

ADMINISTRATIVE UNFAIRNESS: THE CASE OF ROMA IN BULGARIA

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Abstract

The study makes an attempt to trace on the example of Roma in Bulgaria Gery Becker's (and other Nobel Prize laureates) regularities of discrimination as a phenomenon that is often caused by social prejudices and believes. The first section reviews what is currently known about the public sentiment towards Roma and summarizes the role of the political parties in fueling those sentiments. The second section describes the implementation of policies dealing with Roma issues, and in particular of the National Roma Integration Strategy for 2012-2020 period. This strategy is selected because this is the lead government document that, presumably, shall be the key instruction for policies applied by the public administration on central and local levels. The third section deals with immediate and long term consequences from social and political believes on Roma property rights, health and life expectancy, income and social status. There two annexes: one gives a list of relevant policy documents and analytical material that guide Roma policies in the EU; the second explains the historic background of property rights situation highlighting the period between 1992 and 2010.

WHY STUDYING THE ROMA CASE²

A public order is fair if individuals and their establishments (families, dwellings, properties, voluntary unions and business endeavors) are equal before the law and if institutions that set, amend and/or maintain and apply the “rules of the game” do not discriminate against them.

As Garry Becker stated in his Nobel Prize lecture: “To understand discrimination against minorities, it is necessary to widen preferences to accommodate prejudice and hatred of particular groups”. Summarizing the vast amount of literature of discrimination since the start of the 20th century, he makes an important point that the real life challenges do not depend only on what is prescribed by the anti-discrimination regulations. His conclusion is that “the actual discrimination in the market place against a minority group depends on the combined discrimination of employers, workers, consumers, schools, and governments”.³

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³ Gary S. Becker, The Economic Way of Looking at Life, Nobel Lecture, December 9, 1992, pp. 39, 40.

The Roma case in Europe and Bulgaria is, perhaps, the most notorious case of unfairness and discrimination. It has been studied from all possible angles and there is so enormous information that it is difficult to be observed.⁴

From a legal standpoint, Anti-Gypsy unfairness by public servants and institutions must not be a matter of discussion.

Two EU directive of 2000 (No 43 and 78) prohibit discrimination on the grounds of race, ethnic identity, religion, fate, age, disability or sexual orientation, plus this ban is envisaged by Article 14 of the European Convention of Human Rights and Fundamental Freedoms. The directives were enforced when Bulgaria entered the initial stage of EU membership negotiations (along with seven other ex-Communist countries, in 1999),⁵ and in order to comply with the EU law Bulgaria adopted its own anti-discrimination law (in 2003) and established the respective Anti-discrimination Commission (ADC, in 2004). The law lists 19 grounds (twice more than Denmark and UK, and six times more than Estonia, Spain and Germany) on which discrimination is not allowed and ADC is entitled to monitor, initiate investigation and prevent cases of discrimination.⁶

There is no evidence that the ADC is not working: it has chapters in 24 of the 28 administrative districts of the country and since 2006 the number of discrimination cases increased nine times. The annual reports by the Commission prove that Roma most often experiences discrimination on ethnic grounds.⁷ At the same time, the reports are detailed but give little information that would help analyzing the effectiveness of the ADC.

Some evidence may also be found in the number of mentions of Roma public and private mistreatment by the European Roma Rights Center (ERRC).⁸ Since 1996 the ERRC's synopsis of hate and discrimination have published 350 stories (i.e. 15 a year) about Bulgaria – 10 times more than for Austria, 4 time more than Albania, 2 times more than in Russia, 130 stories more than about Serbia or North Macedonia, 50 stories more than for Romania and Slovakia. Only Hungary is featured by ERRC worse than Bulgaria (approximately 520 stories).

The above quoted analytical prism of Gary Becker has been used by many economists since the beginning of the 20th century and he himself spend about 40 years studying the phenomena.

In his lecture he reaches the following important conclusions:

- “Of greater [in comparison to employers’ discrimination – K.S.] significance empirically is the long run discrimination by employees and customers, who are far more important sources of market discrimination than employers. There is no reason to expect discrimination by these groups to be competed away in the long run...”
- Edmund Phelps and Kenneth Arrow’s, Nobel laureates in economics themselves, “analysis suggests that the beliefs of employers, teachers, and other influential groups that minority members are less productive can be self-fulfilling, for these beliefs may cause minorities to

⁴ See Annex 1, for an only short list European Union sources.

⁵ It was chapter 13th of the negotiations package

⁶ See detailed list of bans on discrimination and more information on ADC in: Ана Джумалиева. Правна аднидискриминационна рамка в Република България: ролята на Комисията за защита от дискриминация. В: Сборник доклади от годишна университетска 1-2 юни 2017. Велико Търново, ВТУ, 2017, с. 9-10. Prof. Djumaliev is the Chairperson of the ADC since 2012.

https://www.academia.edu/33114883/%D0%A1%D0%91%D0%9E%D0%A0%D0%9D%D0%98%D0%9A_%D0%94%D0%9E%D0%9A%D0%9B%D0%90%D0%94%D0%98_%D0%9E%D0%A2_%D0%93%D0%9E%D0%94%D0%98%D0%A8%D0%9D%D0%90_%D0%A3%D0%9D%D0%98%D0%92%D0%95%D0%A0%D0%A1%D0%98%D0%A2%D0%95%D0%A2%D0%A1%D0%9A%D0%90_%D0%9D%D0%90%D0%A3%D0%A7%D0%9D%D0%90_%D0%9A%D0%9E%D0%9D%D0%A4%D0%95%D0%A0%D0%95%D0%9D%D0%A6%D0%98%D0%AF_1?email_work_card=view-paper

⁷ See the respective subpage of ADC website: <https://www.kzd-nondiscrimination.com/layout/index.php/layout-over-40-positions/godishen-otchet> (only some annual reports are available in English). It should be mentioned that ADC's reports do not include an analytical or statistical section.

⁸ The stories are available at ERRC website: <http://www.errc.org/>.

underinvest in education, training, and work skills ... The underinvestment does make them less productive”.⁹

It is very likely that the overall set of beliefs in Bulgaria against Roma has the same effect. Below I attempt summarizing both the empirical evidence of anti-Roma beliefs and statistical data that prove that the impact of these beliefs cause actual discrimination and unfairness and comfort long term economic and disadvantages for the Roma.

CURRENT ANTI-GYPSY POLITICAL SENTIMENTS

Public opinion and Roma

Anti-Gypsy sentiments are deeply rooted in the public mind and amplified by politicians that are part of the current ruling coalition. I expect this attitude to play an important role in post-COVID-19 period.

In 2011 and 2016, Bulgaria Roma were found to be most unjustly threatened gypsies of all 11 EU countries studied by the European Agency for Fundamental Rights (FRA) and Eurobarometer, although an improvement in legal discrimination was reported from the first poll to the second.¹⁰ (In international comparisons, the material well-being of Bulgaria Roma is somewhat better than in other EU countries, as demonstrated by the data collected in civil society monitoring reports on NRIS.

With regard to the issue “acceptability” of working with a Gypsy those “who said they were indifferent to or comfortable with working with a Roma person were the highest in Spain and Portugal (70 % and 66 %, respectively), and the lowest in the Czech Republic, Slovakia, and Bulgaria (29%, 41 %, and 43%, respectively)”.¹¹ But FRA surveys differ from the polls of other agencies and research groups.

In 2018, the European Value Survey (EVS)¹² for Bulgaria found that 66.6% of the respondents would not accept Roma as neighbors. This negative sentiment is for all ages, education strata, religious denomination and occupational groups (only the working in the NGO sector are of the opposite opinion).

The negative attitude to Roma by political (voting) affiliation, in itself stronger than 65%, is even more negative than average for the voters of the ruling coalition of GERB and United Patriots (UP) – 70.2 and 66.2% respectively. The sympathizers of DPS (Dvizhenie za Prava i Svobodi – the “Movement for Rights and Freedoms”, the political party Bulgarian Muslims vote for, and sympathizers of the liberal parties outside the parliament, expressed a negative opinion too (63.4 and 61.3%).

The following table gives the “ranks” of disapproved neighbors.

⁹ Here Gary Becker refers to Arrow’s “The Theory of Discrimination,” in Orley Ashenfelter and Albert Rees, eds., *Discrimination in Labor Markets* (Princeton NJ: Princeton University Press, 1973, pp. 3-33) and Phelps’ “The Statistical Theory of Racism and Sexism” (*American Economic Review*, 1972, vol. 62, pp.: 659 – 661).

¹⁰ See: A persisting concern: anti-Gypsyism as a barrier to Roma inclusion, Luxemburg, European Union Agency for Fundamental Rights, 2018, p. 16.

¹¹ *Ibidem*, p.15.

¹² See all data below at: Георги Фотев (редактор и координатор). ИЗСЛЕДВАНЕ НА ЕВРОПЕЙСКИТЕ ЦЕННОСТИ: ПЕТА ВЪЛНА (ДАННИ ЗА БЪЛГАРИЯ). НБУр Център за изследване на европейските ценности. София, 2019: https://europeanvaluesstudybg.files.wordpress.com/2020/05/evs_2018_frequencies_bg.pdf.

EVS disapproval rates towards different minority groups

Negative about neighbors	
Group	percent
Drug addicts	86.1
Drunkards	83
Gypsies	66.6
LGBT	63.4
Immigrants	56.14
Other race	37
Muslims	20.7
Jews	18.6
Christians	18.1

Source: EVS, 2018

Bulgaria often is dubbed by international media “the poorest nation in Europe”.¹³ But the self-esteem is different, as found by Pew Research Center in 2018, the Bulgarians used to think they (69% were of that opinion) are superior than most nations of Europe in terms of culture; only the Greeks (89%), Georgians (84%) and Armenians (83%) had a higher cultural self-esteem than Bulgarians. Everybody else is believed to be inferior to these folks. Very much like Bulgarians in this respect were the Russians – 69%, Bosnians – 68%, Romanians with 66% and Serbians – 65%. Except for Poles (55%) and Norwegians (58%), all other European nations have much more modest, undeniably more realistic and tolerant view of what contemporary culture is and on what is their own contributions to it: for all these countries the cultural-superiority-ego is an illusion for 40 or less than 40% of their citizens.¹⁴

The negative sentiments towards Roma did not change since the time of quoted public opinion polls. In fact they were checked again and analyzed on the eve of COVID-19 by a reputable team sociologists, based on data from an especially designed representative poll of Alpha Research, Attitudes Towards the Others (mid-December 2019 and mid-January 2020).

Unlike previous polls, Alpha Research focused on nuanced expression of attitudes – from “Respect”, to “Acceptance”, “Indifference”, “Fear of”, and to “Hate”.

These, relative to other minorities, show that Roma are:

- **“Respected”** on average 4.5 times less than the rest (Muslims, Catholics, Protestants, Turks, Pomacs – Muslim Bulgarians, Armenians and Jews);
- 2 times less **“Accepted”** than other minorities;
- Almost two times more **“indifferent attitude”** (i.e. twice less subject to compassion by Bulgarians) than any other ethnic or religious group;
- Approximately 5 times more **“Feared of”** than everybody else;
- And **“Hated”** 4.4 times more often than the next subject of hate, the Turks; the hate-ratio here is 21.6 (with regard to Roma) to 4.8 (with regard to Turks).

¹³ This assessment is true in macroeconomic terms and come from the second half of 1990s: the low levels of GDP per capita resulted from gross economic mismanagement of 1980’s and 1995-1997. 1996-1997 recession was the deepest and with highest social costs in entire history of Bulgaria, hyperinflation and banking crises with estimated negative impact of 42% of GDP. All these combined brought 40% of the population into the condition of extreme poverty (almost all Roma were then in this condition). In 2020, it is the Bulgarian Roma who are poorest in the EU and, with 5% of the population, form the majority of the poor in the country (see below).

¹⁴ Eastern Europeans are more likely to regard their culture as superior to others. Pew Research Center, 2018: https://www.pewforum.org/2018/10/29/eastern-and-western-europeans-differ-on-importance-of-religion-views-of-minorities-and-key-social-issues/pf-10-29-18_east-west_-00-03/?fbclid=iwar3uxdtqqejzsejpr4ozfpkkwzl4fdbvryf_13nj1zorjpe7jbkde5nx1k

The “**Distrust**” towards Roma is 80.2%, the next “distrustful” groups are the Muslims (25.8%) and Turks (20.2%) but the majority that trust them is twice larger than the group of Bulgarians who do not trust them. Those who think that “one may trust the majority of” Roma are 9.5% of the respondents.

Alpha Research 2020 poll confirmed 2018 EVS findings:

- 82.3% of the Bulgarians would not accept a Gypsy as neighbour or a job-mate,
- 97% would not agree to have him/her as a “boss”,
- 90.6% would rather not have a Roma friend,
- less than 1% of Bulgarians would marry a Roma person,
- And more than 47% would rather not live in the same country with the Gypsies (although 51.2% accept this fact).¹⁵

At the same time the level of ignorance about the culture and the way of life of minorities is between 70 and 90% (depending on the group).

- When asked what the government policy towards various minority groups should be, the majority (64.1%) answers that they should not be bothered by any special help or policy.
- 14.3% believe that minorities do not need to preserve their traditions, language, way of life and culture (because they should accept those of the majority).
- 4.6% respondents stated that "some of these communities need to be isolated in special places or displaced" (89.6% of them indicated this should be done with the Roma).

All these attitudes are common for Bulgarians, irrespectively of their education, age, public or private sector affiliation. The “largest” group that treats Roma like all other minorities with respect, understanding and compassion are intellectuals, but they are, too, a very small minority among the most educated.

The 2017-2021 ruling coalition’s rhetoric is one of factors causing these sentiments. The lead party, GERB,¹⁶ with different junior partners and ad hoc majorities, is in charge of the country since 2009, since 2017 with the coalition of United Patriots. On ministerial and district, but especially on municipal executive level, the UP representative are pulling the strings, and their faction in 2017-2021 was a quorum/majority keeper in the parliament.

¹⁵ Alpha Research: МНОЗИНСТВО И МАЛЦИНСТВА - НАГЛАСИ КЪМ РАЗЛИЧНИТЕ (ДОКЛАД – АНАЛИЗ ОТ НАЦИОНАЛНО ПРЕДСТАВИТЕЛНО ПРОУЧВАНЕ ДЕКЕМВРИ 2019 – ЯНУАРИ 2020 ГОДИНА): https://alpharesearch.bg/api/uploads/Articles%202020/March%20-%20Religions/final_analyse_results_graphics_31_03_2020.pdf (Only one widely-read electronic media reviewed this report in detail and qualified these attitudes as dangerous, trying to explain the above mentioned police excesses in Roma neighborhoods).

¹⁶ GERB is an abbreviation of “grazhdani za evropejsko razvitie na Bulgria” (in English “Citizens for European development of Bulgaria). GERB and its founder Mr. Boyko Borisov as PM, are in power since mid-2009, with different minor coalition partners – from liberal reformers in the beginning of the period to nationalists after 2015. GERB favors big government project and seeks to benefit different business sympathies through public procurement process. In incumbent coalition emerged from the general elections in 2015 and includes United Patriots (UP), which, in turn, consists of three anti-Gypsy political parties: VMRO (“Vatreshna Makedonska revolutzionna organizatzia” - “Internal Macedonian Revolutionary Organization”) – a pro-Russian and semi-openly “counter” Macedonian; NFSB (a “National Front for Salvation of Bulgaria”) – almost pro-European, anti-Russian and pro-market in economic sense, anti-Muslim but less anti-Gypsy; and АТАКА - nationalist in Nazi sense, uses NSDAP-like regalia, linguistically disguised Nazi-slogans against Gypsies, and advocates nationalization of industries and land, expel of foreign investors, sterilizing gypsies and restricting the rights of Muslims, central planning of exchange and interest rates, prices and wages, getting the country out of NATO and the EU.

UP’s electoral campaigns are typically garnished with “anti”-rhetoric – against refugees, Muslims, and/or Roma. GERB had never expressed publicly any anti-Gypsy sentiment; on the international scene it favors large government funded projects, conducted mostly by state owned companies of the Russian Federation.

In the recent (April 2021) elections for parliament the UP failed to pass the 4-percent entry barrier. But the legislature failed to elect an executive and the next general elections are scheduled for July 2021. It is not clear whether UP will make it in the next parliament, and, if they do, their parliamentary fraction is not expected to be as strong as in the past five years. In the fall of the year, Bulgaria will be voting for president. With so many elections in 2021, there is a risk of political rhetoric against Roma will intensify.

Historically, the negative sentiment had two consequences for policies and planning:

- Whenever possible, e.g. during censuses and public opinion polling, the Roma do not disclose their identity;
- Demographics of Roma became a bit indistinct, with two non-trivially different assessments of the number of Bulgarian Roma: from 350-400 thousand according to the statistics, to 700-800 thousand (according to Council of Europe's expert evaluations, used often in EU policy documents).¹⁷

Administrative unfairness: COVID-19 and other instances

It is known from Biblical times that during pandemics and socioeconomic crises political force, restrictions and blame were typically directed first and foremost to “others”, to foreigners, dissidents, defenseless and disadvantaged. In 2020 Bulgaria, all these was applied to the Roma minority.

In March 2020, during the first week of the pandemic emergency introduced by law,¹⁸ the quarantine, lockdowns and police surveillance were immediately and with no justification applied to Gypsy neighborhoods of Sofia and around the country. The incident, in fact triggered by the GOB's public servants: the head of COVID-19 crisis management unit (whose head hinted and public comments as a parliamentary committee meeting by the prosecutor chief, passed largely unnoticed by otherwise vigilant local commentators of Bulgarian affairs but hit the international news. The intimidation persisted, and in August Roma marched in Sofia to protest it. The march was compared to Black Lives Matter rallies in the USA.¹⁹ The EU Agency for Fundamental Rights (FRA) report published in late September 2020 summarized the information on similar anti-Gypsy incidents from across the Union: the Bulgarian section is larger than the sections for other countries.²⁰

Frameworks implementation

Besides the overall legal background on equality before the law, rules and instructions for public administration's behavior and provisions on how government services should be delivered to citizens, there are specific to Roma designs on how to implement the general rules.

¹⁷ The first figure is from the 2011 census and reflects the number of those who defined themselves as Roma; the second figure is from 2012 assessment by the Support Team of the Special Representative of the Secretary General of the Council of Europe for Roma Issues.

¹⁸ The law applied and implemented on the fifth day after emergency was announced (13 March 2020). One of Sofia Roma neighborhoods, nicknamed “Fakulteta” was blocked by the police right away, see: “Факултета” на бунт срещу карантината: Понеже сме цигани, да ни мачкат (ВИДЕО/СНИМКИ), Darik-News, 19 март 2020: <https://dariknews.bg/regioni/sofiia/fakulteta-na-bunt-sreshtu-karantinata-ponezhe-sme-cigani-da-ni-machkat-videosnimki-2222305>. Blockages of Roma neighborhoods humiliated people across the country - in Pazardzik, Sliven, Stara Zagora and Yambol, according to media reports. BBC shot a documentary about what happened in Sliven, titled “Europe's Roma: 'Even dogs can't live like this’” (see: <https://www.bbc.com/news/av/world-europe-55928910>).

The emergency law was in many respects an outright violation of human rights (including private property and contracts), which worsened the economic situation under the pandemic. These violations were critically analyzed by the Bulgarian Helsinki Committee and many economists, including the author, and, with time, the law was amended. (Similar incidents happened in other countries too, see: Rights group criticises quarantine of Roma settlements in Bulgaria and Slovakia, Reuters, April 21, 2020: <https://uk.reuters.com/article/uk-health-coronavirus-bulgaria-slovakia/rights-group-criticises-quarantine-of-roma-settlements-in-bulgaria-and-slovakia-idUKKCN2231XB>.)

¹⁹ Roma persecution intensifies during the coronavirus pandemic in Europe, The World Public Radio Program, 24 August 2020: <https://www.pri.org/stories/2020-08-24/roma-persecution-intensifies-during-coronavirus-pandemic-europe>.

²⁰ Coronavirus Pandemic in the EU – Impact on Roma and Travelers (May – August 2020), Brussels, FRA, September 2020, p. 11. FRA also reported that “drones with thermal sensors were used to identify people with high temperatures in Burgas, and a plane sprayed 3,000 litres of disinfectant on Roma houses and neighborhood streets in Yambol” (p. 12) – an incident that remained without proper comment in the mainstream media in Bulgaria.

Bulgaria is one of the eighteen EU countries that adopted and applied a National Roma Integration Strategies (NRIS) for the period of 2012-2020. In order to assist the member states, the Commission communicated in 2011 “An EU Framework for National Roma Integration Strategies up to 2020”.²¹ The ambition was to finalize Roma-targeted policies associated with the Decay of Roma Inclusion (by 2015) and to set the actions for the next period of five years, in six problematic areas – education, healthcare, housing, environment, rule of law (and non-discrimination), and culture and media.

Bulgaria’s NRIS was adopted in 2012.

It listed all relevant international documents on Roma, from UN human rights protection frameworks through EU directives, policy recommendations and Council of Europe (CoE) Framework Convention on protection of national minorities, to the 2009 Ten Common Basic Principles on Roma Inclusion, adopted by the Council of EU. Municipalities are required to draft, adopt, apply and update their own RIS and follow the national action plans. However, the vision²² and the goal²³ of NRIS had, by and large, remained on paper until 2017 when the last monitoring report was published.

Five NRIS Administrative Implementation Monitoring Reports (2013, 2014, 2015, 2016 and 2017) were published; since 2017 there is no such report. The new draft NRIS for the period of 2021-2030 had been published in December 2020 and is current in its second round of public discussions. For the time being the draft offers no account on what has been accomplished or not.²⁴ And there is no exclusive list of priorities, it deals with “frameworks”. The assessment of 2020 and post-COVID-19 developments is not there too.

The NRIS monitoring report for 2017 gives information on developments for the period after the Decade of Roma Inclusion (2005-2015). The volume of the reports is 1,200 pages of scrupulous listing of every action, project and cent spent. The very volume makes the report hard to read and comprehend.²⁵ Otherwise, the report is objective (especially in the description of 2012 status quo) but lacks a summary of the important general statistics and does not offer assessment and analysis.

The key annex is a report by a team of researchers from the Institute for Population and Human Studies (IPHS) of the Bulgarian Academy of Science (BAS), which contains a critical analysis and recommendations to improve the implementation of the Strategy. The overall assessment of the strategy by IPHS revealed the following weaknesses:

- Overregulation of minority, human rights and Roma related policies, which is additionally complicated by frequent changes and amendments that are even impossible to follow;

²¹ See: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS An EU Framework for National Roma Integration Strategies up to 2020 [COM/2011/0173 final]: <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A52011DC0173>

²² It reads as follows: “The integration of the Roma and of the Bulgarian citizens in a vulnerable situation, belonging to other ethnic groups, is a pro-active two-way process, aimed at overcoming the existing negative social economic characteristics of these groups and building prosperity of the society”.

²³ Namely: “Creating conditions for equitable integration of the Roma and the Bulgarian citizens in a vulnerable situation, belonging to other ethnic groups, in the social and economic life by ensuring equal opportunities and equal access to rights, goods and services, by involving them in all public spheres and improving their quality of life, while observing the principles of equality and non-discrimination.”

²⁴ See the draft as published, along with comments by interested parties, including the author at: <http://www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=5708>.

²⁵ The report was intended for presentation to parliamentary committees on Education and Science and on Religion Denominations and Human Rights, submitted to the Parliament the IPHS report is not publicly available on the parliamentary website. I interviewed the authors of the report: the committee hearings were postponed and then never took place. One of the authors, a prominent specialist on demographics and minority issues, ex-advisor to the President Zhelev, was expelled from the inter-ministerial task force on minority issues, where she sat as BAS representative. (In 2018, she was also threatened to lose her job at the Academy by the parliamentary majority leader.) IPHS report was discussed with five ministries, some of which dismissed it as “politically incorrect”, “not reflecting the views of the majority of the population” (as I was told by the authors, no records of the meetings were published).

- Lack of specific quantitative indicators that would allow measuring progress or unreasonably low targets, which would be easy to report but make little difference;
- Lack of up-to-date statistics disaggregated by minority groups, ethnicity, religion or other criteria that would allow for monitoring progress;²⁶
- No prioritization;
- Ineffectiveness of too narrow targeting on the one hand, and lack of targeting on other hand;
- Often the planned activities do not correspond to stated objectives or contradict the objectives;
- Insufficient, unstable, misbalanced financing of activities, resources often reallocated to side activities or other target-groups;
- Unclear and, sometimes, misleading reporting.

If the above finding required a specific analysis of NRIS implementation, there are legal provisions for an administrative unfairness that directly obstruct equal treatment to Roma by public authorities and institutions, without mentioning Roma – this would have been unconstitutional.

The case in point is the amendment to the Law on Citizens' Registration adopted in 2011. It requires a permanent address in order to obtain a registration document – a passport or identity card. The problem was reported by the media, NGO and human rights groups during the parliamentary hearings on the amendment but to no effect.²⁷ The NRIS listed the issue to be resolved by 2020, in 2018, the Roma and human rights foundation AMALIPE reported to the public and the EU Commission's Directorate on Justice and Consumers that "the amendments to the Civil Registration Act adopted five years ago have raised problems for the Roma population, as in many Roma-inhabited areas the establishment of property rights, the legality of buildings, and the possession of the necessary documents establishing residency are issues."²⁸ Bulgarian Helsinki Committee (BHC) in its Human Right Report for 2017 and the World Bank in "Bulgaria - Housing sector assessment" report of the same year analyzed the case as an "outright discrimination".²⁹ The responsible Ministry of Regional Development (in fact, since 2012 seven ministers with a mandate to register both properties and citizens) did not undertake any measures to resolve the issue.

Bulgarian Helsinki Committee after the lockdown incidents of 2020, requested from the Ministry an information³⁰ on how many of Bulgaria residents lack domicile and/ or identity cards. The number of such residents is 81,360 of them 75,400 are citizens of Bulgaria.³¹ The problem comes from an

²⁶ The NSI does not collect or publish current disaggregated data (and coefficients based on them) on almost any ethnic grounds. The exceptions are the international annual comparative studies on SILC and employment, and the national population censuses conducted on ten-year periods. Sometimes targeted surveys use the criteria of "mother tongue spoken at home".

²⁷ One of the popular TV broadcaster featured the story under the title "Roma with no personal Ids, and... no social aid", and its reportage pointed at the obvious problem that about 90% of the houses in one of the largest Roma neighborhoods, Stolopinovo in the city of Plovdiv, become illegal, see: Роми без лични карти и без ... помощи, БТВ Новините, 13 декември 2011: <https://btvnovinite.bg/1991694281-Romi-bez-adres-ostavat-bez-lichni-karti-i-bez-pomoshiti.html>.

²⁸ See: Civil society monitoring report on implementation of the national Roma integration strategies in Bulgaria. Focusing on structural and horizontal preconditions for successful implementation of the strategy. Amalipe Center for Interethnic Dialogue and Tolerance World Without Borders Association IndiRoma Foundation, March 2018, p. 33. (The text is available in Bulgarian and English on the directorate's website: <https://op.europa.eu/bg/publication-detail/-/publication/0831834f-b1aa-11e9-9d01-01aa75ed71a1/language-bg/format-PDF>.

²⁹ See: Правата на човека в България през 2017 г. Софияр БХК, 2018, с. 61: <https://www.bghelsinki.org/media/uploads/doklad2018.pdf> and Bulgaria - Housing sector assessment, Washinton D.C., World Bank, 2017, pp. 135-136: <http://documents1.worldbank.org/curated/en/776551508491315626/pdf/116518-REVISED-PUBLIC-BulgariaHousingAssessmentFinalReportEN.pdf>

³⁰ The fact that information appeared after the COVID-19 lockdowns is a pure coincidence: the request for information was submitted in 2018, but access was refused and the data was delivered to BHC only after it won a court case against the Ministry at the Supreme Administrative Court.

³¹ See: Огромно брой хора в България са без адресна регистрация. БХК, 30 април 2020: <https://www.bghelsinki.org/bg/news/ogromen-broj-hora-v-blgariya-sa-bez-adresna-registraciya>.

amendment to the Law on Citizens. The experts' assessment is that of these 75 thousand without ID the overwhelming majority is Roma. Professor Ilona Tomova of IPHS, whom the author interviewed, assessed the current number of Roma without citizens' registration at about at least 80 thousand. The draft NRIS 2021-2030 does not even mention the problem of permanent domicile and respective violation of Roma citizens' rights.

SOCIOECONOMIC CONSEQUENCES

The impacts of administrative unfairness are discriminatory. They may be categorized as direct, long-term policy and socioeconomic, and cross-sectoral impacts. A temporary instance of unfairness, may evolve into a problem with long term negative consequence.

Direct

The above mentioned public comments by the prosecutor general and the head of the anti-COVID-19 about Roma life style as dangerous in a pandemic situation and the resulting isolation of Roma ghettos in many towns of the country, may have been one of the reasons that in 2020 employers had fired Roma workers irrespectively the shortages of workforce in their respective regions and sectors.

In Sliven and Yambol districts, where Roma population is 11%, 79% of the laid out workers are Roma, while in 2019 45% of all unemployed were Roma and 11-12% of the job openings were not filled, the youth unemployment among them was 22% before COVID-19 (twice higher than the average for the two districts, 9% is the youth unemployment rate for the country).³² The situation is similar in all locations with concentration of Roma and is deteriorating since March 2020, according to an ad hoc survey.³³

It shall be noted that there are companies hiring Roma companies in that part of Bulgaria are often foreign investors, competitive, export oriented and high value added enterprises.³⁴

There is little doubt that a detailed survey of similar to Sliven and Yambol stories would confirm that, as Becker, Phelps and Arrow observed, many employers behave "as requested" by social beliefs and prejudice even if they contradict the normal business logic in situations of labor shortages.

Apparently, the problem of if a citizen possesses no permanent domicile and no ID has multiple direct and negative consequences.

A citizen without an ID has no chance of registering a property, of signing a formal contract with an employer, a bank and/or mobile communications supplier, lay a claim with a court of justice or get access to any public service or social aid, which is often declared to help disadvantaged members of the society. In a sense they are non-citizens. The direct impacts of this unfairness on the basic and social rights had evolved into long term institutional disadvantages.

Long-term

By the nature of things, the absence of legally established property rights for Roma lead to numerous negative consequences of the Roma as an ethnic group. In this paragraph we summarize these impacts, first as political and administrative approach to Roma real estate situation, and, then, as broad and horizon socioeconomic consequences.

³² At the end of 2019, EU youth unemployment was 15%.

³³ The data in these two paragraphs is based on September 2020 journalists' survey and is confirmed by the regional office of the Employment Agency, see: Деян Димитров. Какви са пречките пред интеграцията на ромите в Сливен и Ямбол. (Въпреки единичните добри примери проблемите се задълбочават). Капитал, 18 септември 2020: https://www.capital.bg/politika_i_ikonomika/gradove/2020/09/18/4115372_kakvi_sa_prechkite_pred_integraciiata_na_romite_v/

³⁴ Deyan Dimitrov names like the leader in the production of components for cars Yazaki Bulgaria Jsc., Fructo Sliven Ltd. (canning), "S Group Human Capital" (HR and recruitment), EFEB Ltd. (frozen fruits), etc. Agriculture and the processing industry are the most active among the sectors hiring Roma, but there are examples in machine building too.

Property rights

Legalizing Roma dwellings has been named a political priority (for Roma inclusion) back in 2005, to certify that Bulgaria seriously plans to comply with EU's anti-discrimination directives of 2000. In general terms, however, the property rights of ethnic minorities and Bulgaria government efforts to fix them goes back to 1992.³⁵

A detailed analysis of administrative negligence to Roma housing and "territorial settlement" (this is the term that used to avoid the term "ghetto") is provided by a Sofia University colleague, prof. Maya Grekova. She had recently published a book on "What's wrong with policies for "Roma integration in Bulgaria"?" where one of the key examples is the housing and "settlement" of Roma, or rather bureaucratic hurdles and tacit administrative negligence to the matter.³⁶ Prof. Grekova found that by the end of 2019 there was no single municipality where these issues were addressed in one way or another.³⁷

Prof. Grekova and the statistics on evictions give the following picture of Roma property and housing rights:

- "The illegality of many dwellings is one reason for these gaps and a big problem at the same time. Nearly a quarter of all houses in segregated Roma neighbourhoods were built illegally, compared to one-sixth of all houses in the country."
- "Weak legal status not only involves risks, but also prevents the use of public services such as utilities, registration of ownership, possible transactions involving the buildings, etc."³⁸
- Local authorities often demolish such houses even when they have been brought in line with official requirements. This approach is often different from authorities' actions to illegal or semi-legal dwellings of other ethnic group, and continued during the pandemic almost exclusively applied in Roma neighbourhoods. According to media reports in 2020 Roma houses were demolished.
- In cases of evictions, social housing is rarely provided; the budgets allocated for this purpose are often spend on other priorities.
- This is most likely an incomplete information. According to NSI data of November 2020, demolished houses in the first three quarters of 2020 are 453, the dwelling – 537. (The ratio between the two suggests that these are predominantly Roma dwellings.)³⁹
- Most of the media and analytical reports are "politically correct" in the sense that they do not point at the political affiliation of the mayors manage the evictions. It seems that most of them are affiliated with GERB and UP. The statistics shows that evictions increased by roughly 20% after 2017 and in 2020 are likely to hit a record.
- Another feature is that social housing is not typical for Bulgaria – only 2.5% of dwellings are social housing.

The overall outcome of this situation is that 1/3 of Roma live in segregated neighborhoods, the quality of housing conditions for Roma is very poor, and, due to limited collateral (with often missing long-term employment) the Roma's access to formal credit to build, buy or renovate a

³⁵ See Annex 2 for a brief summary of the background.

³⁶ Майя Грекова. Какво е сбъркано с политиките за „интеграция на ромите в България“?. София, СУ, 2019, с. 180-220. [Maya Grekova. Kakvo e sbarkano s politikite za „integratsia na romite v Bulgaria“?. Sofia, SU, 2019, s. 180-220.]

³⁷ Grekova, op.cit. p. 234. Социологически проблеми

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³⁸ Civil society monitoring report on implementation of the national Roma integration strategy in Bulgaria, European Commission, Directorate-General for Justice and Consumers, Brussels, 2019, p. 21-26: <https://op.europa.eu/en/publication-detail/-/publication/0831834f-b1aa-11e9-9d01-01aa75ed71a1/language-en/format-PDF>

³⁹ For 2019 the figures are: houses 572, dwellings – 671, for 2018 – 575 and 657, for 2017 – 489 and 567.

dwelling is extremely limited. It depends, as the saying goes, on “Three Fs” – “family, friends and fools”.

The national housing strategy for 2018-2030 had stated the objective to increase the affordability of social housing for Roma. The new Roma 2021 -2030 strategy refers to this strategy but makes no point about the property rights.⁴⁰

Socioeconomic status of Roma

One of the outcomes of negative public, political and, hence, administrative sentiments towards Roma is their health and longevity status.

Large numbers of Roma are not health-insured, the latest data from before the NRIS (2011) states the percentage of uninsured men – 59%, women – 57%: three times higher than the national average (19-20% according to national reports of 2018); there is no reason to think that the situation changed since 2011.

Roma life expectancy is much shorter than the national average. The expert assessment puts it 10 to 20 years, or 15 years shorter according to 2008 Open Society Institute (OSI) assessment (based on data from 2001 census).⁴¹

15-20 estimate is confirmed by practically all experts working on Roma issues. For the same period the life expectancy of Bulgaria has increased by approximately 4.5 years between 2000 and 2019, from 71.6 to 76.1 years.⁴²

- An employable, younger, and better educated Roma leave the country to work on assignments in the EU, the less active, older and less educated remain in Bulgaria.
- There is no data on ethnic mortality but 2019 NSI data shows that the highest rates (21-22 per 1,000 residents) were registered in the districts with concentration of Roma – Vidin and Montana.
- If we take the lowest and the highest estimate of Roma life expectancy relative to country average (10 and 20 years), the dynamics of Roma longevity and working age (until 65 – country average) is as shown in the table. It is very likely that only a very few Roma would live on pension.

Roma life expectancy and economically active years of age above 20 (2010, 2017, 2019)

Life expectancy	2010	2017	2019
	70	77	79
Bulgaria average, at birth	73.8	74.8	76.1
Roma, at birth (10 years less)	63.8	64.8	65.1
Roma active age	43.8	44.8	45.1
Roma at birth (20 years less)	53.8	55.8	56.1
Roma active age	33.8	35.8	35.1

The side effect of shorter life expectancy and aging population declining productivity of the economy.

In fact in the last 8-9 years the productivity is already stagnating in comparison to the year before 2008-2009 recession. The growing number of aging populations and the declining number of youth

⁴⁰ Part of the ghettos e.g. that in Sliven, were built as social housing projects. If there Roma property rights issues remain unresolved, new such projects will end as ghettos too.

⁴¹ See. Ромите в България. София, Институт отворено общество 2008, с. 40-45: https://osis.bg/wp-content/uploads/2018/04/OSI_Publication_Roma_2.pdf

⁴² One of the reasons for this development is the reduction of the total mortality and that of infectious diseases in these countries (a total of 3.5 - 4 times compared to 1990), and of cardiovascular diseases by 14-15% in the period after 2005; similar but not that pronounced is the dynamics of mortality due to other non-communicative diseased and unrelated to health causes of death, see: Our World in Data, Causes of Death.

under age of 20, makes it inevitable that the current Bulgarian health and pension systems will suffer from a negative gap between contributions and benefits.

Both systems are currently financed by transfers from the state budget (taxpayers) and the future demographic dynamics calls for more revenues to finance all saving segments of the economy – pensions, healthcare and education.

The Roma inclusion in the labor force is key if not the only domestic resource that may mitigate the upcoming deficiencies of these tax fueled systems.

Another long term effect is the income and employment situation.

In 1996-1997 almost 90% of the Roma in Bulgaria lived in extreme poverty (USD 1.90 per person per day); almost 40% was the average indicator for Bulgaria; at the end of 2019 – 1.4%.

- In 2019, the highest relative share of the poor is among the Roma (64.8%). If the extreme poverty was steadily declining from 12.8% of the population in 2001 to approximately 1% at the beginning of 2020, by the end of 2020 and early 2021 it will double to 2% (back to 2010 level) and will affect mostly Roma, Bulgarian Turks and pensioners
- Given their share in unemployment, in those lacking formal employment, in working poor and in not-in-employment-education-and-training (NEETs), and taking into account the fact that none of the anti-crisis GOB policies of 2020 benefited Roma directly (the indirect impacts must be studied separately), the COVID-19 poverty status of the Roma (according to the national poverty line) will resemble the 1997 national poverty rates.
- As mentioned above, under COVID-19 in some Roma populated districts Employment Agency offices had register newly unemployed of whom 80% are Roma, and the Roma unemployment rate has been in September 2020 as high as in 2010.

The adult Roma are typically without a stable long-term labor contract, and it is likely that unemployment among them is around 30% - this is an improvement from 2010 (when Roma unemployment was 40%; this improvement however did not reduced significantly the percentage of Roma below the poverty line.

Another outcome of the negative sentiments towards Roma might be seen in statistics of Bulgarian citizens who are “not in employment, education or training” (NEETs). In 2019 the European Commission published the Institute for Market Economics review (IME).⁴³ There is no newer assessment of the NEETs.

The IME study found that in 2017 (the year of the available statistics):

- Ethnic Roma have had “alarmingly high shares of NEETs both among Roma and among poor households” of the country, with NEETs making up more than half (50.2%) of the population in these groups;
- The findings of the EU Social Inclusion and Living Conditions (SILC) survey of 2017 more correctly estimated the shares of the NEETs among the 15-34 age citizens of Bulgaria, while the NSI labour force surveys (LFS) tend to underestimate them: in the Social Inclusion and Living Conditions (SILC) dataset for 2017 (22.6%), is three percentage points higher compared to that calculated in the LFS (19.5%);
- For South Central Region of the country, i.e. the region around Plovdiv, with a large concentration of Roma but one of the fastest growing economically, as having the highest NEET rate of 31.8% for the 15-34 age group;
- The condition of this group was similar but less pronounced in the South Western and the North Eastern regions and “seems to be correlated with the larger presence of Roma in those [three] regions”;
- “While the education system and the labour market (including public employment) manage[d] to a significant extent to encompass those of Bulgarian ethnicity, regardless of

⁴³ Assessment of the people not in employment, education and training (NEETs) in Bulgaria and policy measures to effectively address their integration, Brussels, EC-IME, 2019.

their education, region or gender, they generally fail to provide the same opportunities to ethnic minorities”;

- GOB sponsored employment and education programs for the group typically have low targets from Roma inclusion (e.g. if Roma constitute more than 50 of NEETs, their share in the programs is only 7%) this helps reporting times greater successes, while “labour offices struggle to provide them with employment opportunities, which shows the negative effect of poor educational outcomes on labour market prospects”;

The resources provided of have been insufficient, for instance:

- the key GOB policy instrument, “National Action Plan on Employment, has remained flat at about BGN 73 mln for the entire period after 2010;
- despite improved employments rate and labour force shortage (30-40% according to employers’ estimates);
- And more than 2.5 times higher minimum wage (which was raised from BGN 240 in 2010 to 560 in 2020 and to 610 for 2021).⁴⁴

The summary of the data on NEETs according to SILC of 2017 is presented in following table.

NEETs in different groups of population (%)

Population/ethnic groups	Share in NEETs
15-34 age group	22.6%
Bulgarians	14.1%
Turks	30.1%
Roma	61.3%
Other ethnic groups	12%
Poor	54.4%
Non-poor	12.3%
Harsh material deprived	43.6%
Deprived but not harsh	13%
Less than primary education	86.3%
Primary education	66%
Urban	12.5%
Town or suburb	25.6%
Rural	35.9%

Source: IME, based on EU SILC

There is a strong correlation between education and socioeconomic condition of different groups, the Roma is in the worse condition. Provisional policies to reduce the number of NEETs should be aware of the exact number of people in the groups. Here is a summary table of IME findings.

NEETs in numbers (thousand)

Population/ethnic groups	Share in NEETs
15-34 age group	353.3
Bulgarians	166.1
Turks	40
Roma	135,2

⁴⁴ In districts with large concentration of Roma residents the ratio of minimum to average wage is 70 to 80%, the effect is that Roma and other poorer citizens of those districts are in fact unemployable. Additional complication comes from complicated labor market regulations, which in turn limit the employability on temporary contracts. The opportunity for a formal temporary job (irrespectively how short is the term of the contract) may be considered as one of the indications of advanced labor market and overall economic development. In terms of this opportunity Bulgaria is in worse situation in EU and in comparison to neighboring countries.

Other ethnic groups	1.3
Poor	189.9
Non-poor	161
Harsh material deprived	211.5
Deprived but not harsh	140.5
Less than primary education	35.7
Primary education	49.1
Less secondary education	115.9
Upper secondary	41.9
Vocational education	78.5
Tertiary education	28.5
Urban	93
Town or suburb	97.6
Rural	161.3

Source: IME, based on EU SILC

ANNEX 1. LIST OF EU SOURCES ON ROMA AND ANTIGYPSYISM, IN ORDER OF PUBLICATION

- The European Union, Race Equality Directive, 2000
- Roma in the European Union. European Parliament resolution on the situation of the Roma in the European Union, 2005.
- Valeriu Nicolae, ‘Towards a Definition of Anti-Gypsyism’, ERGO Network, 2006.
- European Commission, Non-discrimination and equal opportunities: A renewed commitment. Community Instruments and Policies for Roma Inclusion. Commission Staff Working Paper, 2008.
- EU Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, 2008
- ECRI General Policy Recommendation No. 13 on combating anti-gypsyism and discrimination and Roma, 2011
- European Commission, COMMUNICATION FROM THE COMMISSION: “An EU Framework for National Roma Integration Strategies up to 2020”, 2011
- EU Council recommendation on effective Roma integration measures in the member states. Employment, Social Policy, Health and Consumer Affairs Council Meeting, Brussels, 9 and 10 December 2013.
- Ad Hoc Committee of Experts on Roma Issues (CAHROM), “Thematic report on combating anti-gypsyism, hate speech and hate crime against Roma”, 2013
- Ad Hoc Committee of Experts on Roma Issues (CAHROM), “Thematic report on combating anti-gypsyism, hate speech and hate crime against Roma”, 2013
- Martin Holler, ‘Historical Predecessors of the term ‘Anti-Gypsyism’. In: Jan Selling, Markus End, Hristo Kyuchukov, Pia Laskar and Bill Templar, eds., “Antiziganism. What’s in a Word? Proceedings from the Uppsala International Conference on the Discrimination, Marginalization and Persecution of Roma, 23-25 October 2013”, Newcastle upon Tyne: Cambridge Scholars Publishing, pp. 82 – 92., 2014
- Huub van Baar, ‘The Emergence of a Reasonable Anti-Gypsyism in Europe.’ In: Timofey Agarin, ed., When Stereotype Meets Prejudice: Antiziganism in European Societies. Stuttgart: Ibidem Verlag, 2014
- Report of the UN Special Rapporteur on minority issues, Rita Izsák. Comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism, 2015
- Markus End: Antigypsyism in the German Public Sphere. Strategies and Mechanisms of Media Communication”. Heidelberg: Dokumentations- und Kulturzentrum Deutscher Sinti und Roma, 2015.
- Jan Jařab, “Eight circles of anti-Gypsyism”, 2015
- European Commission ‘Report on the implementation of the EU Framework for National Roma Integration Strategies’, 2015
- European Parliament Resolution: International Roma Day – anti-Gypsyism in Europe and EU recognition of the memorial day of the Roma genocide during WW II. European Parliament resolution of 15 April 2015
- Thomas Acton: Scientific racism, popular racism and the discourse of the Gypsy Lore Society. *Ethnic and Racial Studies*, 39 (7), pp. 1187 – 1204. 2016
- Reference Paper on Antigypsyism (2016)
- European Parliament, “Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism”, 2017
- Central Council for German Sinti and Roma, “Antigypsyism in public discourses and election campaigns”, 2017

- Center for European Policy Studies, “Combating Institutional Anti-Gypsyism: Responses and promising practices in the EU and selected Member States”, 2017
- PACE Resolution: “Promotion the Inclusion of Roma and Travellers”, 2017
- The Greens/EFA in the European Parliament: “Countering Antigypsyism in Europe“, 2017
- European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”, 2018
- European Commission, “Evaluation of the EU Framework for National Roma Integration Strategies up to 2020 – Accompanying the document COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”, 2018
- European Commission, EU High Level Group on combating racism, xenophobia and other forms of intolerance, “Antigypsyism: Increasing its Recognition to Better Understand and Address its Manifestations”, 2018
- Fundamental Rights Agency, “A persisting concern: anti-Gypsyism as a barrier to Roma inclusion”, 2018
- The Roma civil monitor pilot project, “A synthesis of civil society’s reports on the implementation of national Roma integration strategies in the European Union”, 2018
- Austrian EU Presidency – Conference on antigypsyism: expert recommendations: “How to address antigypsyism in a Post 2020 EU Roma Framework”, 2018
- S&D Group in the European Parliament: The Milestones in our fight against anti-gypsyism, 2018
- European Parliament, “Motion for a resolution on the need for a strengthened post-2020 Strategic EU Framework for National Roma Inclusion Strategies and stepping up the fight against anti-Gypsyism”, 2019
- European Parliament, “Scaling up Roma Inclusion Strategies: Truth, reconciliation and justice for addressing antigypsyism”, 2019
- European Commission COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL “Report on the implementation of national Roma integration strategies“, 2019
- Dimensions of Antigypsyism in Europe (2019)
- Developing measures to combat antigypsyism after 2020: Guidance for European and national stakeholders (May 2019)
- Combating antigypsyism in the post-2020 EU Roma Framework: Recommendations (May 2019)
- Civil Society feedback on the Roadmap published by DG Justice on 17 Feb 2020: Initiative setting out the EU Post-2020 Roma Equality and Inclusion Policy
- European Commission Roadmap: Initiative setting out the EU post-2020 Roma equality and inclusion policy, 2020

ANNEX 2. THE BACKGROUND OF PROPERTY RIGHTS PROVISION TO ROMA AND OTHER MINORITY GROUPS

The understanding of property rights of different ethnic groups shall take into account a long historic perspective.

Bulgaria has moments that may be considered good practice. But after an early and promising start in 1991 and 1998, the allocation of property rights to minorities has been mired in bureaucracy and mistreatment of beneficiaries, and later ended in standstill.

In 1991, in the beginning of the transition, the restitution of private land ownership rights (and later other property rights) was a top political priority because expropriations in the second half of 1940s, forced collectivization of agriculture (from late 1940 till early 1970s), confiscations of rights of the “enemies of the people” and a myriad of other policies, some of which were particularly designed to violate the rights of different ethnic groups.⁴⁵

Roma and other vulnerable segments of the Bulgarian society, approximately 40% according to opinion polls of early 1990s, had little to no previously expropriated property to restore, plus the majority of Roma had no rights on real estate at all.

Additional problem was the loss of property rights in Bulgarian Turks in 1989: 330 thousand of them were expelled from Bulgaria in June-August of the year, between 70 and 80 thousand families sold in rush or transferred to relatives their real estate (houses, apartments) and movable properties. When they returned to Bulgaria after democratic changes, only very small group was compensated.

In order to address this problem, the government adopted a special procedure (Decree No 279/30.12.1992) to provide for land ownership of low-income⁴⁶ families from state owned and municipal land funds: up 10,000 m² to non-married adult citizens, 20,000 m² to married citizens without children or with one child, and up to 30,000 m² to families with two and more children.

The beneficiaries had to fulfil some simple and reasonably formulated requirements – a proof of the property status, commitment not to transfer the rights for a period of 10 years of transition (or “temporary”) tenure, etc. By the end of the temporary tenure, provided conditions were met, the full property rights transfer should have been agreed between the authorities and temporary owners.

⁴⁵ The background of this episode is the following: in the winter or 1984-1985, the names of all Bulgarian Turks were changed to Christian or Slav names by force, using a list of names approved by the authorities, notary deeds and citizens' status documents were “updated” accordingly. By the spring of 1989 the Turkish minority, against all precautionary measures (arrest, expulsion of leaders, spying on intellectuals, etc.) taken by the Communist party, managed to organize and (peacefully) claimed their original names back. The response of the government was to expel “those who disagree” to Turkey.

This policy had a devastating impact on the economy, Bulgaria lost approximately 6% of its 1989 GDP. 8,000 houses and apartments were sold in a matter of weeks to state and municipal organizations, only 765 families were compensated. See for details: Румен Аврамов. Икономика на „възродителния процес“. София, ЦАИ, 2016, с. 505-550, 572.

This episode deserves highlighting because such policies were repeated several times in Bulgaria's 20th century history. In fact, “the policy of renaming” was tested first on Roma in 1962 (see: Elena Marušiakova et Veselin Popov, *The Bulgarian Gypsies – Searching their Place in the Society*). Property expropriation in different forms were applied to Bulgarian Greeks, after the Balkan wars and WWI, before WWII – to Bulgarian Jews, during the WWII it was in making towards Jewish properties in the Bulgaria occupied territories of Macedonia and Northern Greece, from where the authorities sent 11,500 Jews to Nazi extermination camps in early 1943. The Pomacs were renamed by force in 1970s. Gypsy lifestyles were “regulated” by the Communist authorities after 1958. “Turkiazation” was an excuse to rename Muslim Roma too in 1984-1985 campaign but this attempts was not successful and had little economic impact. Then, as Marušiakova and Popov noted, “the authorities considered them [the Roma] officially non-existent - all mention of the Gypsies in public life and the media vanished, and in some places the Gypsy mahalas were hidden behind big concrete walls.” Something of the sort is happening as we speak, see below the comments on the post-COVID-19 Recovery Plan for Bulgaria. (On this subject see also: Romyan Russinov, *Segregation and the Roma*, EYMI, Vol. 10, No.1, January 2013: https://brill.com/view/journals/ymio/10/1/article-p415_18.xml?language=en).

⁴⁶ The literary translated term in Bulgarian is “low-property-owning” families.

This regulation was amended in 1993-1995, when the provision of land to “low-property-owning” families virtually stopped for bureaucratic reasons – the procedure was harmonized with overall land restitution process. However, the 1996-1997 hyperinflation and evaporation of savings necessitated a return, in 1997-1998, to the pre-crisis policies: the only major difference was that this time the land price must be eventually (after the period of “temporary ownership”) paid.

By 1998 however, thanks to strong political representation, the municipalities with compact residents of Bulgarian Turks were the first to settle their property rights on land. This explains the relatively high percentage of Turks in the rural population of Bulgaria. Similar was the property rights progress in some municipalities with significant Roma presence belonging to Catholic and (sometimes) Protestant Christian denominations, thanks to cultural organization and commitment to social cooperation.

In 1997, a pioneering program for land ownership for Roma had taken off.⁴⁷

The important new 1998 development was that foreign donations were already in place, attempting to soften the human tragedy in virtually all Roma communities of Bulgaria. The key challenge then was to make donations work on credit patterns, with market based interest rates.⁴⁸

This time opportunity of land distribution to disadvantaged families existed, on paper, until 2008. In May that year the regulation was amended in the direction of more bureaucracy, hard to fulfil and time-consuming requirements to proof eligibility and limitation of tenures to 10,000 m² per family.

There were number of successful cases but overall effect of the amended procedures was that that allocations of land rights to Roma had virtually stopped. Intentionally or not, the group that benefited after 2008 was the one of large land dealers. Another group of unintended beneficiaries was that of public servants and bureaucrats: prosecutors, policemen, municipal and district public servants (as investigative journalist fund in 2006).⁴⁹

In general, the presentation of Roma interests and rights on political level was better for the period before 2001 or even 2004, than for the years that followed.⁵⁰ The policy of land ownership allocation of 1992-1995 and 1998-2008 seems impossible to be revitalized. A special research on the subject is needed. All interviewees confirmed that, except for unique cases of success summarized below, since 2008 there is hardly any Roma family to benefit from the regulation.

⁴⁷ The initiative came from the civic sector, the justification: in January and February Bulgaria had the highest inflation in the world, real industrial wages were dwindling by 20% month since the spring of 1996; the average wage in February was USD 20, the average pension – 5 US dollars.

⁴⁸ See how this happened for a community of 175 families in 1997: Andrey Ivanov, Krassen Stanchev, Comments on “Land for Roma Families”, Sofia, IME, 1998: <https://ime.bg/en/articles/comments-of-the-land-for-roma-families-program/>.

⁴⁹ See: Красен Станчев. Циганите и правата на собственост. Преглед на стопанската политика, №282, 16 декември 2006: <https://ime.bg/bg/articles/ciganite-i-problemyt-s-prawata-na-sobstwenost/>.

⁵⁰ See: Romyan Russinov, The Roma Movement in Bulgaria after the Political Transformation in 1989, Roma Rights, No2, 2015: http://www.errc.org/uploads/upload_en/file/roma-rights-2-2015-nothing-about-us-without-us.pdf.