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## Discrimination against Roma in Croatia and Bulgaria: A comparative report

Atanas Atanasov, Nataša Kovačević, Andrea Spitálszky  
& Željka Vukasović Ravlić





**Irena Mihaylova, an educational mediator, at the Children's Roma Festival "Open Heart" - Veliko Tarnovo, Bulgaria.**  
*Raycho Vasilev Chaprazov*

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### About the authors

Atanas Atanasov is a Local Community Development Expert at the Amalipe Center for Interethnic Dialogue and Tolerance based in Veliko Tarnovo. He joined Amalipe in 2018 as an educational mediator and an expert in various international projects related to discrimination and hate speech. Currently, Atanas is working to build a network of over 250 educational mediators within Amalipe Center. At the same time, Atanas is pursuing a degree in marketing at the University of Sts. Cyril and Methodius in Veliko Tarnovo.

Nataša Kovačević has been the Executive Director of Information Legal Centre since 2004 and is one of the founders of this CSO which was founded in 2002. She is a law graduate with more than 20 years of professional experience. Nataša Kovačević has been in charge of numerous projects dealing with the protection of human rights, such as resolving the status issues of the stateless population, providing free legal aid to socially excluded groups of citizens, addressing discrimination against the Roma, protecting victims of criminal offences, etc.

Andrea Spitalszky is a Legal Officer at Minority Rights Group Europe. She joined MRG in 2017. Since then, she has been running various projects related to discrimination and hate

speech against the Roma in Central and Eastern Europe and the Western Balkans. She is a Hungarian lawyer specialised in human rights and international law.

Željka Vukasović Ravlić is a Legal Advisor at Information Legal Centre, registered with the Ministry of Justice for provision of free legal aid since 2020. She has a bar exam and five years of experience working at an attorney's office.

### Minority Rights Group Europe (MRGE)

Minority Rights Group Europe (MRGE) is registered as a not for profit company under Hungarian Law. Based in Budapest since 1996, Minority Rights Group Europe is the European regional partner of Minority Rights Group International (MRGI), with the aim of promoting and protecting the rights of minorities and indigenous peoples across Europe and Central Asia. MRG Europe does this through capacity building, international advocacy, media advocacy and networking.

### Information Legal Centre

ILC is a civil society organization registered on 12 June 2002. It was created by transforming the Legal Centre of the American humanitarian organization "International Rescue Committee" that commenced with the work in Slavonski Brod in 1998. Since its foundation, ILC has been working on promotion and protection of human rights, democratization of the Croatian society, and education and empowerment of vulnerable individuals and the civil society.

### Center for Interethnic Dialogue and Tolerance "Amalipe"

Amalipe Center for Interethnic Dialogue and Tolerance is a leading Roma organization, working for the equal integration of Roma in Bulgarian society. The organization plays a central role in organizing a Roma civic movement and advocating for Roma integration within the state institutions. At present the organisation has Community Development Centres and Local community clubs in 15 municipalities and works with a network of more than 260 schools.

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# Discrimination against Roma in Croatia and Bulgaria: A comparative report

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# Introduction

This comparative report summarizes and analyses the findings of two pieces of research which were conducted in the framework of the ERELA project,<sup>1</sup> coordinated by Minority Rights Group Europe (MRGE)<sup>2</sup> with the participation of two partners – the Information Legal Centre<sup>3</sup> in Croatia and the Centre for Interethnic Dialogue and Tolerance Amalipe<sup>4</sup> in Bulgaria.

The aim of the research was to map different areas of discrimination against the Roma and to identify the obstacles to their access to justice.

During this period, various focus group interviews were organized in both countries with the participation of Roma men and women, Roma activists and civil society organizations (CSOs), and legal practitioners.<sup>5</sup>

The empirical research was completed with a review of the findings of the existing research data from previous years. The aim of this report is to summarize the findings of the empirical and desk research and to provide a comparative overview of the situation of Roma in Croatia and Bulgaria.

## Methodology

The research on the scope of discrimination against Roma and their access to justice was carried out between March and June 2021 in Croatia and Bulgaria. The methodology and the topics were provided by MRGE. During the desk research, partners went through and analysed various national and non-governmental organization (NGO) reports, statistical data, academic and press articles, and other sources of information. The empirical research consisted of eight focus group interviews in each country. In Croatia, altogether 61 people (37 women and 24 men) participated in the eight focus groups, while in Bulgaria a total of 65 people (46 women and 19 men) participated in another eight focus groups.<sup>6</sup>

## The Roma population in Croatia and Bulgaria

In both countries a significant and diverse Roma population has been settled for centuries. Data shows that in both countries the Roma population is significantly higher than the official census statistics. A high percentage of Roma speak Romani as their first language.

Table 1 Roma in Bulgaria and Croatia

### Roma in Bulgaria

In Bulgaria, Roma constitute the third biggest ethnic group after Bulgarians and Turks. According to the latest census conducted in 2011, 325,343 people (4.9% of the population) declared themselves as Roma.<sup>7</sup> However, according to other estimates, their number varies from 370,000 to 800,000. Only 55.4% of the Roma live in urban areas. Roma are territorially distributed in all districts. The largest Roma population is in the districts of Montana (12.7%) and Sliven (11.8%), followed by Dobrich (8.8%) and Yambol (8.5%). Khorakhane are the largest Roma group in Bulgaria, followed by Kaldarash and Rudars. Romani is spoken by 281,217 people (4.2% of the overall population) as their first language. Among Roma, 272,710 people (85%) speak Romani, 24,033 (7.5%) speak Bulgarian, 21,440 (6.7%) speak Turkish and 1,837 people (0.6%) speak Romanian as their first language.<sup>8</sup>

### Roma in Croatia

According to the latest census in 2011, there are 16,975 Roma in Croatia (0.4% of the population). However, according to other sources, there are 24,524 Roma in Croatia,<sup>9</sup> while the Council of Europe estimates the actual Roma population at 30,000–40,000.<sup>10</sup> The estimated number of Roma in Croatia is much higher than the official figures as Roma often choose to declare themselves as Croats or Serbs for fear of discrimination or other disadvantages. The Roma population in Croatia is significantly younger than the general population – the average age is 22. Approximately 50% of Roma men and women are minors.<sup>11</sup> Most Roma live in Medjmurje County, followed by Zagreb and Sisak-Moslavina County. Bayash are the most numerous Roma group in Croatia (55.0%). They live predominantly in the Medjmurje region, where they make up 86.5% of the total Roma population in that region, and in Northern Croatia, where they make up 89.7% of Roma in that region. Heterogeneity is pronounced in the remaining regions, where no Roma group has an absolute majority. Almost all Roma in the Republic of Croatia know and speak Croatian, and of the Romani languages, the most common is the Bayash dialect of Romani, which is spoken mostly in Medjmurje and Northern Croatia, but also in most localities of Slavonia and Central Croatia. The second most common Roma language is Romani (RomaniČhib), which is most often spoken in Zagreb and its surrounding area, as well as in Istria and Primorje.<sup>12</sup>

# The main areas of discrimination against Roma in Croatia and Bulgaria

## Perception of discrimination

In Croatia, Roma suffer from high poverty and unemployment rates, poor housing conditions, poor health care and low levels of education. They are spatially, economically and politically marginalized. Roma are under-represented in public life, including in public-sector employment. There is a social gap between Roma and the majority population. Prejudice against the Roma community and stereotypes are deeply rooted in the minds of the local community due to their insufficient

knowledge of Roma culture.<sup>13</sup> These are all indicators of severe discrimination against Roma, which was confirmed by the focus group participants.

They particularly emphasized discrimination in the fields of education and employment, as well as institutional discrimination on the part of employees of the centres of social welfare. The Roma minority is the most vulnerable to discrimination among Croatia's 22 recognized minorities, and there is a lack of effective anti-discrimination actions against their unequal treatment in the country.<sup>14,15</sup>

**In Croatia, 37%** of Roma respondents stated that they felt exposed to discrimination based on their ethnic origin in the previous 12 months, while **in Bulgaria** this percentage was **14%**.

Roma (20.2%) is the group that is most likely to experience discrimination in Croatian society.

**In Croatia, 50%** stated that they experienced discrimination in the previous five years, while in **Bulgaria** only **22%** stated this.

In Croatia, in terms of social distance, the same Ombudswoman's Survey of 2016 confirmed the

continued presence of stereotypes and prejudices especially against Roma:

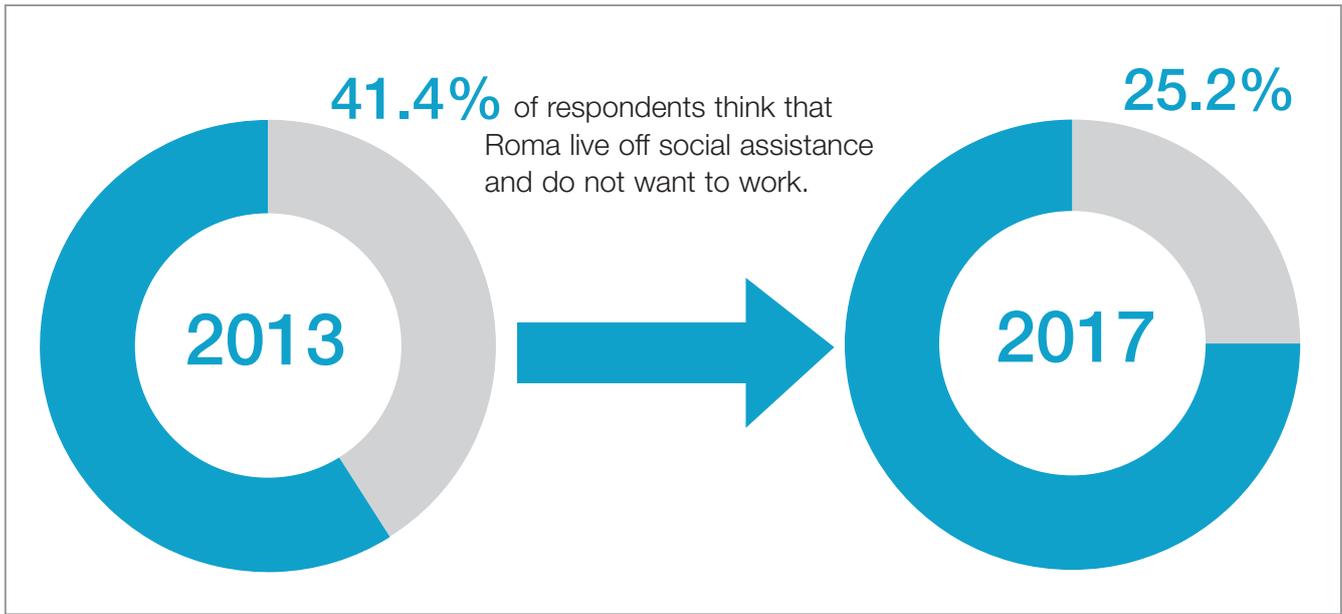
**48%** of respondents think that Roma live off social assistance and do not want to work.

**27%** think that employing Roma in service industries would deter clients.

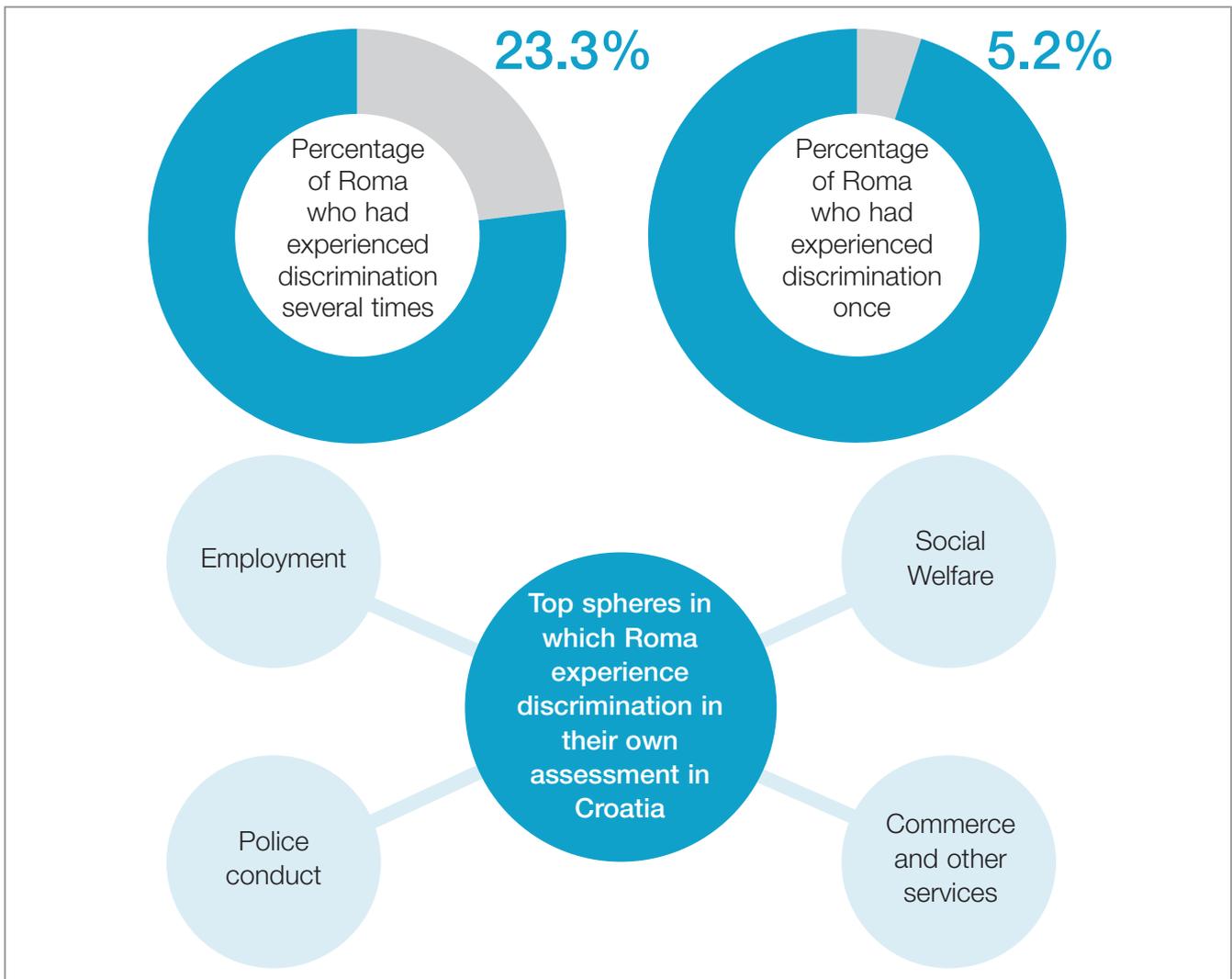
A certain decline in discrimination and xenophobia against Roma in Croatia is seen to some extent in the research report titled *Prevalence and Indicators of Discriminatory and Xenophobic Attitudes in the Republic of Croatia* in 2017, which was prepared by the Centre for Peace Studies to determine the attitudes of the general

population in Croatia towards multiculturalism, immigration of foreigners and xenophobia. The fragile and uncertain shift towards a decline in xenophobia against Roma has not been measured over a long enough period to allow confident conclusions to be drawn about a more stable trend.<sup>16</sup>

A decline in xenophobic and discriminatory attitudes against the Roma



Experience of discriminatory attitudes by Roma in 2017



One year ago, I went to the market in Beli Manastir and one man told me in front of everybody: 'Look at the stinky gypsy!' I was very embarrassed and felt bad for days. This is the reason why I rarely go to the market nowadays and prefer going to the shop instead.

**Roma woman from Beli Manastir, Croatia**

My sister ordered a taxi to go to a doctor's appointment. The taxi was waiting for her in front of the church. As soon as she approached the taxi, the policeman showed up and accused her in front of everybody that she was begging for money in front of the church. My sister was very embarrassed because she was wrongfully accused.

**Roma woman from Slavonski Brod, Croatia**

In Croatia, most of the focus group participants believe that discrimination against them is mostly visible in the field of employment. On the one hand, they are aware of the economic crisis Croatian society is facing and that there are many unemployed persons in general, including Roma; however, they believe that it is even harder for them to find a job because of the colour of their skin.

They [the employers] don't tell you directly 'You are Roma and that is why I will not give you a job.' They find other, indirect ways, of letting us know that we won't get a job because of the colour of our skin.

**Roma man from the focus group held in Slavonski Brod, Croatia**

## Education

Data related to primary, secondary and tertiary education of Roma in Croatia:<sup>17</sup>

**95%** of Roma children aged 7–14 regularly attend elementary school, but **only 28%** finish it.

**91%** of the parents whose children attend elementary school want their children to continue with schooling.

**31%** of those aged 15–18 attend secondary school; **only 15%** complete their studies.

Less than **0.5%** of Roma finish university.

Data related to primary, secondary and tertiary education of Roma in Bulgaria (see right):<sup>18</sup>

School segregation of Roma is still widespread in Bulgaria. The educational status of Roma is significantly lower than that of both the Bulgarian majority and the other large minority, the Turks.

Data of the National Statistical Institute and the population censuses is shown to the right.

In most cases, lower education is also associated with low social status and increased poverty.

In Croatia, in 2010, the European Court of Human Rights delivered its judgment in the *Oršuš and others v. Croatia* (application no. 15766/03) case, in which 15 Roma stated that they had been segregated at primary school based on their ethnic origin. The applicants claimed that the Roma-only curriculum in their schools had 30 per cent less content than the national curriculum.<sup>19</sup>

The court ruled that the special classes for Roma pupils were established primarily due to their poor knowledge of the Croatian language and not because of their ethnicity. However, the court emphasized that this decision was not accompanied by legitimate measures of protection, which violated Article 14 of the European Convention on Human Rights (prohibition of

In 2011, compared to a quarter of Bulgarian Turks and almost four-fifths of ethnic Bulgarians, **only 9.5%** of the Roma completed secondary education.

Compared to 4.9% of Turks and 29.6% of Bulgarians, **only 0.5%** of the Roma had a university degree.

discrimination) read in conjunction with Article 2 of Protocol No. 1 (right to education).

Unfortunately, the positive impact of the ruling lasted only for a few years and the situation quickly deteriorated: currently, there are again too many Roma pupils who end up studying under simplified programmes due to a failure of educational authorities to take into account their linguistic needs and deprived backgrounds, which gives them a poor start in life. A disproportionate number of Roma pupils are educated in different forms of special programmes compared to non-Roma students.

Data for school year 2018/19 in Croatia:

Total no. of primary school pupils:  
**318,884**

Pupils who attend special schools:  
**24,340 (7.6%)**

Data for school year 2018/19 in Medjmurje County:

Total no. of Roma children in primary schools: **1,639**

Roma pupils who attend special schools: **335 (20.4%)** – a percentage three times higher than the general

The percentage of Roma children attending special schools increases further as they are transferred from primary schools during the course of the school year.<sup>20</sup>

Although focus group participants are aware of certain steps taken by the Croatian government to facilitate the access of Roma children to quality education, they highlighted certain aspects of what they believe is discrimination against them in the field of education. Several participants mentioned the elementary school 'Hugo Badalić' in Slavonski Brod, which is situated close to the Roma settlement 'Josip Rimac' and which is mainly

attended by Roma children. Several years ago, the ratio of Roma and non-Roma pupils was approximately 50:50. However, over the past few years, Roma children have become the majority in the school, as the parents of non-Roma pupils decided to place their children in other local schools, because they do not want their children to attend a school mainly attended by Roma pupils. Because of that, integration of Roma school children in Slavonski Brod is undermined. Focus group participants from Beli Manastir said that the situation was similar in their local schools a few years earlier, but that things have changed recently:

currently, Roma and non-Roma children attend mixed classes. Focus group participants from Slavonski Brod additionally provided one example from a vocational high school when one professor could not find his money and accused the only two Roma girls in the class of stealing it. They felt very embarrassed and humiliated. Later the professor found the money, which he had misplaced, and apologized for his wrongful accusation, but it was too late, and the damage was done. The accused girls wanted to leave the school without finishing their studies, because they were extremely hurt and embarrassed by what had happened. A Roma activist mentioned that at high school a professor always put him down in front of his classmates,

telling him that he was dirty and untidy, and that ‘they were all like that because they learned it at home’.

## Housing

Spatial segregation of the Roma population is common in both countries. It manifests itself through poor infrastructure and transportation, a lack of regulation and of legal permits to build decent housing, unavailability of utilities and infrastructure such as electricity, water, streetlights, garbage collection and many other facilities necessary for daily life, and ultimately it leads to social isolation.<sup>21,22</sup>

In 2014, in **Bulgaria**, **25%** of Roma lived in sub-standard housing, **40%** lacked access to a water supply, and **80%** did not have an indoor toilet.

In **Croatia**, **41%** of Roma live in households that have no toilet or bathroom inside the dwelling.

In 2014, in **Bulgaria**, **more than 50%** of Roma ‘lived in ghettoized neighbourhoods’ on city outskirts, while the remainder live in ‘isolated villages’ across the country.

In **Croatia**, **45.7%** of Roma live in remote areas separated from towns or villages, while **16.5%** live in settlements on outskirts of towns or villages.

## Employment

Most Roma believe that the reason for their low level of employment is the low level of education and qualifications, and discrimination. Focus group participants mentioned that once they had completed their studies at vocational school, they faced discrimination in finding employers who would hire Roma pupils for work experience. Several focus group participants experienced discrimination when trying to

find a placement as cooks, waiters or dressmakers. Their experience was similar: they called the potential employer, arranged the work experience over the phone, but when they went there in person, the employers changed their minds on the spot with different excuses (for example, that the position was no longer available or that they did not have time for apprentices, etc.). One of the focus group participants said that he felt as if the employer saw a ‘black devil’ when he came for an interview for an apprenticeship. Data from Croatia:<sup>23</sup>

**44%** of Roma are unemployed.

Only **12%** of Roma have full-time jobs.

**41%** have never worked.

Of those who have worked, **32%** were in low-skilled jobs.

Discrimination at work appears at various levels in Bulgaria:

■ *Prior to hiring when the advertisement is addressed to certain groups:*

I submitted my documents to the labour office of the municipality in which I have a permanent address, expecting the office to call me for an interview when there is a vacancy from a local employer, so that I can start working. The local employer announced a vacancy at the labour office to which I responded, but when I applied at the labour office I was rejected. In one of my informal meetings with an employee at the labour office, I mentioned that I had been refused the job application without mentioning the reason of the refusal. When I asked the employee whether she was aware of the case and why I had been refused, she replied: 'The boss of the company has specifically informed the employees in the directorate of the labour office not to send him employees of Roma origin because he will not hire them.'

**Roma man, Veliko Tarnovo, Bulgaria**

■ *During the working relationship, when an employee is not promoted because of his or her ethnic origin*

I worked as a priest for almost 20 years. I was the only priest of Roma origin in the whole country. Once we were interviewed by the national media about our ministries and the upcoming holidays. During the interview, I mentioned that I was Roma. After the interview, the head priest called me to him and explained that I had no right to defame the church in this way, after which I was transferred to another monastery. This was 10 years ago, and I did not make a complaint because I don't believe anyone would do anything.

**Roma man from the focus group held in Veliko Tarnovo, Bulgaria**

■ *Denial of access to discos, bars, restaurants, etc.*

Once a group of friends and I got organized, made a booking at the local disco. Visually, our group seemed to be from ethnic minorities because we were all a little black. At the very entrance of the disco, we were refused entry, even though we had booked seats in advance, the

staff's excuse being that there were no seats available and that all the seats were already taken, during which time they allowed other people to enter in front of us, but we were refused.

**Roma man from the focus group held in Veliko Tarnovo, Bulgaria**

In our locality there was a notice on one restaurant which explicitly stated that representatives of the Roma community were not allowed – this was quite a giveaway, but in some places, there are still such establishments where representatives of the Roma community are not allowed. In some places, the restaurants put signs on the tables in advance saying "Reserved" and when a customer comes in who looks visibly Roma, they are simply told that the table is reserved and there are no seats available.

**Roma man from the focus group held in Veliko Tarnovo, Bulgaria**

## The disproportionate effect of the Covid-19 pandemic on Roma

In Bulgaria, the introduction of **distance learning** in the context of the pandemic and state of emergency was one of the biggest challenges the education system has faced. Amalipe Centre conducted a survey called 'Every Student Will Be Excellent' in March and June 2020 in their network of nearly 300 schools to learn how they are implementing distance learning and what problems they are facing. According to the survey, the percentage of pupils involved in distance learning increased significantly during the March to June period, but the majority of schools have not been able to approach pre-emergency levels of student participation.<sup>24</sup>

**Lack of appropriate devices** – tablets, computers, laptops, etc. – is a major barrier to involving more students in synchronous online learning.

- According to the survey, in 12 per cent of schools, over 75 per cent of students did not have devices to participate in online learning. There, synchronous distance learning was virtually impossible.
- In two-thirds of schools, the number of students without devices that allow effective participation was between 10 per cent and 75 per cent.

- The **lack of internet connectivity** was also a problem, but to a much lesser extent. Some of the larger neighbourhoods lack adequate connectivity, but more often the problem was that some Roma families could not afford a proper internet subscription.

There is a real danger that distance learning will exacerbate the segregation of Roma education and inequalities between schools educating a high proportion of majority pupils and those with a high proportion of Roma pupils.

- ▶ The presence of many students without devices and internet connections in so-called Roma schools often leads to **lower participation rates**, especially in synchronous forms of distance education.
- ▶ Without a concerted effort to avoid this danger, a dichotomy can easily arise in which schools with a high percentage of majority pupils implement synchronous distance learning based on internet platforms and real-time lessons, while so-called Roma schools rely primarily on asynchronous forms and educational mediators.

In Bulgaria, a special checkpoint regime was introduced during the Covid-19 pandemic which aimed at restricting the free movement of citizens from districts with a predominantly ethnic minority (mainly Roma) population, without any reasonable justification as to why special measures were applied only in those areas. Such checkpoints were in large Roma neighbourhoods such as Filipovtsi and Fakulteta in Sofia, leaving the residents of the neighbourhood isolated from everything. Many of the families worked in the informal sector, which in turn contributed to further economic crises in the families. Shops and pharmacies in the neighbourhoods were left without supplies, which affected normal daily life. Many families were left without diapers and were unable to satisfy their children's basic needs.<sup>25</sup>

In Croatia, the pandemic had a similarly disproportionate effect on the Roma community. Those who live in under-equipped and over-populated households often do not have drinking water at home or the financial means to buy disinfectants. Furthermore, many Roma children who live in households without a computer, laptop or tablet do not have access to digital content and cannot be involved in online education. Even though the school classes are transmitted via television channels, these classes do not include preparatory lessons in the Croatian language for children who do not have sufficient knowledge, such as those children whose first language is Romani.<sup>26</sup>

## Discrimination against Roma women

In Bulgaria, many Roma women are forced by the community to manage the household and take care of the children and the family. The low level of economic activity of Roma women derives from their place in the family and society, as well as their inability to make independent decisions regarding their personal development and their maternal role according to their own preferences. There is a widespread perception that Roma women are at risk of early pregnancy and marriage, and of being forced into prostitution, trafficking, violence. Discrimination against Roma women accessing social services is very common.<sup>27</sup>

In Bulgaria, Roma women often face discrimination in their access to health services. According to a number of young women, at the hospital midwives place pregnant Roma women in separate rooms in the gynaecology and obstetrics ward.

When it was my turn to give birth, there were two women in the room, both of whom looked like ethnic Bulgarians. In our room there was another free bed. There was a woman in the corridor who looked like a Roma woman and was speaking Romani on the phone, and who had been waiting to be checked in for maybe more than one hour. This same lady was accommodated in a separate room with two other Roma women, their room being significantly different from ours. In our room, the bathroom and toilet had been renovated, as well as the room itself, while they were placed in a room that had not been renovated and the toilet was terrible.

**Roma woman from a focus group organized in Veliko Tarnovo, Bulgaria**

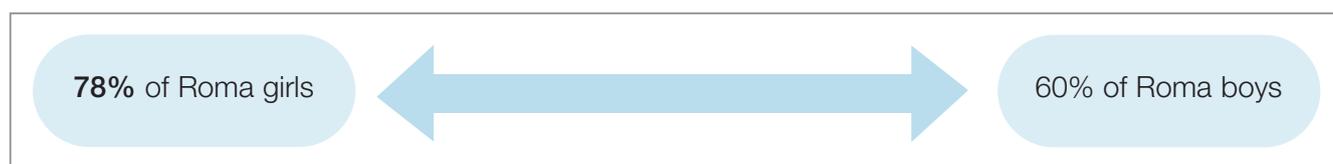
In Croatia, gender inequality has an ethnic dimension, and the Roma population is the most excluded minority group. Roma girls face inequalities from an early age, and it intensifies over their lifecycle. Roma girls are disproportionately excluded from early childhood development opportunities—both in comparison to their male peers and in comparison to Roma girls elsewhere in South East Europe. As in Bulgaria, according to the traditionally patriarchal understanding, a woman's role is

primarily in the sphere of reproduction: giving birth and doing unpaid household chores.<sup>28</sup>

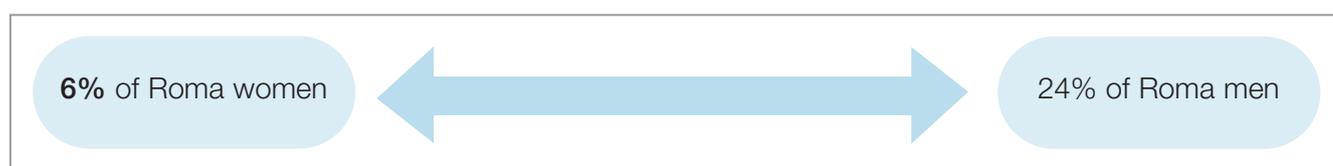
Croatia has the largest proportion of economically inactive Roma women in the European context:

- ▶ Only 8 per cent of the total Roma female population performs some form of paid work.
- ▶ 40 per cent of Roma women are housewives.

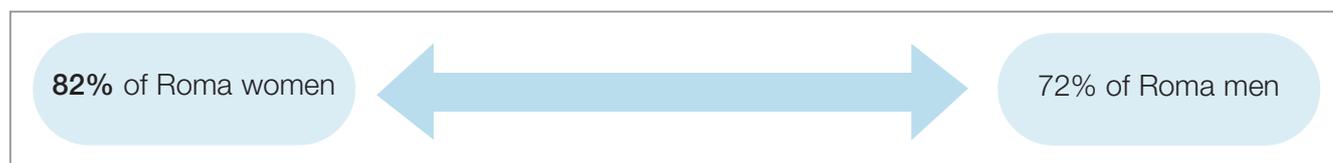
Drop-out rate of Roma children in Croatia:



Completion of secondary school of Roma in Croatia:



NEET<sup>29</sup> rate of Roma in Croatia



Croatian Roma women have the **lowest rate of engagement in paid work** across all of South East Europe.<sup>30</sup>

In Croatia, employment rates among Roma women are extremely low, ranging from 4 per cent in Slavonia to 24 per cent in Zagreb and its surrounding area. Even those Roma women who perform some form of paid work, face precarious working conditions. Many Roma women are engaged in temporary, occasional or seasonal jobs instead of having a permanent employment. In Central Croatia, Medjmurje and Northern Croatia, between 82 per cent and 86 per cent of women never do paid jobs.<sup>31</sup>

## Antigypsyism and hate speech

In Croatia, in her 2019 annual report, the Ombudswoman expressed her concerns about a protest held in Čakovec which was organized against the Roma

community in that Northern Croatian area.<sup>32</sup> In June 2019, about 1,000 people rallied in the centre of Čakovec for a protest called 'I want a normal life'. Speakers at the event highlighted the irresponsible, dangerous and criminal behaviour of Roma, pointing the finger at state institutions and the police who, according to them, failed to protect the local community. Certain speeches made by some local politicians, public representatives and citizens were extremely inflammatory, so Roma NGOs wanted to organize a counter-protest in order to highlight the hate speech during the rally, but it was forbidden by the Čakovec municipal authorities.<sup>33</sup>

Anti-Roma sentiments were also expressed in June 2019, when the City of Zagreb decided to move 29 Roma families from Plinarsko naselje to Petruševac. The decision provoked reactions and protests from the majority population in Petruševac, who argued that the buildings they intended to relocate the Roma to were not residential, and some of them openly stated that they did

not want Roma in that building pointing at their 'Roma way of life'.<sup>34</sup>

In Bulgaria, hate speech against the Roma is also spread by high-level politicians.<sup>35</sup>

[Roma are] arrogant, presumptuous and embittered human beings, demanding the right to wages without working, demanding sickness benefits without being sick, child benefits for children who play with pigs in the street, and maternity benefits for women with the instincts of street bitches ...

**Valery Simeonov, then Deputy Prime Minister, Bulgaria, 2014**

In 2019, in Gabrovo, violent protests burst out after a fight in which some Roma were involved in front of a shop. When the owner of the shop published a security camera video, protests began in the city initially with calls for enforcement of the law against the Roma involved, but then they took on an anti-Roma focus. On the first night, five houses inhabited by Roma were attacked and broken into. On the second night two more houses were burnt down. The police brought the situation under control and guarded the Roma houses that were scattered throughout the city. Many Roma parents did not let their children go to school either out of fear or because the school principal advised them not to do so. The municipality ordered the eviction of some Roma who lived in houses which were considered unsafe and then destroyed their houses. During the protest, 90 per cent of the Roma population moved out of the city and even the police, the directorate as a whole and the Interior Ministry advised them to do so. The protests in Gabrovo were highly politicized before the elections as many representatives of various parties appeared in the front lines of the protesters. The protests were a result of many factors, the key being the growth of hate speech against Roma and anti-Roma stereotypes and prejudice.<sup>36</sup>

# Reporting discrimination cases

Table 2: The national equality bodies<sup>37</sup>

	Bulgaria	Croatia <sup>38</sup>
The institution which holds the mandate of national equality body	Commission for Protection against Discrimination (CPD)	Office of the Ombudsman/woman
Specialized bodies/panels	The CPD has five specialized permanent panels and, depending on the specific case, ad hoc panels	<ul style="list-style-type: none"> <li>• Discrimination based on gender, gender identity and expression and sexual orientation ▶ Ombudsman/ woman for gender equality</li> <li>• Discrimination based on disability ▶ Ombudsman/woman for persons with disabilities</li> <li>• Complaints related to children ▶ Ombudsman/woman for children</li> </ul>
Legal regulation	Law on Protection against Discrimination (2004)	Anti-discrimination Act (2009)
Date of establishment	2005	1992 – it became the national equality body in 2009
Accountable to	Parliament	Parliament
Type	Predominantly tribunal-type (quasi-judicial) body	Predominantly promotion-type and legal support body
Litigation power	<ul style="list-style-type: none"> <li>• Bringing proceedings in its own name</li> <li>• Formally deciding on complaints (e.g. decision or recommendation addressed to the parties)</li> </ul>	<ul style="list-style-type: none"> <li>• Bringing proceedings in its own name</li> <li>• Intervening before the court</li> <li>• Formally deciding on complaints (e.g. decision or recommendation addressed to the parties)</li> </ul>
Decisions	Legally binding	Not legally binding
Members	Permanent collegial body composed of nine members, including at least four lawyers. The National Assembly elects five of the members, including the chair and vice-chair of the CPD, and the President of the Republic of Bulgaria appoints the remaining four. Their term of office is five years. The CPD meets in five permanent chambers of three members each, specializing in different grounds of discrimination.	Single-headed equality body led by Ombudsman/woman and three deputies. One deputy Ombudsman/woman deals with anti-discrimination issues and is the head of the Department for Non-discrimination.
Functioning	The meetings of the CPD are open or closed. In the first session, the chair of the chamber invites the parties to resolve the matter. If an agreement is reached in the conciliation proceedings, the CPD will approve it and close the case. If the parties fail to reach an agreement, the proceedings continue regarding the merits of the case. When s/he considers that the facts of the case have been clarified, the chair of the board gives the parties an opportunity to be heard and, when the dispute has been clarified as to fact and law, the chair closes the hearing and announces the day on which a decision will be delivered.	A procedure before the Ombudswoman can be initiated by an individual or ex officio if the victim of discrimination gives his/her consent, except if it is related to the protection of child welfare or in cases where the Ombudswoman learned of the case through the media or if the case is urgent. The complaint can be lodged in writing or orally, and it will be recorded. The Ombudswoman does not take action where judicial proceedings are ongoing, except if it is apparent that the proceedings in question are being unnecessarily delayed or that powers are manifestly abused, in which cases she

(this Table continues overleaf...)

Table 2: The national equality bodies (continued...)

	Bulgaria	Croatia <sup>38</sup>
		may request an explanation from the president of the competent court. The Ombudswoman considers a complaint without conducting an investigation when, on the basis of facts stated in the complaint and submitted documentation, it can undoubtedly be ascertained that the complainant's constitutional or statutory rights have been jeopardized or violated. When the Ombudswoman conducts an investigation, she will request the necessary explanations, information and documentation from the bodies to which the complaint refers. When the Ombudswoman concludes the investigation of a complaint in which she established the violation of the right, she will draft a case report which will be delivered to the body to which the complaint refers and to the complainant.
Appeal	Decisions of the CPD are subject to appeal before a three-member panel of the Supreme Administrative Court.	There is no appeal against the Ombudswoman's decisions.
Mandate as an equality body	<ul style="list-style-type: none"> <li>• Establish violations of equality of treatment, the perpetrator of the violation and the person concerned</li> <li>• Order the prevention and cessation of the violation and the restoration of the original situation</li> <li>• Impose the sanctions and administrative coercive measures provided for</li> <li>• Appeal against administrative acts issued in violation of the Law on Protection against Discrimination or other laws governing equality of treatment</li> <li>• Make proposals and recommendations to the state and municipal authorities for the cessation of discriminatory practices</li> <li>• Give opinions on draft normative acts for their compliance with the legislation on prevention of discrimination, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Collect and analyse statistical data on discrimination concerning all grounds stated in the Anti-discrimination Act</li> <li>• Inform the Croatian Parliament on the instances of discrimination in his/her annual report (and, when required, special reports)</li> <li>• Conduct surveys concerning discrimination</li> <li>• Give opinions and recommendations</li> <li>• Suggest appropriate legal and strategic solutions to the government</li> <li>• Intervene in the court proceedings on behalf of the discriminated person</li> <li>• Under specific circumstances, bring proceedings in his/her own name when the right to equal treatment of a larger group of persons has been violated</li> <li>• Start misdemeanour proceedings</li> </ul>
Data about the complaints	In the period 2018–20, there was a decrease in the number of complaints about the denial of goods and services, the exercise of the right to work, activities of state and public bodies based on the ethnicity of the complainant	The most common ground for discrimination in the complaints received between 2017 and 2020 was ethnicity, especially by members of the Roma and Serb national minorities, and migrants.

In Croatia, since 2018, there has been a significant decrease in implementation of the Ombudswoman's recommendations by the competent bodies (on average only 20 per cent of recommendations are implemented), which demonstrates the lack of support of Parliament for implementation of systematic reforms in the area of combating discrimination. Moreover, the Croatian Parliament has not accepted the Ombudswoman's reports since 2017. The government resents what it sees as the Ombudswoman's 'arbitrariness' in the choice of the subjects for the annual reports.

In Croatia, the Office of the Ombudswoman is very active in participating in the process of adopting regulations, in organizing and participating in training events, organizing expert and public panels, and field work. The Office of the Ombudswoman has very good cooperation with CSOs and in 2017 the Ombudswoman signed cooperation agreements with members of the Anti-Discrimination Contact Points Network, 11 CSOs, including Information Legal Centre, selected after a public call, as a way of strengthening the fight against discrimination at national, regional and local levels. The

Ombudsman/woman's institution cooperates with a number of CSOs when preparing its annual report.

Most attorneys and lawyers who participated in the focus groups in Croatia agreed that the Ombudswoman's powers are limited to cataloguing human rights violations and issuing recommendations. They believed that the institution should be more proactive in initiating or intervening in civil court procedures, especially in strategic litigation, in order to form case law which will have a preventive impact on potential discriminators.

## Under-reporting discrimination cases

Many discrimination cases committed against Roma go unreported. In Croatia, most of the focus group participants said that they never reported discrimination, nor did they know anybody else who reported it.

Only one participant said that he reported discrimination when a police officer stopped him in the street and called him names. He reported the incident to the Ombudswoman but it was not processed due to procedural reasons. Another participant said that he heard that somebody reported an employee from the Centre for Social Welfare in Osijek who constantly discriminated against Roma beneficiaries. The Ombudswoman reacted in this case and, according to him, the employee in question was removed from her position. Another positive example was provided by a Roma activist in Slavonski Brod. In 2014 the river Sava flooded the Slavonski Brod coastal area, where the Roma settlement is situated. The Ombudswoman sent a letter to the city administration urging it to start the procedure of legalizing illegally constructed houses in the Roma settlement in order to alleviate the consequences of

The main reason why we don't report discrimination is fear and distrust of institutions.

**Roma man, Beli Manastir, Croatia**

the flooding. The City of Slavonski Brod acknowledged her opinion and started the procedure of property legalization in the Roma settlement Josip Rimac.

Most of the participants agreed that discrimination should be reported. According to the focus group participants (Roma community members, Roma women, Roma activists and CSO staff), many Roma victims of discrimination think that it is not worth reporting their case as it would not change anything, while others fear that the situation would only become worse. Many Roma do not know who they should turn to, while others consider the procedures too complicated, lengthy and expensive. Also, there is a strong lack of trust in state institutions. The citizens are in general misinformed about their rights, including their right to free legal aid.

In Croatia, focus group participants for the most part confirmed that they did not know who to speak to when discrimination occurs. Additionally, they stated that they were unable to identify discriminatory practices against them and that **workshops, public platforms and other forms of educational activities** are necessary in order for them to learn more about discrimination and the importance of reporting it.<sup>39</sup>

**In Croatia, 82%** of Roma did not report the most recent time they felt discriminated against. **In Bulgaria**, similarly, this percentage is **86%**.

**In Croatia, 45%** of Roma are aware of at least one equality body, while **in Bulgaria** this percentage is only **37%**.

**In Croatia, 78%** of Roma do not know about any organization that offers support or advice to people who have suffered discrimination, while **in Bulgaria**, this percentage is even higher, **84%**.

**In Croatia, 46%** of Roma do not know if there is any law in their country that forbids discrimination, while **in Bulgaria** this percentage is significantly higher, **72%**.

Focus group participants in Bulgaria also highlighted the distrust felt by the Roma community towards police officers, prosecutors, the CPD and state institutions in general. It was also mentioned that many Roma victims of discrimination do not know where to seek remedies.

Lawyers and legal expert participants of the focus groups in Bulgaria highlighted that the decisions of the CPD are not sufficiently clear and are often contradictory. The participants considered it imperative

to make efforts and overcome the contradictions in the CPD's decisions. This would make the practice of the CPD predictable and would ensure legal certainty, which is an essential element of the right to a fair trial. Furthermore, the anti-discrimination protection provided by state institutions is not fully effective due to the procedural nature of the adjudication of cases and limitations on the kinds of discrimination that can be considered by the CPD.

# Rights awareness

Table 3: Anti-discrimination legislation

	Bulgaria	Croatia <sup>40</sup>
Name of the law	Law on Protection against Discrimination	Anti-discrimination Act
Entry into force	2004	2009
Types of discrimination defined by law	<ul style="list-style-type: none"> <li>• direct discrimination</li> <li>• indirect discrimination</li> <li>• harassment</li> <li>• sexual harassment</li> <li>• racial segregation</li> <li>• incitement to discrimination</li> <li>• persecution</li> </ul>	<ul style="list-style-type: none"> <li>• direct discrimination</li> <li>• indirect discrimination</li> <li>• harassment</li> <li>• sexual harassment</li> <li>• segregation</li> <li>• incitement to discrimination</li> <li>• failure to make reasonable accommodation</li> </ul>

In Croatia, the effectiveness of protection depends on the level of awareness of employees of all public authorities, as well as lawyers and citizens, about the prohibition of discrimination and possibilities for its reporting. Furthermore, support for victims is critical, especially when victims of discrimination cannot afford to pay court or lawyers' fees.

In Bulgaria, legal practitioners who participated in the focus group interviews acknowledged that lawyers' knowledge about the anti-discrimination legislation needs to be enhanced. Focus group participants without experience in the anti-discrimination field knew about or came across very few discrimination cases.

**Lawyer with no or less experience in the anti-discrimination field, Bulgaria**

We are familiar, but not in detail, with the anti-discrimination law because I don't have to use it often. In Bulgaria, almost all people and groups face discrimination, but apparently it is more visible in the Roma community ...

**Lawyer with experience in the anti-discrimination field, Bulgaria**

We know and are familiar with the anti-discrimination law in detail because we use it in our work on a daily basis. Not only minorities, but usually Europeans are not aware of their rights. For example, people may not be aware that discrimination in employment is already prohibited at the job application stage.

**Lawyer with experience in the anti-discrimination field, Bulgaria**

We need more judges, prosecutors and lawyers to participate in courses that give quality professional training to increase the effectiveness of justice, human rights and anti-discrimination law, so that we can apply it effectively in Bulgaria.

In Croatia, the legal practitioners who participated in the focus groups considered that the Anti-Discrimination Act is well written but rarely implemented in practice, which results in a low number of discrimination cases before the Croatian courts. The courts in general rarely implement the Anti-Discrimination Act and most often opt for other laws in cases of discrimination, for example the Labour Act if the discrimination occurred in a work setting. As in Bulgaria, it was also stressed that the Anti-Discrimination Act is not easy to interpret and that the training of lawyers, attorneys and judges should be organized in order for them to interpret and implement the Act correctly. In general, anti-discrimination case law is poor, because people are not motivated to seek protection of their rights before the courts. This is linked to many reasons, such as the length of court procedures before the Croatian courts, people's lack of knowledge about their rights, lawyers' fees, and the lack of interest among lawyers in providing free legal assistance to their clients due to their poor compensation by the state.

The Ombudswoman of Croatia highlighted in her report for 2017 that civil servants and local and regional government employees are not trained on anti-discrimination, except for those whose tasks are related to European Structural and Investment (ESI) funds, although most of the complaints are related to public authorities. This fact is also confirmed by data provided by

CSOs. There are no training courses for police officers either, which would focus solely on anti-discrimination legislation and racial discrimination, including racial profiling and hate crime. As confirmed by an independent analysis of the effectiveness of anti-discrimination policies in Croatia conducted in late 2017 by the Centre for Peace Studies,<sup>41</sup> potential victims lack the necessary information about protection mechanisms while employees in the state institutions have a low level of knowledge about the Anti-Discrimination Act. The Ombudswoman stressed that civic education and training on human rights could contribute to a society where differences would not lead to discrimination. She recognised the work of CSOs which are in direct contact with citizens, provide information for victims and encourage them to report cases.<sup>42</sup>

In Bulgaria, the Bulgarian prosecutor's office does not take any measures to combat discrimination against Roma in the criminal justice system, and it actively discriminates against them in some statements made by its representatives<sup>43</sup> as well as through some of its actions.<sup>44</sup> Some judges are aware of the effects of discrimination on Roma, but many others are not. Only a few have participated in anti-discrimination training events, which are anyway only organized sporadically. Such trainings are not part of the career development process for magistrates. Also, Roma are not professionally represented in the judiciary.

# National strategies addressing discrimination against Roma

In both countries there are various national strategies defining policies, objectives and targets to combat discrimination and improve the social inclusion of the Roma.

## Croatia

**National Roma Programme (2003):** The first national document that specifically deals with the Roma.

**Decade of Roma Inclusion 2005–15:** A key international initiative adopted by 12 countries from Central and South East Europe<sup>45</sup> aiming to enhance the lives of Roma focusing on education, health, housing and employment.

**First National Roma Inclusion Strategy (NRIS, 2013–20):** The general objective of the NRIS was the improvement of the position of the Roma national minority in Croatia by reducing the gap in relation to the rest of the population and its full inclusion in all social fields. Specific objectives:

- (1) to create and develop human capital in the Roma community by raising the level of education and encouraging lifelong learning;
- (2) to improve the economic status of the Roma by facilitating access to the labour market, increasing employment and self-employment opportunities, and encouraging equal hiring opportunities;
- (3) to improve the health and social status of members of the Roma community by ensuring access to quality health care and social welfare and improving housing conditions;
- (4) to improve the social position of Roma by creating preconditions for the exercise of fundamental human and minority rights by eliminating all forms of discrimination and encouraging active participation in society and decision-making processes.<sup>46</sup>

Beyond the four key areas of the European Union (EU) framework and the Decade of Roma Inclusion, the NRIS included other topics in the field of social welfare, inclusion in social and cultural life and status resolution, combating discrimination and assistance in exercising rights in order to achieve this general objective. In a separate chapter, the

NRIS addressed the improvement of the collection of statistics relating to Roma, which is a rarity compared to such strategies of other EU Member States.

**Roma Inclusion Action Plan 2005–15:** As an integral part of the policy framework for the inclusion of Roma, the Plan sets out objectives in the areas of education, health, employment and housing until 2015.

**New Action Plan for the implementation of the NRIS (2013–20):** The new Action Plan covered more areas than the previous one. In addition to the four key areas (education, health care, employment and inclusion in economic life, housing and environmental protection), it included social welfare, spatial planning, inclusion of Roma in cultural and social life, status resolution, combating discrimination and assistance in exercising rights, improving implementation and monitoring, as well as strengthening coordination activities and programme coherence with international standards and accepted treaties in the field of human and minority rights.<sup>47</sup> There is a lack of connection among the measures of social inclusion of the Roma which were confirmed by the alternative monitoring of the implementation of the NRIS which showed that drop-out rates at elementary school are still high among Roma children and segregated classes still exist close to Roma villages. The alternative monitoring also showed that “programmes of public works were those most implemented, while other measures to encourage employment or self-employment of members of the Roma community were implemented to a lesser extent. For example, the measure of co-financing the employment of Roma, prescribed for the area of five counties, was not used at all in Brod-Posavina County, while in other counties between one and three persons were employed. The right to partial coverage of costs of self-employment was used by 18 Roma in whole Croatia”, highlights the Ombudswoman in her report for 2015.<sup>48</sup>

**National Plan for Combating Discrimination in Society (2017–22) and Action Plan (2017–19):** The Action Plan includes specific measures, implementation deadlines and competent bodies, but as the Ombudswoman pointed to it in her report for 2018, information about its implementation is not available.<sup>49</sup>

*“Although an online platform was developed intended to present the results of implementation of the measures, no information has been uploaded, and a Working Group for Monitoring the Implementation of the National Plan, which should report to the government annually, has not yet been established. Additionally, the Action Plan expired in 2019. The plan was to carry out its external evaluation in the last quarter, containing an assessment of how far its goals had been met, the efficiency of implementation of measures, and recommendations for a new Action Plan for the period until 2022. This evaluation needs to be carried out as soon as possible.”*<sup>50</sup>

**Report of the Ombudswoman for 2018**

## Assessment of implementation

As the Ombudswoman pointed to it in her report for 2015, institutions implement the different measures for the integration of Roma on their own initiative and independently, while government bodies of the same or different levels are often not aware of those activities which have been implemented. She stressed that the local and regional authorities were included in the implementation of the National Strategy at a low level. There was also a lack of an effective and feasible system of data collection on implementation and impact of the different goals. The Ombudswoman recommends that “future action plans must include indicators with the initial values, which will make it possible to monitor the application of measures and not only their final results. It is also necessary to task the competent bodies to monitor the relevant indicators continuously and ensure appropriate accessibility”.<sup>51</sup>

It is recommended that those local and regional governments which have significant Roma population, develop their own action plan for Roma inclusion.<sup>52</sup> However, as the Center for Policy Studies found in its research, many authorities have not developed such action plans or have developed them late to be of use in implementing the Action Plan locally. Moreover, Roma members of local/regional minority councils are usually not invited to attend local/regional council meetings.<sup>53</sup>

## Bulgaria

**National Roma Integration Strategy of the Republic of Bulgaria (2012–20) and Action Plan (2012–14):** This is a policy framework document, which sets out the guidelines for the implementation of the social integration policy of the Roma. Similarly to the EU framework for national Roma integration strategies, the term ‘Roma’ is used in this document as an umbrella and includes both Bulgarian

citizens in a vulnerable socio-economic condition who identify themselves as Roma and citizens in a similar situation, defined by the majority as Roma, regardless of their self-identification.<sup>54</sup>

**National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation (2021–30):** This is a strategic document, an expression of the political commitment of the Government of Bulgaria to implement policies to permanently overcome the conditions of marginalization and exclusion of Roma.<sup>55</sup> The National Strategy contributes to the achievement of the objectives of the National Development Programme 2030 (NDP 2030), focusing mainly on the implementation of Goal I, accelerated economic development, and Goal III, reducing inequalities.

**Regional Strategy for Roma Integration (2012–20) and (2021–30):** This document sets out the guidelines for the implementation of the policy for social integration of Roma at the regional level. It applies a targeted integrated approach to citizens of Roma origin in vulnerable situations, which is applied within the framework of the broader strategy to combat poverty and exclusion and does not exclude the provision of support to disadvantaged persons from other ethnic groups.<sup>56</sup>

## Assessment of the implementation

In the already expired National Roma Integration Strategy and Action Plan, the institutional approach to combat discrimination against the Roma was covered by Priority 5 ‘Rule of Law and Non-Discrimination’, which was relied upon exclusively. However, such an extreme institutional approach is not conducive to sustainability. Between 2012 and 2019, various workshops were held for employees of the Ministry of the Interior and the Ministry of Social Affairs to work in multi-ethnic environments and on non-discrimination. The proposed text for the National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation (2021–30) unfortunately again focuses on the institutional approach with measures envisaged for enhancing the capacity of law enforcement agencies, while those related to direct participation of Roma citizens seem to be more about wishful thinking than actually being applicable. There is a need to rethink the National Strategy in such a way that citizens can be not only its objects but also its subjects, a role that seems to have been reserved only for state institutions this time as well. Objective No. 8 of the National Strategy, namely ‘Enhancing the capacity of law enforcement authorities to combat crimes and manifestations of discrimination, violence or hatred based on ethnicity’, is not included in the Action Plan at all and has no planned measures.<sup>57</sup>

# Conclusion

Both the desk research and the focus group interviews show that discrimination against Roma manifests itself in various ways in both countries: segregation in education is still common, many Roma are rejected during hiring procedures on the basis of a variety of different excuses, and a high percentage of the Roma population live in poor housing conditions in segregated and remote areas. Roma women are particularly vulnerable and often suffer multiple discrimination, especially in education, access to health care and employment. Furthermore, the Covid-19 pandemic has disproportionately affected the Roma population in both countries. The reasons behind discrimination are often prejudice, stigma and anti-gypsyism, which in 2019 in both countries manifested in hate speech, protests and even physical violence against Roma.

The national equality bodies, the Commission for Protection against Discrimination in Bulgaria and the Ombudswoman's Office in Croatia, play an important role in the promotion and protection of the rights of victims of discrimination, although their character differs: while in Bulgaria the equality body is a quasi-judicial body whose decisions are binding, in Croatia it is predominantly a promotion and legal support body with different competencies. In Croatia, legal expert focus group participants agreed that the Ombudswoman's competencies are limited to cataloguing human rights violations and issuing recommendations, and they

believed that the institution should be more proactive in initiating or intervening in civil court procedures, especially in strategic litigation.

Most instances of discrimination against Roma go unreported in both countries. Roma focus group participants identified the main obstacles as distrust in state institutions, lack of knowledge about the available legal remedies and fear of the consequences. However, participants agreed that discrimination cases should be reported, and that workshops, public platforms and other forms of educational activities would be necessary in order for them to learn more about discrimination and the importance of reporting it. Training of legal practitioners, judges, prosecutors, civil servants, local and regional government employees, and police officers on anti-discrimination legislation would be crucial to ensure that they do not commit discrimination themselves and provide support for victims of discrimination.

Although in both countries there are various strategies in place to combat discrimination against Roma and to ensure their social inclusion, in Croatia the actions of the different institutions responsible for their implementation are often not coordinated, and data collection and monitoring of implementation are inadequate, while in Bulgaria, implementation of the Roma strategy mainly lies with state institutions while Roma citizens are not actively involved in it.

# Recommendations

## National and local decision-makers in Croatia

- The government's Office of Human Rights and Rights of National Minorities should prepare the National Plan for Roma Inclusion for the period 2021–27 and the Action Plan for the period 2021–22, which should be in line with the EU Proposal for a draft Council Recommendation on Roma Equality, Inclusion and Participation without further delay.
- Interdisciplinary teams should be created (police, social welfare centres, schools, employment offices, regional and local government bodies, CSOs, Roma activists) to coordinate and plan diverse activities which would improve the living conditions of local Roma populations.
- Pre-school education should be ensured for Roma children to learn the Croatian language and increase their chances of success in the educational system.
- Roma children should not be placed in special schools or classes without a thorough psycho-physical ability assessment.
- Financial incentives should be provided to private employers to employ Roma.
- Cultural and sports activities involving Roma and other communities should be organized and financially supported; this would strengthen their mutual coexistence and understanding.
- Field research should be conducted on the effects of the Covid-19 pandemic on Roma to design the necessary measures for their support.
- Continuous capacity-building and training should be organized for the employees of relevant public authorities on the anti-discrimination legislation and procedures.
- Free legal aid should be properly funded, including in anti-discrimination procedures, to offer appropriate support for victims of discrimination.

## National and local decision-makers in Bulgaria

- Instead of focussing on institutional involvement, direct participation of Roma citizens should be ensured in the National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation (2021–30).

- The implementation of the National Strategy of the Republic of Bulgaria for Roma Inclusion and Participation (2021–30) should be continuously monitored, and data should be collected throughout implementation to measure if the initial objectives have been met.
- A sustainable system should be established and promoted for monitoring and preventing discrimination in the exercise of the right to work through the certification of employers respecting the principle of non-discrimination and equality and promoting the inclusion of Roma in employment.
- Awareness-raising campaigns should be conducted about discrimination against Roma and the fight against it.
- Interdisciplinary teams should be created (police, social welfare centres, schools, employment offices, regional and local government bodies, CSOs, Roma activists) to coordinate and plan diverse activities which would improve the living conditions of local Roma population.
- Financial incentives should be provided to private employers to employ Roma.
- Cultural and sports activities involving Roma and other communities should be organized and financially supported; this would strengthen their mutual coexistence.
- Field research should be conducted on the effects of the Covid-19 pandemic on Roma to design the necessary measures for their support.
- Continuous capacity-building and trainings should be organized for the employees of relevant public authorities on the anti-discrimination legislation and procedures.

## EU decision-makers

- The EU should strictly monitor and evaluate the implementation of the new EU Roma Strategic Framework for Equality, Inclusion and Participation at the national level.
- Funding of projects aiming to combat discrimination against Roma should be ensured by the EU. The implementation of such projects should be constantly monitored, and the outcomes should be evaluated.

- CSOs working with the Roma community and providing them with free legal aid should be supported and strengthened by the EU.

### **Roma activists and Roma CSOs**

- Capacity-building on the anti-discrimination legislation and the available legal remedies is needed so that CSOs and activists can provide support for Roma victims of discrimination.
- Targeted outreach campaigns should be conducted to marginalized groups within the Roma community, including women, older people, persons with disabilities and LGBTQ+ persons, to ensure that they are also aware of their rights and the recourse available to them when they experience discrimination.
- Roma activists should strengthen and build local Roma community capacity so that they can actively advocate for their rights and fight against discrimination.
- CSOs should promote intercultural dialogue between Roma and other communities.
- Campaigns should be conducted in the Roma community to encourage members to participate in the upcoming population census and declare themselves as Roma; this would provide the necessary statistical baseline for decision-makers in designing any policies related to Roma. This would help the Roma community to preserve their own identity, culture and traditions.

### **Legal practitioners**

- Lawyers should be encouraged to specialize in anti-discrimination law to provide legal aid and support for Roma victims of discrimination.
- The capacities and knowledge of legal practitioners about anti-discrimination legislation, the available legal remedies, procedures and case law should be improved.
- Legal practitioners working in the anti-discrimination field should participate in awareness-raising among Roma of their rights and the available legal remedies when cases of discrimination occur.
- Legal practitioners should reach out to Roma communities and build a trusting relationship with community members.
- Regular exchange of information among legal practitioners working in the anti-discrimination field is crucial.

### **Media**

- The media should avoid the dissemination of any negative stereotypes and hate speech against Roma and should portray Roma in a positive way.
- Hate speech promoted by the media should be monitored and should be penalized by the competent public authorities.
- Discrimination cases and the decisions of the equality body should be disseminated to raise public awareness.
- The media should promote Roma culture and involve Roma journalists in their work.
- Journalists and editors should be trained on how to report about discrimination cases to promote social justice.

# Annex

Focus groups held in Bulgaria and Croatia for different target audiences disaggregated by sex.

## Bulgaria

*Roma community members – two focus groups, face-to-face:*

- 9 April 2021, Veliko Tarnovo, 6 participants (5 men and 1 woman)
- 22 March 2021, Stambolovo, 14 participants (9 women and 6 men)

*Roma women – two focus groups, face-to-face:*

- 8 March 2021, Shumen, 10 participants
- 12 April 2021, Veliko Tarnovo, 7 participants

*Roma activists – one focus group: 8 participants (6 women and 2 men), Strajica.*

*Lawyers, attorneys – two focus groups, online:*

- 22 April 2021, 8 participants (6 women and 2 men) with no experience in anti-discrimination legislation
- 29 April 2021, 6 participants (3 women and 3 men) with experience in anti-discrimination legislation

*CSO staff – one focus group, online, 20 May 2021, 6 participants (5 women and 1 man)*

*In total, 65 people (46 women and 19 men) participated in 8 focus groups.*

## Croatia

*Roma community members – three focus groups, face-to-face:*

- 29 April 2021, Slavonski Brod, 7 participants (4 men and 3 women)
- 29 April 2021, Belišće, 17 participants (10 women and 7 men)
- 4 May 2021, Beli Manastir, 6 participants (6 men)

*Roma women – 2 focus groups:*

- 26 April 2020, Slavonski Brod, 7 participants
- 4 May 2021, Beli Manastir, 6 participants

*Roma activists/CSO staff – one focus group, online, 26 April 2021: 6 participants (4 men and 2 women)*

*Lawyers, attorneys – two focus groups, online:*

- 23 April 2021, 6 participants (4 women and 2 men) with no experience in anti-discrimination legislation
- 27 April 2021, 6 participants (5 women and 1 man) with experience in anti-discrimination legislation

*In total, 61 people (37 women and 24 men) participated in 8 focus groups.*

# Notes

- 1 The full title of the two-year project is 'Equality for Roma through Enhanced Legal Access'; it has been running since February 2021. It is funded by the European Union's Rights, Equality and Citizenship Programme (2014–20). More information about the project is available at: <https://minorityrights.org/what-we-do/erela/>
- 2 More information about the organization is available at: <https://minorityrights.org/>
- 3 More information about the organization is available at: 4 More information about the organization is available at: <http://amalipe.com/index.php?nav=About&lang=2>
- 5 In both countries, there were focus groups organised for Roma community members, Roma women, legal practitioners (one for experts who work in the anti-discrimination field and another one for general legal practitioners), and Roma activists and CSOs working with Roma communities.
- 6 The date, place and number of participants in each focus group can be found in the Annex.
- 7 See: <https://www.nsi.bg/census2011/NPDOCS/Census2011final.pdf> (in Bulgarian).
- 8 *Ibid.*
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## Discrimination against Roma in Croatia and Bulgaria: A comparative report

This comparative report summarizes and analyzes the findings of two studies conducted by two partner organizations: Information Legal Center in Croatia and Center for Interethnic Dialogue and Tolerance “Amalipe” in Bulgaria. The aim of the research was to map different areas of discrimination against Roma and to identify the obstacles they face. Drawing on focus group interviews and first-hand testimonies with community members, the findings highlighted that for many Roma in both countries, discrimination is still a daily reality in almost every area of their lives, from work and housing to education and access to services. The COVID-19 pandemic also had a

disproportionately negative effect on the Roma community. Underlining these issues is a broader lack of access to justice, enabled in part by fear and a lack of faith among many Roma in the judicial system. This comparative study identifies some of the key findings from the research projects and confirms that the patterns of exclusion against Roma are very similar in both contexts. Access to justice for Roma can only be improved if international organizations, the state, local self-government, civil society and the media work with Roma communities to advocate for an inclusive, tolerant society where Roma have the same life chances as everybody else.

This briefing is published as a contribution to public understanding. The text does not necessarily represent in every detail the collective view of MRGE or its partners. Copies of this study are available online at [www.minorityrights.org](http://www.minorityrights.org)

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**Minority Rights Group Europe** 1034 Budapest, San Marco u. 56/A IV/2.  
**Tel** +36 30 209 3152 **Email** [minority.rights@mrgmail.org](mailto:minority.rights@mrgmail.org)  
**Website** [www.minorityrights.org](http://www.minorityrights.org)  [www.twitter.com/minorityrights](https://www.twitter.com/minorityrights)  [www.facebook.com/minorityrights](https://www.facebook.com/minorityrights)

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