

**ANTI-DISCRIMINATION BULLETIN**  
**2/2006**

**1. THE “POLITICAL HEADLINES”**

Three legal precedents, related to discrimination in education, gained limited publicity in early April, 2006. The civil lawsuits were filed on behalf of groups of Roma students by the European Roma Rights Centre (ERRC) against 3 schools, the Bulgarian Ministry of Education (MoE), and local municipal authorities. The plaintiffs claimed to have been discriminated because the condition of the school buildings was substandard, they received nominally high marks while the quality of education was poor; they were not provided free textbooks; and the teachers could not work with bilingual children. In addition they stated that the concentration of Roma students in schools in Roma neighbourhoods amounted to de-facto ethnic segregation which was illegal. Although, the arguments and evidence presented by the ERRC in all three cases were similar the first-instance courts came with different decisions. Only one of the three cases (against School 103 in Sofia, the MoE, and the Sofia Municipality) was decided in favour of the plaintiffs. The court concluded that “the Bulgarian Ministry of Education, the Sofia Municipality and School Number 103 of Sofia have violated the prohibition of racial segregation and unequal treatment provided in Bulgarian and international law”. The ERRC hailed it as **a precedent for all of Europe** because for the first time “a civil court in a European country, Bulgaria, found that separate by coercion means unequal.” All three court decisions are now being appealed before second-instance courts.

<http://www.segabg.com/online/article.asp?issueid=2206&sectionId=5&id=0001401>

<http://www.errc.org/cikk.php?cikk=2411>

## 2. LEGAL DEVELOPMENTS

During the months since the last bulletin there have been no legislative amendments regarding anti-discrimination and anti-racist legislation. Nevertheless a new government programme on Roma housing, voted on 22 March 2006 by the Council of Ministers, proposed a number of legislative amendments.

The government approved a *National Programme for Improvement of Housing of Roma in Bulgaria until 2015*. According to the programme 30,065 new houses and flats for Roma will be built in the next 10 years and 47,245 more will be reconstructed. The implementation of the program will lead to the improved housing of 412,500 people (around 85,900 households), who live in 100 neighbourhoods in 88 towns. The infrastructure in many Roma neighbourhoods will also be renovated. The program also suggests some changes in the legislation: municipalities would be given additional powers to arrange land for construction of subsidized housing; the establishment of House Building Associations and Managing Bodies of subsidized housing property would be encouraged; the state would be allowed to provide collateral on municipal loans for construction and renovation of subsidized housing.

<http://www.government.bg/cgi-bin/e-cms/vis/vis.pl?s=001&p=0175&n=000614&g=>

### 3. RESEARCH

In March 2006 the Bulgarian Helsinki Committee issued its annual report on the state of human rights in Bulgaria. The report encompasses a number of topics related to violation and protection of human rights illustrated with specific cases, description of the relevant legislation and conclusions. The report provides some data on discrimination, aggressive nationalism and xenophobia against minorities. It also describes the rise of the nationalistic political party “Ataka” during 2005, its use of racist and xenophobic language, and its impact on Bulgarian society. The report concludes that discrimination and social exclusion of the Roma have continued to occur in 2005 in the spheres of education, health care, housing, employment and law-enforcement. The report supports these findings through several media and court cases.

Bulgarian Helsinki Committee (2006), *Human Rights in Bulgaria in 2005*

[http://www.bghelsinki.org/index.php?module=resources&lg=bg&cat\\_id=23](http://www.bghelsinki.org/index.php?module=resources&lg=bg&cat_id=23)

#### 4. NEWS AND EVENTS

The European Institute in Bulgaria announced that its three-years old project on anti-discrimination in Bulgaria will be marked in with a number of special events in June. The title of the information campaign this year is “Differences bring us together”. The campaign involves a national week of the anti-discrimination in Bulgaria, web-debate with experts on the topic of variety in society and a photo contest. The event will begin on 15 June and will end on 19 July 2006. Within the framework of the project there will be regional public discussions on discrimination in the capital and in five regional centers– Veliko Tarnovo, Dobrich, Montana, Sliven and Stara Zagora.

<http://diversity.europe.bg/index.php>