourhood.

<http://rc.cega.bg/files/aftp/Start/2009/START-1-09.pdf>

4. Official / unofficial statistical data

Annual Report of the Commission for the Protection against Discrimination

In March 2009, the *Комисия за защита от дискриминация* [Commission for the Protection against Discrimination] issued its Annual Report for 2008. In it, the Commission reports, not dividing the number by discrimination grounds, that in 2008 it issued 268 decisions, 182 of which were on the merits of the respective cases and the rest were for termination of cases on different grounds. The Commission's first panel, specialised in cases of discrimination, based on ethnic and racial background, instituted 23 cases for ethnic discrimination and two cases for racial discrimination. The number of cases on ethnic discrimination has dropped by more than 50 per cent in comparison to 2007, when 57 cases were instituted.

http://www.kzd-nondiscrimination.com/images/stories/pdf/annual%20report_2008.pdf

Monitoring Report for 2008 on the Decade of Roma Inclusion

In April 2009, Bulgarian Council of Ministers approved the Monitoring Report for 2008 on the implementation of the National Action Plan on the Decade of Roma Inclusion 2005-2015.

According to the report, in 2007-2008 48.422 Roma children were educated in mixed schools and 2.282 of those children were covered by desegregation projects in different regions of the country. Four hundred students studied Roma language as mother tongue and 400 teachers, school principals, school psychologists and pedagogues were trained to work in a multicultural environment. Two hundred Roma university students received financial assistance for tuition fees, textbooks, etc. In the area of protection against discrimination and ensuring equality, the report states that 136 police officers of Roma origin already work in the Sofia regional police directorate and in the directorates in other regions.

<http://www.mlsp.government.bg/bg/news/news.asp?newsid=764&catid=1>