



Mutual Action Targeting  
Racism, Intolerance  
and Xenophobia

# **ROMA MATRIX**

## **Mutual Action Targeting Racism, Intolerance and Xenophobia**

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### **REPORT**

### **Activities of**

### **Centre for Equal Opportunities**

### **“Roma Matrix”**

**April - September 2013**

**Centre for Equal Opportunities “Roma Matrix” is a place where cases of discrimination are gathered and documented and services for Roma – victims of discrimination, are offered.**



Main target areas of work of the Centre and its team are the towns Sofia and Sliven but its coverage is even broader. Through the network of Health mediators (HMs) municipalities on the territory of two districts are covered – Sofia and Sliven.

The total number of HMs working on the territory of districts Sofia and Sliven is 16. Their work is concentrated in the following municipalities:

- 4 HMs in Sofia
- 1 HM in Etropole
- 1 HM in Ihtiman
- 1 HM in Dolna bania
- 5 HMs in Sliven
- 2 HMs in Kotel
- 1 HM in Nova Zagora

In Bulgaria 130 HMs are working in 70 municipalities. Major part of them are informed and instructed how to collect information concerning cases of discrimination and how to report them to the Centre on regular basis. In this way the Centre is not limited only to collecting cases from the target towns Sofia and Sliven but offer flexible mechanism for collecting information and cases from the whole country.

## **Main tasks of the Centre**

- Reception of citizens suffering discrimination; assessment of the presented cases; giving advices and addressing individual clients (Roma); offering the support they need to cope with and fight discrimination.
- Solving of individual and/ or group cases.
- Work with public authorities for prevention and decreasing the cases of discrimination.
- Offering juridical services, including law representation in assistance to individual clients.
- Individual support to Roma-victims in the Center – offering psychological consultations.
- Identifying of frequent cases of unequal treatment of groups of people suffering from it.

- Starting of legal procedures (lawsuits) in the court and in the Commission for Protection Against Discrimination on behalf of National Network of Health Mediators Association (managing the Centre) as a legal person with non-commercial aim, registered in public benefit, in cases when the rights of many citizens have been violated (class action) – on the grounds of article 71, p. 3 of the Law on Protection from Discrimination and article 50, p. 3 of the Law on Protection from Discrimination.
- Solving of cases through work (mediation and negotiations) with state organizations and institutions through juridical action.



## Organization of the work in the Centre

- In the Centre in Sofia and in the branch in Sliven there is one coordinator working in each. They receive signals over the telephone but also work on the field in the Roma quarters. They spend most of their time on the field in communication with Roma community.
- The coordinators inform and instruct the HMs about the criteria for gathering cases of discrimination, how to describe them and to interview the potential clients/ victims. Each week the coordinators meet with the HMs doing field work and discuss the information gathered about discrimination. In a specially prepared project template (proposed by the project lawyers) the coordinators fill in information for the cases and afterwards – for their development and result.
- At the end of each month (if needed – before the end of the month) team meeting is organized with the participation of lawyer, project manager and coordinator; the eventual action concerning each case is discussed and a work plan is developed.

## Informational activities concerning the work of Centre for Equal Opportunities „Roma Matrix”

In the first 6 months work for dissemination of information for the opening of the Centre in Sofia and the branch in Sliven was done. In addition to the Roma Matrix project events where the role and the functions of the Centre for Equal Opportunities were thoroughly explained, HMs popularized the work of the Centre among the community in the first project months. Additional information was also published on the website of NNHM – [www.zdravenmediator.net](http://www.zdravenmediator.net).

## Juridical and psychological services offered by the Centre:



### The main juridical services offered by the Centre are:

- Individual support for Roma – victims of discrimination and consultations of discrimination victims – juridical consultations.
- Consultation of cases related to discrimination – explanation of concrete steps and/ or opportunities for solving.
- If needed – offering consultations via e-mail and organizing of meetings with victims of discrimination for discussing the specifics of the cases.
- Preparation of all needed documents for submitting of concrete cases to the Commission for Protection Against Discrimination and other institutions (court), directly related to the solving or processing of given case.
- Discussing the gathered information on individual cases, summarizing of problems, creating common strategies for solving of problems, initiating lawsuits on behalf of NNHM (managing the Centre) as a legal person with non-commercial aim, registered in public benefit, in cases when the rights of many citizens have been violated (class action) – on the grounds of article 71, p. 3 of the Law on Protection from Discrimination and article 50, p. 3 of the Law on Protection from Discrimination.

### Organization of the psychological services in the Centre in Sofia and the branch in Sliven

Two psychologists are working in the Centre. They are responsible for announcing the availability of psychological services together with the Centre coordinators and the Health mediators.

The consultations haven't started yet since they are planned for the next project phases when certain number of cases is already present. The psychological consultations will take place in the Centre in Sofia and in the branch in Sliven, on the field (where it is possible to use a room) and in other suitable places. The psychologist will register the carried out consultations; a template for psychological consultation is developed which guaranties the confidentiality of the client identity (no names or personal data are to be filled in). Within the framework of the project the psychologists will carry out at least 200 psychological consultations with clients that requested such support. Depending on the types of reported cases of discrimination group work with Roma – victims could also be carried out

In the period April-September 2013 main activity of NNHM was the establishing of the Reporting and Care Centre and the spreading of information among the HMs concerning the specifics of the work on collection of cases and informing the potential victims of discrimination. The following activities were carried out:

- Prepared conception for the work of the Centre in Sofia and the branch in Sliven in Bulgarian language; the conception was uploaded on NNHM website – [www.zdravenmediator.net](http://www.zdravenmediator.net) – it was developed by project experts and lawyers.



- Prepared template (in Bulgarian language) for collecting cases of discrimination – uploaded on NNHM website – it is used by all Health mediators working in the country.
- Prepared template for registering individual psychological consultations in order to collect information about the most important psychological consequences related to discrimination cases.
- Carried out meeting in Burgas on 7 June 2013 for instructing 24 Health mediators: working in Burgas (2 HMs), Yambol (6 HMs), Karnobat (2 HMs), Aytos (1 HM), Sliven (6 HMs), Kotel (2 HMs), Tundzha municipality (2 HMs), Straldzha (1 HM), Sungurlare (1 HM), Nova Zagora (1 HM) on how to collect cases related to discrimination based on ethnic background.
- Carried out meeting in Plovdiv on 8 June 2013 for instructing 17 HMs: from Plovdiv (3 HMs), Rakitovo (1 HM), Septemvri ((1 HM), Strelcha (1 HM), Velingrad (1 HM), Pazardzhik (1 HM), Asenovgrad (1 HM), Kardzhali (1 HM), Dimitrovgrad (1 HM), Haskovo (2 HMs), Karlovo (2 HMs), Peshtera (2 HMs) on how to collect cases related to discrimination based on ethnic background.

In Sliven additional meetings were carried out with partner organizations, HMs, community leaders, local Commission to fight against discrimination, the deputy mayor of Roma quarter Nadezhda aiming to present the project and the work of the Centre and to focus the attention of the local community towards the project objectives and activities.

The actual work on collecting and documenting cases started already in May 2013. It should be noticed that many of the cases stay only on the level of sharing during group or individual meetings without any documenting because the people are not always ready to write complaints on discrimination cases. Officially documented are 10 cases in total and work for their further proceeding is taking place. All cases that were officially registered in the Centre were consulted with lawyer.

### **At the present stage the Centre has registered 10 cases in total and started proceedings with the following 6 of them**

#### **Case 1 – Sliven, in the field of healthcare**

**In a Sliven hospital Roma child has been placed in so-called “Roma room”, where the conditions and surrounding environment are worst compared to the conditions in the other rooms (where non-Roma children are placed).** At the present stage the health mediator collects the necessary additional information and documents required by the legal consultant and the case will be initiated before the Commission for Protection against Discrimination (CPD). In the present case the claim to the CPD will incorporate allegations for:

1. discrimination on ethnic base (as a result of placement in worst conditions compared to the patients from Bulgarian ethnic origin); and 2. racial segregation (placement of the Roma patients in segregated Roma-only rooms) as forbidden form of discrimination.



In the course of team debates on the case development, the form of individual claim has been chosen, as currently there are still no official registration for more similar cases (though data exists on the later), which can result in class action claim further then. A working draft of a claim to the CPD is prepared, and amendments will be included with citations from the medical documentation on the case. The relevant medical documentation has to be presented to the health mediator by the victim. Following the later the claim will be presented before the CPD and the case will be initiated (draft claim is prepared only in Bulgarian language).

### Case 2 – Sliven, in the field of education

**Segregation of Roma children in all-Romani classes in municipal school in Sliven.** Upon the pressure of the Bulgarian parents the Head Teacher separates the Roma children in all-Romani classes, thus segregating them, which amounts to forbidden form of discrimination. The team decided to prepare an application on behalf of the National Network of Health Mediators and not on behalf of Roma parent in order to avoid conflicts between Roma and non-Roma parents. The initial idea was to send the case before the Commission for Protection against Discrimination. Further research by the Health Mediator however showed that the number of the Bulgarian children in this school decreased significantly and in fact it is not possible mixed classes to be organized. It is a result from the action of the Bulgarian parents to withdraw their children from this school, as it is turning to all-Roma school. Thus the segregation becomes “school segregation” instead of “class segregation”. Having in regard the later, the team decided to address a signal to the Regional Inspectorate on Education in Sliven, aiming to alarm the educational administration for possible creation of all-Roma school. Upon the Protection against Discrimination Act the administration is obliged to take the necessary measures (the official letter was sent to Regional Inspectorate on Education in Sliven)..

### Case 3 – Nova Zagora (Sliven district), in the field of healthcare

**Refusal of a doctor (specialist – orthopaedist, and the only one in the town) to examine a Roma child with broken leg, because the child is “black”.** As a result the parents are forced to travel with the child to the regional centre to look for medical help. Additional proofs and information are currently gathered on the case, and it will be directed to the Commission for Protection against Discrimination. The case discussion resulted in decision for individual claim to be initiated with allegations for discrimination on ethnic base – less favourable treatment based on the patient’s ethnic origin.

#### Case 4 – Gradets village, Kotel municipality, Sliven district, in the field of services



**Refusal to serve Roma client in a restaurant.** Additional research is currently performed on the case and the team will try to solve it through negotiations with the owner of the place.

#### Case 5 – Sliven, in the field of public services

**Refusal of a bank to serve Roma client through opening of saving bank account.** The case is moved to the Commission for Protection against Discrimination. The necessary information on the case is already gathered and a claim is prepared to the Commission for Protection against Discrimination with allegation for discrimination on ethnic base. The prepared claim is handed over to the victim for signature and initiation of a procedure before the Commission for Protection against Discrimination (complaint attached).

#### Case 6 – Sofia

**Protestant church refuses access to Roma persons from Fakulteta district.** Currently evidences are being gathered regarding the status of the church as a legal entity and signal to the Commission for Protection against Discrimination is under preparation on behalf of the National Health Mediators Network, as in the case the rights of many are violated. Additional documentation is necessary to be gathered regarding concrete cases of hindering people from participation in religious services (draft claim to CRD is prepared only in Bulgarian language).

*The rest four cases are discussed by the team and it has been decided that they involve doctor's negligence rather than discrimination. The people who suffered are consulted by the team.*

#### Case 7 – Sliven

**Medical team did not react with the necessary quickness when called for emergency case.** Later on the sick person has been transported to the hospital where his admission has also been slow, as he has not been health insured. As a result the patient had a stroke and permanent paralysis of one side of the body. The case is consulted as a doctor's negligence rather than discrimination. It does not fall within the scope of the project.

#### Case 8 – Sliven

**Medical aid has been refused to a pregnant woman who suffered from spontaneous abortion for five days.** The woman has been examined on the fifth day, when a real danger occurred from sepsis. The case is consulted and it has been determined that it not involves discrimination but unlawful refusal of medical help due to lack of health insurance.

## Case 9 – Sliven



### **Refusal of a doctor to carry out examinations of 5 children from marginalized community – his argument was that he has recently**

**been infected.** The case was consulted with lawyer and the conclusion of the team is that it concerns a breach of the labor regulations of the medical profession but not discrimination.

## Case 10 – Sliven

**While playing a child falls and injures his head. In the hospital where he was transported the doctor on duty refused to manipulate the injury.** Further then he was transported to another hospital, where the wound has been taken care of. The case is determined as doctor's negligence rather than discrimination.

## Results accomplished until September 2013

The idea for Centre for Equal Opportunities “Roma Matrix” to be created is accepted very well from every stakeholder concerned. The core activity within the last months was not only to identify and consult cases connected with discrimination, but to also inform the people regarding the nature of discrimination and what can be done to avoid it.

Over 50 Health mediators from 20 municipalities were instructed on how to collect information on discrimination cases for the reported period. Despite that within the obligatory training program, which Health mediator took before their appointment there is a module connected with discrimination and the Protection against Discrimination Act; it is a complicated matter and the Health mediators are not prepared enough to consult on it. With the start of Roma Matrix project and creation of the Centre, we have improved the level of knowledge on the topic of discrimination and will continue to work on this activity. Along with the later the Health mediators inform the Roma on how to inform about cases of discrimination when the violation concerns the sphere of public services in education, health care etc.

Roma non-governmental organizations are included as partners of the project (Roma Youth Organization, Sliven; Doctors of the World, Sliven; Ethnic Minorities Health Problems Foundation (EMHP), Sofia and others), which will assist in popularization of the work on gathering and documenting of cases in the Centre.

The Centre quickly earns popularity among the community, moreover that the Health mediators are known and trusted among the local people.



The work for the Centre helps for gaining additional skills from the Health mediators. They received training and their knowledge regarding the cases of discrimination has improved. Their ability to quality work with documents and evidences has also been significantly improved. The process of improving the knowledge continues and the Health mediators constantly receive new information. A special discussion has been created in the internet forum of the Health mediators. This forum is used in the process of consulting the cases.



The motivation of the victims of discrimination to share problems is also improved as a result of the work of the Centre. The victims start to initiate claims and signals. Thus the processing of part of the cases is implemented; although there are moments when the victims are still reluctant regarding the official deposition of claims.

## Conclusions

On the present stage the team identified also additional problem connected to the processing of the cases: namely – the victims who are very motivated to initiate signal at the beginning, with the time start to doubt, thinking that as a result of the claim they could create additional problems with the institutions involved – for them or for their relatives. Having in regard the latter, the team and the Health mediators decided that it is necessary to additionally explain to the people that possible less favourable treatment as a result of complaint is different case of discrimination, namely victimization. It is also forbidden by the law. Additionally, every case when possible will be processed with a signal on behalf of the National Health Mediators Network to avoid individual victimization.

With the aim to improve the process of data gathering, additional information will be released for the Health mediators on how to differ the cases of discrimination from the cases of negligence. This will optimize the work and the results of the project. The Health mediators should be informed that it is necessary to compare the victim with another person who would differ only on the basis of the indicator tested, and to look for less favorable treatment.



Presentation of Roma Matrix project before journalists – Albena, June 2013



Press conference in Sliven, July 2013