

# BULGARIA

## REPUBLIC OF BULGARIA

**Head of state:** Georgi Parvanov (replaced Petar Stoyanov in January)

**Head of government:** Simeon Saxe-Coburg-Gotha

**Death penalty:** abolitionist for all crimes

**International Criminal Court:** ratified

**People with mental disabilities faced systematic discrimination, and conditions in many social care homes were inhuman and degrading. Reports of ill-treatment and torture by law enforcement officials were widespread and at least one person died as a result of being beaten by police. Very few perpetrators were brought to justice. Many of the victims, some of whom were minors, were Roma. Law enforcement officials continued to use firearms in circumstances prohibited by international standards, resulting in deaths and injuries.**

### People with mental disabilities

Children and adults with mental health disorders or developmental disabilities (referred to as people with mental disabilities) were systematically discriminated against when subjected to treatment against their will in psychiatric hospitals, when placed for residential care in social care homes or when placed under guardianship. Legal regulations for placement in hospitals and homes failed to provide sufficient guarantees of independence and impartiality. Patients and residents in social care homes suffered inadequate rehabilitation and care. AI observed abusive practices of restraint and seclusion in all institutions for adults, and appalling material conditions in eight out of 10 social care homes for adults. In combination, these conditions amounted to cruel, inhuman and degrading treatment or punishment in violation of international human rights law.

Living conditions in psychiatric hospitals were inadequate and opportunities for rehabilitation and therapy were notably lacking. Electroconvulsive therapy was reportedly administered in some institutions without the use of anaesthetic or muscle relaxant. Children were frequently placed in institutions without proper diagnosis, and there was no provision for monitoring and reassessing diagnoses by specialists.

State-allocated resources appeared not to cover even the most basic provision of food, heat and clothing. Facilities in social care homes for adults were generally so neglected that some buildings were derelict, filthy and, in places, dangerous. Food, heating and medical treatment were so inadequate in some homes that mortality rates were high, particularly during long, cold winters.

✉ In April AI urged the authorities to investigate the deaths of 22 men who had died in the social care home in Dragash Voyvoda in 2001 and five men who died there in 2002. Most of the deaths in this institution, which houses around 140 men,

were apparently caused by pneumonia. The bodies of two men who died in March 2002 were subjected to a post-mortem examination which established pneumonia and malnutrition as the cause of death. The doctor who treated the deceased residents stated that residents have to pay for their own antibiotics and that none of his other patients in the municipality had died as a result of pneumonia.

Psychotropic medication was used in homes for adults as well as in some institutions for children to subdue behaviour which could be a response to distress or anger arising from the environment, rather than from a psychiatric disorder.

Measures taken by the authorities to address the situation were insufficient and piecemeal. In Sanadinovo, an institution housing more than 90 women with mental disabilities, material conditions and lack of care were appalling. Around 20 of the most vulnerable women lived in a two-room single-storey building. When AI visited in January, they were in dirty and tattered clothing, and some were half naked. Those who were bed-ridden lay on soiled sheets. Urine and faeces were on the floor and walls. A criminal complaint was lodged on behalf of some Sanadinovo residents who had been held in a cage. However, in May the complaint was dismissed for lack of evidence. In June the institution was closed down and most of the women were transferred to a refurbished facility in Kachulka. However, seriously disabled women still lacked adequate care, and lay in their beds unwashed and unattended. Seven women were transferred to Razdol where conditions were no better than in Sanadinovo.

### Police ill-treatment

Numerous incidents of police ill-treatment, which sometimes amounted to torture, were reported. One case resulted in death.

✉ In February at a border police facility near Sladun, in Svilengrad region, 26-year-old Seval Sebahtin Rasin was apprehended with 26 foreign nationals who were entering Bulgaria illegally. He was reportedly punched, kicked and beaten with truncheons by border police officers, then taken to a police lock-up where he died several hours later. In September, seven officials were indicted in connection with his death.

Some of the victims were minors who were questioned without their parents or a lawyer being present.

✉ In February, in Kostinbrod, six adolescent boys aged 17 and 16 were taken to the police station on suspicion of stealing a radio from a patrol car. They were reportedly kicked and punched by several police officers. They were then questioned for about three hours before being released without charge. Two officers allegedly involved in the beating were reportedly dismissed from the police force, but there was no information on the results of a criminal investigation initiated by the military prosecutor.

Few of the reported incidents of police ill-treatment resulted in suspected officers being brought to trial. In March, Sofia Military Court acquitted two police officers who had been charged with causing grave bodily injuries which resulted in the death of Mehmed Mumun (known as Milotin Mironov) in January 2001.

Investigations into complaints of police torture and ill-treatment failed to meet international standards.

✉ In June the European Court of Human Rights decided that the death in custody of 17-year-old Angel Zabchekov (also known as Zubchikov) in Razgrad in 1996 constituted a violation of the European Convention on Human Rights in respect of the death, the authorities' failure to provide timely medical care, and the failure to conduct an effective investigation. Angel Zabchekov had been taken from a police lock-up to hospital, where he died. An autopsy established that his death had resulted from a brain haemorrhage following a blow to the head, but the investigation into his death was suspended on the ground that it was impossible to establish how the injuries had been inflicted.

attended by participants in the reform process, national and international non-governmental organizations as well as representatives of the Council of Europe Commissioner for Human Rights and the UN Special Rapporteur on disabilities.

### **Unlawful use of firearms by the police**

Law enforcement officers resorted to firearms in circumstances far wider than those allowed by international human rights standards, which only permit the use of firearms in self-defence or the defence of others against the imminent threat of death or serious injury. Police officers continued to use firearms to apprehend suspects who were running away. Many people were injured in such incidents.

✉ According to the Human Rights Project, a local non-governmental organization defending the rights of the Roma, a police officer shot Stefan Kostov, a 27-year-old Romani man on 2 February. Stefan Kostov and three 15-year-old boys were collecting wood near Sliven when the officers approached them and told the boys to return to the village. The officer then shot Stefan Kostov in the right knee from a distance of about one metre. The boys took Stefan Kostov to hospital. The same day three police officers and a photographer took the boys from the hospital to the scene of the shooting, then to a police station where they were reportedly forced to sign a statement which, being illiterate, they could not read. In March the military prosecutor rejected a complaint about the shooting filed by the Human Rights Project and decided not to initiate a criminal investigation.

### **AI country reports/visits**

#### **Reports**

- Bulgaria: Sanadinovo: "This is truly a ghastly place" (AI Index: EUR 15/002/2002)
- Bulgaria: Far from the eyes of society – systematic discrimination against people with mental disabilities (AI Index: EUR 15/005/2002)

#### **Visits**

Representatives of AI visited Bulgaria four times between January and July. They visited 16 social care homes for children and adults with mental disabilities, returning to four institutions for a second visit. In October AI and the Bulgarian Helsinki Committee, a local human rights organization, convened an international forum in Sofia to highlight systematic discrimination against people with mental disabilities and to urge the authorities to reform the mental health, social care and educational systems. This event was