

# Women's Rights and Right-Wing Populism

## New Tools for Development of Democratic and Social Values

**ILIANA BALABANOVA-STOYCHEVA  
MILENA KADIEVA  
TEODORA KRUMOVA**

June 2017

- In Europe, anti-European movements are gaining momentum, attracting sympathizers and supporters. The trend is extremely worrying about the future of Europe and has a particularly strong impact on the prevention and the protection of human rights, collective and individual rights and freedoms in the region. Far-right parties and parties with an inclination to extreme nationalism are gaining power in Europe and give rise to xenophobia and racism. Very often, the program of these populist parties and movements involves concrete steps against equality between women and men, against human rights. They create conditions for a strong anti-feminist bias, taking action to the detriment of already achieved rights.
- An analysis of the policies of the political parties and movements in Bulgaria regarding the identification of program initiatives against human rights, women's and minority rights and their active implementation in political and social life in our country is the first of its kind, not only in Bulgaria. Such research, involving different political parties, non-governmental organizations, academic circles and media representatives, aims to explore and analyse the role of these policies for violating human rights, creating xenophobia, racism and anti-feminism, and for creating stereotypes about women and men and about minority groups, has not been done so far in another country in Europe.
- The study of stereotypes and prejudices is hindered by the contrast between official discourse and everyday talk, between the novelties in life and old customs and patterns of behaviour. In modern Bulgaria there are still rudimentary ideas that are quite vital in countries with less historical experience on the road of modernization. The topics of violence against women, participation of women in decision-making processes, gender pay gap, sexist language, and stereotyping the role of women in public and private life require problematization, assessment and a vision for tackling the problem. The results of this analysis give new arguments to the democratic forces in Bulgaria to uphold Europe's democratic and universal values. Women's rights are human rights.

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Our rights have not been acquired forever; [therefore] we must always be vigilant.

Simone de Beauvoir, 1949

Simone de Beauvoir speaks of women's rights and when women's rights are defied, all human rights are defied. The greatest challenge we face today is to protect these rights from sexist, racist, xenophobic and homophobic attacks, fuelled by populist, nationalist or conservative powers the world over.

The new regime of international security, consisting of primary and secondary legislation intended to maintain national security, restricts human rights and leads to a consistent marginalization of women's problems, which is becoming a sustainable trend. All areas of activity for protecting women's rights are subject to restrictions and their space diminishes significantly all over the world. This year (2017), following US President Donald Trump's legislation, the UN Commission on the Status of Women took place in the absence of representatives from Syria, Iran, Iraq, Somalia, Libya, Sudan, Yemen. Consequently, during the largest event on an international scale, which allows the political leaders and women from all over the world to discuss and formulate strategic goals in defence of women's rights, a wall was built between women from these countries and the rest of the world.

In Europe we witness anti-European movements gaining momentum, attracting sympathizers and supporters. The future of Europe is worrisome. Far-right and populist political parties and groups have negative impact on the foundation of United Europe, based on fundamental ideas and values – guaranteeing long-lasting peace, unity, equality, freedom, security and solidarity. Under the guise of national security concerns, we are witnessing trends that are directed against human rights and freedoms.

Our European society, our social security, our fundamental rights and obligations are constantly challenged. There is lack of political will to deal with the humanitarian crisis (closure of borders, creating conditions for human trafficking), the unprecedented high levels of youth unemployment across Europe and especially in Southern Europe,

and the lack of protection of both collective and individual rights and freedoms.

Far-right parties and parties with an inclination to extreme nationalism, currently gaining power, generate xenophobia and racism. Very often, the program of these populist parties and movements includes concrete steps against the equality of women and men, and against human rights. And if until recently the so-called *gender blindness*, or in other words the inability to recognize that the roles and responsibilities of women and men as a reflection of a specific social, cultural, economic and political context had been the prevalent phenomenon, today we face an even greater challenge – strong anti-feminist biases and political decisions to the detriment of already achieved rights – reproductive and sexual rights, right to abortion, minority rights (including LGBT), denial and rejection of gender equality as a topic on the political agenda and aggressive propagation of gender stereotypes.

Here are a few examples:

- In Poland – a religious group initiated banning abortion under any circumstance, including in cases of rape and when the mother's life is in danger. The leading political party PIP (Polish People's Party) supports the initiative. In 2014, the Catholic Church in Poland started a campaign against *gender ideology*, calling it a synonym of "unnatural" order, meant to destroy the natural roles, given to men and women;
- In Germany – the fast growing and gaining support Alternative für Deutschland (AfD) is openly against gender education, gender mainstreaming, gender quotas, considering the concept of gender equality as detrimental to the family and society. Moreover, the party propagandizes a racist demographic policy, oriented towards an increase in birth rates among local Germans as a response to the unwanted immigrant wave. The party is also against sex education in schools, linking it to bisexuality and homosexuality. In 2016, the Ministry of Justice rejected financing for non-governmental organizations that provide services to women who have been subject to

domestic violence, claiming that it would be better to finance religious organizations, because women's organizations only offer services to female victims, thus discriminating male victims of domestic violence;

- In Slovakia – In 2015, conservative powers, close to the Church, initiated a referendum with three main questions for Slovaks: 1) define family – does family mean solely a relationship between a man and a woman; 2) do homosexual couples have the right to adopt children; and 3) defend children from sex education in school. The attacks on *gender ideology*, on homosexuals and on equal rights for women and men are a common phenomenon in Slovakia. At the last parliamentary elections in 2016, the fascist party People's Party Our Slovakia got 8% of the votes;
- In Hungary – in 2011, a campaign was launched against an anti-abortion poster. This pro-choice campaign started as part of a project for work-life balance and is financed by the EU Employment, Social Affairs and Inclusion PROGRESS programme. In 2013 Viktor Orbán initiated an investigation of some non-governmental organizations, financed by Norway, among which a Roma Press Centre and *Women for Women Against Violence*, accused of being "paid for political activists, promoting foreign interests".

In order to legitimize rejecting the civil society's demands, the language of security is being actively used and human rights groups are regarded as created abroad and potentially dangerous to the national sovereignty. In this context, human rights problems become depoliticized and the groups fighting for human rights, including women's rights, are presented as state enemies, not democratic opponents.

## 2. Current situation in Bulgaria

**A survey was carried out by Afis Agency, within a project of the Bulgarian platform of the European Women's Lobby, between 5 April 2017 and 10 May 2017. Face-to-face interviews and an online**

**poll after telephone contact were the methods employed to collect data, and covered a total of 300 respondents. The groups surveyed include activists and regular members of political parties, representatives of NGOs, working in the field of human rights, and representatives of civil society.**

<b>Activists and regular members of parties represented in the National Assembly</b>	200
<b>Activists and regular members of parties not represented in the National Assembly</b>	40
<b>Representatives of NGOs, working in the field of human rights</b>	30
<b>Representatives of civil society</b>	30
<b>Total</b>	300

Politicians, activists and regular party members are interviewed according to quotas, proportionate to the share of votes received by the respective parties at the parliamentary elections in March 2017.

The respondents were contacted with the help of the parties involved. The interview refusal rate due to little interest in the topic was 12% for women and 64% for men.

Divided by demographics, the respondents are:

<b>Sex</b>	<b>Female</b>	189
	Male	111
<b>Age</b>	18-29	62
	30-39	100
	40-49	57
	50-59	57
	60+	24
<b>Education</b>	Elementary	3
	Secondary	62
	Higher (Bachelor's degree)	60
	Higher (Master's degree) or higher	175

<b>Ethnicity</b>	Bulgarian	260
	Bulgarian Muslims	7
	Roma	0
	Turkish	29
	Other	3

The study of stereotypes and prejudices is hindered by the divergence between the official discourse and everyday talk, between the novelties in life and old customs and patterns of behaviour. In modern Bulgaria there are still rudimentary ideas that are quite vital in countries with less historical experience on the road of modernization. Some examples of this are the ideas that a woman should not drive a car, should not do certain jobs (while others are specifically “women’s”, because of some innate particularities of the female psychology), that women in work are more fit to hold executive, and not managerial positions, and they represent an objective (non-evaluative) description of the factual effect of the government policy.

Therefore, the study was oriented mostly towards categories and groups having the greatest influence on popular opinion: *politicians, activists, regular party members, representatives of human rights non-governmental organizations and representatives of civil society – journalists, analysts, academics.*

Political interest in the topic of equality between women and men has never been part of the priorities of governing political parties in Bulgaria. The problematic is traditionally regarded as imported from abroad, simply because the general understanding is that equality has already been achieved long ago, hence a political debate about equality is unnecessary for our country.

**As our study shows, a total of 54% of respondents think that the policy, pursued by Bulgaria, favours the equal status of women and only half (22%) are of the exact opposite opinion. Primarily, the assessment of policy as being encouraging for the realization of women is given by the political party representatives, whereas NGO representatives (dealing mostly with women’s issues) con-**

**sider it limiting. Obviously, given the certainty of political representatives that the current policy promotes equality, we could not be too optimistic in our expectations for future active legislative decisions and policies in this area.**

A brief desk study shows that the main policy decisions for overcoming the inequality between men and women in our country were taken during the period of application for EU membership in order to harmonize the national legislation with the European Union law:

- Antidiscrimination gender related provisions in the Employment Promotion Act – 2001;
- The Protection Against Discrimination Act – 2003;
- The Combatting Trafficking in Human Beings Act – 2003;
- The Ombudsman Act – 2003;
- The Protection Against Domestic Violence Act – 2005.

Annual planning of actions for reaching equality between men and women started in 2005.

The topic of gender equality is not subject to monitoring by the EU and immediately after our accession the legislative authority slowed down significantly its pace in taking proactive steps for overcoming inequality.

In 2016 the long-awaited by civil society Gender Equality Act was passed. Legislative initiatives for passing the Gender Equality Act started in 2006 and within a decade several draft bill were prepared. It should be noted that every consequent draft guaranteed to a lesser extent the achievement of actual equality. In the end, the Act passed in 2016 regulates the institutional mechanism for gender equality but does not include provisions of substantive character, regulating real equality through the introduction of generally binding rules of conduct, sanctions for breach and non-compliance, as well as a procedure for the exercise of

control and the imposition of sanctions. The law does not lay down encouraging measures in critical areas of identified inequality. And Bulgaria is a party to numerous international treaties, binding it to such norms and rules, that have not yet been reflected in our national legislation.

Against this background, we witness increasingly active sexist speaking in the public space, including at the top levels of government. In parliamentary debates, comments such as “women, I prefer them for something else” were made by one MP during the election of a female Ombudsman. /En passant, we should use another word, such as Ombudsperson, like in Norway.../. In another parliamentary debate, Deputy Prime Minister and Minister of Interior took the liberty of bringing the opponent’s “**daughters**” into the conversation and we need not explicitly emphasize the cynical tone of the address, which is, above all, an indecent stratagem. When public figures create such models, it comes as no surprise when in internet forums suggestions are made that women and daughters of people who voted NO at this year’s referendum become prostitutes. And perhaps this is also the reason why the sentence “Why don’t we buckle up and put up a woman for president” brought more smiles and fondness, rather than indignation, which would be a much more natural reaction were we not overwhelmed by prejudice, stereotypes, and behavioural models. Because women are not functions of a man, be it the Prime Minister, they are not only daughters and wives – they are above all individuals, human beings who are independent and equal to men and whom nobody has the right to instrumentalize. Just as a man is not only somebody’s son, father, or husband.

Bulgaria is a bad example in Europe when it comes to pay gaps. According to Eurostat’s statistics, in Bulgaria women received 13.5% less than men, which is the exact same difference as in 2008. But since in 2010 they received 15.7% less than men, this is considered an “improvement”?! In 2014 the pay gap increased, and Bulgarian women received 14.2% less than Bulgarian men. This sustainable trend is easily hidden behind the fact that Bulgaria is, as a whole, not so different from the overall

level of pay discrimination in the other EU states, where the average pay gap is 16.7%.

There are multiple reasons for the gender pay gap:

- mostly men occupy managerial positions. Also, within every sector, men more often hold higher positions than women and are therefore better paid. Only 4% of CEOs in EU are women;
- women do much more non-paid work, such as housekeeping and caring for children or relatives, than men. Working men spend an average of 9 hours a week in non-paid care and household activities, whereas women spend 24 hours or an average of 4 hours per day. This is reflected on the labour market – one of three women in Europe works part-time, whereas only one of ten men works part-time;
- women interrupt their career and leave the labour market for a certain period of time more often than men. These interruptions affect their future income and pensions;
- segregation in education and on the labour market – in some sectors and professions, women are better represented and most often these are the sectors with the lowest pay.

These facts deserve all the attention of a Prime Minister, as well as of every member of the political elite in our country. They need problematization, assessment, and a vision for dealing with root causes of the problem, rather than exacerbating the problem, which is exactly what the initiative for “putting up” a woman [for] president represents, an initiative launched as an instrument for winning external approval, rather than as a part of a well-considered policy, designed to solve the issue. The lack of a considered policy was rendered evident by Deputy Prime Minister Romyana Bachvarova’s reaction, who said: “*What do you expect the Prime Minister to say at a GERB woman’s forum? That is the politest thing he could say to the people present. My advice: do not pursue this topic further.*” It is obvious that Ms. Bachvarova’s advice has been taken not only by her own party, but also by all other political powers, since not a single par-

ty expressed indignation, let alone initiate any actions of “pursuing” further the issue.

Unfortunately, this lack of courtesy in social interactions is not only created, but also nurtured every day and this is why, both in Parliament and in the public space, there is no debate on the role of women in public life, on the implementation of active measures and legislative initiatives for overcoming the pay gap, there is no debate on guaranteeing the equitable participation of women in politics /the current 44<sup>th</sup> National Assembly has less than 30% female MPs/, there is no debate on the necessity of more active measures on behalf of the state for prevention and protection of women from violence /one in four women in our country is the victim of violence, and Bulgaria is among the EU states that have not yet ratified the most significant treaty on this serious violation of human rights – The Council of Europe Convention on preventing and combating violence against women and domestic violence, known as the Istanbul Convention/.

Given this reality, the xenophobic and racist speaking in public space whose audience is growing creates the conditions for an ever more flagrant sexism. The topics of refugees, minorities, and the “different ones” actively nurture the idea of pushing aside the topic of human rights and gender equality. During the most recent pre-election period nobody dared bring up a platform including women’s equality and its promotion. However, the topic of refugees and national security was very actively used by almost all political parties and groups. Political tinkering with the voter, the creation of anti-diversity attitudes, inspiring fear of the unknown is dangerous for the development of a nation. It affects the ability of society to overcome the strong patriarchal stereotypes, persistent in our everyday lives. These patriarchal stereotypes at first glance create a sense of security in our lives simply because they are well-known, but actually create a favourable environment for excusing rapes /Well, why is she out with that short skirt?/, for accepting domestic violence as something natural and normal /Who is actually the head of the family?/, violence at work, on the street, on the internet, in school...

In this study we tried to explore the attitudes regarding the so called “glass ceiling”. The term was first introduced in 1986 by The Wall Street Journal and is related to the invisible barriers based on prejudice, impeding the career development of women, even in sectors where they are a majority.

The topic of the glass ceiling is not discussed in our country. One of the most powerful tools for changing the stereotypes is the implementation of quotas for women at all managerial levels. Quotas are a controversial topic not only in Bulgaria. An interesting fact is that until 1985 only four countries had a quota principle in their election systems. Today the quota principle is implemented in more than 88 states worldwide. Some of them are Finland, Norway, France, Germany, Slovenia, Spain, Macedonia, Sweden among others. The purpose of quotas is to guarantee female representation in government in a swift manner, rather than waiting for a gradual development. There are typically three types of quotas accepted - reserved quotas regulating the number of women who are effectively elected; candidate quotas defined by law that determine the number of women to be nominated for candidates; voluntary quotas of political parties. Naturally, quotas, enshrined in law, usually by the Constitution or the election law, have the best effect.

The survey of Afis Agency shows that the attitude of the studied political group towards women’s quotas is negative. The opinion of the participants in the survey is that the quota principle would belittle women’s abilities. It is important to note that this opinion is more clearly expressed by women than men. According to women representatives of political parties, quotas are unnecessary. According to them, the introduction of special quotas for women’s participation in politics would put women in an “unequal” position. Clearly, the glass ceiling really is glass – both invisible and made of a very thick glass which could hardly be broken without serious and active public debate. Invisible barriers exist and the lack of knowledge, of sensitivity on the topic will not eliminate them, on the contrary – it will create conditions for even more invisible yet unbreakable barriers for the participation of women in the decision-making processes, incl. political.

**The study shows that arguments of taking into consideration “natural” or “immanent” specificities of both genders are common.**

**The “conservative” mindset also has an influence, as well as more right-wing opinions of activists, who are traditionally suspicious towards any state intervention in society.**

Women and men must have the same opportunities for holding leadership positions. This principle was clearly set in 2010, in the European Commission's Strategy for equality between women and men. In 2011 the EU Commissioner for Justice, Viviane Reding, proposed legislation, the purpose of which was to have 40% of high-level managerial positions held by women in the biggest European companies by 2020. Defined by some as the “necessary evil”, quotas brought up numerous issues – about women still receiving less pay than men for the same job, about them not having the opportunity for development because of the “danger” of them becoming mothers. Meanwhile there were discussions about how women should work for the higher positions themselves and whether there won't be precedents like discrimination against men who would be displaced by women with a quota.

In 2013, the European Parliament adopted Viviane Reding's proposal at first reading, but in December 2014 the Council of the European Union rejected the Directive, stating that it is an issue to be solved at national level. Along with big countries like Germany, back then this was Bulgaria's view too. It is evident that today Bulgaria's position remains the same. Meanwhile, let us note that some of the Final recommendations of the UN Committee on the Elimination of Discrimination against Women for Bulgaria in 2012 were that the country should take temporary special measures to achieve de facto equality between women and men, including with regard to women's participation in public and political life, as well as familiarize all competent authorities with the concept of the temporary special measures as a strategy, necessary for the acceleration of the process of complete equality between women and men in all areas, referred to in the Convention on the Elimination of All Forms of Discrimination against Women.

Women of different ages and different nationalities ever more often express the opinion that the moment is critical regarding not losing already achieved rights. The election of Donald Trump, but also the developments in countries like Turkey, teach us an important lesson, because whatever happens there could happen in Europe too. The future is not necessarily better than the present and history has shown that we can sometimes regress. History also shows that when state policies are authoritarian and populist, women lose more rights and freedoms than men.

As a response to sexist, antifeminist and anti-women policies and initiatives it is our duty to support human rights. It is our duty to support the right of every woman to develop her potential and to be free of violence. Secondly, we must know far-right groups well. Knowing these groups' initiatives better contributes to opposing their initiatives and countering the fear they sometimes evoke.

### 3. The domestic violence issue

**The domestic violence issue as a result of unequal relations of power and submission.**

Domestic violence is one of the gravest forms of violence against women. It is not restricted to a specific culture, region or country, nor to a certain group of women in a given society. The different forms of violence depend mostly on economic status, race, ethnicity, class, age, sexual orientation, disability, nationality, religion and culture of the victims of violence.

“Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement.”<sup>1</sup>

Since the beginning of the '70s, male dominance gradually became accepted as being based on a complex of social, economic, political and ideological institutions and practices, more or less regarded by

1. The Fourth World Conference on Women, Beijing Platform for Action – 1995, paragraph 118: [www.un.org](http://www.un.org); [www.ohchr.org](http://www.ohchr.org)



society as “normal”. Therefore, the subordinate position of women is considered to be a result of: the behaviour and structure of society, and not so much of the biological features differentiating both sexes; The Fourth World Conference on Women, Beijing Platform for Action – 1995, paragraph 118: [www.un.org](http://www.un.org); [www.ohchr.org](http://www.ohchr.org) the dominating position of men in institutions and social structures, and not so much of the characteristics of the men themselves; the structural discrimination against women, and not so much of the physiological differences between the genders; the distinction between different cultures’ understanding of the notions of “masculinity” and “femininity” and the specific content and expectations for a given behaviour imposed in them. Thus, men start to see themselves as “subjects” and “agents”, while women are thought of as “objects”. Hence, it is necessary to emphasize “the importance of institutionalized male dominance as the crucial factor in the perpetuation of gendered violence, rather than biological, psychological, or sociological characteristics of individual men or the specific context of relationship patterns.”<sup>2</sup>

*The United Nations Universal Declaration of Human Rights*<sup>3</sup> **recognizes dignity, inherent in all members of the human race, in their equal and inalienable rights.** Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms. **According to Article 1, all human beings are born free and equal in dignity and rights,** and Article 2 states that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (Art. 1, 2, 3, 5, 7, and 12).

According to the *Declaration and Action Plan, adopted by the World Conference on Human Rights*, held in Vienna in 1993, **gender-based violence is incom-**

**patible with the dignity and worth of the human person, and must be eliminated.**<sup>4</sup> (Art. 18; Art. 38)

*The Declaration on the Elimination of Violence against Women*<sup>5</sup> which enumerates the forms of violence against women, **defines domestic violence** as one of the main forms, including **physical, sexual and psychological violence.** Domestic violence includes, but is not limited to physical and mental aggression, emotional and psychological harassment, sexual abuse, marital rape. **Every act of force, threatening, harassment, humiliation and derogation of the human person is considered by the UN as an act of domestic violence.** (Art. 1 and 2)

The Committee on the Elimination of Discrimination against Women, responsible for monitoring the execution and implementation in States Parties’ practice of the *Convention on the Elimination of All Forms of Discrimination against Women*<sup>6</sup>, treats domestic **violence as a human rights violation. It represents discrimination regarding women and violates their right to life, personal freedom and security, their right to a personal and family life (Art. 1, 2, 5 and 16).**

The Committee explicitly states in its *General Recommendation No. 19/1992*<sup>7</sup>, that **gender-based violence means violence that is directed against women as well as forms of violence that affect mostly women.** According to UN data domestic violence is a form of violence that affects mostly women and children<sup>8</sup>.

The Committee on Human Rights, responsible for monitoring the execution of the *International Covenant on Civil and Political Rights* (Art. 2, 3, 6, 7,

2. Silverstein, Louise B., „The Evolutionary Origins of Male Violence Against Women” in Michele Harway and James M. O’Neil (eds.), *What causes men’s violence against women* (Sage Publications, 1999), p. 63.

3. Proclaimed on 10 December 1948 – in 2008 the 60th anniversary was celebrated all over the world. In Bulgaria, the Declaration was published in a collection of international documents in 1992: [http://www.mfa.bg/bg/index.php?option=com\\_content&task=view&id=16792&Itemid=543](http://www.mfa.bg/bg/index.php?option=com_content&task=view&id=16792&Itemid=543)

4. World Conference on Human Rights, held in Vienna in 1993 adopted the Declaration on the Elimination of Violence against Women, as well as an Action Plan: UN General Assembly, Resolution No 48/104, 20 December 1993: <http://www1.umn.edu/humanrts/instree/e4devw.htm>.

5. The Declaration was adopted by the UN General Assembly with Resolution No 48/104 on 20 December 1993: <http://www1.umn.edu/humanrts/instree/e4devw.htm>.

6. Adopted and opened for signature, ratification and accession by UN General Assembly Resolution 34/180 from 18 December 1979. Published in a Collection of international documents, 1992.

7. Paragraphs 6 and 7. Please also note General Recommendations No 12 and No 24: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>.

8. Report of the UN Secretary General, In-depth Study on all forms of Violence Against Women, (06/07/2006): [www.un.org](http://www.un.org).

9, 17 and 26), recognizes **domestic violence as a violation of human rights that affects mostly women – derogating their right to life, to personal freedom and security, to gender equality and non-discrimination, to freedom of movement and choice of residence.** According to the Committee on Human Rights **domestic violence is a violation of Art. 7** of the Covenant, namely **the right of every person to be free of torture, in-human or degrading treatment or punishment.**<sup>9</sup>

This is also the opinion expressed by the UN Committee responsible for monitoring the implementation of the *International Covenant on Economic, Social and Cultural Rights – General Recommendation No 16* (11 August 2005), as well as the UN Committee monitoring the implementation of the *International Convention on the Elimination of All Forms of Racial Discrimination – General Recommendation No 25* (20 March 2000).

Art. 19 of the *Convention on the Rights of the Child*<sup>10</sup> defines forms of violence against children and specifically notes violence in the family and family environment. UN practice shows that nowadays it is acknowledged that domestic violence against women also affects children in three specific ways:

Children are much more likely to become victims of domestic violence if such is initially committed only against their mothers, and mothers suffering from domestic violence have very limited possibilities of protecting their children; 2. A child witnessing domestic violence against the mother / directly or indirectly/ is usually emotionally burdened and traumatized; 3. Approximately 63% of boys who witnessed domestic violence against their mothers become abusers in adult life, and approximately 56% of girls who have been in such a situation become victims of violence.<sup>11</sup>

As the *United Nations Commission on Human Rights*<sup>12</sup> states in a 2003 Report on Women's Human Rights, out of 48 surveys across the globe, in 20-70% of the cases women victims of domestic violence never shared with anybody close to them what they were subjected to at their homes; in 10-69% of the cases women shared they were hit and/or battered by their intimate partners; in 40-70% of the cases of female deaths following violence, they were killed by their partners/husbands as a result of a relationship where there was domestic violence.

According to *Report of the UN Secretary General*, adopted on 06 July 2006<sup>13</sup>, violence against women persists in every country in the world and due to its multi-faceted and elusive nature, which puts every judicial system to the test when it comes to proving it, represents a major impediment to achieving gender equality. The Report explicitly states that **violence against women is unacceptable, whether perpetrated by the State and its agents or by individuals, in the public or private sphere, in peacetime or in times of conflict.**

According to the Special Rapporteur on violence against women<sup>14</sup>, and the reasons and consequences thereof, domestic violence against women represents **a gender-based violence and a form of discrimination against them.** States are obliged, according to the provisions of customary international law, to act adequately in such cases and protect victims of such violence.<sup>15</sup>

*The General Assembly of the United Nations Resolution* of 27 March 2008 on Elimination of Violence against Women<sup>16</sup>, calls upon Member States to eliminate all forms of violence against women, focusing on violence in the family, emphasizing **the**

9. General Recommendation No 28 Equality of rights between men and women (article 3): 29.03.2000 - <http://www.ohchr.org/english/bodies/hrc/comments.htm>.

10. Adopted by the UN General Assembly on 20.11.1989, ratified with a Grand National Assembly Decision of 11.04.1991, SG No 32 of 23.04.1991. Entered into force on 03.07.1991. Published in a Collection of international documents, 1992r.

11. Report of the UN Secretary-General In-depth Study on all forms of Violence Against Women, 06/07/2006: <http://www.un.org>.

12. The function of the Commission is currently performed by the Human Rights Council - <http://www.ohchr.org>. CHRights, Integration of the human rights of women and the gender perspective: Violence against women, 59th session (06/01/2003), p. 9-19: [http://www.unhcr.ch/Huridocda/Huridocda.nsf/0/d90c9e2835619e79c1256ce00058c14\\_5/\\$FILE/G0310100](http://www.unhcr.ch/Huridocda/Huridocda.nsf/0/d90c9e2835619e79c1256ce00058c14_5/$FILE/G0310100).

13. Report of the UN Secretary-General, In-depth Study on all forms of Violence Against Women, (06/07/2006), p. 9: <http://www.un.org>.

14. <http://www2.ohchr.org/english/bodies/chr/special/themes.htm>

15. See [www.ohchr.org](http://www.ohchr.org): E/CN.4/2006/61 и A/HRC/7/3, 15 January 2008.

16. General Assembly Resolution on Elimination of Violence against women: A/HRC/7/L.22/Rev. 1 of 27 March 2008

**need to treat all forms of violence against women as a criminal offence, to provide access to just and effective remedies and specialized assistance to victims, including medical and psychological assistance, as well as effective free counselling.**

Due to the specificity of domestic violence, the above mentioned UN bodies, as well as other committees monitoring the nine main Conventions on Human Rights Protection, and Council of Europe bodies recommend and demand Member States **criminalize domestic violence, adopt forms of punishment adequate to what has been committed in each and every situation of derogation of women's human rights, initiate adoption of protection orders, ensure the freedom and security of victims, organize training and gender-sensitive education for police, prosecutor, court and lawyer bodies, as well as promote a change in civil society's attitude, leading to an understanding of the danger, originating from violence, and that it is unacceptable in any situation**, regardless of the so-called "provocation" on behalf of the victim. According to the practice of the UN and the Court of Human Rights in Strasbourg, a term as "provoked violence" does not exist and is inadmissible. No form of violence against women can be excused in such a way.

### **Domestic violence in Bulgaria**

As is visible by the survey results, although according to 84% of the respondents, women should always be protected by the law from violence they have suffered, 27% justify violence in the family/couple, stating that "provocation" can be a reason for exonerating the abuser, and 5% believe that some women "deserve" domestic violence because of their behaviour.

Until recently, violence against women in Bulgaria was not considered as a serious public issue worthy of special legal regulations. The fact that its prevalence was unknown and its importance – underestimated, is due to numerous reasons. The understanding, inherited from the previous Communist regime, that equality of both sexes has been achieved in Bulgaria is certainly one of the reasons for this. It is combined with society's hypocrisy regarding such

an embarrassing issue as violence against women. Deep-rooted patriarchal stereotypes characterizing the Balkan and Mediterranean regions are an additional factor. Furthermore, the continuing difference between public and private sphere puts women and the violence they suffer in the private public sphere. Violence against women is the form of discrimination against them most tightly linked to cultural stereotypes. Violence is among the most pronounced manifestations of gender stereotypes and, in the meantime, it is the tool used to maintain the determined male and female roles in society. Law is but a reflection of relations in society. Hence, domestic violence in Bulgaria is a hidden phenomenon, for long it was not legally regulated, and its current law form is not the type that could lead to real changes in the lives of victims.

Forms of violence against women, happening in their homes, such as harassment, death threats, battering, rape, and murder are defined as serious crimes by almost all legislations. Nonetheless, when these forms of violence are inflicted by a partner/husband on a woman, they are either not treated as crimes or are punished unjustifiably leniently, or are considered as something normal. Meanwhile, the severity of the factor of suffering violence from somebody you live with, somebody you love, trust and count on is not recognized.

Once caught in the vicious circle of violence, a woman can hardly escape it. Her contact with family and friends is restricted, she is economically and financially dependent, no matter what funds she receives for housekeeping and child care – the money is always traced, and its use checked, and if it hasn't been used accordingly, a punishment follows – most often physical punishment, since the main driving force of an abuser is his will for power, authority and control, dominance and, if possible, for ownership.

One of the most common methods for manipulating the victim is the threat of taking away her children – especially in the circumstance of a financially stable abuser. Other means of keeping a woman from ending a violent relationship are: her financial dependence – a woman without money, without a possibility for requalification, with one

or two children left to care for, at a certain age, cannot succeed on the labour market and provide food or a good future for them; lack of information and legal knowledge of the rights of protection she has guaranteed by written law by the state; fear of institutions because of the abuser's persuasion that nobody would pay her any attention since such relations are personal and if the police and other authorities can avoid performing their duties, they will do so, as well as threats that the abuser can "buy" whomever he wishes in the judicial system; lack of support on behalf of her close ones and relatives because she never shared what she has been subject to at home; lack of witnesses to prove violence that has been committed within four walls; lack of evidence as women don't usually seek medical assistance at every act of violence, but only when it takes on serious forms, and others.

Ineffective protection and help for domestic violence victims is a breach of basic human rights, guaranteed by both Bulgarian and international law. Domestic violence victims often become subject to revictimization and to mixed interventions of different institutions. There have also been cases where lack of a timely intervention or of a coordinated approach lead to heavy recidivism which in turn put the victim's life and health at risk.

The issue of the burden of proof arising from the Protection against Domestic Violence Act (PADVA): Art. 13, Para 3, in relation to Para 2, Item 3 and Art. 9, Para 3 of the PADVA.

In legal proceedings brought and conducted under the rules of the special PADVA which derogates the CPC<sup>17</sup>, **the defendant bears the burden of proof** – as is required by the norms of European and international law regarding **domestic violence which is a form of gender-based violence and discrimination against women and a breach of their human rights**.

**Accepting that in the PADVA there is an unclarity on the distribution of the burden of proof, thus**

leading to inconsistent and contradictory legal practice (in violation of Art. 13 of the ECHR), **Art. 5, Para 4 of the Constitution** should be taken into account, stating that treaties ratified constitutionally, promulgated and entered into force are part of the State's internal law and derogate norms of internal law that contradict them. Hence, the court should implement the norms of the ECHR, CEAFDW, ICCPR and the EU Directives, and **accept that it should not be the applicant that proves the claimed domestic violence, but the defending party that should prove it has not committed such.**

In addition, we must note that the provisions of Art. 13, Para 3 in relation to Para 2, Item 3 of the PADVA, although not directly, indicate that the burden of proof is borne by the defendant from the moment of lodging the Declaration as per Art. 9, Para 3 of PADVA ascertaining the facts leading to the conclusion that domestic violence has been committed. If the defending party does not prove absence of committed domestic violence, the court is obliged to issue a warrant for protection of the applicant, even if it only presented the Declaration as per Art. 9, Para 3 of the PADVA (Art. 13, Para 3 of the PADVA).

The issue of acts of domestic violence which should be taken into account when conducting proceedings per PADVA: Art. 10, Para 1 of the PADVA.

Contrary to the understanding of many Bulgarian judges that only the act/acts of domestic violence committed within one month prior to initiating proceedings per PADVA should be subject to consideration, the correct understating – supported by European and international law, representing part of our national law – is that in the proceedings per PADVA all acts of domestic violence, presented by the applicant, should be considered, in so far as Art. 10, Para 1 of the PADVA provides only the procedural/time frame in which the victim may seek protection and does not restrict the applicant's legal remedy to one single act or action, or attempt at such (Art. 2, Para 1), on the contrary – it gives the victim the possibility to present to the court information about her experiences, because domestic violence is a process, not a single act or action, especially in cases of psychological and

17. Lex speciali derogat legi generali.

emotional violence or of attempts at committing domestic violence.

In the judgment on the case *Nahide Opuz v. Turkey*, where there was an objection that the applicant may only lodge a complaint regarding the last act of violence committed against her mother, the European Court of Human Rights (ECHR) specifically states that „*While there were intervals between the impugned events, the Court considers that the overall violence to which the applicant and her mother were subjected over a long period of time cannot be seen as individual and separate episodes and must therefore be considered together as a chain of connected events.*”<sup>18</sup>

The judgments on the cases *Opuz v. Turkey*, *Kontro- vá v. Slovakia*, *Branko Tomašić and Others v. Croatia*, *T.M. and C.M. v. the Republic of Moldova*, *Mudrić v. The Republic of Moldova*, *Eremia and Others v. The Republic of Moldova*, *Valiulienė v. Lithuania*, *E.S. and Others v. Slovakia*, *E. and Others v. The United Kingdom*, *Bevacqua and S. v. Bulgaria* are similar.

Domestic violence is a phenomenon which, given its specificities and impact in each separate case, requires special attention and adequacy on behalf of the court, in so far as judging each case has an impact on the future life of every victim. Domestic violence is a display of the behaviour, temper and character of the perpetrator, which evidently could not – especially in cases of domestic violence continuing for years – be construed as a single act. Especially considering its form of psychological and emotional violence.

If the court considers it should not take into account acts of violence committed before the one-month period as per Art. 10, Para 1 of the PADVA, the state would fail to protect women and children victims of domestic violence, since it is not necessary that the state breaches their right to equal protection intentionally – it is sufficient for the practice of breaching the law (PADVA) to show neglect of violence regarding women and children; its underestimation; spreading stereotypical understandings regarding what do-

mestic violence is – a personal issue or a breach of women’s rights, thus leading to a breach of the right to equal protection for women by the law.<sup>19</sup>

### Concrete recommendations for changes in the Bulgarian legislation:

#### *In the Criminal Procedure Code:*

- Criminalizing domestic violence;
- Criminalizing minor and moderate body injury of a spouse as a criminal offence;
- Criminalizing “marital rape” including for common law spouses;
- Criminalizing stalking;
- In Art. 296, Para 1 of the Criminal Code – legislative enhancement of the types and severity of sanctions for breach of protective orders, including mandatory enrolment in prevention programs in case of systemic violations;

more effective protection and control with regards to complying with the protective measures; prevention of breaches of protective orders.

#### *In the Protection Against Domestic Violence Act:*

- Explicitly state in Art. 5, Para 1, item 1 of PADVA that the said measure shall be indefinite;
- In Art. 5, Para 3 of PADVA specify expressly that the acts issued pursuant to PADVA shall be applied in case of contradictions between interim measures imposed per FC, EPO, or PO and measures per PADVA in order to ensure protection of the best interests of the children who should not be forced to spend time with a parent who committed domestic violence against them. It should be explicitly noted that in the case of two pending cases – as per PADVA and as per FC – the court chamber shall consider both proceedings in order to ensure effective implementation of the legislation towards protecting the best interest of the children;
- Art. 5, Para 4 of PADVA – Repeal the mandatory fine per PADVA in order to avoid contradiction with Protocol 4 to ECHR;

18. *Nahide Opuz v. Turkey*, Paragraph 111

19. *Nahide Opuz v. Turkey*, §§ 191-192

- Art. 6, Para 3 – Develop a standard national methodology for implementing the programs under Art. 5, Para 1, items 5 and 6 of PADVA in order to ensure effective and uniform enforcement of the law in the country as a whole;
- Explicitly specify in Art. 9, Para 3 of PADVA that the Declaration shall not include the text referred to in Art. 313 of CC;
- In Art. 9, Para 4 of PADVA – The Court shall of its own motion carry out a check for existing pending PADVA proceedings with issued EPO or PO (Emergency Protective Order or Protective Order) - when instituting proceedings per PADVA.
- In Art. 10, Para 1 of PADVA explicitly specify that the time limit for initiating proceedings per PADVA shall be 3 months from the most recent act of domestic violence and in hearing the case the court shall consider all main acts of domestic violence and not only the individual most recent incident as domestic violence is to be considered a process;
- Introduce legal obligations for medical doctors and dentists to report cases of violence against children to the Child Protection Departments with the respective SADs and provide for sanctions and liability for failing to comply with their obligation to protect the best interest of the child;
- In Art.3 specify explicitly that the burden of proof in PADVA proceedings shall be reversed;
- In Art. 15 of PADVA set forth a time limit for the Court issuing a decision with the reasoning thereto and provide for a procedure for serving the decision;
- When issuing EPO/PO the Court shall forward its act to the relevant Police Departments according to the residence address of the perpetrator and the victim in order to ensure effective enforcement of the orders by the law-enforcement units of the Ministry of Interior;
- Specify that when the Court denies granting a PO its act shall be automatically sent to the relevant PDs tasked with enforcing EPOs;
- Clearly regulate in PADVA the terms of dismissing EPO/PO in case of terminating the proceedings and specify that the court shall of its own motion send its act to the relevant PDs tasked with enforcing the EPO/POs;
- In Art.19 of PADVA – expressly indicate that EPO shall be in effect until an enforceable court judgement is pronounced;
- In the transitional and final provisions of PADVA – provide detailed definitions of “psychological harassment”, “emotional harassment”, “restriction of privacy, personal freedom and personal rights”;
- Create and maintain a national register of PADVA court cases accessible to all citizens.

*In the Code of Civil Procedure:*

Expand the scope of Art. 310 of CCP by providing for expedited procedures for PADVA cases.

#### 4. Susceptibility to and Rejection of Hostile Stereotypes

The results from the survey of Afis Agency reveal an interesting phenomenon of certain stereotypes and attitudes spilling over into public speech and in policy formulation, especially when vulnerable groups are concerned. Such groups are frequently subjected to discrimination arising from the polar public attitudes towards them. It is this polarity that is being used by some populist political formations or opinion leaders in order to gain public support for one view or another and set an agenda serving specific interests, and often to divert the attention from other more relevant social issues. In this respect it is important to explore the issue of women and their discrimination in view of the social distances between different groups.

The analysis in this section aims to examine how this survey results could be interpreted within the more general framework set by other similar surveys and to highlight the specific attitudes of the concrete target groups of the survey.

Many negative perceptions of the Roma have been present in Bulgarian society despite the fact that the term “*Bulgarian ethnic model*” understood to be synonymous of tolerance to the ethnic minorities in the country is often used in the political jargon.

In recent years the mounting refugee crisis resulted in the negative stereotypes with regards to the Roma slightly giving way to stronger negative perceptions of the refugees. **As evidenced by the survey of Afis Agency the wide-spread opinion is that the refugees are by default unable to integrate in Bulgarian society (76%).** Open Society Institute and Directorate General “Expert Analyses” periodically survey the evolution of stereotypes and social distances. The results from the latest surveys show that it is not the Roma, but the new minorities (Arabs, Vietnamese, Chinese) that suffer a higher degree of rejection and are more vulnerable in terms of ethnic stereotypes. Religion and place of residence are crucial factors determining social distances.<sup>20</sup>

The increase in the negative attitudes is quite natural given that in 2015 and 2016 the growing influx of refugees and migrants was portrayed in the political discourse and the media mainly as a national security issue, and the main public investments were focused on increasing the police presence and constructing a fence on the border with Turkey.<sup>21</sup> **The Bulgarian Helsinki Committee also warns that “Hate speech against ethnic, religious and sexual minorities continued to be**

**strongly present in many media, and the attitude to marginalised groups was generally stereotypical and negative.**

*Many media continued to cover without any criticism the positions of neo-Nazi organisations. We saw materials instigating and appealing to violence and lynching of people affiliated – or suspected of being affiliated – with the LGBT community”.<sup>22</sup>*

The series of annual surveys on hate speech and social distances in the recent years by the Open Society Institute show that in **2013** the respondents cited hate speech incidence with regards to three social groups: **Roma, Turks and homosexuals**; in **2014 the group of Muslims** was added, and in **2016** we saw that **Muslims and foreigners had become stable victims of hate speech. Women are far behind in this ranking<sup>23</sup>, and discrimination against women is perceived as exotic rather than as a deliberate serious confrontation.**

The figures below provide an overview of the evolution of hate speech with respect to the groups that are of special interest to us and included in the current survey: Roma, Muslim, homosexuals, foreigners, and women.<sup>24</sup>

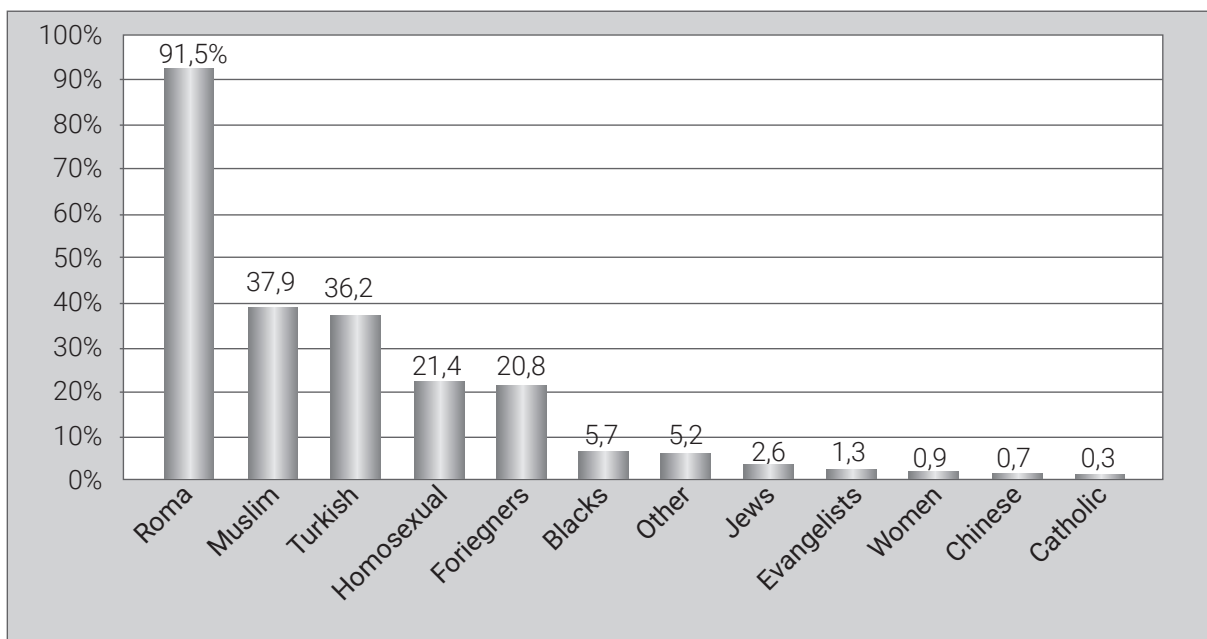
20. A. Pamporov. *Social Distances and Ethnic Stereotypes of Minorities in Bulgaria*. p. 17. Available at [http://ethnos.bg/data/file/Documents/Researches/July\\_2009\\_SocialDistancesReport.pdf](http://ethnos.bg/data/file/Documents/Researches/July_2009_SocialDistancesReport.pdf)

21. Ivanka Ivanova. *Public Attitudes to Hate Speech in Bulgaria in 2016*, Sofia, Open Society Institute, 2016, [www.osf.bg](http://www.osf.bg)

22. Bulgarian Helsinki Committee, *Human Rights in Bulgaria in 2015*, p. 69 – 70 (<http://www.bghelsinki.org/bg/publikacii/dokladi-na-bhk/godishni-dokladi-za-pravata-na-choveka/>).

23. Ivanka Ivanova. *Public Attitudes to Hate Speech in Bulgaria in 2016*, Sofia, Open Society Institute, 2016, p.12, [www.osf.bg](http://www.osf.bg)

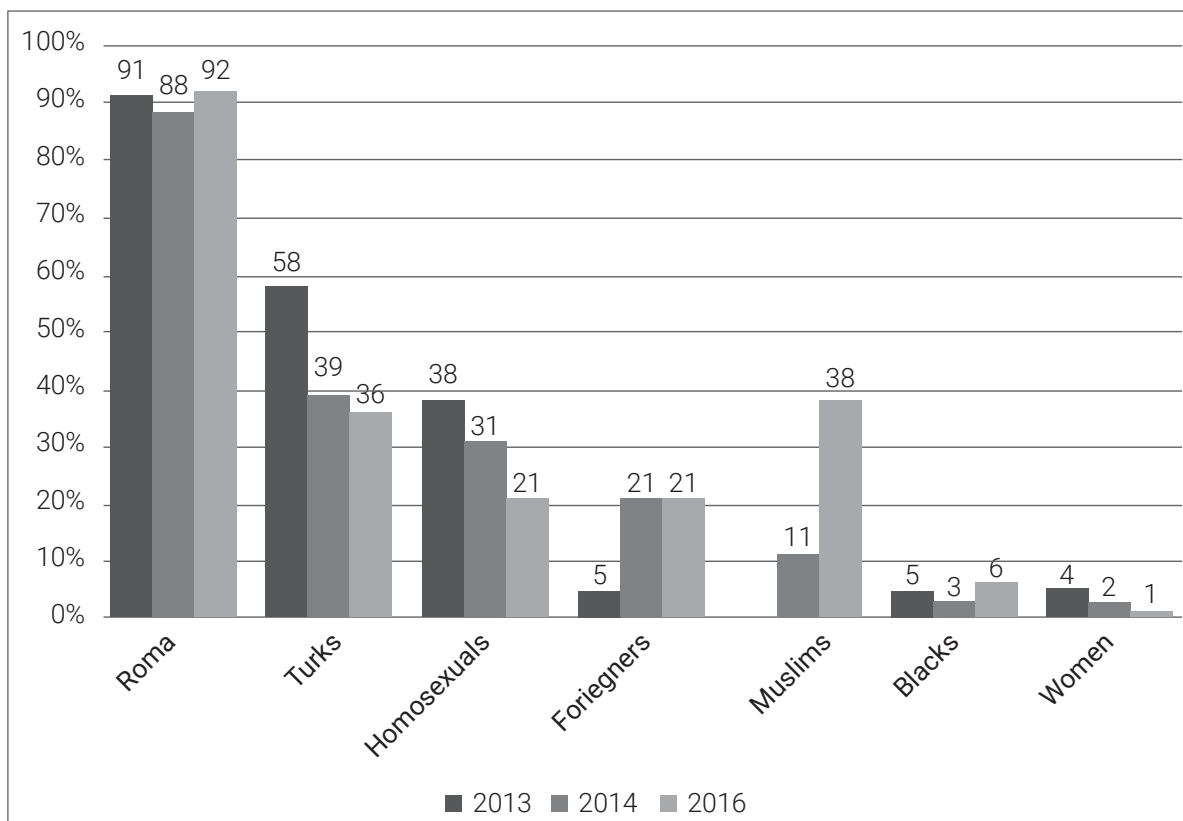
24. Ivanka Ivanova. *Public Attitudes to Hate Speech in Bulgaria in 2016*, Sofia, Open Society Institute, 2016, p. 13, [www.osf.bg](http://www.osf.bg)



Question: If Yes, against whom have you most often heard comments expressing disapproval, hate or aggression?

2016 – Objects of hate speech

Dynamics in main objects of hate speech (total percentage)





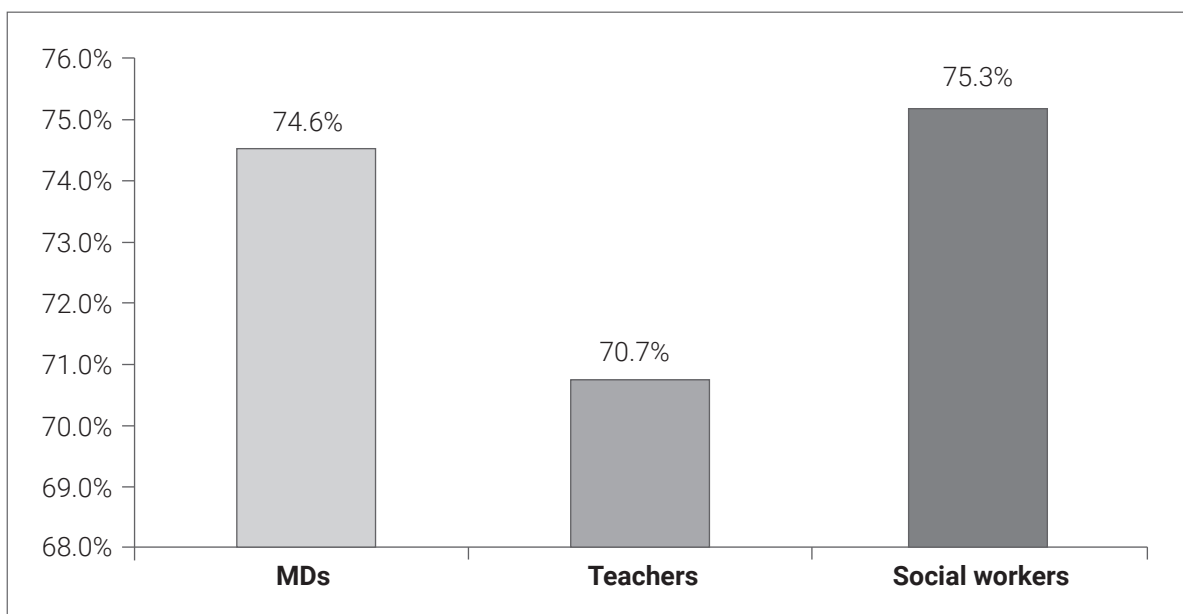
As becomes evident from the trend surveys negative speech against Roma, minorities, Muslims, people with different sexual orientation prevails over negative speech against women. Traditionally, the language used to describe women has been stereotypical portraying women as mothers, lovers, the women beside the rich/successful man, often as victims and rarely as experts in some field, mostly in show business. In the past years however as mentioned above the prevalent language has become degrading, sexist comments are exchanged between political opponents in the the gallery of Parliament. The lack of media response and the absent reaction of society could be interpreted not only as insensitivity to this issue, but as acceptance of and agreement with such comments.

Even though the largest number of negative stereotypes are registered with respect to the Roma,

many of those stereotypes are superficial and not interconnected, i.e. it would be relatively easy to challenge them by implementing adequate policies.<sup>25</sup>

It is exactly in this respect that the *current survey* conducted by Afis Agency is of significance. **An interesting trend revealed by the survey is the sustained high degree of negative stereotypes – 56% agree with the statement “Roma are lazy by nature”.** However, this result is much lower as compared to the results obtained to the same question in a survey conducted by the Amalipe Centre and DG “Expert Analyses” in 2012 among health workers, social workers and teachers.

According to this survey the stereotype “Roma are lazy and irresponsible” is clearly shared by medical doctors, teachers and social workers and 73% of the respondents agree with it.<sup>26</sup>



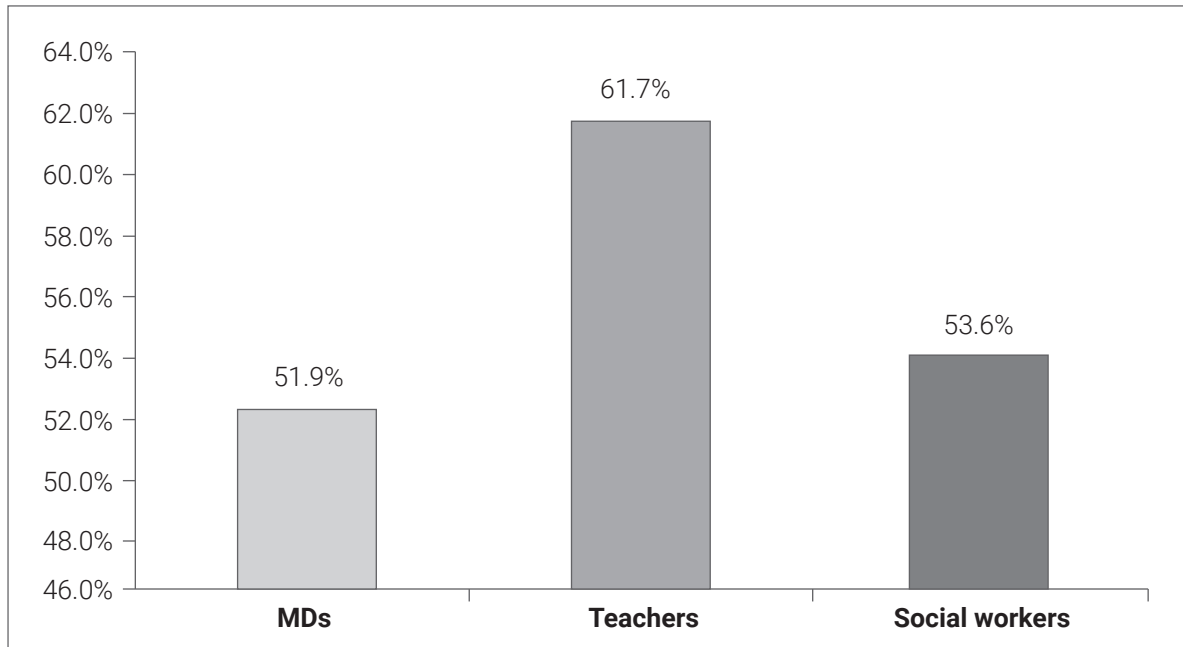
The same survey highlights yet another stereotype, namely “Roma have privileges”. More than half of the respondents in each of the three target groups agree with the statement that Roma enjoy privileges that Bulgarians and Turks are not granted. Slightly more than 2/3 of the interviewed teachers believe that Roma are given privileges.

25. Bulgarian Helsinki Committee, Human Rights in Bulgaria in 2015, p. 69 – 70 (<http://www.bghelsinki.org/bg/publikacii/dokladi-na-bhk/godishni-dokladi-za-pravata-na-choveka/>).

26. Ivanka Ivanova. Public Attitudes to Hate Speech in Bulgaria in 2016, Sofia, Open Society Institute, 2016, p.12, [www.osf.bg](http://www.osf.bg)

The attitudes of medical doctors and social workers are somewhat more positive. It is exactly the perception of who has privileges and who does

not that could affect the chance of affirmative action and empowering political measures being accepted by the majority.<sup>27</sup>



The question which explores the same type of attitudes in the Afis Agency survey is “If you are asked to describe the policies in Bulgaria in the past 10 years, in your opinion did they encourage or discourage the following behaviour: Roma rely only on social benefits. 67.4% of the respondents agree that in the past 10 years the government policies promoted such type of behaviour, i.e. Roma were privileged in this respect. The subsequent focus group probes revealed however that the myth of the Roma living on social benefits is more wide-spread among the general public as compared to the politicians, NGO representatives and opinion leaders who have better knowledge about the social benefits mecha-

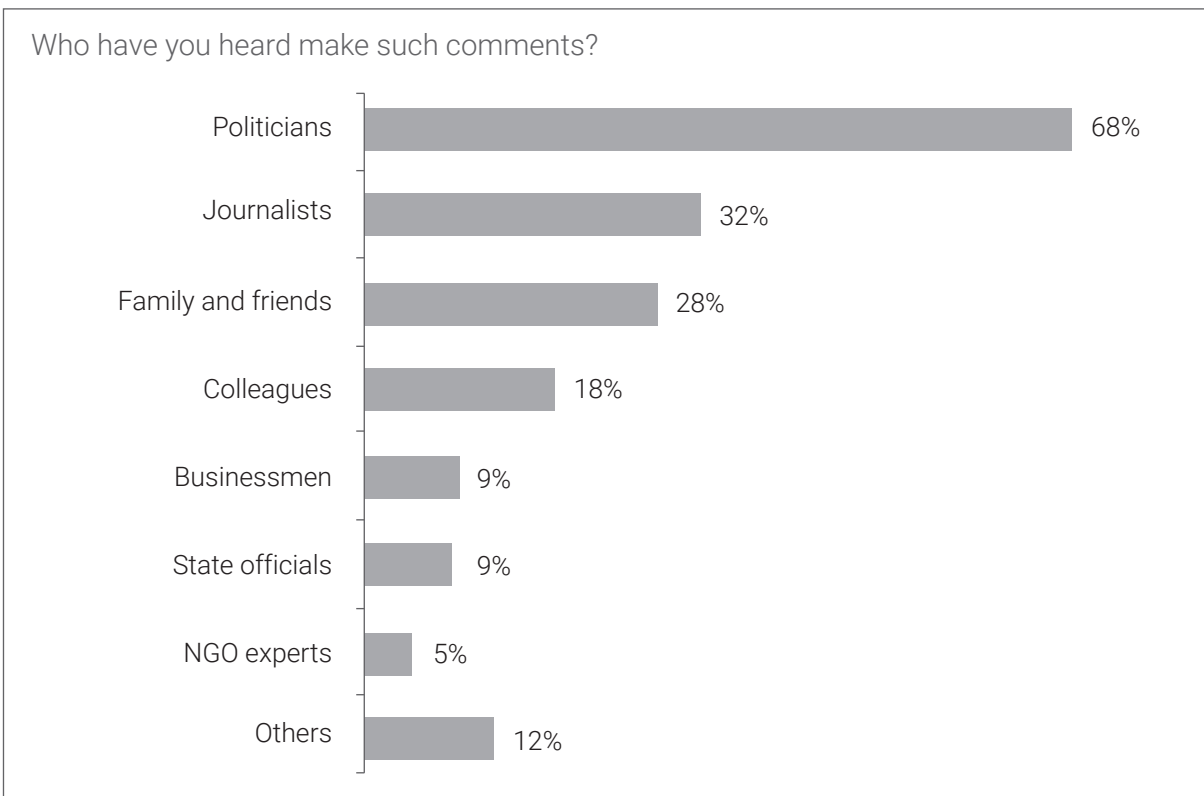
nisms. Possessing knowledge about the actual facts however does not preclude using the issue for political purposes and as an alibi for extreme populist rhetoric.

Along the same lines we could make an assumption that all other negative stereotypes are not so much genuinely shared but are rather a good tool to be used in the political discourse.

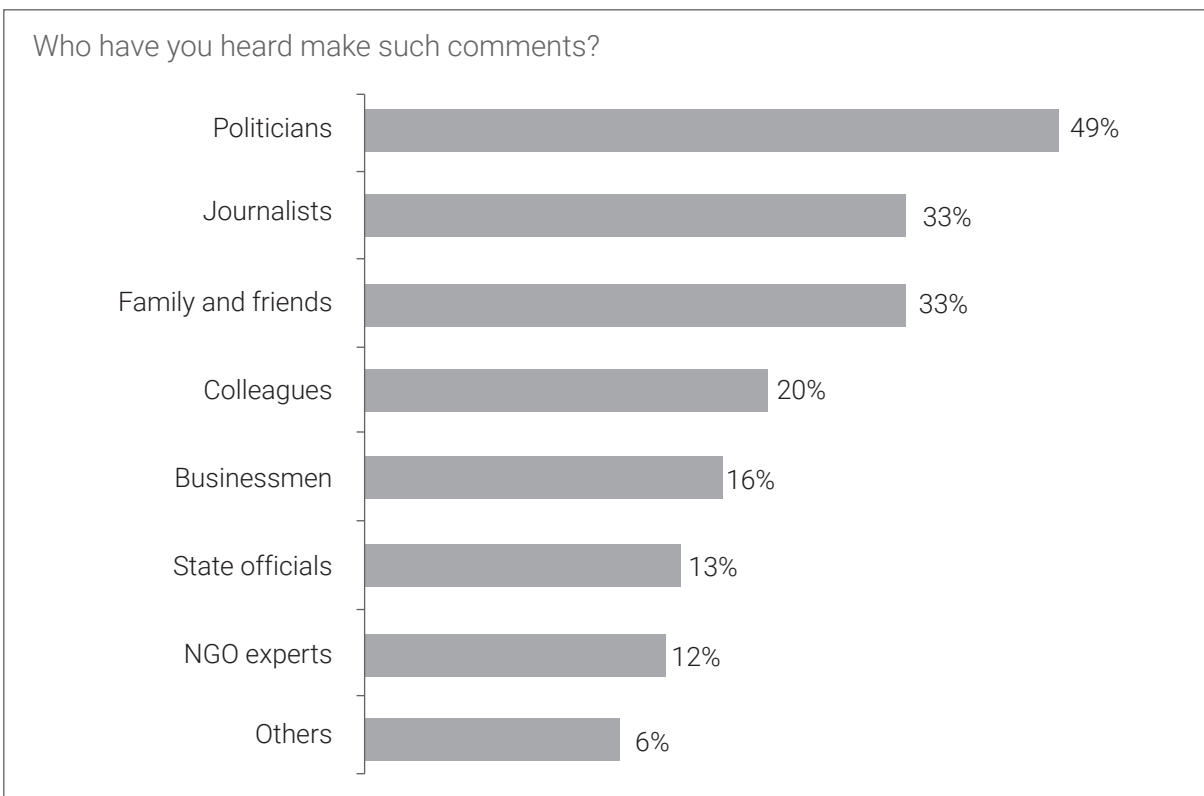
**It is this political discourse however that reinforces the negative trends, confrontation and social distances.** This is clearly evident from the figures below showing the perceived contribution of different hate speakers in 2013, 2014 and 2016 r.<sup>28</sup>

27. Ivanka Ivanova. Public Attitudes to Hate Speech in Bulgaria in 2016, Sofia, Open Society Institute, 2016, p. 13, [www.osf.bg](http://www.osf.bg)

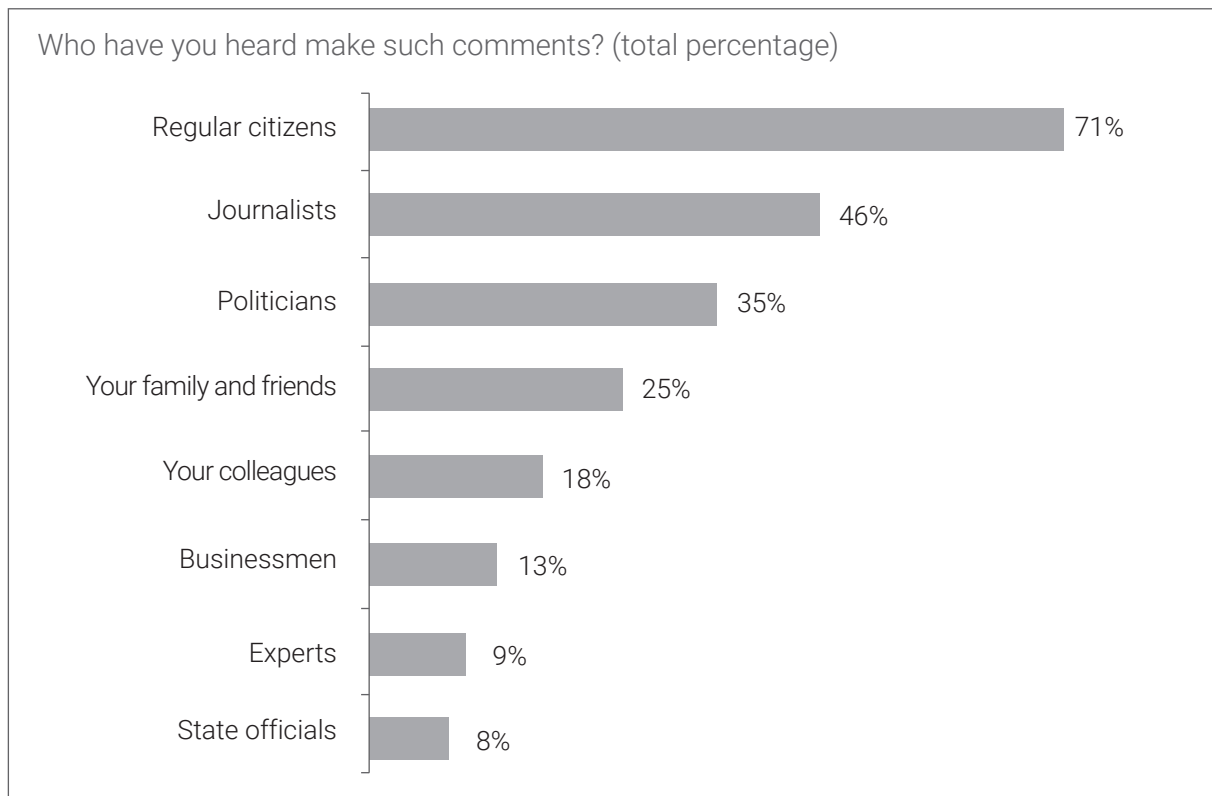
28. <http://opendata.bg/opendata.php?q=44&s=4&c=62&i=974&t=2&sel=5>; <http://opendata.bg/opendata.php?q=44&s=4&c=68&i=1048&t=2&sel=5>; <http://opendata.bg/opendata.php?q=44&s=4&c=78&i=1203&t=2&sel=5>



2013: Hate speakers



2014: Hate speakers



#### 2016: Hate speakers

*Politicians in varying degrees always top the list until 2016 at least when the trend reversed sharply as a result of the continuous negative political and media discourse. The regular citizens and journalists abruptly replaced the politicians as the top hate speakers.*

**As pointed out above in this analysis the Roma, Muslim and LGBT persons hold the lead as objects of hate speech while women lag behind. This does not apply to Roma women however who are still stigmatized both for being women and for belonging to the Roma ethnic group. The politicians and media again play a crucial role in legitimizing this type of language.** On 17 December 2014 in his defence of Minister Moskov the member of Parliament and chair of NFBS fraction Valeri Simeonov referred to the Roma as „...insolent, impertinent and beastly humanoids demanding pay without work, hospital treatment without being sick, child allowances for children playing in the streets with pigs and maternity benefits **for women with the instincts of stray bitches**”. Some media described Valeri Simeonov’s speech in the

gallery of Parliament as the first case of racist speech in the National Assembly.<sup>29</sup>

*The emergence of new political figures and leaders resulted in more flatly homophobic and sexist statements being made in the Bulgarian Parliament and in the voice of civil society against such speech being altogether ignored – such as the reaction against the outrageous Pro-Nazi statements, and arrogant and openly racist speeches of Valeri Simeonov, chair of the National Front for Bulgarian Salvation. Even though in the 43d National Assembly Valeri Simeonov stated that the Roma have “become impudent, impertinent and beastly humanoids...” he was appointed chair of the National Council of Ethnic and Integration Issues at the Council of Ministers. The open letter dated 25<sup>th</sup> May 2017 opposing the appointment remained unanswered and was not even publicized.*

29. See the article by Tatyana Vaxberg “The Door that Moskov Opened” published on 18.12.2014 on the DW web site (<http://www.dw.com>); quoted by Ivanka Ivanova in Public Attitudes to Hate Speech in Bulgaria in 2016. Sofia, Open Society Institute, 2016, p. 6. [www.osf.bg](http://www.osf.bg)

*On 31<sup>st</sup> May 2017 the leader of the VOLYA political party Veselin Mareshki, Deputy Speaker of the 44<sup>th</sup> National Assembly, put forward a motion for the MPs to declare homosexual conflict of interests and on 1<sup>st</sup> June in the TV program hosted by Milen Tzvetkov on Nova TV he reiterated the proposal. In his speech he equated the sexual orientation with economic dependency and urged that "such people" be treated as criminals. Civil society organizations sent an open letter in protest and demanded a public apology... no apology was offered...*

## 5. Main conclusions:

1. The results from the survey of Afis Agency show that politicians are not always prejudiced against the vulnerable groups, but use purposely the stereotypes in their political communication.
2. The survey reveals insensitivity to the issue of violence against women, insufficient knowledge with respect to gender equality and conservative attitudes to adopting adequate policies and legislation for achieving actual equality between women and men.
3. Negative speech against certain vulnerable groups such as Roma, Muslim and LGBT people and others prevail - a consistent trend throughout the years which becomes even more marked in the context of the refugee crisis, during elections and in the political debate.

## 6. Main recommendations:

- Concrete **effective policies** are necessary **against the recurrence and toleration of xenophobic, anti-women and racist ideas irrespective of** whether they come in the form of populist statements or messages meant to induce fear from the possible change of the stereotypical mindset. Efforts should be made to ensure the proactive involvement of various opinion leaders – NGO activists, political leaders, journalists, public figures – and encour-

age them to generate positive statements on the Roma issue, and more specifically the issue of Roma women. This could dramatically improve the public attitudes.

- **New forms of cooperation between the political parties and civil society** are necessary which to support the formulation of sustainable democratic policies and effective legislation safeguarding the right of all women to live and develop their potential and to be protected against gender-based violence and discrimination.
- **Ratification** of the Council of Europe Convention on preventing and combating violence against women and domestic violence.
- Amendments to the **Equal Opportunities of Women and Men Act** providing for the establishment of a unified authority on gender equality which to monitor the implementation of the law; ensure clear division of powers between the central and local government services and units and impose sanctions for non-compliance.
- Introduction of **mandatory quotas for women in government**. 30% women representation in politics is considered to be the minimum critical mass needed to change the political culture and put new issues on the political agenda. Necessary for establishing a parity democracy.
- Effective **policies aimed at combating sexism** in the media and the advertising industry and imposing sanctions on political leaders and public figures who make degrading public representations of women. In 2013 EP adopted a report against the gender stereotypes in the EU which put special focus on sensitizing the media, advertisers and public figures of the gender stereotypes and sexism in public communication.
- Raising clearly and categorically the issue of **Roma women** and putting it on the public agenda.

## About the author

**Iliana Balabanova-Stoycheva**, Chairperson of the Bulgarian Platform of the European Women's Lobby

**Milena Kadieva**, Manager of Gender Alternatives Foundation

**Teodora Krumova**, Deputy Chairperson of CIEDT "Amalipe" – Veliko Turnovo

## Imprint

Friedrich-Ebert-Stiftung | Office Bulgaria  
97, Knjaz Boris I St. | 1000 Sofia | Bulgaria

Responsible:  
Helene Kortländer | Executive Director, FES Bulgaria  
Tel.: +359 2 980 8747 | Fax: +359 2 980 2438  
<http://www.fes.bg>

Orders  
e-mail: [office@fes.bg](mailto:office@fes.bg)

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The project is implemented in partnership with the Bulgarian Platform of the European Women's Lobby.

The Bulgarian Platform was established in 2005 and includes all nongovernmental organizations in Bulgaria working towards gender equality, against all forms of violence against women and to ensure equal participation of women in the decision-making process. The Bulgarian Platform defends the interests of all women irrespective of their race, ethnic origin, health status, sexual orientation, age, religion or beliefs.

In 2016 the Bulgarian Platform was registered as a non-profit organization. In 2005 the Platform became a full member of the largest umbrella organization of women associations in the EU uniting more than 2 000 organizations working to promote women's rights - EWL.

The survey was conducted by the AFIS Agency for Sociological Analyses.

The views expressed in this publication are not necessarily those of the Friedrich-Ebert-Stiftung or of the organization for which the author works.