

URGENT ACTION

HUNDREDS OF ROMA AT RISK OF FORCED EVICTION

126 Romani families are at risk of forced eviction in Gurmen municipality, Bulgaria. Eight families have already been rendered homeless. Bulgarian authorities must put in place key international human rights safeguards and ensure that no one is forcibly evicted.

The Ministry for Regional Development plans to forcibly evict around **850 Roma**, of whom 350 are children, from 126 houses in Kremikovtzi neighbourhood, Marchevo village, south western Bulgaria. Eight Roma houses have already been demolished in June leaving the families homeless, four by authorities and four by the families themselves under threats of fines. Some of the houses were declared unlawfully built after inspections and issued demolition orders. Two of the houses were scheduled to be demolished by 13 July (but demolition has not yet taken place). Another 22 houses are scheduled for demolition on 31 July.

On 10 July, the European Court of Human Rights (ECtHR) called on the Bulgarian authorities to stop the demolition of houses unless the government had already provided housing to the families living there. Despite the Bulgarian government informing the ECtHR that they will not evict families without alternative housing in place, the Ministry for Regional Development sent a letter to Gurmen municipality informing that the 22 houses are scheduled to be demolished on 31 July. According to local NGOs working with the community, social services have told the families that the children should be placed in institutions (separating them from their parents) whilst the parents are placed in emergency shelters. No options of alternative housing are being discussed with any of the affected families, nor have they been consulted at all on alternatives to the planned evictions and resettlement options. This failure to implement the necessary legal and procedural safeguards will result in multiple forced evictions contrary to Bulgaria's international human rights obligations.

Please write immediately in English or your own language:

- Urging authorities to comply with the ECtHR interim measures and halt all evictions until genuine consultation with the affected community in Gurmen has been conducted to identify all feasible alternatives to the planned evictions and resettlement options, including the provision of adequate alternative housing to the affected households, in accordance with international human rights standards, ensuring that families are not separated as a consequence of relocation;
- Urging local authorities to provide the 8 families whose houses have been demolished with adequate alternative housing and compensation for their losses.

PLEASE SEND APPEALS BEFORE 11 SEPTEMBER 2015 TO:

Minister of Regional Development

Lilyana Pavlova
Kiril I Metodii Street No. 17 – 19
Sofia, Bulgaria
Fax: + 359 29 87 25 17
Email: e-mrrb@mrrb.government.bg
Salutation: Dear Minister

Regional Governor of Blagoevgrad

Biser Mihaylov
Geogi Izmirliiev Street, No. 9
Blagoevgrad 2700, Bulgaria
Fax: +359 73 88 14 03
Email: info@bl.government.bg
Salutation: Dear Governor

And copies to:

Mayor of Gurmen

Minka Kapitanova
Gurmen village, No 35 "Purva" str.
Zip 2960
Blagoevgrad region, Bulgaria
Email: obs_garmen@bitex.bg
Fax: +359 75 23 31 79
Salutation: Dear Mayor

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The Romani families have been living in Gurmen municipality for decades, some since 1969 when they were settled there through a Governmental Decree by the Council of Ministers against Travellers. The houses were built on agricultural land.

Between November 2010 and July 2011, all 134 houses in the neighbourhood were issued with certificates of tolerance by the municipality, specifically recognising the community's longstanding occupancy and protecting the houses from demolition. In 2013-2014, Gurmen municipality organised a public tender resulting in 24 Roma families becoming owners of the housing they were living in.

In 2012, the Regional Agency on Unlawful Constructions revoked 104 of the tolerance certificates. This occurred despite the fact the institution that issued them was the Gurmen municipality and there is no procedure in place to allow for the revocation of such certificates by a different institution. The grounds for the revocation of the certificates has not been communicated to the inhabitants of the houses. The Regional Agency for Unlawful Constructions also declared around 124 of the houses unlawfully built after inspections and issued demolition orders (10 houses were deemed adequately constructed and were not issued demolition orders). Some of the orders were appealed before administrative courts but were upheld, meaning that the orders are now due to be executed.

Amnesty International is deeply concerned that the eviction of Romani families from Gurmen village, in the absence of adequate safeguards, will amount to forced evictions. This is prohibited under international law. On 24 April 2012, the European Court of Human Rights held, in a landmark decision, that the removal of a Romani community in Bulgaria from land that they had been informally occupying for a long period of time and de facto tolerated by the authorities, would be unlawful. The Court emphasized that based on a proportionately analysis, if a whole community has lived in a place for a long period of time, such as a number of years, the authorities should not treat the situation as other "routine cases of removal... from unlawfully occupied property" but differently. In so doing the authorities have to consider the risk of the community being dispersed and of socially disadvantaged people being rendered homeless as a result of the eviction (*Yordanova et al v. Bulgaria*).

Bulgaria is a party to a range of international and regional human rights treaties which strictly require it to prohibit, refrain from and prevent forced evictions. These treaties include the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Discrimination. The UN Committee on Economic, Social and Cultural Rights has emphasized in its General Comment 7, that evictions should only be carried out as a last resort once all other feasible alternatives have been explored, in genuine consultation with the communities affected.

Even if an eviction is considered to be justified, it can only be carried out when the appropriate procedural protections are in place and if compensation for all losses and adequate alternative housing is provided to all people affected.

Name: Romani community in Gurmen village
Gender m/f: men, women and children

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