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Preface

In late 2007, the Islamic Human Rights Commission (IHRC) received a request from a well-known Roma refugee to investigate the conditions affecting Roma in Bulgaria, the majority of whom are Muslims. The following is the report of Seyfeddin Kara who was assigned the task.

Two matters are worth noting first and foremost. Both Muslim and Christian Roma face appalling conditions and intense discrimination. However there are Muslim-specific problems that intensify the experience of Muslim Roma.

Secondly, it should be noted that the European Union, in which Bulgaria enjoys membership, boasts often of its standards of living and its human rights values. As the report demonstrates, neither of these apply to the Roma of Bulgaria – and this is much to Europe's shame.

Islamic Human Rights Commission, 2010

Introduction

This report is based on the Islamic Human Rights Commission's fieldwork in Varna, Bulgaria. The fieldwork took place between 25th and 28th January 2008 and 10th and 13th November 2009. The aim of the first visit was to carry out an investigation on the situation of Bulgaria's Roma, most of whom are Muslim. Then to prepare a report to be submitted to the Seventy-fourth session (16th February – 6th March 2009) of the Committee on the Convention on the Elimination of All Forms of Racial Discrimination, at the United Nations (CERD). The aim of the second visit was to follow up the situation in Varna and make an assessment for possible aid work for these communities.

There are four neighbourhoods where Muslim Roma are concentrated in the city of Varna. However, due to their extremely deprived conditions, one of these neighbourhoods, namely *Kosova* (*Косова*) and two streets *Kynaz Cherkaski* (*Княз Черкаски*) and *Troshevo* (*Трошево*), become the focal point of this report. The author - an IHRC researcher accompanied by a local guide - completed the investigation and produced the report at hand.

The report consists of two parts; the first part gives insight into the general background information on Muslim minorities in Bulgaria and the second part will contain interviews with residents who live in the two neighbourhoods that were visited. The interviews were conducted in Turkish and translated into English by the author of this report.

PART ONE

BACKGROUND INFORMATION REGARDING THE MUSLIM MINORITIES OF BULGARIA

Construction of Bulgarian Nationalism

In 1878, Bulgaria gained its independence from the Ottomans, who had been previously occupying the country for five centuries. During Ottoman rule there were various ethnic and religious groups who lived together in the country under the *millet* socio-economic system that was based on the religious affiliations of the population. The system, to a certain extent, allowed for the religious rights of minorities, so long as they paid the revenues that were levied upon them based on religious affiliation⁽¹⁾. However, non-Muslim minorities were obliged to pay extra taxes [*jizya*] and not allowed to serve in the Ottoman army⁽²⁾.

In the middle of 19th century there was a rising trend of nationalism across the Ottoman ruled Balkan states, including Bulgaria. During this period the Balkan states successfully rebelled against Ottoman rule and gained their independence with the help of other European states. Nationalism heightened during the late 18th and early 19th centuries and a series of events: the founding of an independent Bulgarian Exarchate (1870); the revival of the Bulgarian language; the intellectual awakening and the Orthodox Christian Church were the important elements that reinforced the national consciousness that finally led to a revolutionary movement and thus the creation of an independent Bulgaria⁽³⁾.

After independence, the founders of Bulgaria felt that there was a pressing need to establish a definition for the territorial and ethnographic parameters of Bulgaria in order to distinguish themselves from the other Slavic nations and establish a Bulgarian national state. Creating a nation state was a complicated process that involved redefining the people and places that comprised that land. This redefinition would essentially designate them as either “native” or “foreign”. During this process, everything related to the Ottomans, or anything reminiscent of their rule, was encountered severely, considered as remnants of a foreign rule that the Bulgarian nation needed to remove. Islam was to be regarded as a strong reminder of the Ottoman occupation, while Muslims became the “others”, to be either expunged or exiled⁽⁴⁾.

The first step toward establishing a nation state was the definition of a ‘Bulgarian land’. The ‘natural borders’ of the land were defined via Bulgarian historical traditions of the medieval era, in which Bulgarians had reached the peaks of their ‘national borders’. Materialisation of these ‘natural borders’ took place briefly at the San Stefano Treaty (1878), which was signed at the end of the Russo-Turkish War⁽⁵⁾.

In addition, during this nationalisation process there was substantial European influence during the process of ‘otherisation’, especially from the Russian (later Soviet) perception of Muslims. During the colonial times, Europeans perceived Muslims and Ottomans from a colonial perspective, and embarked upon the mission of ‘enlightenment’ of the ‘backward’ East⁽⁶⁾.

This was an important component of nationalism, since a strong nationalism needed an image of “others” to be encountered. In this regard, according to Neuberger, despite the fact that concepts such as ‘Europe’ and ‘West’ are ‘supranational’ concepts, these concepts help to understand the construction of the “other”

that is essential to “the imaging of nations”. ‘In the Bulgarian case, the complicated relationship to Muslim others (under direct Russian and West European influence) played a constructive role in the Bulgarian invention of the national self.’⁽⁷⁾

Therefore, as a part of their nationalisation project Bulgarians took on Muslims. They aimed to reclaim Islamic populations as Bulgarian, by launching a conversion process in land ownership, names of geographic locations and people, clothing and gender issues. Neuberger notes that:

“Bulgarian obsession centred on Bulgarian territory and what marked the landscape in various ways – who owned or inhabited it, how it and its inhabitants were labelled and named, and how these inhabitants dressed and covered or altered their bodies. In other words, if the Bulgarian Landscape appeared to be Bulgarian, if it was owned by Bulgarians and marked by Bulgarian names and Bulgarian material culture, it would be Bulgarian. In a long and contested process, Bulgarian intellectuals, bureaucrats, and citizens attempted to reconfigure the contours of the Bulgarian landscape and “manscape” (human bodies) into a new image, one that was at once modern and European and somehow particularly Bulgarian⁽⁸⁾.”

Additionally, religion played a central role within the Bulgarian nationalism project, with the Bulgarian Church being considered the leading force in the independence of Bulgaria and the rise of nationalism. During this process, the Orthodox form of Christianity served as an identifier for the Bulgarian ethnic and national identity, while Islam identified the Turkish minority⁽⁹⁾.

MAJOR MUSLIM MINORITIES IN BULGARIA

There are three significant Muslim minorities in Bulgaria: Turks, Pomaks, and Muslim Gypsies or Roma. In addition, there exist pockets of Albanians, Tatars and Circassians who have assimilated into the Turkish Community⁽¹⁰⁾. After the Russo-Turkish War of 1877-1878, around one million Turks and other Muslims emigrated from Bulgaria. This emigration flow continued during the Balkan Wars of 1912-1913 and the periods of the First and the Second World Wars. Those whom had chosen to stay in the country centred their identities around Islam⁽¹¹⁾. They were mostly based in the remote rural areas, due to the:

“...prevailing socio-political climate in the immediate post-independence period. Nationalism at the time was ethno-cultural, aiming to assert what is Bulgarian coupled by a pattern of modernization and “Westernization”, aiming to ‘wipe out’ any visible elements of Ottoman past (i.e. by renaming towns bearing Turkish names, the transformation of mosques for non-religious purposes; transferring of Muslim cemeteries to the outskirts of towns etc. ⁽¹²⁾”

The number of the Muslim minorities residing in Bulgaria is significant. Bulgaria has the largest proportion of Muslims among all the EU member countries. According to the last two population censuses from 1992 and 2001, the total number of Muslims (based on “religious belonging”) is 1,110,295 (out of a 8,887,317 total population) in 1992, and 966,978 (out of 7,928,901) in 2001. Turks, with 800,052 persons in 1992, and 746,664 in 2001, are the largest Muslim group in Bulgaria⁽¹³⁾. However, according to the Bulgarian Helsinki committee:

“... due to the fact that a substantial part (if not the greater part) of the Muslim Roma identify themselves as Turks to avoid the social stigma associated with the term “Gypsies”, the total number of Turks in Bulgaria has to be reduced. In addition, a certain number of Pomak Muslims also identify themselves as Turks. Thus, the number of the Turkish minority should be further lowered if one completely ignores the generally shared claim that the actual number of Bulgarian Turks is far greater than what is officially indicated.” ^(14b)

The education level amongst the Muslim minority in Bulgaria is very low. According to figures, only 2.7 per cent of the Turkish population have a university education. Further, 5.6 per cent of Turks and Pomaks do not have a primary education. The low education rates have a great impact on the labour market. Lack of education puts the Turks and Muslim Bulgarians at a disadvantage, which in turn creates certain inequities in the labour market and inevitably leads to high levels of unemployment amongst the Muslim minority⁽¹⁴⁾. Unemployment in the Muslim populated areas is 3-4 times higher than the average national unemployment rate of 16 per cent. The estimated unemployment rate among the Turks and Pomaks is around 40 per cent and among the Roma is 80 per cent. The Bulgarian authorities stand accused of pursuing deliberate policies to slow down the educational development of the Muslim minority. According to Volgyi, the Bulgarian policy makers believed that lack of education would serve the purpose of cutting the Bulgarian Muslims ties with Turkey. Thus, intellectual development was perceived to be a threat, paving the way for the Turkish infiltration of the minds of Bulgarian Muslims⁽¹⁵⁾.

In general, there is a very negative perception of Muslims in Bulgaria. According to the statistics that were conducted in 1991, 51 per cent Bulgarians considered Turks to be a source of threat to national security. In addition, 83.8 per cent of Christians replied that the Turks were “religious fanatics”. In terms of expressing their opinions about the “Revival Process”, 35 per cent of the respondents stated that it was necessary for the “achievement” and “unity” of the Bulgarian nation. 56 per cent of Bulgarians believed that “descendants of Turkified Bulgarians should be helped to rediscover their Bulgarian conscience”. Further, 60 per cent maintained that despite that the way in which assimilatory policies were carried out was wrong, the goals of the project were correct⁽¹⁶⁾.

Table 1: Bulgarian Majority Community Views towards Minorities and Ethnic Conflicts in Bulgaria⁽¹⁷⁾

	VERY FAVOURABLE	MOSTLY FAVOURABLE	MOSTLY UNFAVOURABLE	VERY UNFAVOURABLE
Turks	13.7	38.4	28.4	10.9
Muslims (Pomaks)	13.6	47.6	17.4	4.3
Jews	11.1	52.1	8.3	1.3
Armenians	15.1	52.6	5.8	1.3
Roma	5.5	15.2	31.8	39.3

Table 1 reflects the result of research carried out by the Times-Mirror Centre for the People and the Press and discloses the negative outlook of the Bulgarians towards Roma, Turks and Pomaks. The table clearly indicates that the Roma are the least favoured minority group in Bulgaria, with around 70 per cent of the population considering them unfavourably (31.8 per cent mostly unfavourable and 39.3 per cent very unfavourable). The table also strongly indicates that the Bulgarian majority perception of Muslim minorities is significantly more unfavourable than that towards Armenians and Jews.

Finally, a study that was carried out amongst Bulgarian high school and university students indicated their attitudes towards the Roma. 89 per cent maintained that the Roma were robbers, 87 per cent considered them to be dirty and ignorant, '83% careless, 80% having bad manners, 76% being trouble makers, 70% having lice, 68% lazy, 64% with musical talents'⁽¹⁸⁾.

Turks

The settlement of Turks into the Bulgarian territories goes back to the 13th century. With the permission of the Byzantine emperor, a group of Turcoman nomads settled in Dobruza. After this first wave, a second wave of Turkish immigration took place in the middle of the 14th century during the Ottoman conquest of Bulgaria. During the Ottoman era, a significant population of Turks migrated to Bulgaria and settled in the cities. This large scale Turkish migration made up a third of the general population of Bulgaria and changed the demographic structure of Bulgarian lands. Muslims made up a large proportion of the urban populations and Christians made up a great majority of the surrounding areas. However, the situation began to change after the Russo-Turkish War of 1877-78. Due to the war and consequent events, many Turks left Bulgaria (also significant numbers of Turks were killed during the war) which led to a major shift in the demographic structure of the country. According to sources, around 1.5 million Turks emigrated from Bulgaria during the period of 1877-1878 to the present. Due to these emigrations, the Turkish population, who mostly lived in urban areas, had become scant. In addition, the populations of those who lived in the urban areas and villages were reduced to 9.7 percent⁽¹⁹⁾.

Immediately after the collapse of Ottoman rule in 1878, the Turkish residents of Bulgaria enjoyed their rights and freedoms under the nationalist state. They faced occasional difficulties, but, freely conducted their religious affairs and maintained their religious institutions and organisation. When the communist regime took over in 1946, in the first three years they gave equal rights to the Turks and the other Muslims. However, in 1949 with changing party policies, they began to consider the Muslim minority as a threat to their rule, thus launched the first assimilation program⁽²⁰⁾. The most important of these assimilation programs took place during Todor Zhivkov era. Between 1984 and 1985, one million Turks were forced to change their Turkish-Muslim names to Bulgarian names. The Turkish language was banned from public, many mosques were shut down, and religious Islamic education was stopped.

After the collapse of Communist rule, the laws against Muslims were abolished and only by 1990 had it become possible for Muslims to take back their old names or to create for themselves new 'Muslim' names. Islamic practices were allowed again, mosques reopened and some others were built⁽²¹⁾.

Socially however, racism against Muslims continued on to the present. During the post-communist era, there were attacks on Muslim religious buildings. According to reports from the Chief Mufti's Office (The Official Religious Leader of Turks in Bulgaria) there were several cases of mosque desecrations taking place: Pigs' heads were hung on two mosques in Silistra on 3rd May 2007. A swastika was drawn on the wall of the mosque in Kazanluk in late July 2006. The Kazanluk mosque was set on fire by a torch thrown through a window on 26th July 2006. Further, a window of the Banyabassi Mosque in Sofia was broken, and the door of a mosque in the town of Aytos was defaced with paint on 18th July 2006. In this regard the secretary of the Chief Mufti's Office in Bulgaria stated that:

"It has happened many times in Kazanlak, Plevna, and Varna. Our statistics reveal that our buildings—administrative ones and mosques in all twelve regional Mufti's Offices—have been desecrated over fifty times in the last ten years... the very few perpetrators who were caught were not convicted⁽²²⁾."

It has been reported that a leader of the far-right Attack (*Ataka*) party placed an anti-Turkish poster in the parliament building in the run-up to the election to the European Parliament in May 2008, and party members continued to make declarations against minorities⁽²³⁾.

Pomaks

Pomaks are the Muslim Bulgarians whose mother tongue is Bulgarian. Their conversion to Islam is a controversial topic; some Bulgarians maintain that they were forced by the Ottomans to convert to Islam. However, this claim is rejected by the Pomaks and the Turks who maintained that they converted to Islam willingly, tracing their conversion to Islam prior to Ottoman invasion. The Pomak population, according to the 1992 census, is 142,938⁽²⁴⁾. Pomaks mainly live in the Rhodope region. Because of their conversion to Islam, they are often treated as ‘traitors’ who should return to their ‘origins’. In this regard, along with the Turkish minority, there were serious attempts of forced assimilation on Pomaks during the communist era. In the 1950s their Muslim identity was targeted and their Muslim names were forcefully replaced by Bulgarian names⁽²⁵⁾. In addition their mosques were closed down, their observance of Muslim religious festivals and Islamic dress code were banned and male circumcision was forbidden.

Some of the major issues that led Bulgarians to practise assimilation policies against the Muslim minority included government fears that the Bulgarian population was in decline and the Muslim population was increasing, the need to divert public attention from the dreadful economic conditions, the possibility of Muslim minorities demanding national autonomy, and increasing religious devotion to Islam amongst the Muslims⁽²⁶⁾.

The 1992 census reveals that, during the post communist era, the outstanding majority of the landless population in Bulgaria belonged to minorities. According to statistical data, the Turkish population in the Kardzhali region successfully restored their ownership over the land. On the other hand, Pomaks, Roma and other Muslim minority groups stood out as not having considerable portions of agricultural land. The reason stated for this is:

“Muslim Bulgarians in the region are usually very slow to start legal procedures for having their lands restituted. This attitude is partially caused by their unwillingness to face the bureaucratic administration, as well as by the fact that the agricultural plots are small and separated by large distances.”⁽²⁷⁾

Roma

The settlement of the Roma in Bulgaria began with the third Roma migration stream from India heading westwards—to Asia Minor and the Balkans, and through them, to Central and Western Europe. They first reached the Byzantine Empire’s territories by the 9th to 10th centuries and some of them settled there, with large scale migration taking place in the 13th and 14th centuries. After the expansion of the Ottoman Empire towards the Balkans, the Roma population in the area increased as a result of their migration, fleeing from slavery and persecution in Europe. The Roma who migrated to the Ottoman ruled Balkans received more favourable treatment than elsewhere in Europe. In this vein, the first Roma arrived to Bulgaria with the Ottoman troops:

”...where they were accompanying the army craftsmen or were serving in the complementary military units.... Gradually with the strengthening of the Ottoman state, the administrative authorities pursued a policy of forcing Roma to permanently settle so that more efficient tax control could be exercised upon them.”⁽²⁸⁾

However, the minority of Roma still managed to live as nomads. Until the establishment of the communist rule, the Bulgarian Roma were largely nomadic and enjoyed relatively more freedom. Nevertheless, in 1958, the Communist regime launched a campaign of forced assimilation that dramatically restricted traditional Roma religious and cultural customs and practices. The campaign forced Roma to settle in collective agricultural farms in the countryside or overcrowded housing projects in the cities⁽²⁹⁾. The Roma were forced to settle into Soviet-style collective farms, or, in specially-built housing projects, mostly in the cities of Sofia, Plovdiv, Sliven, Varna, Rousse and Vidin. Until today, most Bulgarian Roma live in crowded conditions (sometimes as many as twenty people to a room) in rundown housing projects where the unemployment rate among Roma usually runs from 50 per cent - 80 per cent. Crime levels are estimated to be seven times as high in the Roma areas as compared to the rest of Bulgaria, and the social services available (e.g. garbage collection, street sweeping) have been described as being “vastly inferior” to those provided to other communities.

In 1974, with a new wave of assimilation campaigns, Muslim Roma were forced to waive their Muslim names and adopt Christian-Slavic names, similar to the experience of Turks and Pomaks. They were also forbidden to observe Muslim customs and celebrations in an attempt to strip their identity⁽³⁰⁾.

It is believed that Roma, especially the Muslim Roma, have been historically the most disadvantaged ethnic minority in Bulgaria. They have been forced to live in ghettos in extremely poor, unhygienic, and primitive conditions. They have been mostly isolated from the mainstream of Bulgarian society by discriminatory government policies and the attitude of the Bulgarian public. Another unfortunate consequence of this imposed isolation was that, in a Communist society plagued by severe labour shortages and plentiful minimum-wage jobs, many young Roma dropped out of school to work as unskilled manual labourers, resulting in significantly higher illiteracy rates and lower educational and cultural standards among the Roma community as compared to ethnic Bulgarians⁽³¹⁾.

MINORITIES IN THE BULGARIAN CONSTITUTION

According to State Department Bulgaria Country Report Muslims are the largest religious minority, estimated at 13 per cent of the general population. Other minorities include Catholics, Protestants, Jews, Gregorian-Armenian Christians, and others⁽³²⁾.

Article 6 of the Bulgarian Constitution outlaws any form of discrimination and promotes equality and freedom amongst its citizens:

“[T]here shall be no privileges or restriction of rights on the grounds of race, national or social origin, ethnic self-identity, sex, religion, education, opinion, political affiliation, personal or social status or property status.”

The constitution does not acknowledge ethnic and religious minorities but mentions those whose mother tongue is not Bulgarian are free to use their language: ‘Citizens whose mother tongue is not Bulgarian shall have the right to study and use their own language alongside the compulsory study of the Bulgarian language.’⁽³³⁾ Thus, the Bulgarian Constitution prefers implicit recognition of the Turkish and Roma minority but not Pomaks.

The Bulgarian Constitution provides for freedom of religion; provided that religious groups are registered

with the Sofia City Court⁽³⁴⁾. Since the Constitution designates Eastern Orthodox Christianity, as the “traditional” religion of the nation, the Bulgarian Orthodox Christian Church is exempted from this procedure. In addition, the Bulgarian government regularly provides financial support to the Orthodox Church⁽³⁵⁾.

After the collapse of communism, the Bulgarian National Assembly passed a new constitution entitled “Bulgarian Constitution of 1991”. Article 5, paragraph 4 of the new constitution made it possible for international treaties, which have been ratified, to be integrated into the national legislation and overrule it in the case of conflict:

“International treaties which have been ratified in accordance with the constitutional procedure, promulgated and having come into force with respect to the Republic of Bulgaria shall be part of the legislation of the State. They shall have primacy over any conflicting provision of the domestic legislation”.

There were two important developments after the collapse of the Communism that positively affected the Muslim minority in Bulgaria: The first was the reinstating of Islamic/Turkish names of the Muslim minority. Immediately after the collapse of the communist regime the National Assembly passed a law entitled “Names of Bulgarian Nationals Act” in March 1990 that enabled the Muslims to reinstate their previous names that were taken away by the notorious assimilation campaigns. However, it should be noted that the initial period was very difficult due to tough judicial procedure that was required for the reinstating of former names. An amendment took place in November 1990 that ameliorated the situation by introducing less arduous administrative work. Consequently, 598,123 Muslims applied for the reinstating of their names⁽³⁷⁾.

The second important issue was the reinstatement of confiscated property under the communist rule to the Turkish minority who had migrated to Turkey. When these Turks returned from Turkey they demanded that their properties be returned. On 31st July 1992, their demands were met by a new law that also allowed the government to pay compensation for damaged and lost properties⁽³⁸⁾.

Bulgaria has ratified all major international treaties regarding minority rights, most importantly the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), which was ratified in 1966⁽³⁹⁾.

Muslim Roma in Bulgaria

It can be argued that the combination of their religious and ethnic backgrounds have made the Muslim Roma the most disadvantaged ethnic and religious minority in Bulgaria. As the Durban Conference Declaration paragraph 2. states:

“[W]e recognize that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race colour, descent or national and ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds such as sex, language, religion....”

There is an issue of double discrimination for ethnic minorities that have additional ‘disadvantages’. In the case of Muslim Roma their religious conviction and the current anti-Islamic climate indeed single them out to be in the category of facing double discrimination.

In this regard, on 14th September 2007, in a speech and report to the UN Human Rights Council, Doudou

Diene, Special Rapporteur on racism, racial discrimination of the Office of the United Nations High Commissioner for Human Rights, pointed out the alarming rise of Islamophobia: 'In the current context, Islamophobia constitutes the most serious form of religious defamation.'⁽⁴⁰⁾ There is little reliable information regarding the demographic situation of Muslim Roma in Bulgaria. During the communist era until 1975, there was little reliable information regarding the number of the Roma in general. In 1975, the Communist regime revealed the number as 373,200. According to the census in 1992, the number of the Roma was stated as 313,396. 39.2 per cent of Roma identified themselves as Muslims and 60.4 per cent Christians.

The Muslim Roma population converted to Islam soon after the Ottoman invasion of Bulgaria. In addition, some of the Muslim Roma also travelled from Anatolia to Bulgaria⁽⁴¹⁾. During the communist era like the other Muslim minorities, Muslim Roma were forced to change their names around 1984-85.

Situation after the collapse of Communism

In Bulgaria following the end of Communism in Eastern Europe and the fall of Todor Jivkov at the end of 1989, the policy of forced assimilation was condemned and rejected by the Council of the State and the Government of Bulgaria. In accordance with Article 35 of the Constitution, laid during the Conference on the Human Dimension of the Commission on Security and Cooperation in Europe⁽⁴²⁾, specific international obligations were imposed on Bulgaria. As a consequence of this, the government called on local organs to take all required steps to eliminate the violations and to guarantee the full implementation of the rights stipulated by international law.⁽⁴³⁾ Reconciliation was established as an obligation of every Bulgarian citizen. The supervisory mechanism of the Conference, according to the 'situations and specific cases' regarding minority rights, the Council limits greatly the principle of non-intervention in international affairs. The question of minority rights, in accordance with the Vienna Conference of 1993, concludes that it can no longer be categorised within the domestic jurisdiction of states.⁽⁴⁴⁾

The participant states agreed to refrain from any discrimination and to take all necessary measures to apply all binding international instruments to ensure the protection of human rights and the fundamental freedoms of national minorities.

The Council of Ministers approved a draft law on 12th September 2002 regarding the prevention of discrimination and submitted it to the National Assembly. The draft aimed to set up a commission against discrimination. This commission was planned to be an independent, specialised body in charge of law enforcement, which could impose sanctions within the scope discrimination⁽⁴⁵⁾.

The Interior Ministry established a permanent working group in September 2002 on human rights issues. The objective of the working group was to set up the institutional framework to offer sustainable solutions to the issues raised in the reports of the European Committee for Prevention of Torture on Bulgaria, and other issues relating to human rights⁽⁴⁶⁾.

Bulgaria has made substantial, and largely consensual, progress towards implementing and maintaining democratic processes and institutions. It is important to note, however, that laws protecting the rights of ethnic and religious minorities have often been implemented as a result of pressure, or fear of pressure, from Bulgaria's international counterparts, like the United States and Europe⁽⁴⁷⁾.

PART TWO

SITUATION OF MUSLIM ROMA IN VARNA

This part will give brief information about the situation of the Muslim Minorities of Bulgaria under the relevant articles of the International Convention on the Elimination of all Forms of Racial Discrimination. It will consist of testimonies of members of the Muslim Roma community in the area, interviews of some Bulgarian officials and some photographic evidences. The Roma ghetto Kosova (*Косова*) and mainly in the two streets *Кыз Черкаски* (*Княз Черкаски*) and *Трошево* (*Трошево*) are the worst places. Some of Roma have no official record or ID⁽⁴⁸⁾. It should be noted that there are no official figures regarding the situation of Roma Muslims in Varna, therefore, we will not be able state any official figures. As a matter of fact, according to the account of Ridvan Saly, who heads a local NGO called Association Obnovlenie, the neighbourhood will be completely demolished by spring 2010, and all the residents will be resultantly forced to live in the streets.

The report will focus in particular on the breaches of CERD article 5, on the following issues:

“(b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

“(e) Economic, social and cultural rights, in particular:

“(i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

“(iii) The right to housing;

“(iv) The right to public health, medical care, social security and social services;

“(v) The right to education and training;

“(vi) The right to equal participation in cultural activities;

“(f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.”

References will be made to relevant articles during the course of report.

KYNAZ CHERKASKI

I began my investigation in Kynaz Cherkaski on 25th January 2008, a suburb of Varna populated overwhelmingly by Roma Muslims, as well as a small number of Christian Roma. The area is situated near a small river. Both sides of the river were completely covered by litter, consisting mostly of plastic bags that physically prevented me from going any further. It was obviously a residential area. There were apartments opposite the river and small detached houses present on the side where I stood. The road leading to the neighbourhood was very muddy and filthy. The roads are sunken and are filled with mud and water was in the road. When I moved further down the river I saw large quantities of debris that littered the river. I also noticed sewage pipes that were emptying directly into the river and thus a major source of pollution. The remains of a demolished bridge were visible. It reportedly had been demolished by the officials because of a high number of accidents involving children who had fallen into the river from the bridge. However, the big metal columns of the bridge, and other remains, were very dangerous for the local community.

When I moved further down I saw tiny makeshift shacks built along the river. The rooms were used to house families consisting anywhere from 4 people to as many as 12. The majority of these makeshift shacks were built from old items that had apparently been taken from remnants of other demolished houses. There was no running water or electricity in most of these shacks. The rooms consisted of either one or two beds that took up half of the room, with the families having to share these beds or sleep on the floor. The rest of the very limited space was being used for eating, laundering and bathroom facilities. The living conditions were very poor and inhumane, with many shacks having holes from mice in some of the walls, and no windows. In some shacks, there were holes where windows should have been, with people having to use plastic, metal, or wood to protect them from the harsh weather conditions. The



Photo 1: Rubbish dump and a broken sewage pipe around Roma homes.

scene was clear evidence for the violation of CERD Article 5, (e) '(iii) [T]he right to housing; (iv) The right to public health, medical care, social security and social services', since the government, or the local council, fails to provide them with the basic standards of living.

A few of the 'residences' that I visited in Kynaz Cherkaski had their own separate toilets, however the majority of the neighbourhood had to go anywhere outside or use the containers that they keep inside their rooms, which were clearly very unhygienic.

It was thoroughly evident that lack of hygiene was a major problem. Rubbish was scattered everywhere in the area. The children would play in this rubbish and quickly pick up illnesses. According to the testimony of the locals, infant deaths are significant. In addition, there is a high rate of cancer amongst the adults, which may be related to their constant exposure and proximity to rubbish and raw sewage.

The reason why the city council does not remove the rubbish from the area and offer basic services is because they claim that the area belongs to someone else and there is a court order to evacuate Roma from the area. Roma claim that the area was given to them during the communist era by the government and they have been living there a very long time. Besides, if they move from, there is no place for them to go. The government wants them to move to various villages but they do not want leave their families and friends. Also, in the villages, it will be impossible for them to work and thus survive.

The city council's attitude towards the Muslim Roma is simply racist. When I visited the council in order to discuss the situation of Roma, I was given the name of one Ivan Tsankov, 'Chief Expert in Ethnical and Demographic Affairs'. In our meeting at the city council building in Varna on the same day I asked him why the Roma were living in such conditions? He replied with another question: 'Is it not normal for Roma to live in dump?' This racist attitude was explicit throughout our conversation and reflected the



Photo 2: Waste dump in a Roma residential area.

gravity of the situation for the Roma. They had no support from within the city council nor from the officials in the city of Varna.

Most of the children that I came across do not go to school simply because their families cannot afford to pay fees to schools or buy books or cover other expenses. There were many youth around who complained about unemployment. Some of them stated that they were victimized by companies who employ them but do not pay their salaries. According to the testimonies of the locals this is a widespread problem and security forces refuse to help. As a result the youth prefer to go to rubbish and collect metals so they can earn some money to help their families. The testimonies suggest violation of CERD article 5, (e), '(i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration'.

Hasan and his family

Hasan, who is in his late 20s, is a member of Muslim Roma community living in Kynaz Cherkaski Street. He lives along with 12 other family member; (mother, father brothers and children) in an eight metre square shack. There was no running water in the shack but they had electricity. The walls were very thin with cracks and holes all over the walls. There were two very small beds for twelve people to sleep in. They had a container in which they would shower. The mother and her baby both suffer from a form of heart disease and I was told that the children are always sick. The inside of the shack was very unhygienic and dirty. The children had very dirty clothes and looked very unhealthy.

The shack was surrounded with waste, dirty water and there were pigs around the house. He said he is a cleaner but earns very little. He is the only person in his family who works and is thus the sole support



Photo 3: Hasan and his family living in crowded and unhygienic conditions.

to his whole family. He cannot send his children to school due to poverty. There is no government support.

The accounts of Hasan are common problems in the neighbourhood. Lack of proper housing, adequate infrastructure, hygiene and education is the norm among the Muslim Roma community in the area. Despite their willingness, most of the families simply cannot afford to send their children to school. In fact, Hasan might even be considered fortunate, given he is employed, even if he is underpaid because he is a Roma.

Mehmet and his family

Mehmet is Hasan's Brother. He is in his early 30s. He lives along with five people (four children and a wife) in a smaller shack with worse conditions. He first showed me a big hole just above the window that he tries to cover with plastic pieces in his shack. There were big holes on the outside of the wall and some of the bricks did not have plaster. There was a very primitive furnace and they could use it only if they found something to burn from the wasteland outside. However, I was not convinced that it would warm up the small shack in these terrible weather conditions reaching -15°C . There were two beds in the corner of the shack that that would occupy a third of the shack leaving no space to move. The walls from the inside the shack were in a terrible condition due to the effect of the dampness. The intense dampness also lead to the paint coming off from the walls.

Mehmet also works a cleaning job and earns 120 leva (around €61) per year. One of his brothers, Yunus Hasan, and his father died from cancer. He himself suffers from cancer as well. He is not receiving the appropriate help and treatment. He also complained that he cannot send his children to school because he does not have the money and that the government does nothing to support him and his family.



Photo 4: A hole in the wall of Mehmet's shack that he tries to cover with pieces of plastic.

Ismail and his family

Ismail is in his mid 30s. He and his wife and three children live in conditions similar to that of Mehmat and Hasan. His children, Hasan and Melek, are very ill. He does not have a permanent job and receives very little help from the government. He complained that they have been ignored by the officials. The city council does not clean the rubbish or provide any infrastructure.

Jenka and his family

Jenka and his family also dwell in conditions similar to what we've seen. Husband, wife and four children live together in a very small shack. One of the children, 5 year old Vesselin, is very ill. They receive a monthly benefit of 100 leva (€51), but this merely covers the medicine they need.

Sadik

Sadik is a 23 year old man. His character was a good example of the anger and frustration that the Roma youth harbour today. They feel that they have been abandoned and there is nobody they can trust here. He was very aggressive towards me and my guide when he saw us for the first time taking pictures and talking with people. Sadik and my guide exchanged harsh words. He accused me of trying to make money as opposed to helping them. However, I was very persistent in trying to understand the source of his anger. He later explained that many NGOs and officials come here to make money out of their suffering rather than to help them. According to his testimony, the issues Roma people face is far more



Photo 5: Sadik and his friend are burning plastic off cables to sell the left over copper.

complicated. Many people and institutions are turning worldwide sympathy for the Roma into cash.

He complained about unemployment. He said that he and most of his friends did not have a job. I saw him burning some cables to remove the plastic and get the copper out. He told me that he collected the copper from the dump and that in one week's time and he would make 7 to 8 leva (€3to €4) when he sells them.

Suleyman

Suleyman is a 43 year old man from the local Muslim Roma community. I talked to Suleyman in the street while he was with a group of young men. He was the oldest of them and acted as the spokesperson. He complained about the government's attitude toward Roma. He said the biggest problems that the Roma are facing in Bulgaria are unemployment and lack of education. He also said that they face robust discrimination from Bulgarian officials.

The scars of discrimination were even present in our conversation. When we first started to speak he did not introduce himself to me as Roma. He first introduced himself as a Turk but later on he admitted that he was a Roma. In fact I came across many other Roma who would initially tell me that they were Turks, but would later on correct themselves by saying that they are from "*Millet*", a Turkish name that refers to Turkish speaking Muslim Roma. For the Roma it was more acceptable and less shameful to be called a Turk rather than a Roma.

Suleyman told me that they could not send their children to school because they do not have money. His accounts further strengthen the claims about the violation of CERD article 5 which make it compulsory to have "equal pay for equal work". He states that there is discrimination in employment as well as in other sectors. Roma earn around 150 leva (€76) and Bulgarians earn around 300 (153€). Most of the time they do not get paid when they work for private companies and nobody helps them. In addition, the government has failed to provide equality in education. Suleyman says that schools ask them to pay 20-30 leva for each child. They are simply unable to pay these fees as well as cover expenses for books and uniforms. He also told me that the government restricts the benefits and social security facilities of Roma people.

Hanife Yasar

Hanife lives in a very small shack (around six square metres) along with her six children. Her husband caught an illness and died recent to my interview with her. Her children are ill, one of them is seriously ill resulting from an ailment in (or on) his leg. She does not receive much help.

Hasan

Hasan is in his early 40's. I met him while walking with a group of young people. He has cancer but is receiving no treatment. He has neither a house nor job. He currently stays with friends or relatives. He does not receive any support or benefit from the government.

The young men around him complained that nobody from amongst the Roma receives proper health care. They also stated that they were forced by the local mafia and police to sell drugs. They said that the police and mafia were working together. I wanted to inquire more about the drug selling but a man came during the conversation and warned them not to talk about this issue as if they speak they might get into trouble.



Photo 6: One of Hanife's children wandering around the shacks.



Photo 7: Hasan in the Roma neighbourhood.

TROSHEVO

Troshevo was hit with very similar conditions. The people had similar complaints and expectations:

Hasan

Hasan, a 35 year old man, complained about the lack of hygiene and cleanliness in the neighbourhood. The council and government have offered no help and have failed to provide basic services to the residents of the neighbourhood. Hasan also told me that he has 3 children (of ages 12, 9, and 10 months) but they cannot go out to play due to the heavily scattered rubbish and filth covering the entire neighbourhood. Further, since he is a Roma it is very difficult for him to find a permanent job. He said despite the fact that his financial situation is very dire, he tries to send his children to school. However, the school asks money for some expenses which he finds very difficult to pay.

Ayse and Halil

Ayse, aged 50 and Halil, aged 60, stay with 10 people in a two bedroom shack. They share the shack with their two sons, their wives and children. Halil is ill and cannot work. Even if he wanted to work it is extremely difficult for him to find a job because he is a Roma. I talked to Uskar, grandson of Halil, who is 7 years old but cannot go to school because they do not have money to pay for school expenses. They complained that they cannot even circumcise their sons because they do not have enough money.



Photo 8: The canal that passes through the Roma neighbourhood has become a source of illness and danger.



Photo 9: Inside a Roma shack.

Gulten

Gulten lives with eight people, including two sons, her daughters-in-law and their children, in a small shack. Three of the babies (of ages 1 year, 8 months and 6 months) died due to illnesses. She says that everybody is ill in the neighbourhood and that child mortality (particularly of babies) is high as well, as is that of adults. They do not receive any support or help from either the council or government. Politicians come only at election times to ask for their votes for which in return they distribute some money and then disappear until the next election. There is no running water in the houses she remarks.

Salih

Salih, who is 13 years old, has five brothers and sisters in his family. He had been going to the school for five years then he had to leave. This was because his family did not have any money to support him. He wants to go to school but he 'can't buy books or notebooks' so he goes to the dump and collects things to sell so he can support his family.

Deniz

Deniz, aged 15, is a friend of Salih and they were working together in the dump. Like Salih, he cannot go to school because his family simply cannot afford the expenses. He has four siblings but none of them can go to school since they do not have enough money.



Photo 10: Roma kids returning to the dump with their handmade trolley.

Saziye

Saziye, 27, has two children. She previously had a child who died at 2 and a half months old. She receives no help or support from the government.

Ridvan Saly

Ridvan Saly, aged 46, is chairman of a local NGO called Association *Obnovlenie*. He confirms claims by the locals that they cannot send their children to school because they do not have money. The ministry had helped the local children to go school one year; however, this project has been stopped now.

Some foreign organisations supported the locals here in two projects. The total budget of the two projects was forty thousand pounds. One of these projects was to open a consultation centre. But they have stopped these projects at the moment. He stated that there is discrimination from the police and they have taken five cases to court. They are still processing in the court.

They have taken a case to the court for the demolishing of a house in the area. The council wants to demolish houses in the area and does not allow people to build better houses. There is discrimination against the Roma in terms of finding jobs.

He showed me a water fountain that they built in the middle of the neighbourhood in order help the locals in the Troshevo area. It was built without the permission of the city council. The locals have no running water in their houses and this fountain is the only running water in the neighbourhood. Many children have died due to the diseases that are caused by lack of hygiene.



Photo 11: Roma children in front of the Troshevo water fountain.

Gulkus

Gulkus' (aged 28) husband abandoned his wife and four kids. In the shack where Gulkus and her four kids lives there is no running water. The shack is around 3 square metres and has 2 beds. She does not work and receives a 200 leva per year benefit from the government. However, this money does not help at all since the children get sick easily, requiring her to spend most of the money on medicine.

Unknown female (26 years old)

An unknown female I met complains that the benefit she is supposed to receive from the social security service is taken away from her. Some local people through intimidation and threats take their bankcard from them with their passwords, then withdraw the money on their behalf. This is widespread and the police do not help them at all. They do not bother to come and listen to their complaints. It is the same case when they go to the police station.

Pembe

Pembe, a 55 year old lady, lives with 6 people in a shack. Everybody in the household is ill. The shack is falling apart and there is no government support.



Photo 12: Gulkus' daughter is very ill.



Photo 13: Saziye in her shack.

Saziye, 27

Saziye lives in an 8 square metre shack with her husband and two children. She receives very limited benefits from the government.

Tomka, 20

Tomka lives in a seven square metre shack along with her two children (ages 3 and 1 years old) and husband. She was very keen to show me mice holes on the walls of her shack. Her husband collects food from the dump to provide for the children. She could not go to the school because of poverty. They do not have any food at home. She and the children wait for her husband to come from the dump with food so they can eat. They first taste the food and if it tastes good they let the children eat it, otherwise they do not. There is no running water at home.

Mehmet

Mehmet, 48 years old, along with his family, lives in very poor conditions. They live in a very small shack half embedded into ground. The shack was falling apart and the ceiling was covered with old carpets to prevent water from leaking inside. As I visited him, there was a police officer asking for his son Dobrin. Later, Dobrin, a 17 year old teenager, tells me is beaten up and insulted by the police frequently. The family finds their food and clothes from the dump.



Photo 14: Tomka stands with her baby.

Muruvvet, 27

Muruvvet lives in a four square metre shack. Her husband abandoned her with her three children (of ages 9 years, 11 years and 4 months). She receives a 140 leva benefit per year, but this only pays the medicine expenses of the children. Her children are ill all the time due to unhygienic conditions and lack of proper food. She showed a medical document for her children.

There is no toilet or bathroom in the shack so they use containers inside the shack.

Hanife, Naziye and Emine

I found Hanife (51), Naziye (13) and Emine (13) carrying some vegetables, Naziye was the granddaughter of Hanife and Emine was Naziye's friend. They were initially ashamed and did not want me to take their photos with the vegetables that they had just collected from the dump. I convinced them that it is for their good. Then they allowed me to take their photos for this report.

They had collected some vegetables from the dump to eat. Most of the vegetables in their bags were partially rotten. They said that that is the only thing that they could do in order to survive. Hanife told me that she has to look after five grandchildren.

She receives no government benefits or support. Despite all the difficulties, both girls said that they managed to go to school.



Photo 15: Naziye, Hanife and Emine carrying vegetables collected from the rubbish dump.



Photo 16: Suzan and her children inside their shack.



Photo 17: A blanket is used as a door for Suzan's shack.

Suzan

Suzan, a 31 year old lady, lives with her 4 children in a shack measuring approximately 1.5 metres by three metres. Her husband abandoned them. It was the worst shack that I had seen in the area. The shack was built by simply putting together already used pieces of wood together. The wooden wall is enforced with cardboard from inside.

There were big holes on the walls of the shack. There was no door but a blanket that was hung from the entrance. There was no way this shack could save this family from the intense Black Sea cold. There is no electricity or water available in the shack.

They do not receive any benefits or help from the government. They eat whatever they can get from the dump. One of her sons has epilepsy (12 years old). Three of her children manage to go to school. During holidays they go to the dump and collect iron, copper and paper in order to make some money for their school expenses. They earn around 10 leva from this.

Sebo

Sebo, 33 years old, is unemployed and said that even when he goes to work he is not paid, so he does not bother himself in looking for a job. Bulgarian firms usually do not pay Roma. During his recent employment, he had not been paid along with twelve of his friends. They were beaten up when they requested their money. They did not even think about complaining to the police since there was the possibility of getting beaten up in the police station also. He cannot get married because he does not have money.

When he was a child, he went to school for only 3 years. They were very poor so his father could not send him to school, instead he had to work. He seemed to be very depressed and pessimistic about his life.

Gulten

Gulten, 62 years old, lives with her 4 grandchildren in their very small house. Their house is better in comparison to some of the other places that I visited. However, they suffer from a very serious problem. In front of their house, along with 5-6 other houses, there is puddle of collected rain water which has been mixed with sewage and everyday rubbish. Gulten complained that nobody is helping them to remove water from which the children drink and then get ill. They have sought help from all over, including from NGOs, but have received no help so far. She made strong allegations against the NGOs that operate in the area.

Najiba

Najiba is 48 years old and lives next to Gulten's house. She concurred with Gulten's allegations about the NGO's and complained that because of the water in front of their house, the children very often get sick. I noticed that there are many children playing next to the water that they mentioned.



Photo 18: Roma children play around the sewage water.

Vasil

Vasil, aged 56, is a diabetic and gravely ill. He cannot use his legs so uses a wheelchair. There is nobody to look after him. His neighbours offer him very limited support. He receives 150 leva benefit per year benefit but pays 80 leva in rent. He does not receive proper treatment or any other support. He is extremely worried about his situation.

Irina

Irina is a 23 year old lady. She lives in a small room along with her five children and husband. Her husband does not work. They receive 180 Leva benefit from the government. The children are always ill because of the cold and pollution. Most of their benefit goes on medicine expenses.

Atahacoba family

One of the most striking examples of the suffering of Roma in Varna is the case of the Atahocaba Family. In the autumn/winter of 2008 (November or December) the house of the Atahacoba family, wherein they had been living for almost twenty-five years, was demolished by the city council. Prior to the demolition, a court case was in progress in order to stop the demolition. On the day of the demolition, the head of the city council's demolition team was reminded that there was an ongoing court case and that he was not permitted to demolish the house. In addition, Ridvan Saly, chairman of the Association Obnovlenie, informed the demolition team about the public prosecutor's comment, who said that 'the case number



Photo 19: Vasil in his wheelchair

would be sufficient to stop the demolition'. However, the head of the demolition team insisted that they would go ahead with the demolition as planned and said that he would 'take all the responsibility'.

The police evicted the Atahacoba family. The family consisting of sixteen members had to stay out in the street. One of them was a 9 months old baby who was killed due to the shock from the cold on the same day. The case was taken to the court. The local court ruled that the City Council did not do anything wrong on the grounds that Ridvan Saly was not in the position to represent them. However, Ridvan had the sufficient documents for representing the family at the court. Even if he was not eligible for such a representation, the public prosecutor should have carried out an investigation for the dead infant. The case has been taken to the high court.

Now every day the family is struggling to survive. When I visited them on 11th November 2009, Nefize (in Bulgarian 'Nadezhda'), the grandmother, thought that I was a Bulgarian and was thus very angry and hostile towards me until the neighbours explained that I was there to help. Her neighbours stated that the death of her grandchild and constant discrimination made her very suspicious against the Bulgarians. When she calmed down she introduced herself and mentioned that she was 43 years old and three months pregnant. Then she showed her house to me that was not really a house. They had put together some wooden blocks and cardboard that had been collected from a rubbish dump and put them together in the form of a primitive house. Nefize told me that when it had rained five prior, the outside was dryer than inside their home. It was quite unimaginable as to how sixteen people could live in such a small place. They did not have a toilet, but instead they used the back of the house for this. There was no running water, or bathroom, thus requiring them to shower in the sea, which is far from their home.



Photo 20: Atahacoba family. Nefize is frustrated with the death of her grandchild and is expressing her anger to everyone.

They are not able to get support from the government because they moved into a new address after their house was demolished. According to law they have to change the address in their social security card to their new address. However, there is a 60leva (around £23) charge that they cannot afford to pay. In addition, Keshan, the grandfather, was fired from his work so there is no income for the family.

Additionally, Nuri, the family's 2 year old, is asthmatic and currently in hospital. There are no means to look of after the kids nor feed them properly. Nefize told me that they have nothing at home for them to eat. There was only one blanket for sixteen people in the shack and all of them are exposed to harsh winter conditions.



Photo 21: Atahacoba family. The flimsy ceiling of the shack is visible.



Photo 22: Atahacoba family. Nefize shows her invalid ID card.



Photo 23: Atahacoba family.

Conclusion

As it has been shown above, the situation of the Muslim Roma is extremely worrying. They have been the victims of seriously degrading and deprived conditions. No organised or long term support has been made available to the Varna Roma community in general. This has been the result of a discrimination so deeply rooted in the Bulgarian society. Due to their distasteful experiences in the past and present, the Roma community have a very negative outlook regarding their future.

Taking these facts into consideration IHRC strongly urges the CERD committee to take action on behalf of the Roma of Varna, irrespective of their religious affiliations, and also recognise that the Muslim Roma of Varna face double discrimination due to their religion and ethnic origin.

Additionally IHRC calls on the various structures and bodies that form the European Union to take stock of these issues. Whilst programmes do exist targetting the marginalisation of Roma in general, it is clear from this fieldwork that they are far from reaching the case of Roma in these areas in Bulgaria. Notably, many allegations of corruption and misuse of funds, designated for the purposes outlined above, have been made, and those institutions providing such funding need to look at these allegations seriously. If substantiated, measures must be taken to ensure that these issues are properly rectified, and that future breaches of trust are thwarted.

Finally, IHRC urges other international governmental organisations, notably the Organisation for Security and Co-operation in Europe (OSCE) and the Organisation of Islamic Conference (OIC) to also review the report and take appropriate action within their respective capacities. The OSCE has many guidelines and positions on the effects of discrimination against Roma in the OSCE region, as well as a growing literature of policy recommendations in combatting Islamophobia. Likewise, the OIC has a stated interest in tackling discrimination against Muslims. Both organisations need to include the Roma communities mentioned herein within their scope of their next assessment of discrimination in Europe, particularly cross-cutting discrimination against minorities in Europe.

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