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Budapest, 13 of May 2019

RE: Racist concept strategy for Roma integration in Bulgaria

Dear Sir,

The European Roma Rights Centre (ERRC)¹ is a Roma-led international public interest law organisation established in 1996. We use strategic litigation to combat racism and discrimination, and defend the human rights of the Romani population in countries across Europe.

The ERRC is writing to you to express our deep concerns regarding the concept-proposal for “dealing with the Roma question²” and “Roma inclusion” proposed by Krasimir Karakachanov, Deputy Prime Minister for Public Order and Security, Minister of Defence and President of the IMRO-Bulgarian National movement party.³ The ERRC is convinced that the concept, currently under public consultation, is inspired by racist policy against ethnic minorities.⁴ It is concerning to note that this proposal has many of the hallmarks of the fascism of the 1930’s and 40’s in Europe, and serves to reinforce the institutional racism which is present against in Bulgaria against the Romani population.

This concept suggests modifications to the policy for Roma inclusion in Bulgaria in a way that can be seen as incitement to racial hate against Roma. Problematic statements based on anti-Roma stereotypes appear in the introductory paragraphs of the Minister’s proposal for a new policy. Karakachanov defines Roma as “asocial gypsies (Roma)” whose “behaviour” has not changed since the emancipation of Bulgaria from the Ottoman Empire. Referring to Roma as ‘asocials’ was a terminology used to deadly effect 75 years ago by the Nazi Party, who went on to genocide half of the Romani population of Europe. Karakachanov describes Roma as a “heritage of the Ottoman empire”, having “a non-European lifestyle”, closer to the “Eastern civilization model, which is distinguishable by its massive conservatism, traditions, customs existing centuries ago”. These statements are profoundly racist, and highlight a non-European origin of Roma in the Bulgarian state as a justification for discriminatory language and actions.

The Deputy Minister insists particularly on policies of controlling the number of births in the Romani population in his concept-proposal. This point prevails throughout the entire “strategy”, notably in point 2.5 “Limitation of the birth of marginalised (communities) who are aiming to receive social aid” and 2.6 “birth limitations for women who have left two or more children in institutions, with special focus on persons of Gypsy ethnicity.”, as well as “free abortion” for Romani women.⁵

The Minister suggests the re-establishment of “labour-education schools”, which existed during the totalitarian regime in Bulgaria and served as prisons for minors, to educate “Gypsies” on labour habits. He further proposes “forced public interest work” to replace administrative fines and arrests for administrative sanctions etc. These forced labour proposals, together with the “measures”

¹ <http://www.errc.org>

² https://clubz.bg/79202-karakachanov_za_integraciqta_na_romite_starite_idei_glytnaha_miliardi

³ <https://www.svobodnaevropa.bg/a/29762127.html>

⁴ <http://www.strategy.bg/PublicConsultations/View.aspx?lang=bg-BG&Id=4289>

⁵ 24 tchasa, „Вижте концепцията на Каракачанов“, 6 February 2019 : <https://www.24chasa.bg/novini/article/7284053>

proposed by the minister in regard to limiting the social aid received by Romani families, strengthen the perception that Roma “do not work”, but purely exist on social aid from the state whilst non-Roma are the financial contributors in society.

Even more worrying is the suggestion to create a database of families receiving social aid, and his proposal of an annual quota of recipients to limit the “abuse” of state allowances by Romani families. Potential acceptance of such a policy would inevitably lead to racial profiling of (those perceived as) Romani beneficiaries of state aid.

Now is not the time to equivocate about the intentions of such a concept-proposal, the proposals set out in this document are in clear contravention of the norms of a modern, democratic, European country. The proposals are more suited to the barbarism of the first half of 20th century, rather than 2019, and have no place in modern Bulgaria. Karakachanov is proposing to relocate Romani families to government designated villages. He is proposing policies which would amount to forced labour for Romani citizens. His policies on mandatory nursery school attendance and obligation for adults to educate themselves after the mandatory age for schooling (5 to 16 years) inordinately target Roma. His proposed modifications in the legislation against “Roma criminality” are unconstitutional, discriminatory and will further inflame the existing anti-Roma sentiment in the country.

The entire concept proposed by the minister disregard the major liberties and rights defined under the national constitution according to which Bulgarian citizens are equal before the law regardless of racial or religious background.⁶ The suggestions outlined above contradict article 4 of the constitution and defy essential principles of democracy, state of rights and the rule of law and governance. Such suggestions endanger the freedoms and fundamental rights guaranteed by International Human Rights Conventions⁷ ratified by the Bulgarian state, as well as European legal documents, such as the Race Equality Directive (RED) and the European Charter of Fundamental Rights⁸.

The ERRC denounces this concept which reinforces institutional racism targeting the Romani community, who are particularly vulnerable to racial hatred and hate speech made by politicians, as shown in the ECRI report 2014.⁹ This report highlighted the increase of antigypsyism in the country, in particular in periods before elections. The Karakachanov concept-proposal is a populist strategy announced just three months before the European elections in May 2019. Such discourse is irresponsible and nourishes further instances of violence and hatred against the Romani community, such as the recent attacks in Gabrovo.¹⁰ The potential acceptance of this strategy by the National Parliament endangers the safety and liberties of the Romani community of Bulgaria, and threatens the democratic values enshrined in the Bulgarian constitution. Furthermore, as a member of the European Union, the acceptance of such racist policies defined under the “strategy”

⁶ Bulgarian constitution, art. 6.1 and 6.2: <https://www.parliament.bg/bg/const>

⁷ <https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/un-human-rights-treaties.html>

⁸ https://www.europarl.europa.eu/charter/pdf/text_en.pdf

⁹ <https://rm.coe.int/fifth-report-on-bulgaria/16808b55d8>

¹⁰ <http://www.errc.org/news/bulgarian-government-set-for-sweeping-victory-in-eu-elections-after-anti-roma-violence>

directly offends European democratic values of “respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities” which are enshrined in Article 2 of the Treaty of European Union.

Given the gravity of the situation, and the potential for Bulgaria to slide further towards fascism in the adoption of racially targeted laws, the ERRC in accordance with the Framework Decision 2008/913/JAI of 28 November 2008 relative on combating certain forms and expressions of racism and xenophobia by means of criminal law¹¹ as well as in application of the art.162.1 of the national criminal code calls on your respective authority to issue an effective public response following the Minister’s concept of a policy for Roma integration. We ask for a clear statement condemning the Minister’s behaviour and for your authority to take the necessary measures to prevent such discourse in the future. The ERRC requests the Public Prosecutor of Bulgaria to take a stand and initiate a full investigation against all individuals involved, in particular, Krasimir Karakachanov for incitement of racist hatred against the Romani community of Bulgaria.

The ERRC thanks you for your attention to this matter and your efforts to investigate and resolve the issue, as well as for the measures that you will take in protecting the rights of the Romani population against hate speech made by members of the government and ministers.

Yours sincerely,

Dorđe Jovanović
President
European Roma Rights Centre

¹¹ Council Framework Decision [2008/913/JHA](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:133178&from=FR) of 28 November 2008: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:133178&from=FR>