



EUROPEAN ROMA RIGHTS CENTRE

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Budapest, 28 September 2009

Municipality of Burgas, Bulgaria

Att: Honourable Mayor of Burgas Mr. Dimitar Nikolov

8000 Burgas

26 Aleksandrovska Street

Re: House demolitions in the Romani settlement Gorno Ezerovo in Burgas, Bulgaria

To the Honourable Mayor of Burgas

Dear Mr. Nikolov:

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 from their homes 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 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 municipality of Burgas raises serious concerns that Bulgaria is failing to respect the right to private life, family life, adequate housing, 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 Mayor of Burgas:

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

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- to ensure that such alternative accommodation or resettlement is adequate in accordance with international human rights law;
- to, at a very minimum, provide temporary accommodation within the municipality with the ultimate aim of identifying permanent accommodation within the municipality;
- to ensure that the individuals concerned be given compensation for lost property and other damage associated with the forced eviction and destruction of property;
- to halt scheduled evictions and house demolitions at the end of September of the remaining homes in the Romani settlements Gorno Ezerovo and Meden Rudnik;
- to ensure effective investigation of allegations of police abuse during the evictions on 8 September 2009.

Yours faithfully,

Robert Kushen
Managing Director
ERRC

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