

# Bulgaria

## Where are the men of Dragash Voyvoda?

In January and April 2002 representatives of Amnesty International and the Bulgarian Helsinki Committee visited the Social Care Home for Adults with Mental Disorders in Dragash Voyvoda, in north-eastern Bulgaria. They concluded that the living conditions and lack of adequate care for the residents of Dragash Voyvoda amounted to inhuman and degrading treatment, in violation of international law<sup>1</sup>. The most telling indicator of the gross neglect that men of Dragash Voyvoda had been subjected to was the unacceptably high mortality rate in the institution. During 2001, approximately every fifth man in this social care home, which held around 140 men, died apparently as a result of inadequate medical treatment and care.

Following its visit in April 2002, Amnesty International wrote to Nikola Filchev, General Prosecutor of Bulgaria, urging him to investigate thoroughly and impartially the deaths of 27 residents of Dragash Voyvoda who had died since the beginning of 2001. Amnesty International also urged Lidiya Shuleva, Deputy Prime Minister and Minister of Labour and Social Policy, whose ministry is responsible for the social care home in Dragash Voyvoda, to take immediate steps to protect the physical and mental well-being of this institution's residents and to ensure that they are treated with respect for their human dignity and provided with adequate professional care and services.

How did the Bulgarian authorities respond?

On 17 April 2002 Bulgarian press reported that the Director of Dragash Voyvoda had been dismissed. She was replaced by her predecessor, under whose management at least half of the deaths in 2001 had occurred.

In August 2002 the Ministry of Labour and Social Policy announced that all residents of Dragash Voyvoda would be moved to more appropriate facilities before the end of 2002. The following month, in September 2002, 70 residents were transferred to five other institutions. The remaining residents were to be cared for by the same number of staff in Dragash Voyvoda before being transferred to a refurbished facility in the village of Govezhda, in the Montana Region. The location of this facility, some 6 kilometres from Bulgaria's western border with Serbia, is as remote as the one in Dragash Voyvoda. It is therefore questionable that the staff to be recruited to work in this institution would be better trained and qualified than in other, similarly remotely located social care homes.

In November 2002, the Office of the Chief Prosecutor informed Amnesty International that Pleven County Prosecutor opened a preliminary inquiry into the deaths

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<sup>1</sup> See Bulgaria: *Residents of Dragash Voyvoda are dying as a result of gross neglect* (AI Index: EUR 15/004/2002) published on 15 April 2002 and *Bulgaria: Far from the eyes of society – Systematic discrimination against people with mental disabilities* (AI Index: EUR 15/005/2002) pages 34, 41, 43, 46, 57-59.

of 27 residents of Dragash Voyvoda. No other information regarding this inquiry has been received at the time of publication of this report.

The transfer of Dragash Voyvoda men to other institutions is illustrative of the Ministry's understanding of special needs of people with mental disabilities as well as its oversight into conditions prevailing in the institutions within their system. Five men were transferred to Batoshevo, three to Tvarditsa, five to Batak, 15 to Rusokastro, and 42 to Kudelin. In a letter dated 11 February 2003, the Ministry informed the Bulgarian Helsinki Committee that the 70 men had been diagnosed as "mentally retarded<sup>2</sup> who could not be adequately cared for in Dragash Voyvoda"<sup>3</sup>. In connection with the transfer of Dragash Voyvoda residents the ministry had also set up a working group comprising three experts of the National Agency for Social Assistance<sup>4</sup> and representatives of regional and municipal social assistance departments where the social care homes to which residents were to be moved are located. It is not clear, however, what the role and mandate of this working group was. For instance, did members of the working group have instructions to ensure that the residents who were being transferred were indeed being sent to an institution appropriate to their needs? Did the members of the working group ensure that the conditions in the new homes would in fact provide former residents of Dragash Voyvoda with better living conditions, care and services?

In April 2003 representatives of Amnesty International and the Bulgarian Helsinki Committee visited four of the five institutions to which the men of Dragash Voyvoda had been transferred. They established that the living conditions for former Dragash Voyvoda residents in the new institutions could be described as only marginally better. All of them remain without rehabilitation or any therapy other than drugs. Such conditions and treatment are in violation of Article 7 of the International Covenant on Civil and Political Rights and Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms which prohibit torture or inhuman or degrading treatment or punishment. Bulgaria has ratified both of these treaties and is bound to enforce them fully.

It was also established that at least 18 of the 70 men had mental health disorders and yet had been sent to institutions established to care for people with intellectual disability. In Rusokastro, where 15 of the men who are diagnosed as suffering from schizophrenia had been transferred, Amnesty International's representative spoke to a man who was accommodated in a large residential bloc with around 60 men most of whom had intellectual disability, while some also suffered from physical and sensory impairments. He said: "I have nothing to do here. No one to talk to. It was better in Dragash Voyvoda where I at least had friends and a small plot of land where I grew vegetables."

Placing people with different needs in the same institution, neglecting that each person's physical safety and mental well-being should be ensured and that they are provided with adequate care and services, had tragic consequences for one former Dragash Voyvoda

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<sup>2</sup> This out-dated term is still being used to refer to people with intellectual disabilities.

<sup>3</sup> Officially Dragash Voyvoda had been set up to care for people with mental health disorders.

<sup>4</sup> This agency is established by and operates within the Ministry of Labour and Social Policy.

resident. Vasil Malinov, a 32-year-old man with severe learning disabilities, paraplegic and mute, was moved to Batoshevo. He was placed in a room with four other men, some of whom reportedly suffer serious mental illness. Mixing people with hugely different needs in social care homes is not uncommon in Bulgaria and Batoshevo was no exception in this respect. Around 100 residents of Batoshevo are housed in two buildings which are locked during the night when a nurse and an orderly are reportedly the only staff on duty. It was alleged that some of the residents with whom Vasil Malinov shared the room had been disturbed by his cries and grunts. In the morning of 18 March 2003 the staff found Malinov, looking bruised and battered. He was sent to a near-by town for an examination. The doctor reportedly found contusions on the chest for which he prescribed cold compresses. Vasil Malinov was then returned to the same room where three days later he was found dead, lying on the floor between beds.

In Tvarditsa, a social care home with a capacity for 215 men, living conditions for the majority of men are of higher standards than in many other visited institutions. However, around 50 men with the most serious intellectual impairments, among whom were two former residents of Dragash Voyvoda, are accommodated in a single-story building to the north of the main entrance. At the time of the visit all the residents, who were dressed in old army uniforms, were lined up military-style in three rows – waiting to be led to the central dining room for dinner. They were attended by one orderly. The dormitory was dilapidated, the beds and mattresses old, dirty and worn-out. The home's director himself described the situation in this pavilion as "catastrophic". He also stated that the budget the institution receives from the state is hardly sufficient to provide for basic every-day needs of the residents. Any improvements to the facilities, such as a newly constructed dormitory for men with slight intellectual disabilities, are made possible with charitable grants from abroad.

Representatives of Amnesty International and the Bulgarian Helsinki Committee were denied access to residents and the facilities of the social care home in Batak on 13 April 2003. This home in the Rodopi mountains, in a very inhospitable location, consists of several buildings, some of which are completely derelict, while others have boarded-up windows on the ground floor. From the main gate these buildings looked no more suitable for the care of people with special needs than the facilities in Dragash Voyvoda. A much more alarming similarity, indicating similar levels of neglect in these institutions, was the mortality rate of its residents. A representative of the Bulgarian Helsinki Committee who visited Batak on 14 December 2001 was told that 17 of around 80 residents had died in the course of that year. According to the senior nurse the majority of the deceased residents had been young and post-mortem examinations had not been carried out to establish the causes of death.

Forty-two men from Dragash Voyvoda had been transferred to Kudelin in the north-eastern-most part of Bulgaria. Kudelin's director told a representative of Amnesty International that former Dragash Voyvoda residents would be easily recognizable by old army uniforms which they wore. According to the director no one from the ministry in Sofia had recently visited the facilities. He went personally to Dragash Voyvoda to prepare the transfer. The only official there, apart from the institution's staff, was the municipal director of the social support services of Nikopol. Many of the departing residents cried and were in

great distress as they said good-bye to the staff and the residents who stayed on. They were then heavily sedated. In Kudelin, the men from Dragash Voyvoda occupy the third floor of the dormitory pavilion. There are five beds to a room. At the time of the visit all beds were covered by clean, new blankets which masked thin, old and soiled ones which were in everyday use. Some beds did not have sheets. There were no wardrobes or any other furniture in the rooms, curtains on windows or any decorations on the walls. Some doors and windows were in poor condition – reportedly damaged during fights between residents. Some of the rooms did not have working light bulbs. Although the weather was unseasonably cold with temperatures close to freezing in the mornings, there was no heating because the heating season finished on 31 March. The only toilets of rudimentary design were in an outhouse with no doors to ensure privacy.

Five men were held in a seclusion room on the first floor of the dormitory block. One of them came from Dragash Voyvoda. There were four beds in this room, one without a mattress and the window was boarded-up with a metal plate. The stench was overpowering.

Amnesty International is concerned that the steps taken so far to address the needs of current and former Dragash Voyvoda residents are inadequate. The organization is concerned that observed living conditions, lack of therapy and rehabilitation and the enforcement of seclusion in some of the institutions, amounts to inhuman and degrading treatment, prohibited by international law.

Amnesty International is not in position to advise the Bulgarian authorities on the specific ways to address the appalling situation in institutions such as Dragash Voyvoda and the homes to which some of its residents have been transferred. However, the organization reiterates to the Bulgarian authorities its recommendation that only those measures which lead to the full reintegration into society as appropriate, of people with mental disabilities would be in line with international human rights standards and best professional practice. Amnesty International also reiterates its recommendations to the Bulgarian authorities contained in the report *Bulgaria: Far from the eyes of society, Systematic discrimination of people with disabilities* (AI Index no: EUR 15/005/2002), published in October 2002.