

BULGARIA

HUMAN RIGHTS DEVELOPMENTS

The election of a new government in June offered the promise of reform, but Bulgaria's human rights record remained poor in 2001. Roma faced official and private discrimination and abuse. Police misconduct and inadequate prison conditions marred the criminal justice system. Respect for free expression worsened as the outgoing government sought to silence critical broadcasting at the state radio station. Constraints on religious freedom remained a cause for concern. Some progress was made in curbing the illegal arms trade and destroying surplus small arms, but more remained to be done to consolidate gains and halt irresponsible arms supplies.

The victory of the newly formed National Movement Simeon II (Nacionalno Dvishenie Simeon Tsvori, NDSV) party in the June 17 parliamentary elections took center stage in 2001. The party, headed by former king Simeon II (who took office as the new prime minister), won half of all parliamentary seats in an election international monitors characterized as largely free and fair. The NDSV formed a coalition government with the predominantly Turkish Movement for Rights and Freedoms (Dvishenie za Prava i Svobody, DPS). As of October, however, the change in government had made little impact on the serious human rights challenges facing the country.

The plight of Bulgaria's Roma remained a key concern. Roma were beaten by police in at least five cases, including a June 26 assault at Pleven police station in which a Rom suspect was allegedly tortured with electricity. Private individuals beat and shot at Roma on numerous occasions. The abuses sometimes occurred in the context of trespass or petty theft by Roma. Police and prosecutors generally failed to conduct serious investigations into the attacks. Four Roma were killed in the month of June, including two men shot dead by a security guard in Mogila on June 29. As of October 7, there had been no detentions in connection with the four deaths.

Bulgaria continued to lack a comprehensive antidiscrimination law. A study released by the Open Society Institute in September confirmed the broad scale of discrimination against Roma in the provision of housing, social services and health care. There were encouraging signs in April, however, when Petar Stoyanov, then-president of Bulgaria, gave his support to the full desegregation of Roma schools, following the success of a pilot project in Vidin. The Ministry of Education began consultations with Roma school administrators about desegregation in July.

Roma sometimes faced pressure to leave their homes. Arsonists burned down a Romany home in Sofia on March 15. In August, villagers from Oriahovica formed a committee to prevent Roma families from registering as residents of the village. Oriahovica was the scene of attacks on three Roma homes in December 2000, when a middle-aged Roma couple was beaten. Many Roma living in Stezherovo village

fled in August after five hundred residents drew up a petition calling for the expulsion of all Roma from the village.

Human rights groups continued to receive credible reports of the excessive use of force by members of the police and security services. Rules of engagement allowing the use of deadly force to stop unarmed suspects fleeing provided part of the explanation. Disturbing incidents included the death of an unarmed twenty-one-year-old army conscript, shot repeatedly in the chest by a military police officer on July 22, the killing of a sixteen-year-old girl in Sofia by an off-duty police officer on January 31, and the November 2000 death of a sixteen-year-old Iraqi boy, shot by border guards as he tried to enter Bulgaria.

Conditions in prison and police detention remained alarming. The Bulgarian Helsinki Committee reported severe overcrowding, inadequate food and sanitation in prisons as well as excessive periods of pre-trial detention and beatings and other ill-treatment in police custody. Inmates protested poor conditions in August, taking over the roof of Sofia's central prison, and carrying out hunger strikes in Varna.

Women's human rights continued to be inadequately protected. Bulgaria lacked anti-sex discrimination legislation. The state response to trafficking in persons fell below minimum international standards with women victims frequently facing police hostility.

Freedom of expression came under renewed threat, with the attempted murder of a journalist in December 2000, problematic criminal defamation laws, and government interference at the state radio, Bulgarian National Radio (BNR). In February the government-dominated National Radio and Television Council appointed Ivan Borislavov as BNR director-general. The decision was widely regarded as an attempt to silence BNR's criticism of state authorities, especially by the popular *Horizont* (Horizon) program, whose staff were quickly replaced with workers loyal to the government. Nineteen journalists were dismissed from the station in the protests that followed. Borislavov resigned prior to an April 9 Supreme Court ruling invalidating his appointment, but his successor continued to dismiss staff on questionable grounds and refused to negotiate with protesters. The May appointment of a new director-general Polya Stancheva, resolved the crisis, and the journalists were reinstated. An August decision by the incoming government to restrict journalists' access at the Council of Ministers raised questions about its commitment to free expression.

Minority religious groups faced official restrictions and societal hostility. The much-criticized draft denominations law regulating the status of religious groups failed to pass in the outgoing Parliament leaving repressive communist-era legislation in force. In March, the European Court of Human Rights admitted a case against Bulgaria brought by a Muslim permanent resident over his expulsion from the country in July 1999 for "illegal religious activity," following the court's October 2000 judgment against Bulgaria for expelling Muslims on similar grounds.

Bulgaria announced in January that by December 2000 it had destroyed its stockpile of antipersonnel landmines in accordance with the 1997 Mine Ban Treaty, to which it is a state party. Bulgaria also took steps to tighten arms export controls, such as by banning arms sales to twenty countries, most under U.N. or E.U. arms embargoes. At the time of this writing, however, it had yet to enact promised legis-

lation institutionalizing other important arms trade reforms, nor to incorporate human rights criteria into such legislation. The new government also gave indications it might reverse some arms trade restrictions to boost exports and protect jobs. Moreover, Bulgaria continued to sell off huge stocks of Soviet-era weapons in anticipation of joining NATO. In October the Bulgarian defense ministry announced it intended to sell nearly two hundred surplus tanks and other heavy weapons to finance purchases of NATO-standard equipment. Past practice, including confirmed 1999 surplus tank sales to Angola, suggested Bulgaria would likely export the weapons to human rights abusers, contrary to government pledges under the 1998 E.U. Code of Conduct on Arms Exports and other agreements. With U.S. financing and under the auspices of NATO's Partnership for Peace program, in August Bulgaria began to destroy large quantities of surplus small arms, especially assault rifles, but no such funds were made available for the responsible disposal of surplus heavy weapons.

DEFENDING HUMAN RIGHTS

There were no reports of government interference in the work of human rights organizations, but two groups representing Roma and Macedonians reported harassment and interference with public education efforts related to minority participation in the March national census.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Organization for Security and Cooperation in Europe (OSCE)

On March 27, Freimut Duvé, the OSCE representative on freedom of the media, voiced concern over the crisis at Bulgarian National Radio, focusing particularly on the dismissal of journalists. On August 31, the OSCE Office for Democratic Institutions and Human Rights issued its final report on the June 17 parliamentary elections, concluding that the elections met OSCE standards, despite overly-restrictive media regulations.

Council of Europe

On May 31, Bulgaria ratified two agreements enhancing its citizen's access to the European Court of Human Rights. The court declared a religious freedom case against Bulgaria admissible in March. Bulgaria settled a case before the court in May, agreeing to expunge the criminal conviction of a conscientious objector who was willing to perform alternative service. In October the court held that Bulgaria had violated a ethnic Macedonian organization's freedom of assembly.

European Union

A September 5 European Parliament resolution emphasized Bulgaria's progress toward E.U. accession but noted the outstanding areas of concern enumerated in the May 28 report from the Parliament's rapporteur on Bulgaria, particularly the limited improvement in conditions for Roma. In its November 2001 regular report on Bulgaria's progress toward E.U. accession, the European Commission highlighted police violence and the limited progress in improving the status of Roma.

United States

There was no public reference to Bulgaria's human rights record when Secretary of State Colin Powell met then-prime minister Ivan Kostov on April 25. The State Department country report on human rights practices for 2000 reflected the main shortcomings in Bulgaria's record.

CROATIA

HUMAN RIGHTS DEVELOPMENTS

President Stipe Mesic's government often failed to confront entrenched ethnic Croat nationalists obstructing reform, particularly on issues of impunity for wartime abuses and the return of Serb refugees. The Parliament approved constitutional changes reducing presidential authority and abolishing the upper house of Parliament in November 2000 and March 2001 respectively. In local elections held throughout the country on May 20 nationalist parties made significant gains in some areas. Police intervention was required in some areas, such as Vojnic, where ethnic Croat nationalist demonstrators tried to keep elected Croatian Serbs from assuming office.

Croatia's first census since 1991 took place on March 31, 2001. Some Croatian Serb organizations protested that the government did not do enough to include Croatian Serb refugees in the Federal Republic of Yugoslavia and Bosnia and Herzegovina in the count. Serbian Democratic Forum (Srpski Demokratski Forum, SDF), a Croatian NGO, distributed over 50,000 census forms abroad. Comprehensive statistics were not available at this writing, but preliminary results indicated that Croatian Serbs made up approximately 5 percent of the population of 4.38 million in 2001, compared to approximately 12 percent in 1991.

Optimism over the extent of Croatia's cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) cooled when the ICTY's chief prosecutor reported to the U.N. Security Council in November 2000 that the government's cooperation was unsatisfactory, particularly in providing access to documents requested by the tribunal.