Budapest, 28 September 2009

National Ombudsman, Bulgaria
Att: Honourable National Ombudsman of Bulgaria Mr. Ginyo Ganev
1000 Sofia
22 George Washington Street

Re: House demolitions in the Romani settlement Gorno Ezerovo in Burgas and Voenna Rampa in Sofia, Bulgaria

To the Honourable National Ombudsman

Dear Mr. Ganev:

The ERRC has received reports from the Equal Opportunities Association and Romani Baht that 27 Romani houses in the settlement of Gorno Ezerovo in Burgas were demolished and the families forcibly evicted on 8 September 2009. The ERRC is deeply concerned about the fact that the families, consisting of approximately 80 adults and 80 children under 18, are presently living on the streets with no alternative accommodation provided for by the municipality. The ERRC is also concerned about reports indicating that further evictions will take place in the Romani settlements Gorno Ezerovo and Meden Rudnik in Burgas and in the Voenna Rampa region in Sofia before the end of September 2009. No alternative accommodation was provided to the affected families and there are no plans to accommodate those who will be evicted in the future. In addition, evicted Roma have reported abusive behaviour on part of police during the eviction on 8 September 2009.

These actions and omissions by the municipalities of Burgas and Sofia raises serious concerns that Bulgaria is failing to respect the right to private life, family life, adequate housing, and protection from forced evictions and to refrain from subjecting people to inhuman and/or degrading treatment and discrimination. In particular, the ERRC would like to highlight articles 3, 8, and 14 of the European Convention on Human Rights, article 1 of the First Protocol to the Convention, article 16 of the Revised European Social Charter, articles 5, 6 of the Convention on the Elimination of All Forms of Racial Discrimination, article 11 of the Covenant on Economic, Social and Cultural Rights, articles 2, 16, 27, 37 of the Convention on the Rights of the Child, to all of which Bulgaria is a State party. The Committee against Torture under the UN Convention against Torture has moreover established that forced evictions may arise to the level of inhuman and degrading treatment. Similarly, the European Court of Human Rights in Moldovan v. Romania, held that inadequate housing conditions for the Roma coupled with racial discrimination constituted degrading treatment under article 3 of the Convention. Furthermore, the European Committee of Social Rights held Bulgaria in violation of Article 16 of the Revised European Social Charter for discriminating against Roma in regard to housing.

In order to comply with Bulgaria’s international legal obligations, the ERRC respectfully requests the Government of Bulgaria:

- to provide all families affected by the forced eviction of 8 September 2009 in Gorno Ezerovo with alternative accommodation;

The ERRC is an international public interest law organisation which combats anti-Romani racism and human rights abuse of Roma through strategic litigation, international advocacy, research and policy development and the empowerment of Romani activists through human rights education.
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