

LIST OF ISSUES

BY THE EUROPEAN ROMA RIGHTS CENTRE CONCERNING BULGARIA

For Consideration by the Committee on the Rights of the Child at the pre-sessional Working Group of the 89th session (07 June - 11 June 2021)

CHALLENGING DISCRIMINATION PROMOTING EQUALITY

TABLE OF CONTENTS

Introduction	3
General Measures of Implementation (Arts. 4, 42 and 44 (6) of the Convention)	3
Comprehensive Policy and Strategy	3
General Principles (Arts 2,3, 6 and 12 of the Convention)	4
Discrimination against Romani Children	4
Family Environment and Alternative Care (Arts. 5, 9–11, 18 (1 and 2), 20, 21, 25 and 27 (4) of the Convention)	4
Separation from Parents - Romani Children in State Care	4
Education, Leisure and Cultural Activities (Arts. 28 and 29 of the Convention)	5
Access to Education and School Segregation of Romani Pupils	5
Special Protection Measures (Arts. 22, 30, 32, 33, 35, 36, 37 (B)-(D), 38-40)	6
“Ethnicization of the Pandemic”	8
Basic Health and Welfare (Arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)	8
Segregated Maternity Wards	9

INTRODUCTION

1. The European Roma Rights Centre (hereinafter also referred to as the “ERRC”)¹ hereby submit this list of issues concerning Bulgaria to the United Nations Committee on the Rights of the Child (hereinafter also referred to as “Committee”) for the consideration of the Committee on the pre-session of the Working Group prior to reporting. The submission focuses on the situation of Romani children in Bulgaria, in particular on their overrepresentation in state care, segregation in education, access to basic services, and their exposure to racially-motivated violence and hate speech.

GENERAL MEASURES OF IMPLEMENTATION (ARTS. 4, 42 AND 44 (6) OF THE CONVENTION) COMPREHENSIVE POLICY AND STRATEGY

2. According to data cited by the European Commission, an estimated 750,000 Roma live in Bulgaria, which amounts to 10.33% of the total population. They face severe discrimination in a country where ECRI found racist and intolerant hate speech continues to escalate, and Roma are often subjected to racial violence. Election campaigns are frequently marred by hate speech targeting Roma.² The junior partner in the government coalition is the United Patriots, a far-right alliance notorious for its anti-Roma racism.
3. A 2019 Pew Research poll found that 68% of the Bulgarian population holds an unfavourable view of Roma.³ Many local municipalities actively discriminate against Roma in terms of access to education and housing. Forced evictions remain all too common. The Roma Civil Monitor reported that, according to the data collected from 61% of municipalities, 399 out of all 444 orders (89%) concerning the demolition of residential buildings issued by local administrations refer to the homes of Roma. Often prompted by anti-Roma demonstrations and extremist demands for the expulsion of Roma, such demolitions serve to heighten inter-ethnic tensions.⁴
4. The most vulnerable children are those who live in families with parents of low level education, unemployment, single parent families and families with more children. The poverty risk of Romani children is extremely high, as poverty risk factors (such as severe unemployment, low education, large families, and place of residence) are seriously concentrated in the Romani population. Other studies confirm that Romani children are disproportionately affected by extreme poverty, and are at high risk of intergenerational transmission of poverty, which is strongly related to their weak opportunities in the educational system.⁵
5. It is clear from the data produced by the Fundamental Rights Agency that disproportionate numbers of Romani children are among the very poor. The EU-Midis II survey reported that 86% of Roma in Bulgaria were at risk of poverty, which was almost four times higher than that of the general population; and 27% were living in households where in the previous month at least one person went to bed hungry. In terms of access to clean water and sanitation, 23% of Roma were living in households without tap water inside the dwelling; and 44% were living in dwellings without an inside toilet and shower. NEET rates among Roma aged 16-24 are very high (79% for women; 52% for men) as are rates for early school leaving (77% for women; 57% for men).⁶

1 The ERRC is a Roma-led international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. Since its establishment in 1996, the ERRC has endeavoured to provide Roma with the tools necessary to combat discrimination and achieve equal access to justice, education, housing, health care and public services. The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations. More information is available at: www.errc.org.

2 ECRI Report on Bulgaria (fifth monitoring cycle). 16 September 2014. Available at: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/bulgaria>.

3 Pew Research Centre, *Global Attitudes & Trends*, October 14, 2019. Available at: <https://www.pewresearch.org/global/2019/10/14/minority-groups/#many-in-europe-view-roma-unfavorably>.

4 Roma Civil Monitor. *A synthesis of civil society's reports on the implementation of national Roma integration strategies in the European Union*. Center for Policy Studies Central European University. August 2018, p. 32. Available at: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-1-synthesis27-2017-eprint-fin-2.pdf>.

5 See: https://www.unicef-irc.org/publications/pdf/Children_of_austerity.pdf.

6 Fundamental Rights Agency, Second European Union Minorities and Discrimination Survey Roma – Selected findings. 29 November 2016. Available at: <https://fra.europa.eu/en/publication/2016/eumidis-ii-roma-selected-findings>.

GENERAL PRINCIPLES (ARTS 2,3, 6 AND 12 OF THE CONVENTION)

DISCRIMINATION AGAINST ROMANI CHILDREN

6. In its Concluding observations on the combined third to fifth periodic reports of Bulgaria (2016)⁷ the Committee on the Rights of the Child expressed its deep concern at the persistent discrimination against Romani children. Romani children continue to face discrimination in all areas of life; are overrepresented in state care institutions; continue to face discrimination with regard to access to education, health care and adequate housing, often living in fear of forced evictions or house demolitions; and many Romani children continue to be exposed to racially-motivated violence, and hate speech. continue to face discrimination with regard to access to education, health care and adequate housing.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE (ARTS. 5, 9–11, 18 (1 AND 2), 20, 21, 25 AND 27 (4) OF THE CONVENTION)

SEPARATION FROM PARENTS - ROMANI CHILDREN IN STATE CARE

7. The ERRC's latest report *Blighted Lives*, covering five countries including Bulgaria, confirms that disproportionate numbers of Romani children are separated from their biological families and end up in state care.⁸ Notwithstanding legal prohibitions on taking children into care because of poverty in the countries surveyed, the most frequent reasons for child removals are material deprivation and poor housing conditions in Romani communities.
8. *Child protection policy context*: In Bulgaria in 2019, amendments to Bulgaria's Child Protection Act and the Social Services Act were placed in jeopardy in the wake of what the National Network for Children described as a "backlash against children's rights (which) raises concerns around national policies becoming hostage to speculation, disinformation and fake news." Public discussion around the draft National Strategy for the Child 2019-2030 (the Strategy) quickly soured as far-right organizations and religious groups mobilized against it; and the Protection Act "was subjected to extreme propaganda, accompanied by a massive disinformation campaign by radical religious and political organizations".⁹
9. In its Annual "Report Card 2020", the National Network for Children stated that "The government has abandoned the development of politics supporting children and families", with the adoption of the Social Services Act postponed and still in doubt. This means that "specific measures for supporting families and preventing the separation of children from their parents were postponed indefinitely. Issues regarding the quality of alternative care for children in residential services in the community remain unresolved."¹⁰
10. Civil society and expert groups expressed concerns about the quality of all types of alternative care placements, and the ways that decisions in relation to children are made, implemented and monitored, as well as severe under-resourcing of the child protection system, an acute shortage of staff, poor material resources, and high turnover of social workers who lack competency-based standards, training, and supervision.
11. The ERRC holds that Institutionalisation of young children is a form of violence, which is not dependent on material conditions because the culture of violence is inherent to even well-equipped institutions, as the deprivation and suffering is caused predominantly by emotional, mental or physical neglect, the non-existence of a primary caregiving person and the lack of stability.¹¹

7 Adopted by the Committee at its seventy-second session (17 May-3 June 2016).

8 ERRC, *Blighted Lives: Romani children in state care*, p.27. Written by Bernard Rorke, January 2021. Available at: http://www.errc.org/uploads/upload_en/file/5284_file1_blighted-lives-romani-children-in-state-care.pdf.

9 George Bogdanov, Executive Director of National Network for Children. National Network for Children Annual "Report Card 2020", 25 June 2020. Available at: <https://nmd.bg/en/national-network-for-children-introduced-the-annual-vreport-card-2020v/>.

10 National Network for Children Introduced the Annual "Report Card 2020", 25 June 2020. Available at: <https://nmd.bg/en/national-network-for-children-introduced-the-annual-vreport-card-2020v/>.

11 European Committee of Social Rights, Decision on the Merits of European Roma Rights Centre (ERRC) and Mental Disability Advocacy Centre (MDAC) v. Czech Republic. Complaint No. 157/2017. 23 November 2020. Available at: [https://hudoc.esc.coe.int/eng#f%22sort%22:\[%22ESCPublicationDate%20Descending%22\],\[%22ESCDcIdentifier%22:\[%22cc-157-2017-dmerits-en%22\]\]](https://hudoc.esc.coe.int/eng#f%22sort%22:[%22ESCPublicationDate%20Descending%22],[%22ESCDcIdentifier%22:[%22cc-157-2017-dmerits-en%22]]).

12. *Disaggregated data:* According to ERRC's recent report *Blighted Lives*, the official reply from the Social Ministry to the ERRC's request for information, that they do not have ethnically disaggregated data, as they do not process ethnic data is demonstrably false.¹² ERRC researchers found that that data on ethnicity is collected, and the electronic system allows for processing and filtering such information. The Ministry could in fact produce ethnically disaggregated information concerning the numbers of Romani children in state care, but chooses not to.
13. In the absence of clear statistical information, the number of Roma children separated from their biological families and placed in care can only be estimated from information gathered from social workers, community mediators, and non-governmental organizations working in the field of children's rights. Roma account for just over 10% of the population, estimates of Romani children in state care suggest they account for 30-60% of the total, depending on the region.
14. *How and why Romani children end up in care institutions:* According to the respondents, the main reason for Romani children being removed from their families is deep poverty, compounded by the inability of social workers and the state care system to provide adequate support for parents. Social workers asserted that the reason Romani families face more difficulties in raising children is purely on a material basis, parents with no fixed income simply lack the resources to provide for their families.
15. For the poorest families, with no source of income whatsoever, living conditions are hazardous, and children are at risk of neglect in overcrowded dwellings, lacking access to clean water and sanitation, where there is no electricity or heating. Children in such settings are often malnourished, have missed compulsory medical examinations and vaccinations; and many are exposed to high-risk environments.
16. In its Concluding observations on the combined third to fifth periodic reports of Bulgaria (2016), the Committee was concerned about the high number of disadvantaged children, including children up to 3 years of age, placed in institutional care; the lack of support and inadequate training for social workers in family-type centres; and the gaps in the child protection system, which has led to children being removed from their families without proper assessment or planning.¹³ In the intervening period, the Committee's recommendations have been ignored, and earlier progress on deinstitutionalisation has been derailed by chaotic governance.

EDUCATION, LEISURE AND CULTURAL ACTIVITIES (ARTS. 28 AND 29 OF THE CONVENTION)

ACCESS TO EDUCATION AND SCHOOL SEGREGATION OF ROMANI PUPILS

17. Access to quality education for Bulgarian Roma is still of great concern. Overrepresentation of Romani children in segregated schools, or in schools for pupils with Special Educational Needs (SEN), as well as the lack of funding for the education of Roma persists and hinders Romani access to the labour market.
18. Romani pupils continue to be disproportionately represented in schools for children with Special Educational Needs. This perpetuates segregation in education and seriously affects the chances of the students to find employment upon graduation. The 2016 FRA report suggests 60% of the Romani children surveyed attend schools where a majority of the pupils are of Romani origin. Despite the ban on the formation of segregated classes in ethnically-mixed schools introduced in the Pre-school Education Act, the Roma Civil Monitor found that this practice continues.
19. According to the European Commission (EC) report: 'Education and Training Monitor 2020', the number of early school dropout, a worrying tendency that primarily affects minorities, remains high. While enrollment rates in pre-school have improved since 2011, the gap between Roma and non-Roma (66% and 87% respectively) remains a major concern. According to the 2019 World Bank Report, dropout rates remain high and desegregation programmes are limited in scope.
20. The Education and Training Monitor also found that bullying and truancy affect student outcomes. Bulgaria has one of the highest percentages (34%) of students in the EU who reported being bullied at least a few

12 ERRC, *Blighted Lives: Romani children in state care*, p.27.

13 UNCR, Concluding observations on the combined third to fifth periodic reports of Bulgaria (2016) Paragraph 34.

times a month. On average, the reading performance of these students is almost 40 points lower than their peers. According to 2016 survey on public attitudes towards hate speech in Bulgaria conducted by Open Society Foundation Sofia, hate speech is “one of the factors for school dropout among Romani children, while the segregation of kindergartens is a factor for further marginalization of the Romani community”.

21. In the context of Covid-19, the 2020 EU Education and Training Monitor found that the abrupt shift to remote learning has posed major challenges, exacerbating already high inequalities in access to quality education. The lack of equipment and teachers’ insufficient digital competences hamper the use of technology and the efficiency of online learning. Almost half of young Bulgarians lack basic skills in reading, mathematics and science. In spite of growing efforts, the impact of socio-economic status on students’ performances is significant, contributing to the intergenerational transmission of poverty.¹⁴
22. Romani children living in poverty were hard hit by school closures, as they missed out on breakfasts and lunches provided under the ‘School Milk Scheme’, and the ‘School Fruit Scheme’ which covers more than 3,200 schools and kindergartens across the country. On the 22nd April 2020, schools began distributing packages of fruits, vegetables, and dairy products to parents. As in other countries, these children became victims of the digital divide, as home schooling without adequate internet connections, necessary devices, or know-how proved to be unfeasible.¹⁵
23. Human rights monitors reported that tens of thousands of Romani children were excluded from the benefits of online distance learning. The main obstacles were the lack of proper internet connectivity, and the lack of suitable devices. According to the Ministry of Education and Science, between 35,000 and 45,000 pupils lacked the necessary devices. A survey by Amalipe Centre in March found that in 200 schools with a concentration of Roma pupils, more than a quarter of the children didn’t have the necessary equipment at home; and in some schools the percentage was over 75%. Children whose parents were illiterate or lacked the digital know-how to assist in online learning were even more disadvantaged.¹⁶

SPECIAL PROTECTION MEASURES (ARTS. 22, 30, 32, 33, 35, 36, 37 (B)-(D), 38-40)

24. In 2016, the Committee was concerned that:
 - a) Stigma and discrimination against Roma people, including children, are still widespread, resulting in violence and hate speech against them;
 - b) Roma families with children living in informal settlements face forced eviction;
 - c) Roma families face difficulty in accessing social protection services and social integration programmes.
25. Since then, the government has paid no heed to the recommendations, and the situation with regards to the concerns identified above, especially hate speech and forced evictions, has in fact worsened. Some sense of the gravity of the situation can be garnered from the report on the November 2019 country visit by Council of Europe Commissioner for Human Rights, Dunja Mijatović:
26. *The Commissioner deplors the climate of hostility against Roma, in particular against those who had to leave their homes following rallies targeting their communities in several localities. She calls upon the authorities to urgently address the situation of the persons affected and to act swiftly to strengthen the legal safeguards accompanying evictions. Resolute measures should also be taken to improve the general housing situation of Roma, including their access to social housing.*¹⁷

14 European Commission, Education and Training Monitor 2020: Bulgaria. Available at: <https://op.europa.eu/en/publication-detail/-/publication/0b2b116f-2499-11eb-9d7e-01aa75ed71a1/language-en/format-PDF/source-171315948>.

15 ERRC, *Roma Rights in the Time of Covid*. Written by Bernard Rorke and Jonathan Lee. September 2020. Available at: http://www.errc.org/uploads/upload_en/file/5265_file1_roma-rights-in-the-time-of-covid..pdf.

16 Amalipe Centre, *Ромите в България и COVID 19*, 4 May 2020. Available at: <https://amalipe.site/newsite/romite-v-bulgaria-i-covid-19/>.

17 Council of Europe, Commissioner for Human Rights, *Country Visit Report: Stronger commitment needed to combat racism, fight gender stereotypes and increase media freedom in Bulgaria*. Strasbourg 31 March 2020. Available on: <https://www.coe.int/en/web/commissioner/-/stronger-commitment-needed-to-combat-racism-fight-gender-stereotypes-and-increase-media-freedom-in-bulgaria>.

27. Anti-Roma rhetoric becomes particularly fervent prior to and during election campaigning, and this was particularly evident in the 2016 Bulgarian presidential election, and the early parliamentary election held on 26 March 2017. The primary targets of hostility and hate speech by nationalist parties during these electoral campaigns were Roma and Syrian migrants. The presidential election debate stressed once again that in order to save the Bulgarians from demographic “threats”, preserve their socio-cultural identity and resolve economic problems, it is necessary to discipline the “Gypsies” who are burdening and tormenting the local population, in particular the elderly and those living in remote locations.¹⁸
28. Such statements were part of the presidential campaign of the candidate of the far-right coalition of the United Patriots, Krasimir Karakachanov who secured almost 15% of the national vote. His quotes were largely shared by national and local media.
29. The Karakachanov campaign was built around promises to “end the demographic catastrophe” and “promote literate fertility through tax breaks”, which assumed clear ethnically-biased policies against Romani families. The anti-Roma fertility discourse was one the highlights of his campaign: “Gypsy families have made a business out of giving birth and live on social assistance, they do not pay for their electricity and water, and rampage and harass people in small towns”. A frequent demand during the campaign was for the demolition of Romani neighbourhoods.¹⁹
30. In 2017, Borissov appointed Patriotic Front henchman, **Valeri Simeonov**, to lead the national body on ethnic integration issues, prompting protests from human rights groups against a “pronounced supporter of fascist and neo-Nazi ideology.” Simeonov, who speculated about creating ‘modern concentration camps’, infamously described Roma as “*brazen, feral, human-like creatures*” and Romani women as having “*the instincts of stray bitches*.” His subsequent conviction for hate speech was later overturned on appeal in January 2019.²⁰
31. In the aftermath of the conflict between Roma and non-Roma individuals in **Vojvodinovo in January 2019**, and the ensuing evictions and anti-Roma protests, the Deputy Prime Minister, Krasimir Karakachanov (United Patriots) further incited the anti-Roma protestors in a statement to the press, saying:
32. *“Gypsies in Bulgaria have become exceptionally insolent. Several days ago, they beat policemen. Two days ago, they beat a soldier. This cannot continue. The tolerance of Bulgarian society has run out. [...] The truth is that we need to undertake a complete program for a solution to the Gypsy problem.”*²¹
33. In an overt call for collective punishment of an entire Romani community for the actions of two individuals, he called on local authorities to deal with the matter, demanding the removal of so-called “illegal homes” in the Romani neighbourhood in the village. **Five homes were demolished** almost immediately, just three days after the incident, on the purported basis that they were found unsuitable for habitation. The following day, ten more homes were destroyed.
34. On 6 February 2019, the IMRO released what they have repeatedly referred to as policies “to resolve the Gypsy problem”, knowing full well the dark connotation of the phrase. Among the proposals were demolitions of all homes without proper documentation and genocide-adjacent measures such as “limiting births” of Romani mothers, including by “providing free abortions to Roma mothers with more than three children”.²²
35. In April 2019, in the run-up to the European elections, Romani communities again became the target of violent attacks after a **video** showing a conflict between Roma and “ethnic Bulgarians” went viral online. The video was widely spread through Bulgarian mass media and became the pretext for demonstrations which gathered more than 1500 individuals in Gabrovo (where according to the most recent national census only 343 Roma live). As a result of the week long protests, several Romani houses were destroyed or damaged by protesters who were heard **shouting** “Death to the Gypsies!”²³

18 Красимир каракачанов: политниците са откраднали много повече от цар киро <https://slivensega.wordpress.com/2014/E/>

19 ERRC, Written Submission by the European Roma Rights Centre concerning Bulgaria to the Committee on the Elimination of Racial Discrimination, for consideration at its 92nd Session (24 April - 12 May 2017). Available at: http://www.errc.org/uploads/upload_en/file/bulgaria-cerd-submission-5-april-2017.pdf.

20 Sofia Globe, ‘Bulgaria supreme court acquits Valeri Simeonov on anti-Roma hate speech charge,’ 18 January 2019. Available at: <https://sofiaglobe.com/2019/01/18/bulgaria-supreme-court-acquits-valeri-simeonov-on-anti-roma-hate-speech-charge/>.

21 ERRC News, Calls for Bulgarian Minister Karakachanov to Resign Grow Louder. 17 January 2019. Available at: <http://www.errc.org/news/calls-for-bulgarian-minister-karakachanov-to-resign-grow-louder>.

22 ERRC Factsheet, *Mob Justice: Collective Punishment against Roma in Europe*. March 2019. Available at: http://www.errc.org/uploads/upload_en/file/5136_file1_mob-justice-collective-punishment-against-roma-in-europe-march-2019.pdf.

23 ERRC News, Bulgarian Government set for Sweeping Victory In EU Elections after Anti-Roma Violence. 16 April 2019. Available at: <http://www.errc.org/news/bulgarian-government-set-for-sweeping-victory-in-eu-elections-after-anti-roma-violence>.

“ETHNICIZATION OF THE PANDEMIC”

36. From the very outset of the COVID-19 state of emergency leading Bulgarian politicians, particularly those belonging to the far-right VMRO party which is a governing coalition partner, without a shred of evidence singled out Romani neighbourhoods as nests of contagion to be quarantined. As the lawyer Orhan Tahir observed, despite the fact that the claims were completely unsubstantiated, “some mayors responded to these appeals by imposing restrictions on Roma settlements with no recorded cases of COVID-19. Such preventative measures produced wild media speculation, and growing distrust among Roma towards the actions of the government.”²⁴
37. **13 March 2020:** On the same day the National Assembly voted to declare a state of emergency, Interior Minister Mladen Marinov told parliament that Romani ghettos will be quarantined if necessary, should people ‘lack self-awareness’; and that the Ministry will exercise its powers “to ensure compliance with quarantine”.
38. **18 March 2020:** MEP Angel Dzhambazki, leader of the far-right political party VMRO (coalition partner of the current Bulgarian government), called for the closure of Romani ghettos everywhere: “Think about whether or not the ghettos will turn out to be the real nests of infection. Hundreds of people live there in poor living conditions, without the opportunity to observe even basic hygiene standards, let alone the high ones due to the pandemic”.
39. **19 March 2020:** The Sofia District Prosecutor’s Office (SRS) sent instructions to Sofia mayors and the SDVR to mount checkpoints “in neighbourhoods of Sofia populated by people of different ethnicities, clearly demonstrating their unwillingness to comply with the restrictions.”²⁵
40. While general restrictions on movement were introduced and widely perceived as a necessary response to contain the spread of the virus, the quarantine, curfew, and blockading of Romani neighbourhoods marked an ‘ethnicization of the pandemic’: the measures were deemed to be disproportionate, unrelated to actual infection rates, and later acknowledged to have been largely ineffective.
41. These measures provoked domestic protest and international criticism. The over-secritized and ethnic-specific approach was harshest in Yambol, which was fully quarantined and blockaded for 14 days. On the morning of the 14th May, a helicopter sprayed nearly 3,000 litres of detergent to ‘disinfect’ the Romani neighbourhood.
42. In a statement, issued on the 13th May, two UN Special Rapporteurs on racism and minority issues expressed deep concern “at the discriminatory limitations imposed on Roma on an ethnic basis that are overtly supported by Bulgarian State officials as part of the broader measures to prevent the spread of COVID-19.” They also condemned hate speech from high-level government officials and called on the authorities not to exploit the pandemic “to further exclude Roma and portray them as criminals and contagious.” The UN experts urged the Bulgarian Government to condemn hate speech, racist and nationalist populism swiftly and unequivocally.²⁶
43. International concerns matter little when it comes to the mistreatment of Bulgaria’s Roma. On 10 August 2020, in Stara Zagora, 100 houses were targeted for demolition. The plight of families rendered homeless at the height of the pandemic, cut no ice with Mayor Zhivko Todorov, who declared that his vision of Stara Zagora “does not include a Gypsy ghetto”.²⁷

BASIC HEALTH AND WELFARE (ARTS. 6, 18 (3), 24, 26, 27 (1)–(3) AND 33)

44. According to the Roma Inclusion Index 2015, the proportion of the uninsured was 52% for the general Romani population (older than 16-years of age), and 53% for Romani women. The results of the FRA’s

24 ERRC News, More toxic than Covid? The politics of anti-Roma racism in Bulgaria. 20 April 2020. Available at: <http://www.errc.org/news/more-toxic-than-covid-the-politics-of-anti-roma-racism-in-bulgaria>.

25 ERRC, *Roma Rights in the Time of COVID*. Written by Bernard Rorke and Jonathan Lee. September 2020. Available at: http://www.errc.org/uploads/upload_en/file/5265_file1_roma-rights-in-the-time-of-covid..pdf.

26 UNHR Office of the Commissioner, *Bulgaria / COVID-19 response: “Stop hate speech and racial discrimination against the Roma minority” – UN experts*. 13 May 2020. Available at: <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=25881&LangID=E>.

27 ERRC News, Despair in Stara Zagora as Roma Family Homes are Demolished. 10 August 2020. Available at: <http://www.errc.org/news/despair-in-stara-zagora-as-roma-family-homes-are-demolished>.

Second European Union Minorities and Discrimination Survey (published in 2016) showed that the proportion of the uninsured among the Roma in Bulgaria was 55%.

45. The health and wellbeing of newborns and infants is directly dependent upon the quality of medical treatment received by Romani mothers. Due to a number of factors, Romani women are at a higher risk of complications during pregnancy than the majority population. According to the situation analysis of the Bulgarian National Roma Integration Strategy, 12.6% of the Romani population, including children, have at least one form of disability or suffer from a serious chronic disease. A significant proportion of Romani people aged 45–60 years, one-third of Romani men and two-fifths of Romani women in this age group, suffer from poor health affecting working ability, either fully or partially.
46. A significant proportion of Romani women are left out of the health care system in Bulgaria. Moreover, reports from several sources found that Romani women were placed in ethnically segregated maternity wards in certain public hospitals; the sanitary and material conditions in these wards were said to be inferior, and, according to the reports, the medical staff of these hospitals paid less professional attention to the Romani women and newborns.

SEGREGATED MATERNITY WARDS

47. The ERRC, together with the Bulgarian Helsinki Committee (BHC), commissioned and conducted research into segregated maternity wards in hospitals throughout Bulgaria. This research, exposed the severity and the widespread nature of systemic discriminatory practices which target Romani women who attempt to access to sexual and reproductive health care services. Romani women recounted instances where they were physically abused by medical staff, relegated to substandard rooms with poor or none of the necessary equipment, and were often subjected to neglect, under treatment, or mistreatment, and often a combination of the three. The discrimination is particularly severe in relation to racially segregated maternity wards, inferior and abusive treatment of Romani women in maternity care, and disparate impact of lack of health insurance on Romani women with regards to access to their reproductive health. These discriminatory policies and practices undermine the protection of reproductive health of Romani women in Bulgaria.²⁸
48. In the public hospital of Sliven, Romani women were often placed into so-called “isolator” rooms. According to an investigative report, connected to the topic of the BHC’s fact finding, these rooms would be for women with registered or suspected infectious diseases, or poor hygiene, to keep them under quarantine, and, as an employee of the hospital explained the situation, disproportionately more Romani women are placed in these rooms because “*they often do not have health insurance and have not, therefore, undergone essential medical examinations during pregnancy that would identify whether they were carriers of infectious diseases*”. This explanation, i.e. the lack of health insurance as a basis for segregation, was given by the hospital staff to one of the interviewees as well, who gave birth in this hospital. Another interviewee was told in the Varna hospital that Roma are ethnically segregated because “*you have lice and you steal*”.
49. According to the interviewees who gave birth in Pazardzhik, the “Roma rooms” were much dirtier than the “Bulgarian rooms”: the floor was “filthy” and the tiles were very dirty as these rooms were cleaned with less frequency by the cleaning service of the hospital. Regarding this hospital, an interviewee claimed that she and the other women in the room had been told by the hospital staff to “*Clean the room by yourselves! You are not children!*”²⁹
50. Several interviewees claimed that they had signed documents in the hospital without understanding the content of those documents. According to the accounts of most of the interviewees, it was their general experience in the hospital that they were not provided with adequate and sufficient information by doctors or nurses about their (and their babies’) health conditions, or about the (planned) medical procedures. An interviewee, who gave birth in Pazardzhik, was not informed about the health complications of her newborn for two days after delivery. She was then sent home without her baby and without any information about the condition of the baby, because the medical personnel “*did not have time*” to brief her. (She learned of it six days later, when she was called by the hospital to collect her baby).³⁰

28 ERRC *Cause of Action Report: Reproductive Rights of Romani Women in Bulgaria*, April 2020. Available at: http://www.errc.org/uploads/upload_en/file/5229_file1_reproductive-rights-of-romani-women-in-bulgaria.pdf.

29 *Ibid.*

30 *Ibid.*